

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

Blue Sheet No. 20040185

1. REQUESTED MOTION:

ACTION REQUESTED: Accept donation of a Perpetual Drainage & Access Easement for parcel in Gladiolus Drive Widening Project #4083; authorize payment of recording fees and the Division of County Lands to handle all documentation necessary to complete transaction.

WHY ACTION IS NECESSARY: The Board must accept all real estate conveyances to Lee County.

WHAT ACTION ACCOMPLISHES: Acquires drainage easement necessary for future widening of Gladiolus Drive.

2. **DEPARTMENTAL CATEGORY:** 06
COMMISSION DISTRICT # 3 *C6D* 3. **MEETING DATE:** *03-09-2004*

4. AGENDA:	5. REQUIREMENT/PURPOSE: (Specify)	6. REQUESTOR OF INFORMATION:
<input checked="" type="checkbox"/> CONSENT	<input checked="" type="checkbox"/> STATUTE 125	A. COMMISSIONER
<input type="checkbox"/> ADMINISTRATIVE	<input type="checkbox"/> ORDINANCE	B. DEPARTMENT <i>Independent</i>
<input type="checkbox"/> APPEALS	<input type="checkbox"/> ADMIN. CODE	C. DIVISION <i>County Lands</i>
<input type="checkbox"/> PUBLIC	<input type="checkbox"/> OTHER	BY: <i>Karen L. W. Forsyth, Director</i>
<input type="checkbox"/> WALK ON		
<input type="checkbox"/> TIME REQUIRED:		

7. BACKGROUND:

Negotiated for: Department of Transportation

Interest to Acquire: Perpetual Drainage and Access Easement

Property Details:

Owners: Gladiolus Preserve LLC, S.W. Florida Land One, LLC, and Gladiolus Preserve Homeowners Association, Inc.
STRAP No.: 33-45-24-14-0000A.0000, 33-45-24-14-0000D.0000, 33-45-24-14-0000F.0000, and 33-45-24-14-00000.0010

Purchase Details:

Costs to Close: \$50.00

Staff Recommendation: County staff recommends the Board approve the requested motion.

Account: 20408318804.506110

Attachments: Perpetual Drainage and Access Easement; Location Map; Title Data

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>John Dredge</i>	<i>John Dredge</i>	OA	COM	Risk	GC	<i>HS 2-20-04</i>
			<i>2/19/04</i>	<i>2-19-04</i>	<i>2/19/04</i>	<i>2/19/04</i>	<i>2/19/04</i>	<i>2-19-04</i>	

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

RESV.
 BY CO. ATTY.
 1:00 PM
 2/19/04
 CO. ATTY.
 FORWARDED TO:
Co. Atty.
 2/19/04

RECEIVED BY
 COUNTY ADMIN:
2/19/04
 3:05 pm 3/1
 COUNTY ADMIN
 FORWARDED TO:
2/20/04
 11:50am

THIS INSTRUMENT PREPARED BY:

Lee County Division of County Lands
Post Office Box 398
Fort Myers, Florida 33902

Strap No.: 33-45-24-14-0000A.0000;
33-45-24-14-0000D.0000;
33-45-24-14-0000F.0000;
33-45-24-14-00000.0010

PERPETUAL DRAINAGE and ACCESS EASEMENT

This indenture is made this 12th day of February, 2004 between **Gladiolus Preserve LLC, a Florida Limited Liability Company**, whose address is 11220-27 Metro Parkway, Fort Myers, Florida 33912 and **S.W. Florida Land One, LLC, a Florida Limited Liability Company**, whose address is 6150 Diamond Centre Court, Building 1300, Fort Myers, FL 33912, **Gladiolus Preserve Homeowners Association, Inc. a Non-Profit Florida Corporation**, whose address is 530 Construction Lane, Lehigh Acres, FL 33936 (Grantors) and **Lee County, a political subdivision of the State of Florida**, whose address is P.O. Box 398, Fort Myers, Florida 33902 (Grantee) as follows:

For good and valuable consideration, receipt of which is hereby acknowledged, Grantors grant to Grantee, its successors and assigns, a perpetual drainage and access easement over the property more particularly described in attached Exhibit A. Grantee is granted the right to construct, replace, renew, extend and maintain a drainage pipe system, together with, but not limited to, all necessary connections and appurtenances, to be located under, across and through the property described in attached Exhibit A, with the additional right to remove, replace and repair said drainage pipe system. Grantee shall be responsible to replace and or repair any landscaping, parking lots, roadways or other improvements that may be damaged as a result of Grantee's construction, replacement, renewal or extension and its maintenance of a drainage pipe system as contemplated herein.

This Easement includes the right to use the Perpetual Drainage and Access Easement recorded in O.R. Book 3845, Pages 3378 through 3382, that was previously granted to Grantee to convey water and accommodate no greater than 5.6 acre-feet of water storage in accordance with SFWMD Permit # 010816-17, as modified, and the permit requirements applicable to the improvements associated with Bass Road, Gladiolus Drive and surrounding properties. Grantee shall be responsible for any necessary SWFMD permit or further modifications needed to SFWMD Permit # 010816-17 required for the construction contemplated by Grantee within this easement. Grantee has the right and authority to maintain the water management system within the easement area, including the right to enter upon Grantors' lands in the event that the Grantee needs to maintain the

system in accordance with this agreement so that it will accommodate the water and storage required by the modified SFWMD permit.

Grantors warrant that subject to existing easements, if any, for public highways, roads, railroads, laterals, ditches, pipelines and electrical transmission and/or distribution lines and telephone and cable television lines covering the land described above, Grantors are lawfully possessed of the land and have good and lawful right and power to convey, and that the properties are free and clear of all liens and encumbrances except as recorded in the public records.

This easement is binding on the parties, their successors and assigns.

IN WITNESS of the above this instrument is executed.

Janet E. Allison
(witness signature)
Janet E. Allison
printed name

Johanna Seybold
(witness signature)
Johanna Seybold
printed name

Janet E. Allison
(witness signature)
Janet E. Allison
printed name

Johanna Seybold
(witness signature)
Johanna Seybold
printed name

**Gladiolus Preserve, LLC, a
Florida Limited Liability Company**

[Signature]
Name: W. MICHAEL KERVER
Title: V.P.

**S. W. Florida Land One, LLC, a
Florida Limited Liability Company**

[Signature]
Name: Randy Thibault
Title: MANAGER

**Gladiolus Preserve Homeowners,
Association, Inc., a Florida Non-
Profit Corporation**

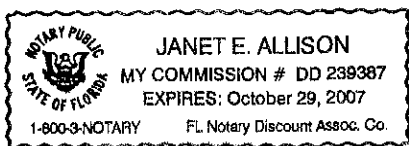
Janet E. Allison
(witness signature)
Janet E. Allison
printed name

Johanna Seybold
(witness signature)
Johanna Seybold
printed name

W. Michael Kerver
Name: W. MICHAEL KERVER
Title: PRES.

STATE OF FLORIDA)
COUNTY OF LEE)

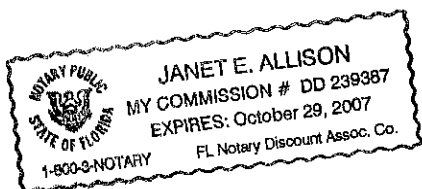
The foregoing instrument was acknowledged before me this 10th day of February, 2004, by W. Michael Kerver, Vice President of Gladiolus Preserve, L.L.C., who is personally known to me or who has produced the following identification: _____



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

STATE OF FLORIDA)
COUNTY OF LEE)

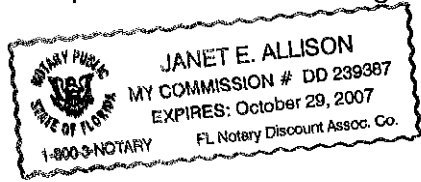
The foregoing instrument was acknowledged before me this 12th day of February, 2004, by Randy Yebaut, Manager of S.W. Florida Land One, L.L.C., who is personally known to me or who has produced the following identification: _____



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

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 10th day of February, 2004, by W. Michael Kerver President of Gladiolus Preserve Homeowners Association, Inc., who is personally known to me or who has produced the following identification: _____



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

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
Office of County Attorney

Exhibit "A"

Barraco
INCORPORATED
1000 UNIVERSITY BLVD, SUITE 100
TALLAHASSEE, FLORIDA 32310
TEL: 904-209-1234
FAX: 904-209-1235
WWW.BARRACO.COM

LEE COUNTY
DEPARTMENT OF
TRANSFORMATION
1000 UNIVERSITY BLVD, SUITE 100
TALLAHASSEE, FLORIDA 32310
TEL: 904-209-1234
FAX: 904-209-1235
WWW.LEECOUNTYFLA.GOV

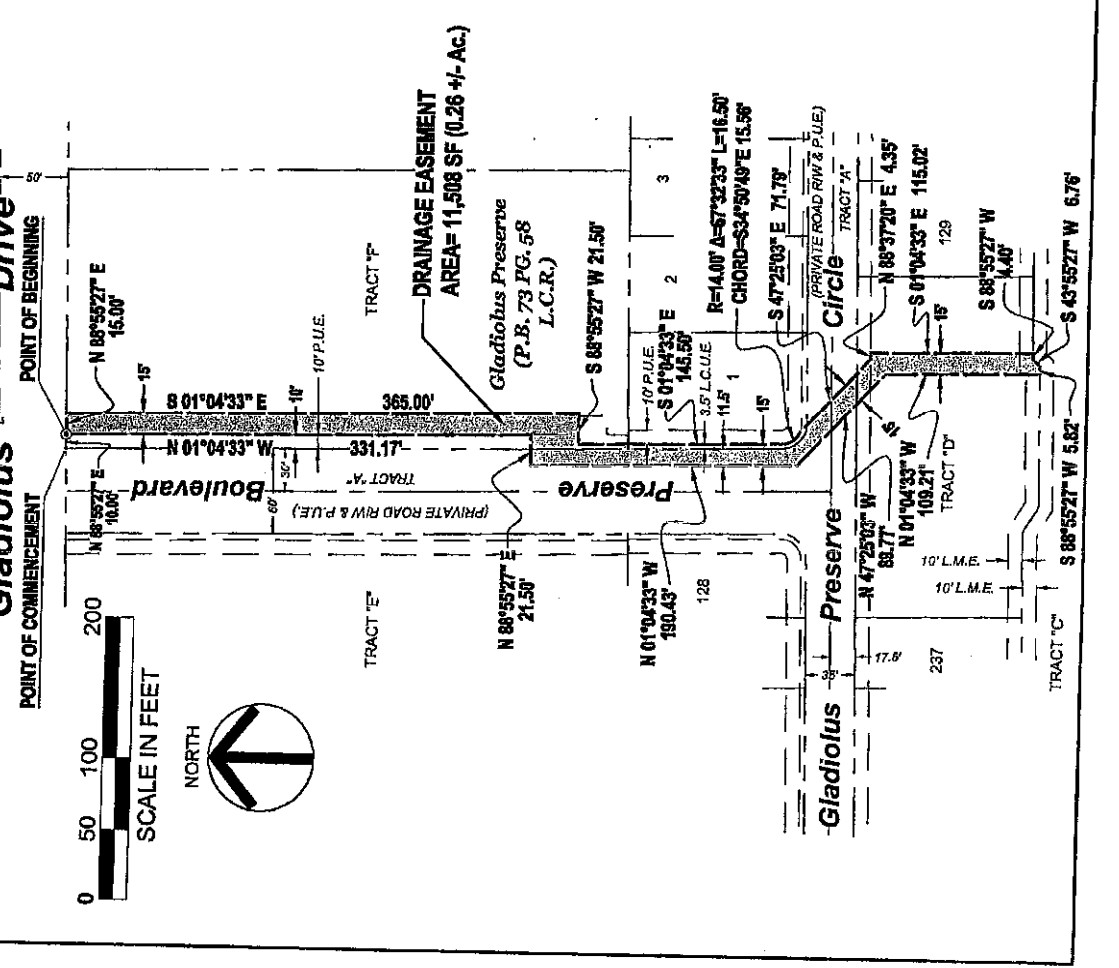
GLADIOLUS PRESERVE
GLADIOLUS DRIVE PLAT NUMBER 8040

DESCRIPTION

A tract or parcel of land lying in Gladiolus Preserve as recorded in Plat Book 73, at Page 58, Lee County Records in Section 33, Township 45 South, Range 24 East, Lee County, Florida, said tract or parcel being more particularly described as follows. Commencing at the Northwest Corner of Tract "F" as shown on the record plat of said Gladiolus Preserve run N88°55'27"E along the Southerly right of way line of Gladiolus Drive (100 feet wide) for 10.00 feet to the POINT OF BEGINNING; From said Point of Beginning continue along said Southerly right of way line N88°55'27"E for 15.00 feet; thence run S01°04'33"E for 365.00 feet; thence run S88°37'20"E for 21.50 feet; thence run S01°04'33"E for 145.50 feet to a point of curvature; thence run southeasterly along the arc of a curve to the left of radius 14.00 feet (Delta 67°32'33") (chord bearing S34°50'49"E) (chord 15.56 feet) for 16.50 feet; thence run S47°25'03"E along a non-tangent line for 71.79 feet; thence run N88°37'20"E for 4.35 feet; thence run S01°04'33"E for 115.02 feet to the intersection with the Northerly line of Tract "C" as shown on said record plat; thence run along the northerly line of said Tract "C" S88°55'27"W for 4.40 feet; S43°55'27"W for 6.76 feet and S88°55'27"W for 5.82 feet; thence run N01°04'33"W for 109.21 feet; thence run N47°25'03"W for 89.77 feet; thence run N01°04'33"W for 190.43 feet; thence run N88°55'27"E for 21.50 feet; thence run N01°04'33"W for 331.17 feet to the POINT OF BEGINNING.

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. SF. - DENOTES SQUARE FEET.
3. P.B. - DENOTES PLAT BOOK.
4. PG. - DENOTES PAGE.
5. L.C.R. - LEE COUNTY PUBLIC RECORDS.
6. R/W - RIGHT OF WAY.
7. L.C.U.E. - LEE COUNTY UTILITY EASEMENT
8. P.U.E. - PUBLIC UTILITY EASEMENT
9. L.M.E. - LAKE MAINTENANCE EASEMENT
10. BEARINGS AS SHOWN ARE BASED ON THE EASTERLY RIGHT OF WAY LINE OF PRESERVE BOULEVARD TO BEAR N01°04'33"W.



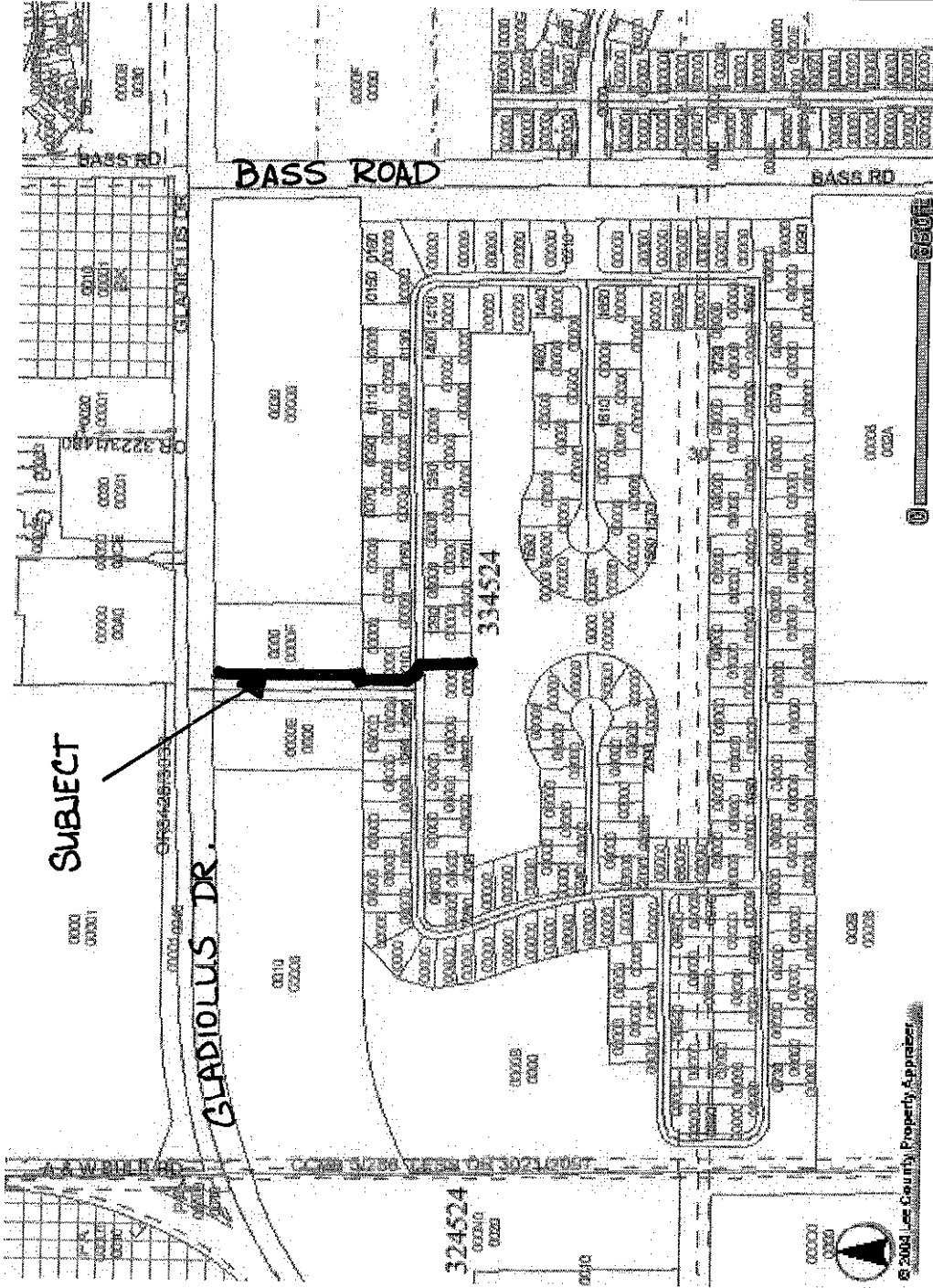
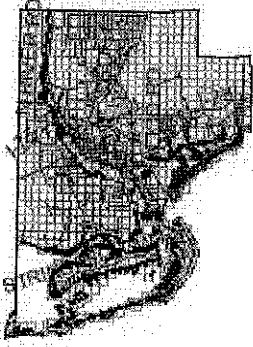
THIS IS NOT A SURVEY

DATE SIGNED: _____
 SCOTT A. WHEELER (FOR THE FIRM - LB-6940)
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. 5848

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

LOCATION MAP

Gladiolus Preserve



© 2004 Lee County Property Appraiser

Division of County Lands

Ownership and Easement Search

Search No. 22293
Date: December 30, 2003
Parcel:
Project: Gladiolus Drive
Project 4083

To: Michele S. McNeill SR/WA
Property Acquisition Agent
STRAP: 33-45-24-14-0000A.0000

From: Kenneth Pitt
Title Examiner

*No changes
as of 1/27/04
SS*

Effective Date: December 3, 2003.

Subject Property: Tract A (being a Private Road Right of Way and Public Utility Easement), on the Plat of Gladiolus Preserve, recorded in Plat Book 73 Page 58, Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

Gladiolus Preserve Homeowners Association, Inc (a Florida Non-Profit Corporation)

by that certain instrument dated March 5, 2003, recorded March 10, 2003, in Plat Book 73, Page 58, Public Records of Lee County, Florida.

Easements:

- 1): Subject to a Covenant and Restriction recorded in Official Record Book 3655 Page 1817, Public Records of Lee County, Florida.
- 2): Subject to a Perpetual Drainage and Access Easement, recorded in Official Record Book 3655 Page 1825, Public Records of Lee County, Florida.
- 3): Subject to an Access Easement Grant, recorded in Official Record Book 3655 Page 1830, Public Records of Lee County, Florida.
- 4): Subject to an Access Easement Agreement, recorded in Official Record Book 3789 Page 794, Public Records of Lee County, Florida.
- 5): Subject to an Access Easement Grant, recorded in Official Record Book 3845 Page 3373, Public Records of Lee County, Florida.
- 6): Subject to a Perpetual Drainage and Access Easement, recorded in Official Record Book 3845 Page 3378, Public Records of Lee County, Florida.
- 7): Subject to a Deed of Conservation Easement, recorded in Official Record Book 3867 Page 1728, Public Records of Lee County, Florida.
- 8): Subject to a Declaration of Covenants, Conditions and Restrictions for Gladiolus Preserve, recorded in Official Record Book 3867 Page 609, Public Records of Lee County, Florida.
- 9): Subject to a Landscape Easement and Agreement, recorded in Official Record Book 3867 Page 1734, Public Records of Lee County, Florida.

Division of County Lands

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Search No. 22293

Date: December 30, 2003

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Project: Gladiolus Drive

Project 4083

- 10): Subject to a Restrictive Covenant, recorded in Official Record Book 3867 Page 1752, Public Records of Lee County, Florida.
- 11): Subject to an Amendment to the Declaration of Covenants, Conditions and Restrictions for Gladiolus Preserve, recorded in Official Record Book 3876 Page 569, Public Records of Lee County, Florida.

- NOTE(1): Notice of Clearing, recorded in Official Record Book 2561, Page 2096, Public Records of Lee County, Florida.
- NOTE(2): Deed recorded April 1, 2002 in Official Record Book 3613, Page 116, Public Records of Lee County, Florida, does not contain sufficient witnesses. This must be addressed and resolved by the Title Company or Attorney that handles the transfer to the County.
- NOTE(3): 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(4): Subject to a Covenant of Unified Control, recorded in Official Record Book 3268 Page 2094, Public Records of Lee County, Florida.
- NOTE(5): Subject to a Notice of Development Order, recorded in Official Record Book 3691 Page 4072, Public Records of Lee County, Florida.
- NOTE(6): Subject to a Notice of Commencement, recorded in Official Record Book 4030 Page 885, Public Records of Lee County, Florida.
- NOTE(7): Subject to a Notice of Commencement, recorded in Official Record Book 4094 Page 4733, Public Records of Lee County, Florida.
- NOTE(8): Subject to a Mortgage, Assignment and Security Agreement, in the original sum of \$2,422,500.00, recorded in Official Record Book 3662 Page 14, Public Records of Lee County, Florida.

Division of County Lands

Ownership and Easement Search

Search No. 22293

Date: December 30, 2003

Parcel:

Project: Gladiolus Drive

Project 4083

NOTE(9): Subject to a Notice of Future Advance, in the sum of \$3,977,500.00, recorded in Official Record Book 3690 Page 1802, Public Records of Lee County, Florida.

Tax Status: \$71.25 paid on 11/25/03 for Tax Year 2003.

(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.

Division of County Lands

Ownership and Easement Search

Search No. 22293

Date: December 30, 2003

Parcel:

Project: Gladiolus Drive

Project 4083


To: Michele S. McNeill SR/WA

Property Acquisition Agent

From: Kenneth Pitt

Title Examiner

STRAP: 33-45-24-14-0000D.0000

No charges as of 1/27/04


Effective Date: December 3, 2003.

Subject Property: Tract D (being an Amenity Center and Lake Access Easement), on the Plat of Gladiolus Preserve, recorded in Plat Book 73 Page 58, Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

Gladiolus Preserve Homeowners Association, Inc (a Florida Non-Profit Corporation)

by that certain instrument dated March 5, 2003, recorded March 10, 2003, in Plat Book 73, Page 58, Public Records of Lee County, Florida.

Easements:

- 1): Subject to a Covenant and Restriction recorded in Official Record Book 3655 Page 1817, Public Records of Lee County, Florida.
- 2): Subject to a Perpetual Drainage and Access Easement, recorded in Official Record Book 3655 Page 1825, Public Records of Lee County, Florida.
- 3): Subject to an Access Easement Grant, recorded in Official Record Book 3655 Page 1830, Public Records of Lee County, Florida.
- 4): Subject to an Access Easement Agreement, recorded in Official Record Book 3789 Page 794, Public Records of Lee County, Florida.
- 5): Subject to an Access Easement Grant, recorded in Official Record Book 3845 Page 3373, Public Records of Lee County, Florida.
- 6): Subject to a Perpetual Drainage and Access Easement, recorded in Official Record Book 3845 Page 3378, Public Records of Lee County, Florida.
- 7): Subject to a Deed of Conservation Easement, recorded in Official Record Book 3867 Page 1728, Public Records of Lee County, Florida.
- 8): Subject to a Declaration of Covenants, Conditions and Restrictions for Gladiolus Preserve, recorded in Official Record Book 3867 Page 609, Public Records of Lee County, Florida.
- 9): Subject to a Landscape Easement and Agreement, recorded in Official Record Book 3867 Page 1734, Public Records of Lee County, Florida.

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Date: December 30, 2003

Parcel:

Project: Gladiolus Drive

Project 4083

- 10): Subject to a Restrictive Covenant, recorded in Official Record Book 3867 Page 1752, Public Records of Lee County, Florida.
- 11): Subject to an Amendment to the Declaration of Covenants, Conditions and Restrictions for Gladiolus Preserve, recorded in Official Record Book 3876 Page 569, Public Records of Lee County, Florida.
- 12): Subject to a 10 foot wide Public Utility Easement along the Northerly line of the subject property as shown on the plat "Gladiolus Preserve", recorded in Plat Book 73 Page 58, Public Records of Lee County, Florida.
- 13): Subject to a 10 foot wide Lake Maintenance Easement along the Southerly line of the subject property as shown on the plat "Gladiolus Preserve", recorded in Plat Book 73 Page 58, Public Records of Lee County, Florida.

NOTE(1): Notice of Clearing, recorded in Official Record Book 2561, Page 2096, Public Records of Lee County, Florida.

NOTE(2): Deed recorded April 1, 2002 in Official Record Book 3613, Page 116, Public Records of Lee County, Florida, does not contain sufficient witnesses. This must be addressed and resolved by the Title Company or Attorney that handles the transfer to the County.

NOTE(3): 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(4): Subject to a Covenant of Unified Control, recorded in Official Record Book 3268 Page 2094, Public Records of Lee County, Florida.

NOTE(5): Subject to a Notice of Development Order, recorded in Official Record Book 3691 Page 4072, Public Records of Lee County, Florida.

NOTE(6): Subject to a Notice of Commencement, recorded in Official Record Book 4030 Page 885, Public Records of Lee County, Florida.

Division of County Lands

Ownership and Easement Search

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Parcel:

Project: Gladiolus Drive

Project 4083

NOTE(7): Subject to a Notice of Commencement, recorded in Official Record Book 4094 Page 4733, Public Records of Lee County, Florida.

NOTE(8): Subject to a Mortgage, Assignment and Security Agreement, in the original sum of \$2,422,500.00, recorded in Official Record Book 3662 Page 14, Public Records of Lee County, Florida.

NOTE(9): Subject to a Notice of Future Advance, in the sum of \$3,977,500.00, recorded in Official Record Book 3690 Page 1802, Public Records of Lee County, Florida.

Tax Status: \$36.83 paid on 11/25/03 for Tax Year 2003.

(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.

Division of County Lands

Ownership and Easement Search

Search No. 22293
Date: December 29, 2003
Parcel:
Project: Gladiolus Drive
Project 4083

To: Karen L.W. Forsyth
Director

From: Shelia A. Bedwell, CLS
Property Acquisition Assistant

STRAP: 33-45-24-¹⁴~~00~~-0000^F~~0~~.0000

*No charges
as of 1/27/04*

Effective Date: January 15, 2003, at 5:00 p.m.

Subject Property: The South 1/2 of the Northwest 1/4 of Section 33, Township 45 South, Range 24 East, Lee County, Florida. AND

The North 1/2 of the Southwest 1/4 of said Section 33, Township 45 South, Range 24 East, Lee County, Florida.

EXCEPTING THEREFROM: The right-of-way for Bass Road (50 feet wide) lying over and across the Easterly 25 feet thereof. ALSO, EXCEPTING THEREFROM: The right-of-way for State Road No. S-865, Gladiolus Drive. LESS: Parcels 6.0010, 6.0020, 6.002A, 6.002B, 6.0030, 6.0040, 6.0050, 6.0060 and 6.0070.

Title to the subject property is vested in the following:

S.W. Florida Land One, L.L.C., a Florida limited liability company

by that certain instrument dated June 6, 2002, recorded June 7, 2002, in Official Record Book 3661, Page 4875, Public Records of Lee County, Florida.

Easements:

None found of record.

NOTE(1): Notice of Clearing, recorded in Official Record Book 2561, Page 2096, Public Records of Lee County, Florida.

NOTE(2): Deed recorded April 1, 2002 in Official Record Book 3613, Page 116, Public Records of Lee County, Florida, does not contain sufficient witnesses. This must be addressed and resolved by the Title Company or Attorney that handles the transfer to the County.

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.)

Division of County Lands

Ownership and Easement Search

Search No. 22293

Date: December 29, 2003

Parcel:

Project: Gladiolus Drive

Project 4083

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Division of County Lands

Ownership and Easement Search

Search No. 22293

Date: December 29, 2003

Parcel:

Project: Gladiolus Drive

Project 4083

To: Michele S. McNeill SRWA
Property Acquisition Agent

From: Kenneth Pitt
Title Examiner

Handwritten: No Changes
as of 1/27/04
(Signature)

STRAP: 33-45-24-14-00000.0010

Effective Date: December 3, 2003.

Subject Property: Lot 1, on the Plat of Gladiolus Preserve, recorded in Plat Book 73 Page 58, Public Records of Lee County, Florida.

Title to the subject property is vested in the following:

Gladiolus Preserve, L.L.C. (a Florida Limited Liability Company)

by that certain instrument dated June 6, 2002, recorded June 7, 2002, in Official Record Book 3662, Page 7, Public Records of Lee County, Florida.

Easements:

- 1): Subject to a Covenant and Restriction recorded in Official Record Book 3655 Page 1817, Public Records of Lee County, Florida.
- 2): Subject to a Perpetual Drainage and Access Easement, recorded in Official Record Book 3655 Page 1825, Public Records of Lee County, Florida.
- 3): Subject to an Access Easement Grant, recorded in Official Record Book 3655 Page 1830, Public Records of Lee County, Florida.
- 4): Subject to an Access Easement Agreement, recorded in Official Record Book 3789 Page 794, Public Records of Lee County, Florida.
- 5): Subject to an Access Easement Grant, recorded in Official Record Book 3845 Page 3373, Public Records of Lee County, Florida.
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- 7): Subject to a Deed of Conservation Easement, recorded in Official Record Book 3867 Page 1728, Public Records of Lee County, Florida.
- 8): Subject to a Declaration of Covenants, Conditions and Restrictions for Gladiolus Preserve, recorded in Official Record Book 3867 Page 609, Public Records of Lee County, Florida.
- 9): Subject to a Landscape Easement and Agreement, recorded in Official Record Book 3867 Page 1734, Public Records of Lee County, Florida.

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- 11): Subject to an Amendment to the Declaration of Covenants, Conditions and Restrictions for Gladiolus Preserve, recorded in Official Record Book 3876 Page 569, Public Records of Lee County, Florida.
- 12): Subject to a 10 foot Drainage Easement along the Northerly line of the subject property, as shown on the plat "Gladiolus Preserve", recorded in Plat Book 73 Page 58, Public Records of Lee County, Florida.
- 13): Subject to a 10 foot Public Utility Easement affecting the Southerly and Westerly lines of the subject property as shown on the plat "Gladiolus Preserve", recorded in Plat Book 73 Page 58, Public Records of Lee County, Florida.
- 14): Subject to a 3.5 foot Lee County Utility Easement affecting a point in the Southerly line of the subject property, as shown on the plat "Gladiolus Preserve", recorded in Plat Book 73 Page 58, Public Records of Lee County, Florida.

Division of County Lands

Ownership and Easement Search

Search No. 22293

Date: December 29, 2003

Parcel:

Project: Gladiolus Drive

Project 4083

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- NOTE(5): Subject to a Notice of Development Order, recorded in Official Record Book 3691 Page 4072, Public Records of Lee County, Florida.
- NOTE(6): Subject to a Notice of Commencement, recorded in Official Record Book 4030 Page 885, Public Records of Lee County, Florida.
- NOTE(7): Subject to a Notice of Commencement, recorded in Official Record Book 4094 Page 4733, Public Records of Lee County, Florida.
- NOTE(8): Subject to a Mortgage, Assignment and Security Agreement, in the original sum of \$2,422,500.00, recorded in Official Record Book 3662 Page 14, Public Records of Lee County, Florida.
- NOTE(9): Subject to a Notice of Future Advance, in the sum of \$3,977,500.00, recorded in Official Record Book 3690 Page 1802, Public Records of Lee County, Florida.

Tax Status: \$227.38 paid on 11/25/03 for Tax Year 2003.

(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.