

**Lee County Board Of County Commissioners**

Agenda Item Summary

Blue Sheet No. 20021103

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Accept a Petition VAC2002-00032 to vacate an approximately 1,320 foot long portion of a fifty-foot wide road right-of-way in the platted subdivision of Seminole Gardens; and adopt a resolution setting a public hearing for 5:00 p.m. on the 26th day of November, 2002.

**WHY ACTION IS NECESSARY:** To allow the property to be developed into 282 single family units as per Winkler Preserve RPD - DCI2002-00012.

*The vacation of this right-of-way will not alter existing drainage or utilities; nor is this right-of-way necessary to accommodate any future drainage or utility requirements.*

**WHAT ACTION ACCOMPLISHES:** Sets the date for Public Hearing.

**2. DEPARTMENTAL CATEGORY:** 04 Community Development  
**COMMISSION DISTRICT #** 03

*C4A*

**3. MEETING DATE:**

*11-5-02*

**4. AGENDA:**

- CONSENT
- ADMINISTRATIVE APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:**  
(Specify)

- STATUTE FS177
- ORDINANCE \_\_\_\_\_
- ADMIN. CODE 13-1 & 13-8
- OTHER \_\_\_\_\_

**6. REQUESTOR OF INFORMATION:**

- A. COMMISSIONER \_\_\_\_\_
- B. DEPARTMENT Community Development
- C. DIVISION Development Services

BY: *[Signature]* Peter J. Eckenrode, Director

**7. BACKGROUND:** The Petition to Vacate was submitted by Ms. Kathy Morgan of Development Solutions, LLC, Agent for Winkler Preserve, LLC.

**LOCATION:** This petition proposes to vacate an approximately 1,320 foot long portion of a fifty-foot wide road right-of-way along the West edge of lots 1 through 4 and along the East edge of lots 29 through 32 on the subdivision plat of Seminole Gardens located in Section 10, Township 46 South, Range 24 East and recorded in the Public Records of Lee County, Florida at Plat Book 4, Page 65.

The site is located on the East side of Winkler Road, south of Summerlin Road and between the subdivisions of Belle Meade to the South and Crown Colony to the North.

Documentation pertaining to this Petition to Vacate is available for viewing at the Office of Lee Cares.

There is an existing water main within the right-of-way. A replacement utility easement has been approved by Lee County Utilities and is to be granted along with this vacation.

There are no objections to this Petition to Vacate. Staff recommends the scheduling of the Public Hearing.

Attached to this Blue Sheet is a supplemental sketch, the Petition to Vacate, the Resolution to set the Public Hearing and the Notice of Public Hearing.

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
<i>[Signature]</i>	N/A	N/A	N/A	<i>[Signature]</i>	OA	QM	Risk	GC	<i>[Signature]</i>
					<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
Date: *10/18/02*  
Time: *12:58 PM*  
Forwarded To:  
*Admin*

RECEIVED BY  
COUNTY ADMIN. *D*  
*10/28 10:30*  
COUNTY ADMIN.  
FORWARDED TO: *BH*  
*10/23 12:00*

**PETITION TO VACATE**

Case Number: VAC2002-00032

Petitioner, Kathy Morgan, Agent Development Solution, LLC requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows: *FOR WINKLER PRESERVE, LLC, a Florida Limited Liability Company, et al.*

1. Petitioner's mailing address, 8660 College Parkway, Suite 160, Fort Myers, Florida 33919.

2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A" and in accordance with F.S. Chapter 336 and LCAC 13-8, Petitioner desires to vacate, abandon, close and discontinue the public's interest in the right-of-way or portion of right-of-way legally described in the attached Exhibit "A".

3. A sketch showing the area(s) the Petitioner desires to vacate is attached as Exhibit "B".

4. In accordance with F.S. Chapter 177, proof Petitioner paid all applicable state and county taxes on the property to be vacated is attached as Exhibit "C".

5. In accordance with F.S. Chapter 177, Petitioner is the fee simple title holder to the underlying land sought to be vacated.

6. In accordance with the LCAC 13-1, Petitioner did provide notice to all affected property owners concerning the intent of this Petition. Notice concerning the intent of this Petition will also be provided in accordance with LCAC 13-8.

7. In accordance with letters of review and recommendation provided by various governmental and utility entities, there is no apparent impediment to granting Petitioner's request.

Wherefore, Petitioner respectfully requests that the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted

By: *Kathy Morgan*  
Petitioner Signature

KATHY MORGAN, AGENT  
Printed Name

By: \_\_\_\_\_  
Petitioner Signature

\_\_\_\_\_  
Printed Name

**DESCRIPTION**

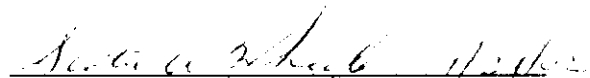
Road Right-of-Way  
Seminole Gardens  
Plat Book 4, Page 65, Lee County Records  
Section 10, Township 46 South, Range 24 East  
Lee County, Florida

A tract or parcel of land lying in Seminole Gardens as recorded in Plat Book 4, Page 65, Lee County Records located in Section 10, Township 46 South, Range 24, Lee County, Florida. Said tract or parcel being more particularly described as follows:

Beginning at the Southeast corner of Lot 29 of said Seminole Gardens run N 01° 13' 18" W along the east line of said Lot 29 and Lots 30, 31 and 32 of said Seminole Gardens for 1237.90 feet to an intersection with the north line of the northeast quarter (NE-1/4) of said Section 10; thence run N 89° 02' 07" E along said North line for 50.00 feet; thence run S 01° 13' 18" E along the westerly line of Lots 1, 2, 3 and 4 of said Seminole Gardens for 1237.65 feet to the Southwest corner of said Lot 4; thence run S 88° 45' 10" W for 50.00 feet to the point of beginning.

Containing 61,889 square feet, more or less.

Bearings herein above mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the north line of the northeast quarter (NE-1/4) of said Section 10, Township 46 South, Range 24 East, Lee County Florida to bear N 89° 02' 07" E.

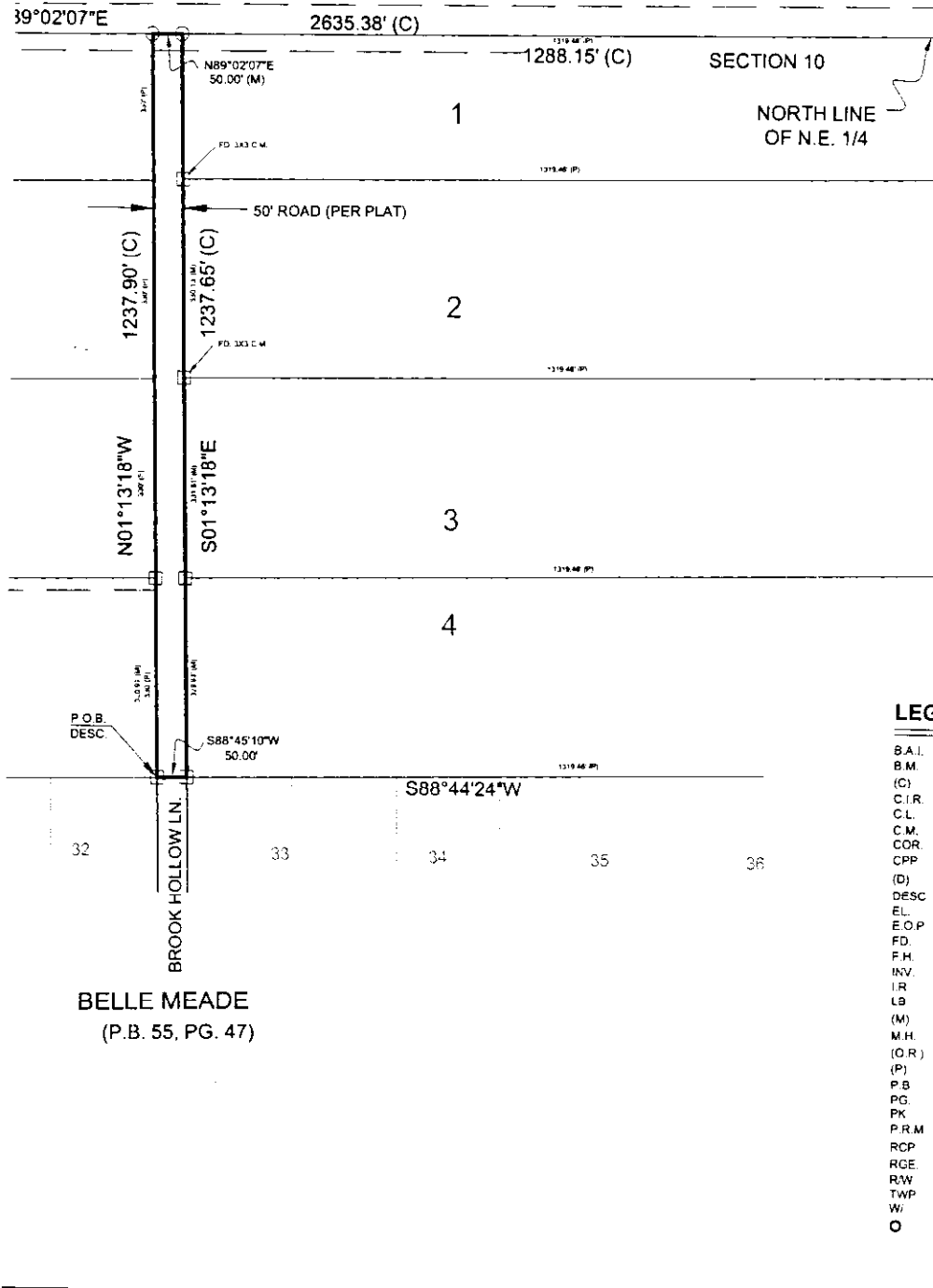


Scott A. Wheeler (For The Firm)  
Professional Surveyor and Mapper  
Florida Certificate No. 5949

21608

CROWN COLONY  
(P.B. 68, PG. 23)

SECTION 3



**LEGEND:**

- B.A.I. BARRACO & ASSOCIATES, INC.
- B.M. BENCH MARK
- (C) CALCULATED
- C.I.R. CAPPED IRON ROD
- C.L. CHAIN LINK
- C.M. CONCRETE MONUMENT
- COR CORNER
- CPP CONCRETE POWER POLE
- (D) DESCRIPTION
- DESC DESCRIPTION
- EL. ELEVATION
- E.O.P. EDGE OF PAVEMENT
- FD. FOUND
- F.H. FIRE HYDRANT
- INV. INVERT
- I.R. IRON ROD
- LB. LICENSED BUSINESS
- (M) MEASURED
- M.H. MANHOLE
- (O.R.) OFFICIAL RECORD BOOK
- (P) PLAT
- P.B. PLAT BOOK
- PG. PAGE
- PK. PARKER-KALON
- P.R.M. PERMANENT REFERENCE MONUMENT
- RCP. REINFORCED CONCRETE PIPE
- RGE. RANGE
- R.W. RIGHT OF WAY
- TWP. TOWNSHIP
- W. WITH
- O. SET 1/2" IRON ROD WITH CAP STAMPED BAI LB6940, UNLESS OTHERWISE NOTED

PREPARED FOR

PROJECT DESCRIPTION

ROAD RIGHT OF WAY  
SEMINOLE GARDENS  
(P.B. 4, PG. 65)  
SEC. 10, TWP. 46 S RGE. 24 E  
LEE COUNTY, FLORIDA

PROJECT SURVEYOR



NOT VALID WITHOUT THE SIGNATURE  
AND THE ORIGINAL RAISED SEAL OF A  
FLORIDA LICENSED SURVEYOR AND MAPPER

FILE NAME	HWKSKETCH.DWG
LAYOUT	LAYOUT
LOCATION	2321BROADWAY(SURVEYING)
PLOT DATE	THU 1-24-2002 1:30 PM
PLOT BY	SCOTT WHEELER
DRAWING DATA	
SURVEY DATE	01/23/2002
DRAWN BY	JMS
CHECKED BY	SAW
SCALE	AS NOTED
FIELD BOOK	
PLAN REVISIONS	
\$TRAP NUMBERS	
SKETCH TO ACCOMPANY DESCRIPTION	

**DESCRIPTION**


Road Right-of-Way  
Seminole Gardens  
Plat Book 4, Page 65, Lee County Records  
Section 10, Township 46 South, Range 24 East  
Lee County, Florida

A tract or parcel of land lying in Seminole Gardens as recorded in Plat Book 4, Page 65, Lee County Records located in Section 10, Township 46 South, Range 24, Lee County, Florida. Said tract or parcel being more particularly described as follows:

Beginning at the Southeast corner of Lot 29 of said Seminole Gardens run N 01° 13' 18" W along the east line of said Lot 29 and Lots 30, 31 and 32 of said Seminole Gardens for 1237.90 feet to an intersection with the north line of the northeast quarter (NE-1/4) of said Section 10; thence run N 89° 02' 07" E along said North line for 50.00 feet; thence run S 01° 13' 18" E along the westerly line of Lots 1, 2, 3 and 4 of said Seminole Gardens for 1237.65 feet to the Southwest corner of said Lot 4; thence run S 88° 45' 10" W for 50.00 feet to the point of beginning.

Containing 61,889 square feet, more or less.

Bearings herein above mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the north line of the northeast quarter (NE-1/4) of said Section 10, Township 46 South, Range 24 East, Lee County Florida to bear N 89° 02' 07" E.

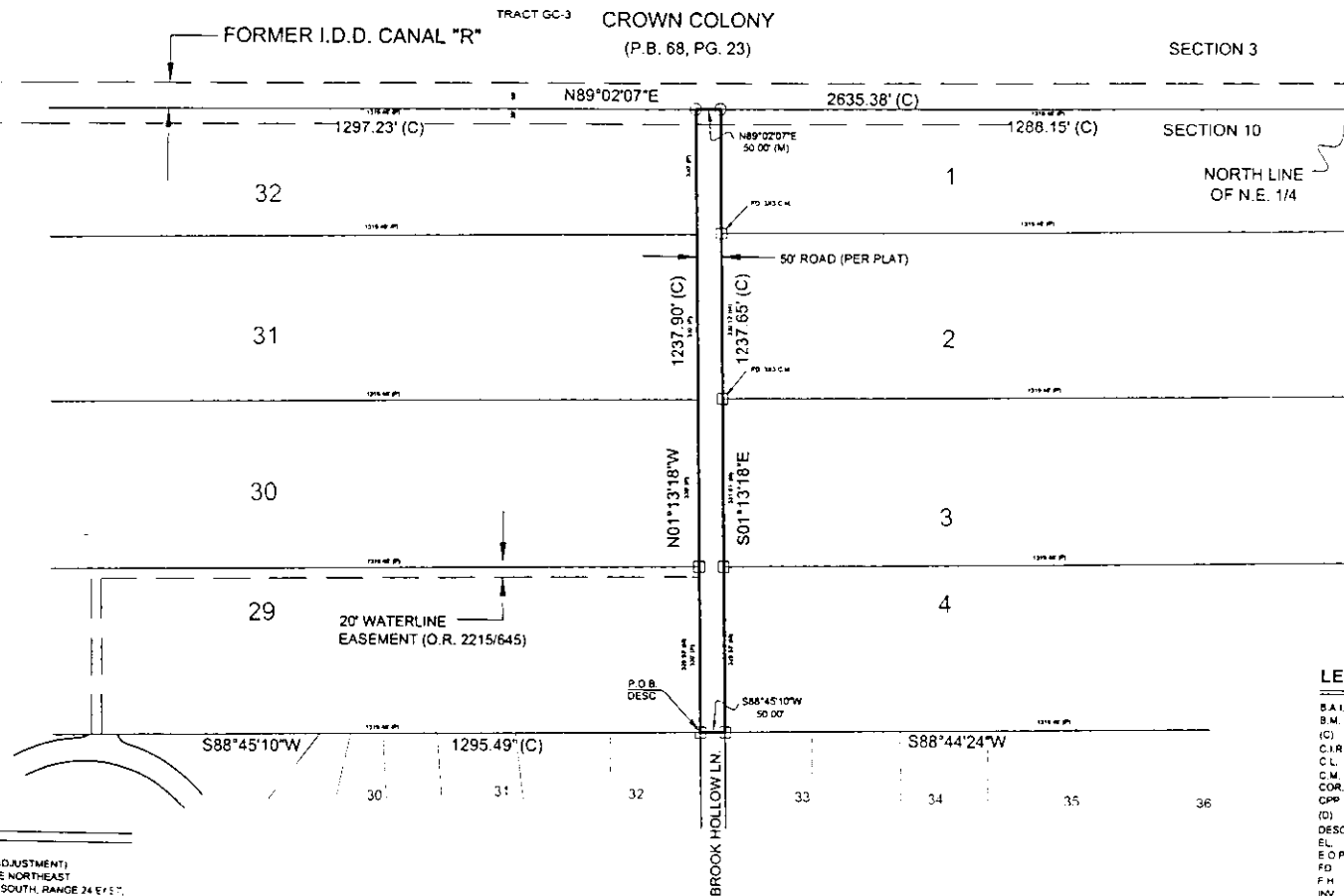
  
Scott A. Wheeler (For The Firm)  
Professional Surveyor and Mapper  
Florida Certificate No. 5949

21608

**Exhibit A**



0 75 150 300  
SCALE IN FEET



BELLE MEADE  
(P.B. 55, PG. 47)

NOTES

BEARINGS SHOWN ARE STATE PLANE  
FOR THE FLORIDA WEST ZONE (1983/90 ADJUSTMENT)  
AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST  
QUARTER OF SECTION 10, TOWNSHIP 48 SOUTH, RANGE 24 E 1 S,  
TO BEAR N 89°02'07" E

THIS IS NOT A SURVEY

*Scott A. Wheeler*

SCOTT A. WHEELER (FOR THE FIRM - LB-8940)

PROFESSIONAL SURVEYOR AND MAPPER

FLORIDA CERTIFICATE NO. 5949

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A

*1/24/02*  
DATE SIGNED

Exhibit B

LEGEND:

- B.A.I. BARRACO & ASSOCIATES, INC
- B.M. BENCH MARK
- (C) CALCULATED
- C.I.R. CAPPED IRON ROD
- C.L. CHAIN LINK
- C.M. CONCRETE MONUMENT
- COR. CORNER
- C.P.P. CONCRETE POWER POLE
- (D) DESCRIPTION
- DESC. DESCRIPTION
- EL. ELEVATION
- E.O.P. EDGE OF PAVEMENT
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- INV. INVERT
- I.R. IRON ROD
- LB. LICENSED BUSINESS
- (M) MEASURED
- M.H. MANHOLE
- (O.R.) OFFICIAL RECORD BOOK
- (P) PLAT
- P.B. PLAT BOOK
- PG. PAGE
- PK. PARKER-KALON
- P.R.M. PERMANENT REFERENCE MONUMENT
- R.C.P. REINFORCED CONCRETE PIPE
- RNGE. RANGE
- R.W. RIGHT OF WAY
- TWP. TOWNSHIP
- WI. WITH
- O. SET 1/2" IRON ROD WITH CAP STAMPED  
BAI LB6940 UNLESS OTHERWISE NOTED

**Barraco**  
and Associates, I.J.C.  
CIVIL ENGINEERS, SURVEYORS AND  
LAND DEVELOPMENT CONSULTANTS  
www.barraco.net

2771 MCGREGOR BOULEVARD  
POST OFFICE DRAWER 2802  
FORT MYERS, FLORIDA 33907-2802  
PHONE (813) 481-3170  
FAX (813) 481-3188

FLORIDA CERTIFICATE OF AUTHORIZATION  
ENGINEERING 7995 - SURVEYING LB-8940

PREPARED FOR

PROJECT DESCRIPTION

ROAD RIGHT OF WAY  
SEMINOLE GARDENS  
P.B. 4 PG. 451  
SEC. 10 TWP. 48 S. RGE. 24 E.  
LEE COUNTY, FLORIDA

PROJECT SURVEYOR



NOT VALID WITHOUT THE SIGNATURE  
AND THE ORIGINAL RAISED SEAL OF A  
FLORIDA LICENSED SURVEYOR AND MAPPER

FILE NAME	DESCRIPTION
LAYOUT	LAYOUT
LOCATION	29-32-10-1-2-3-4
PLAT DATE	PLAT 1-24-02 - 10-10-02
PLAT BY	SCOTT A. WHEELER
DRAWING DATE	8/27/02
DRAWN BY	SCOTT A. WHEELER
CHECKED BY	SCOTT A. WHEELER
SCALE	AS NOTED
FIELD BOOK	PLAT 107-8940

PROJECT NUMBER

SKETCH TO  
ACCOMPANY  
DESCRIPTION

PROJECT FILE NO. SHEET NUMBER  
2 OF 2

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned does hereby swear or affirm that Winkler Preserve, LLC is the fee simple title holder and owner of record of property commonly known as Winkler Preserve RPD, Strap #10-46-24-01-0031.0000 and legally described as Seminole Gardens PB 4 PG 65 Lot 31 and Seminole Gardens PB 4 PG 65 Lot 32; Winkler Preserve RPD, Strap # 10-46-24-01-00033.0000 and legally described as Seminole Gardens PB 4 PG 65 Lot 33; and Strap # 10-46-24-01-00034.0000 Seminole Gardens PB 4 PG 65 Lot 34. The property described herein is the subject of an application for zoning or development. Winkler Preserve, LLC hereby designates W. Michael Kerver as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of Randy E. Thibaut and Kathy L. Morgan as agents and other agents as necessary to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

WINKLER PRESERVE, LLC

By: [Signature]  
Owner\* (signature)

W. Michael Kerver, Vice President  
Printed Name

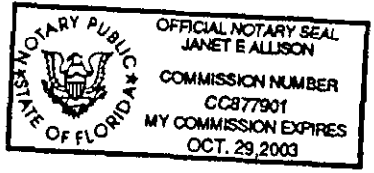
STATE OF FLORIDA  
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 17<sup>th</sup> day of June, 2002, by W. Michael Kerver, Vice President of Winkler Preserve, LLC, who is personally known to me or who has produced \_\_\_\_\_ as identification.

(SEAL)

[Signature]  
Notary Public

Janet E. Allison  
(Name typed, printed or stamped)



**DISCLOSURE OF INTEREST FORM FOR:**

10-46-24-01-00031.0000 &

**STRAP NO:** 10-46-24-01-00033.0000 & 10-46-24-01-00034.0000 **CASE NO.** \_\_\_\_\_

1. If the property is owned in fee simple by an **INDIVIDUAL**, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address

Percentage of Ownership

Name and Address	Percentage of Ownership

2. If the property is owned by a **CORPORATION**, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office

Percentage of Stock

Name, Address, and Office	Percentage of Stock
Winkler Preserve, LLC	100%

3. If the property is in the name of a **TRUSTEE**, list the beneficiaries of the trust with percentage of interest.

Name and Address

Percentage of Interest

Name and Address	Percentage of Interest

4. If the property is in the name of a **GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP**, list the names of the general and limited partners.

Name and Address

Percentage of Ownership

Name and Address	Percentage of Ownership

(over)





**EXHIBIT I-B-4  
COVENANT OF UNIFIED CONTROL**

The undersigned does hereby swear or affirm that Winkler Preserve, LLC is the fee simple title holder and owner of record of the property commonly known as *Winkler Preserve RPD, Strap # 10-46-24-01-00031.0000 and legally described as Seminole Gardens PB 4 PG 65 Lot 31 and Seminole Gardens PB 4 PG 65 Lot 32; Strap # 10-46-24-01-00033.0000 and legally described as Seminole Gardens PB 4 PG 65 Lot 33; and Strap # 10-46-24-01-00034.0000 and legally described as Seminole Gardens PB 4 PG 65 Lot 34.* The property described herein is the subject of an application for planned development zoning. Winkler Preserve, LLC hereby designates W. Michael Kerver as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Lee County.

The undersigned recognizes the following and will be guided accordingly in the pursuit of development of the project:

1. The property will be developed and used in conformity with the approved master concept plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned development rezoning.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the master concept plan, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by Lee County.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the planned development process will constitute a violation of the Land Development Code.
4. All terms and conditions of the planned development approval will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the planned development must be consistent with those terms and conditions.
5. So long as this covenant is in force, Lee County can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the planned development, seek equitable relief as necessary to compel compliance. The County will not issue permits, certificates, or licenses to occupy or use any part of the planned development and the County may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the planned development.

WINKLER PRESERVE, LLC

By: W. Michael Kerver  
Signature

WPK

6-18-02  
date

Signature

date

W. Michael Kerver, Vice President  
Printed Name

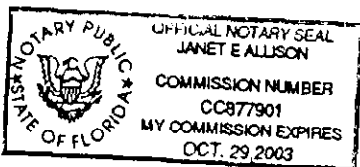
Printed Name

STATE OF FLORIDA )  
COUNTY OF LEE )

Sworn to (or affirmed) and subscribed before me this 17<sup>th</sup> day of June, 2002, by W. Michael Kerver, Vice President of Winkler Preserve, LLC who is personally known to me or has produced \_\_\_\_\_ as identification.

Janet E. Allison  
Notary Public

Janet E. Allison  
(Name typed, printed or stamped)  
(Serial Number, if any)



JOINT WRITTEN CONSENT  
OF THE SOLE MEMBER AND MANAGER  
OF  
WINKLER PRESERVE, L.L.C.

The undersigned, constituting the sole Member and the sole Manager of Winkler Preserve, L.L.C., a limited liability company organized and existing under the laws of the State of Florida (referred to herein as the "Company"), do hereby consent to and approve the following actions, by written consent in lieu of a formal meeting of the Company:

RESOLVED, that the undersigned waive all notice of a formal meeting and adopt this Written Consent in lieu of a formal meeting of the Manager and Member of the Company; and be it

FURTHER RESOLVED, that the following individuals are hereby elected to serve as officers of the Company until their death, disability or removal by the Manager of the Company

Bruce Wetzel Vice President

W. Michael Kerver Vice President

Dated: March 20, 2002

MEMBER:

Advance Homes, Inc.

By: A. Jeffrey Seitz, President  
A. Jeffrey Seitz, President

MANAGER:

A. Jeffrey Seitz  
A. Jeffrey Seitz

# PETITION TO VACATE

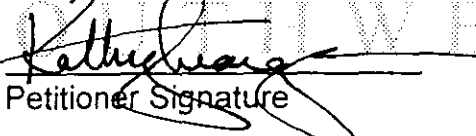
Case Number: \_\_\_\_\_

Petitioner(s), Kathy Morgan, Agent Development Solutions, LLC  
requests the Board of County Commissioners of Lee County, Florida, to grant this Petition  
to Vacate and states as follows:

1. Petitioner(s) mailing address, 8660 College Parkway, Suite 160,  
Fort Myers, Florida 33919
2. In accordance with Florida Statute (F.S.) Chapter 336 and Lee County Administrative  
Code (LCAC) 13-8, Petitioner desires to vacate, abandon and discontinue the public's  
interest in the right-of-way or portion of right-of-way legally described in the attached  
Exhibit "A".
3. A sketch showing the area(s) the Petitioner desires to vacate is attached as Exhibit "B".
4. Notice concerning the intent of this Petition will be provided in accordance with LCAC  
13-8.
5. In accordance with letters of review and recommendation provided by the various  
governmental and utility entities, there is no apparent impediment to granting Petitioner's  
request.

Wherefore, Petitioner respectfully requests that the Board of County Commissioners  
adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted

By:   
Petitioner Signature

Kathy Morgan, Agent  
Printed Name

By: \_\_\_\_\_  
Petitioner Signature

\_\_\_\_\_  
Printed Name

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as Winkler Preserve RPD, Strap # 10-46-24-01-00003.0000 and legally described as Seminole Gardens PB 4 PG 65 Lot 3; Strap # 10-46-24-01-00030.0000 Seminole Gardens PB 4 PG 65 Lot 30 and Strap # 10-46-24-01-00035.0000 Seminole Gardens PB 4 PG 65 Lot 35.

The property described herein is the subject of an application for zoning or development. We hereby designate Jay R. Johnson and Mary H. Johnson as the legal representatives of the property and as such, these individuals are authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of Randy E. Thibaut and Kathy L. Morgan as agents and other agents as necessary to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. These representatives will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

Jay R. Johnson 2/19/02 Mary H. Johnson 2-19-02  
Owner\* (signature) (date) Owner\* (signature) (date)  
Jay R. Johnson Mary H. Johnson  
Printed Name Printed Name

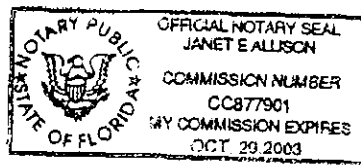
STATE OF FLORIDA  
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 9<sup>th</sup> day of February, 2002, by Jay R. Johnson and Mary H. Johnson, who are personally known to me or who have produced and \_\_\_\_\_ as identification.

Janet E. Allison  
Notary Public

(SEAL)

Janet E. Allison  
(Name typed, printed or stamped)



**DISCLOSURE OF INTEREST FORM FOR:**

**STRAP NO:** 10-46-24-01-00003.0000, 10-46-24-01-00030.0000 & 10-46-24-01-00035.0000, **CASE NO.** \_\_\_\_\_

1. If the property is owned in fee simple by an **INDIVIDUAL**, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership
Jay R. Johnson & Mary H. Johnson 2258 Dixie Lee Court St. James City, FL 33956	100%

2. If the property is owned by a **CORPORATION**, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock

3. If the property is in the name of a **TRUSTEE**, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

4. If the property is in the name of a **GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP**, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

(over)



Advance Homes, Inc.

Name of Stockholder	Percentage of Stock Owned
Velma Seitz 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	51%
Cynthia Westzel 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	16.333%
Susan Gates 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	16.333%
A. Jeffrey Seitz 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	16.333%



LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned does hereby swear or affirm that she is the trustee for the fee simple title holder and owner of record of property commonly known as Winkler Preserve RPD, Strap # 10-46-24-01-00029.0000 and legally described as Seminole Gardens PB 4 PG 65 Lot 29, and Strap # 10-46-24-01-00036.0000 and Seminole Gardens PB 4 PG 65 Lot 36. The property described herein is the subject of an application for zoning or development. I hereby designate Patrick Hayes, Trustee as the legal representative of the property and as such, he is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of Randy E. Thibaut and Kathy L. Morgan as agents and other agents as necessary to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

MERRILL R. TAGGART REVOCABLE INTER VIVOS TRUST

By: Lillian B. Taggart 3/1/02  
Owner\* (signature) (date)


Lillian B. Taggart, Successor Trustee  
Printed Name

STATE OF FLORIDA  
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 1st day of March, 2002, by Lillian B. Taggart, Successor Trustee to the Merrill R. Taggart Revocable Inter Vivos Trust, who is personally known to me or who has produced \_\_\_\_\_ as identification.

Linda J. Netsch  
Notary Public

(SEAL)

 Linda J. Netsch  
MY COMMISSION # CC350820 EXPIRES 06/27/05  
(Name ~~was~~ printed on stamp)  
BONDED THRU TROY FAIN INSURANCE, INC

**DISCLOSURE OF INTEREST FORM FOR:**

**STRAP NO:** 10-46-24-01-00029.0000 & 10-46-24-01-00036.0000 **CASE NO.** \_\_\_\_\_

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest
Lillian B. Taggart, Successor Trustee to the , Merrill R. Taggart Revocable Inter Vivos Trust 1304 Rio Vista Drive Fort Myers, FL 33901	100%

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

(over)

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office(if applicable)

Percentage of Stock

	See Attachment
Advance Homes, Inc.	

Date of Contract: 11/27/01

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address


For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Lillian B. Taggart 3/1/02  
 Signature date Signature date

Lillian B. Taggart, Successor Trustee  
 Printed Name

\_\_\_\_\_  
 Printed Name

STATE OF FLORIDA  
 COUNTY OF LEE

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of March, 2002, by Lillian B. Taggart, Successor Trustee, who is personally known to me or who has produced \_\_\_\_\_ as identification.

Linda J. Neisch  
 Signature of Notary Public

(SEAL)

Printed Name of Notary Public



Linda J. Neisch  
 MY COMMISSION # CC830820 EXPIRES  
 April 27, 2003  
 BONDED THRU TROY FAIR INSURANCE, INC.

**Advance Homes, Inc.**

<b>Name of Stockholder</b>	<b>Percentage of Stock Owned</b>
Velma Seitz 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	51%
Cynthia Westzel 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	16.333%
Susan Gates 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	16.333%
A. Jeffrey Seitz 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	16.333%

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned does hereby swear or affirm that she is the fee simple title holder and owner of record of property commonly known as Winkler Preserve RPD, Strap # 10-46-24-01-00001.0000 and legally described as Seminole Gardens PB 4 PG 65 Lot 1.

The property described herein is the subject of an application for zoning or development. I hereby designate Dolores Marianne Meyer, Trustee as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of Randy E. Thibaut and Kathy L. Morgan as agents and other agents as necessary to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

Dolores Marianne Meyer Trustee 2-13-02  
Owner\* (signature)

Dolores Marianne Meyer, Trustee  
Printed Name

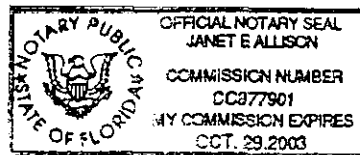
STATE OF FLORIDA  
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 13<sup>th</sup> day of February, 2002, by Dolores Marianne Meyer, Trustee, who is personally known to me or who has produced \_\_\_\_\_ as identification.

Janet E. Allison  
Notary Public

(SEAL)

Janet E. Allison  
(Name typed, printed or stamped)



**DISCLOSURE OF INTEREST FORM FOR:**

**STRAP NO:** 10-46-24-01-00001.0000 **CASE NO.** \_\_\_\_\_

1. If the property is owned in fee simple by an **INDIVIDUAL**, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a **CORPORATION**, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock

3. If the property is in the name of a **TRUSTEE**, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest
Dolores Marianne Meyer, Trustee 9742 Deerfoot Drive Fort Myers 33919	100%

4. If the property is in the name of a **GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP**, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

(over)

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office(if applicable)

Percentage of Stock

Advance Homes, Inc.	See Attachment

Date of Contract: 11/19/01

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address


For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature:

Dolores Marianne Meyer, Trustee  
(Applicant), 2-13-02

Dolores Marianne Meyer, Trustee  
(Printed or typed name of applicant)

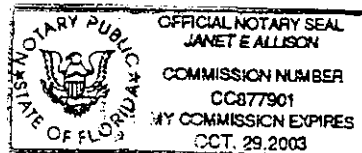
STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of February, 2002, by Dolores Marianne Meyer, Trustee, who is personally known to me or who has produced    as identification.

Janet E. Allison  
Signature of Notary Public

(SEAL)

Janet E. Allison  
Printed Name of Notary Public



Advance Homes, Inc.

Name of Stockholder	Percentage of Stock Owned
Velma Seitz 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	51%
Cynthia Westzel 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	16.333%
Susan Gates 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	16.333%
A. Jeffrey Seitz 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	16.333%



LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as Winkler Preserve RPD, Strap # 10-46-24-01-00002.0000 and legally described as Seminole Gardens PB 4 PG 65 Lot 2.

The property described herein is the subject of an application for zoning or development. We hereby designate Michael A. Allen, Trustee and Fay A. Allen, Trustee as the legal representatives of the property and as such, these individuals are authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of Randy E. Thibaut and Kathy L. Morgan as agents and other agents as necessary to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. These representatives will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

Michael A. Allen Trustee  
Owner\* (signature) 2-13-02

Michael A. Allen, Trustee  
Printed Name

Fay A. Allen Trustee  
Owner\* (signature) 02-13-02

Fay A. Allen, Trustee  
Printed Name

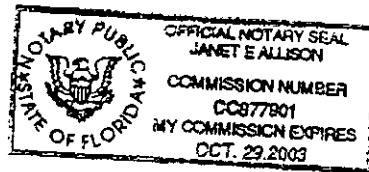
STATE OF FLORIDA  
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 13<sup>th</sup> day of February, 2002, by Michael A. Allen, Trustee and by Fay A. Allen, Trustee, who are personally known to me or who have produced \_\_\_\_\_ and \_\_\_\_\_ as identification.

Janet E. Allison  
Notary Public

(SEAL)

Janet E. Allison  
(Name typed, printed or stamped)



**DISCLOSURE OF INTEREST FORM FOR:**

**STRAP NO:** 10-46-24-01-00002.0000 **CASE NO.** \_\_\_\_\_

1. If the property is owned in fee simple by an **INDIVIDUAL**, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a **CORPORATION**, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock

3. If the property is in the name of a **TRUSTEE**, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest
Michael A. Allen, Trustee 1121 North Town & River Drive Fort Myers 33919	50%
Fay A. Allen, Trustee 1121 North Town & River Drive Fort Myers 33919	50%

4. If the property is in the name of a **GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP**, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

(over)

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office(if applicable)	Percentage of Stock
Advance Homes, Inc.	
See Attachment	

Date of Contract: 11/20/01

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address


For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Michael A. Allen Trustee  
 Signature date 2-13-02

Fay A. Allen Trustee 02-13-02  
 Signature date

Michael A. Allen, Trustee

Fay A. Allen, Trustee

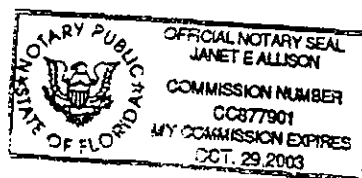
STATE OF FLORIDA  
 COUNTY OF LEE

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of February, 2002, by Michael A. Allen, Trustee and by Fay A. Allen, Trustee, who are personally known to me or who have produced \_\_\_\_\_ and \_\_\_\_\_ as identification. .

Janet E. Allison  
 Signature of Notary Public

(SEAL)

Janet E. Allison  
 Printed Name of Notary Public



**Advance Homes, Inc.**

<b>Name of Stockholder</b>	<b>Percentage of Stock Owned</b>
Velma Seitz 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	51%
Cynthia Westzel 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	16.333%
Susan Gates 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	16.333%
A. Jeffrey Seitz 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	16.333%

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned Managing Member of South Florida Properties, L.L.C., does hereby swear or affirm that South Florida Properties, L.L.C. is the fee simple title holder and owner of record of property commonly known as Winkler Preserve RPD, Strap # 10-46-24-01-00004.0000 and legally described as Seminole Gardens PB 4 PG 65 Lot 4.

The property described herein is the subject of an application for zoning or development. South Florida Properties, L.L.C. hereby designates Frank D'Alessandro as the legal representatives of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of Randy E. Thibaut and Kathy L. Morgan as agents and other agents as necessary to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

SOUTH FLORIDA PROPERTIES, L.L.C.

By: [Signature], Managing Member 2/22/02  
Owner (signature) (date)

Frank D'Alessandro, Managing Member  
Printed Name

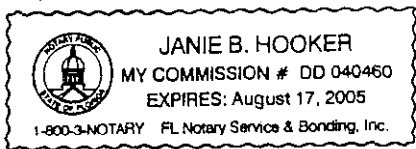
STATE OF FLORIDA  
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 22nd day of February, 2002, by Frank D'Alessandro, Managing Member of South Florida Properties, L.L.C., who is personally known to me or who has produced Personally known as identification.

[Signature]  
Notary Public

Janie B. Hooker  
(Name typed, printed or stamped)

(SEAL)





**DISCLOSURE OF INTEREST FORM FOR:**

**STRAP NO:** 10-46-24-01-00004.0000, **CASE NO.** \_\_\_\_\_

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership
South Florida Properties, LLC 613 24 <sup>th</sup> Street SW Norman, OK 73069	See Attachment

(over)

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office(if applicable)

Percentage of Stock

Advance Homes, Inc.	See Attachment

Date of Contract: 11/27/01

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address


For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

SOUTH FLORIDA PROPERTIES, L.L.C.

By: [Signature] *Managing Member*  
 Signature date 2/22/02

Frank D'Alessandro, Managing Member

Printed Name

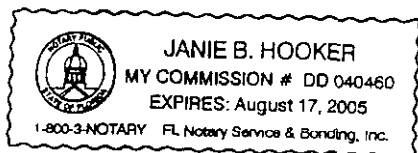
STATE OF FLORIDA  
 COUNTY OF LEE

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of February, 2002, by Frank D'Alessandro, Managing Member of South Florida Properties, L.L.C., who is personally known to me or who has produced Personally Known as identification.

[Signature]  
 Signature of Notary Public

Janie B. Hooker  
 Printed Name of Notary Public

(SEAL)





## SOUTH FLORIDA PROPERTIES, L.L.C.

<u>Owner</u>	<u>Percentage of Ownership</u>
Frank D'Alessandro 13131 University Drive Fort Myers, FL 33907 (941) 489-3303, Ext. 220 Fax: (941) 437-7216	One-Third
Glenn A. Foster, Jr. 1907 Riverside Drive Norman, OK 73072 (405) 641-8852 Fax (405) 321-0276	One-Third
T-Rex Investments Limited Liability Company 1705 National Boulevard Midwest City, OK 73110 (405) 732-2226 Fax (405) 732-6752	One-Third

### T-REX INVESTMENTS LIMITED LIABILITY COMPANY

Mike Dillard 1705 National Boulevard Midwest City, OK 73110 (405) 732-2226 Fax (405) 732-6752	One-Half
Roddy Bates 1705 National Boulevard Midwest City, OK 73110 (405) 732-2226 Fax (405) 732-6752	One Half

Advance Homes, Inc.

Name of Stockholder	Percentage of Stock Owned
Velma Seitz 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	51%
Cynthia Westzel 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	16.333%
Susan Gates 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	16.333%
A. Jeffrey Seitz 4215 East 60 <sup>th</sup> Street, Suite #6 Davenport, IA 52807 Phone: 563-359-0307; Fax 563-359-0589	16.333%

10-25-02



Prepared By and Return To:  
Brenda McLeod  
Fidelity National Title Insurance Company of New York  
12595 New Brittany Blvd.  
Fort Myers, FL 33907

File No. 01-015-702226

Property Appraiser's Parcel I.D.(folio) Number(s)  
10-46-24-01-00001.0000

SS#: ~~XXXXXXXXXX~~

INSTR # 5587939  
OR BK 03745 PG 4019  
RECORDED 10/08/2002 12:59:55 PM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 10.50  
DEED DUC 1,225.00  
DEPUTY CLERK J Miller

**WARRANTY DEED**

**THIS WARRANTY DEED** dated October 2, 2002, by Dolores Marianne Meyer, Individually and as Trustee under provisions of a Revocable Living Trust dated March 15, 2001, hereinafter called the grantor, to Winkler Preserve, L.L.C., a Florida Limited Liability Company, whose post office address is 4215 East 60th Street, Suite #6, Davenport, IA 52807, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**WITNESSETH:** That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the grantee, all the certain land situated in Lee County, Florida, viz:

Lot 1, Seminole Gardens, according to the plat thereof, as recorded in Plat Book 4, Page 65, of the Pubic Records of Lee County, Florida.

**THIS IS VACANT LAND AND DOES NOT NOW NOR HAS IT EVER BEEN THE HOMESTEAD OF THE GRANTOR, NOR IS IT CONTIGUOUS THERETO.**

Subject to easements, restrictions, reservations, and limitations of record, if any.

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

**TO HAVE AND TO HOLD** the same in fee simple forever.

**AND** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2001.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]  
(Witness Signature)

✓ Janet E. Allison  
(Print Name of Witness)

[Signature]  
(Witness Signature)

✓ HAROLD ARKIN  
(Print Name of Witness)

By: [Signature]  
Dolores Marianne Meyer, Individually and as  
Trustee under provisions of a Revocable Living  
Trust dated March 15, 2001

4410 Lake Breeze Dr. #109  
St. Augustine, FL 32087  
(Address and Phone Number)

STATE of FLORIDA

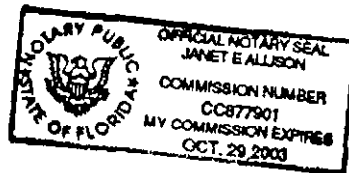
COUNTY of LEE

I HEREBY CERTIFY that on this day, before me, an Officer duly authorized in the State aforesaid and the County aforesaid to take acknowledgements, personally appeared Dolores Marianne Meyer, Individually and as Trustee to me known to be the person(s) described in or who has/have produced Personally known as identification and who executed the foregoing instrument and he/she/they acknowledged before me that he/she/they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 3rd day of October, 2002

[Signature]  
Notary Signature  
✓ Janet E. Allison  
Printed Notary Name

My commission expires: 10/29/03



10.00  
1235.00



**Prepared By and Return To:**  
Brenda McLeod  
Fidelity National Title Insurance Company of New York  
12595 New Brittany Blvd.  
Fort Myers, FL 33907

**INSTR # 5586681**  
**OR BK 03744 PG 3024**  
RECORDED 10/07/2002 12:57:48 PM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 10.50  
DEED DOC 1,225.00  
DEPUTY CLERK C Keller

**File No.** 01-015-702226

**Property Appraiser's Parcel I.D.(folio) Number(s)**  
10-46-24-01-00002.0000

**SS#:** \_\_\_\_\_

**WARRANTY DEED**

12

**THIS WARRANTY DEED** dated October 4, 2002, by Michael A. Allen and Fay A. Allen, Individually and as Trustees of the Revocable Trusts dated August 27, 1996, hereinafter called the grantor, to Winkler Preserve, L.L.C., a Florida Limited Liability Company, whose post office address is 4215 East 60th Street, Suite #6, Davenport, IA 52807, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**WITNESSETH:** That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the grantee, all the certain land situated in Lee County, Florida, viz:

Lot 2, Seminole Gardens, according to the plat thereof, as recorded in Plat Book 4, Page 65, of the Pubic Records of Lee County, Florida.

**THIS IS VACANT LAND AND DOES NOT NOW NOR HAS IT EVER BEEN THE HOMESTEAD OF THE GRANTOR, NOR IS IT CONTIGUOUS THERETO.**

Subject to easements, restrictions, reservations, and limitations of record, if any.

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

**TO HAVE AND TO HOLD** the same in fee simple forever.

**AND** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2001.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Brenda McLeod  
(Witness Signature)  
**BRENDA McLEOD**

(Print Name of Witness)

Joann M. Kaminski  
(Witness Signature)  
**JOANN M. KAMINSKI**

(Print Name of Witness)

By: Michael A. Allen  
Michael A. Allen, Trustee of the Revocable  
Trust dated August 27, 1996

By: Fay A. Allen  
Fay A. Allen, Trustee of the Revocable  
Trust dated August 27, 1996

\_\_\_\_\_  
(Address and Phone Number)

STATE of Florida  
COUNTY of Lee

I HEREBY CERTIFY that on this day, before me, an Officer duly authorized in the State aforesaid and the County aforesaid to take acknowledgements, personally appeared Michael A. Allen and Fay A. Allen as Trustees of the Revocable Trusts dated 8-27-96 to me known to be the person(s) described in or who has/have produced drivers license as identification and who executed the foregoing instrument and he/she/they acknowledged before me that he/she/they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 4th day of October, 2002

Brenda McLeod  
Notary Signature  
**BRENDA McLEOD**

\_\_\_\_\_  
Printed Notary Name

My commission expires: \_\_\_\_\_





10.30  
10.31  
1190.-



**Prepared By and Return To:**  
Brenda McLeod  
Fidelity National Title Insurance Company of New York  
12595 New Brittany Blvd.  
Fort Myers, FL 33907

**INSTR # 5586677**  
**OR BK 03744 PG 3013**  
RECORDED 10/07/2002 12:56:45 PM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 10.50  
DEED DOC 1,190.00  
DEPUTY CLERK C Keller

**File No.** 01-015-702226

**Property Appraiser's Parcel I.D. (folio) Number (s)**  
10-46-24-01-00004.0000

**SS#:** \_\_\_\_\_

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** made this October 4, 2002, by South Florida Properties, L.L.C., an Oklahoma Liability Company doing business in Florida as South Florida Properties of S.W. Florida, L.C., hereinafter called the grantor and Winkler Preserve, L.L.C., a Florida Limited Liability Company, whose post office address is 4215 East 60th Street, Suite #6 , Davenport, Iowa 52807, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to the instrument and the heirs, legal representative and assigns of individuals, and the successors and assigns of corporations)

**WITNESSETH:** That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt, whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situated in Lee County, Florida viz:

Lot 4, Seminole Gardens, according to the plat thereof, as recorded in Plat Book 4, Page 65, of the Public Records of Lee County, Florida

Subject to encumbrances, easements and restrictions of record and taxes for the year 2002.

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

**TO HAVE AND TO HOLD** the same in fee simple forever.

**AND** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said grantor.



IN WITNESS WHEREOF, the grantor has caused these presents to be executed in its name, by its proper officers duly authorized, the day and year first above written.

UR BOOK 03744 PAGE 3014

Signed, sealed and delivered in the presence of:

Jennifer Rosenkranz  
Witness Signature

Jennifer Rosenkranz  
Witness Printed Name

Eileen Appin  
Witness Signature

EILEEN APPIN  
Witness Printed Name

South Florida Properties, L.L.C., an Oklahoma Liability Company doing business in Florida as South Florida Properties of S.W. Florida, L.C.

By: [Signature]  
Frank D'Alessandro, Managing Member

STATE OF Florida

COUNTY OF Lee

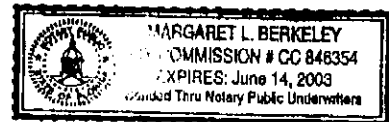
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared Frank D'Alessandro

to me known to be the Managing Member ~~President and~~ \_\_\_\_\_ respectively of the corporation named as the grantor in the foregoing deed, or who have produced N/A as identification and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under the authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 3rd day of October 2002

Margaret L. Berkeley  
Notary Public

Margaret L. Berkeley  
Printed Name of Notary  
My Commission Expires: 6/14/03



Prepared By and Return To:  
Brenda McLeod  
Fidelity National Title Insurance Company of New York  
12595 New Brittany Blvd.  
Fort Myers, FL 33907

File No. 01-015-702226

Property Appraiser's Parcel I.D. (folio) Number (s)  
10-46-24-01-00036.0000

SS#: \_\_\_\_\_

10.50  
440.00  
300 cont copy



INSTR # 5590884  
OR BK 03748 PG 0472  
RECORDED 10/10/2002 12:56:17 PM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 10.50  
DEED DOC 4,900.00  
DEPUTY CLERK J Miller

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** made this October 9, 2002, by Patrick J. Hayes, Individually and as successor trustee of that certain Land Trust known as Winkler 8, hereinafter called the grantor and Winkler Preserve, L.L.C., a Florida Limited Liability Company whose post office address is 4215 East 60th Street, Suite #6 , Davenport, Iowa 52807, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to the instrument and the heirs, legal representative and assigns of individuals, and the successors and assigns of corporations)

**WITNESSETH:** That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt, whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situated in Lee County, Florida viz:

Lots 29 and 36, Seminole Gardens, according to the plat thereof, as recorded in Plat Book 4, Page 65, of the Public Records of Lee County, Florida; Less and Except the West 25 feet of Lot 36 deeded to Lee County, Florida, for road right-of-way in Deed recorded in O.R. Book 260, Page 434, of the Public Records of Lee County, Florida.

**THIS IS VACANT LAND AND DOES NOT NOW NOR HAS IT EVER BEEN THE HOMESTEAD OF THE GRANTOR, NOR IS IT CONTIGUOUS THERETO.**

Subject to encumbrances, easements and restrictions of record and taxes for year 2002.

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

**TO HAVE AND TO HOLD** the same in fee simple forever.

**AND** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said grantor.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]  
(Witness Signature)

William J. Hoberman  
(Print Name of Witness)

[Signature]  
(Witness Signature)

William H. Hayes, Jr  
(Print Name of Witness)

By: [Signature]  
Patrick J. Hayes, Individually and as Trustee of  
that certain Land Trust known as Winkler 8

\_\_\_\_\_  
(Address and Phone Number)

STATE of ✓ Florida

COUNTY of ✓ Lee

I HEREBY CERTIFY that on this day, before me, an Officer duly authorized in the State aforesaid and the County aforesaid to take acknowledgements, personally appeared Patrick J Hayes, Individually and as Trustee of that certain Land Trust known as Winkler 8 to me known to be the person(s) described in or who has/have produced ✓ as identification and who executed the foregoing instrument and he/she/they acknowledged before me that he/she/they executed the same.

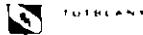
WITNESS my hand and official seal in the County and State last aforesaid this 8<sup>th</sup> day of October, 2002.

[Signature]  
Notary Signature

Printed Notary Name: Linda J Netsch  
MY COMMISSION # CC830820 EXPIRES  
April 27, 2003  
BONDED THRU TROY FAIN INSURANCE, INC.

My commission expires: \_\_\_\_\_

OR BOOK 03748 PAGE 0473



# This Indenture,

1207 509

325.00  
327.00

tax address: 4351 Spring Wood Court  
Marionetta, Georgia 30067

Made this 11 day of February, A. D. 1980,  
Between WARNER M. WASHBURN

of the County of Lee in the State of Florida  
party of the first part, and JAY R. JOHNSON and MARY H. JOHNSON, husband  
and wife, an undivided one-half (1/2) interest each as tenants in  
common  
of the County of Lee in the State of Georgia  
party of the second part,

Witnesseth that the said party of the first part, for and in consideration of  
the sum of TEN DOLLARS (\$10.00) & OTHER GOOD & VALUABLE CONSIDERATION  
to him in hand paid by the said party of the second part, the receipt whereof is hereby  
acknowledged, has granted, bargained and sold to the said party of the second part  
his heirs and assigns forever, the following described land, situate lying and being in  
the County of Lee State of  
Florida, to wit:

Lots 30 and 35, of that certain subdivision known  
as SEMINOLE GARDENS, according to the map or plat  
thereof on file and recorded in the office of the  
Clerk of the Circuit Court of Lee County, Florida,  
in Plat Book 4, at page 65.

SUBJECT TO easements, restrictions, and reservations  
of record, if any, and taxes for the year 1980.

The subject property is not the homestead of the  
grantor, who resides at 6429 Winkler Road, Fort  
Myers, Florida.

And the said party of the first part does hereby fully warrant the title to said land,  
and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said party of the first part has hereunto set his  
hand and seal the day and year first above written.

Signed, Sealed and Delivered in Our Presence:

*[Signature]*  
WARNER M. WASHBURN

This instrument prepared by:  
William L. Craddy, Attorney at Law

STATE OF FLORIDA  
DOCUMENTARY STAMP TAX  
DEPT. OF REVENUE  
FEB 11 1980  
320.00

State of Florida

County of Lee

I Hereby Certify That on this day personally appeared before me, an  
officer duly authorized to administer oaths and take acknowledgments,

WARNER M. WASHBURN

to me well known and known to me to be the individual described in and who  
executed the foregoing deed, and he acknowledged before me that  
he executed the same freely and voluntarily for the purposes therein expressed.

Witness my hand and official seal at Fort Myers  
County of Lee and State of Florida, this 11  
day of February, A. D. 19 80.

My Commission Expires

*[Signature]*  
Notary Public

RECORDED  
FEB 11 11 15 AM '80  
CLERK OF CIRCUIT COURT  
LEE COUNTY, FLORIDA  
BY LINDA EDWARDS, J.C.

10.50  
4340.1

**Prepared By and Return To:**

Brenda McLeod  
Fidelity National Title Insurance Company of New York  
12595 New Brittany Blvd.  
Fort Myers, FL 33907

File No. 02-015-703184

Property Appraiser's Parcel I.D. (folio) Number (s)  
10-46-24-01-00031.0000

SS#: \_\_\_\_\_

RECORDED BY CHARLIE GREEN, CLERK OF COURT

INSTR # 5419916  
OR BK 03625 PG 2550  
RECORDED 04/17/2002 12:51:05 PM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 10.50  
DEED DOC 4,340.00  
DEPUTY CLERK C Keller

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** made this April 16, 2002, by Gordon M. Biggar, Individually and as Trustee of the Gordon M. Biggar Trust dated October 28, 1982, hereinafter called the grantor and Winkler Preserve, L.L.C., a Florida Limited Liability Company whose post office address is 4215 East 60th Street, Suite #6, Davenport, Iowa 52807, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to the instrument and the heirs, legal representative and assigns of individuals, and the successors and assigns of corporations)

**WITNESSETH:** That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt, whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situated in Lee County, Florida viz:

Lots 31 and 32, Seminole Gardens, according to the plat thereof, as recorded in Plat Book 4, Page 65, of the Public Records of Lee County, Florida.

**THIS IS VACANT LAND AND IS NOT NOW NOR HAS IT EVER BEEN THE HOMESTEAD OF THE GRANTOR, NOR IS IT CONTIGUOUS THERETO.**

Subject to covenants, conditions, agreements, encumbrances, easements and restrictions of record and taxes 2002 and subsequent years.

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

**TO HAVE AND TO HOLD** the same in fee simple forever.

**AND** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land to the extent described in this sentence and will defend the same against the lawful claims of all persons claiming by, through or under the said grantor.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

✓ [Signature]  
(Witness Signature)

✓ Dorian Guerrero  
(Print Name of Witness)

✓ [Signature]  
(Witness Signature)

✓ Enzo Sorcinelli  
(Print Name of Witness)

Gordon M. Biggar Trust dated October 28, 1982

By: ✓ [Signature] TRUSTEE  
Gordon M. Biggar, Individually and as Trustee

6050 SW 116 ST.

MIAMI, FL 33156 305 666-1031  
(Address and Phone Number)

STATE of ✓ Florida

COUNTY of ✓ Dade

I HEREBY CERTIFY that on this day, before me, an Officer duly authorized in the State aforesaid and the County aforesaid to take acknowledgements, personally appeared Gordon M. Biggar, Individually and as Trustee of the Gordon M. Biggar Trust dated October 28, 1982

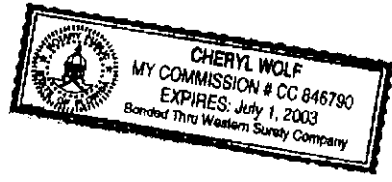
to me known to be the person(s) described in or who has/have produced FL. DR. LIC. as identification and who executed the foregoing instrument and he/she/they acknowledged before me that he/she/they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this ✓ 15 day of April, 2002.

✓ [Signature]  
Notary Signature

✓ Cheryl Wolf  
Printed Notary Name

My commission expires:



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00031  
0000

Winkler Preserve LLC

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30.0000

00030  
0000

Johnson

3.8

29.0000

00029  
0000

Taggart

3.9

6.9

48

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Meyer

3.9

00031  
0000

10-46-24-01-00001.0000

Allen

00032  
0000

2.0000

2.1

Johnson

00033  
0000

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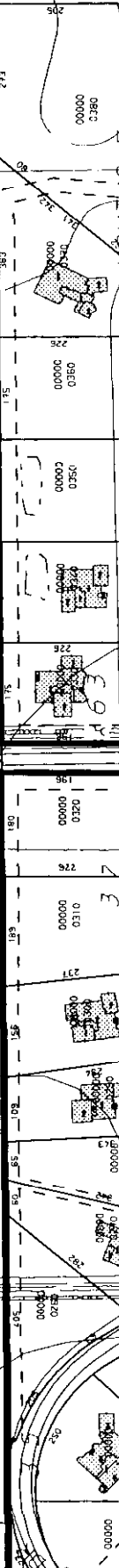
3.7

South Florida Properties, LLC.

00034  
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3.7



# TAXES

## TAX ROLL SEARCH RESULTS

Searching the Real Estate Tax Roll for Account "1046240100031000" has returned 4 records.

Page 1 of 1

For a **DETAIL** explanation of a specific tax year displayed, Click on the underlined Account number in the column on the left of the table for the particular tax year.

For a definition of the abbreviations in the Tax Status column, Click on **Legend**.

Account	Tax Year	Owner Name and Address	Legal Description	Tax Status Legend	Prior Year(s) Taxes Due
<u>10-46-24-01-00031.0000</u>	2001	WINKLER PRESERVE LLC 4215 E 60TH ST STE 6 DAVENPORT IA 52807	SEMINOLE GARDENS PB 4 PG 65 LOTS 31 + 32	PAID	<a href="#">Click here for outstanding taxes</a>
<u>10-46-24-01-00031.0000</u>	2000	BIGGAR GORDON M TR 6050 SW 116TH ST MIAMI FL 33156 USA	SEMINOLE GARDENS PB 4 PG 65 LOTS 31 + 32	PAID	<a href="#">Click here for outstanding taxes</a>
<u>10-46-24-01-00031.0000</u>	1999	BIGGAR GORDON M TR 6050 SW 116TH ST MIAMI FL 33156 USA	SEMINOLE GARDENS PB 4 PG 65 LOTS 31 + 32	PAID	<a href="#">Click here for outstanding taxes</a>
<u>10-46-24-01-00031.0000</u>	1998	BIGGAR GORDON M TR 6050 SW 116TH ST MIAMI FL 33156 USA	SEMINOLE GARDENS PB 4 PG 65 LOTS 31 + 32	PAID	<a href="#">Click here for outstanding taxes</a>



# TAXES

## TAX ROLL SEARCH RESULTS

Searching the Real Estate Tax Roll for Account "104624010003000" has returned 4 records.

Page 1 of 1

For a **DETAIL** explanation of a specific tax year displayed, Click on the underlined Account number in the column on the left of the table for the particular tax year.

For a definition of the abbreviations in the Tax Status column, Click on Legend.

Account	Tax Year	Owner Name and Address	Legal Description	Tax Status Legend	Prior Year(s) Taxes Due
<a href="#">10-46-24-01-00030.0000</a>	2001	JOHNSON J R + MARY H 2258 DIXIE LEE CT ST JAMES CITY FL 33956 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 30	PAID	<a href="#">Click here for outstanding taxes</a>
<a href="#">10-46-24-01-00030.0000</a>	2000	JOHNSON J R + MARY H 2258 DIXIE LEE CT ST JAMES CITY FL 33956 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 30	PAID	<a href="#">Click here for outstanding taxes</a>
<a href="#">10-46-24-01-00030.0000</a>	1999	JOHNSON J R + MARY H 2258 DIXIE LEE CT ST JAMES CITY FL 33956 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 30	PAID	<a href="#">Click here for outstanding taxes</a>
<a href="#">10-46-24-01-00030.0000</a>	1998	JOHNSON J R + MARY H 2258 DIXIE LEE CT ST JAMES CITY FL 33956 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 30	PAID	<a href="#">Click here for outstanding taxes</a>

# TAXES

## TAX ROLL SEARCH RESULTS

Searching the Real Estate Tax Roll for Account "104624010002900" has returned 4 records.

Page 1 of 1

For a **DETAIL** explanation of a specific tax year displayed, Click on the underlined Account number in the column on the left of the table for the particular tax year.

For a definition of the abbreviations in the Tax Status column, Click on Legend.

Account	Tax Year	Owner Name and Address	Legal Description	Tax Status Legend	Prior Year(s) Taxes Due
<a href="#">10-46-24-01-00029.0000</a>	2001	TAGGART LILLIAN B PER REP 1305 RIO VISTA DR FORT MYERS FL 33901 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 29	PAID	<a href="#">Click here for outstanding taxes</a>
<a href="#">10-46-24-01-00029.0000</a>	2000	TAGGART LILLIAN B PER REP 1305 RIO VISTA DR FORT MYERS FL 33901	SEMINOLE GARDENS PB 4 PG 65 LOT 29	PAID	<a href="#">Click here for outstanding taxes</a>
<a href="#">10-46-24-01-00029.0000</a>	1999	TAGGART MERRILL R TR 1305 RIO VISTA DR FT MYERS FL 33901 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 29	PAID	<a href="#">Click here for outstanding taxes</a>
<a href="#">10-46-24-01-00029.0000</a>	1998	TAGGART MERRILL R TR 1305 RIO VISTA DR FT MYERS FL 33901 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 29	PAID	<a href="#">Click here for outstanding taxes</a>

# TAXES

## TAX ROLL SEARCH RESULTS

Searching the Real Estate Tax Roll for Account "10462401000010000" has returned 4 records.

Page 1 of 1

For a **DETAIL** explanation of a specific tax year displayed, Click on the underlined Account number in the column on the left of the table for the particular tax year.

For a definition of the abbreviations in the Tax Status column, Click on Legend.

Account	Tax Year	Owner Name and Address	Legal Description	Tax Status Legend	Prior Year(s) Taxes Due
<a href="#">10-46-24-01-00001.0000</a>	2001	MEYER DOLORES MARIANNE TR 9742 DEERFOOT DR FORT MYERS FL 33919 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 1	PAID	<a href="#">Click here for outstanding taxes</a>
<a href="#">10-46-24-01-00001.0000</a>	2000	MEYER DOLORES MARIANNE TR 9742 DEERFOOT DR FORT MYERS FL 33919	SEMINOLE GARDENS PB 4 PG 65 LOT 1	PAID	<a href="#">Click here for outstanding taxes</a>
<a href="#">10-46-24-01-00001.0000</a>	1999	MEYER GARY O + D MARIANNE TR 9742 DEERFOOT DR FT MYERS FL 33919 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 1	PAID	<a href="#">Click here for outstanding taxes</a>
<a href="#">10-46-24-01-00001.0000</a>	1998	MEYER GARY O + D MARIANNE TRS 9125 SW 210TH CIR DUNNELLON FL 34431 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 1	PAID	<a href="#">Click here for outstanding taxes</a>

# TAXES

## TAX ROLL SEARCH RESULTS

Searching the Real Estate Tax Roll for Account "10462401000020000" has returned 4 records.

Page 1 of 1

For a **DETAIL** explanation of a specific tax year displayed, Click on the underlined Account number in the column on the left of the table for the particular tax year.

For a definition of the abbreviations in the Tax Status column, Click on Legend.

Account	Tax Year	Owner Name and Address	Legal Description	Tax Status Legend	Prior Year(s) Taxes Due
<u>10-46-24-01-00002.0000</u>	2001	ALLEN MICHAEL A TR 1/2 INT + 1121 N TOWN + RIVER DR FORT MYERS FL 33919 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 2	PAID	<a href="#">Click here for outstanding taxes</a>
<u>10-46-24-01-00002.0000</u>	2000	ALLEN MICHAEL A TR 1/2 INT + 1121 N TOWN + RIVER DR FORT MYERS FL 33919 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 2	PAID	<a href="#">Click here for outstanding taxes</a>
<u>10-46-24-01-00002.0000</u>	1999	ALLEN MICHAEL A TR 1/2 INT + 1121 N TOWN + RIVER DR FORT MYERS FL 33919 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 2	PAID	<a href="#">Click here for outstanding taxes</a>
<u>10-46-24-01-00002.0000</u>	1998	ALLEN MICHAEL A TR 1/2 INT + 1121 N TOWN + RIVER DR FORT MYERS FL 33919 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 2	PAID	<a href="#">Click here for outstanding taxes</a>

# TAXES

## TAX ROLL SEARCH RESULTS

Searching the Real Estate Tax Roll for Account "10462401000030000" has returned 4 records.

Page 1 of 1

For a **DETAIL** explanation of a specific tax year displayed, Click on the underlined Account number in the column on the left of the table for the particular tax year.

For a definition of the abbreviations in the Tax Status column, Click on Legend.

Account	Tax Year	Owner Name and Address	Legal Description	Tax Status Legend	Prior Year(s) Taxes Due
<a href="#">10-46-24-01-00003.0000</a>	2001	JOHNSON JAY R + MARY H 2258 DIXIE LEE COURT ST JAMES CITY FL 33956 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 3	PAID	<a href="#">Click here for outstanding taxes</a>
<a href="#">10-46-24-01-00003.0000</a>	2000	JOHNSON JAY R + MARY H 2258 DIXIE LEE COURT ST JAMES CITY FL 33956 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 3	PAID	<a href="#">Click here for outstanding taxes</a>
<a href="#">10-46-24-01-00003.0000</a>	1999	JOHNSON JAY R + MARY H 2258 DIXIE LEE COURT ST JAMES CITY FL 33956 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 3	PAID	<a href="#">Click here for outstanding taxes</a>
<a href="#">10-46-24-01-00003.0000</a>	1998	BENSON LESTER L + GRACE D 1246 HANTON AV FORT MYERS FL 33901 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 3	PAID	<a href="#">Click here for outstanding taxes</a>

# TAXES

## TAX ROLL SEARCH RESULTS

Searching the Real Estate Tax Roll for Account "10462401000040000" has returned 4 records.

Page 1 of 1

For a **DETAIL** explanation of a specific tax year displayed, Click on the underlined Account number in the column on the left of the table for the particular tax year.

For a definition of the abbreviations in the Tax Status column, Click on **Legend**.

Account	Tax Year	Owner Name and Address	Legal Description	Tax Status Legend	Prior Year(s) Taxes Due
<a href="#">10-46-24-01-00004.0000</a>	2001	SOUTH FLORIDA PROPERTIES LLC 613 24TH AVE SW NORMAN OK 73069 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 4	PAID	<a href="#">Click here for outstanding taxes</a>
<a href="#">10-46-24-01-00004.0000</a>	2000	SOUTH FLORIDA PROPERTIES LLC 613 24TH AVE SW NORMAN OK 73069 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 4	PAID	<a href="#">Click here for outstanding taxes</a>
<a href="#">10-46-24-01-00004.0000</a>	1999	SOUTH FLORIDA PROPERTIES LLC 613 24TH AVE SW NORMAN OK 73069 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 4	PAID	<a href="#">Click here for outstanding taxes</a>
<a href="#">10-46-24-01-00004.0000</a>	1998	SOUTH FLORIDA PROPERTIES LLC 613 24TH AVE SW NORMAN OK 73069 USA	SEMINOLE GARDENS PB 4 PG 65 LOT 4	PAID	<a href="#">Click here for outstanding taxes</a>

Winkler Preserve  
Petition to Vacate  
Road Right-of-Way  
VAC2002-00032

List of Adjacent Property Owners

Belle Meade Property Owners  
Association, Inc.  
8701 Belle Meade Drive  
Fort Myers, Florida 33908

Michael A. and Angela G. Clark  
8526 South Lake Creek  
Fort Myers, Florida 33908

Robert M. Fizer, Jr.  
c/o David W. Swor, Tr.  
6000 Forest Boulevard  
Fort Myers, Florida 33908

Dean R. and Dovi L. Goldberg  
10275 Bismark Palm Way #1132  
Fort Myers, Florida 33912

Frank W. Helmerich, II, Tr.  
5845 Riverside Lane  
Fort Myers, Florida 33919

Larry Cornell  
8431 Belle Meade Drive  
Fort Myers, Florida 33908

Southwind Subdivision  
F D R Properties, LLC  
15 Choctaw Circle  
Chanhassen, Minnesota 55317

Cherrie R. and Mike A. Morris  
17331 Brook Hollow Lane  
Fort Myers, Florida 33908

Virginia Tech Foundation, Inc.  
Business Manager  
141 Pack Building  
Blacksburg, VA 24061

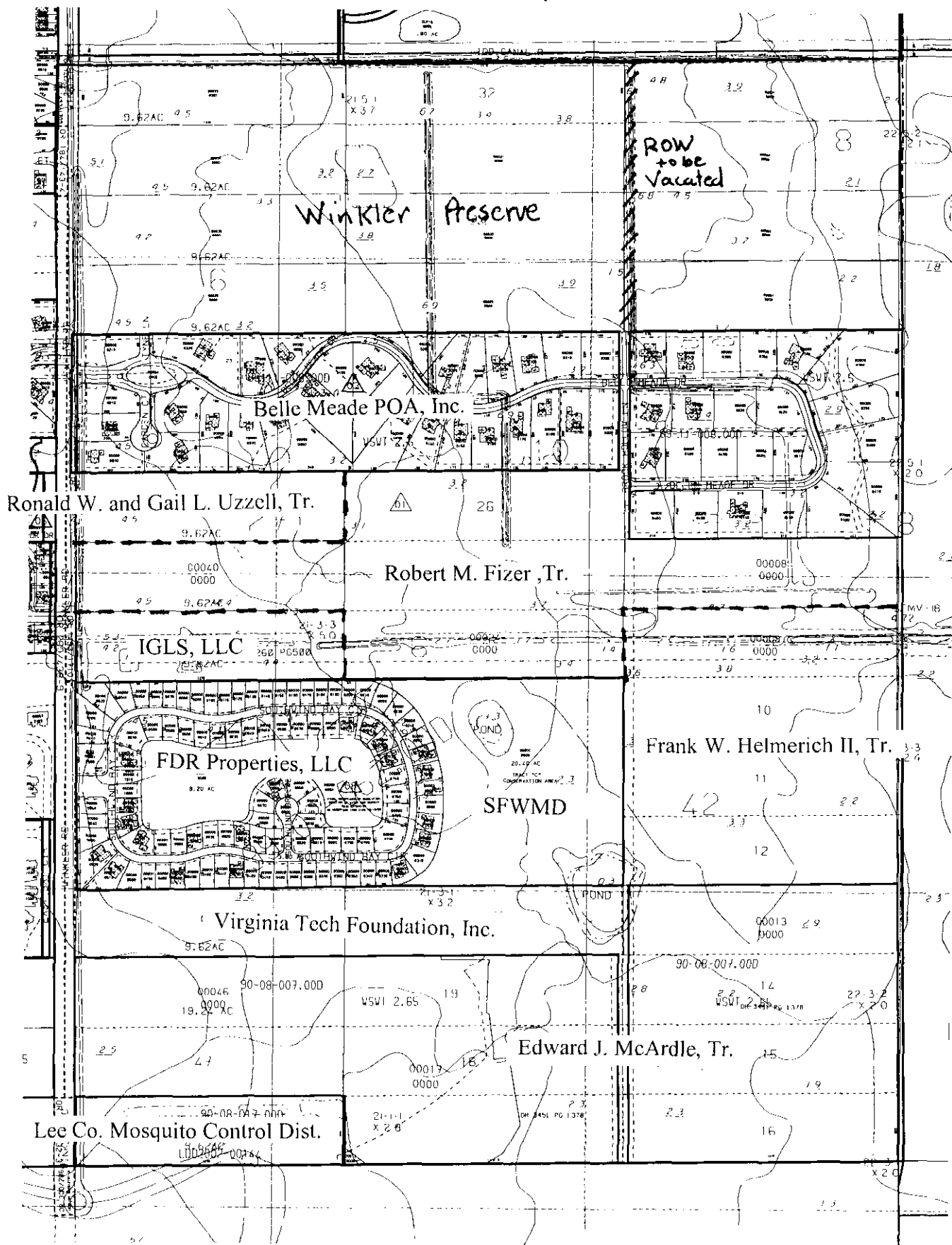
Sunshine Mae LLC  
8570 Belle Meade Drive  
Fort Myers, Florida 33908

Edward J. McArdle, Tr.  
5101 Caroline Street  
Houston, Texas 77004

South Florida Water Management  
3900 Commonwealth Blvd.  
Tallahassee, Florida 32399

Dennis A. and Marci W. Landfried  
5322 Nautilus Drive  
Cape Coral, Florida 33904

# Crown Colony





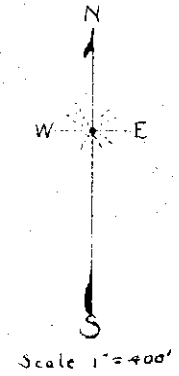
# SEMINOLE GARDENS.

Being a subdivision of Section 10, Township 36 South of Range 24 East, Lee County, Florida.  
 ALL CORNERS MARKED WITH 1 INCH IRON PIPE, 12 INCHES LONG, PLANT OF GROUND.

Crown Colony

ROW  
 Easement  
 to be vacated

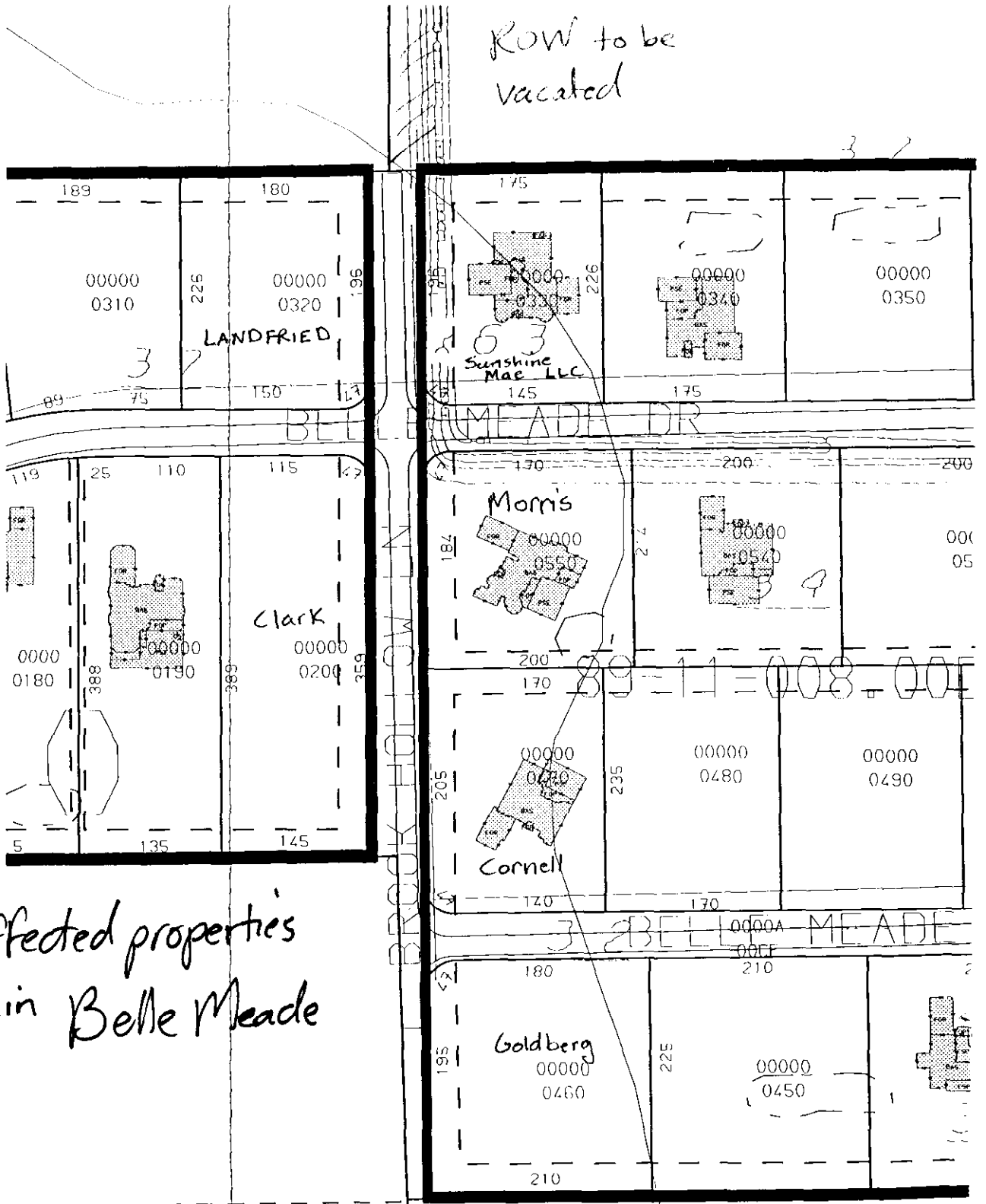
64	33	32	1
63	34 Winkler Preserve	31	2
62	35	30	3
61	36	29	4
60	37 Belle Meade POA, Inc.	28	5
59	38	27	6
58	Ron + Gail Uzzell	26	7
57	40	25 Robert M. Fizer	8
56	IGLS, LLC	24	9
55	42	23	10 Helmerich
54	FDR Properties, Inc. 43	22 SFWMD	11
53	44	21	12
52	Virginia Tech.	20	13
51	46	19 Edward J. Mc Arolle, Tr.	14
50	47	18	15
49	Lee Co Mosquito	17	16



Surveyed by John  
 J. Davidson  
 11/11/11

FILED IN THE YEAR  
 Clerk of the Court  
 LEE COUNTY  
 11/11/11

ROW to be vacated



Affected properties within Belle Meade

Edward J. McArdle, Tr.  
5101 Caroline Street  
Houston, TX 77004

Virginia Tech Foundation, Inc.  
141 Pack Building  
Blacksburg, VA 24061

FDR Properties, LLC  
15 Choctaw Cir.  
Chanhassen, MN 55317

SFWMD  
3900 Commonwealth Blvd.  
Tallahassee, FL 32399

Frank W. Helmerich II, Tr.  
5845 Riverside Lane  
Fort Myers, FL 33919

IGLS, LLC  
11050 Summerlin Square Dr.  
Fort Myers Beach, FL 33931

Robert M. Fizer, Jr.  
6000 Forest Boulevard  
Fort Myers, FL 33908

Ronald W. and Gail L. Uzzell, Tr.  
11091 Orange River Blvd.  
Ft. Myers, FL 33905

Belle Meade POA, Inc.  
8701 Belle Meade Dr.  
Fort Myers, FL 33908

**WINKLER PRESERVE**  
VAC2002-00032

**Notification of Adjacent Property Owners**

	Receipt	Return Card
<b>Edward J. McArdle, Tr.</b>		
5101 Caroline St.	✓	✓
Houston, TX 77004		
<b>Virginia Tech Foundation, Inc.</b>		
141 Pack Building	✓	✓
Blacksburg, VA 24061		
<b>Frank W. Helmerich II, Tr.</b>		
5845 Riverside Lane	✓	✓
Fort Myers, FL 33919		
<b>South Florida Water Management District</b>		
3900 Commonwealth Boulevard	✓	
Tallahassee, FL 32399		
<b>Robert M. Fizer, Jr. c/o David W. Swor, Tr.</b>		
6000 Forest Boulevard	✓	✓
Fort Myers, FL 33919		
<b>Belle Meade Property Owners Assoc. Inc.</b>		
8701 Belle Meade Drive	? Campbell	✓
Fort Myers, FL 33908		

**WINKLER PRESERVE**

VAC2002-00032

**Notification of Adjacent Property Owners** (continued)

<b>Dennis A. and Marci W. Landfried</b>	✓	
5322 Nautilus Drive		
Cape Coral, FL 33904		
<b>Michael A. and Angela G. Clark</b>	✓	✓
8526 South Lake Creek		
Fort Myers, FL 33908		
<b>Dean R. and Dovi L. Goldberg</b>	✓	
10275 Bismarck Palm Way #1132		
Fort Myers, FL 33912		
<b>Larry Cornell</b>	✓	✓
8431 Belle Meade Drive		
Fort Myers, FL 33908		
<b>Cherrie R. and Mike A. Morris</b>	✓	✓
17331 Brook Hollow Lane		
Fort Myers, FL 33908		
<b>Sunshine Mae LLC</b>	✓	
8570 Belle Meade Drive		
Fort Myers, FL 33908		

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

7001 0320 0000 0220 0220 6246

Postage \$ 0.37  
 Certified Fee 2.30  
 Return Receipt Fee (Endorsement Required)  
 Restricted Delivery Fee (Endorsement Required)  
 Total Postage & Fees \$ 4.42

Sent To  
Edward J. McArdle Trust  
 Street, Apt. No.,  
 or PO Box No.  
 City, State, ZIP+4

PS Form 3800, January 2001. See Reverse for Instructions.

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

7001 0320 0000 0220 0220 6239

Postage \$ 0.37  
 Certified Fee 2.30  
 Return Receipt Fee (Endorsement Required)  
 Restricted Delivery Fee (Endorsement Required)  
 Total Postage & Fees \$ 4.42

Sent To  
Virginia Tech Foundation, Inc  
 Street, Apt. No.,  
 or PO Box No.  
 City, State, ZIP+4

*check #106  
 26.52  
 mailed 1/23/02*

PS Form 3800, January 2001. See Reverse for Instructions.

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

7001 0320 0000 0220 0220 6253

Postage \$ 0.37  
 Certified Fee 2.30  
 Return Receipt Fee (Endorsement Required)  
 Restricted Delivery Fee (Endorsement Required)  
 Total Postage & Fees \$ 4.42

Sent To  
Southwind Subdivision  
 Street, Apt. No.,  
 or PO Box No. FDR Properties  
 City, State, ZIP+4

PS Form 3800, January 2001. See Reverse for Instructions.

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

7001 0320 0000 0220 0220 6260

Postage \$ 0.37  
 Certified Fee 2.30  
 Return Receipt Fee (Endorsement Required)  
 Restricted Delivery Fee (Endorsement Required)  
 Total Postage & Fees \$ 4.42

Sent To  
Mr. Frank Helmerich, II, Trust  
 Street, Apt. No.,  
 or PO Box No.  
 City, State, ZIP+4

PS Form 3800, January 2001. See Reverse for Instructions.

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

7001 0320 0000 0220 0220 6274

Postage \$ 0.37  
 Certified Fee 2.30  
 Return Receipt Fee (Endorsement Required) 1.75  
 Restricted Delivery Fee (Endorsement Required)  
 Total Postage & Fees \$ 4.42

Sent To  
Montgomery Campbell  
 Street, Apt. No.,  
 or PO Box No.  
 City, State, ZIP+4

PS Form 3800, January 2001. See Reverse for Instructions.

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

7001 0320 0000 0220 0220 6277

Postage \$ 0.37  
 Certified Fee 2.30  
 Return Receipt Fee (Endorsement Required) 1.75  
 Restricted Delivery Fee (Endorsement Required)  
 Total Postage & Fees \$ 4.42

Sent To  
Mr. Robert M. Pizer JR & David Swor  
 Street, Apt. No.,  
 or PO Box No.  
 City, State, ZIP+4

PS Form 3800, January 2001. See Reverse for Instructions.

**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only) No Insurance Coverage Provided

Postage	\$ 3.7
Postnet Fee	2.30
Delivery Throughput Fee (Excluded from Disposition)	1.75
Postage Insurance Fee (Excluded from Disposition)	
<b>Total Postage &amp; Fees</b>	<b>\$ 4.42</b>

Sent to: Michael A & Angela G. Clark  
8526 South Lake Creek  
Ft Myers

PS Form 3800, January 2001 See Reverse for Instructions

**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only) No Insurance Coverage Provided

Postage	\$ 3.7
Postnet Fee	2.30
Delivery Throughput Fee (Excluded from Disposition)	1.75
Postage Insurance Fee (Excluded from Disposition)	
<b>Total Postage &amp; Fees</b>	<b>\$ 4.42</b>

Sent to: Dennis A & Marci W. Landfield  
5322 Nautilus Dr.  
Cape Coral, FL 33904

PS Form 3800, January 2001 See Reverse for Instructions

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only) No Insurance Coverage Provided

Postage	\$ 3.7
Postnet Fee	2.30
Delivery Throughput Fee (Excluded from Disposition)	1.75
Postage Insurance Fee (Excluded from Disposition)	
<b>Total Postage &amp; Fees</b>	<b>\$ 4.42</b>

Sent to: Dean & Dovi Goldberg  
10275 Bismark Palm Way  
Ft. Myers, FL 33910 #1152

PS Form 3800, January 2001 See Reverse for Instructions

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only) No Insurance Coverage Provided

Postage	\$ 3.7
Postnet Fee	2.30
Delivery Throughput Fee (Excluded from Disposition)	1.75
Postage Insurance Fee (Excluded from Disposition)	
<b>Total Postage &amp; Fees</b>	<b>\$ 4.42</b>

Sent to: South FL. Water Mgmt  
3900 Commonwealth Dr.  
Tallahassee, FL 32399

PS Form 3800, January 2001 See Reverse for Instructions

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only) No Insurance Coverage Provided

Postage	\$ 3.7
Postnet Fee	2.30
Delivery Throughput Fee (Excluded from Disposition)	1.75
Postage Insurance Fee (Excluded from Disposition)	
<b>Total Postage &amp; Fees</b>	<b>\$ 4.42</b>

Sent to: Sunshine Mae LLC  
8570 Belle Meade dr.  
Ft. Myers, FL 33908

PS Form 3800, January 2001 See Reverse for Instructions

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only) No Insurance Coverage Provided

Postage	\$ 3.7
Postnet Fee	2.30
Delivery Throughput Fee (Excluded from Disposition)	1.75
Postage Insurance Fee (Excluded from Disposition)	
<b>Total Postage &amp; Fees</b>	<b>\$ 4.42</b>

Sent to: Larry Cornell  
8431 Belle Meade dr.  
Ft. Myers, FL 33908

PS Form 3800, January 2001 See Reverse for Instructions

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only) No Insurance Coverage Provided

Postage	\$ 3.7
Postnet Fee	2.30
Delivery Throughput Fee (Excluded from Disposition)	1.75
Postage Insurance Fee (Excluded from Disposition)	
<b>Total Postage &amp; Fees</b>	<b>\$ 4.42</b>

Sent to: Cherrie & Mike Morris  
17331 Brook Hollow Ln.  
Ft. Myers, FL 33908

PS Form 3800, January 2001 See Reverse for Instructions

5129 0220 0000 0220 7001  
5159 0220 0003 0220 6154  
5199 0320 0003 0220 6154  
5199 0320 0003 0220 7001

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Cherri R. & Mike A Morris  
17331 Brook Hollow Ln.  
Ft. Myers, FL 33908

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery  
10/9/02

C. Signature  
X *M. Morris*  Agent  Addressee

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

To: SAL  
ELRUBAIE  
From: KATHY  
MORGAN

2. Article Number (Transfer from service label) 7001 0320 0003 0220 6178

PS Form 3811, March 2001 Domestic Return Receipt 102595-01-M-1424

VAC2002-00032

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Larry Cornell  
8431 Belle Meade Dr.  
Ft. Myers, FL 33908

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery  
10/9/02

C. Signature  
X *L. Cornell*  Agent  Addressee

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) 7001 0320 0003 0220 6185

PS Form 3811, March 2001 Domestic Return Receipt 102595-01-M-1424

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Michael A & Angela G. Clark  
8526 South Lake Creek  
Fort Myers, FL 33908

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery  
Angela G. Clark 10/9

C. Signature  
X *A. Clark*  Agent  Addressee

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) 7001 0320 0003 0220 6208

PS Form 3811, March 2001



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Edward S. McArdle Trust  
 5101 Caroline Street  
 Houston, TX 77004

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) *[Signature]* B. Date of Delivery *8-28-02*  
 C. Signature *[Signature]*  Agent  Addressee  
 D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.  
 4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) **7001 0320 0003 0220 6246**  
 PS Form 3811, March 2001 Domestic Return Receipt 102595-01-M-1424

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Mr. Frank W. Helmrich II  
 Trust  
 5845 Riverside Lane  
 Fort Myers, FL  
 33919

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) *[Signature]* B. Date of Delivery *8-28-02*  
 C. Signature *[Signature]*  Agent  Addressee  
 D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.  
 4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) **7001 0320 0003 0220 6260**  
 PS Form 3811, March 2001 Domestic Return Receipt 102595-01-M-1424

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Montgomery Campbell  
 Belle Meade P.O. Assn.  
 8701 Belle Meade Dr.  
 FM, FL 33908

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) *Campbell* B. Date of Delivery *8-28-02*  
 C. Signature *[Signature]*  Agent  Addressee  
 D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.  
 4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) **7001 0320 0003 0220 6284**  
 PS Form 3811, March 2001 Domestic Return Receipt 102595-01-M-1424

2.

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) \_\_\_\_\_  
 B. Date of Delivery 8/31/02

C. Signature Monty Johnson  
 Agent  
 Addressee

D. Is delivery address different from item 1?  Yes  
 No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  
 Express Mail  
 Registered  
 Return Receipt for Merchandise  
 Insured Mail  
 C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

**SENDER: COMPLETE THIS SECTION**

1. Article Addressed to:  
 Mr. Robert M. Fizer, Jr.  
 & David W. Swor, Trust  
 6000 Forest Blvd.  
 FT. Myers, FL 33908

2. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  
 Print your name and address on the reverse so that we can return the card to you.  
 Attach this card to the back of the mailpiece, or on the front if space permits.

PS Form 3811-A, December 1994

5. Mailing Date 8-26-02

6. Type of Service  
 COD  
 Certified  
 Insured  
 Return Receipt for Merchandise  
 Express Mail  
 Registered

7. Delivery Office 717 Postmark SEP 13 2002

8. Delivered to the following individual, company, or organization:  
Foundation (Fink Group) 0132  
9/3/02 signed by [unclear]

9. Delivery Date 9/3/02

10. Address (Complete only if item 2b is checked)  
118 N Main St, Blacksburg VA 24061

11. Postal Records Show:  
 Delivery was made  
 Delivery was not made

12. Clerk's Initials \_\_\_\_\_

**CUSTOMER: Complete unshaded area (items 1-5) and enter your name and address on the reverse.**

1. Return receipt **WAS NOT** paid for at time of mailing.  
 2a. Return receipt **WAS** paid for at time of mailing.  
 2b. Return receipt showing addressee's address **WAS** paid for at time of mailing.

3. Article Addressed To:  
Viprinia Tech Foundation, Inc  
PO. BOX  
141 PARK BLDG  
BLACKSBURG, VA 24061

**MAILING OFFICE: Postmark if Return Receipt was paid for at time of mailing.**

4. Article Number 7001 0320 0003 0220 623

Article fee as shown in Data Return receipt was not paid for at time of mailing.

REMISSANCE CPU  
 SEP 13 2002  
 FORWARDED BY PS



Florida Power & Light Company

April 23, 2002

Kathy Morgan  
Development Solutions, LLC  
8660 College Parkway Suite 160  
Fort Myers, FL 33919

Re: Vacate of right-of-way or road easement (Seminole Gardens)

Dear Kathy,

FPL has no objection to the vacation of the right-of-way or road easement at the following location, off of Winkler Road:

**See attached description.**

If you have any question please call me at (941) 415-1329.

Sincerely,

A handwritten signature in cursive script that reads "Jane Gunter".

Jane Gunter  
Customer Project Manager

**DESCRIPTION**

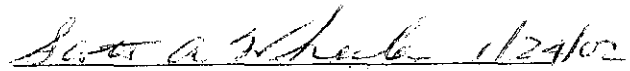
Road Right-of-Way  
Seminole Gardens  
Plat Book 4, Page 65, Lee County Records  
Section 10, Township 46 South, Range 24 East  
Lee County, Florida

A tract or parcel of land lying in Seminole Gardens as recorded in Plat Book 4, Page 65, Lee County Records located in Section 10, Township 46 South, Range 24, Lee County, Florida. Said tract or parcel being more particularly described as follows:

Beginning at the Southeast corner of Lot 29 of said Seminole Gardens run N 01° 13' 18" W along the east line of said Lot 29 and Lots 30, 31 and 32 of said Seminole Gardens for 1237.90 feet to an intersection with the north line of the northeast quarter (NE-1/4) of said Section 10; thence run N 89° 02' 07" E along said North line for 50.00 feet; thence run S 01° 13' 18" E along the westerly line of Lots 1, 2, 3 and 4 of said Seminole Gardens for 1237.65 feet to the Southwest corner of said Lot 4; thence run S 88° 45' 10" W for 50.00 feet to the point of beginning.

Containing 61,889 square feet, more or less.

Bearings herein above mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the north line of the northeast quarter (NE-1/4) of said Section 10, Township 46 South, Range 24 East, Lee County Florida to bear N 89° 02' 07" E.

  
Scott A. Wheeler (For The Firm)  
Professional Surveyor and Mapper  
Florida Certificate No. 5949

21608



Box 570  
Fort Myers, Florida 33902-0570

April 19, 2002

Kathy Morgan,  
8660 College Parkway, Suite 160  
Fort Myers, Florida 33919

RE: Request to vacate the easement:

Strap #10-46-24-01-00001.0000, Strap #10-46-24-01-00002.0000  
Strap #10-46-24-01-00003.0000, Strap #10-46-24-01-00004.0000  
Strap #10-46-24-01-00029.0000, Strap #10-46-24-01-00030.0000  
Strap #10-46-24-01-00031.0000

Dear Kathy:

Sprint-Florida Incorporated has reviewed the documents for the above referenced information.  
Based on the review of the plans, we do not have any objections to vacating referenced easement.

If you should have any questions or require additional information, please give me a call at  
(941) 336-2131.

Sincerely,  
Sprint-Florida Incorporated

  
Leon Bryant  
Network Engineer II

cc: File

301 Tower Road  
Naples, FL 34113  
Collier: 941-732-3834  
Lee: 941-432-1801  
FAX: 941-992-1289



May 16, 2002

Kathy Morgan  
Development Solutions, LLC  
8860 College Parkway, Suite 160  
Fort Myers, Florida 33919

Re: The vacation of the portion of the 50-foot wide Brook Hollow Lane right-of-way starting at the north property line of the Belle Meade Subdivision, going north to the north line of Section 10, Township 46 South, Range 24 East as recorded in Plat Book 4, Page 65, Lee County, Florida.

Dear Ms. Morgan:

Comcast has reviewed the plans of the above referenced properties. Comcast has no objection to the vacation of the portion of the 50-foot wide Brook Hollow Lane right-of-way starting at the north property line of the Belle Meade Subdivision, going north to the north line of Section 10, Township 46 South, Range 24 East as recorded in Plat Book 4, Page 65, Lee County, Florida.

If I can be of any additional information regarding this project, please do not hesitate to call me.

Sincerely,

A handwritten signature in cursive script that reads "Gene Howell".

Gene Howell  
Construction Manager

GH/whs

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: (941)479-8531

Bob Janes  
District One            October 9, 2002

Douglas R. St. Cerny  
District Two            Kathy Morgan  
Development Solutions, LLC  
Ray Judah  
District Three            8660 College Parkway, Suite 160  
Fort Myers, Fl. 33919

Andrew W. Coy  
District Four

John E. Albion  
District Five

Donald D. Stilwell  
County Manager

James G. Yaeger  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

**SUBJECT:            PETITION TO VACATE PUBLIC RIGHT-OF-WAY OR ROADWAY  
ALONG THE WESTERLY SIDE OF THE FOLLOWING STRAP(S) #:  
10-46-24-01-00001.0000, 00002.0000, 00003.0000 & 00004.0000  
AND ALONG THE EASTERLY SIDE OF THE FOLLOWING STRAP(S) #:  
10-46-24-01-00029-0000, 00030.0000 & 00031.0000**

Dear Ms. Morgan:

Lee County Utilities is in receipt of your letter and associated attachments concerning the Petition to Vacate an existing 'Public Right-of-Way or Roadway' as described above. Lee County Utilities has reviewed your request and currently has **NO OBJECTION** to the proposed vacation.

Please be advised that record drawings indicate Lee County Utilities owns and maintains potable water facilities within &/or near the area to be vacated. Lee County Utilities' position of 'No Objection' is based in part, on the executed Perpetual Public Utility Easement Grant recently submitted by your firm in relation to these existing facilities.

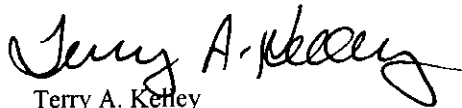
Lee County Utilities has taken the position of 'No Objection' in good faith with the understanding that this executed Perpetual Public Utility Easement Grant will be recorded concurrently with the right-of-way vacation.

Relocation of the existing Lee County Utilities' water main that runs east and west through the proposed Winkler Preserve site will be addressed through the Development Order process.

If you should have any questions, or require further assistance, please do not hesitate to contact our office at 479-8531.

Sincerely,

**LEE COUNTY UTILITIES**



Terry A. Kelley  
Senior Engineering Technician  
Utilities Engineering Division

cc: Sal Elrubie, Development Services  
Correspondence File

This Instrument Prepared By:  
Lee County Utilities  
1500 Monroe Street - 3<sup>rd</sup> Floor  
Fort Myers, Florida 33901

**PERPETUAL PUBLIC UTILITY EASEMENT GRANT**

THIS INDENTURE is made and entered into this 17<sup>th</sup> day of July, 2002, by and between Patrick J. Hayes, Successor Trustee, Owner, hereinafter referred to as GRANTOR(S), and LEE COUNTY, hereinafter referred to as GRANTEE.

**WITNESSETH:**

1. For and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged and accepted, GRANTOR hereby grants, bargains, sells and transfers to the GRANTEE, its successors and assigns, a perpetual public utility easement situated in Lee County, Florida, located and described as set forth in Exhibit "A", attached hereto and made a part hereof.

2. GRANTEE, its successors, appointees and assigns, are granted the right, privilege, and authority to construct, replace, renew, extend and maintain a wastewater collection and/or water distribution system, together with, but not limited to, all necessary service connections, manholes, valves, fire hydrants, lift stations and appurtenances, to be located on, under, across and through the easement which is located on the property described (Exhibit "A"), with the additional right, privilege and authority to remove, replace, repair and enlarge said system, and to trim and remove roots, trees, shrubs, bushes and plants, and remove fences or other improvements which may affect the operation of lines, mains and/or utility facilities.

3. The public utility easement shall not be limited to any particular diameter size or type and/or number of connections to other water/sewer mains for providing water/sewer service to this and any adjacent properties. The total area of this public utility easement is reserved for utility lines, mains, or appurtenant facilities and for any landscaping (excluding trees), walkways, roadways, drainage ways, or similar uses. Houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures shall not be constructed on or placed within this easement at anytime, present or future, by GRANTOR, or its heirs, successors or assigns.

4. Title to all utilities constructed and/or placed hereunder by GRANTEE or its agents shall remain in the GRANTEE, GRANTEE's successors, appointees, and/or assigns.



5. Subject to any pre-existing easements for public highways or roads, railroads, laterals, ditches, pipelines and electrical transmission or distribution lines and telephone and cable television lines covering the land herein described, GRANTOR(S) covenant that they are lawfully seized and possessed of the described real property (Exhibit "A"), have good and lawful right and power to sell and convey it, and that the said property is free of any and all liens and encumbrances, except as herein stated, and accordingly, GRANTOR(S) will forever defend the title and terms of this said easement and the quiet possession thereof by GRANTEE against all claims and demands of all other entities.

6. GRANTOR(S), its heirs, successors or assigns, shall indemnify and hold the GRANTEE harmless for any consequential damages to any houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures subsequently constructed by GRANTOR(S) in violation of paragraph 3 within the above easement, which result from the required activities of the GRANTEE for any construction, maintenance or repairs to the utilities location within the above-described easement.

7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment under circumstances in which a private person would be found to be liable in accordance with the general laws of the State of Florida, and subject to the limitations as set out in Section 768.28, Florida Statutes, as it may be revised or amended from time to time.

8. GRANTEE shall have reasonable right of access across GRANTOR's property for the purposes of reaching the described easement (Exhibit "A") on either paved or unpaved surfaces. Any damage to GRANTOR's property or permitted improvements thereon as the result of such access to the described easement or the construction, maintenance, or repairs located within the described easement shall be restored by GRANTEE, to the condition in which it existed prior to the damage as is reasonably practicable.

9. By acceptance of this easement, the GRANTEE assumes no responsibility for ownership or maintenance of roads. The easement is strictly for utility purposes.

10. This easement shall be binding upon the parties hereto, their successors and assigns.

IN WITNESS WHEREOF, the GRANTOR has caused this document to be signed on the date and year first above written.

Janet E. Allison  
1<sup>st</sup> Witness  
JANET E ALLISON

Patrick J. Hayes  
GRANTOR  
Patrick J. Hayes

Gail Christ Lynn  
2<sup>nd</sup> Witness  
GAIL EBERT LYNN

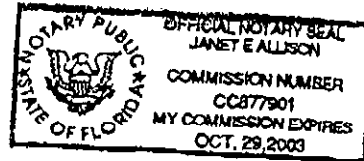
Title: Successor Trustee

STATE OF FLORIDA )  
                                  ) SS:  
COUNTY OF LEE        )

The foregoing instrument was signed and acknowledged before me this 17<sup>th</sup> day of July, 2002, by Patrick J. Hayes, Successor Trustee (Print or Type Name) who has produced Personally Known to me (Type of Identification and Number) as identification, and who ~~(did)~~ (did not) take an oath.

Janet E. Allison  
Notary Public Signature

Janet E. Allison  
Printed Name of Notary Public



CC877901  
Notary Commission Number

(Notary Seal)

# Barraco

and Associates, Inc.

[www.barraco.net](http://www.barraco.net)

Civil Engineers, Land Surveyors and Consultants

## DESCRIPTION

Parcel in  
Section 10, Township 46 South, Range 24 East  
Lee County, Florida

A tract or parcel of land lying in SEMINOLE GARDENS as recorded in Plat Book 4, Page 65, Lee County Records in Section 10, Township 46 South, Range 24 East, Lee County, Florida. Said tract or parcel being more particularly described as follows:

BEGINNING at the southeast corner of Lot 29 of said SEMINOLE GARDENS run N01°13'18"W along the east line of said Lot 29 for 329.93 feet to the northeast corner of said Lot 29; thence run N88°45'22"E along an easterly extension of the north line of said Lot 29 for 20.00 feet; thence run S01°13'18"E along a line 20 feet east of and parallel to the east line of said Lot 29 for 329.93 feet to an intersection with the north line of BELLE MEADE Subdivision as recorded in Plat Book 55, Page 47, Lee County Records ; thence run S88°45'10"W along said north line for 20.00 feet to the POINT OF BEGINNING.

Containing 0.15 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida west zone (NAD 1983/90 Adjustment) and are based on the east line of Lot 29 SEMINOLE GARDENS as recorded in Plat Book 4, Page 65, Lee County Records to bear N01°13'18"W.

21608s04desc.doc



Scott A. Wheeler (For The Firm)  
Professional Surveyor and Mapper  
Florida Certificate No. 5949

**Barraco**  
 and Associates, Inc.  
 CIVIL ENGINEERS, SURVEYORS AND  
 LAND DEVELOPMENT CONSULTANTS  
 www.barraco.net  
 2371 WOODSON BOULEVARD  
 FORT MYERS, FLORIDA 33909  
 PHONE (239) 481-3179  
 FAX (239) 481-3180  
 FLORIDA CERTIFICATE OF PROFESSIONAL  
 ENGINEERING #785 - SURVEYING-6466

**SOUTHWEST  
 FLORIDA  
 LAND THREE, LLC**

3488 COLLEGE PARKWAY  
 SUITE 100  
 FORT MYERS, FLORIDA 33919

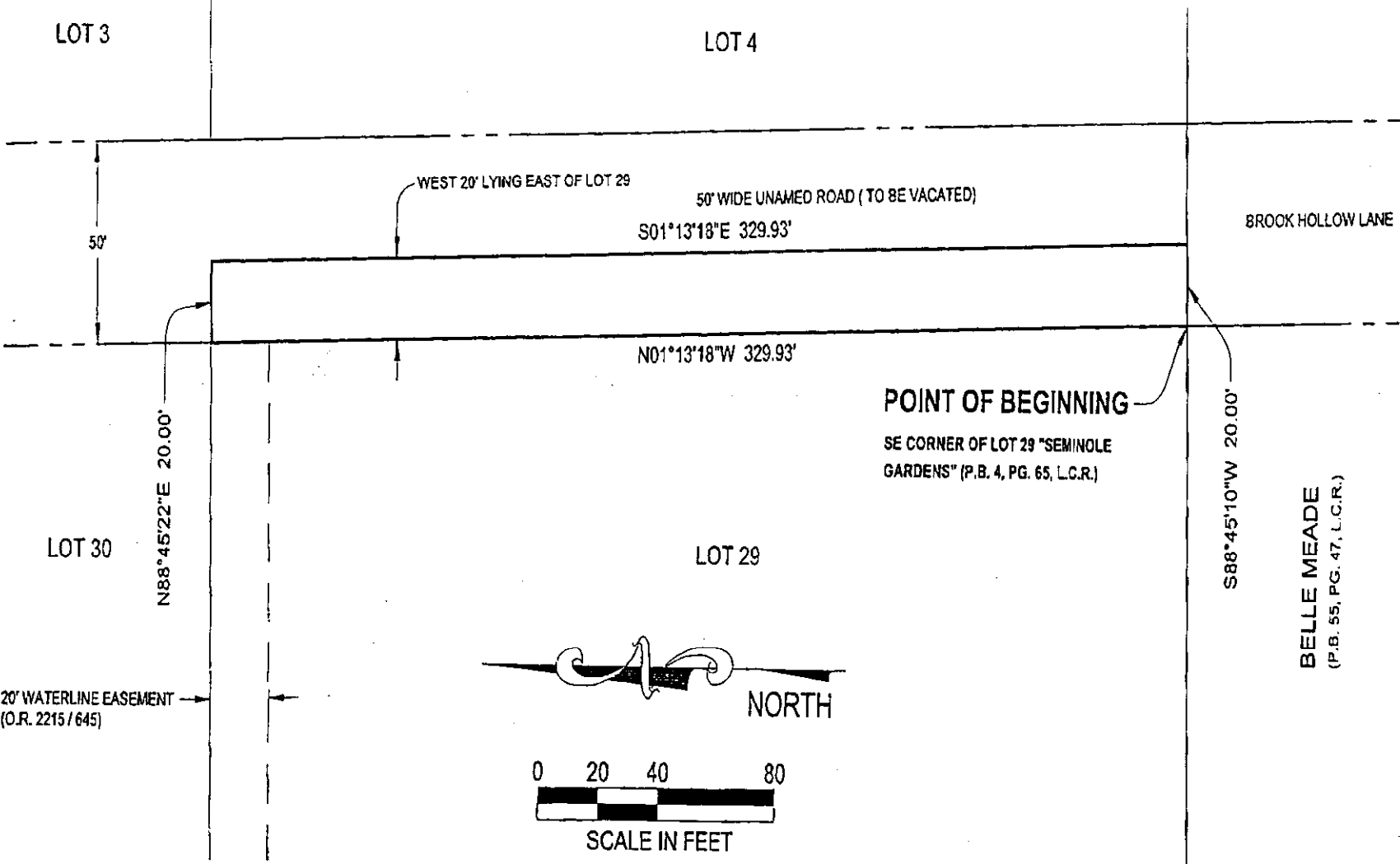
PHONE (239) 449-4055  
 FAX (239) 481-8477

UTILITY EASEMENT  
 SEMINOLE GARDENS

(P.B. 4, PG. 65, L.C.R.)  
 SECTION 16, T. 44 S.  
 R. 34 E.  
 LEE COUNTY, FLORIDA



PROJECT NUMBER	
DATE	
BY	
CHECKED BY	
SCALE	
PLAT NUMBER	
PROJECT FILE NO.	
SHEET NUMBER	
2 OF 2	2 OF 2



**THIS IS NOT A SURVEY**

*Scott A. Wheeler*  
 SCOTT A. WHEELER (FOR THE FIRM - LB-6940)  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 5949

*8/2/02*  
 DATE SIGNED:

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A  
 FLORIDA LICENSED SURVEYOR AND MAPPER.

**NOTES**

1. BEARINGS HEREINAbove MENTIONED ARE STATE PLANE FOR THE FLORIDA WEST ZONE (NAD 1983/90 ADJUSTMENT) AND ARE BASED ON THE EAST LINE OF LOT 29 SEMINOLE GARDENS AS RECORDED IN PLAT BOOK 4, PAGE 65, LEE COUNTY RECORDS TO BEAR N01°13'18"E.
2. DESCRIPTION IS ATTACHED.

10-21-2002 11:04AM FROM LANDSOLUTIONS 2394818477

John E. Manning  
*District One*

Douglas R. St. Cerny  
*District Two*

Ray Judah  
*District Three*

Andrew W. Coy  
*District Four*

John E. Albion  
*District Five*

Donald D. Stilwell  
*County Manager*

James G. Yaeger  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

October 15, 2002

Ms. Kathy Morgan  
Development Solutions  
8660 College Parkway  
Suite 160  
Fort Myers, FL 33919

Re: Proposed vacation of an approximately 1,320 foot long portion of a fifty-foot wide road right-of-way along the West edge of lots 1 through 4 and along the East edge of lots 29 through 32 on the subdivision plat of Seminole Gardens located in Section 10, Township 46 South, Range 24 East and recorded in the Public Records of Lee County, Florida at Plat Book 4, Page 65.

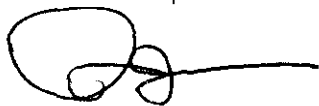
Dear Ms. Morgan:

This office has received your request to vacate the above referenced portion of the above described right-of-way shown on the plat of Seminole Gardens. Based on a review of the information provided, our subsequent research, and a replacement utility easement being provided, this office has no objection to the proposed vacation.

You and your clients should be aware, however, that the Board of County Commissioner's approval of this petition will only extinguish the rights of the public to use the right-of-way. Private rights of use may still remain. This means that certification of fee ownership in the area being vacated will be required prior to issuance of any building permit(s) within that area of the easement as it presently exists, occupied or otherwise.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Development Services Division



Peter J. Eckenrode,  
Director

PJE/sbe

H:\Correspondence\Vacations\Vac2002\00032 Winkler Preserve\reviewandrec private rights.wpd

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number:

Wednesday, August 21, 2002

Bob Janos  
*District One*

Douglas B. St. Cerny  
*District Two*

Ray Judah  
*District Three*

Andrew W. Goy  
*District Four*

John E. Albion  
*District Five*

Donald D. Stilwell  
*County Manager*

James G. Yaeger  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

**Ms. Kathy Morgan**  
8660 College Parkway  
Suite 160  
Fort Myers, FL 33919

**Re: Petition to Vacate a portion of a fifty foot (50') wide road right of way adjacent to Lots 1, 2, 3 & 4, Seminole Gardens Subdivision as recorded in Plat Book 4, Page 65, Public Records of Lee County, Florida.**

Dear Ms. Morgan:

Based on the review of the documents submitted with your request, Lee County Division of Natural Resources has no objection to the vacation of the subject right of way easement.

Should you have any questions, please call me at the above telephone number.

Regards,

LEE COUNTY PUBLIC WORKS DEPARTMENT



Allen L. Davies, Jr.  
Natural Resources Division

-cc: Don Blackburn, Development Services  
Joan Henry, County Attorney's Office  
Margaret Lawson, LCDOT  
Roland Ottolini, P.E., NRD

S:\NATRES\SURFACE\DOCUMENT\vac253a.doc



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

(941) 479-8124

Writer's Direct Dial Number: \_\_\_\_\_

Wednesday, August 21, 2002

Bob Janes  
*District One*

Douglas R. St. Cerny  
*District Two*

Ray Judah  
*District Three*

Andrew W. Coy  
*District Four*

John E. Albion  
*District Five*

Donald D. Stilwell  
*County Manager*

James G. Yaeger  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

Ms. Kathy Morgan  
8660 College Parkway  
Suite 160  
Fort Myers, FL 33919

Re: Petition to Vacate a portion of a fifty foot (50') wide road right of way adjacent to Lots 1, 2, 3 & 4, Seminole Gardens Subdivision as recorded in Plat Book 4, Page 65, Public Records of Lee County, Florida.

Dear Ms. Morgan:

Based on the review of the documents submitted with your request, Lee County Division of Natural Resources has no to the vacation of the subject right of way easement.

Should you have any questions, please call me at the above telephone number.

Regards,

LEE COUNTY PUBLIC WORKS DEPARTMENT

Allen L. Davies, Jr.  
Natural Resources Division

-cc: Don Blackburn, Development Services  
Joan Henry, County Attorney's Office  
Margaret Lawson, LCDOT  
Roland Ottolini, P.E., NRD

S:\NATRES\SURFACE\DOCUMENT\vac253a.doc



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8580

Bob Jones  
*District One*

Douglas R. St. Gerny  
*District Two*

Ray Judah  
*District Three*

Andrew W. Coy  
*District Four*

John E. Albion  
*District Five*

Donald D. Stilwell  
*County Manager*

James G. Yaeger  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

June 27, 2002

Ms. Kathy Morgan  
Development Solutions  
8660 College Pkwy., Suite 160  
Fort Myers, FL 33919

**RE: Request for Review and Recommendation  
To vacate Road Right-of-way as recorded in  
Plat of Seminole Gardens, Plat Book 4, page 65,  
Section 10, Township 46, Range 24**

Dear Kathy:

Lee County Department of Transportation has reviewed your request to vacate a portion of a 50 foot wide unimproved road right-of-way in the Seminole Gardens Subdivision. This right-of-way is not maintained by DOT.

Therefore, DOT offers no objection to this petition to vacate as proposed. It is understood, however, that the 30 feet of IDD Canal R across the top of section 10 that intersects the road right-of-way is to remain.

Sincerely,

DEPARTMENT OF TRANSPORTATION

Scott M. Gilbertson, P.E.  
Director

SMG/JMK/mlb

S:\DOCUMENT\SMG\LETTERS\KCOCH\2002\Seminole Gardens PTV.doc



# NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2002-00032

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that on the 26th day of November 2002 @ 5:00 PM in the County Commissioners' Meeting Room, Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida, the Board of County Commissioners of Lee County, Florida, will consider and take action on a Petition vacating, abandoning, closing and discontinuing the public's interest in the right-of-way or portion of a right-of-way, as well as the easement, plat or portion of a plat legally described in the attached Exhibit "A"

Interested parties may appear in person or through a representative and be heard with respect to the Petition to Vacate.

Anyone wishing to appeal the decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such appeal, and may need a verbatim record, to include all testimony and evidence upon which the appeal is to be based.

A copy of the Petition to Vacate is on file in the Office of the Clerk of the Circuit Court of Lee County, Florida, Minutes Department, Room 200, 2115 Second Street, Fort Myers, Florida, 33902-0398.

CHARLIE GREEN, CLERK

\_\_\_\_\_  
Deputy Clerk Signature

\_\_\_\_\_  
Please Print Name

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney Signature

\_\_\_\_\_  
Please Print Name

**DESCRIPTION**

Road Right-of-Way  
Seminole Gardens  
Plat Book 4, Page 65, Lee County Records  
Section 10, Township 46 South, Range 24 East  
Lee County, Florida

A tract or parcel of land lying in Seminole Gardens as recorded in Plat Book 4, Page 65, Lee County Records located in Section 10, Township 46 South, Range 24, Lee County, Florida. Said tract or parcel being more particularly described as follows:

Beginning at the Southeast corner of Lot 29 of said Seminole Gardens run N 01° 13' 18" W along the east line of said Lot 29 and Lots 30, 31 and 32 of said Seminole Gardens for 1237.90 feet to an intersection with the north line of the northeast quarter (NE-1/4) of said Section 10; thence run N 89° 02' 07" E along said North line for 50.00 feet; thence run S 01° 13' 18" E along the westerly line of Lots 1, 2, 3 and 4 of said Seminole Gardens for 1237.65 feet to the Southwest corner of said Lot 4; thence run S 88° 45' 10" W for 50.00 feet to the point of beginning.

Containing 61,889 square feet, more or less.

Bearings herein above mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the north line of the northeast quarter (NE-1/4) of said Section 10, Township 46 South, Range 24 East, Lee County Florida to bear N 89° 02' 07" E.

*Scott A. Wheeler 1/24/02*

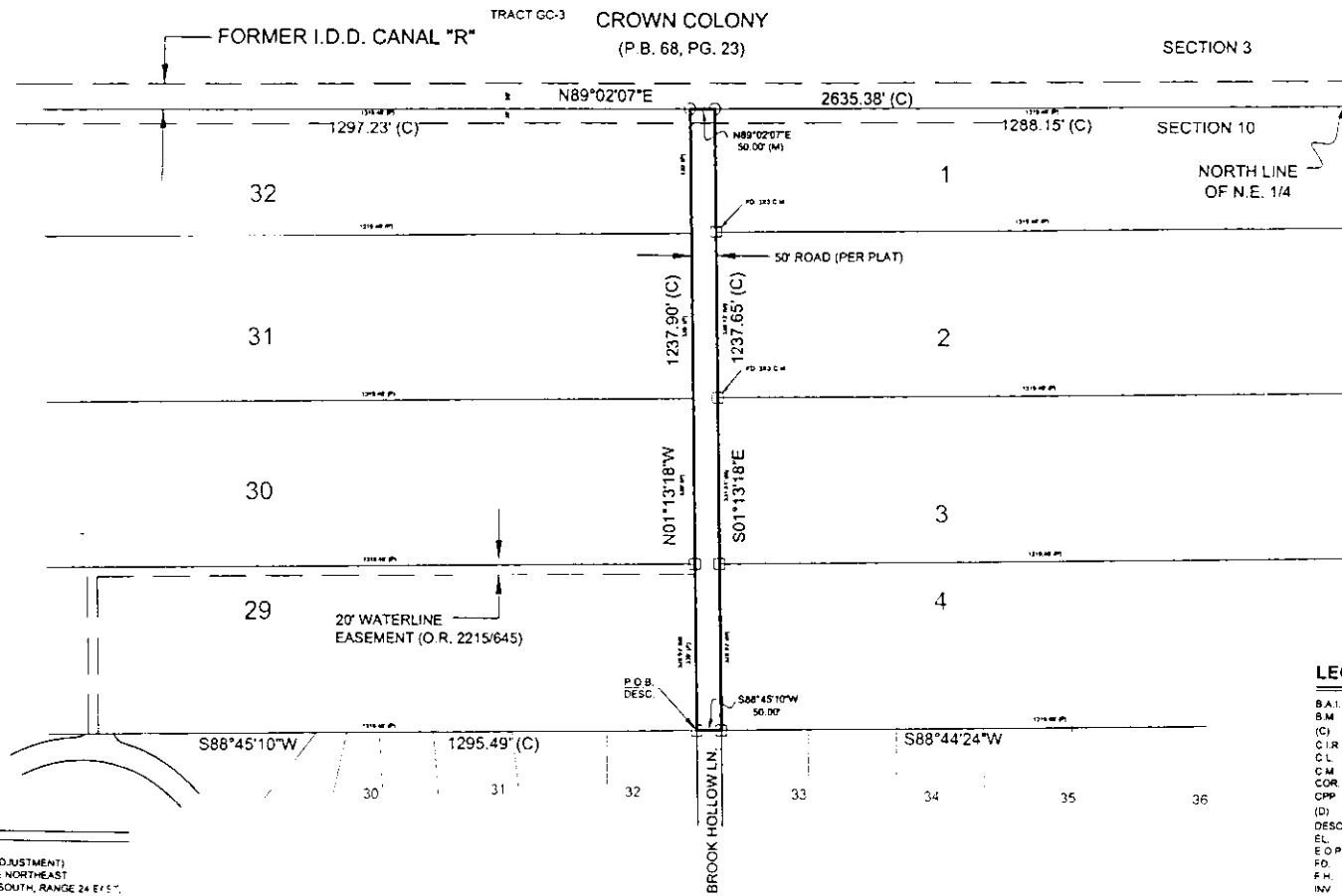
Scott A. Wheeler (For The Firm)  
Professional Surveyor and Mapper  
Florida Certificate No. 5949

21608

**Exhibit A**



0 75 150 300  
SCALE IN FEET



NOTES

BEARINGS SHOWN ARE STATE PLANE FOR THE FLORIDA WEST ZONE (1983/90 ADJUSTMENT) AND ARE BASED THE NORTH LINE OF THE NORTH-EAST QUARTER OF SECTION 10, TOWNSHIP 46 SOUTH, RANGE 24 E 1 S, T.O. BEAR N 89°02'07" E.

THIS IS NOT A SURVEY

*Scott A. Wheeler*  
 SCOTT A. WHEELER (FOR THE FIRM - LB-6940)  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 5849  
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A

*1/24/02*  
 DATE SIGNED

BELLE MEADE (P.B. 55, PG. 47)

Exhibit B

**LEGEND:**

B.A.I.	BARRACO & ASSOCIATES, INC.
B.M.	BENCH MARK
(C)	CALCULATED
C.I.R.	CAPPED IRON ROD
C.L.	CHAIN LINK
C.M.	CONCRETE MONUMENT
COR.	CORNER
CPP	CONCRETE POWER POLE
(D)	DESCRIPTION
DESC.	DESCRIPTION
EL.	ELEVATION
E.O.P.	EDGE OF PAVEMENT
FD.	FOUND
F.H.	FIRE HYDRANT
INV.	INVERT
I.R.	IRON ROD
LB.	LICENSED BUSINESS
(M)	MEASURED
M.H.	MANHOLE
(O.R.)	OFFICIAL RECORD BOOK
(P)	PLAT
P.B.	PLAT BOOK
PG.	PAGE
P.K.	PARKER-KALON
P.R.M.	PERMANENT REFERENCE MONUMENT
RCP.	REINFORCED CONCRETE PIPE
RGE.	RANGE
R.W.	RIGHT OF WAY
TWP.	TOWNSHIP
W.	WITH
O	SET 1/2" IRON ROD WITH CAP STAMPED BAILB6940 UNLESS OTHERWISE NOTED

**Barraco**  
 and Associates, I.J.C.  
 CIVIL ENGINEERS, SURVEYORS, AND  
 LAND DEVELOPMENT CONSULTANTS  
 www.barraco.net  
 2771 INGLEWOOD BOULEVARD  
 POST OFFICE BOX 2900  
 FORT MYERS, FLORIDA 33902-2900  
 PHONE (813) 481-3170  
 FAX (813) 481-3168

FLORIDA CERTIFICATE OF AUTHORIZATION  
 ENGINEERING 7994 - SURVEYING LB-6940

PROJECT DESCRIPTION

ROAD RIGHT OF WAY  
 SEMINOLE GARDENS  
 P.B. 4 PG. 63  
 SEC. 15 TWP. 46 S. RGE. 24 E  
 LEE COUNTY, FLORIDA

PROJECT SURVEYOR

*Scott A. Wheeler*  
 SCOTT A. WHEELER  
 LICENSED SURVEYOR  
 NO. 5849  
 STATE OF FLORIDA

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

FILE NO.	211800000000000000
LAYOUT	LAYOUT
LOCATION	211800000000000000
PLAT DATE	May 1, 2002 - 1:30 PM
PLAT BY	SCOTT WHEELER
DRAWING DATE	
SURVEY DATE	1/24/02
SCALE	AS SHOWN
FIELD BOOK	
PLAN NUMBER	
SHEET NUMBER	

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO. SHEET NUMBER  
 211800000000000000 2 OF 2

**RESOLUTION NO. \_\_\_\_\_ TO SET PUBLIC HEARING  
FOR PETITION TO VACATE** Case Number: VAC2002-00032

WHEREAS, a Petition to Vacate was filed with the Board of County Commissioners;  
and

WHEREAS, the Petitioner seeks to abandon, discontinue, close or vacate a portion  
of a plat, easement, parcel or right-of-way legally described in the attached Exhibit "A".

WHEREAS, under Florida Statute and the Lee County Administrative Code, the  
Board must hold a Public Hearing in order to grant a vacation affecting a public easement,  
public right-of-way or platted lands.

BE IT THEREFORE RESOLVED by the Board of County Commissioners of Lee  
County, Florida, as follows:

1. A Public Hearing on Petition to Vacate No. VAC2002-00032 is set for the  
\_\_\_\_\_ in the Lee County Commission Chambers.
2. A Notice of Public Hearing on this Petition to Vacate will be published in  
accordance with the Lee County Administrative Code.

THIS RESOLUTION passed by voice and entered into the minutes of the Board of  
County Commissioners of Lee County, Florida this \_\_\_\_\_.

ATTEST:  
CHARLIE GREEN, CLERK  
\_\_\_\_\_  
Deputy Clerk Signature

BOARD OF COUNTY  
COMMISSIONERS OF  
LEE COUNTY, FLORIDA  
\_\_\_\_\_  
Chairman Signature

\_\_\_\_\_  
Please Print Name

\_\_\_\_\_  
Please Print Name

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney Signature  
\_\_\_\_\_  
Please Print Name

**DESCRIPTION**

Road Right-of-Way  
Seminole Gardens  
Plat Book 4, Page 65, Lee County Records  
Section 10, Township 46 South, Range 24 East  
Lee County, Florida

A tract or parcel of land lying in Seminole Gardens as recorded in Plat Book 4, Page 65, Lee County Records located in Section 10, Township 46 South, Range 24, Lee County, Florida. Said tract or parcel being more particularly described as follows:

Beginning at the Southeast corner of Lot 29 of said Seminole Gardens run N 01° 13' 18" W along the east line of said Lot 29 and Lots 30, 31 and 32 of said Seminole Gardens for 1237.90 feet to an intersection with the north line of the northeast quarter (NE-1/4) of said Section 10; thence run N 89° 02' 07" E along said North line for 50.00 feet; thence run S 01° 13' 18" E along the westerly line of Lots 1, 2, 3 and 4 of said Seminole Gardens for 1237.65 feet to the Southwest corner of said Lot 4; thence run S 88° 45' 10" W for 50.00 feet to the point of beginning.

Containing 61,889 square feet, more or less.

Bearings herein above mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the north line of the northeast quarter (NE-1/4) of said Section 10, Township 46 South, Range 24 East, Lee County Florida to bear N 89° 02' 07" E.

 1/24/02

Scott A. Wheeler (For The Firm)  
Professional Surveyor and Mapper  
Florida Certificate No. 5949

21608

**Exhibit A**

