

1. REQUESTED MOTION:

ACTION REQUESTED: Accept a Petition to Vacate a portion of the County Road Right-of-Way along the western boundary of subject parcels containing 4.91 acres and 11.16 acres respectively, located south of Del Prado Blvd. N. and Mellow Drive at North Fort Myers, Florida, and adopt a resolution setting a Public Hearing for 5:00 PM on the 22nd day of March, 2005. (Case No. VAC2004-00077)

WHY ACTION IS NECESSARY: To provide for the conveyance of ownership of the right-of-way to the petitioner for a proposed residential development known as Cranes Landing. The roadway is not constructed, and the roadway is no longer required due to modifications in the plan of development. **The vacation of this right-of-way will not alter existing traffic or drainage conditions and the right-of-way is not necessary to accommodate any future traffic or drainage requirement.**

WHAT ACTION ACCOMPLISHES: Setting the time and date of the Public Hearing.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #: 4

04

C4A

3. MEETING DATE:

03-01-2005

4. AGENDA:

5. REQUIREMENT/PURPOSE:
(Specify)

6. REQUESTOR OF INFORMATION:

STATUTE F.S. Ch. 336
 ORDINANCE
 ADMIN. CODE 13-8
 OTHER

A. COMMISSIONER
B. DEPARTMENT Community Development
C. DIVISION Development Services
BY *[Signature]* 2-10-05

CONSENT
 ADMINISTRATIVE
 APPEALS
 PUBLIC
 WALK ON
TIME REQUIRED:

Peter J. Eckenrode, Director

7. BACKGROUND:

The completed petition to vacate, VAC2004-00077 was submitted by Henderson, Franklin, P.A., and Cody Vaughan-Birch, Esq., as the agent for the petitioner, CL Ventures, L.L.C.

LOCATION: The County Road Right-of-Way is located **south of Del Prado Blvd. N. and Mellow Drive, North Fort Myers, Florida 33917** and its reference strap number is 23-43-24-00-00001.0000. The road to be vacated include portions of existing Right-of-Way along the western boundary of subject parcels containing 4.91 acres and 11.16 acres respectively, as recorded in O.R. Book 2149, Pages 3748 - 3750, and O.R. Book 2149, Pages 3745 - 3747 lying in Section 22 and Section 23 respectively, Township 43 South, Range 24 East, of the Public Records of Lee County, Florida.

Lee County is in receipt of the repayment of the road impact credits and is holding the funds in trust pending the outcome of the Right-of-Way Vacation per Lee County Department of Transportation letter from Margaret Lawson's dated November 19, 2004.

Documentation pertaining to this Petition to Vacate is available for viewing at the Office of Lee Cares. There are no objections to this Petition to Vacate. Staff recommends the scheduling of the Public Hearing. Attached to this Blue sheet is the Petition to Vacate, Resolution to set Public Hearing, Notice of Public Hearing and Exhibits.

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
					OA	OM	Risk	GC	
<i>Mary G. [Signature]</i>	N/A	N/A	N/A	<i>[Signature]</i>	<i>[Signature]</i> 2/10/05	<i>[Signature]</i> 2/16/05	<i>[Signature]</i> 2/11/05	<i>[Signature]</i> 2/16/05	<i>[Signature]</i> 2-17-05

10. COMMISSION ACTION:

APPROVED

DENIED

DEFERRED

OTHER

Rec. by CoAtty
Date: *2/10/05*
Time: *3:10*

RECEIVED BY
COUNTY ADMIN
2/15/05
4:58 pm sm
COUNTY ADMIN
FORWARDED TO: *[Signature]*

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2004-00077

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that on the 22nd day of March 2005 @5:00 PM in the County Commissioners' Meeting Room, Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida, the Board of County Commissioners of Lee County, Florida, will consider and take action on a Petition vacating, abandoning, closing and discontinuing the public's interest in the right-of-way or portion of a right-of-way, legally described in the attached Exhibit "A".

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

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

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

CHARLIE GREEN, CLERK

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

Bakas Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF A
PARCEL OF LAND
LYING IN
SECTION 22 & 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

(OFFICIAL RECORDS BOOK 2149, PAGE 3748-3750)
(PARCEL 2)

A PARCEL OF LAND IN SECTIONS 22 & 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

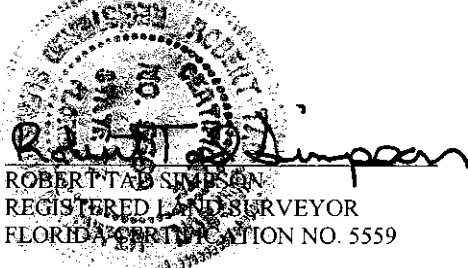
COMMENCE AT THE SOUTHWEST CORNER OF SECTION 23. TOWNSHIP 43 SOUTH, RANGE 24 EAST; THENCE N.0°03'08"E. ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 23 FOR 2650.76 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND, AND THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 23, AND THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE NORTHERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 5°57'01" FOR 122.02 FEET TO THE POINT OF TANGENCY; THENCE N.6°00'09"E. FOR 435.69 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST; THENCE NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1025.00 FEET AND A CENTRAL ANGLE OF 6°12'28" FOR 111.05 FEET TO THE POINT OF TANGENCY; THENCE N.0°12'19"W. ALONG A LINE PARALLEL WITH AND 60.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 882.73 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1025.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 222.67 FEET TO THE POINT OF TANGENCY; THENCE N.12°39'08"W. FOR 386.43 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 255.26 FEET TO THE POINT OF TANGENCY; THENCE N.0°12'19"W. ALONG A LINE PARALLEL WITH AND 75.00 FEET WESTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 110.55 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHERLY, NORTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 89°44'43" FOR 78.32 FEET TO THE CUSP OF SAID CURVE BEING A POINT ON A LINE PARALLEL WITH AND 100.00 FEET SOUTHERLY OF AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE NORTHEAST 1/4 OF THE AFOREMENTIONED SECTION 22; THENCE S.89°57'02"E. ALONG SAID PARALLEL LINE FOR 124.37 FEET; THENCE S.89°59'50"E, ALONG A LINE PARALLEL WITH AND 100.00 FEET SOUTHERLY OF AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFOREMENTIONED SECTION 23 FOR 0.41 FEET; THENCE S.0°12'19"E. ALONG THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 160.00 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1100.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 238.97 FEET TO THE POINT OF TANGENCY; THENCE S.12°39'08"E. FOR 386.43 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1100.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 238.97 FEET TO THE POINT OF TANGENCY; THENCE S.0°12'19"E., ALONG A LINE PARALLEL WITH AND 135.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 1549.31 FEET; THENCE N.89°51'07"W. FOR 135.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND SITUATE LYING AND BEING IN LEE COUNTY, FLORIDA, CONTAINING 4.91 ACRES MORE OR LESS.

Exhibit "A-1"
Petition to Vacate
VAC2004-00077
[Page One of Two]

PARCEL CONTAINS 4.9 ACRES MORE OR LESS

ASSUMED NORTH BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST AS BEARING N.00°03'08"E.

DESCRIPTION PREPARED: 08-31-04



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Exhibit "A-1"
Petition to Vacate
VAC2004-00077
[Page Two of Two]

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF A
PARCEL OF LAND
LYING IN
SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

(OFFICIAL RECORDS BOOK 2149, PAGE 3745-3747)
(PARCEL 3)

A PARCEL OF LAND IN SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCE AT THE SOUTHWEST CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST; THENCE N.0°03'08"E. ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 23 FOR 568.00 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH 568.00 FEET OF SAID SECTION 23 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUE N.0°03'08"E. ALONG SAID WEST LINE FOR 2082.76 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 23; THENCE S.89°51'07"E. FOR 135.00 FEET; THENCE N.0°12'19"W. ALONG A LINE PARALLEL WITH AND 135.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 1549.31 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1100.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 238.97 FEET TO THE POINT OF TANGENCY; THENCE N.12°39'08"W. FOR 386.43 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1100.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 238.97 FEET TO THE POINT OF TANGENCY WITH THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23; THENCE N.0°12'19"W. ALONG SAID WEST LINE FOR 160.00 FEET; THENCE S.89°59'50"E. ALONG A LINE PARALLEL WITH AND 100.00 FEET SOUTHERLY OF AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFOREMENTIONED SECTION 23 FOR 125.18 FEET TO THE CUSP OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE WESTERLY, SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 90°12'29" FOR 78.72 FEET TO THE POINT OF TANGENCY; THENCE S.0°12'19"E. ALONG A LINE PARALLEL WITH AND 75.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 109.54 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1025.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 222.67 FEET TO THE POINT OF TANGENCY; THENCE S.12°39'08"E. FOR 386.43 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 255.26 FEET TO THE POINT OF TANGENCY; THENCE S.0°12'19"E. ALONG A LINE PARALLEL WITH AND 210.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 882.73 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 6°12'28" FOR 127.30 FEET TO THE POINT OF TANGENCY; THENCE S.6°00'09"W. FOR 435.69 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1025.00 FEET AND A CENTRAL ANGLE OF 5°57'01" FOR 106.45 FEET TO THE POINT OF TANGENCY; THENCE S.0°03'08"W. ALONG A LINE PARALLEL WITH AND 150.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 23 FOR 2082.21 FEET TO AN INTERSECTION WITH THE AFOREMENTIONED NORTH LINE OF THE SOUTH 568.00 FEET OF SAID SECTION 23; THENCE S.89°50'33"W. ALONG SAID NORTH LINE FOR 150.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND SITUATE LYING AND BEING IN LEE COUNTY, FLORIDA, CONTAINING 11.16 ACRES MORE OR LESS.

Exhibit "A-2"
Petition to Vacate
VAC2004-00077
[Page One of Two]

PARCEL CONTAINS 11.2 ACRES MORE OR LESS

ASSUMED NORTH BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST AS BEARING N.00°03'08"E.

DESCRIPTION PREPARED: 08-31-04



Robert Tad Simpson
ROBERT TAD SIMPSON
REGISTERED PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 5559

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Exhibit "A-2"
Petition to Vacate
VAC2004-00077
[Page Two of Two]

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE Case Number: VAC2004-00077**

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

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

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

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

1. A Public Hearing on Petition to Vacate No. VAC2004-00077 is set for the
_____ in the Lee County Commission Chambers.
2. A Notice of Public Hearing on this Petition to Vacate will be published in
accordance with the Lee County Administrative Code.

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

ATTEST:
CHARLIE GREEN, CLERK

Deputy Clerk Signature

BOARD OF COUNTY
COMMISSIONERS OF
LEE COUNTY, FLORIDA

Chairman Signature

Please Print Name

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF A
PARCEL OF LAND
LYING IN
SECTION 22 & 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

**(OFFICIAL RECORDS BOOK 2149, PAGE 3748-3750)
(PARCEL 2)**

A PARCEL OF LAND IN SECTIONS 22 & 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

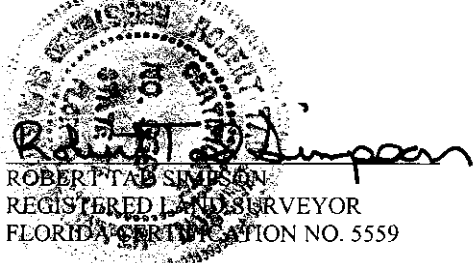
COMMENCE AT THE SOUTHWEST CORNER OF SECTION 23. TOWNSHIP 43 SOUTH, RANGE 24 EAST; THENCE N.0°03'08"E. ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 23 FOR 2650.76 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND, AND THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 23, AND THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE NORTHERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 5°57'01" FOR 122.02 FEET TO THE POINT OF TANGENCY; THENCE N.6°00'09"E. FOR 435.69 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST; THENCE NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1025.00 FEET AND A CENTRAL ANGLE OF 6°12'28" FOR 111.05 FEET TO THE POINT OF TANGENCY; THENCE N.0°12'19"W. ALONG A LINE PARALLEL WITH AND 60.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 882.73 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1025.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 222.67 FEET TO THE POINT OF TANGENCY; THENCE N.12°39'08"W. FOR 386.43 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 255.26 FEET TO THE POINT OF TANGENCY; THENCE N.0°12'19"W. ALONG A LINE PARALLEL WITH AND 75.00 FEET WESTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 110.55 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHERLY, NORTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 89°44'43" FOR 78.32 FEET TO THE CUSP OF SAID CURVE BEING A POINT ON A LINE PARALLEL WITH AND 100.00 FEET SOUTHERLY OF AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE NORTHEAST 1/4 OF THE AFOREMENTIONED SECTION 22; THENCE S.89°57'02"E. ALONG SAID PARALLEL LINE FOR 124.37 FEET; THENCE S.89°59'50"E, ALONG A LINE PARALLEL WITH AND 100.00 FEET SOUTHERLY OF AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFOREMENTIONED SECTION 23 FOR 0.41 FEET; THE S.0°12'19"E. ALONG THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 160.00 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1100.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 238.97 FEET TO THE POINT OF TANGENCY; THENCE S.12°39'08"E. FOR 386.43 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1100.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 238.97 FEET TO THE POINT OF TANGENCY; THENCE S.0°12'19"E., ALONG A LINE PARALLEL WITH AND 135.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 1549.31 FEET; THENCE N.89°51'07"W. FOR 135.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND SITUATE LYING AND BEING IN LEE COUNTY, FLORIDA, CONTAINING 4.91 ACRES MORE OR LESS.

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[Page One of Two]

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DESCRIPTION PREPARED: 08-31-04



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Exhibit "A-1"
Petition to Vacate
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[Page Two of Two]

Banks Engineering, Inc.

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FORT MYERS ♦ NAPLES ♦ SARASOTA

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(OFFICIAL RECORDS BOOK 2149, PAGE 3745-3747)
(PARCEL 3)

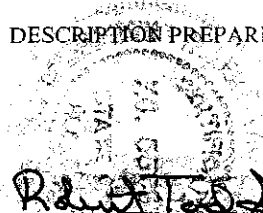
A PARCEL OF LAND IN SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCE AT THE SOUTHWEST CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST; THENCE N.0°03'08"E. ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 23 FOR 568.00 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH 568.00 FEET OF SAID SECTION 23 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUE N.0°03'08"E. ALONG SAID WEST LINE FOR 2082.76 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 23; THENCE S.89°51'07"E. FOR 135.00 FEET; THENCE N.0°12'19"W. ALONG A LINE PARALLEL WITH AND 135.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 1549.31 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1100.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 238.97 FEET TO THE POINT OF TANGENCY; THENCE N.12°39'08"W. FOR 386.43 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1100.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 238.97 FEET TO THE POINT OF TANGENCY WITH THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23; THENCE N.0°12'19"W. ALONG SAID WEST LINE FOR 160.00 FEET; THENCE S.89°59'50"E. ALONG A LINE PARALLEL WITH AND 100.00 FEET SOUTHERLY OF AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFOREMENTIONED SECTION 23 FOR 125.18 FEET TO THE CUSP OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE WESTERLY, SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 90°12'29" FOR 78.72 FEET TO THE POINT OF TANGENCY; THENCE S.0°12'19"E. ALONG A LINE PARALLEL WITH AND 75.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 109.54 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1025.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 222.67 FEET TO THE POINT OF TANGENCY; THENCE S.12°39'08"E. FOR 386.43 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 255.26 FEET TO THE POINT OF TANGENCY; THENCE S.0°12'19"E. ALONG A LINE PARALLEL WITH AND 210.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 882.73 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 6°12'28" FOR 127.30 FEET TO THE POINT OF TANGENCY; THENCE S.6°00'09"W. FOR 435.69 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1025.00 FEET AND A CENTRAL ANGLE OF 5°57'01" FOR 106.45 FEET TO THE POINT OF TANGENCY; THENCE S.0°03'08"W. ALONG A LINE PARALLEL WITH AND 150.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 23 FOR 2082.21 FEET TO AN INTERSECTION WITH THE AFOREMENTIONED NORTH LINE OF THE SOUTH 568.00 FEET OF SAID SECTION 23; THENCE S.89°50'33"W. ALONG SAID NORTH LINE FOR 150.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND SITUATE LYING AND BEING IN LEE COUNTY, FLORIDA, CONTAINING 11.16 ACRES MORE OR LESS.

Exhibit "A-2"
Petition to Vacate
VAC2004-00077
[Page One of Two]

PARCEL CONTAINS 11.2 ACRES MORE OR LESS

ASSUMED NORTH BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST AS BEARING N.00°03'08"E.

DESCRIPTION PREPARED: 08-31-04



Robert Tad Simpson
ROBERT TAD SIMPSON
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 5559

S:\Jobs\19xx\1960\DESCRIPTIONS\1960_PCL3_DESC_SK1.doc
S:\Jobs\19xx\1960\DESCRIPTIONS\1960_PCL3_DESC_SK1.dwg

Exhibit "A-2"
Petition to Vacate
VAC2004-00077
[Page Two of Two]



PETITION TO VACATE (AC 13-8)

Case Number: VAC 2004-00077

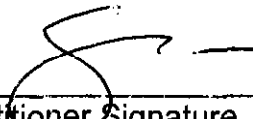
Petitioner(s), CL VENTURES, LLC, a Florida limited liability company requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

- 1. Petitioner(s) mailing address, 11934 Fairway Lakes Dr., Fort Myers, FL 33913
- 2. In accordance with Florida Statute (F.S.) Chapter 336 and Lee County Administrative Code (LCAC) 13-8, Petitioner desires to vacate, abandon and discontinue the public's interest in the right-of-way or portion of right-of-way legally described in the attached Exhibit "A".
- 3. A sketch showing the area(s) the Petitioner desires to vacate is attached as Exhibit "B".
- 4. Notice concerning the intent of this Petition will be provided in accordance with LCAC 13-8.
- 5. In accordance with letters of review and recommendation provided by the various governmental and utility entities, there is no apparent impediment to granting Petitioner's request.

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

Respectfully Submitted by:

Petitioner Signature



Petitioner Signature

Scott J. Osmond
Division President
Ft. Myers

Printed Name

Printed Name

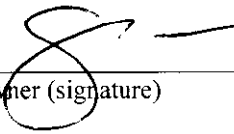
NOTE: This is a legal document and is therefore not available in Word Perfect format.

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as a parcel having the STRAP# 23-43-24-00-00001.0000 and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for zoning or development. We hereby designate Charles Basinait, Esq. and Henderson, Franklin, Starnes & Holt, P.A. as the legal representatives of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

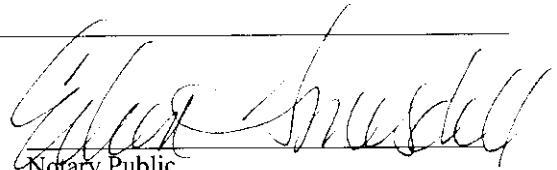

Owner (signature)

Scott J. Osmond
Printed Name Division President
Ft. Myers

Title

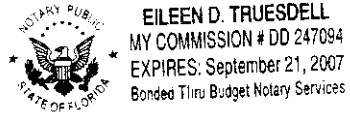
STATE OF FLORIDA
COUNTY OF LEE

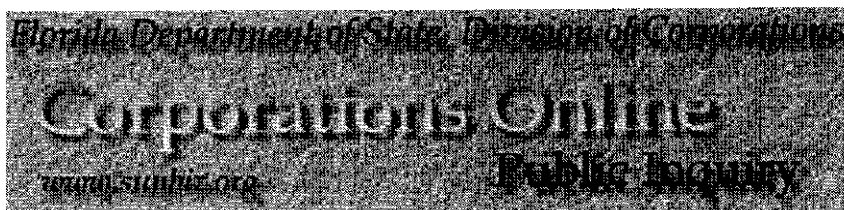
Sworn to (or affirmed) and subscribed before me this 3rd day of Dec, 2004, by Scott Osmond, as the _____ of Cranes' Landing, LLC, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.


Notary Public

(SEAL)

Eileen Truesdell
(Name typed, printed or stamped)





Florida Limited Liability

CL VENTURES, LLC

PRINCIPAL ADDRESS
 11934 FAIRWAY LAKES DRIVE
 FT. MYERS FL 33913

MAILING ADDRESS
 11934 FAIRWAY LAKES DRIVE
 FT. MYERS FL 33913

Document Number L04000063424	FEI Number NONE	Date Filed 08/26/2004
State FL	Status ACTIVE	Effective Date NONE
Total Contribution 0.00		

Registered Agent

Name & Address
CORPORATION SERVICE COMPANY 1201 HAYS STREET TALLAHASSEE FL 32301-2525

Manager/Member Detail

Name & Address	Title
NONE	

Annual Reports

Report Year	Filed Date

[Previous Filing](#)

[Return to List](#)

[Next Filing](#)

No Events
No Name History Information

Document Images

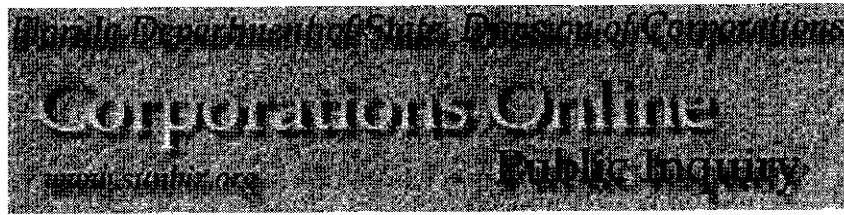
Listed below are the images available for this filing.

[08/26/2004 -- Florida Limited Liabilites](#)

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

[Corporations Inquiry](#)

[Corporations Help](#)



Florida Limited Liability

CRANES' LANDING, LLC

PRINCIPAL ADDRESS

41050 VINCENTI CT
NOVI MI 48375

MAILING ADDRESS

41050 VINCENTI CT
NOVI MI 48375

Document Number
L04000018019

FEI Number
383699010

Date Filed
03/08/2004

State
FL

Status
ACTIVE

Effective Date
NONE

Total Contribution
0.00

Registered Agent

Name & Address
GRANT, RICHARD C ESQ GRANT, FRIDKIN, PEARSON, ET AL 5551 RIDGEWOOD DR, STE 501-PELICAN BAY COR NAPLES FL 34108

Manager/Member Detail

Name & Address	Title
GLIEBERMAN, BERNARD 41050 VINCENTI CT. NOVI MI 48375	MGR

Annual Reports

--

Report Year	Filed Date
2005	01/06/2005

[Previous Filing](#)

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No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

01/06/2005 -- ANNUAL REPORT
03/08/2004 -- Florida Limited Liabilites

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

[Corporations Inquiry](#)

[Corporations Help](#)

Ruth Keith - CL Ventures a.k.a. Cranes Landing PTV2004-00077

From: "Cody Vaughan-Birch" <Cody.VaughanBirch@henlaw.com>
To: "Ruth Keith" <RKEITH@leegov.com>
Date: 1/14/2005 4:33 PM
Subject: CL Ventures a.k.a. Cranes Landing PTV2004-00077

Ruth,

I left you a voicemail, but it appears that CL Ventures has purchased the property and the applicant should be CL Ventures. The authorized representative is Scott Osmond, and attached are the necessary documents to show authorization. Please let me know if you need anything further at this time. Thanks.

Cody B. Vaughan-Birch, Esquire
Henderson, Franklin, Starnes & Holt, P.A.
1715 Monroe Street
Post Office Box 280
Fort Myers, Florida 339020280
Telephone: 239.344.1249
Facsimile: 239.344.1200
Email: cody.vaughanbirch@henlaw.com

**LETTER OF TRANSMITTAL****Date: January 14, 2005****To: Cody Vaughan-Birch****Phone:****Fax: 344-1200****REFERENCE: Crane's Landing****JOB NO.**

COPIES	DESCRIPTION
1	

Cody: Pursuant to your request of Rod Benson, please find attached a copy of the Articles of Organization naming Scott Osmond as an authorized representative. If you should need any further information please do not hesitate to contact me at 425-7497.

Warmest Regards,

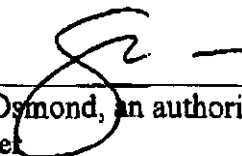
Julie Mangini
Land Development Professional

**ARTICLES OF ORGANIZATION
OF
CL VENTURES, LLC
(a Florida Limited Liability Company)**

The undersigned natural person of the age of eighteen years or more, acting as organizer of a limited liability company under the Limited Liability Company Act of the State of Florida, hereby adopts the following Articles of Organization for such limited liability company.

1. The name of the limited liability company is **CL VENTURES, LLC**.
2. The mailing and street address of the principal office of the limited liability company is: 11934 Fairway Lakes Drive, Ft Myers, Florida 33913.
3. The management of the Company shall be vested in its Members as provided in its Operating Agreement.
4. The address of the initial registered office of the limited liability company is 1201 Hays Street, Suite 105, Tallahassee, Florida 32301, and the initial registered agent at such address is Corporation Service Company.

IN WITNESS WHEREOF, the undersigned has executed these Articles of Organization of **CL VENTURES, LLC**, this ____ day of August, 2004, on behalf of the parties who shall be its members.

By: 
Scott Osmond, an authorized representative of a
Member

Scott J. Osmond
Division President
Ft. Myers

ASSIGNMENT OF CONTRACT**KNOW ALL MEN BY THESE PRESENTS:**

THAT BEAZER HOMES CORP., a Tennessee corporation, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby assign, transfer and set over unto CL VENTURES, LLC, a Florida limited liability company, all of its right, title and interest as the Purchaser under that certain Real Estate Purchase and Sale Agreement dated April 30, 2004, between Crosswinds Communities, Inc., as Seller, and Beazer Homes Corp., as Purchaser, as amended by First Amendment to Real Estate Purchase and Sale Agreement dated June 14, 2004, and assigned by Crosswinds Communities, Inc. to Cranes' Landing, LLC (collectively, the "Contract") including all rights to the deposits made by Beazer Homes Corp., pursuant to the Contract.

BEAZER HOMES CORP.By: 

Scott Osmond

Its: Division President - Ft. Myers

Date: August 31, 2004

ACCEPTANCE OF ASSIGNMENT

CL VENTURES, LLC, hereby (i) accepts the foregoing assignment, (ii) assumes each and every obligation of Purchaser under the Contract, (iii) agrees to be bound by the terms of the Contract, (iv) indemnifies and holds harmless BEAZER HOMES CORP., from and against any losses, liabilities, or claims arising under or in connection with the Contract.

CL VENTURES, LLC, a Florida limited liability company

By: Beazer Homes Corp., a Tennessee corporation

Its: Managing Member

By: 

Scott Osmond

Its: Division President - Ft. Myers

Date: August 31, 2004

1500
JAN 11 1990

Return to Courthouse Box 4

2846321

This Instrument Prepared by:
Robert A. Winesett, Esquire
Winesett, Avery, DuFree &
Whigham, P. A.
Post Office Drawer 610
Fort Myers, FL 33902

OR2149 PG3748

WARRANTY DEED

THIS INDENTURE made this 30th day of November, A.D. 1989, between SABAL SPRINGS GULF & RACQUET CLUB, LTD., a Florida Limited partnership, of the County of Lee in the State of Florida, party of the first part, and County of Lee, a political subdivision of the State of Florida, whose post office address is Post Office Box 398, Fort Myers, Florida 33902-0398, party of the second part,

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars, to him in hand paid by said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part, his heirs and assigns forever, the following described land in Lee County, Florida, to wit:

That certain parcel of land in Sections 22 and 23, Township 43 South, Range 24 East, Lee County, Florida, as more particularly described in Exhibit "A" hereto.

This conveyance is subject to the following:

1. Zoning and other governmental regulations.
2. Restrictions, reservations, easements, conditions, and limitations of record.
3. Taxes for calendar year 1989 and subsequent years.

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

IN WITNESS WHEREOF, The said party of the first part has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

SABAL SPRINGS GULF & RACQUET CLUB, LTD., a Florida limited partnership

Charity Springer
Jain Winesett

By: FLAGLER 251, INC., a Florida corporation, its General Partner

By: *Nazih Hardan*
Nazih Hardan, President

Document # 55
\$ Intangible Tax PA
COUNTY CLERK, LEE COUNTY
By *C. Horn* Clerk

RECORD VERIFIED - CHARITY GREEN, CLERK
BY: C. HORN, D.C.

STATE OF FLORIDA)

COUNTY OF LEE)

I HEREBY CERTIFY that on this day before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared Nazih Hardan, President of FLAGLER 251, INC., general partner of SABAL SPRINGS GOLF & RACQUET CLUB, LTD., to me known to be the person described in and who executed the foregoing instrument and who acknowledged before me that he executed the same.

WITNESS my hand and official seal in the county and state last aforesaid this 30th day of November, A.D. 1989.

My Commission Expires:

Alfred M. McNaughton
Notary Public

Notary Public
State of Florida at Large
My Commission Expires Feb. 18, 1992

Approved As
To Form.
By *Gregory D. Hoge*
County Attorney

OR2149 P03749

RECEIVED
NOV 30 1989
SABAL SPRINGS GOLF & RACQUET CLUB
sabl1089.wd

EXHIBIT "A"

ROAD RIGHT-OF-WAY

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTIONS 22 & 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST; THENCE N.0°03'08"E. ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 23 FOR 2650.76 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND, AND THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 23, AND THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE NORTHERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 5°57'01" FOR 122.02 FEET TO THE POINT OF TANGENCY; THENCE N.6°00'09"E. FOR 435.69 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST; THENCE NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1025.00 FEET AND A CENTRAL ANGLE OF 6°12'28" FOR 111.05 FEET TO THE POINT OF TANGENCY; THENCE N.0°12'19"W. ALONG A LINE PARALLEL WITH 60.00 EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 882.73 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1025.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 222.67 FEET TO THE POINT OF TANGENCY; THENCE N.12°39'08"W. FOR 386.43 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 255.26 FEET TO THE POINT OF TANGENCY; THENCE N.0°12'19"W. ALONG A LINE PARALLEL WITH AND 75.00 FEET WESTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 110.55 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHERLY, NORTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 89°44'43" FOR 78.32 FEET TO THE CUSP OF SAID CURVE BEING A POINT ON A LINE PARALLEL WITH AND 100.00 FEET SOUTHERLY OF AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE NORTHEAST 1/4 OF THE AFOREMENTIONED SECTION 22; THENCE S.89°57'02"E. ALONG SAID PARALLEL LINE FOR 124.37 FEET; THENCE S.89°59'50"E. ALONG A LINE PARALLEL WITH AND 100.00 FEET SOUTHERLY OF AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFOREMENTIONED SECTION 23 FOR 0.41 FEET; THENCE S.0°12'19"E. ALONG THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 160.00 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1100.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 238.97 FEET TO THE POINT OF TANGENCY; THENCE S.12°39'08"E. FOR 386.43 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1100.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 238.97 FEET TO THE POINT OF TANGENCY; THENCE S.0°12'19"E. ALONG A LINE PARALLEL WITH AND 135.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 1549.31 FEET; THENCE N.89°51'07"W. FOR 135.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND SITUATE LYING AND BEING IN LEE COUNTY, FLORIDA, CONTAINING 4.91 ACRES MORE OR LESS.

OR2149 P03750

CHARLIE GREEN LEE CIV FL
30 MAY 17 AM 10:28

1500
55

Return to Courthouse Box 4

2846320

This Instrument Prepared by:
Robert A. Winesett, Esquire
Winesett, Avery, DuPree &
Whigham, P. A.
Post Office Drawer 610
Fort Myers, FL 33902

OR 2149 PG 3745

WARRANTY DEED

THIS INDENTURE made this 30th day of November, A.D. 1989, between MOHAMED H. JEBAI of the County of Lee in the State of Florida, party of the first part, and County of Lee, a political subdivision of the State of Florida, whose post office address is Post Office Box 398, Fort Myers, Florida 33902-0398, party of the second part,

W I T N E S S E T H:

That the said party of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars, to him in hand paid by said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part, his heirs and assigns forever, the following described land in Lee County, Florida, to wit:

Those certain parcels of land in Section 23, Township 43 South, Range 24 East, Lee County, Florida, as more particularly described in Exhibit "A" hereto.

This conveyance is subject to the following:

1. Zoning and other governmental regulations.
2. Restrictions, reservations, easements, conditions, and limitations of record.
3. Taxes for the year of 1989 and subsequent years.

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

IN WITNESS WHEREOF, The said party of the first part has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

[Handwritten signatures of witnesses]

[Handwritten signature of MOHAMED H. JEBAI]
MOHAMED H. JEBAI

STATE OF FLORIDA)
COUNTY OF LEE)

RECORDED TO MEMO
Legibility of writing, typing or printing essential factor in this document when recorded.

I HEREBY CERTIFY that on this day before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared MOHAMED H. JEBAI, to me known to be the person described in and who executed the foregoing instrument and who acknowledged before me that he executed the same.

WITNESS my hand and official seal in the county and state last aforesaid this 30th day of November, A.D. 1989.

My Commission Expires:

[Handwritten signature of Notary Public]
Notary Public

Notary Public
State of Florida at Large
Commission Expires Feb. 15, 1992

Approved As
To Run

[Handwritten signature of County Attorney]
County Attorney

JEBAI089.wd

Decem 1989 11 3 1989
By *[Signature]*
Charity Green, Clerk, Lee County
D. Scott Cook

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: C. 10268, D.C.

5/15/92 Co. Clerk

EXHIBIT "A"

ROAD RIGHT-OF-WAY

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST; THENCE N.0°03'08"E. ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 23 FOR 568.00 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH 568.00 FEET OF SAID SECTION 23 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUE N.0°03'08"E. ALONG SAID WEST LINE FOR 2082.76 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 23; THENCE S.89°51'07"E. FOR 135.00 FEET; THENCE N.0°12'17"W. ALONG A LINE PARALLEL WITH 135.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 1549.31 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1100.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 238.97 FEET TO THE POINT OF TANGENCY; THENCE N.12°39'08"W. FOR 386.43 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1100.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 238.97 FEET TO THE POINT OF TANGENCY WITH THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23; THENCE N.0°12'19"W. ALONG SAID WEST LINE FOR 160.00 FEET; THENCE S.89°59'50"E. ALONG A LINE PARALLEL WITH AND 100.00 FEET SOUTHERLY OF AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFOREMENTIONED SECTION 23 FOR 125.18 FEET TO THE CUSP OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE WESTERLY, SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 90°12'29" FOR 78.72 FEET TO THE POINT OF TANGENCY; THENCE S.0°12'19"E. ALONG A LINE PARALLEL WITH AND 75.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 109.54 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1025.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 222.67 FEET TO THE POINT OF TANGENCY; THENCE S.12°39'08"E. FOR 386.43 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 255.26 FEET TO THE POINT OF TANGENCY; THENCE S.0°12'19"E. ALONG A LINE PARALLEL WITH AND 210.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 882.73 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 6°12'28" FOR 127.30 FEET TO THE POINT OF TANGENCY; THENCE S.6°00'09"W. FOR 435.69 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1025.00 FEET AND A CENTRAL ANGLE OF 5°57'01" FOR 106.45 FEET TO THE POINT OF TANGENCY; THENCE S.0°03'08"W. ALONG A LINE PARALLEL WITH AND 150.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 23 FOR 2082.21 FEET TO AN INTERSECTION WITH THE AFOREMENTIONED NORTH LINE OF THE SOUTH 568.00 FEET OF SAID SECTION 23; THENCE S.89°50'33"W. ALONG SAID NORTH LINE FOR 150.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND SITUATE LYING AND BEING IN LEE COUNTY, FLORIDA, CONTAINING 11.16 ACRES MORE OR LESS.

OR2149 PG3746

EXHIBIT "A"
ROAD RIGHT-OF-WAY

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTH 100.00 FEET OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LYING WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF THE FORMER S.A.L. RAILROAD. SAID PARCEL CONTAINS 6.54 ACRES MORE OR LESS.

AND

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 22, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, BEING A PORTION OF LOT 1, BLOCK 2 OF TAMiami CITY ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9 AT PAGES 6 & 7 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST ONE QUARTER OF SECTION 22, TOWNSHIP 43 SOUTH, RANGE 24 EAST; THENCE S.89°49'30"W. ALONG THE NORTH LINE OF THE NORTHWEST ONE QUARTER OF SAID SECTION 22 FOR 1319.42 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE EAST ONE HALF OF THE NORTHWEST ONE QUARTER OF SAID SECTION 22, BEING THE NORTHEAST CORNER OF THE AFOREMENTIONED LOT 1, BLOCK 2 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUE S.89°49'30"W. ALONG SAID NORTH LINE FOR 789.34 FEET TO AN INTERSECTION WITH THE ARC OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST AT A POINT BEARING N.66°44'18"E. FROM THE RADIUS POINT OF SAID CURVE, BEING A POINT ON THE EASTERLY RIGHT OF WAY LINE OF S.R. 45 (U.S. 41, TAMiami TRAIL); THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 5884.58 FEET AND A CENTRAL ANGLE OF 1°04'14" FOR 109.94 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 100.00 FEET SOUTHERLY OF AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE NORTHWEST ONE QUARTER OF THE AFOREMENTIONED SECTION 22; THENCE N.89°49'30"E. ALONG SAID PARALLEL LINE FOR 941.93 FEET TO AN INTERSECTION WITH THE AFOREMENTIONED WEST LINE OF THE EAST ONE HALF OF THE NORTHWEST ONE QUARTER OF SAID SECTION 22; THENCE N.0°48'55"E. ALONG SAID WEST LINE FOR 100.01 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND SITUATE LYING AND BEING IN LEE COUNTY, FLORIDA, CONTAINING 2.21 ACRES MORE OR LESS.

OR2149 PG3747

CHARLIE GREEN LEE CITY FL
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Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF A
PARCEL OF LAND
LYING IN
SECTION 22 & 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

(OFFICIAL RECORDS BOOK 2149, PAGE 3748-3750)
(PARCEL 2)

A PARCEL OF LAND IN SECTIONS 22 & 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA
MORE PARTICULARLY DESCRIBED AS FOLLOWS:


COMMENCE AT THE SOUTHWEST CORNER OF SECTION 23. TOWNSHIP 43 SOUTH, RANGE 24 EAST; THENCE N.0°03'08"E. ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 23 FOR 2650.76 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND, AND THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 23, AND THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE NORTHERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 5°57'01" FOR 122.02 FEET TO THE POINT OF TANGENCY; THENCE N.6°00'09"E. FOR 435.69 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST; THENCE NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1025.00 FEET AND A CENTRAL ANGLE OF 6°12'28" FOR 111.05 FEET TO THE POINT OF TANGENCY; THENCE N.0°12'19"W. ALONG A LINE PARALLEL WITH AND 60.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 882.73 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1025.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 222.67 FEET TO THE POINT OF TANGENCY; THENCE N.12°39'08"W. FOR 386.43 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 255.26 FEET TO THE POINT OF TANGENCY; THENCE N.0°12'19"W. ALONG A LINE PARALLEL WITH AND 75.00 FEET WESTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 110.55 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHERLY, NORTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 89°44'43" FOR 78.32 FEET TO THE CUSP OF SAID CURVE BEING A POINT ON A LINE PARALLEL WITH AND 100.00 FEET SOUTHERLY OF AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE NORTHEAST 1/4 OF THE AFOREMENTIONED SECTION 22; THENCE S.89°57'02"E. ALONG SAID PARALLEL LINE FOR 124.37 FEET; THENCE S.89°59'50"E, ALONG A LINE PARALLEL WITH AND 100.00 FEET SOUTHERLY OF AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFOREMENTIONED SECTION 23 FOR 0.41 FEET; THENCE S.0°12'19"E. ALONG THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 160.00 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1100.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 238.97 FEET TO THE POINT OF TANGENCY; THENCE S.12°39'08"E. FOR 386.43 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1100.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 238.97 FEET TO THE POINT OF TANGENCY; THENCE S.0°12'19"E., ALONG A LINE PARALLEL WITH AND 135.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 1549.31 FEET; THENCE N.89°51'07"W. FOR 135.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND SITUATE LYING AND BEING IN LEE COUNTY, FLORIDA, CONTAINING 4.91 ACRES MORE OR LESS.

Exhibit "A-1"
Petition to Vacate
VAC2004-00077
[Page One of Two]

PARCEL CONTAINS 4.9 ACRES MORE OR LESS

ASSUMED NORTH BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST AS BEARING N.00°03'08"E.

DESCRIPTION PREPARED: 08-31-04



ROBERT TAB SIMON
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 5559

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Exhibit "A-1"
Petition to Vacate
VAC2004-00077
[Page Two of Two]

Banks Engineering, Inc.

PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS
 FLORIDA BUSINESS CERTIFICATION NUMBER LB 6890
 10511 SIX MILE CYPRESS PARKWAY - SUITE 101
 FORT MYERS, FLORIDA 33912
 (239) 839-5480

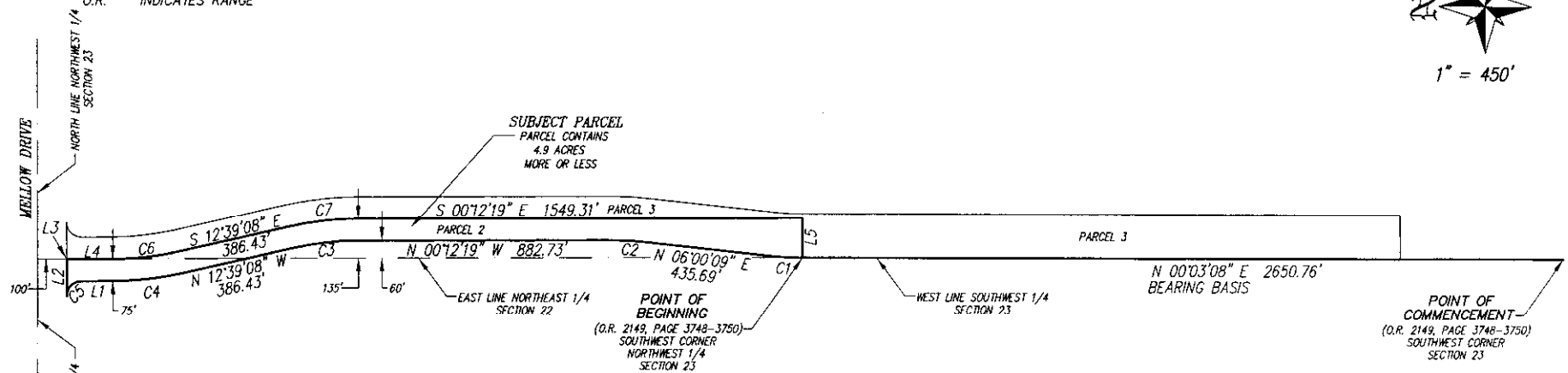
Exhibit "B-1"
 Petition to Vacate
 VAC2004-00077
 [Page One of One]

SKETCH OF DESCRIPTION

OF
 A TRACT OR PARCEL OF LAND LYING IN
 SECTION 22 & 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST,
 LEE COUNTY, FLORIDA.
 (OFFICIAL RECORDS BOOK 2149, PAGE 3748-3750)
 (PARCEL 2)

LEGEND:

O.R. INDICATES RANGE



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00°12'19" W	110.55'
L2	S 89°57'02" E	124.37'
L3	S 89°59'50" E	0.41'
L4	S 00°12'19" E	160.00'
L5	N 89°51'07" W	135.00'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	1175.00'	05°57'01"	122.02'	121.97'	N 03°01'39" E
C2	1025.00'	06°12'28"	111.05'	111.00'	S 02°53'55" W
C3	1025.00'	12°26'49"	222.67'	222.23'	S 06°25'43" E
C4	1175.00'	12°26'49"	255.26'	254.76'	N 06°25'44" W
C5	50.00'	89°44'43"	78.32'	70.55'	S 45°04'40" E
C6	1100.00'	12°26'49"	238.97'	238.49'	N 06°25'43" W
C7	1100.00'	12°26'49"	238.97'	238.49'	S 06°25'43" E

NOTES:

- 1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
- 2.) ASSUMED NORTH BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST AS BEARING N.00°03'08"E.

PREPARED 08-31-04

SEE SHEET 1 AND 2 FOR COMPLETE METES AND BOUNDS DESCRIPTION.

THIS SKETCH OF DESCRIPTION IS NOT A BOUNDARY SURVEY

ROBERT TAD SIMPSON
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATION NO. 5559

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

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Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF A
PARCEL OF LAND
LYING IN
SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

(OFFICIAL RECORDS BOOK 2149, PAGE 3745-3747)
(PARCEL 3)

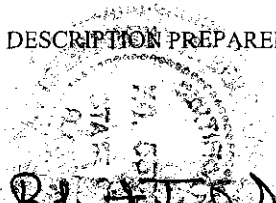
A PARCEL OF LAND IN SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCE AT THE SOUTHWEST CORNER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST; THENCE N.0°03'08"E. ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 23 FOR 568.00 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH 568.00 FEET OF SAID SECTION 23 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUE N.0°03'08"E. ALONG SAID WEST LINE FOR 2082.76 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 23; THENCE S.89°51'07"E. FOR 135.00 FEET; THENCE N.0°12'19"W. ALONG A LINE PARALLEL WITH AND 135.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 1549.31 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1100.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 238.97 FEET TO THE POINT OF TANGENCY; THENCE N.12°39'08"W. FOR 386.43 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1100.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 238.97 FEET TO THE POINT OF TANGENCY WITH THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23; THENCE N.0°12'19"W. ALONG SAID WEST LINE FOR 160.00 FEET; THENCE S.89°59'50"E. ALONG A LINE PARALLEL WITH AND 100.00 FEET SOUTHERLY OF AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFOREMENTIONED SECTION 23 FOR 125.18 FEET TO THE CUSP OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE WESTERLY, SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 90°12'29" FOR 78.72 FEET TO THE POINT OF TANGENCY; THENCE S.0°12'19"E. ALONG A LINE PARALLEL WITH AND 75.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 109.54 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1025.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 222.67 FEET TO THE POINT OF TANGENCY; THENCE S.12°39'08"E. FOR 386.43 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 12°26'49" FOR 255.26 FEET TO THE POINT OF TANGENCY; THENCE S.0°12'19"E. ALONG A LINE PARALLEL WITH AND 210.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 FOR 882.73 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 6°12'28" FOR 127.30 FEET TO THE POINT OF TANGENCY; THENCE S.6°00'09"W. FOR 435.69 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1025.00 FEET AND A CENTRAL ANGLE OF 5°57'01" FOR 106.45 FEET TO THE POINT OF TANGENCY; THENCE S.0°03'08"W. ALONG A LINE PARALLEL WITH AND 150.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE AFOREMENTIONED WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 23 FOR 2082.21 FEET TO AN INTERSECTION WITH THE AFOREMENTIONED NORTH LINE OF THE SOUTH 568.00 FEET OF SAID SECTION 23; THENCE S.89°50'33"W. ALONG SAID NORTH LINE FOR 150.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND SITUATE LYING AND BEING IN LEE COUNTY, FLORIDA, CONTAINING 11.16 ACRES MORE OR LESS.

Exhibit "A-2"
Petition to Vacate
VAC2004-00077
[Page One of Two]

PARCEL CONTAINS 11.2 ACRES MORE OR LESS

ASSUMED NORTH BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST AS BEARING N.00°03'08"E.

DESCRIPTION PREPARED: 08-31-04



Robert Tad Simpson
ROBERT TAD SIMPSON
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 5559

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Exhibit "A-2"
Petition to Vacate
VAC2004-00077
[Page Two of Two]

Banks Engineering, Inc.

PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS
 FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690
 10511 SIX MILE CYPRESS PARKWAY - SUITE 101
 FORT MYERS, FLORIDA 33912
 (239) 939-5430

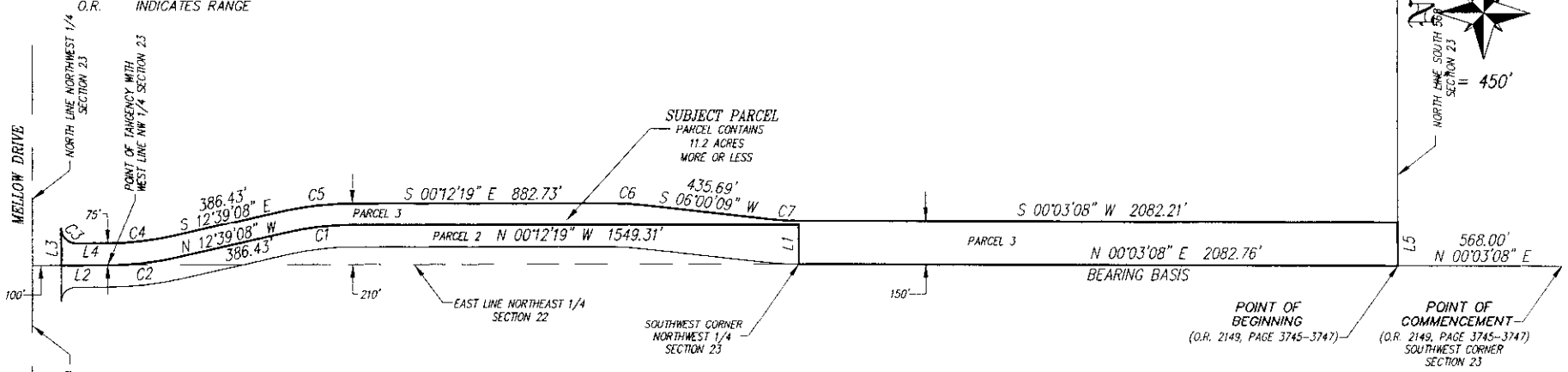
Exhibit "B-2"
 Petition to Vacate
 VAC2004-00077
 [Page One of One]

SKETCH OF DESCRIPTION

OF
 A TRACT OR PARCEL OF LAND LYING IN
 SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST,
 LEE COUNTY, FLORIDA.
 (OFFICIAL RECORDS BOOK 2149, PAGE 3745-3747)
 (PARCEL 3)

LEGEND:

O.R. INDICATES RANGE



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 89°51'07" E	135.00'
L2	N 00°12'19" W	160.00'
L3	S 89°59'50" E	125.18'
L4	S 00°12'19" E	109.54'
L5	S 89°50'33" W	150.00'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	1100.00'	12°26'49"	238.97'	238.49'	S 06°25'43" E
C2	1100.00'	12°26'49"	238.97'	238.49'	N 06°25'43" W
C3	50.00'	90°12'29"	78.72'	70.84'	N 44°53'55" E
C4	1025.00'	12°26'49"	222.67'	222.23'	N 06°25'43" W
C5	1175.00'	12°26'49"	255.26'	254.76'	S 06°25'44" E
C6	1175.00'	06°12'28"	127.30'	127.24'	S 02°53'55" W
C7	1025.00'	05°57'01"	106.45'	106.40'	N 03°01'39" E

NOTES:

- 1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
- 2.) ASSUMED NORTH BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST AS BEARING N.00°03'08"E.

PREPARED 08-31-04

SEE SHEET 1 AND 2 FOR COMPLETE METES AND BOUNDS DESCRIPTION.
 THIS SKETCH OF DESCRIPTION IS NOT A BOUNDARY SURVEY

ROBERT J. SIMPSON
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATION NO. 5559

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

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Exhibit "C"
Petition to Vacate
VAC2004-00077
[Page One of One]

Lee County Tax Collector - Print Results



Real Property Information

Account	Tax Year	Status
23-43-24-00-00001.0000	2003	PAID
Original Account	Book/Page	
23-43-24-00-00001.0000	4342 /3229	
Physical Address	Mailing Address	
CRANES LANDING LLC ACCESS UNDETERMINED NORTH FORT MYERS FL 33917	CRANES LANDING LLC 41050 VINCENTI CT NOVI MI 48375 USA	
Legal Description		
ALL SEC W OF RR R/W LESS S 568 FT OF E 421 FT W OF GARDEN		
Outstanding Balance as of 10/26/2004		\$0.00

PREPARED BY AND RETURN TO:

James Mancuso, Esquire
James Mancuso & Associates, P.A.
1025 Greenwood Boulevard, Suite 222
Lake Mary, Florida 32746

Parcel Number: 23-43-24-00-00001.0000



INSTR # 6432417

OR BK 04423 Pgs 4171 - 4175: (5pgs)

RECORDED 09/09/2004 01:12:57 PM

CHARLIE GREEN, CLERK OF COURT

LEE COUNTY, FLORIDA

RECORDING FEE 44.00

DEED DOC 157,782.80

DEPUTY CLERK J Miller

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made this 30 day of August 2004, by CRANES' LANDING, LLC., a Florida limited liability company ("Grantor") to CL VENTURES, LLC, a Florida limited liability company ("Grantee"), whose mailing address is 11934 Fairway Lakes Drive, Ft. Myers, Florida 33913.

WITNESSETH:

THAT Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to Grantor in hand paid by Grantee, receipt of which is hereby acknowledged, hereby grants, bargains, conveys, and sells to Grantee, the land situate, lying, and being in Lee County, Florida, more particularly described on Exhibit A attached hereto and made a part hereof (the "Property").

EXCEPT as reserved herein, together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

RESERVING, however, to the Grantor, and excluding from this conveyance, any and all reversionary and other rights in, and to, any and all land to the west of the Property that has been previously conveyed to Lee County, Florida, as a right, if any, all such reversionary and other rights being retained by Grantor.

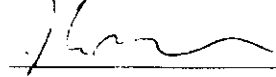
SUBJECT to the matters in Exhibit B attached hereto and by this reference incorporated herein, provided, however, reference thereto shall not serve to reimpose same, and taxes and assessments for 2004 and subsequent year.

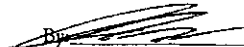
Grantor hereby specially warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through and under Grantor, but none other.

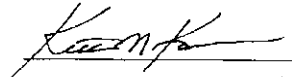
IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered
in our presence:

CRANES' LANDING, LLC,
a Florida limited liability company


Print: MARK SINGER


By: Bernard Gliebman
Its: Manager
41050 Vincent Court
Novi, Michigan 48375


Print: KEITH M. KALLON

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 30 day of August 2004, by Bernard Gliebman, as Manager of Cranes' Landing, I.L.C, a Florida limited liability company, on behalf of the company. He is personally known to me.

AMY L. WEBB
NOTARY PUBLIC WAYNE CO., MI
MY COMMISSION EXPIRES Mar 20, 2008

(seal)

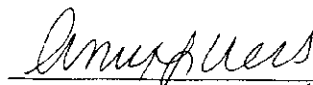

NOTARY PUBLIC - State of MI
My Commission Expires: 3-20-08

EXHIBIT A

A TRACT OR PARCEL OF LAND LYING IN SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE AFORESAID SECTION 23; THENCE RUN S.00°13'38"E. ALONG THE WEST LINE OF SAID SECTION 23 FOR 100.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF MEJLOW DRIVE (100.00 FEET WIDE PER COUNTY RIGHT-OF-WAY MAP FOR COUNTY PROJECT #4013); THENCE RUN N89°59'07" E (100.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE AFORESAID SECTION 23) FOR 125.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°59'07"E. (100.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID SECTION 23) FOR 2546.80 FEET; THENCE RUN N.89°54'44"E. FOR 186.46 FEET; THENCE RUN S11°11'47"E. FOR 5333.51 FEET TO A POINT ON THE SOUTH LINE OF THE AFORESAID SECTION 23; THENCE RUN N.88°39'56"W. ALONG THE SOUTH LINE OF SAID SECTION 23 FOR 1226.12 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (S.E. 1/4) OF SAID SECTION 23; THENCE RUN S 89°49'54"W. ALONG THE SOUTH LINE OF SAID SECTION 23 FOR 634.40 FEET TO THE EAST RIGHT-OF-WAY LINE OF GARDEN STREET (60.00 FEET WIDE); THENCE RUN N.00°01'02"E. ALONG SAID EAST RIGHT-OF-WAY LINE FOR 568.00 FEET; THENCE RUN S.89°49'54"W. FOR 505.00 FEET; THENCE RUN S.00°01'02"W. FOR 568.00 FEET TO THE SOUTH LINE OF THE AFORESAID SECTION 23; THENCE RUN S.89°49'54"W. ALONG THE SOUTH LINE OF SAID SECTION 23 FOR 1519.91 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE RUN N.00°01'31"E. ALONG THE WEST LINE OF SAID SECTION 23 FOR 568.00 FEET; THENCE RUN N.89°49'54"E. FOR 150.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF A COUNTY ROAD (150.00 FEET WIDE); THENCE RUN N.00°01'31"E. ALONG THE EAST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD FOR 2081.69 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHEASTERLY ALONG SAID EAST RIGHT-OF-WAY LINE FOR 106.54 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHEASTERLY, WITH A RADIUS OF 1025.00 FEET, A DELTA OF 05°57'19", A CHORD BEARING OF N.03°00'10"E., AND A CHORD DISTANCE OF 106.49 FEET TO A POINT OF TANGENCY; THENCE RUN N.05°58'50"E. ALONG SAID EAST RIGHT-OF-WAY LINE FOR 435.69 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHEASTERLY ALONG SAID EAST RIGHT-OF-WAY LINE FOR 127.31 FEET ALONG THE ARC OF A CURVE CONCAVE NORTHWESTERLY, WITH A RADIUS OF 1175.00 FEET, A DELTA OF 06°12'28", A CHORD BEARING OF N.02°52'36"E. AND A CHORD DISTANCE OF 127.24 FEET TO A POINT OF TANGENCY; THENCE RUN N.00°13'38"W. ALONG SAID EAST RIGHT-OF-WAY LINE FOR 882.73 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHWESTERLY ALONG SAID EAST RIGHT-OF-WAY LINE FOR 255.26 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHWESTERLY, WITH A RADIUS OF 1175.00 FEET, A DELTA OF 12°26'49"W. AND A CHORD DISTANCE OF 254.76 FEET TO A POINT OF TANGENCY; THENCE RUN N.12°40'27"W. ALONG SAID EAST RIGHT-OF-WAY LINE FOR 386.42 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHWESTERLY ALONG SAID EAST RIGHT-OF-WAY LINE FOR 222.67 FEET ALONG THE ARC OF A CURVE CONCAVE NORTHEASTERLY, WITH A RADIUS OF 1025 FEET, A DELTA OF 12°26'49", A CHORD BEARING OF N.06°27'02"W. AND A CHORD DISTANCE OF 222.23 FEET TO A POINT OF TANGENCY; THENCE RUN N.00°13'38"W. ALONG SAID EAST RIGHT-OF-WAY LINE FOR 109.54 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHEASTERLY FOR 78.72 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHEASTERLY, WITH A RADIUS OF 50.00 FEET, A DELTA OF 90°12'29", A CHORD BEARING OF N.44°52'53"E. AND A CHORD DISTANCE OF 70.84 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

1. Reservations contained in Deed from Collier Corporation, filed November 27, 1950 in Deed Book 205, Page 124, Public Records of Lee County, Florida.
2. Reservations contained in Deed from Barton Collier, Jr., joined by his wife Marguerite R. Collier; Isabel Collier Read, individually and as Executrix under the Will of Miles Collier, deceased, joined by her husband William A. Read, Jr. and Isabel Collier Read, George W. Hill, Jr. and Harold S. Lynton, as Trustees under each and all of the Trusts created by subdivision B of paragraph Third of the Will of Miles Collier, deceased, recorded November 20, 1964 in Book 275, Page 729, Public Records of Lee County, Florida.
3. Easement granted to North Fort Myers Utility, Inc. by instrument recorded February 1, 1988 in Book 1967, Page 2830, Public Records of Lee County, Florida.
4. Covenant of Unified Control recorded January 24, 1989 in Book 2044, Page 2425, Public Records of Lee County, Florida.
5. Right-Of-Way Easement granted to Lee County Electric Cooperative, Inc. by instrument recorded April 5, 1989 in Book 2060, Page 4068, Public Records of Lee County, Florida.
6. Easement Agreement as set forth in instrument recorded February 21, 1990 in Book 2130, Page 206, Public Records of Lee County, Florida.
7. Utility Easement granted to San Souci Lakes, Ltd. by instrument recorded August 7, 1990 in Book 2167, Page 2307, Public Records of Lee County, Florida.
8. Easement granted to Lee County Electric Cooperative, Inc. by instrument recorded May 11, 1992 in Book 2298, Page 3011, Public Records of Lee County, Florida.
9. Easement Grant and Partial Release of Easement granted to Lee County Electric Cooperative, Inc. by instrument recorded July 7, 1993 in Book 2403, Page 1575, Public Records of Lee County, Florida.
10. Grants of Utility Easements granted to North Fort Myers, Utilities, Inc. by instrument recorded November 15, 1993 in Book 2443, Page 283; Book 2443, Page 285; Book 2443, Page 288; Book 2443, Page 291 and Book 2443, Page 294, Public Records of Lee County, Florida.
11. Perpetual Drainage Easement granted to Lee County by instrument recorded November 1, 1999 in Book 3183, Page 3942, Public Records of Lee County, Florida.
12. Easement Agreement recorded April 5, 1988 in Book 1980, Page 3748 as affected by instrument recorded in Book 2348, Page 3386, Public Records of Lee County, Florida.
13. 30 foot Easement for Ingress and Egress and Drainage set forth in instruments recorded in Book 2047, Page 1614 and Book 1655, Page 1372, Public Records of Lee County, Florida.

14. Easement for Drainage recorded January 26, 1983 in Book 1655, Page 1369, Public Records of Lee County, Florida.
15. Grant of Perpetual Utility Easement and Temporary Construction Easement recorded January 6, 1988 in Book 1962, Page 3989, Public Records of Lee County, Florida.

wd_jna\Crosswinds\Convey\Sale Report\Dev-1

Recording Fees: \$ 44.00
Intangible Tax: \$ -.-
Doc. Stamps: \$ 92,810.90
Cert. Copy 6.00



INSTR # 6328163
OR BK 04342 Pgs 3229 - 3233; (5pgs)
RECORDED 06/22/2004 02:20:50 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
DEED DUC 92,810.90
DEPUTY CLERK X Lopez

Prepared by:
Robert D. Royston, Jr., Esq.
COSTELLO & ROYSTON
P.O. Drawer 60205
Fort Myers, FL 33906

Return to:
Richard C. Grant
Grant Fridkin Pearson Athan & Crown PA
Suite 501
5551 Ridgewood Drive
Naples, FL 34108

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this 21 day of June, 2004, between **Hibiscus of Lee County, LLC, a Florida limited liability company**, whose post office address is **3347 Sabal Springs Boulevard, North Fort Myers, FL 33917**, grantor, and **Cranes' Landing, LLC, a Florida limited liability company**, whose post office address is **41050 Vincenti Court, Novi, Mi 48375**, grantee:

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

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Lee Count, Florida, to-wit:

See the legal description attached as Exhibit "A" hereto and made a part hereof.

Subject only to the matters listed in the attached Exhibit "B" hereto, without reimposition of the same.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

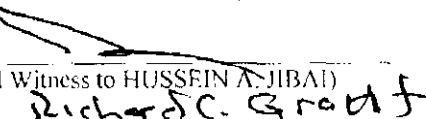
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby specially warrants the title to said land and will defend the same against the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

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

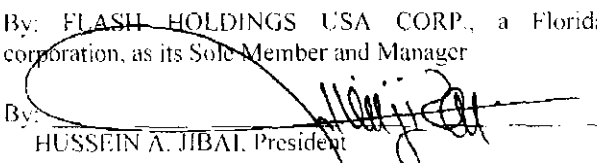


(First Witness to HUSSEIN A. JIBAI)
ROBERT D. ROYSTON, JR.
(Printed Name of First Witness)



(Second Witness to HUSSEIN A. JIBAI)
Richard C. Grant
(Printed Name of Second Witness)

HIBISCUS OF LEE COUNTY, L.L.C.

By:  FLASH HOLDINGS USA CORP., a Florida corporation, as its Sole Member and Manager

By: _____
HUSSEIN A. JIBAI, President

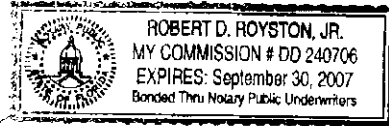
DoubleTime®

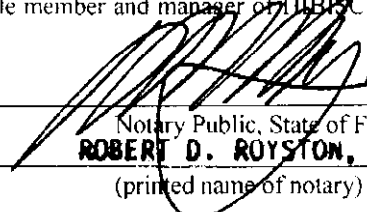
STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 21 day of June, 2004, by HUSSEIN A. JIBAI, as President of FLASH HOLDINGS USA CORP., a Florida corporation, as the sole member and manager of LUBISCUS OF LEE COUNTY, LLC, a Florida limited liability company, on its behalf.

My Commission Expires:

(SEAL)





Notary Public, State of Florida
ROBERT D. ROYSTON, JR.

(printed name of notary)

Personally Known OR Produced Identification
Type of Identification Produced _____

EXHIBIT " A "

Parcel 1:

A TRACT OR PARCEL OF LAND LYING IN SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE AFORESAID SECTION 23; THENCE RUN S.00°13'38"E. ALONG THE WEST LINE OF SAID SECTION 23 FOR 100.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF MELLOW DRIVE (100.00 FEET WIDE PER COUNTY RIGHT-OF-WAY MAP FOR COUNTY PROJECT #4013); THENCE RUN N.89°59'07"E. (100.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE AFORESAID SECTION 23) FOR 125.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°59'07"E. (100.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID SECTION 23) FOR 2546.80 FEET; THENCE RUN N.89°54'44"E. FOR 186.46 FEET; THENCE RUN S11°11'47"E. FOR 5333.51 FEET TO A POINT ON THE SOUTH LINE OF THE AFORESAID SECTION 23; THENCE RUN N.88°39'56"W. ALONG THE SOUTH LINE OF SAID SECTION 23 FOR 1226.12 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (S.E.1/4) OF SAID SECTION 23, THENCE RUN S.89°49'54"W. ALONG THE SOUTH LINE OF SAID SECTION 23 FOR 634.40 FEET TO THE EAST RIGHT-OF-WAY LINE OF GARDEN STREET (60.00 FEET WIDE); THENCE RUN N.00°01'02"E. ALONG SAID EAST RIGHT-OF-WAY LINE FOR 568.00 FEET; THENCE RUN S.89°49'54"W., FOR 505.00 FEET; THENCE RUN S.00°01'02"W. FOR 568.00 FEET TO THE SOUTH LINE OF THE AFORESAID SECTION 23; THENCE RUN S.89°49'54"W. ALONG THE SOUTH LINE OF SAID SECTION 23 FOR 1519.91 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE RUN N.00°01'31"E. ALONG THE WEST LINE OF SAID SECTION 23 FOR 568.00 FEET; THENCE RUN N.89°49'54"E. FOR 150.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF A COUNTY ROAD (150.00 FEET WIDE); THENCE RUN N.00°01'31"E. ALONG THE EAST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD FOR 2081.69 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHEASTERLY ALONG SAID EAST RIGHT-OF-WAY LINE FOR 106.54 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHEASTERLY, WITH A RADIUS OF 1025.00 FEET, A DELTA OF 05°57'19", A CHORD BEARING OF N.03°00'10"E., AND A CHORD DISTANCE OF 106.49 FEET TO A POINT OF TANGENCY; THENCE RUN N.05°58'50"E. ALONG SAID EAST RIGHT-OF-WAY LINE FOR 435.69 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHEASTERLY ALONG SAID EAST RIGHT-OF-WAY LINE FOR 127.31 FEET ALONG THE ARC OF A CURVE CONCAVE NORTHWESTERLY, WITH A RADIUS OF 1175.00 FEET, A DELTA OF 06°12'28", A CHORD BEARING OF N.02°52'36"E. AND A CHORD DISTANCE OF 127.24 FEET TO A POINT OF TANGENCY; THENCE RUN N.00°13'38"W. ALONG SAID EAST RIGHT-OF-WAY LINE FOR 882.73 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHWESTERLY ALONG SAID EAST RIGHT-OF-WAY LINE FOR 255.26 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHWESTERLY, WITH A RADIUS OF 1175.00 FEET, A DELTA OF 12°26'49"W. AND A CHORD DISTANCE OF 254.76 FEET TO A POINT OF TANGENCY; THENCE RUN N.12°40'27"W. ALONG SAID EAST RIGHT-OF-WAY LINE FOR 386.42 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHWESTERLY ALONG SAID EAST RIGHT-OF-WAY LINE FOR 222.67 FEET

ALONG THE ARC OF A CURVE CONCAVE NORTHEASTERLY, WITH A RADIUS OF 1025 FEET, A DELTA OF 12°26'49", A CHORD BEARING OF N.06°27'02"W. AND A CHORD DISTANCE OF 222.23 FEET TO A POINT OF TANGENCY; THENCE RUN N.00°13'38"W. ALONG SAID EAST RIGHT-OF-WAY LINE FOR 109.54 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHEASTERLY FOR 78.72 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHEASTERLY, WITH A RADIUS OF 50.00 FEET, A DELTA OF 90°12'29". A CHORD BEARING OF N.44°52'53"E. AND A CHORD DISTANCE OF 70.84 FEET TO THE POINT OF BEGINNING.

EXHIBIT " B "

4. The lien of all taxes for the year 2004 and thereafter, which are not yet due and payable.
5. Oil, gas, mineral, or other reservations as set forth in deed by Collier Corporation recorded in Deed Book 205, Page 124, Public Records of Lee County, Florida. No determination has been made as to the current record owner for the interest excepted herein.
6. Supplemental Oil, Gas and Mineral Deed to Oleum Corporation, a Florida corporation recorded in O.R. Book 275, Page 729, Public Records of Lee County, Florida.
7. Utility Easement in favor of North Fort Myers Utilities, Inc. contained in instrument recorded November 15, 1993, in O.R. Book 2443, Page 283, Public Records of Lee County, Florida.
8. Utility Easement in favor of North Fort Myers Utilities, Inc. contained in instrument recorded February 1, 1988, in O.R. Book 1967, Page 2830, Public Records of Lee County, Florida.
9. Easement Agreement by and amount Dennis J. Fullenkamp, individually and as Trustee, Sabal Springs Golf and Racquet Club, Ltd., and Mohamed Jebai recorded February 24, 1988 recorded in O.R. Book 1972, Page 1303, Public Records of Lee County, Florida.
10. Easement Agreement by and among Sylvan Zemel, Shirley Kaufman and Nathan Zemel, Trustees, Sabal Springs Golf and Racquet Club, Ltd., a Florida limited partnership and Mohamed H. Jebai, recorded April 5, 1988 in O.R. Book 1980, Page 4481 and Assignment of Easements recorded in O.R. Book 2032, Page 4712, Public Records of Lee County, Florida.
11. Perpetual Drainage Easement in favor of Lee County, a political subdivision of the State of Florida, contained in instrument recorded November 1, 1999, in O.R. Book 3183, Page 3942, Public Records of Lee County, Florida.
12. Right-of-entry by and between Mohamed H. Jebai and Lee County, a political subdivision of the State of Florida recorded November 1, 1999 recorded in O.R. Book 3183, page 3938, Public Records of Lee County, Florida.
13. Covenant of Unified Control recorded January 24, 1989 recorded in O.R. Book 2044, Page 2425, Public Records of Lee County, Florida.
14. Utility Easement and Indemnity Agreement to Lee County Board of Commissioners recorded in O.R. Book 2032, Page 4677, Public Records of Lee County, Florida.
15. Easement in favor of Lee County Electric Co-Operative, Inc., a Florida corporation, contained in instrument recorded may 11, 1992, in O.R. Book 2298, Page 3011 and Partial Release of Easement recorded in O.R. Book 2299, page 748, Public Records of Lee County, Florida.
16. Lee County Ordinance No. 86-14 recorded November 30, 1990, in O.R. Book 2189, Page 3281; and amended by Ordinance No. 86-38 in O.R. Book 2189, Page 3334, Public Records of Lee County, Florida.
17. Judgment creating and incorporating the Twin County Water Management District recorded in O.R. Book 528, Page 497, Public Records of Lee county, Florida.
18. Right-of-way Easement in favor of Lee County Electric Co-Operative, Inc., contained in instrument recorded April 5, 1989, in O.R. Book 2060, Page 4068, Public Records of Lee County, Florida.
19. Easement Agreement by and among Dennis J. Fullenkamp, individually and as Trustee, Sabal Springs Golf and Racquet Club, Ltd. and Mohamed Jabai recorded February 21, 1990 recorded in O.R. Book 2130, Page 206, Public Records of Lee County, Florida.
20. Utility Easement in favor of San Souci Lakes, Ltd., a Florida limited partnership, contained in instrument recorded August 7, 1990, in O.R. Book 2167, Page 2307, Public Records of Lee County, Florida.
21. Easement in favor of Lee County Electric Co-Operative, Inc., a Florida corporation, contained in instrument recorded July 7, 1993, in O.R. Book 2403, Page 1575, Public Record of Lee County, Florida.
22. Subject to easements for electric power transmission lines as recited in Warranty Deed and recorded in Deed Book 306, Page 189, Public Records of Lee County, Florida. Section map shows Florida Power and Light Transmission Line unrecorded.
23. Oil, gas and mineral reservation of the County of Lee, a political subdivision of the State of Florida pursuant to Section 270.11 F.S.
24. Easement Agreement recorded in O.R. Book 1980, Page 3748, Public Records of Lee County, Florida.

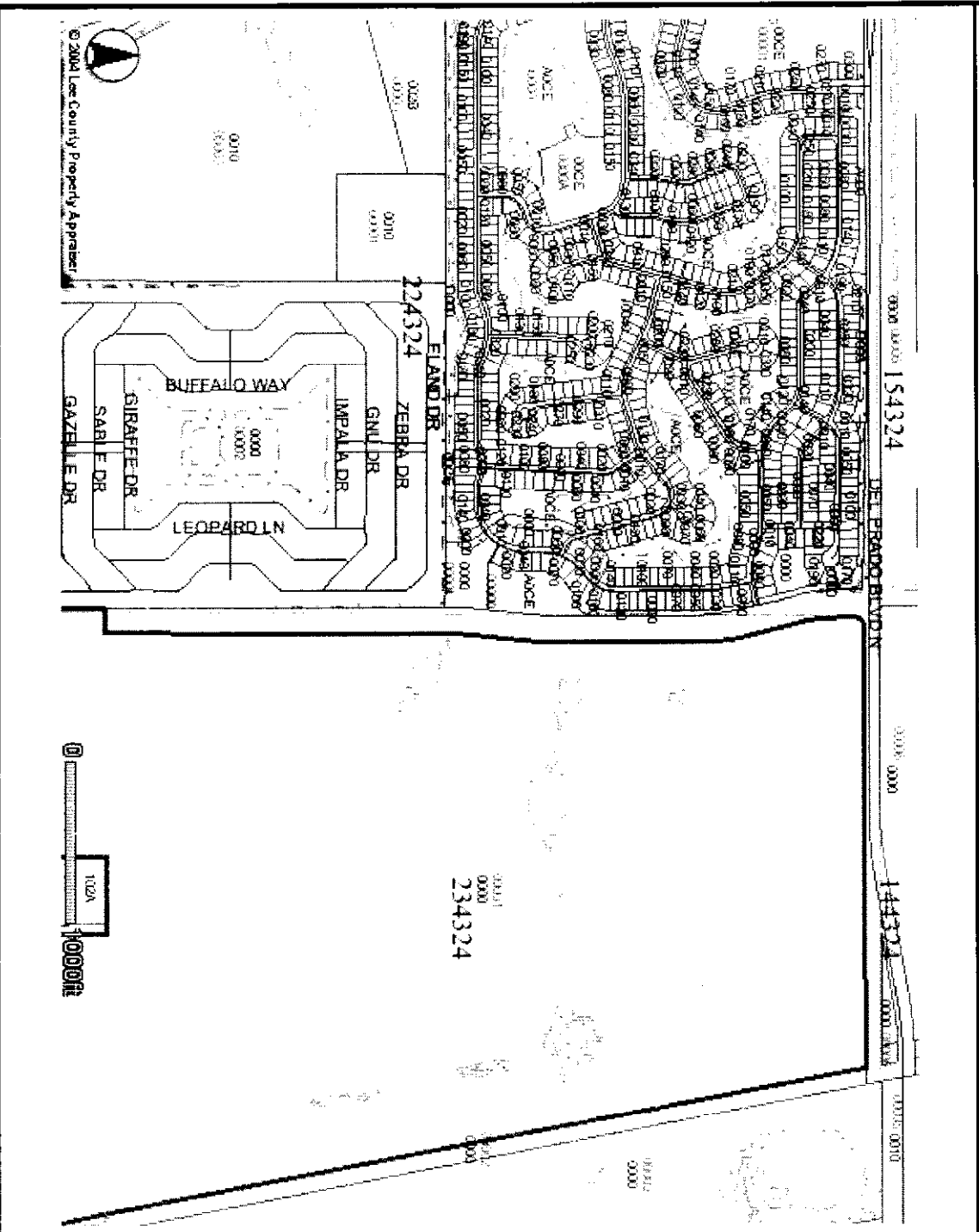
Notice to Affected Property Owners

Attached please find notices sent to the following affected property owners, as determined by County Staff Reviewer Ruth Keith:

Island Vista Estates, LLC; et. al.
STRAP# 22-43-24-00-00002.0000

Sabal Springs Golf & Raquet
STRAP# 22-43-24-04-00000.A0CE; 22-43-24-08-00001.0000

Affected Property Owners Map



- Legend**
- Selected Features
 - Hydro Features
 - Lot
 - Block
 - Parcels
 - Parcel Hooks
 - Road Center Line
 - Section Lines
 - City Limits
 - Santa Barbara
 - Cape Verde
 - Fort Myers
 - Sunrise
 - Town of Fort Myers Beach

2. Article Number



7160 3901 9842 7463 1256

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:

ISLAND VISTA ESTATES LLC
IVE HOLDINGS I LLC
IVE HOLDINGS II LLC
IVE HOLDINGS III LLC T/C
DIVERSIFIED INVESTMENTS
3005 DOUGLAS BLVD STE 150
ROSEVILLE CA ~~XXXX~~ 95661

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) <i>Jessica Abril</i>	B. Date of Delivery <i>11/10/07</i>
C. Signature <i>Jessica Abril</i>	
<input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
D. Is delivery address different from item 1? If YES, enter delivery address below:	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

PS Form 3811, January 2003

Domestic Return Receipt

CBV/263 #17628/2

7160 3901 9842 7463 1256

US Postal Service Certified Mail Receipt Domestic Mail Only No Insurance Coverage Provided	Postage	\$ <i>37</i>	Postmark Here <i>TOWN STATE</i>
	Certified Fee		
	Return Receipt Fee (Endorsement Required)		
	Restricted Delivery Fee (Endorsement Required)		
	Total Postage & Fees	\$ <i>447</i>	

Sent To:
ISLAND VISTA ESTATES LLC
IVE HOLDINGS I LLC
IVE HOLDINGS II LLC
IVE HOLDINGS III LLC T/C
DIVERSIFIED INVESTMENTS
3005 DOUGLAS BLVD STE 150
ROSEVILLE CA ~~XXXX~~ 95661

PS Form 3811, January 2003

US Postal Service

Certified Mail Receipt

ARTICLE

7160 3901 9842 7463 1256

NUMBER

LINE 1•

ISLAND VISTA ESTATES LLC
IVE HOLDINGS I LLC
IVE HOLDINGS II LLC
IVE HOLDINGS III LLC T/C
DIVERSIFIED INVESTMENTS
3005 DOUGLAS BLVD STE 150
ROSEVILLE CA ~~XXXX~~ 95661



FORM #35662W LABEL
www.walzpostal.com
1-800-882-3811

REFERENCE:

CBV/263 #17628/2

2. Article Number



7160 3901 9842 7463 1300

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:

**SABAL SPRINGS GOLF & RACQUET
3347 SABAL SPRINGS BLVD
N FT MYERS FL 33917**

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

1/3/03

C. Signature

X *R. Jones*

Agent
 Addressee

D. Is delivery address different from item 1?
If YES, enter delivery address below:

Yes
 No

PS Form 3811, January 2003

CBV/263

#17628/2

Domestic Return Receipt

00ET E942 2496 106E 0912
7160 3901 9842 7463 1300

US Postal Service

**Certified
Mail
Receipt**

Domestic Mail Only
No Insurance
Coverage Provided

Sent To

Postage

\$ 37

Certified Fee

Return Receipt Fee
(Endorsement Required)

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$ 442

TOWN STATE

Postmark
Here

PS Form 3811, January 2003

US Postal Service

Certified Mail Receipt

ARTICLE

7160 3901 9842 7463 1300

NUMBER

LINE 1*

SABAL SPRINGS GOLF & RACQUET
3347 SABAL SPRINGS BLVD
N FT MYERS FL 33917



**WALZ
CERTIFIED
MAILER™**

FORM #35662W LABEL
www.walzpostal.com
1-800-882-3811

REFERENCE:

CBV/263

#17628/2

Reply to
Cody B. Vaughan-Birch
E-Mail: cody.vaughan-birch@henlaw.com

November 3, 2004

VIA CERTIFIED MAIL

ISLAND VISTA ESTATES LLC +
IVE HOLDINGS I LLC +
IVE HOLDINGS II LLC +
IVE HOLDINGS III LLC T/C
DIVERSIFIED INVESTMENTS
3005 DOUGLAS BLVD STE 150
ROSEVILLE CA 95661

Strap No. 22-43-24-00-00002.0000

Re: Vacation Notice

Dear Property Owner:

Please accept this letter as formal notice that the adjacent property owner is proposing to vacate a portion of the road right of way to the east of your property. Lee County requires the applicant to serve this notice on all "affected property owners." Although your property has been determined to be an "affected property," the proposed vacation will not affect your current access to your property. If you have any questions, please feel free to contact Lee County at **479-8587**.

Sincerely yours,

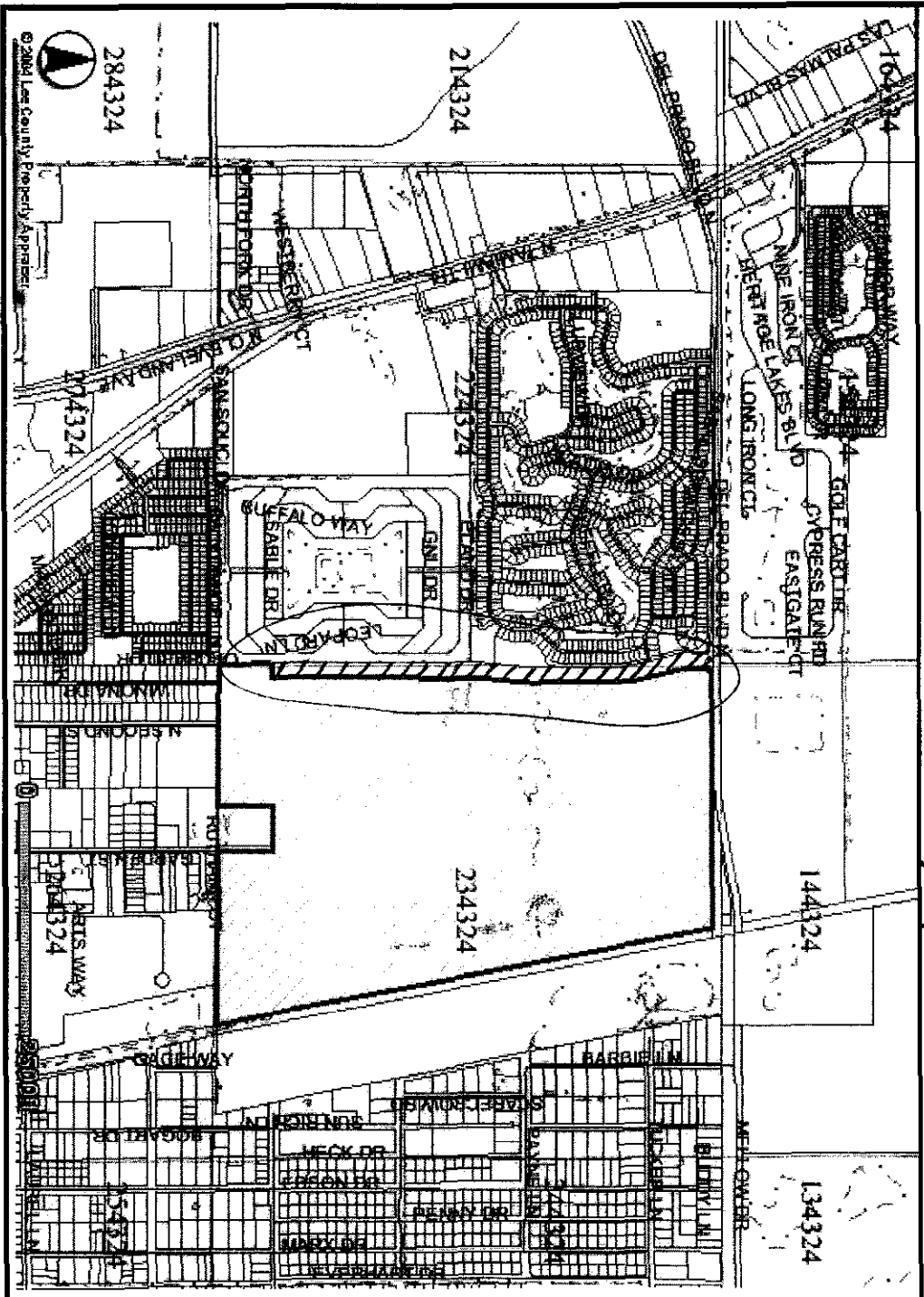


Cody B. Vaughan-Birch

CBV/cbv

Enclosure: map

Lee County Map



- Legend**
- Selected Features
 - Hydro Features
 - Parcels
 - Parcel Hooks
 - Road Center Line
 - Section Lines
 - City Limits
 - Bonita Springs
 - Cape Coral
 - Fort Myers
 - Sanibel
 - Town of Fort Myers Beach



©2004 Lee County Property Appraiser



Reply to
Cody B. Vaughan-Birch
E-Mail: cody.vaughan-birch@henlaw.com

November 3, 2004

VIA CERTIFIED MAIL

SABAL SPRINGS GOLF + RACQUET
3347 SABAL SPRINGS BLVD
N FT MYERS FL 33917

Strap Nos. 22-43-24-04-00000.A0CE; 22-43-24-08-00001.0000

Re: Vacation Notice

Dear Property Owner:

Please accept this letter as formal notice that the adjacent property owner is proposing to vacate a portion of the road right of way to the east of your property. Lee County requires the applicant to serve this notice on all "affected property owners." Although your property has been determined to be an "affected property," the proposed vacation will not affect your current access to your property. If you have any questions, please feel free to contact Lee County at **479-8587**.

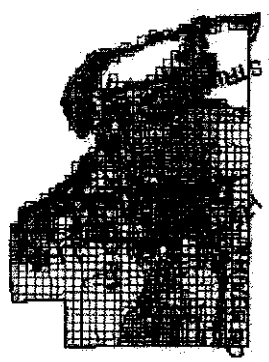
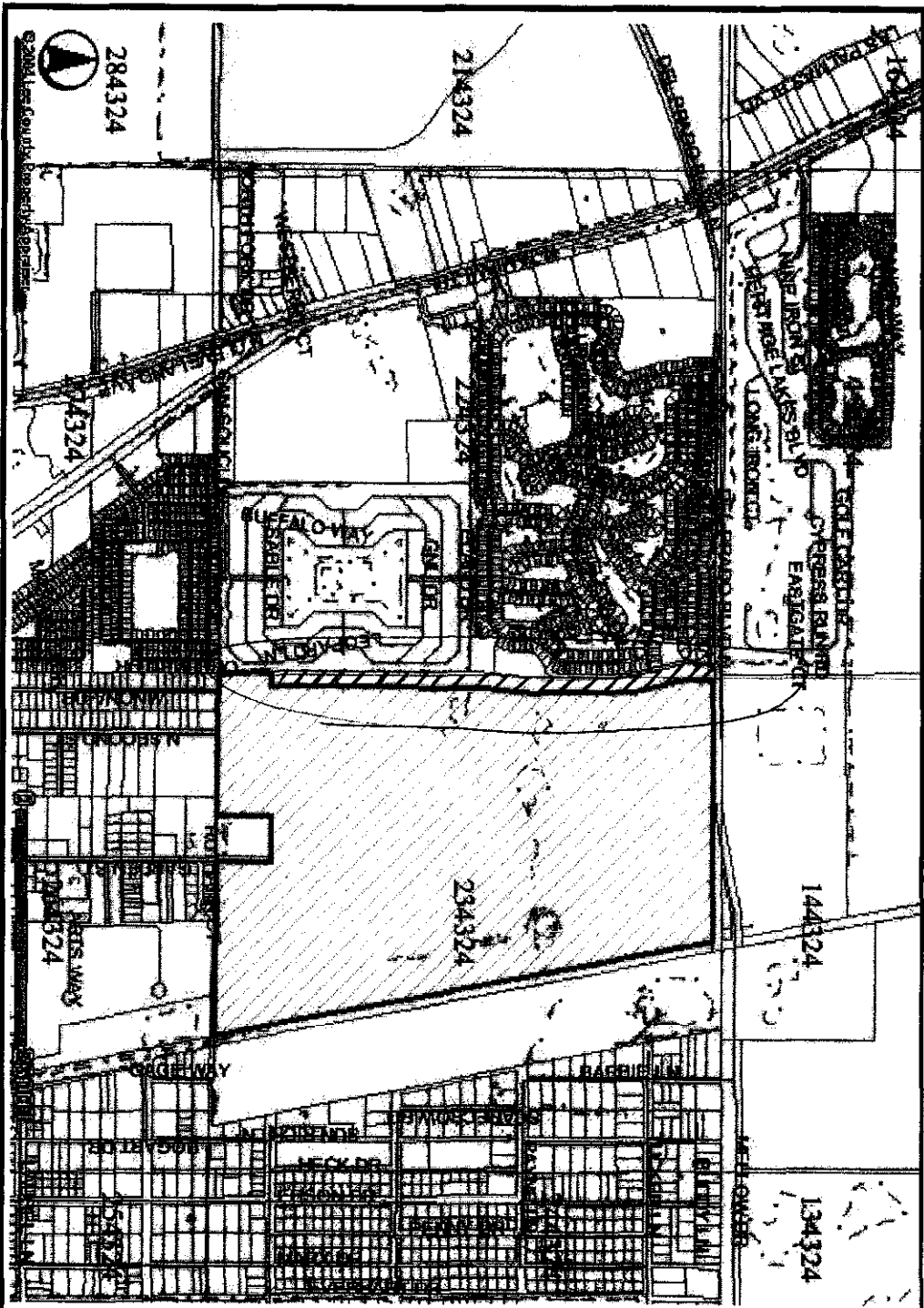
Sincerely yours,

Cody B. Vaughan-Birch

CBV/cbv

Enclosure: map

Lee County Map



- Legend**
- Selected Features
 - Hydro Features
 - Parcels
 - Parcel Hooks
 - Road Center Line
 - Section Lines
 - City Limits
 - Boreas Springs
 - Cape Coral
 - Fort Myers
 - Sanibel
 - Town of Fort Myers Beach

284324



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

February 3, 2005

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Cody Vaughan-Birch, Esq.
Henderson, Franklin, P.A.,
P.O. Box 280,
Fort Myers, FL 33902

Re: VAC2004-00077 - Petition to Vacate a portion of the County Road Right-of-Way along the western boundary of subject parcels containing 4.91 acres and 11.16 acres respectively, located south of Del Prado Blvd. N. and Mellow Drive at North Fort Myers

Dear Mr. Vaughan-Birch:

This office has received your request to vacate the above referenced portions of the Right-of-Way along the western boundary of subject parcels having strap number 23-43-24-00-00001.0000. The road to be vacated include a portion of Right-of-Way as recorded in O.R. Book 2149, Pages 3748 - 3750, and O.R. Book 2149, Pages 3745 - 3747 lying in Section 22 and Section 23 respectively, Township 43 South, Range 24 East, of the Public Records of Lee County, Florida.

The reason for this vacation is to provide for the conveyance of ownership of the right-of-way to the petitioner for a proposed residential development known as Cranes Landing. The roadway is not constructed, and the roadway is no longer required due to modifications in the plan of development.

Lee County is in receipt of the repayment of the road impact credits and is holding the funds in trust pending the outcome of the Right-of-Way Vacation per Lee County Department of Transportation letter from Margaret Lawson's dated November 19, 2004. Based on a review of the information provided and our subsequent research, this office has no objection to the proposed vacation.

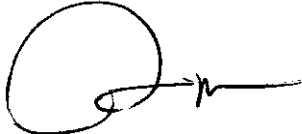
You and your clients should be aware, however that the Board of County Commissioner's approval of this petition will only extinguish the rights of the public to use the right-of-way. Private rights of use may still remain.

U:\200502\20041215.161\1043220\DCDLETTER.DOC

This means that certification of fee ownership in the area being vacated will be required prior to issuance of any building permit(s) within that area of the easement as it presently exists, occupied or otherwise. Should you have any questions, please call me at the above telephone number.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

A handwritten signature in black ink, consisting of a large, stylized 'P' followed by a horizontal line and a small flourish.

Peter J. Eckenrode
Director

PJE/RSK



Reply to
Cody B. Vaughan-Birch
E-Mail: cody.vaughan-birch@henlaw.com

December 15, 2004

Mr. Pete Eckenrode
Lee County Development Services
1500 Monroe Street, 2nd Floor
Fort Myers, FL 33901

Re: Petition to Vacate a portion of the right of way along the western boundary
of a parcel having a STRAP# 23-43-24-00-00001.0000

Dear Mr. Eckenrode:

Please accept this letter regarding the above-referenced petition to vacate. The reason and purpose of the requested vacation is to allow the property owner to complete the development of Crane's Landing, a residential development. The area to be vacated was originally planned to serve as a roadway for the project. Due to modifications in the plan of development, this roadway is no longer required. Road impact fee credits were previously issued to the developer for construction of the roadway, and have since been returned to the county. Per the enclosed letter from Margaret Lawson, dated November 19, 2004, the county is in receipt of the repayment of the road impact fee credits and is holding the funds in trust pending the Board's approval of this petition to vacate.

It is my hope that we may proceed with this petition to vacate as expediently as possible to allow further development of this property. If you have any questions, please do not hesitate to contact me directly, and thank you in advance for your consideration.

Very truly yours,

Cody B. Vaughan-Birch

CBV/



844 Linton Road
North Fort Myers, FL 33905

September 28, 2004

Henderson/Franklin Attorneys at Law
Mr. Cody B. Vaughan-Birch
P.O. Box 280
Fort Myers, Florida 33902

Dear Mr. Vaughan-Birch:

With reference to your letter of September 22, 2004 requesting Sprint Telephone of Florida's concurrence with the vacation right-of-way easement STRAP# 23-43-24-00-00001.0000. Sprint agrees to the vacation. There are no known sprint facilities in the right of way. If any sprint facilities are found the property owner will pay all relocation charges.

Should you have any questions about this matter please call me at 239-336-2117.

Sincerely,

A handwritten signature in black ink, appearing to read "Hal Dever", written over a horizontal line.

Hal Dever
Engineer



**26930 Old US 41
Bonita Springs, FL 34135
Phone: 239-732-3805
FAX: 239-498-4483**

September 23, 2004

Henderson Franklin Attorneys At Law
C/O Cody B Vaughan-Birch
PO BOX 280
Ft Myers, FL 33902

Re: Strap # 23-43-24-00-00001.0000
Vacate easement

Dear Cody B Vaughan-Birch,

This letter will serve to inform you that Comcast has no objection to your proposed vacation of the address referenced above.

Should you require additional information or assistance, please feel free to contact me here at 732-3805.

Cordially,

A handwritten signature in black ink that reads "Mark Cook". The signature is written in a cursive, flowing style.

Mark Cook
Design Coordinator



5660 Bayshore Road • Suite 36 • North Fort Myers, Florida 33917

Mailing Address: P.O. Box 2547 • Fort Myers, Florida 33902

(239) 543-1005

Fax (239) 543-2226

September 23, 2004

Cody B. Vaughn-Birch
Henderson/Franklin
P. O. Box 280
Fort Myers, Fl. 33902

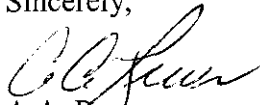
RE: Letter of Review and Recommendation on a proposed right-of-way vacation at the following location:
A parcel having a Strap #24-43-24-00-00001.0000
Access undetermined, North Fort Myers, Fl. 33917

Dear Cody B. Vaughn-Birch:

Pursuant to your request North Fort Myers Utility, Inc. has no objections to the petition to vacate the ROW as identified as parcels 2 and 3 per the attached sketch of description.

Should you have any questions or need additional information, please contact me.

Sincerely,

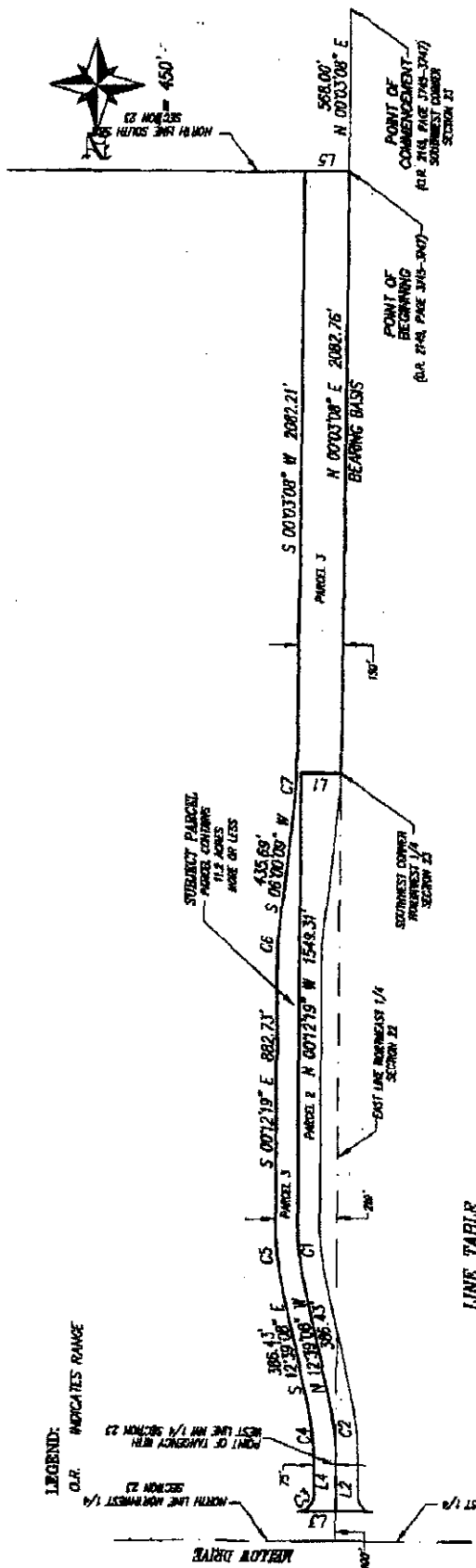

A.A. Reeves
Utility Director

Banka Engineering, Inc.

PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS
 PLANNING BUSINESS CORPORATION NUMBER 18 0880
 11611 SW 11th STREET, MIAMI, FLORIDA 33150
 (305) 556-4400

SKETCH OF DESCRIPTION

OF
 A TRACT OR PARCEL OF LAND LYING IN
 SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST,
 LEE COUNTY, FLORIDA.
 (OFFICIAL RECORDS BOOK 2148, PAGE 3745-3747)
 (PARCEL 3)



SEE SHEET 1 AND 2 FOR COMPLETE METES AND BOUNDS DESCRIPTION.

THIS SKETCH OF DESCRIPTION IS NOT A BOUNDARY SURVEY

Franklin
 ROBERT TAD STIMPSON
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATION NO. 5559
 THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE DRAWING AMSEED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	1100.00'	122°49'	238.97'	238.49'	S 06°25'43\" W
C2	1100.00'	122°49'	238.97'	238.49'	N 06°25'43\" W
C3	50.00'	90°12'28\"	78.72'	78.84'	N 44°53'55\" E
C4	1025.00'	122°49'	222.67'	222.33'	N 06°25'43\" W
C5	1175.00'	122°49'	255.26'	254.76'	S 06°25'44\" E
C6	1175.00'	06°12'28\"	122.30'	122.24'	S 02°53'55\" W
C7	1025.00'	05°57'01\"	106.45'	106.40'	N 03°01'39\" E

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 08°57'07\" E	126.00'
L2	N 08°12'19\" W	150.00'
L3	S 08°50'50\" E	125.18'
L4	S 08°12'19\" E	108.54'
L5	S 08°50'33\" W	150.00'

- NOTES:**
- SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
 - ASSUMED NORTH BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST AS BEARING N 00°03'08\" E.

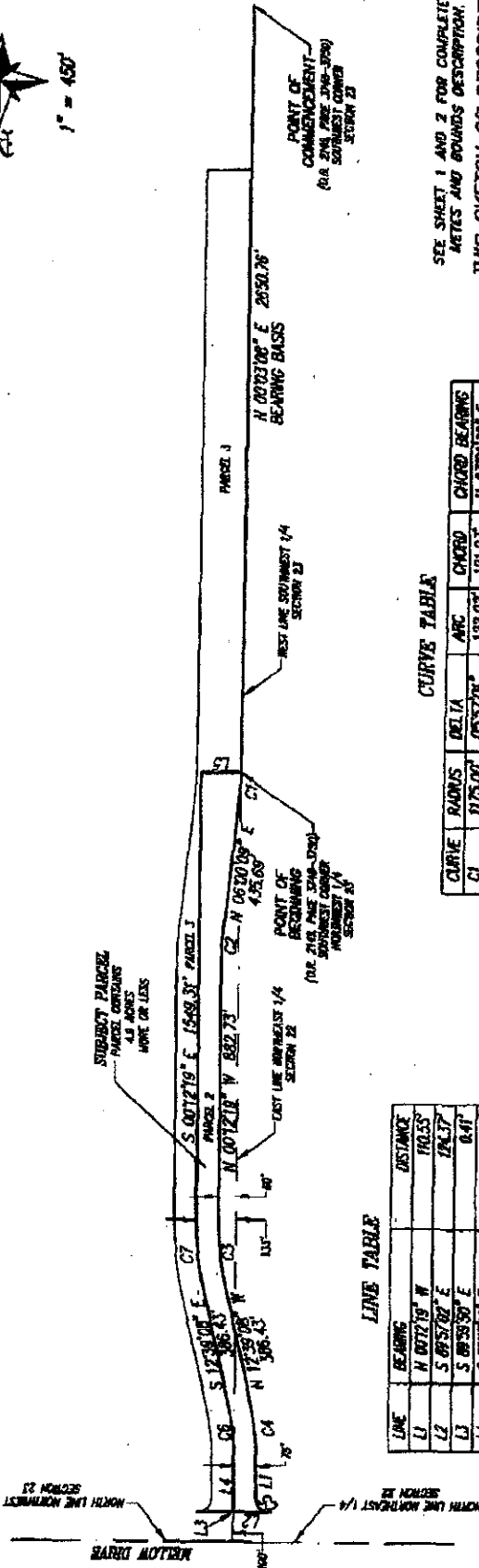
PREPARED 08-31-04
 SHEET 3 OF 3

Banka Engineering, Inc.
 PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS
 FLORIDA BUSINESS CERTIFICATION NUMBER LB 4890
 17001 GULF SHORES DRIVE, SUITE 101
 PALM BEACH, FLORIDA 33411
 (407) 833-3400

SKETCH OF DESCRIPTION
 OF
 A TRACT OR PARCEL OF LAND LYING IN
 SECTION 22 & 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST,
 LEE COUNTY, FLORIDA.
 (OFFICIAL RECORDS BOOK 3148, PAGE 3748-3750)
 (PARCEL 2)



LEGEND:
 O.R. INDICATES RANGE



LINE TABLE

LINE	BEARING	DISTANCE	PLASS
L1	N 07°17'19\" W	115.57	PL 17
L2	S 09°57'02\" E	8.41	PL 17
L3	S 08°53'50\" E	100.00	PL 17
L4	S 07°12'19\" E	100.00	PL 17
L5	N 09°51'07\" W	100.00	PL 17

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	1175.00'	05°37'08"	122.02'	121.97'	N 03°09'58\" E
C2	1025.00'	06°12'28"	111.05'	111.00'	S 02°53'56\" W
C3	1025.00'	12°26'49"	222.07'	222.23'	S 08°23'43\" E
C4	1175.00'	12°26'49"	255.26'	254.76'	N 08°23'44\" W
C5	50.00'	89°44'43"	78.32'	70.55'	S 45°04'40\" E
C6	1100.00'	12°26'49"	238.97'	238.40'	N 08°23'43\" W
C7	1100.00'	12°26'49"	238.97'	238.40'	S 08°23'43\" E

NOTES:

- SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
- ASSUMED NORTH BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 24 EAST AS BEARING N 00°03'06\" E.

SEE SHEET 1 AND 2 FOR COMPLETE
 ACRES AND BOUNDS DESCRIPTION.
**THIS SKETCH OF DESCRIPTION
 IS NOT A BOUNDARY SURVEY**

Robert J. Simpson
 ROBERT J. SIMPSON
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATION NO. 36539
 - THIS SKETCH OF DESCRIPTION IS NOT VALID
 WITHOUT THE SIGNATURE AND THE ORIGINAL REGISTERED
 SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

PREPARED 08-31-04
 SHEET 5 OF 3

AmeriGas

America's Propane Company

September 28, 2004

Cody B. Vaughan-Birch
Henderson-Franklin
1715 Monroe Street
Fort Myers, Florida 33901

Dear Cody:

In reference to your letter faxed September 22, 2004, AmeriGas has no interest on right of way on the following parcel(s):

STRAP NO: 23-43-24-00-00001.0000

Please feel free to contact me at 239-334-2849, should you have further questions.

Sincerely,



Jim Riefstahl
Sales & Service Manager



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239)479-8531

Bob Janes
District One September 29, 2004

Douglas R. St. Cerny
District Two Cody B. Vaughan-Birch
Ray Judah
District Three Henderson, Franklin - Attorneys at Law
Post Office Box 280
Fort Myers, FL 33902

Andrew W. Coy
District Four

SUBJECT: REVIEW & RECOMMENDATION - ~~CRANES LANDING~~
PROPOSED RIGHT-OF-WAY VACATION
STRAP #S: 23-43-24-00-00001.0000

John E. Albion
District Five

Donald D. Stilwell
County Manager

Dear Mr. Vaughan-Birch:

James G. Yaeger
County Attorney

Lee County Utilities is in receipt of your letter and associated attachments concerning the proposed Petition to Vacate an existing un-named Lee County right-of-way located adjacent to the above-mentioned parcel.

Diana M. Parker
County Hearing Examiner

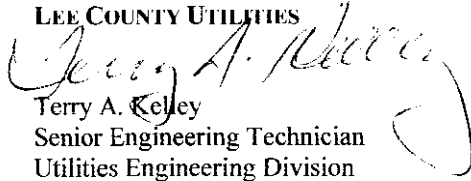
Lee County Utilities has reviewed your request and currently has **NO OBJECTION** to the proposed vacation. However, please be advised that record drawings indicate that Lee County Utilities owns and maintains potable water facilities within the Del Prado Extension right-of-way as well as within the Sabal Springs Subdivision adjacent to the area to be vacated. Lee County Utilities' position of '**NO OBJECTION**' is based in part, on the belief that these potable water facilities are located outside of the area to be vacated and will not be affected by or in conflict with the proposed vacation.

If it is later determined that these potable water facilities extend into the area to be vacated, they must either be relocated at the petitioner/owner's expense or a Lee County Utilities' Perpetual Public Utility Easement must be granted for access and maintenance of these facilities.

If you have not already done so, you may wish to contact Tony Reeves with North Fort Myers' Utilities concerning your request, as well. This area is located within their waste-water service area boundaries. Our records indicate that they own and maintain sanitary sewer and/or effluent reuse facilities in the vicinity of the proposed vacation.

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

Sincerely,

LEE COUNTY UTILITIES

Terry A. Kelley
Senior Engineering Technician
Utilities Engineering Division

Via Facsimile #334-4100
Original Mailed 09/29/04

cc: Correspondence File

SAEng\TAK\LETTERS\VAC\FY 2004\Henderson-Franklin - Un-named R-O-W Vacation - Cranes Landing - No Objection.doc

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number

November 19, 2004

Bob Janes
District One

REVISED

Douglas R. St. Cery
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

Mr. Cody B. Vaughn-Birch
Henderson Franklin
1715 Monroe Street
Fort Myers, FL 33901

**Re: Petition to Vacate Crane's Landing,
Unconstructed right-of-way recorded in
Official Record Book 2149, pages 3748-3750,
And Official Record Book 2149, pages 3745-3747,
Strap Number 23-43-24-00-00001-0000**

Dear Mr. Vaughn-Birch:

Lee County Department of Transportation has reviewed the request to vacate a portion of Right-of-way that lies within the Crane's Landing development site. The County is in receipt of the repayment of the road impact fee credits and is holding the funds in trust pending the Board approval of the Petition to Vacate.

Lee County Department of Transportation offers no objection to the abandonment of the described right-of-way.

Yours very truly,

DEPARTMENT OF TRANSPORTATION



Margaret Lawson
Right-of-Way Supervisor

MAL/mlb

cc: Ruth Keith, Development Services
Allen Davies, Natural Resources
Don Chamblee, DOT Operations
Charles Basinait, Henderson Franklin

S:\LAWSON\Cody Vaughn-Birch.docS:\LAWSON\Cody Vaughn-Birch.doc



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number **(239) 479-8124**

Bob Janes
District One

Tuesday, November 16, 2004

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Mr. Cody Vaughn-Birch
Henderson Franklin
1715 Monroe Street
Fort Myers, FL 33901

Andrew W. Coy
District Four

John E. Albion
District Five

Re: Petition to Vacate a right of way adjoining the east side of a parcel having a STRAP number of 23-43-24-00-00001.000, Lee County, Florida.

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Dear Vaughn-Birch:

Diana M. Parker
County Hearing Examiner

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

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

Regards,

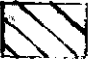
LEE COUNTY PUBLIC WORKS DEPARTMENT



Allen L. Davies, Jr.
Natural Resources Division

S:\NATRES\SURFACE\DOCUMENT\vac449a.doc

Area to be vacated



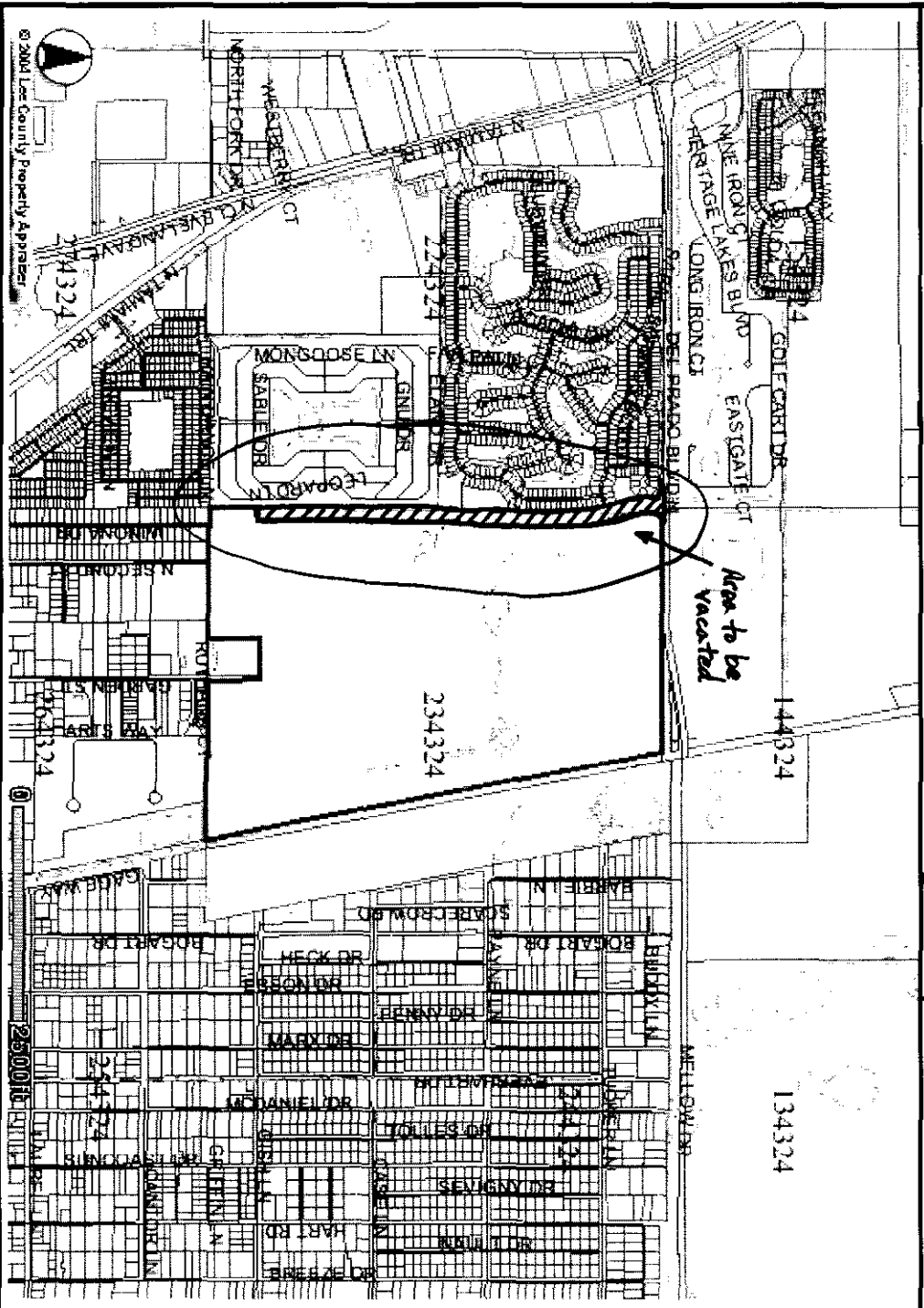
00001 0000

00002 0000

00006 0000

00006 0000

Crane's Landing GIS Map



- Legend**
- Selected Features
 - Hydro Features
 - Parcels
 - Parcel Hooks
 - Road Center Line
 - Section Lines
 - City Limits
 - Dental Springs
 - Cedar Cove
 - Fox Waters
 - Sunrise
 - Town of Fort Myers, Search