

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
 AGENDA ITEM SUMMARY

BLUE SHEET NO: BS 20040907-UTL

1. REQUESTED MOTION:

ACTION REQUESTED:

Authorize Chairman on behalf of the BOCC to execute two (2) easement documents in favor of Florida Power and Light Company (FPL) at LCU's Corkscrew Water Treatment Plant and its wellfield south of Corkscrew Road.

WHY ACTION IS NECESSARY:

FPL proposes to rebuild its existing overhead feeder to a double circuit in the area of Corkscrew and Alico Roads in order to provide more adequate and reliable electric service to this area, which includes LCU's Corkscrew and Green Meadows Water Treatment Plants. There will be no associated costs to LCU for the granting of these two (2) easements.

WHAT ACTION ACCOMPLISHES:

Easements and other similar documents are required to be approved by the BOCC.

2. DEPARTMENTAL CATEGORY: 10  
 COMMISSION DISTRICT #: 5

C10B

3. MEETING DATE:

08-24-2004

4. AGENDA:

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

5. REQUIREMENT/PURPOSE:

- (Specify)
- STATUTE \_\_\_\_\_
  - ORDINANCE \_\_\_\_\_
  - ADMIN. CODE \_\_\_\_\_
  - OTHER Easements

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER: \_\_\_\_\_
- B. DEPARTMENT: Lee County Public Works
- C. DIVISION/SECTION: Utilities Division
- BY: Rick Diaz, P.E., Utilities Director
- DATE: 7/20/04

7. BACKGROUND:

FPL proposes to rebuild the existing overhead feeder in the area of Corkscrew and Alico Roads to a double circuit. The double circuiting is required to provide more adequate and reliable electric service to the area in question, most noticeably LCU's Corkscrew and Green Meadows Water Treatment Plants, as the result of the addition of two (2) large electric draglines and their associated equipment to the properties to the north. Presently, when activated, the electric draglines can cause a power drain of up to approximately five (5) seconds which results in the electrical equipment at LCU's water treatment plants being reset in order to function properly.

(CONT'D.)

MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL

(A) DEPARTMENT DIRECTOR	(B) PURCH. OR CONTRACTS	(C) HUMAN RESOURCES	(D) OTHER	(E) COUNTY ATTORNEY	(F) BUDGET SERVICES				(G) COUNTY MANAGER
					OA	OM	Risk	GC	
J. Lavender Date: 7/20/04	N/A Date:	N/A Date:	M. Crumpton Date: 7/20/04		PM 8/6/04	JS 8/9/04	J 8/6/04	JS 8/6/04	J. Lavender Date: 7/20/04

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
 Date: 7/21/04  
 Time: 1:45 P.M.  
 Forwarded To:  
 Adm. n. 11:00  
 8/6/04

RECEIVED BY  
 COUNTY ADMIN: PM  
 8/6/04  
 11:20am  
 COUNTY ADMIN: ML  
 FORWARDED TO:  
 8/9/04  
 4:15 P.M.

No funds will be expended. FPL will record the easements at their expense.

Two (2) original document sets for each easement are attached for the Chairman's signature:

- Easement #1 with attachments
- Easement #4 with attachments

All sets need to be returned to LCU for forwarding to FPL for their recording of the easements and the return of one Recorded Document of each easement to LCU.

◆◆◆



JUN 28 2004  
Florida Power & Light Company  
15834 Winkler Road  
Fort Myers, FL 33908  
(239) 415-1326

June 28, 2004

Mr. Mike Crumpton  
Lee County Utilities  
1500 Monroe St.  
Fort Myers, FL 33901

RE: EASEMENTS-CORKSCREW ROAD & ALICO ROAD WATER FACILITIES

Dear Mike :

Enclosed are the easements required for FPL to rebuild our existing overhead feeder to double circuit in the area of Corkscrew Road and Alico Road. The double circuiting is required to provide adequate and reliable electric service to the areas in question. With the addition of two large electric draglines and associated equipment, it has become necessary to construct the double circuit. I have made the only changes that we can make to the documents.

Please execute the instruments according to the following instructions. Failure to do so could delay the timely installation of your electric facilities.

**Signing and witnessing**

- A. For Individuals: Enter date in space provided. Sign on the indicated lines on the right side in the presence of two (2) separate witnesses, who sign on the lines to the left, and a notary public who completes the acknowledgment forms as described below. The notary public may be one of the witnesses and if so must sign at the left in space provided. If the individual is married, both husband and wife must sign.
- B. For Corporations: Enter date in space provided. The President, or Vice-President and the Secretary or an Assistant Secretary sign on lines indicated on the right, filling in their title below, in the presence of two (2) separate witnesses, who sign on the lines to the left, and a notary public who completes the acknowledgment forms as described below. The corporate seal must be affixed adjacent to the officers' signatures.
- C. *FPL will have easements recorded*  
~~Please have the easements RECORDED at Lee County~~ and return one copy of the RECORDED easements to ~~me.~~  
*Lee County.*

**Acknowledgments**

The notary public should legibly fill in all blanks, including state and county of execution, names of individuals or officers signing their titles, state or county where empowered to act, expiration date of commission, fill in date, sign on line provided and affix seal adjacent to the signature of the notary public.

**JUN 30 2004**



Florida Power & Light Company

Please see what you can do to push these easement through the process at Lee County. We are hoping to complete this work by the end of the year and we have approximately 26 weeks of construction ahead of us.

If you have any questions please feel free to call me at (239) 415-1326.

Sincerely,

A handwritten signature in black ink that reads "John W. Hahn".

John W. Hahn  
Senior System Project Manager

Attachments

Work Order No. 718015  
Sec. 22, Twp. 46 S, Rge. 26 E  
Parcel I.D. 22-46-26-00-00001.0020  
(Maintained By County Appraiser)

This Instrument Prepared By:

Lee County Attorneys Office  
P.O. Box 398  
Fort Myers, FL 33902-0398

This space reserved for recording

**EASEMENT**

The undersigned, in consideration of the payment of \$10.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to **Florida Power & Light Company**, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them within an easement feet in width described as follows:

SEE ATTACHED EXHIBITS "A" and "B"  
**(Easement #1)**

Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

**Florida Power & Light Company** will indemnify **Lee County, a political subdivision of the State of Florida**, against any liability resulting from the permitted uses in this easement. Any damage to the Grantor's property or improvements thereon as the result of **Florida Power & Light Company** (Grantee), its licensees, agents successors, and assigns will be restored by **Florida Power & Light Company** to the condition in which it existed before the damage.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on \_\_\_\_\_, 2004 .

ATTEST:  
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

BY: \_\_\_\_\_  
Deputy Clerk

BY: \_\_\_\_\_  
Chairman

APPROVED AS TO LEGAL FORM:

BY: \_\_\_\_\_  
Office of County Attorney



June 21, 2004

" EXHIBIT A "

**DESCRIPTION**

**(EASEMENT #1)**

**FLORIDA POWER AND LIGHT COMPANY  
CORKSCREW ROAD AND ALICO ROAD  
LYING IN  
SECTION 22, TOWNSHIP 46 SOUTH, RANGE 26 EAST  
LEE COUNTY, FLORIDA**

A parcel or tract of land lying in Section 22, Township 46 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

From the centerline intersection of Rights-of-Way of Alico Road (100 feet wide) and Corkscrew Road (100 feet wide) run North  $86^{\circ} 25' 11''$  East along the centerline of Corkscrew Road for 43.49 feet; thence run South  $12^{\circ} 15' 01''$  East for 50.58 feet to an intersection with the southerly Right-of-Way of Corkscrew Road to the POINT OF BEGINNING.

From said POINT OF BEGINNING run North  $86^{\circ} 25' 11''$  East along said Right-of-Way for 10.12 feet; thence run South  $12^{\circ} 15' 01''$  East departing said Right-of-Way for 85.00 feet; thence South  $86^{\circ} 25' 11''$  West for 10.12 feet; thence North  $12^{\circ} 15' 01''$  West for 85.00 feet to the southerly Right-of-Way of Corkscrew Road to the POINT OF BEGINNING.

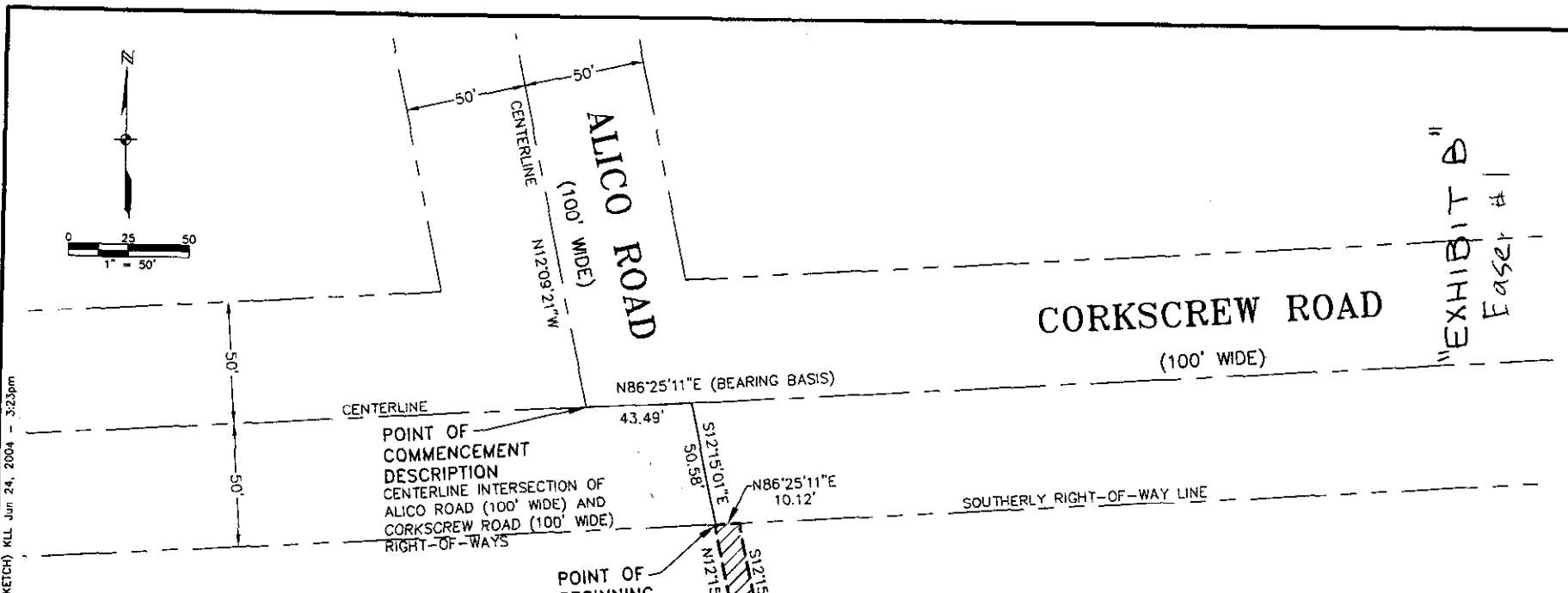
Containing 850 square feet, more or less.

Bearings shown hereon are assumed based on the centerline of Corkscrew Road as North  $86^{\circ} 25' 11''$  East.

Sheet 1 of 2

20034135-484 Easement 1 062104

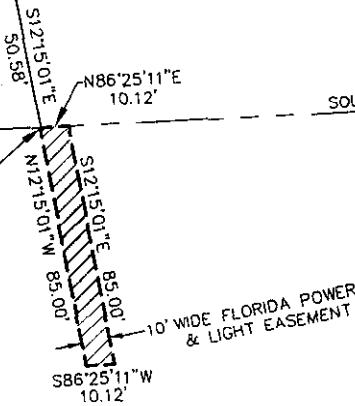
COPY



NOTES:

1. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE CENTERLINE OF CORKSCREW ROAD AS N86°25'11\"E.
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. NOT VALID WITHOUT ACCOMPANYING DESCRIPTION
4. EASEMENT AREA CONTAINS 850 SQUARE FEET, MORE OR LESS.

POINT OF BEGINNING DESCRIPTION



THIS IS NOT A SURVEY

JAMES A. MIRAMANT (FOR THE FIRM LB-642)  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 6440

DATE SIGNED: \_\_\_\_\_  
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

"EXHIBIT B"  
 Easement #1

S:\034135-484\ACAD-sketch1.dwg (SKETCH) KIL Jun 24, 2004 - 3:23pm

EASEMENT 1  
 FLORIDA POWER & LIGHT EASEMENT  
 ALONG CORKSCREW ROAD  
 SECTION 22, TOWNSHIP 46 SOUTH, RANGE 26 EAST  
 LEE COUNTY, FLORIDA



2158 JOHNSON STREET  
 P.O. BOX 1550  
 FORT MYERS, FLORIDA 33902-1550  
 PHONE (239) 334-0046  
 FAX (239) 334-3661  
 E.B. #642 & L.B. #642

SKETCH TO ACCOMPANY  
 DESCRIPTION

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
06/17/04	20034135-484	22-46-26	1" = 50'	2 OF 2

Work Order No. 718015  
Sec. 22, Twp. 46 S, Rge. 26 E  
Parcel I.D. 22-46-26-00-00001.0020  
(Maintained By County Appraiser)

This Instrument Prepared By:

Lee County Attorneys Office  
P.O. Box 398  
Fort Myers, FL 33902-0398

This space reserved for recording

**EASEMENT**

The undersigned, in consideration of the payment of \$10.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to **Florida Power & Light Company**, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them within an easement feet in width described as follows:

SEE ATTACHED EXHIBITS "A" and "B"

**(Easement #4)**

Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

**Florida Power & Light Company** will indemnify **Lee County, a political subdivision of the State of Florida**, against any liability resulting from the permitted uses in this easement. Any damage to the Grantor's property or improvements thereon as the result of **Florida Power & Light Company** (Grantee), its licensees, agents successors, and assigns will be restored by **Florida Power & Light Company** to the condition in which it existed before the damage.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on \_\_\_\_\_, 2004 .

ATTEST:  
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

BY: \_\_\_\_\_  
Deputy Clerk

BY: \_\_\_\_\_  
Chairman

APPROVED AS TO LEGAL FORM:

BY: \_\_\_\_\_  
Office of County Attorney





June 21, 2004

"EXHIBIT A"

**DESCRIPTION**

**(EASEMENT #4)**

**FLORIDA POWER AND LIGHT COMPANY  
CORKSCREW ROAD AND ALICO ROAD  
LYING IN  
SECTION 22, TOWNSHIP 46 SOUTH, RANGE 26 EAST  
LEE COUNTY, FLORIDA**

A parcel or tract of land lying in Section 22, Township 46 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

From the centerline intersection of Rights-of-Way of Corkscrew Road (100 feet wide) and Alico road (100 feet wide) run the following courses and distances along the centerline of Alico Road; North 12° 09' 21" West for 1729.60 feet to a point of curvature; thence run northwesterly along the arc of said curve to the right of radius 1133.12 feet (delta 14° 35' 04") (chord bearing North 04° 51' 49" West) (chord 287.65 feet) for 288.43 feet to a point of tangency; thence North 02° 25' 43" East for 1021.24 feet; thence departing said centerline run North 79° 35' 12" East for 51.28 feet to an intersection with the easterly Right-of-Way of Alico Road to the POINT OF BEGINNING.

From said POINT OF BEGINNING run North 02° 25' 43" East along said Right-of-Way for 10.26 feet; thence run North 79° 35' 12" East departing said easterly Right-of-Way for 85.00 feet; thence run South 02° 25' 43" West for 10.26 feet; thence run South 79° 35' 12" West for 85.00 feet to an intersection with the easterly Right-of-Way of said road to the POINT OF BEGINNING.

Containing 850 square feet, more or less.

Bearings shown hereon are assumed based on the centerline of Corkscrew Road as N 86° 25' 11" East.

Sheet 1 of 2

20034135-484 Easement 4 062104

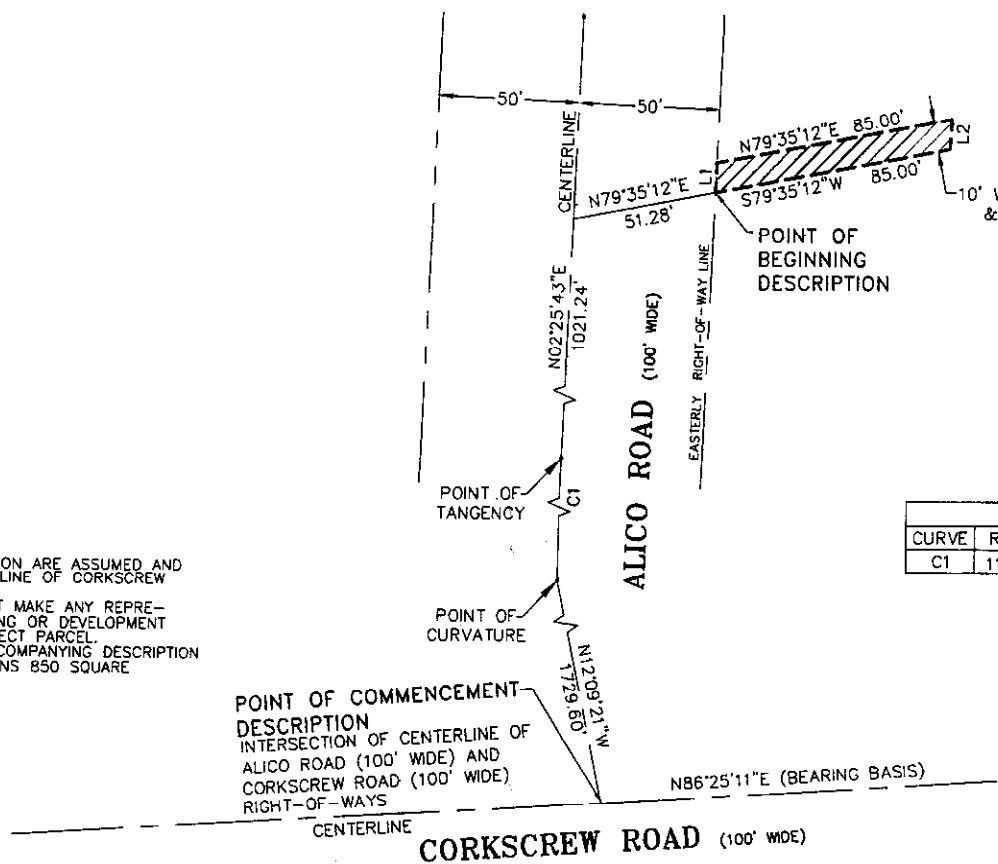
COPY



**NOTES:**

1. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE CENTERLINE OF CORKSCREW ROAD AS N86°25'11"E.
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. NOT VALID WITHOUT ACCOMPANYING DESCRIPTION
4. EASEMENT AREA CONTAINS 850 SQUARE FEET, MORE OR LESS.

S:\034135-48\ACAD-sketch1.dwg (SKETCH 4) KLL Jun 24, 2004 - 3:23pm



LINE TABLE		
LINE	BEARING	LENGTH
L1	N02°25'43"E	10.26'
L2	S02°25'43"W	10.26'

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	1133.12'	14°35'04"	N04°51'49"W	287.65'	288.43'

" EXHIBIT B"  
Easement #4

THIS IS NOT A SURVEY

JAMES A. MIRAMANT (FOR THE FIRM LB-642)  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 6440

DATE SIGNED: \_\_\_\_\_  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**EASEMENT 4**  
FLORIDA POWER & LIGHT EASEMENT  
ALONG ALICO ROAD  
SECTION 22, TOWNSHIP 46 SOUTH, RANGE 26 EAST  
LEE COUNTY, FLORIDA



2158 JOHNSON STREET  
P.O. BOX 1550  
FORT MYERS, FLORIDA 33902-1550  
PHONE (239) 334-0046  
FAX (239) 334-3561  
E.B. #642 & L.B. #642

SKETCH TO ACCOMPANY DESCRIPTION				
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
06/17/04	20034135-48	22-46-26	1" = 50'	2 OF 2

Work Order No. 718015  
Sec. 22, Twp. 46 S, Rge. 26 E  
Parcel I.D. 22-46-26-00-00001.0020  
(Maintained By County Appraiser)

This Instrument Prepared By:

Lee County Attorneys Office  
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Fort Myers, FL 33902-0398

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**EASEMENT**

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SEE ATTACHED EXHIBITS "A" and "B"  
**(Easement #1)**

Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

**Florida Power & Light Company** will indemnify **Lee County, a political subdivision of the State of Florida**, against any liability resulting from the permitted uses in this easement. Any damage to the Grantor's property or improvements thereon as the result of **Florida Power & Light Company** (Grantee), its licensees, agents successors, and assigns will be restored by **Florida Power & Light Company** to the condition in which it existed before the damage.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on \_\_\_\_\_, 2004 .

ATTEST:  
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

BY: \_\_\_\_\_  
Deputy Clerk

BY: \_\_\_\_\_  
Chairman

APPROVED AS TO LEGAL FORM:

BY: \_\_\_\_\_  
Office of County Attorney



June 21, 2004

" EXHIBIT A "

**DESCRIPTION**

**(EASEMENT #1)**

**FLORIDA POWER AND LIGHT COMPANY  
CORKSCREW ROAD AND ALICO ROAD  
LYING IN  
SECTION 22, TOWNSHIP 46 SOUTH, RANGE 26 EAST  
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From said POINT OF BEGINNING run North 86° 25' 11" East along said Right-of-Way for 10.12 feet; thence run South 12° 15' 01" East departing said Right-of-Way for 85.00 feet; thence South 86° 25' 11" West for 10.12 feet; thence North 12° 15' 01" West for 85.00 feet to the southerly Right-of-Way of Corkscrew Road to the POINT OF BEGINNING.

Containing 850 square feet, more or less.

Bearings shown hereon are assumed based on the centerline of Corkscrew Road as North 86° 25' 11" East.

Sheet 1 of 2

20034135-484 Easement 1 062104

Work Order No. 718015  
Sec. 22, Twp. 46 S, Rge. 26 E  
Parcel I.D. 22-46-26-00-00001.0020  
(Maintained By County Appraiser)

This Instrument Prepared By:

Lee County Attorneys Office  
P.O. Box 398  
Fort Myers, FL 33902-0398

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SEE ATTACHED EXHIBITS "A" and "B"  
**(Easement #4)**

Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

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IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on \_\_\_\_\_, 2004 .

ATTEST:  
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

BY: \_\_\_\_\_  
Deputy Clerk

BY: \_\_\_\_\_  
Chairman

APPROVED AS TO LEGAL FORM:

BY: \_\_\_\_\_  
Office of County Attorney



June 21, 2004

"EXHIBIT A"

**DESCRIPTION**

**(EASEMENT #4)**

**FLORIDA POWER AND LIGHT COMPANY  
CORKSCREW ROAD AND ALICO ROAD  
LYING IN  
SECTION 22, TOWNSHIP 46 SOUTH, RANGE 26 EAST  
LEE COUNTY, FLORIDA**

A parcel or tract of land lying in Section 22, Township 46 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

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From said POINT OF BEGINNING run North 02° 25' 43" East along said Right-of-Way for 10.26 feet; thence run North 79° 35' 12" East departing said easterly Right-of-Way for 85.00 feet; thence run South 02° 25' 43" West for 10.26 feet; thence run South 79° 35' 12" West for 85.00 feet to an intersection with the easterly Right-of-Way of said road to the POINT OF BEGINNING.

Containing 850 square feet, more or less.

Bearings shown hereon are assumed based on the centerline of Corkscrew Road as N 86° 25' 11" East.

Sheet 1 of 2

20034135-484 Easement 4 062104