

**Lee County Board of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20031093

1. REQUESTED MOTION:

ACTION REQUESTED: Approve release of a former or unbuilt frontage road located in the northeast quadrant of the intersection of US 41 and Ben C. Pratt/Six Mile Cypress Parkway; authorize the Chairman to execute a Release of Easement for this purpose; and authorize the County Attorney's Office to handle and complete all documentation necessary for this transaction. Accept an easement grant for frontage road that is configured to accommodate further development at same project.

WHY ACTION IS NECESSARY: The property owners of the underlying fee have requested a release of the frontage road easement in accordance with §255.22, F.S. and Board of County Commissioners must accept reconfigured easement for frontage road.

WHAT ACTION ACCOMPLISHES: Releases to the respective property owners the County's interest in the former or unbuilt frontage road not being utilized at this location and provides a reconfigured easement for frontage road purposes.

2. DEPARTMENTAL CATEGORY: **C12A**
COMMISSION DISTRICT # 3

3. MEETING DATE: **10-28-2003**

4. AGENDA:

CONSENT

ADMINISTRATIVE

APPEALS

PUBLIC

WALK ON

TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

STATUTE \$255.22

ORDINANCE _____

ADMIN. CODE _____

OTHER _____

6. REQUESTOR OF INFORMATION:

A. COMMISSIONER _____

B. DEPARTMENT County Attorney

C. DIVISION Land Use

BY: *[Signature]*
Joan C. Henry
Assistant County Attorney

7. BACKGROUND: In 1986, a Frontage Road Easement Grant was given to Lee County by the owners of property located in the northeast quadrant of the intersection of US 41 and Ben C. Pratt/Six Mile Cypress Parkway. The easement, dated April 23, 1986, and recorded at O.R. Book 1856, Page 4256 of the Public Records of Lee County, Florida, was for pedestrian and vehicular ingress and egress. The 40-foot wide easement ran along the northerly and easterly sides of the grantor's property.

The east half of the site has since been developed with the construction of a Wendy's and the west half remains an undeveloped site. The frontage road originally planned for the site is now constructed, but is located on another portion of the property, negating the need for a second frontage road to be constructed where previously laid out. The property owners are conveying to the County similar rights of access for ingress and egress over the actual constructed frontage road. The property owners seek the return of the 1986 frontage road easement currently held by the County and offer a replacement that is on the other portion of the property for the configuration constructed.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A	B	C	D	E	F				G
Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager
N/A	N/A	N/A	N/A	<i>[Signature]</i>	OA	OM	RISK	GC	<i>[Signature]</i>
					<i>10/18/03</i>	<i>10/18/03</i>	<i>10/18/03</i>	<i>10/18/03</i>	<i>10/19/03</i>

10. COMMISSION ACTION:

APPROVED
 DENIED
 DEFERRED
 OTHER

FORWARDED TO CO. ADMIN.
10/28/03 10:20 AM

RECEIVED BY COUNTY ADMIN: *RK*
10/18
11:30 am SLA
COUNTY ADMIN FORWARDED TO: *[Signature]*
10/18
[Signature]

The current owners of the property over which the frontage road easement is located are B. F. Fort Myers, Inc. - STRAP#25-45-24-00-00009.0050 (Wendy's); and J & J Real Estate, LTD. - STRAP# 25-45-24-00-00009.0030.

Florida Statute, §255.22, authorizes the County to reconvey property donated for a specific purpose if a request is received from an adjacent property owner, and the County has not used the property for such purposes for a period of sixty (60) consecutive months. A review of the documents concerning these parcels indicates the statutory requirements for reconveyance have been met. Staff recommends the Board approve the requested release and acceptance of easement for road as constructed.

Attachments: Proposed Release of Frontage Road Easement Grant,
including a sketch of the portion of easement to be released
Easement for the frontage road actually constructed

This Instrument Prepared by:

Lee County Attorney's Office
Post Office Box 398
Fort Myers, FL 33902-0398
(941) 335-2236

(This Space for Recording)

RELEASE OF FRONTAGE ROAD EASEMENT GRANT

KNOW ALL MEN BY THESE PRESENTS that this Release of Frontage Road Easement Grant is given by **LEE COUNTY**, a political subdivision of the State of Florida, (hereinafter "County") whose address is P.O. Box 398, Fort Myers, Florida 33902-0398; **TO B.F. FT. MYERS, INC.**, a Florida corporation (hereinafter "BFFM") whose address is 1342 Colonial Blvd., Suite G-54, Fort Myers, Florida 33907; **AND, J + J REAL ESTATE LTD.**, a Florida Limited Partnership (hereinafter "J + J") whose address is 8989 South Orange Avenue, Orlando, Florida 32859.

WHEREAS, the County is the holder of a Frontage Road Easement Grant, dated April 23, 1986, described and recorded in O.R. Book 1856, Page 4256 of the Public Records of Lee County, Florida, over and across property owned by BFFM and J + J; and said easement is legally described in Exhibit "A" being attached hereto and incorporated herein by reference;

WHEREAS, the County has agreed to release its Frontage Road Easement Grant in exchange for a new grant of easement which is being executed and conveyed to County concurrent with the execution of this Release of Easement;

WHEREAS, it is the intent of the County to release to BFFM and J + J the County's interest in the Frontage Road Easement Grant over and across the respective properties of BFFM and J + J; and

NOW, THEREFORE, the undersigned, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, hereby releases to BFFM and J + J, their respective successors and assigns, the Frontage Road Easement Grant, dated April 23, 1986, described and recorded in O.R. Book 1856, Page 4256 of the Public Records of Lee County, Florida, and located over and across the respective properties of BFFM and J + J as legally described in Exhibit "A" attached hereto; it being the intention of the County to terminate said easement and return all title and interest therein to BFFM and J + J as may be located on their respective properties.

This Release of Frontage Road Easement Grant releases only the interest of the County and its Board of County Commissioners in the easement as described and recorded in O.R. Book 1856, Page 4256 of the Public Records of Lee County, Florida. This instrument does not release any portion of any new or replacement easement to the extent such any new or replacement easement lies within the same area of the easement as described in O.R. Book 1856, Page 4256 of the Public Records of Lee County, Florida.

This Release of Frontage Road Easement Grant conveys only the interest of the County and its Board of County Commissioners in the property herein described, and does not warrant the title or represent any state of facts concerning the title.

IN WITNESS WHEREOF, the Chairman of the Lee County Board of County Commissioners, has executed this Release of Easement on the ____ day of _____, 2003.

**ATTEST: CHARLIE GREEN
EX-OFFICIO CLERK**

**LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS**

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
Office of the Lee County Attorney

RECORDED AND RETURNED
 JUL 14 12 32 PM '86

REC 1856 PG 4 259

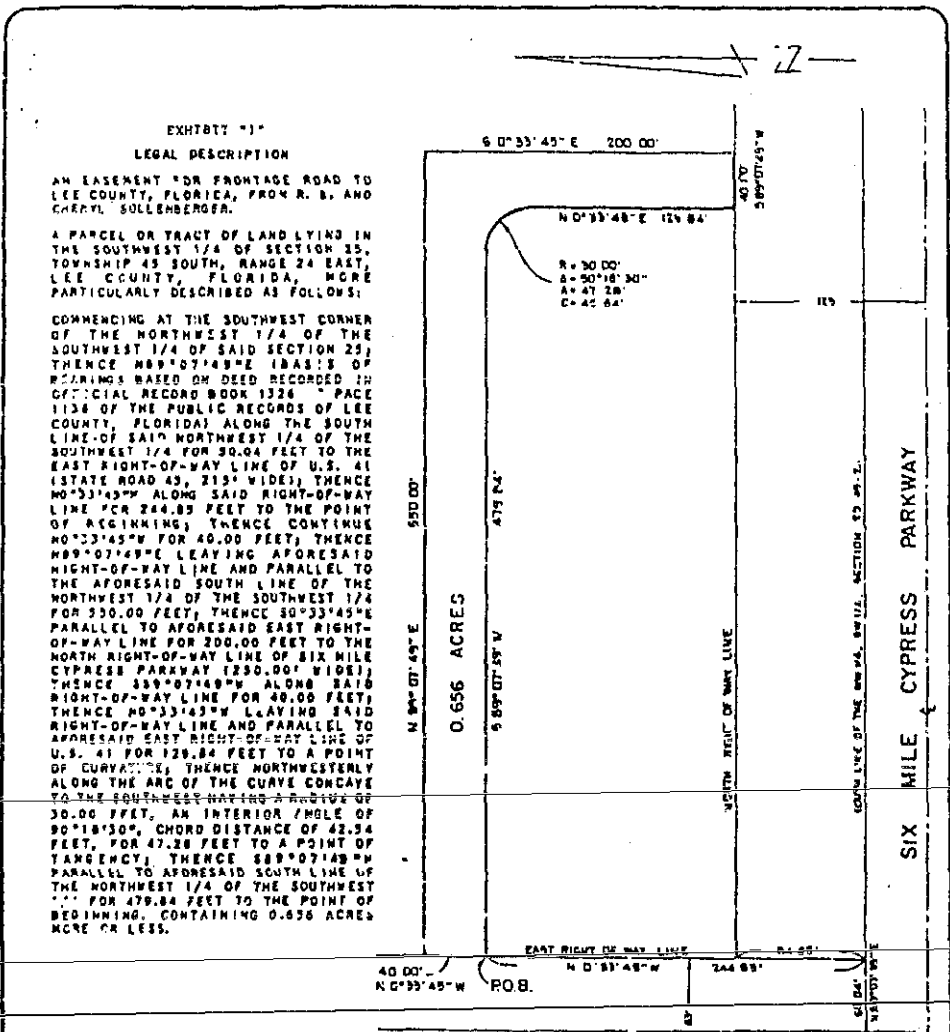


EXHIBIT "1"
 LEGAL DESCRIPTION
 AN EASEMENT OR FRONTAGE ROAD TO LEE COUNTY, FLORIDA, FROM R. S. AND CAROL SULLENBERGER.

A PARCEL OR TRACT OF LAND LYING IN THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 25; THENCE N89°07'48"E 1845.15 OF BEARINGS BASED ON DEED RECORDED IN OFFICIAL RECORD BOOK 1326 PAGE 1134 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 FOR 50.04 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. 41 (STATE ROAD 45, 212' WIDE); THENCE N0°33'43"W ALONG SAID RIGHT-OF-WAY LINE FOR 244.85 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N0°33'45"W FOR 40.00 FEET; THENCE N89°07'48"E LEAVING AFORESAID RIGHT-OF-WAY LINE AND PARALLEL TO THE AFORESAID SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 FOR 550.00 FEET; THENCE S0°33'45"E PARALLEL TO AFORESAID EAST RIGHT-OF-WAY LINE FOR 200.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SIX MILE CYPRESS PARKWAY (250.00' WIDE); THENCE S89°07'48"W ALONG SAID RIGHT-OF-WAY LINE FOR 40.00 FEET; THENCE N0°33'43"W LEAVING SAID RIGHT-OF-WAY LINE AND PARALLEL TO AFORESAID EAST RIGHT-OF-WAY LINE OF U.S. 41 FOR 128.84 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF THE CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 30.00 FEET, AN INTERIOR ANGLE OF 90°18'30", CHORD DISTANCE OF 42.84 FEET, FOR 47.28 FEET TO A POINT OF TANGENCY; THENCE S89°07'48"W PARALLEL TO AFORESAID SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 FOR 479.84 FEET TO THE POINT OF BEGINNING, CONTAINING 0.656 ACRES MORE OR LESS.

THIS IS NOT A FIELD SURVEY
 SCALE 1" = 50'
 DATE OF BEARING

(US 41) TAMiami TRAIL

R = RECORD M = MEASURED
 ELEVATIONS BASED ON N.G.V.S.
 8 M

DATE	LABORER	FIELD	REVISION
4-18-86	DA-04-048		

CERTIFICATE
 I hereby certify that the above sketch is a delineation of the legal description as shown and is accurate and correct to the best of my knowledge and belief.

Ben R. Flomola
 STATE OF FLORIDA SURVEYOR LICENSE NO. 9730

FOR
 M W MORRIS & ASSOC.
 VALID ONLY
 WHEN
 ENCLOSED WITH

Deni Associates

1100 W. 11th Avenue, Suite 100, Ft. Lauderdale, FL 33304

TELEPHONE: 561-551-1100 FAX: 561-551-1101

PROPERTY & CASUALTY SURVEYING • AERIAL PHOTO SURVEYING • PRECISION & ENGINEERING SURVEYING

This Instrument Prepared by:

Lee County Attorney's Office
Post Office Box 398
Fort Myers, FL 33902-0398
(941) 335-2236

EASEMENT GRANT

KNOW ALL MEN BY THESE PRESENTS, that B.F. FT. MYERS, INC., a Florida corporation (hereinafter "BFFM") whose address is 1342 Colonial Blvd., Suite G-54, Fort Myers, Florida 33907; J & J REAL ESTATE LTD., a Florida Limited Partnership (hereinafter "J & J") whose address is 8989 South Orange Avenue, Orlando, Florida 32859, hereby grant to LEE COUNTY, a political subdivision of the State of Florida, (hereinafter "County") whose address is P.O. Box 398, Fort Myers, Florida 33902-0398, an easement as more particularly described below:

RECITALS:

A. BFFM is the current fee title owner to the real property described in attached Exhibit "A" (the "BFFM Parcel"); and

B. J & J is the current fee title holder to the real property more particularly described in attached Exhibit "B" (the "J & J Parcel"); and

C. The County is now or formerly was the owner of an Easement for a frontage road pursuant to a Frontage Road Easement Grant recorded in O.R. Book 1856, Page 4256, Public Records of Lee County, Florida (the "County Frontage Road"), which frontage road is located on the northerly forty feet (40') of the J & J Parcel and the northerly forty feet (40') and the easterly forty feet (40') of the BFFM Parcel.

D. The County has or will release its ownership interest in the Frontage Road Easement Grant, dated April 23, 1986, described and recorded in O.R. Book 1856, Page 4256 of the Public Records of Lee County, Florida. As an inducement for the County's release of said Frontage Road Easement Grant, BFFM and J & J have offered the County a new easement for access and ingress and egress in the location set forth below.

NOW, THEREFORE, in consideration of these recitals and the County's release of the "County Frontage Road," the parties do hereby agree as follows:

1. BFFM, owner of the real property described in attached Exhibit "A", and J & J, owner of the real property described in attached Exhibit "B", respectively, hereby grant to the County a perpetual, non-exclusive and irrevocable Easement more particularly described on composite Exhibit "C" attached hereto, as depicted on the Exhibit "D" sketch, also attached hereto. The purpose of the Easement is to provide pedestrian and vehicular ingress and egress to the public upon and across the BFFM parcel and the J & J Parcel, respectively, to interconnect Ben C. Pratt/Six Mile Cypress Parkway and U.S. 41 on the Six Mile Commercial Center Property (D.S.O. #2-16-86).

2. Further BFFM and J & J, their respective successors and assigns, agree to maintain in perpetuity the new access easement located on their respective properties.

3. BFFM and J & J agree no impact fee credits are created by this conveyance to the County.

4. Additionally, BFFM grants to J & J a perpetual sanitary sewer easement over, under and upon the lands described on Exhibit "E" as depicted on the sketch thereof shown as Exhibit "F."

5. BFFM and J & J warrant they are lawfully seized and possessed on the lands described in Exhibit "A" and Exhibit "B", respectively, and have good and lawful right and power to convey, and that the property to be conveyed to Lee County is free and clear of all liens and encumbrances.

6. BFFM and J & J, respectively, agree that the terms, conditions, and purposes of this Easement will be incorporated by reference into any subsequent Deed or other legal instrument by which either of them may be divested of any interest in the property owned by them and described herein.

7. The terms of this Easement are and will be binding upon and inure to the benefit of the heirs, successors, and assigns of the respective parties, and the Easements established herein will run with the land and shall be recorded upon the Public Records of Lee County, Florida.

IN WITNESS WHEREOF, the parties have executed this Easement on the dates set forth below each signature hereto.

B.F. FT. MYERS, INC.

Troy Hanke
1st Witness

Troy HANKE
[typed or printed name of witness]

By: Ulysses L. Bridgeman Jr.
Signature

Ulysses L. Bridgeman Jr
[type or print name]

PRESIDENT
[corporate title/office]

Date: August 26, 2003

Shawn Kemper
2nd Witness

Shawn Kemper
[typed or printed name of witness]

STATE OF FLORIDA Kentucky

COUNTY OF Jefferson

Execution of the foregoing instrument was acknowledged before me this 26th day of August, 2003, by Ulysses L. Bridgeman Jr. as President for B.F. FT. MYERS, INC., who is () personally known to me or who has () produced _____ as identification.

Gladys Barclay
Signature of Notary Public

Gladys Barclay
Printed Name of Notary Public

Commission Number: 12102004

Commission Exp. Date: 12/10/2004

J & J REAL ESTATE, LTD.

By: H&B MANAGEMENT PROPERTIES, INC.

Jennifer O'Neill
1st Witness
JENNIFER O'NEILL
[typed or printed name of witness]


By: John C. Eicher
Signature
John C. Eicher
[type or print name]
Vice President
[corporate title/office]

Date: 8/13/2003

Deborah J. Leatherland
2nd Witness
Deborah J. Leatherland
[typed or printed name of witness]

STATE OF FLORIDA
COUNTY OF Orange

Execution of the foregoing instrument was acknowledged before me this 14th day of August, 2003, by John C. Eicher as Vice President of H & B MANAGEMENT PROPERTIES, INC. as General Partner of J & J REAL ESTATE, LTD., who is () personally known to me or who has () produced _____ as identification.

 Robin L Martin
MY COMMISSION # CC972379 EXPIRES
October 3, 2004
BONDED THRU TROY FAIR INSURANCE, INC.

Robin L. Martin
Signature of Notary Public
Robin L. Martin
Printed Name of Notary Public

Commission Number:

Commission Exp. Date:

Approved as to form

By: _____
Office of the Lee County Attorney

EXHIBIT "A"

DESCRIPTION:

From the Southwest Corner of the Northwest Quarter of the Southwest Quarter of Section 25, Township 45 South, Range 24 East, Lee County, Florida, run thence North89°07'49" East along the south boundary of said Northwest Quarter of the Southwest Quarter, 50.04 feet to the East right of way line of U.S. Highway 41 (State Road 45); thence North00°33'45" West along said East right-of-way line 84.85 feet, to the Southwest corner of lands described in O.R. 2122 PG. 2592 in the Public Records of Lee County, Florida, ; thence continue North00°33'45" West along said East Right of Way line 200.00 feet, to the Northwest corner of said lands; thence North89°07'49" East along the North line of said lands and parallel with the South boundary of said Northwest Quarter of the Southwest Quarter, 300.00 feet; to the Point of Beginning; thence continue North89°07'49" East 250.00 feet to the Northeast corner of said lands; thence South00°33'45" East along the East line of said lands parallel with said East right-of-way line, 200.00 feet; thence South89°07'49" West along the South line of said lands parallel with the South boundary of said Northwest Quarter of the Southwest Quarter, 250.00 feet; thence North.00°33'45" West parallel to said East right-of-way line, 200.00 feet; to the Point of Beginning.

Exhibit "B"

.(The West Parcel)

From the Southwest Corner of the Northwest Quarter of the Southwest Quarter of Section 25, Township 45 South, Range 24 East, Lee County, Florida, run thence North $89^{\circ}07'49''$ East along the south boundary of said Northwest Quarter of the Southwest Quarter, 50.04 feet to the East right of way line of U.S. Highway 41 (State Road 45); thence North $00^{\circ}33'45''$ West along said East right-of-way line, 84.85 feet; for a Point of Beginning; continue thence North $00^{\circ}33'45''$ West along said East Right of Way line, 200.00 feet; thence North $89^{\circ}07'49''$ East parallel to the South boundary of said Northwest Quarter of the Southwest Quarter, 550.00 feet; thence South $00^{\circ}33'45''$ East parallel to said East right-of-way line, 200.00 feet; thence South $89^{\circ}07'49''$ West, parallel to the South boundary of said Northwest Quarter of the Southwest Quarter, 550.00 feet to the Point of Beginning.

Less the following described property:

From the Southwest Corner of the Northwest Quarter of the Southwest Quarter of Section 25, Township 45 South, Range 24 East, Lee County, Florida, run thence North $89^{\circ}07'49''$ East along the south boundary of said Northwest Quarter of the Southwest Quarter, 50.04 feet to the East right of way line of U.S. Highway 41 (State Road 45); thence North $00^{\circ}33'45''$ West along said East right-of-way line 84.85 feet, to the Southwest corner of lands described in O.R. 2122 PG. 2692 in the Public Records of Lee County, Florida, ; thence continue North $00^{\circ}33'45''$ West along said East Right of Way line 200.00 feet, to the Northwest corner of said lands; thence North $89^{\circ}07'49''$ East along the North line of said lands and parallel with the South boundary of said Northwest Quarter of the Southwest Quarter, 300.00 feet; to the Point of Beginning; thence continue North $89^{\circ}07'49''$ East 250.00 feet to the Northeast corner of said lands; thence South $00^{\circ}33'45''$ East along the East line of said lands parallel with said East right-of-way line, 200.00 feet; thence South $89^{\circ}07'49''$ West along the South line of said lands parallel with the South boundary of said Northwest Quarter of the Southwest Quarter, 250.00 feet; thence North $00^{\circ}33'45''$ West parallel to said East right-of-way line, 200.00 feet; to the Point of Beginning.

EXHIBIT "C"
(J # J PARCEL)

DESCRIPTION

A PARCEL OF LAND FOR ACCESS EASEMENT PURPOSES BEING A PART OF NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25; THENCE NORTH 89°07'49"EAST ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 50.04 FEET TO THE EAST RIGHT OF WAY LINE OF U.S. HIGHWAY 41 (STATE ROAD 45); THENCE NORTH 00°33'45"WEST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 84.85 FEET TO A POINT AT THE NORTH RIGHT OF WAY LINE OF SIX MILE CYPRESS PARKWAY; THENCE CONTINUE NORTH 00°33'45"WEST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°07'49"EAST ALONG A LINE PARALLEL TO SAID NORTH LINE OF SIX MILE CYPRESS PARKWAY, A DISTANCE OF 88.56 FEET; THENCE SOUTH 00°52'11"EAST, A DISTANCE OF 123.17 FEET TO A POINT OF A CURVE; THENCE EASTERLY ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 15.00 FEET, A DELTA OF 90°00'00", AN ARC DISTANCE OF 23.56 FEET TO A POINT OF TANGENCY AND TO A POINT ON A LINE PARALLEL TO SAID NORTH LINE OF SIX MILE CYPRESS PARKWAY; THENCE NORTH 89°07'49" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 155.04 FEET; THENCE SOUTH 84°56'40"EAST, A DISTANCE OF 45.87 FEET; THENCE SOUTH 00°33'45"EAST, A DISTANCE OF 24.12 FEET; THENCE NORTH 84°56'40"WEST, A DISTANCE OF 46.99 FEET TO A POINT AT A LINE PARALLEL TO SAID SIX MILE CYPRESS PARKWAY; THENCE SOUTH 89°07'49"WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 153.80 FEET TO A POINT OF A CURVE; THENCE WESTERLY ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 39.00 FEET, A DELTA OF 90°00'00", AN ARC DISTANCE OF 61.26 FEET TO A POINT OF TANGENCY; THENCE NORTH 00°52'11"WEST, A DISTANCE OF 61.67 FEET TO A POINT OF A CURVE; THENCE WESTERLY ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, A DELTA OF 90°00'00", AN ARC DISTANCE OF 31.42 FEET TO A POINT OF TANGENCY; THENCE SOUTH 89°07'49" WEST, A DISTANCE OF 39.78 FEET TO A POINT ON SAID EAST RIGHT OF WAY LINE OF U.S. HIGHWAY 41 (STATE ROAD 45); THENCE NORTH 00°33'45"WEST ALONG SAID EAST LINE, A DISTANCE OF 41.49 FEET TO THE POINT OF BEGINNING. CONTAINING 11356.69 SQUARE FEET.

BEARINGS ARE BASED ON THE EAST LINE OF U.S. HIGHWAY 41 (STATE ROAD 45), BEING NORTH 00°33'45"WEST.

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

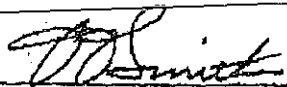

DONALD D. SMITH, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. 4078
DATE SIGNED: 4-21-03

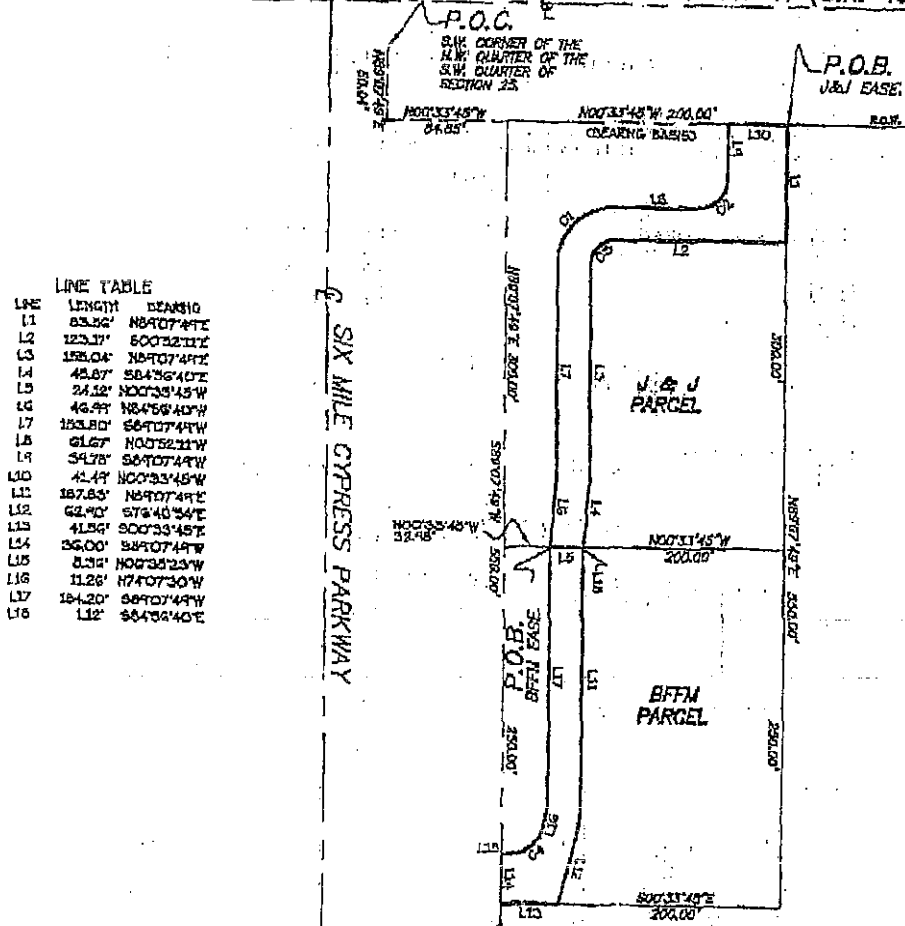
EXHIBIT 'D'

(NOT A SURVEY)

SKETCH
OF
DESCRIPTION
SEC. 25, TWP. 45S., RANG. 24E.

CURVE RADIUS	DELTA	LENGTH	CHORD	BEARING
C1: 21.00'	90°00'00"	61.26'	59.15'	N45°22'11"W
C2: 20.00'	90°00'00"	54.18'	50.22'	N45°22'11"W
C3: 18.00'	90°00'00"	28.06'	21.21'	S45°22'11"E
C4: 25.00'	76°07'04"	33.21'	30.62'	N33°37'19"W

U.S. HIGHWAY 41 (S.R. 45)



LINE TABLE

LINE	LENGTH	BEARING
L1	83.56'	N8°07'49"E
L2	123.17'	S00°32'11"E
L3	158.04'	N8°07'49"E
L4	45.87'	S84°36'40"E
L5	24.12'	N00°33'45"W
L6	46.49'	N84°56'40"W
L7	153.80'	S8°07'49"W
L8	61.67'	N00°32'11"W
L9	34.78'	S8°07'49"W
L10	42.47'	N00°33'45"W
L11	187.83'	N8°07'49"E
L12	62.40'	S76°46'34"E
L13	41.86'	S00°33'45"E
L14	36.00'	S8°07'49"E
L15	8.35'	N00°32'11"W
L16	11.26'	N7°07'30"W
L17	184.20'	S8°07'49"W
L18	11'	S84°36'40"E

LEGEND

- R.O.W. = RIGHT OF WAY
- ⊕ = CENTERLINE
- SEC. = SECTION
- TWP. = TOWNSHIP
- RANG. = RANGE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT

SHEET 3 OF 3



MORRIS - DEFEW ASSOCIATES, INC.
ENGINEERS * PLANNERS * SURVEYORS * MAPPERS
2216 Altamont Avenue • Fort Myers, Florida 33801 • (941) 337-3993 • (FAX) 337-3994

DESCRIPTION

A PARCEL OF LAND FOR UTILITY EASEMENT PURPOSES BEING A PART OF NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY FLORIDA, DESCRIBED AS FOLLOWS:

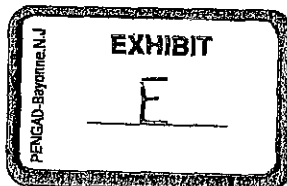
COMMENCE AT THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25; THENCE NORTH 89°07'49"EAST ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 50.04 FEET TO THE EAST RIGHT OF WAY LINE OF U.S. HIGHWAY 41 (STATE ROAD 45); THENCE NORTH 00°33'45"WEST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 84.85 FEET TO A POINT AT THE NORTH RIGHT OF WAY LINE OF SIX MILE CYPRESS PARKWAY; THENCE CONTINUE NORTH 00°33'45"WEST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 200.00 FEET; THENCE NORTH 89°07'49"EAST ALONG A LINE PARALLEL TO SAID NORTH LINE OF SIX MILE CYPRESS PARKWAY, A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°07'49"EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 16.23 FEET; THENCE SOUTH 51°05'54"WEST, A DISTANCE OF 20.69 FEET; THENCE NORTH 00°33'45"WEST, A DISTANCE OF 12.75 FEET TO THE POINT OF BEGINNING. CONTAINING 80.5 SQUARE FEET.

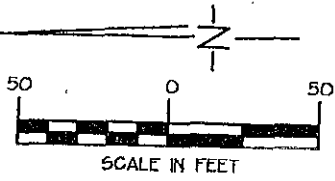
BEARINGS ARE BASED ON THE EAST LINE OF U.S. HIGHWAY 41 (STATE ROAD 45), BEING NORTH 00°33'45"WEST.

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

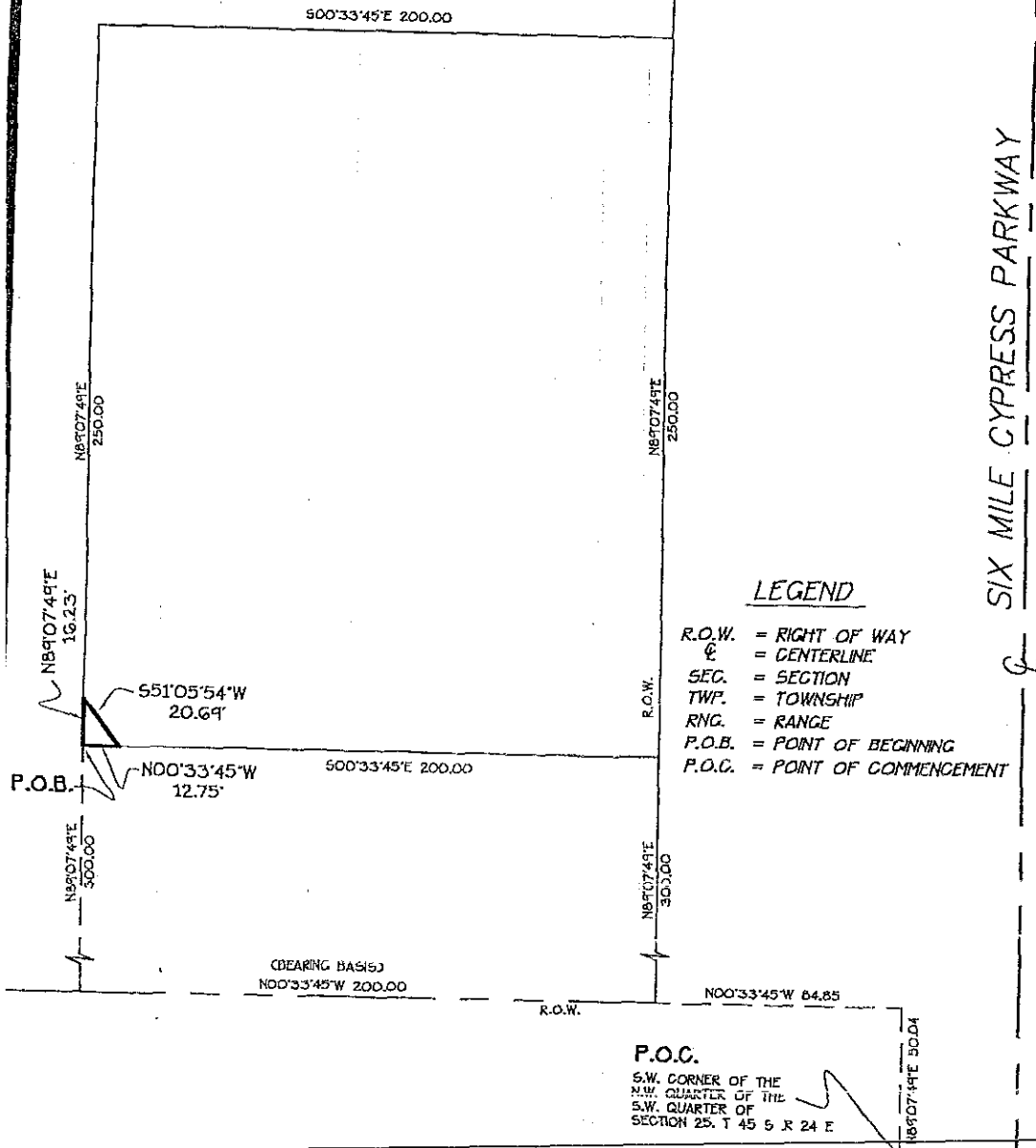


DONALD D. SMITH, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. 4078
DATE SIGNED: 12-23-02





(NOT A SURVEY)
SKETCH
 OF
DESCRIPTION
 SEC. 25, TWP. 45S., RNG. 24E.



LEGEND

- R.O.W. = RIGHT OF WAY
- ⊕ = CENTERLINE
- SEC. = SECTION
- TWP. = TOWNSHIP
- RNG. = RANGE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT

SIX MILE CYPRESS PARKWAY

U.S. HIGHWAY 41 (S.R. 45)

SHEET 2 OF 2

MD MORRIS - DEPEW ASSOCIATES, INC.
 ENGINEERS * PLANNERS * SURVEYORS * MAPPERS
 2216 Altonant Avenue * Fort Myers, Florida 33901 * (941) 337-3993 * (FAX) 337-3994

Donald D. Smith
 DONALD D. SMITH, P.S.M.
 FLORIDA REGISTRATION NO. 4078

DATE SIGNED: 12-23-02

EXHIBIT
F