

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

Blue Sheet No. 20031119

1. REQUESTED MOTION:

ACTION: Accept Beach Storm Damage Reduction Easements for Parcels 22, 60, 63, 69, 70, 71, 72, 118, 154, 160, 169 and 201, for the Estero Island Beach Restoration Project No. 3022; authorize the Division of County Lands to handle and accept all documentation necessary; authorize necessary recording fees.

WHY ACTION IS NECESSARY: To secure easements along Fort Myers Beach on Estero Island for the proposed beach renourishment project.

WHAT ACTION ACCOMPLISHES: Enables County to pursue Federal funding for the project.

2. DEPARTMENTAL CATEGORY: 06
COMMISSION DISTRICT # 3

C6A

3. MEETING DATE: *02-03-2004*

4. AGENDA:

6. REQUESTOR OF INFORMATION:

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

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE 125
- ORDINANCE
- ADMIN. CODE
- OTHER

- A. COMMISSIONER
 - B. DEPARTMENT Independent
 - C. DIVISION County Lands TLM 1-8-04
- BY: Karen L.W. Forsyth, Director *KLW*

7. BACKGROUND:

Negotiated for: Department of Natural Resources

Interest to Acquire: Easement

Property Details: See attached list

Costs: \$300.00 (estimate for recording fees)

The Estero Island restoration is authorized as a reimbursable federal project in accordance with Section 206 of the Water Resources Development Act (WRDA) of 1992. Easements are required by the U.S. Army Corps of Engineers for the duration of federal participation. The federal cost sharing distribution is based on the percentage of the project length covered within the easement area. Other cost sharing partners include the State of Florida, Lee County, and the Town of Fort Myers Beach.

Attached is a list of twelve benefited property owners who have signed the required easements to Lee County, with the original documents being in the files of County Lands and will be recorded upon approval by the Board of County Commissioners. There remain 105 more properties for which easements are needed.

Staff Recommendation: Staff recommends the Board approve the Requested Motion.

Funds are available in Account 20302230100.504930 - 20 -Capital Improvement Projects; 3022 - Estero Island Beach Restoration; 30100 - Capital Improvement Fund; 504930 - Deputy Clerk fees.

Attachments: Copy of Beach Storm Damage Reduction Easements and Title Reports

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>K. Forsyth</i>			<i>BAD 1/12/04</i>	<i>1-15-04</i>	<i>OA 1/15/04</i>	<i>OM 1/16/04</i>	<i>Risk 1/15/04</i>	<i>GC 1-15-04</i>	<i>HS 1/20/04</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
 Date: *1/14/04*
 Time: *1:00 PM*
 Forwarded To:
C.O. Helm
1/15/04 10AM

**RECEIVED BY
COUNTY ADMIN:**
1/15/04
10:50 am 361
**COUNTY ADMIN
FORWARDED TO:**
1-21-04
2pm

HS

ESTERO ISLAND BEACH RESTORATION PROJECT NO. 3022

EXHIBIT TO BLUE SHEET NO. 20031119

Parcel No.	Property Owner	Strap Number
22	Casa Playa Resort, LLC	24-46-23-W1-0060D020A
60, 63, 69, 70, 71 and 72	Murray Carslake	19-46-24-W4-0070D.0100 19-46-24-W4-0070C.0070 19-46-24-W4-0070B.0080 19-46-24-W4-0070B.0090 19-46-24-W4-0070B.010B 19-46-24-W4-0070B.0110
118	Dennis L. Whippy and Nora G. Whippy, Husband and Wife	30-46-24-W2-003M0.0080
154	William P. Gross	29-46-24-W1-00179.0010
160	Victor R. Kopidlansky and Diana M. Kopidlansky, Husband and Wife	29-46-24-W1-00181.0030
169	Mary Lou Rubright	29-46-24-W3-0050F.0010
201	Buccaneer FM Beach, LLC	28-46-24-W4-00012.0000

This instrument prepared by:
Lee County
County Lands Division
P.O. Box 398
Fort Myers, Florida 33902-0398
Project: Estero Island Beach Restoration Project
Parcel No.: 22
Strap No.: 24-46-23-W1-0060D.020A

ORIGINAL DOCUMENTS RETAINED IN
COUNTY LANDS FILES FOR HANDLING
UPON BOARD ACCEPTANCE.

(This space is for recording)

TEN (10) YEAR BEACH STORM DAMAGE REDUCTION EASEMENT

Know all by these presents that on this 12th day of August, 2003, Casa Playa Resort, LLC, a Florida Limited Liability Company, and Casa Playa Resort Condominium Association, Inc., a Florida not-profit corporation, whose mailing address is 1674 W. Smith Valley Road, Suite A, Greenwood, IN 46142, hereinafter referred to as "GRANTOR," in consideration of the mutual benefits to be derived from the Estero Island Beach Restoration Project (the "Lee County Shore Protection Project") and other good and valuable consideration, hereby grants, bargains and conveys to Lee County, a political subdivision of the State of Florida, whose mailing address is Post Office Box 398, Fort Myers, Florida, 33902-0398, hereinafter "GRANTEE," a Ten (10) Year Beach Storm Damage Reduction easement (the "EASEMENT") over and in the following described property (the "EASEMENT PROPERTY"):

See Attached Schedule A

Temporary Beach Storm Damage Reduction Easement: A temporary and assignable easement and right-of-way for a ten (10) year term concurrent with the duration of the project in, on, over and across the land described in Schedule A, 24-46-23-W1-0060D.020A, for use by the Grantee, its representatives, agents, contractors and assigns, to construct; preserve; patrol; operate; maintain; repair; rehabilitate; and replace; a public beach and other erosion control and storm damage reduction measures together with appurtenances thereto, including the right to deposit sand; to accomplish any alterations of contours on said land; to construct berms; to nourish and renourish periodically; to move, store and remove equipment and supplies; to erect and remove temporary structures; and to perform any other work necessary and incident to the construction, periodic renourishment and maintenance of the Lee County Shore Protection Project, together with the right of public use and access; to trim, cut, fell, and remove from said land all trees, underbrush, debris, obstructions, and any other vegetation, structures and obstacles within the limits of the easement; reserving to the grantors, their heirs, successors and assigns, all such rights and privileges as may be used and enjoyed without interfering with or abridging the rights and easements hereby acquired; subject however to existing easements for public roads and highways, public utilities, railroads and pipelines.

The term of this easement shall commence when the United States Army Corps of Engineers ("Corps") or the County records in the public records of Lee County, the Notice to Proceed for the first construction of the Estero Island segment of the Lee County Shore Protection Project and shall terminate after a term of ten (10) years. In the event the Corps or the County fails to record a Notice to Proceed on or before December 31, 2010, this easement shall automatically terminate and be canceled of record.

This is a Nonexclusive Easement with the Grantor reserving the right to the continued free use of the Easement Property in a manner not materially inconsistent with the rights granted herein to Grantee for Grantee's use.

Parcel No.: 22
Strap No.: 24-46-23-W1-0060D.020A

IN WITNESS HEREOF, Grantor has caused these presents to be executed on the date first above written.

Signed, sealed and delivered in the presence of:

Grantor:
Casa Playa Resort, LLC,
a Florida Limited Liability Company

[Signature]

By: [Signature]

Witness

Name

DARIN SMITH
(Print Name)

TOM BRUEGGEMANN

Managing Member

[Signature]

Witness

Amy Craig
(Print Name)

STATE OF Indiana

COUNTY OF Johnson

The foregoing instrument was acknowledged before me this 8/12/2003
(date)

Tom Brueggemann of Casa Playa Resort, LLC
(name of officer or agent, title of officer or agent) (Name of company acknowledging)

a Florida Limited Liability Company, on behalf of the company. He/she is
(state or place of incorporation)

personally known to me or has produced _____
(type of identification)

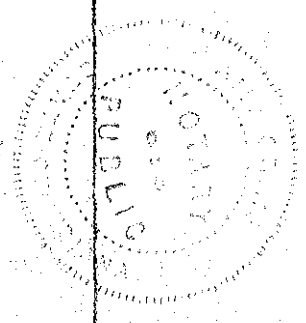
as identification.

[Signature]
(Signature of person taking acknowledgment)

Amy Craig
(Name typed, printed or stamped)

(Title or rank)

(Serial Number, if any)



Parcel No.: 22
Strap No.: 24-46-23-W1-0060D.020A

IN WITNESS HEREOF, Grantor has caused these presents to be executed on the date first above written.

Signed, sealed and delivered in the presence of:

Grantor:
Casa Playa Resort Condominium Association, Inc., a Florida not-profit corporation

Cindy Sprenger
Witness
Cindy Sprenger
(Print Name)

By: [Signature]
Name JOE JAMISON

Sandy Habeck
Witness
Sandy Habeck
(Print Name)

Title President of Casa Playa Condominium Assoc. in

STATE OF Florida
COUNTY OF Lee

The foregoing instrument was acknowledged before me this August 12, 2003 (date)

Joe Jamison, President of Casa Play Resort Condominium Association, Inc.
(name of officer or agent, title of officer or agent) (Name of corporation acknowledging)

a Florida non-profit Corporation, on behalf of the corporation. He/she is (state or place of incorporation)

personally known to me or has produced KNOWN (type of identification)

as identification.

[Signature]
(Signature of person taking acknowledgment)

(Name typed, printed or stamped)

(Title or rank)

(Serial Number, if any)



Parcel No(s): 22
STRAP No(s): 24-46-23-W1-0060D.020A

SCHEDULE A

That portion of Lot 20, Unit No. 3, Island Shores, a subdivision as recorded in Plat Book 9, Page 27, Public Records of Lee County, Florida, lying seaward of the ± 4.1 NGVD contour line.

This line is shown by a survey conducted on September 19 thru 21, 2000, by Coastal Planning and Engineering, Inc., of Boca Raton, Florida, and is reflected on the survey sketches dated October 23, 2000, and filed in the Public Records of Lee County, Florida.

*Exhibit A be, and it hereby is, incorporated herein
by this reference.*

Florida Department of State, Division of Corporations

Corporations Online
www.sunbiz.org Public Inquiry

Florida Limited Liability
CASA PLAYA RESORT, LLC

PRINCIPAL ADDRESS
 510 ESTERO BLVD
 FORT MYERS BEACH FL 33931
 Changed 03/10/2003

MAILING ADDRESS
 1674 W. SMITH VALLEY ROAD
 SUITE A
 GREENWOOD IN 46142

Document Number L0200000097	FEI Number 260033380	Date Filed 01/02/2002
State FL	Status ACTIVE	Effective Date NONE
Total Contribution 0.00		

Registered Agent

Name & Address
FALK, STEVE 850 PARK SHORE DRIVE THIRD FLOOR NAPLES FL 34103

Manager/Member Detail

Name & Address	Title
SMITH, DARIN M 1674 W. SMITH VALLEY ROAD GREENWOOD IN 46142	MGRM
BRUGGERMANN, THOMAS 1674 W. SMITH VALLEY ROAD GREENWOOD IN 46142	MGRM

Annual Reports

Report Year	Filed Date
2003	03/10/2003

[Previous Filing](#)

[Return to List](#)

[Next Filing](#)

No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

03/10/2003 -- ANN REP/UNIFORM BUS REP
01/02/2002 -- Florida Limited Liabilites

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

[Corporations Inquiry](#)

[Corporations Help](#)

Florida Department of State, Division of Corporations

Corporations Online
 www.sunbiz.org Public Inquiry

Florida Non Profit

CASA PLAYA RESORT CONDOMINIUM ASSOCIATION, INC.

PRINCIPAL ADDRESS
 C/O D.G. SUITOR & ASSOCIATES
 100 LOVERS LANE
 FORT MYERS BEACH FL 33931 US
 Changed 03/14/2003

MAILING ADDRESS
 C/O D.G. SUITOR & ASSOCIATES
 100 LOVERS LANE
 FORT MYERS BEACH FL 33931 US
 Changed 03/14/2003

Document Number N02000001668	FEI Number 223223461	Date Filed 03/07/2002
State FL	Status ACTIVE	Effective Date NONE

Registered Agent

Name & Address
MIDDLETON, ROD 100 LOVERS LANE 3RD FLOOR FORT MYERS BEACH FL 33931 Address Changed: 03/14/2003

Officer/Director Detail

Name & Address	Title
BRUEGGERMANN, THOMAS 1675 W. SMITH VALLEY RD. SUITE A GREENWOOD FL 46142	D
SMITH, DARIN 1675 W. SMITH VALLEY RD. SUITE A GREENWOOD FL 46142	D
CLEMENTS, BRADY 5316 CROOKED STICK CT. GREENWOOD IN 46142	D

Annual Reports

Report Year	Filed Date
2003	03/14/2003

[Previous Filing](#)

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No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

<p>03/14/2003 -- ANN REP/UNIFORM BUS REP</p> <p>03/07/2002 -- Domestic Non-Profit</p>

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

[Corporations Inquiry](#)

[Corporations Help](#)

Division of County Lands

Ownership and Easement Search

Search No. 24-46-23-W1-03800.000E

Date: June 5, 2003

Parcel: 22


Project: Estero Island Beach Renourishment

Project No. 3022

To: Teresa L. Mann, SRWA
Property Acquisition Agent

From: Kenneth Pitt
Real Estate Title Examiner

STRAP: 24-46-23-W1-03800,00CE

Effective Date: ~~April 28, 2003~~ ^{12/15/03} , at 5:00 p.m.

Subject Property: Lot 20, Unit No. 3, Island Shores, a subdivision as recorded in the Public Records of Lee County, Florida in Plat Book 9, Page 27.

Title to the subject property is vested in the following:

Casa Playa Resort, LLC (a Florida Limited Liability Company)

By that certain instrument dated March 11, 2002, recorded March 15, 2002, in Official Record Book 3599, Page 2583, Public Records of Lee County, Florida.

Easements:

1. Easement for Public Walkway, 5 feet in width along the Northwesterly boundary of premises under examination, as shown on the plat of Island Shores, Unit 3, recorded in Plat Book 9, Page 27, Public Records of Lee County, Florida.
2. Subject to a non-exclusive easement for ingress and egress recorded in Official Record Book 2557, Page 777, Public Records of Lee County, Florida.
3. Subject to an easement granted to the Florida Power and Light Company recorded in Official Record Book 2881, Page 4046, Public Records of Lee County, Florida.
4. Subject to a Cable Service Easement granted to Mediaone Enterprises, Inc., recorded in Official Record Book 2984, Page 922, Public Records of Lee County, Florida.
5. Subject to a Declaration of Condominium recorded in Official Record Book 3649, Page 2426, Public Records of Lee County, Florida.

NOTE: 1) Subject to a mortgage, security agreement and assignment of rents in the original sum of \$2,900,000.00 recorded in Official Record Book 3273, Page 4483, Public Records of Lee County, Florida.

Division of County Lands**Ownership and Easement Search**

Search No. 24-46-23-W1-03800.000E

Date: June 5, 2003

Parcel: 22

Project: Estero Island Beach Renourishment

Project No. 3022

NOTE: 2) Subject to a UCC-1 Financing Statement recorded in Official Record Book 3273, Page 4497, which was amended by Official Record Book 3599, Page 2592, Public Records of Lee County, Florida.

NOTE: 3) Subject to Resolution No. 79-7-13 adopted by the Lee County, Board of County Commissioners, pertaining to Fort Myers Beach Sewer District, recorded in Official Record Book 1380, Page 719, Public Records of Lee County, Florida.

NOTE: 4) Subject to Lee County Ordinance No. 86-14 relating to garbage and solid waste collection, recorded in Official Record Book 2189, Page 3281 and amended by Official Record Book 2189, Page 3334, Public Records of Lee County, Florida.

NOTE: 5) Subject to the established Lee County Coastal Construction Control Line, recorded in Official Record Book 2224, Page 1010, Public Records of Lee County, Florida.

NOTE: 6) Subject to Resolution No. 01-06-11 adopted by the Lee County Board of County Commissioners relating to an erosion control line on the Gulf of Mexico Shoreline of Estero Island, recorded in Official Record Book 3556, Page 2917, Public Records of Lee County, Florida.

NOTE: 7) Subject to an Erosion Control Line adopted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, recorded in Official Record Book 3585, Page 346 Public Records of Lee County, Florida.

NOTE: 8) Subject to Covenants of Unified Control recorded in Official Record Book 2411, Page 3335, Official Record Book 2598, Page 156, and Official Record Book 2649, Page 2680, Public Records of Lee County, Florida.

NOTE: 9) Subject to a Notice of Development order recorded in Official Record Book 2734, Page 366, Public Records of Lee County, Florida.

Tax Status: Zero tax.

(The end user of this report is responsible for verifying tax and/or assessment information.)

The Division of County Lands has made a diligent search of the Public Record. However, this report contains no guarantees nor warranty as to its accuracy.

This instrument prepared by:
Lee County
County Lands Division
P.O. Box 398

ORIGINAL DOCUMENTS RETAINED IN
COUNTY LANDS FILES FOR HANDLING
UPON BOARD ACCEPTANCE.

RECEIVED

DEC 15 2003

BY: _____

Fort Myers, Florida 33902-0398

Project: Estero Island Beach Restoration Project

Parcel No.: 60, 63, 69, 70, 71 and 72

Strap No.: 19-46-24-W4-0070D.0100, 19-46-24-W4-0070C.0070, 19-46-24-W4-0070B.0080,
19-46-24-W4-0070B.0090, 19-46-24-W4-0070B.010B, 19-46-24-W4-0070B.0110

(This space is for recording)

TEN (10) YEAR BEACH STORM DAMAGE REDUCTION EASEMENT

Know all by these presents that on this _____ day of _____, 2003, Murray Carslake, whose mailing address is P O Box 1 Branch 1, Fort Myers Beach, FL 33931, hereinafter referred to as "GRANTOR," in consideration of the mutual benefits to be derived from the Estero Island Beach Restoration Project (the "Lee County Shore Protection Project") and other good and valuable consideration, hereby grants, bargains and conveys to Lee County, a political subdivision of the State of Florida, whose mailing address is Post Office Box 398, Fort Myers, Florida, 33902-0398, hereinafter "GRANTEE," a Ten (10) Year Beach Storm Damage Reduction easement (the "EASEMENT") over and in the following described property (the "EASEMENT PROPERTY"):

See Attached Schedule A

Temporary Beach Storm Damage Reduction Easement: A temporary and assignable easement and right-of-way for a ten (10) year term concurrent with the duration of the project in, on, over and across the land described in Schedule A, for use by the Grantee, its representatives, agents, contractors and assigns, to construct; preserve; patrol; operate; maintain; repair; rehabilitate; and replace; a public beach and other erosion control and storm damage reduction measures together with appurtenances thereto, including the right to deposit sand; to accomplish any alterations of contours on said land; to construct berms; to nourish and renourish periodically; to move, store and remove equipment and supplies; to erect and remove temporary structures; and to perform any other work necessary and incident to the construction, periodic renourishment and maintenance of the Lee County Shore Protection Project, together with the right of public use and access; to trim, cut, fell, and remove from said land all trees, underbrush, debris, obstructions, and any other vegetation, structures and obstacles within the limits of the easement; reserving to the grantor(s), (his) (her) (its) (their) heirs, successors and assigns, all such rights and privileges as may be used and enjoyed without interfering with or abridging the rights and easements hereby acquired; subject however to existing easements for public roads and highways, public utilities, railroads and pipelines.

The term of this easement shall commence when the United States Army Corps of Engineers ("Corps") or the County records in the public records of Lee County, the Notice to Proceed for the first construction of the Estero Island segment of the Lee County Shore Protection Project and shall terminate after a term of ten (10) years. In the event the Corps or the County fails to record a Notice to Proceed on or before December 31, 2010, this easement shall automatically terminate and be canceled of record.

Parcel No.: 60, 63, 69, 70, 71 and 72

Strap No.: 19-46-24-W4-0070D.0100, 19-46-24-W4-0070C.0070, 19-46-24-W4-0070B.0080,
19-46-24-W4-0070B.0090, 19-46-24-W4-0070B.010B, 19-46-24-W4-0070B.0110

SCHEDULE A

That portion of the following described parcels lying seaward of the +4.1 NGVD contour line:

Lot 8, Block B; Lot 9 and the West 10 feet of Lot 10, Block B; Lot 11, Block B; Lot 7 and the West one-half of Lot 8, Block C, together with the vacated alley adjacent to the Northerly side of said lots, described as that part of alleyway lying between Lot 6, Block C and the West ½ of Lot 8 and all of Lot 7, Block C; and Lot 10, Block D, all being in the Public Records of Lee County, Florida. CRESCENT BEACH SUBDIVISION, according to the map or plat thereof filed and recorded in the Office of the Clerk of the Circuit Court, in Plat Book 4, Page 45, Public Records of Lee County, Florida.

AND

Lot 10, Block B, less the Westerly 10 feet thereof, Crescent Beach according to the map or plat thereof file and recorded in the Office of the Clerk of Circuit Court in Plat Book 4, page 45, Public Records of Lee County, Florida.

This line is shown on a survey conducted on September 19 thru 21, 2000, by Coastal Planning and Engineering, Inc., of Boca Raton, Florida, and is reflected on survey sketches dated October 23, 2000, and filed in the Public Records of Lee County, Florida.

Subject properties are not the homestead of the grantor, nor contiguous to the homestead of the Grantor herein.

Parcel No.: 60, 63, 69, 70, 71 and 72
Strap No.: 19-46-24-W4-0070D.0100, 19-46-24-W4-0070C.0070, 19-46-24-W4-0070B.0080,
19-46-24-W4-0070B.0090, 19-46-24-W4-0070B.010B, 19-46-24-W4-0070B.0110

This is a Nonexclusive Easement with the Grantor reserving the right to the continued free use of the Easement Property in a manner not materially inconsistent with the rights granted herein to Grantee for Grantee's use.

IN WITNESS HEREOF, Grantor has caused these presents to be executed on the date first above written.

Signed, sealed and delivered in the presence of:

Grantor:

Kathy Holmes
Witness

* Murray Carslake
Murray Carslake

Kathy Holmes
(Print Name)

Sherry J Bryant
Witness

Sherry J. Bryant
(Print Name)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this Dec 5, 2003
(date)

by Murray Carslake, who is personally known to me or who has
(Name of persons acknowledging)

produced _____ as identification.
(type of identification)

Sherry J Bryant
(Signature of person taking acknowledgment)

Sherry J. Bryant
(Name typed, printed or stamped)

(Title or rank)

(Serial Number, if any)



Sherry J Bryant
My Commission DD216745
Expires May 28, 2007

Second Updated Ownership and Easement Search

Search No. 21063/C

Date: June 5, 2000

Parcels: 60, 63, 69, 70, 72

Project: Beach Renourishment Trust

Fund #0686

To: James M. Jerrel

Property Acquisition Agent

From: Linda K. Fleming, CLS, SRWA *LKF*

Real Estate Title Examiner

STRAP: 19-46-24-W4-0070B.0080; 19-46-24-W4-0070B.0090; 19-46-24-W4-0070B.0110;
19-46-24-W4-0070C.0070; 19-46-24-W4-0070D.0100

Effective Date: May 12, 2000, at 5:00 p.m.

Subject Property: Lot 8, Block B; Lot 9 and the West 10 feet of Lot 10, Block B; Lot 11, Block B; Lot 7 and the West one-half of Lot 8, Block C together with the vacated alley adjacent to the Northerly side of said lots, described as that part of alleyway lying between Lot 6, Block C and the West ½ of Lot 8 and all of Lot 7, Block C; and Lot 10, Block D, all being in the Public Records of Lee County, Florida. CRESCENT BEACH SUBDIVISION, according to the map or plat thereof filed and recorded in the Office of the Clerk of the Circuit Court, in Plat Book 4, Page 45, Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

Murray Carslake

By those certain instruments dated December 12, 1988, recorded December 28, 1988, in Official Record Book 2038, Page 2825 and dated October 15, 1987, recorded October 15, 1987, in Official Record Book 1947, Page 3819 and dated November 6, 1987, recorded November 6, 1987 in Official Record Book 1952, page 218, and dated December 17, 1988, recorded December 23, 1988 in Official Record Book 2037, Page 4798 and dated November 27, 1987, recorded March 15, 1988 in Official Record Book 1976, Page 2164 all being in the Public Records of Lee County, Florida.

Easements:

NOTE 1: Mortgage executed by Towheed G. Baksh in favor of Jacob Stein, dated June 15, 1987, recorded June 24, 1987, in Official Record Book 1925, Page 636, Public Records of Lee County, Florida.

NOTE 2: Mortgage executed by Murray Carslake, an unmarried man in favor of Home Savings of America, dated October 6, 1987, recorded October 15, 1987, in Official Record Book 1947, Page 3820, Public Records of Lee County, Florida.

Second Updated Ownership and Easement Search

Search No. 21063/C

Date: June 5, 2000

Parcels: 60, 63, 69, 70, 72

Project: Beach Renourishment Trust

Fund #0686

NOTE 3: Mortgage executed by Murray Carslake, a single man in favor of Great Western Bank, dated March 7, 1988, recorded March 15, 1988, in Official Record Book 1976, Page 2166, Public Records of Lee County, Florida.

NOTE 4: Mortgage executed by Murray Carslake and Judi Carslake, husband and wife in favor of Fortune Savings Bank, dated December 23, 1988, recorded December 28, 1988, in Official Record Book 2038, Page 2826, Public Records of Lee County, Florida.

NOTE 5: A survey of the coastal construction line in Lee County can be found in Plat Book 31, Page 1, as updated in Plat Book 31-A, Page 1 and as revised in Plat Book 48, Pages 15 thru 34, all in the Public Records of Lee County, Florida.

Note 6: Mortgage executed by Murray Carslake to Washington Mutual Bank, FA, recorded in Official Record Book 4128, Page 1783, Public Records of Lee County, Florida. (as to Lot 8, Block B)

Tax Status: NOTE: Tax and assessment information is not indicated on this report. It will be provided at a later date, if determined as being necessary by the end user of this report.

(The end user of this report is responsible for verifying tax and/or assessment information.)

The Division of County Lands has made a diligent search of the Public Record. However, this report contains no guarantees nor warranty as to its accuracy.

Second Updated Ownership and Easement Search

Search No. 21064/A

Date: June 5, 2000

Parcel: 71

Project: Beach Renourishment Trust

Fund #0686

To: James M. Jerrel
Property Acquisition Agent

From: Linda K. Fleming, CLS, SRWA
Real Estate Title Examiner

STRAP: 19-46-24-W4-0070B.010B

Effective Date: ~~May 12, 2000~~, at 5:00 p.m.

12/15/03 JAB

Subject Property: Lot 10, Block B, less the Westerly 10 feet thereof, Crescent Beach, according to the map or plat thereof filed and recorded in the Office of the Clerk of Circuit Court in Plat Book 4, page 45, Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

Murray Carslake

By that certain instrument dated April 24, 1996, recorded June 21, 1996, in Official Record Book 2718, Page 268, Public Records of Lee County, Florida.

Easements:

NOTE 1: Mortgage executed by Murray Carslake, a single man in favor of Alliance Funding Company, dated December 22, 1997, recorded December 31, 1997, in Official Record Book 2094, Page 3118, Public Records of Lee County, Florida.

NOTE 2: A survey of the coastal construction line in Lee County can be found in Plat Book 31, Page 1, as updated in Plat Book 31-A, Page 1 and as revised in Plat Book 48, Pages 15 thru 34, all in the Public Records of Lee County, Florida.

Tax Status: NOTE: Tax and assessment information is not indicated on this report. It will be provided at a later date, if determined as being necessary by the end user of this report.
(The end user of this report is responsible for verifying tax and/or assessment information.)

The Division of County Lands has made a diligent search of the Public Record. However, this report contains no guarantees nor warranty as to its accuracy.

This instrument prepared by:
Lee County
County Lands Division
P.O. Box 398
Fort Myers, Florida 33902-0398
Project: Estero Island Beach Restoration Project
Parcel No.: 118
Strap No.: 30-46-24-W2-003M0.0080

ORIGINAL DOCUMENTS RETAINED IN
COUNTY LANDS FILES FOR HANDLING
UPON BOARD ACCEPTANCE.

(This space is for recording)

TEN (10) YEAR BEACH STORM DAMAGE REDUCTION EASEMENT

Know all by these presents that on this 29th day of December, 2003, Dennis L. Whippy & Nora G. Whippy, husband and wife, whose mailing address is 13782 NW 20th ST., Pembroke Pines, FL 33028, hereinafter referred to as "GRANTOR," in consideration of the mutual benefits to be derived from the Estero Island Beach Restoration Project (the "Lee County Shore Protection Project") and other good and valuable consideration, hereby grants, bargains and conveys to Lee County, a political subdivision of the State of Florida, whose mailing address is Post Office Box 398, Fort Myers, Florida, 33902-0398, hereinafter "GRANTEE," a Ten (10) Year Beach Storm Damage Reduction easement (the "EASEMENT") over and in the following described property (the "EASEMENT PROPERTY"):

See Attached Schedule A

Temporary Beach Storm Damage Reduction Easement: A temporary and assignable easement and right-of-way for a ten (10) year term concurrent with the duration of the project in, on, over and across the land described in Schedule A, 30-46-24-W2-003M0.0080, for use by the Grantee, its representatives, agents, contractors and assigns, to construct; preserve; patrol; operate; maintain; repair; rehabilitate; and replace; a public beach and other erosion control and storm damage reduction measures together with appurtenances thereto, including the right to deposit sand; to accomplish any alterations of contours on said land; to construct berms; to nourish and renourish periodically; to move, store and remove equipment and supplies; to erect and remove temporary structures; and to perform any other work necessary and incident to the construction, periodic renourishment and maintenance of the Lee County Shore Protection Project, together with the right of public use and access; to trim, cut, fell, and remove from said land all trees, underbrush, debris, obstructions, and any other vegetation, structures and obstacles within the limits of the easement; reserving to the grantors, their heirs, successors and assigns, all such rights and privileges as may be used and enjoyed without interfering with or abridging the rights and easements hereby acquired; subject however to existing easements for public roads and highways, public utilities, railroads and pipelines.

The term of this easement shall commence when the United States Army Corps of Engineers ("Corps") or the County records in the public records of Lee County, the Notice to Proceed for the first construction of the Estero Island segment of the Lee County Shore Protection Project and shall terminate after a term of ten (10) years. In the event the Corps or the County fails to record a Notice to Proceed on or before December 31, 2010, this easement shall automatically terminate and be canceled of record.

This is a Nonexclusive Easement with the Grantor reserving the right to the continued free use of the Easement Property in a manner not materially inconsistent with the rights granted herein to Grantee for Grantee's use.

Parcel No.: 118
Strap No.: 30-46-24-W2-003M0.0080

IN WITNESS HEREOF, Grantor has caused these presents to be executed on the date first above written.

Signed, sealed and delivered in the presence of:

Judith Lippman
Witness
JUDITH LIPPMAN
(Print Name)

Frederick Lippman
Witness
FREDERICK LIPPMAN
(Print Name)

Grantor:

Dennis L. Whippy
Dennis L. Whippy
FL DL W100-172-52-345-
9/10/03
9/25/09

Signed, sealed and delivered in the presence of:

Judith Lippman
Witness
JUDITH LIPPMAN
(Print Name)

Frederick Lippman
Witness
FREDERICK LIPPMAN
(Print Name)

Grantor:

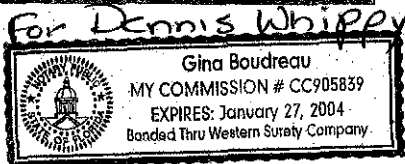
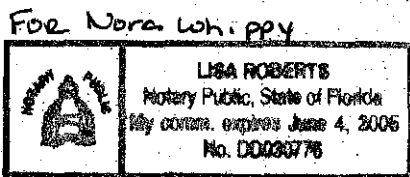
Nora G. Whippy
Nora G. Whippy
FL DL W100-428-52-583-0
2/4/02 - 3/3/08

STATE OF Florida
COUNTY OF Broward

The foregoing instrument was acknowledged before me this 12/29/03 (date)

by Dennis L. Whippy & Nora G. Whippy, who are personally known to me or who has
(Name of persons acknowledging)

produced Fl. Drivers Lic as identification.
(type of identification)



[Signature]
(Signature of person taking acknowledgment)
(Name typed, printed or stamped)
(Title or rank)
(Serial Number, if Any)

Gina Boudreau

Parcel No(s): 118
STRAP No(s): 30-46-24-W2-003M0.0080

SCHEDULE A


That portion of Lot 8, Block M, Winkler's Second Division, according to the map or plat thereof filed and recorded in the Office of the Clerk of the Circuit Court, in Plat Book 8, Page 49, Public Records of Lee County, Florida lying seaward of the +4.1 NGVD contour line. This line is shown by a survey conducted on September 19 thru 21, 2000 by Coastal Planning and Engineering, Inc., of Boca Raton, Florida, and is reflected on the survey sketches dated October 23, 2000 and filed in the Public Records of Lee County, Florida.

Ownership and Easement Search
Search No. 21759/B
Date: July 20, 2000
Parcel: 118
Project: Estero Island Beach
Renourishment, Project #3022

To: Teresa L. Mann, SR/WA
Property Acquisition Agent

From: Nancy A. Bell, CLS 
Real Estate Title Examiner

STRAP: 30-46-24-W2-003M0.0080

Effective Date: ~~June 26, 2000~~ ^{12/15/03} at 5:00 p.m. 

Subject Property: Lot 8, Block M, Winkler's Second Division, according to the map or plat thereof filed and recorded in the Office of the Clerk of the Circuit Court, in Plat Book 8, Page 49, Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

Dennis L. Whippy and Nora G. Whippy

by that certain instrument dated September 17, 1997, recorded September 22, 1997, in Official Record Book 2869, Page 6, Public Records of Lee County, Florida.

Easements: None.

NOTES FOR INFORMATION:

- a) Access to subject property is via Seaview Street, which is not County maintained according to DOT records.
- b) A survey of the coastal construction line in Lee County can be found in Plat Book 31, Page 1, as updated in Plat Book 31-A, Page 1 and as revised in Plat Book 48, Page 15 thru 34, all being in the Public Records of Lee County, Florida.

Tax Status: *NOTE: Tax and assessment information is not indicated on this report. It will be provided at a later date, if determined as being necessary by the end user of this report.
(The end user of this report is responsible for verifying tax and/or assessment information.)*

The Division of County Lands has made a diligent search of the Public Record. However, this report contains no guarantees nor warranty as to its accuracy.

This instrument prepared by:
Lee County
County Lands Division
P.O. Box 398
Fort Myers, Florida 33902-0398
Project: Estero Island Beach Restoration Project
Parcel No.: 154
Strap No.: 29-46-24-W1-00179.0010

ORIGINAL DOCUMENTS RETAINED IN
COUNTY LANDS FILES FOR HANDLING
UPON BOARD ACCEPTANCE.

(This space is for recording)

TEN (10) YEAR BEACH STORM DAMAGE REDUCTION EASEMENT

Know all by these presents that on this 8th day of August, 2003, William P. Gross, surviving spouse of Doris L. Gross, deceased, whose mailing address is 1200 Route 100, Bechtelsville, PA 19505, hereinafter referred to as "GRANTOR," in consideration of the mutual benefits to be derived from the Estero Island Beach Restoration Project (the "Lee County Shore Protection Project") and other good and valuable consideration, hereby grants, bargains and conveys to Lee County, a political subdivision of the State of Florida, whose mailing address is Post Office Box 398, Fort Myers, Florida, 33902-0398, hereinafter "GRANTEE," a Ten (10) Year Beach Storm Damage Reduction easement (the "EASEMENT") over and in the following described property (the "EASEMENT PROPERTY"):

See Attached Schedule A

Temporary Beach Storm Damage Reduction Easement: A temporary and assignable easement and right-of-way for a ten (10) year term concurrent with the duration of the project in, on, over and across the land described in Schedule A, 29-46-24-W1-00179.0010, for use by the Grantee, its representatives, agents, contractors and assigns, to construct; preserve; patrol; operate; maintain; repair; rehabilitate; and replace; a public beach and other erosion control and storm damage reduction measures together with appurtenances thereto, including the right to deposit sand; to accomplish any alterations of contours on said land; to construct berms; to nourish and renourish periodically; to move, store and remove equipment and supplies; to erect and remove temporary structures; and to perform any other work necessary and incident to the construction, periodic renourishment and maintenance of the Lee County Shore Protection Project, together with the right of public use and access; to trim, cut, fell, and remove from said land all trees, underbrush, debris, obstructions, and any other vegetation, structures and obstacles within the limits of the easement; reserving to the grantors, their heirs, successors and assigns, all such rights and privileges as may be used and enjoyed without interfering with or abridging the rights and easements hereby acquired; subject however to existing easements for public roads and highways, public utilities, railroads and pipelines.

The term of this easement shall commence when the United States Army Corps of Engineers ("Corps") or the County records in the public records of Lee County, the Notice to Proceed for the first construction of the Estero Island segment of the Lee County Shore Protection Project and shall terminate after a term of ten (10) years. In the event the Corps or the County fails to record a Notice to Proceed on or before December 31, 2010, this easement shall automatically terminate and be canceled of record.

This is a Nonexclusive Easement with the Grantor reserving the right to the continued free use of the Easement Property in a manner not materially inconsistent with the rights granted herein to Grantee for Grantee's use.

Parcel No.: 154
Strap No.: 29-46-24-W1-00179.0010

IN WITNESS HEREOF, Grantor has caused these presents to be executed on the date first above written.

Signed, sealed and delivered in the presence of:

E. Kenneth Nyce
Witness

E. KENNETH NYCE
(Print Name)

Marie H. Brinckman
Witness

Marie H. Brinckman
(Print Name)

Grantor:

William P. Gross
William P. Gross

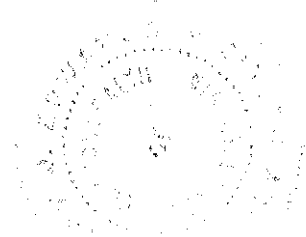
STATE OF PENNSYLVANIA
COUNTY OF BERKS

The foregoing instrument was acknowledged before me this August 8, 2003
(date)

by William P. Gross, who is personally known to me or who has
(Name of persons acknowledging)
produced PA. DRIVERS LICENSE as identification.
(type of identification)

Mary J. Edwards
(Signature of person taking acknowledgment)
(Name typed, printed or stamped)
(Title or rank)
(Serial Number, if Any)

NOTARIAL SEAL
MARY J. EDWARDS, Notary Public
Boyertown Boro, Berks County
My Commission Expires 5-6-2004



Parcel No(s): 154
STRAP No(s): 29-46-24-W1-00179.0010

SCHEDULE A

That portion of the following described parcel lying seaward of the +4.1 NGVD contour line:

A lot or parcel of land lying in Lot 79, Case's Subdivision, according to a plat as recorded in Plat Book 1, Page 58, as amended by Affidavit of Harry K. Davison recorded in Deed Book 131, Pages 300-304, inclusive of the Public Records of Lee County, Florida, which lot or parcel is described as follows:

Beginning at the corner of common to Lots 79 and 80, said Case's Subdivision, on the Southwesterly line of Estero Boulevard (S.R. S-865) run Northwesterly along said Southwesterly line for 103.7 feet to the Northwesterly corner of the lands described in Deed Book 138 at Page 222 of said Public Records; thence deflect $88^{\circ}16'$ to the left and run Southwesterly along the Westerly line of said lands described in Deed Book 138 at Pages 222 of said Public Records for 84.15 feet to a concrete monument; thence continue Southwesterly on the same course along the Easterly line of the lands described in Deed Book 138 at Page 223 of said Public Records for 62.6 feet to a concrete monument; thence deflect $13^{\circ}29'$ to the right and run Southwesterly parallel with the line common to said Lots 79 and 80 to the Southerly line of said Lot 79; thence run Southeasterly along said Southerly line of Lot 79 to an intersection with said line common to Lots 79 and 80; thence run Northeasterly along said line common to Lots 79 and 80 for 180 feet to the point of beginning.

This line is shown by a survey conducted on September 19 thru 21, 2000 by Coastal Planning and Engineering, Inc. of Boca Raton, Florida, and is reflected on the survey sketches dated October 23, 2000 and filed in the Public Records of Lee County, Florida.

WARNING: IT IS ILLEGAL TO ALTER THIS COPY OR
TO DUPLICATE BY PHOTOSTAT OR PHOTOGRAPH.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF HEALTH VITAL RECORDS

LOCAL REGISTRAR'S CERTIFICATION OF DEATH



ORIGINAL DOCUMENTS RETAINED IN
COUNTY LANDS FILES FOR HANDLING
UPON BOARD ACCEPTANCE.

366

CERT. NO. 2860904

OCTOBER 27, 1995

Date of Issue of This Certification

Name of Decedent DORIS L. GROSS
First Middle Last

Sex FEMALE Social Security No. 293-20-6442 Date of Death 10-25-1995

Date of Birth 05-07-1920 Birthplace FROSTBURG, MARYLAND

Place of Death 1200 ROUTE 100 BERKS WASHINGTON TOWNSHIP Pennsylvania
Facility Name County City, Borough or Township State

Race CAUCASIAN Occupation SELF-EMPLOYED Armed Forces? (Yes or No) NO

Marital Status MARRIED Decedent's Mailing Address 1200 ROUTE 100, BECHTELSVILLE, PA. 19505
Number Street City or Town State

Informant WILLIAM P. GROSS Funeral Director TERRY L. STARR, F.D.

Name and Address of Funeral Establishment L.W. OTT FUNERAL HOME, INC., 111 N. READING AVE., BOYERTOWN, PA. 19512

Part I: Immediate Cause

(a) Immediate Cause	Interval Between Onset and Death
<u>END STAGE EMPHYSEMA</u>	<u>YEAR</u>
(b) _____	_____
(c) _____	_____
(d) _____	_____

Part II: Other Significant Conditions
HIP FRACTURE

Manner of Death: Describe how injury occurred:

Natural Homicide

Accident Pending Investigation

Suicide Could not be Determined

Name and Title of Certifier LEWIS E. WINANS, M.D. (M.D., D.O., Coroner, M.E.)

Address 560 VAN REED ROAD, WYOMISSING, PA. 19610

This is to certify that the information here given is correctly copied from an original certificate of death duly filed with me as Local Registrar. The original certificate will be forwarded to the State Vital Records Office for permanent filing.

OCTOBER 27, 1995

Date Received by Local Registrar

William W. Wilipham 06-081

Local Registrar of Vital Records District No.
105 SOUTH CHESTNUT ST., BOYERTOWN, PA. 19512

Street Address

City, Borough, Township

Ownership and Easement Search
Search Nos. 21767/C
Date: November 26, 2003
Parcel: 154
Project: Estero Island Beach
Renourishment, Project #3022

To: Teresa L. Mann, SRWA
Property Acquisition Agent

From: David M. White, CLS
Real Estate Title Examiner

STRAP: 29-46-24-W1-00179.0010

Effective Date: July 21, 2000, at 5:00 p.m. ^{12/15/03} *DWB*

Subject Property: See attached Schedule "X".

Title to the subject property is vested in the following:

William P. Gross and Doris L. Gross, husband and wife

by that certain instrument dated August 4, 1995, recorded September 26, 1995, in Official Record Book 2637, Page 4075, Public Records of Lee County, Florida.

Easements:

NOTE: In the description there is call which states that you "run Northwesterly along said Southwesterly line for 123.7 feet the Northwesterly corner of the land described in Deed Book 138 at Page 222 of the Public Records of Lee County, Florida". The Northwesterly corner of Deed Book 138, Page 222 is only 103.7 feet from the common corner of Lots 79 and 80, Cases Subdivision. This results in a 20 foot hiatus. This must be addressed and resolved by the Title Company or Attorney that handles the transfer to the County.

NOTE FOR INFORMATION: A Survey of the coastal construction set back line in Lee County can be found in Plat Book 31, Page 1, as updated in Plat Book 31-1, Page 1 and as revised in Plat Book 48, pages 15 thru 34, all in the Public Records of Lee County, Florida.

NOTE: Tax and assessment information is not indicated on this report. It will be provided at a later date, if determined necessary by the end user of this report.

The Division of County Lands has made a diligent search of the Public Record. However, this report contains no guarantees nor warranty as to its accuracy.

Schedule X

Parcel 154

Project: Estero Island Beach Renourishment, Project #3022

Search No. 21767/C

A lot or parcel of land lying in Lot 79, Case's Subdivision, according to a plat as recorded in Plat Book 1, Page 58, as amended by Affidavit of Harry K. Davison recorded in Deed Book 131, Pages 300-304, inclusive of the Public Records of Lee County, Florida, which lot or parcel is described as follows:

Beginning at the corner of common to Lots 79 and 80, said Case's Subdivision, on the Southwesterly line of Estero Boulevard (S.R. S-865) run Northwesterly along said Southwesterly line for 123.7 feet to the Northwesterly corner of the lands described in Deed Book 138 at Page 222 of said Public Records; thence deflect $88^{\circ}16'$ to the left and run Southwesterly along the Westerly line of said lands described in Deed Book 138 at Pages 222 of said Public Records for 84.15 feet to a concrete monument; thence continue Southwesterly on the same course along the Easterly line of the lands described in Deed Book 138 at Page 223 of said Public Records for 62.6 feet to a concrete monument; thence deflect $13^{\circ}29'$ to the right and run Southwesterly parallel with the line common to said Lots 79 and 80 to the Southerly line of said Lot 79; thence run Southeasterly along said Southerly line of Lot 79 to an intersection with said line common to Lots 79 and 80; thence run Northeasterly along said line common to Lots 79 and 80 for 180 feet to the point of beginning.

This instrument prepared by:
Lee County
County Lands Division
P.O. Box 398
Fort Myers, Florida 33902-0398
Project: Estero Island Beach Restoration Project
Parcel No.: 160
Strap No.: 29-46-24-W1-00181.0030

ORIGINAL DOCUMENTS RETAINED IN
COUNTY LANDS FILES FOR HANDLING
UPON BOARD ACCEPTANCE.

(This space is for recording)

TEN (10) YEAR BEACH STORM DAMAGE REDUCTION EASEMENT

Know all by these presents that on this 25th day of July, 2003, Victor R. Kopidlansky & Diana M. Kopidlansky, husband and wife, whose mailing address is 2320 NE 48th Court, Lighthouse Point, FL 33064, hereinafter referred to as "GRANTOR," in consideration of the mutual benefits to be derived from the Estero Island Beach Restoration Project (the "Lee County Shore Protection Project") and other good and valuable consideration, hereby grants, bargains and conveys to Lee County, a political subdivision of the State of Florida, whose mailing address is Post Office Box 398, Fort Myers, Florida, 33902-0398, hereinafter "GRANTEE," a Ten (10) Year Beach Storm Damage Reduction easement (the "EASEMENT") over and in the following described property (the "EASEMENT PROPERTY"):

See Attached Schedule A

Temporary Beach Storm Damage Reduction Easement: A temporary and assignable easement and right-of-way for a ten (10) year term concurrent with the duration of the project in, on, over and across the land described in Schedule A, 29-46-24-W1-00181.0030, for use by the Grantee, its representatives, agents, contractors and assigns, to construct; preserve; patrol; operate; maintain; repair; rehabilitate; and replace; a public beach and other erosion control and storm damage reduction measures together with appurtenances thereto, including the right to deposit sand; to accomplish any alterations of contours on said land; to construct berms; to nourish and renourish periodically; to move, store and remove equipment and supplies; to erect and remove temporary structures; and to perform any other work necessary and incident to the construction, periodic renourishment and maintenance of the Lee County Shore Protection Project, together with the right of public use and access; to trim, cut, fell, and remove from said land all trees, underbrush, debris, obstructions, and any other vegetation, structures and obstacles within the limits of the easement; reserving to the grantors, their heirs, successors and assigns, all such rights and privileges as may be used and enjoyed without interfering with or abridging the rights and easements hereby acquired; subject however to existing easements for public roads and highways, public utilities, railroads and pipelines.

The term of this easement shall commence when the United States Army Corps of Engineers ("Corps") or the County records in the public records of Lee County, the Notice to Proceed for the first construction of the Estero Island segment of the Lee County Shore Protection Project and shall terminate after a term of ten (10) years. In the event the Corps or the County fails to record a Notice to Proceed on or before December 31, 2010, this easement shall automatically terminate and be canceled of record.

This is a Nonexclusive Easement with the Grantor reserving the right to the continued free use of the Easement Property in a manner not materially inconsistent with the rights granted herein to Grantee for Grantee's use.

Parcel No.: 160
Strap No.: 29-46-24-W1-00181.0030

IN WITNESS HEREOF, Grantor has caused these presents to be executed on the date first above written.

Signed, sealed and delivered in the presence of:

Witness

(Print Name)

Witness

(Print Name)

Grantor:

Victor R. Kopidlansky

Signed, sealed and delivered in the presence of:

Witness

(Print Name)

Witness

(Print Name)

Grantor:

Diana M. Kopidlansky

STATE OF IL
COUNTY OF COOK

The foregoing instrument was acknowledged before me this

7/25/2003

(date)

by Victor R. Kopidlansky & Diana M. Kopidlansky, who are personally known to me or who has

(Name of persons acknowledging)

produced drivers licence as identification.

(type of identification)



(Signature of person taking acknowledgment)

(Name typed, printed or stamped)

(Title or rank)

(Serial Number, if Any)

Parcel No(s): 160
STRAP No(s): 29-46-24-W1-00181.0030

SCHEDULE A

That portion of the following described parcel lying seaward of the +4.1 NGVD contour line:

From a concrete monument marking the most Northerly corner of Lot 81, Case's Subdivision, according to the plat thereof recorded in the Office of the Clerk of the Circuit Court of Lee County, Florida, in Plat Book 1, Page 58, as replaced by that plat of Case's Subdivision, recorded in Deed Book 131, Pages 300-304, inclusive, and ratified and confirmed by the Final Judgement in the case of McDorman vs. Lee County and Harold C. Case and Eleanor Case Grace, Case No. 71-1392, in the Circuit Court of the Twentieth Judicial Circuit in and for Lee County, Florida, proceed South 57°31'19" East, 90.37 feet along the Southerly right-of-way of Estero Boulevard to a corner common to Parcel A and the Westerly 90.37 feet of Lot 81, as described in Official Record Book 1791, Page 262, Point of Beginning; thence proceed along said right-of-way South 57°31'19" East, 84.97 feet to a corner common to Parcels A and B; thence proceed South 47°31'32" West along said common line to the mean high water line of the Gulf of Mexico; thence proceed Northwesterly along the mean high water line of the Gulf of Mexico to a line bearing North 47°27'47" East and passing through the Point of Beginning; thence from the mean high water line of the Gulf of Mexico North 47°27'47" East to the Point of Beginning.

This line is shown by a survey conducted on September 19 thru 21, 2000 by Coastal Planning and Engineering, Inc., of Boca Raton, Florida, and is reflected on the survey sketches dated October 23, 2000 and filed in the Public Records of Lee County, Florida.

Department of Public Works
Division of County Lands

Page 1 of 2

Ownership and Easement Search
Search No. 21768/D
Date: November 26, 2003
Parcel: 160
Project: Estero Island Beach
Renourishment, Project #3022

To: Teresa L. Mann, SR/WA
Property Acquisition Agent

From: David M. White, CLS
Real Estate Title Examiner

STRAP: 29-46-24-W1-00181.0030

Effective Date: ~~July 26, 2000~~, at 5:00 p.m. ^{12/15/03} *AGB*

Subject Property: See attached Schedule "X".

Title to the subject property is vested in the following:

Victor R. Kopidlansky and Diana M. Kopidlansky

by those certain instruments dated December 6, 1995, recorded December 13, 1995, in Official Record Book 2659, Page 1661 and dated November 28, 1995, recorded December 13, 1995, in Official Record Book 2659, Page 1667, all being in the Public Records of Lee County, Florida.

Easements:

NOTE: There is a mortgage recorded in favor of NationsBank of Florida, N.A. This mortgage encumbers Lot 81, Case's Subdivision, Plat Book 1, Page 58, Public Records of Lee County, Florida. The mortgage was executed by Gerald M. DeBono.

NOTE: There is a mortgage in favor of South Trust Mortgage Corporation recorded.

NOTE FOR INFORMATION: A Survey of the coastal construction set back line in Lee County can be found in Plat Book 31, Page 1, as updated in Plat Book 31-1, Page 1 and as revised in Plat Book 48, pages 15 thru 34, all in the Public Records of Lee County, Florida.

NOTE: Tax and assessment information is not indicated on this report. It will be provided at a later date, if determined necessary by the end user of this report.

The Division of County Lands has made a diligent search of the Public Record. However, this report contains no guarantees nor warranty as to its accuracy.

Schedule X

Parcel 160

Project: Estero Island Beach Renourishment, Project #3022

Search No. 21768/D

From a concrete monument marking the most Northerly corner of Lot 81, Case's Subdivision, according to the plat thereof recorded in the Office of the Clerk of the Circuit Court of Lee County, Florida, in Plat Book 1, Page 58, as replaced by that plat of Case's Subdivision, recorded in Deed Book 131, Pages 300-304, inclusive, and ratified and confirmed by the Final Judgement in the case of McDorman vs. Lee County and Harold C. Case and Eleanor Case Grace, Case No. 71-1392, in the Circuit Court of the Twentieth Judicial Circuit in and for Lee County, Florida, proceed South 57°31'19" East, 90.37 feet along the Southerly right-of-way of Estero Boulevard to a corner common to Parcel A and the Westerly 90.37 feet of Lot 81, as described in Official Record Book 1791, Page 262, Point of Beginning; thence proceed along said right-of-way South 57°31'19" East, 84.97 feet to a corner common to Parcels A and B; thence proceed South 47°31'32" West along said common line to the mean high water line of the Gulf of Mexico; thence proceed Northwesterly along the mean high water line of the Gulf of Mexico to a line bearing North 47°27'47" East and passing through the Point of Beginning; thence from the mean high water line of the Gulf of Mexico North 47°27'47" East to the Point of Beginning. Including all riparian rights as prescribed by law.

This instrument prepared by:
Lee County
County Lands Division
P.O. Box 398
Fort Myers, Florida 33902-0398
Project: Estero Island Beach Renourishment, Project #3022
Parcel No.: 169
Strap No.: 29-46-24-W3-0050F.0010

ORIGINAL DOCUMENTS RETAINED IN
COUNTY LANDS FILES FOR HANDLING
UPON BOARD ACCEPTANCE.

(This space is for recording)

FIFTY YEAR BEACH STORM DAMAGE REDUCTION EASEMENT

Know all by these presents that on this 1st day of Oct, 2002, Mary Lou Rubright, a single person, whose mailing address is P. O. Box 219, Shoemakersville, PA 19555, hereinafter referred to as "GRANTOR," in consideration of the mutual benefits to be derived from the Estero Island Beach Restoration Project (the "Lee County Shore Protection Project") and other good and valuable consideration, hereby grants, bargains and conveys to Lee County, a political subdivision of the State of Florida, whose mailing address is Post Office Box 398, Fort Myers, Florida, 33902-0398, hereinafter "GRANTEE," a Beach Storm Damage Reduction easement (the "EASEMENT") over and in the following described property (the "EASEMENT PROPERTY"):

See Attached Schedule A

Beach Storm Damage Reduction Easement: An assignable easement and right-of-way in, on, over and across the land described in Schedule A (STRAP No. 29-46-24-W3-0050F.0010), for use by the Grantee, its representatives, agents, contractors and assigns, to construct; preserve; patrol; operate; maintain; repair; rehabilitate; and replace; a public beach and other erosion control and storm damage reduction measures together with appurtenances thereto, including the right to deposit sand; to accomplish any alterations of contours on said land; to construct berms; to nourish and renourish periodically; to move, store and remove equipment and supplies; to erect and remove temporary structures; and to perform any other work necessary and incident to the construction, periodic renourishment and maintenance of the Lee County Shore Protection Project, together with the right of public use and access; to trim, cut, fell, and remove from said land all trees, underbrush, debris, obstructions, and any other vegetation, structures and obstacles within the limits of the easement; reserving to the grantor(s), her heirs, successors and assigns, all such rights and privileges as may be used and enjoyed without interfering with or abridging the rights and easements hereby acquired; subject however to existing easements for public roads and highways, public utilities, railroads and pipelines.

This is a Nonexclusive Easement with the Grantor reserving the right to the continued free use of the Easement Property in a manner not materially inconsistent with the rights granted herein to Grantee for Grantee's use.

The term of this easement shall commence when the United States Army Corps of Engineers ("Corps") or the County records in the public records of Lee County, the Notice to Proceed for the first construction of the Estero Island segment of the Lee County Shore Protection Project and shall terminate after a term of fifty (50) years. In the event the Corps or the County fails to issue a Notice to Proceed on or before December 31, 2010, this easement shall automatically terminate and be canceled of record.

Parcel No(s): 169
STRAP No(s): 29-46-24-W3-0050F.0010

IN WITNESS HEREOF, Grantor has caused these presents to be executed on the date first above written.

Signed, sealed and delivered in the presence of:

Grantor:

George R Rubright
Witness
George R Rubright
(Print Name)

Mary Lou Rubright
Mary Lou Rubright

Craig Wm. Henry
Witness
CRAIG WM. HENRY
(Print Name)

STATE OF PENNSYLVANIA
COUNTY OF BERKS

The foregoing instrument was acknowledged before me this OCTOBER 1, 2002
(date)

by Mary Lou Rubright, who is personally known to me or who has
(Name of persons acknowledging)

produced DRIVER'S LICENSE as identification.
(type of identification)

Craig Wm. Henry
(Signature of person taking acknowledgment)

CRAIG Wm. HENRY
(Name typed, printed or stamped)

NOTARY PUBLIC
(Title or rank)

(Serial Number, if any)

NOTARIAL SEAL
CRAIG WM. HENRY, Notary Public
Shoemakersville, Berks County, PA
My Commission Expires 4-8-2003

Parcel No(s): 169
STRAP No(s): 29-46-24-W3-0050F.0010

SCHEDULE A

That portion of Lots 1 and 2, Block F, Gulf Island Manor, a Subdivision according to the plat thereof recorded in Plat Book 8, Page 68, Public Records of Lee County, Florida, lying seaward of the +4.1 NGVD contour line.

Together with all of the Grantor's interest in and to:

That portion of a certain tract shown on the plat of Gulf Island Manor and described as "Gulf Island Park", and lying in Block E of said subdivision and between Lots 3 and 4 of said Block E; such tract being bounded by Bayside Road and Estero Bay and said Lot 3 on the northwesterly side and Lot 4 on the southeasterly side thereof, lying seaward of the +4.1 NGVD contour line.

AND

That portion of a certain tract shown on said plat of Eucalyptus Avenue and bounded on the westerly side thereof by Lot 2 of Block F and on the easterly side thereof by Lot 3 of said Block F, lying seaward of the +4.1 NGVD contour line.

This line is shown by a survey conducted on September 19 thru 21, 2000 by Coastal Planning and Engineering, Inc., of Boca Raton, Florida, and is reflected on the survey sketches dated October 23, 2000 and filed in the Public Records of Lee County, Florida.

Department of Public Works
Division of County Lands

Page 1 of 2

Ownership and Easement Search
Search No. 21771/A
Date: December 8, 2003
Parcel: 169
Project: Beach Renourishment Trust
Fund #0686

To: Teresa L. Mann, SRWA
Property Acquisition Agent

From: Linda K. Fleming, CLS, SRWA
Real Estate Title Examiner

STRAP: 29-46-24-W3-0050F.0010

Effective Date: ~~June 14, 2000~~, at 5:00 p.m.

12/15/03 JAB

Subject Property: See attached Schedule "X"

Title to the subject property is vested in the following:

Mary Lou Rubright

by that certain instrument dated April 1, 1993, recorded June 10, 1993, in Official Record Book 2395, Page 1232, Public Records of Lee County, Florida.

Easements:

None of Record

1. NOTE: A survey of the coastal construction line in Lee County can be found in Plat Book 31, Page 1, as updated in Plat Book 31-A, Page 1 and as revised in Plat Book 48, Pages 15 thru 34, all in the Public Records of Lee County, Florida.

Tax Status: NOTE: Tax and assessment information is not indicated on this report. It will be provided at a later date, if determined as being necessary by the end user of this report.
(The end user of this report is responsible for verifying tax and/or assessment information.)

The Division of County Lands has made a diligent search of the Public Record. However, this report contains no guarantees nor warranty as to its accuracy.

Schedule X

Parcel 169

Project: Beach Renourishment Trust Fund #0686

Search No. 21771/A

Lots 1 and 2, Block F, Gulf Island Manor, a Subdivision according to the plat thereof recorded in Plat Book 8, Page 68, Public Records of Lee County, Florida.

Together with all of the Grantor's interest in and to: (A) That certain tract shown on the plat of Gulf Island Manor and described as "Gulf Island Park", and lying in Block E of said subdivision and between Lots 3 and 4 of said Block E; such tract being bounded by Bayside Road and Estero Bay and said Lot 3 on the northwesterly side and Lot 4 on the southeasterly side thereof, and (B) That certain tract shown on said plat of Eucalyptus Avenue and bounded on the westerly side thereof by Lot 2 of Block F and on the easterly side thereof by Lot 3 of said Block F.

This instrument prepared by:
Lee County
County Lands Division
P.O. Box 398
Fort Myers, Florida 33902-0398
Project: Estero Island Beach Restoration Project
Parcel No.: 201
Strap No.: 28-46-24-W4-00012.0000

ORIGINAL DOCUMENTS RETAINED IN
COUNTY LANDS FILES FOR HANDLING
UPON BOARD ACCEPTANCE.

(This space is for recording)

TEN (10) YEAR BEACH STORM DAMAGE REDUCTION EASEMENT

Know all by these presents that on this 7th day of August, 2003, Buccaneer FM Beach, LLC, a Florida limited liability company, whose mailing address is 4864 Estero Blvd., Fort Myers Beach, FL 33931, hereinafter referred to as "GRANTOR," in consideration of the mutual benefits to be derived from the Estero Island Beach Restoration Project (the "Lee County Shore Protection Project") and other good and valuable consideration, hereby grants, bargains and conveys to Lee County, a political subdivision of the State of Florida, whose mailing address is Post Office Box 398, Fort Myers, Florida, 33902-0398, hereinafter "GRANTEE," a Ten (10) Year Beach Storm Damage Reduction easement (the "EASEMENT") over and in the following described property (the "EASEMENT PROPERTY"):

See Attached Schedule A

Temporary Beach Storm Damage Reduction Easement: A temporary and assignable easement and right-of-way for a ten (10) year term concurrent with the duration of the project in, on, over and across the land described in Schedule A, 28-46-24-W4-00012.0000, for use by the Grantee, its representatives, agents, contractors and assigns, to construct; preserve; patrol; operate; maintain; repair; rehabilitate; and replace; a public beach and other erosion control and storm damage reduction measures together with appurtenances thereto, including the right to deposit sand; to accomplish any alterations of contours on said land; to construct berms; to nourish and renourish periodically; to move, store and remove equipment and supplies; to erect and remove temporary structures; and to perform any other work necessary and incident to the construction, periodic renourishment and maintenance of the Lee County Shore Protection Project, together with the right of public use and access; to trim, cut, fell, and remove from said land all trees, underbrush, debris, obstructions, and any other vegetation, structures and obstacles within the limits of the easement; reserving to the grantor, its heirs, successors and assigns, all such rights and privileges as may be used and enjoyed without interfering with or abridging the rights and easements hereby acquired; subject however to existing easements for public roads and highways, public utilities, railroads and pipelines.

The term of this easement shall commence when the United States Army Corps of Engineers ("Corps") or the County records in the public records of Lee County, the Notice to Proceed for the first construction of the Estero Island segment of the Lee County Shore Protection Project and shall terminate after a term of ten (10) years. In the event the Corps or the County fails to record a Notice to Proceed on or before December 31, 2010, this easement shall automatically terminate and be canceled of record.

Parcel No.: 201
Strap No.: 28-46-24-W4-00012.0000

This is a Nonexclusive Easement with the Grantor reserving the right to the continued free use of the Easement Property in a manner not materially inconsistent with the rights granted herein to Grantee for Grantee's use.

IN WITNESS HEREOF, Grantor has caused these presents to be executed on the date first above written.

Signed, sealed and delivered in the presence of:

Grantor:
Buccaneer FM Beach, LLC, A Florida limited liability company

[Signature]
Witness
DAVID A. MEYERS
(Print Name)

[Signature]
Signature
AMANDA WITTER, MEMBER
Name & Title

[Signature]
Witness
DONALD L. WITTER
(Print Name)

STATE OF FLORIDA
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 8/07/03
(date)

Amanda L. Witter of Buccaneer FM Beach, LLC
(name of officer or agent, title of officer or agent)

a Florida limited liability company, on behalf of the company. He/she is personally
known to me or has produced as identification.
(type of identification)

[Signature]
(Signature of person taking acknowledgment)

Carol A Witter
(Name typed, printed or stamped)
My Commission CC900429
(Title or rank)
Expires August 13, 2004
(Serial Number, if any)

Parcel No(s): 201
STRAP No(s): 28-46-24-W4-00012.0000

SCHEDULE A

That portion of the following described parcel lying seaward of the +4.1 NGVD contour line:

Beginning at the intersection of the South boundary of fractional Section 28, Township 46 South, Range 24 East, and the South shore of Ostego Bay; thence West along the South boundary of said Section 28, 1,011 feet, more or less, to a point marking the Southeast corner of the fractional Southwest quarter (SW 1/4) of Section 28; thence Westerly along the South line of Section 1,643.7 feet to the Northwesterly corner of Lot Twenty (20), in Block Six (6), of Gulf Heights Subdivision according to the map or plat of said subdivision on file and recorded in the Office of the Clerk of the Circuit Court of Lee County, Florida, in Plat Book 6, page 39; thence Northwesterly at an inclusive angle of 139°39' with the South boundary of said Section 28 a distance of 1,012.55 feet to a point, hereinafter called Point "A"; thence continue along same course 140 feet; thence Southwesterly at an inclusive angle of 88 to the waters of the Gulf of Mexico for point of beginning; thence Northeasterly along reverse of previous course to the Southerly side of Estero Boulevard; thence Southeasterly along said road 140 feet as measured at right angles to last mentioned course; thence Southwesterly to the waters of the Gulf of Mexico passing through previously described Point "A"; thence Northwesterly along the waters of the Gulf of Mexico to point of beginning.

This line is shown by a survey conducted on September 19 thru 21, 2000, by Coastal Planning and Engineering, Inc., of Boca Raton, Florida, and is reflected on the survey sketches dated October 23, 2000, and filed in the Public Records of Lee County, Florida.

Florida Department of State, Division of Corporations

Corporations Online
www.sunbiz.org Public Inquiry

Florida Limited Liability
BUCCANEER FM BEACH, LLC

PRINCIPAL ADDRESS
 4864 ESTERO BLVD
 FORT MYERS BEACH FL 33931 US
 Changed 05/22/2002

MAILING ADDRESS
 4864 ESTERO BLVD
 FORT MYERS BEACH FL 33931 US
 Changed 05/22/2002

Document Number L01000000308	FEI Number 593685599	Date Filed 01/08/2001
State FL	Status ACTIVE	Effective Date NONE
Total Contribution 0.00		

Registered Agent

Name & Address
WIEBEL, HENNELLS & CARUFE, P.A. 92340 BONITA BEACH ROAD #3305 BONITA SPRINGS FL 34135
Name Changed: 05/22/2002
Address Changed: 05/22/2002

Manager/Member Detail

Name & Address	Title
DRAGO, JOSEPH 4864 ESTERO BLVD FORT MYERS BEACH FL 33931	MGRM
WITTER, AMANDA 4864 ESTERO BLVD FORT MYERS BEACH FL 33931	MGRM

Annual Reports

Report Year	Filed Date
2001	06/25/2001
2002	05/22/2002
2003	05/02/2003

[Previous Filing](#)

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No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

<p>05/02/2003 -- ANN REP/UNIFORM BUS REP</p> <p>05/22/2002 -- COR - ANN REP/UNIFORM BUS REP</p> <p>06/25/2001 -- ANN REP/UNIFORM BUS REP</p> <p>01/08/2001 -- Florida Limited Liabilites</p>
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THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

[Corporations Inquiry](#)

[Corporations Help](#)

Division of County Lands**Updated Ownership and Easement Search**

Search No. 21777/B

Date: November 26, 2003

Parcel: 201

Project: Estero Island Beach Renourishment,
Project 3022To: Teresa L. Mann, SRWA
Property Acquisition AgentFrom: Shelia A. Bedwell, CLS
Property Acquisition Assistant

STRAP: 28-46-24-W4-00012.0000

Effective Date: August 25, 2003, at 5:00 p.m.

Subject Property: See attached Schedule "X"

Title to the subject property is vested in the following:

Buccaneer FM Beach, LLC, a Florida limited liability company

By that certain instrument dated April 21, 2003, recorded April 30, 2003, in Official Record Book 3918, Page 2600, Public Records of Lee County, Florida.

Easements:

1. Walkway easement recorded in Deed Book 219, Page 82, Public Records of Lee County, Florida.
2. Construction and Real Property Agreement in favor of South Florida Cable Television Corp., a Florida Corporation as recorded in Official Record Book 1611, Page 286, Public Records of Lee County, Florida. Said agreement is now held by south Florida Cablevision, Inc., a Delaware Corporation as recorded in Official Record Book 1801, Page 2475, Public Records of Lee County, Florida.
3. Easement in favor of Media One Enterprises, Inc. as recorded in Official Record Book 3224, Page 4756, Public Records of Lee County, Florida.

NOTE FOR INFORMATION: A Survey of the coastal construction set back line in Lee County can be found in Plat Book 31, Page 1, as updated in Plat Book 31-1, Page 1 and as revised in Plat Book 48, Pages 15 thru 34, all in the Public Records of Lee County, Florida.

NOTE(1): Mortgage executed by Buccaneer FM Beach, LLC, a Florida limited liability company in favor of First National Bank of Florida, dated April 21, 2003, recorded April 30, 2003, in Official Record Book 3918, Page 2602, Public Records of Lee County, Florida.

NOTE(2): Assignment of Leases and/or Rents between First National Bank of Florida and Buccaneer FM Beach, LLC, a Florida limited liability company, recorded April 30, 2003 in Official Record Book 3918, Page 2616, filed in the Public Records of Lee County, Florida.

Division of County Lands

Updated Ownership and Easement Search

Search No. 21777/B

Date: November 26, 2003

Parcel: 201

Project: Estero Island Beach Renourishment,
Project 3022

NOTE(3): U.C.C. between Buccaneer FM Beach, LLC, a Florida limited liability company and First National Bank of Florida, recorded April 30, 2003 in Official Record Book 3918, Page 2620, Public Records of Lee County, Florida.

Note(4): Mortgage to First National Bank of Florida, recorded in Official Records Book 4149, Page 2657, Public Records of Lee County, Florida.

2003 taxes are now due and payable.

Tax Status: ~~2002 Ad Valorem Taxes are PAID IN FULL.~~

(The end user of this report is responsible for verifying tax and/or assessment information.)

The Division of County Lands has made a diligent search of the Public Record. However, this report contains no guarantees nor warranty as to its accuracy.

Schedule X

Parcel: 201

Estero Island Beach Renourishment, Project 3022

Search No. 21777/B

Beginning at the intersection of the South boundary of fractional Section 28, Township 46 South, Range 24 East, and the South shore of Ostego Bay; thence West along the South boundary of said Section 28, 1,011 feet, more or less, to a point marking the Southeast corner of the fractional Southwest quarter (SW 1/4) of Section 28; thence Westerly along the South line of Section 1,643.7 feet to the Northwesterly corner of Lot Twenty (20), in Block Six (6), of Gulf Heights Subdivision according to the map or plat of said subdivision on file and recorded in the Office of the Clerk of the Circuit Court of Lee County, Florida, in Plat Book 6, page 39; thence Northwesterly at an inclusive angle of $139^{\circ}39'$ with the South boundary of said Section 28 a distance of 1,012.55 feet to a point, hereinafter called Point "A"; thence continue along same course 140 feet; thence Southwesterly at an inclusive angle of 88° to the waters of the Gulf of Mexico for point of beginning; thence Northeasterly along reverse of previous course to the Southerly side of Estero Boulevard; thence Southeasterly along said road 140 feet as measured at right angles to last mentioned course; thence Southwesterly to the waters of the Gulf of Mexico passing through previously described Point "A"; thence Northwesterly along the waters of the Gulf of Mexico to point of beginning.