

Lee County Board Of County Commissioners
 Agenda Item Summary

Blue Sheet No. 20050432

1. ACTION REQUESTED/PURPOSE: Accept a Petition to Vacate a 20-foot wide platted Drainage Easement at 12202 and 12196 Country Day Cir., Fort Myers, located off Daniels Parkway, and adopt a resolution, setting a Public Hearing for 5:00 PM on the 24th day of May, 2005. (Case No. VAC2005-00010).

2. WHAT ACTION ACCOMPLISHES: To provide for development of two (2) residential lots. The existing drainage pipe and structure within the easement have been relocated to the northeast corner of the development and a replacement drainage easement has been provided for these facilities. **The vacation of this easement will therefore not alter existing drainage conditions and the easement is not necessary to accommodate any future drainage requirements.**

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category:
 COMMISSION DISTRICT #: 5

CHA

5. Meeting Date:

4-26-05

6. Agenda:

- Consent
- Administrative
- Appeals
- Public
- Walk-On

7. Requirement/Purpose: (specify)

- Statute F.S. Ch. 177
- Ordinance
- Admin. Code 13-1
- Other

8. Request Initiated:

Commissioner _____
 Department Community Development
 Division Development Services
 By: *[Signature]* *4/04/05*
 Peter J. Eckenrode, Director

9. Background:

The completed petition to vacate, VAC2005-00010 was submitted by Heidt & Associates, Inc. as the agent on behalf of Daniels Preserve Community Developers, Inc., a Florida corporation.

LOCATION: The site is located at **12202 and 12196 Country Day Cir., Fort Myers, Florida 33913** and its strap numbers are 18-45-26-09-00003.0080 and 18-45-26-09-00003.0090. Petition No. VAC2005-00010 proposes to vacate a twenty-foot (20') wide platted Drainage Easement centered on the common line between Lots 8 and 9, Block 3, containing 0.0574 +/- acres, Section 18, Township 45 South, Range 26 East, a subdivision of Daniels Preserve, as recorded in Plat Book 77, Pages 59-62 of the Public Records of Lee County, Florida.

Documentation pertaining to this Petition to Vacate is available for viewing at the Office of Lee Cares.

The executed replacement drainage easement from Daniels Preserve Community Developers, Inc. to Gateway Services Community Development District is being held in trust by the County pending the outcome of the Public Hearing. 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.

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services	Risk	Grants	Mgr.	County Manager/P.W. Director
<i>Mary Giblin</i>				<i>[Signature]</i>	<i>[Signature]</i> 4/13/05	<i>[Signature]</i> 4/13/05	<i>[Signature]</i> 4/13/05	<i>[Signature]</i> 4/13/05	<i>[Signature]</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

Rec. by CoAtty
 Date: *4/16/05*
 Time: *4:00*

RECEIVED BY
 COUNTY ADMIN: *ID*
 4-11-05
 4:30 pm
 COUNTY ADMIN
 FORWARDED TO: *PK*
 4-13-05 2:45 PM

Forwarded To:
[Signature]

4/11/05 4:11

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2005-00010

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the _____ 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 the public's interest in the easement, plat or portion of a plat 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

**DANIELS PRESERVE, LOTS 8 & 9, BLOCK 3
SECTION 18, TOWNSHIP 45 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA**

DRAINAGE EASEMENT TO BE VACATED

^{20'}
LEGAL DESCRIPTION: The DRAINAGE EASEMENT along the common line of Lots 8 and 9, of DANIELS PRESERVE, according to the Plat thereof, as recorded in Plat Book 77, at Pages 59 – 62 of the Public Records of Lee County, Florida.

Containing 0.0574 acres, more or less.

Lot 8 Address: 12202 Country Day Circle and Strap No. 18-45-26-09-00003.0080

Lot 9 Address: 12196 Country Day Circle and Strap No. 18-45-26-09-00003.0090

Prepared By:


Held Associates, Inc.
Solely Proprietor # 200
Professional Seal # 3912

SM # 6091

Exhibit "A"
Petition to Vacate
VAC2005-00010
[Page One of One]

**RESOLUTION NO. _____ TO SET PUBLIC HEARING
FOR PETITION TO VACATE** Case Number: VAC2005-00010

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. VAC2005-00010 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

BOARD OF COUNTY
COMMISSIONERS OF
LEE COUNTY, FLORIDA

Deputy Clerk Signature

Chairman Signature

Please Print Name

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

**DANIELS PRESERVE, LOTS 8 & 9, BLOCK 3
SECTION 18, TOWNSHIP 45 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA**

DRAINAGE EASEMENT TO BE VACATED

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Lot 9 Address: 12196 Country Day Circle and Strap No. 18-45-26-09-00003.0090

Prepared By:

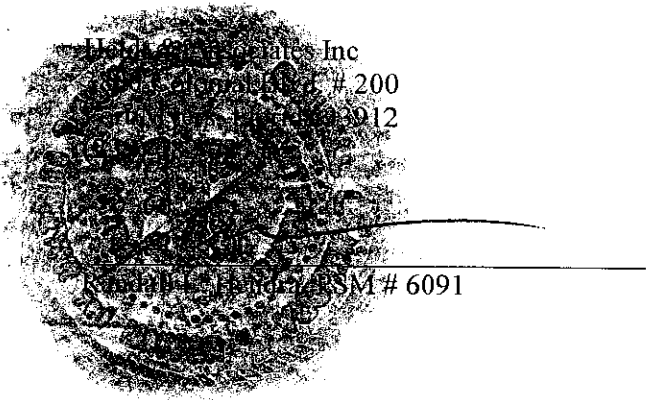


Exhibit "A"
Petition to Vacate
VAC2005-00010
[Page One of One]



PETITION TO VACATE (AC 13-1)

Case Number: **VAC 2005-00010**

Petitioner(s), **Daniels Preserve Community Developers, Inc.** 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, **6767 N. Wickham Road; Suite 500, Melbourne, Florida 32940** .
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A-1".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "A-2".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

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

Respectfully Submitted by:

James L. Sigmund 2-28-05
Petitioner Signature

Petitioner Signature

James L. Sigmund, Vice President
Printed Name

Printed Name

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

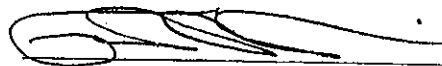
**CERTIFICATE OF
CORPORATE RESOLUTION
OF
DANIELS PRESERVE COMMUNITY DEVELOPERS, INC.**

The undersigned hereby certifies that the undersigned is the duly elected Secretary of **DANIELS PRESERVE COMMUNITY DEVELOPERS, INC.** (the "Corporation"), a corporation duly organized and existing under the laws of the State of Florida; that the following is a true and correct copy of resolutions duly adopted by the Board of Directors of said Corporation at a meeting duly and properly called at which a quorum was present on the 15th day of June, 2004; and that said resolutions are in full force and effect and have not been rescinded or modified.

That the Officers of the Corporation as of this date are:

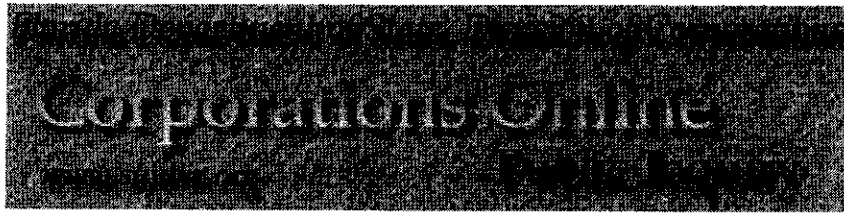
President:	Robert M. Kush
Vice-President:	Linda Swain
Vice-President:	Ken Mitchell
Vice-President:	Doug Draper
Secretary:	Frank R. Prince
Treasurer/Vice-President:	James L. Sigmund

IN WITNESS WHEREOF, I have hereunto subscribed my name as Secretary and affixed the seal of the Corporation pursuant to due and lawful corporate authority this 15th day of June, 2004.



Frank R. Prince, Secretary

(Corporate Seal)



Florida Profit

DANIELS PRESERVE COMMUNITY DEVELOPERS, INC.

PRINCIPAL ADDRESS
 6767 N. WICKHAM ROAD
 SUITE 500
 MELBOURNE FL 32940

MAILING ADDRESS
 6767 N. WICKHAM ROAD
 SUITE 500
 MELBOURNE FL 32940

Document Number
 P03000018000

FEI Number
 320062842

Date Filed
 02/14/2003

State
 FL

Status
 ACTIVE

Effective Date
 02/13/2003

Registered Agent

Name & Address
FRESE, GARY B 930 SOUTH HARBOR CITY BOULEVARD SUITE 505 MELBOURNE FL 32901

Officer/Director Detail

Name & Address	Title
SWAIN, LINDA 6767 N. WICKHAM ROAD, SUITE 500 MELBOURNE FL 32940	D
BUESCHER, KEITH 6767 N. WICKHAM ROAD, SUITE 500 MELBOURNE FL 32940	DV
KUSH, ROBERT M 6767 N. WICKHAM ROAD, SUITE 500 MELBOURNE FL 32940	DP

PRINCE, FRANK R 6767 N. WICKHAM ROAD, SUITE 500 MELBOURNE FL 32940	DS
SIGMUND, JAMES L 6767 N. WICKHAM ROAD, SUITE 500 MELBOURNE FL 32940	DT

Annual Reports

Report Year	Filed Date
2004	05/04/2004

[Previous Filing](#)

[Return to List](#)

[Next Filing](#)

No Events
 No Name History Information

Document Images

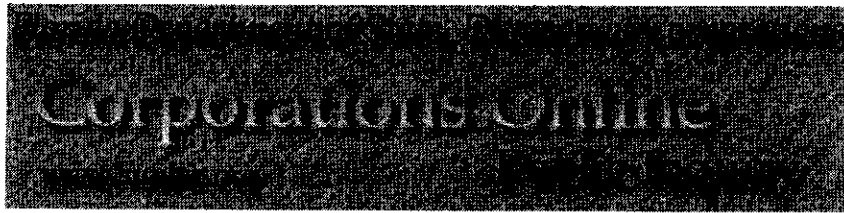
Listed below are the images available for this filing.

05/04/2004 -- ANN REP/UNIFORM BUS REP 02/14/2003 -- Domestic Profit
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THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

[Corporations Inquiry](#)

[Corporations Help](#)



Florida Non Profit

DANIELS PRESERVE HOMEOWNERS' ASSOCIATION, INC.

PRINCIPAL ADDRESS
 7370 COLLEGE PARKWAY
 SUITE 201
 FORT MYERS FL 33907 US

MAILING ADDRESS
 7370 COLLEGE PARKWAY
 SUITE 201
 FORT MYERS FL 33907 US

Document Number
 N04000002484

FEI Number
 NONE

Date Filed
 03/10/2004

State
 FL

Status
 ACTIVE

Effective Date
 03/04/2004

Registered Agent

Name & Address
TEMMEL, MEL 7370 COLLEGE PARKWAY SUITE 201 FORT MYERS FL 33907

Officer/Director Detail

Name & Address	Title
DRAPER, IRA D C/O 7370 COLLEGE PARKWAY, SUITE 201 FORT MYERS FL 33907 US	P
SIWICKI, LAURA C/O 7370 COLLEGE PARKWAY, SUITE 201 FORT MYERS FL 33907 US	S
HENNEBERRY, JOHN C/O 7370 COLLEGE PARKWAY, SUITE 201 FORT MYERS FL 33907 US	T

Annual Reports

Report Year	Filed Date
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[Previous Filing](#)

[Return to List](#)

[Next Filing](#)

No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

03/11/2004 -- Domestic Non-Profit

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

[Corporations Inquiry](#)

[Corporations Help](#)

This instrument prepared by and after recording return to:
Pamela A. Eck
Heidt & Associates, Inc.
3800 Colonial Blvd., #200
Ft. Myers, Florida 33912

GRANT OF DRAINAGE EASEMENT

THIS EASEMENT, granted this 28 day of February, 2005 by Daniels Preserve Community Developers, Inc., a Florida corporation, its successors and assigns, as "Grantor", in favor of the GATEWAY SERVICES COMMUNITY DEVELOPMENT DISTRICT, its successors and assigns, as "Grantee".

WITNESSETH: That the Grantor for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid by the Grantee, receipt of which is hereby acknowledged, hereby conveys, grants, bargains and sells unto the Grantee, its successors and assigns, a perpetual, nonexclusive easement, license, and privilege to enter upon and to install, construct, operate, repair, replace and maintain Drainage Facilities, on, over, under, upon and across the following described lands being located in Lee County, Florida, to wit:

See Exhibit "B-1 & B-2" attached hereto and incorporated by reference herein.

TO HAVE AND TO HOLD the same unto the Grantee and its assigns, together with the right to enter upon said land, excavate, and take materials for the purpose of constructing, repairing, operating, replacing, reconstructing and maintaining Drainage Facilities therein and thereon, together with all rights and privileges necessary or convenient for full use and enjoyment thereof for the above-stated purposes. Grantor and Grantee are used for singular or plural, as the context requires.

GRANTEE, by acceptance of this easement agrees for itself, its successors and assigns, to not interfere with the right of ingress or egress of GRANTOR, its grantees, successors and assigns, or any other party requiring access to the properties over which this easement is granted or to any properties abutting the properties encumbered by this easement.

This easement shall be a covenant running with the land and shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the date and year first above written.

Signed, sealed and delivered in our presence:

Theresa A. Steelman
(Signature of Witness #1)

Printed Name: Theresa A. Steelman

Mary F. Nagle
(Signature of Witness #2)

Printed Name: MARY F. NAGLE

By: Daniels Preserve Community Developers, Inc.

By: James L. Sigmund

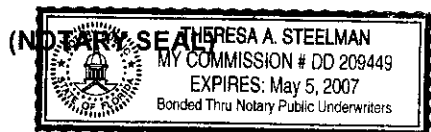
Printed Name: James L. Sigmund

It's: Vice President

STATE OF Florida
COUNTY OF Brevard

I **HEREBY CERTIFY** that on this day before me, an officer duly qualified to take acknowledgments, personally appeared James L. Sigmund as Vice President of Daniels Preserve Community Developers, Inc., a Florida corporation, to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged before me that he/she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 28 day of February, 2005.



NOTARY PUBLIC:

Theresa A. Steelman

Printed Name: Theresa A. Steelman

Commission No.: DD 209449

My Commission Expires: 5/5/2007

**DANIELS PRESERVE SUBDIVISION
SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA**

REPLACEMENT DRAINAGE EASEMENT

LEGAL DESCRIPTION: A parcel of land lying in Section 17, Township 45 South, Range 26 East, also being a portion of Tract "A" of Daniels Preserve according to the Plat thereof as recorded in Plat Book 77, at Page 59, and being a portion of Tract "O-1" of Worthington Commerce Park, according to the plat thereof as recorded in Plat Book 76, at Page 74 of the Public Records of Lee County, Florida and being more particularly described as follows:

Commencing at the Northeast corner of Lot 1, Block 3 of said Daniels Preserve, thence run Along the Southerly boundary of a 30 feet Access, Drainage and Utility Easement, as shown on said plat of Daniels Preserve, N.89°34'07"E. 3.31 feet to the Point of Beginning; thence continue N.89°34'07"E., 15.53 feet; thence S.15°28'56"E., 146.45 feet to a point on the Northwesterly boundary of Tract "CA-5" of said Worthington Commerce Park; thence along said Northwesterly boundary S.59°12'37"W., 15.55 feet; thence N.15°28'56"W., 154.59 feet to the POINT OF BEGINNING.

Containing 0.052 acres, more or less.

Prepared By:

Heidt & Associates Inc
3800 Colonial Blvd. # 200
Fort Myers, Florida 33912
219-482-7276



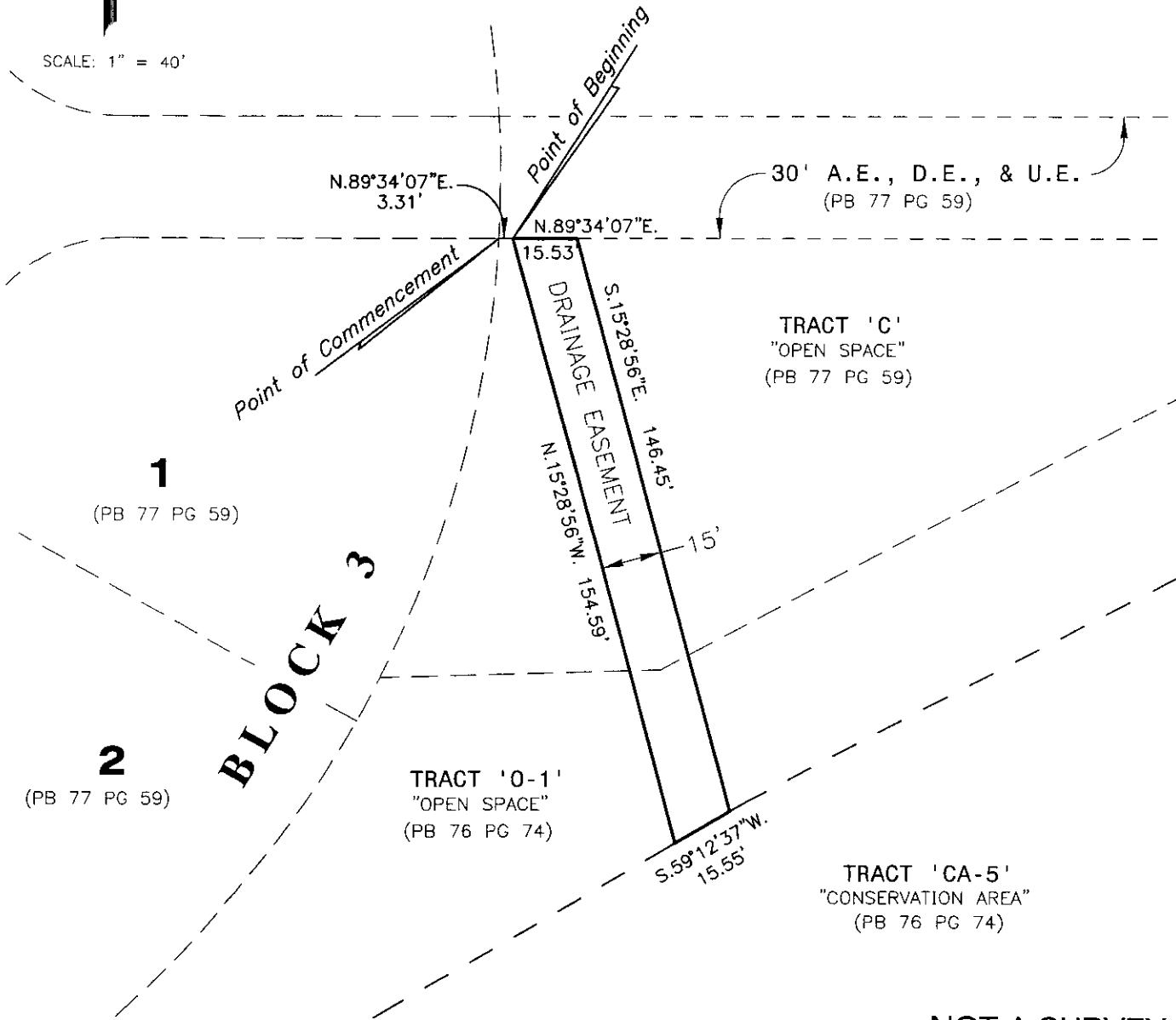
Randall J. Hendra PSM # 6091

EXHIBIT "B-1"

REPLACEMENT DRAINAGE EASEMENT



SCALE: 1" = 40'



1
(PB 77 PG 59)

2
(PB 77 PG 59)

BLOCK 3

TRACT 'O-1'
"OPEN SPACE"
(PB 76 PG 74)

TRACT 'C'
"OPEN SPACE"
(PB 77 PG 59)

TRACT 'CA-5'
"CONSERVATION AREA"
(PB 76 PG 74)

LEGEND

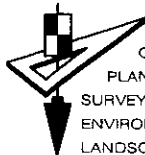
- A.E. - ACCESS EASEMENT
- D.E. - DRAINAGE EASEMENT
- PB - PLAT BOOK
- PG - PAGE
- OR - OFFICIAL RECORDS BOOK
- PUE - PUBLIC UTILITY EASEMENT
- UE - UTILITY EASEMENT

NOT A SURVEY



CERTIFICATE OF AUTHORIZATION NO. LB 148

PREPARED BY: **HEIDT & ASSOCIATES, Inc.**
Tampa ♦ Fort Myers



CIVIL ENGINEERING
PLANNING
SURVEYING
ENVIRONMENTAL PERMITTING
LANDSCAPE ARCHITECTURE

Fort Myers Office
3800 Colonial Blvd, Suite 200
Fort Myers, Florida 33912
Phone: 239-482-7275
FAX: 239-482-2103

DANIELS PRESERVE SUBDIVISION
REPLACEMENT DRAINAGE EASEMENT FOR LOTS 8 & 9

Prepared For: **DANIELS PRESERVE COMMUNITY DEVELOPERS, INC.**

Dwn: RH	Cr: PE	DWG: REPLACE_ESMT
Date: 10-12-2004	Order No.: *	

SECTION 17, TOWNSHIP 45 S, RANGE 26 E
LEE COUNTY, FLORIDA

This instrument prepared by and after recording return to:
Pamela A. Eck
Heidt & Associates, Inc.
3800 Colonial Blvd., Suite 200
Ft. Myers, Florida 33912

VACATION OF DRAINAGE EASEMENT

WHEREAS, Daniels Preserve Community Developers, Inc., (hereinafter referred to as "DPCD"), is the owner of that certain real property described on the attached Exhibit "A-1 & A-2" and is the Grantee of that certain Grant of Drainage Easement recorded in Plat Book 77 Page(s) 59 - 62 , Public Records of Lee County, Florida said easement hereinafter being referred to as "Easement"; and,

WHEREAS, the owner of the property upon which said Easement is located has requested that said Easement be vacated; and,

WHEREAS, the area encumbered by the aforesaid recorded Easement is no longer required or needed by the Gateway Services Community Development District (the "District"); and,

WHEREAS, the District is agreeable to vacating said Easement in exchange for the owner of the property encumbered by said Easement recording a new easement in favor of the District,

NOW THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, the "District" hereby relinquishes, abandons and vacates that area encumbered by said Easement as described on Exhibit "A-1 & A-2" and made a part of this document.

IN WITNESS WHEREOF, the District has caused these presents to be executed in its name, and its seal to be hereunto affixed, by its proper officers thereunto duly authorized this 14 day of March , 2005 .

ATTEST:

Mary Carol Stanley
(Signature of Witness #1)

Printed Name: MARY CAROL STANLEY

Roger Sherman
(Signature of Witness #2)

Printed Name: Roger Sherman

GATEWAY SERVICES COMMUNITY DEVELOPMENT DISTRICT

By: Robert Nielson Jr.
VICE Chairman

ROBERT NIELSON JR.
(Printed Name)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 14 day March of 2005 , by Robert Nielson as Chairman of the Gateway Services Community Development District, who is personally known to me or has produced _____ as identification and who did/did not take an oath.

(SEAL)



Chesley E Adams Jr
My Commission DD224073
Expires July 18, 2007

NOTARY PUBLIC:

Chesley E Adams Jr.
Printed Name: Chesley E Adams, Jr
Commission Number: DD224073
My Commission Expires: 7-18-07

**DANIELS PRESERVE, LOTS 8 & 9, BLOCK 3
SECTION 18, TOWNSHIP 45 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA**

DRAINAGE EASEMENT TO BE VACATED

LEGAL DESCRIPTION: The DRAINAGE EASEMENT along the common line of Lots 8 and 9, of DANIELS PRESERVE, according to the Plat thereof, as recorded in Plat Book 77, at Pages 59 – 62 of the Public Records of Lee County, Florida.

Containing 0.0574 acres, more or less.

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Lot 9 Address: 12196 Country Day Circle and Strap No. 18-45-26-09-00003.0090

Prepared By:

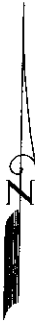
Hendri Associates Inc
3800 Colonial Blvd. # 200
Fort Myers, Florida 33912
(239) 482-7278

Randall L. Hendra, PSM # 6091

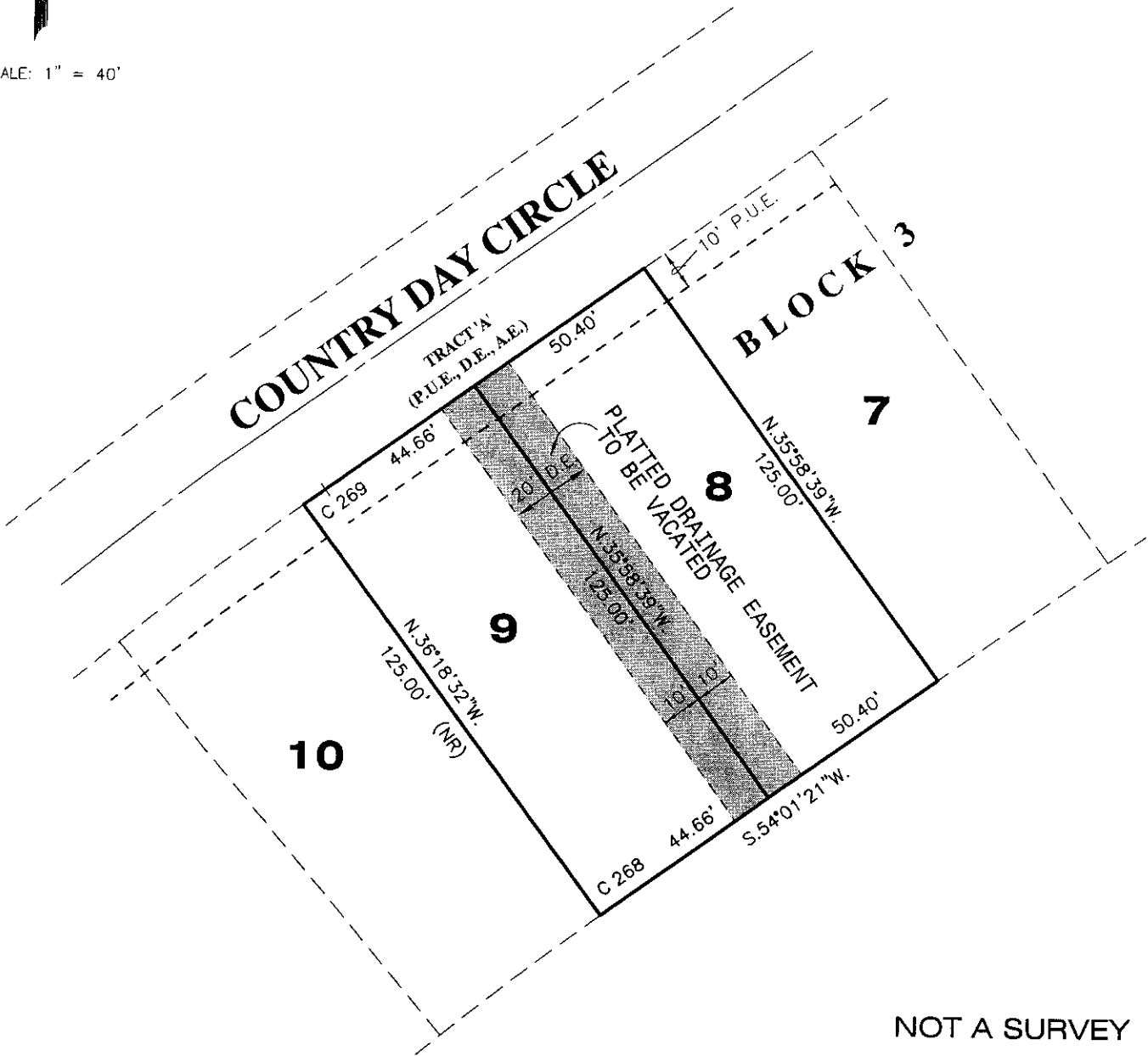
EXHIBIT "A-1"

SHEET 1 OF 2

DRAINAGE EASEMENT TO BE VACATED



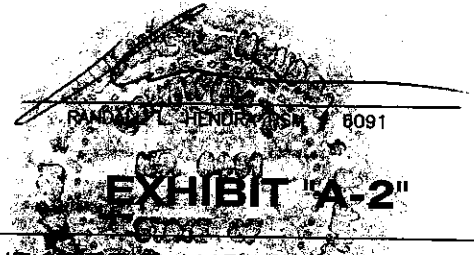
SCALE: 1" = 40'



NOT A SURVEY

LEGEND

- DE - DRAINAGE EASEMENT
- PB - PLAT BOOK
- PG - PAGE
- OR - OFFICIAL RECORDS
- PUE - PUBLIC UTILITY EASEMENT



CERTIFICATE OF AUTHORIZATION NO. LB 148

PREPARED BY: **HEIDT & ASSOCIATES, Inc.**
 Tampa ♦ Fort Myers



CIVIL ENGINEERING
 PLANNING
 SURVEYING
 ENVIRONMENTAL PERMITTING
 LANDSCAPE ARCHITECTURE

Fort Myers Office
 3800 Colonial Blvd, Suite 200
 Fort Myers, Florida 33912
 Phone: 239-482-7275
 FAX: 239-482-2103

**DRAINAGE EASEMENT LOTS 8 AND 9, BLOCK 3
 DANIELS PRESERVE TO BE VACATED**

Prepared For: **DANIELS PRESERVE COMMUNITY DEVELOPERS, INC.**

Dwn. RH	Ck. PE	DWG: DE_VACATION
Date: 01/17/05	Order No.: *	

SECTION 18 TOWNSHIP 45 S RANGE 26 E
 LEE COUNTY, FLORIDA

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple titleholders and owners of record of property commonly known as Daniels Preserve (Strap Numbers 18-45-26-09-00003.0080 and 18-45-26-09-00003.0090) 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 Heidt & Associates, Inc. as the legal representative 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.

James L. Sigmund
Owner* (signature)

James L. Sigmund, Vice President
Printed Name

Owner* (signature)

Printed Name

Owner* (signature)

Printed Name

Owner* (signature)

Printed Name

Owner* (signature)

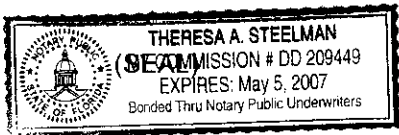
Printed Name

Owner* (signature)

Printed Name

STATE OF Florida
COUNTY OF Brevard

Sworn to (or affirmed) and subscribed before me this 28 day of February, 2005,
by James L. Sigmund who is personally known to me or who has produced
as identification and who ~~did~~ (did not) take an oath.



Theresa A. Steelman
Notary Public

Theresa A. Steelman
(Name typed, printed or stamped)

**DANIELS PRESERVE, LOTS 8 & 9, BLOCK 3
SECTION 18, TOWNSHIP 45 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA**

DRAINAGE EASEMENT TO BE VACATED

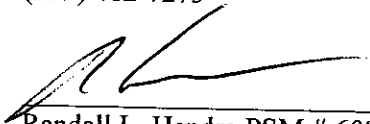
LEGAL DESCRIPTION: The DRAINAGE EASEMENT along the common line of Lots 8 and 9, of DANIELS PRESERVE, according to the Plat thereof, as recorded in Plat Book 77, at Pages 52 – 62 of the Public Records of Lee County, Florida.

Containing 0.0574 acres, more or less.

Lot 8 Address: 12202 Country Day Circle and Strap No. 18-45-26-09-00003.0080
Lot 9 Address: 12196 Country Day Circle and Strap No. 18-45-26-09-00003.0090

Prepared By:

Heidt & Associates Inc
3800 Colonial Blvd. # 200
Fort Myers, Florida 33912
(239) 482-7275



Randall L. Hendra PSM # 6091

EXHIBIT "A"

**DANIELS PRESERVE, LOTS 8 & 9, BLOCK 3
SECTION 18, TOWNSHIP 45 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA**

DRAINAGE EASEMENT TO BE VACATED

LEGAL DESCRIPTION: The DRAINAGE EASEMENT along the common line of Lots 8 and 9, of DANIELS PRESERVE, according to the Plat thereof, as recorded in Plat Book 77, at Pages 59 – 62 of the Public Records of Lee County, Florida.

Containing 0.0574 acres, more or less.

Lot 8 Address: 12202 Country Day Circle and Strap No. 18-45-26-09-00003.0080

Lot 9 Address: 12196 Country Day Circle and Strap No. 18-45-26-09-00003.0090

Prepared By:

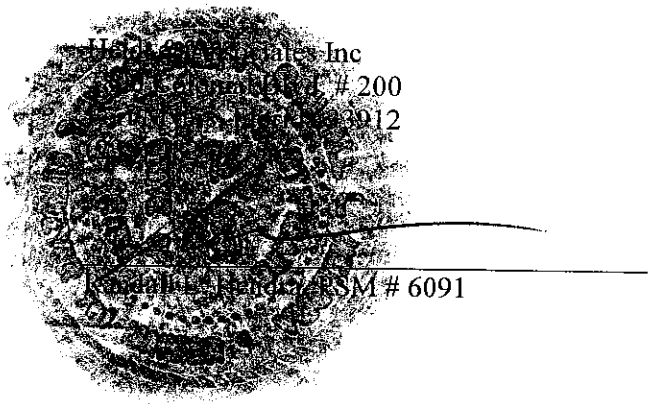
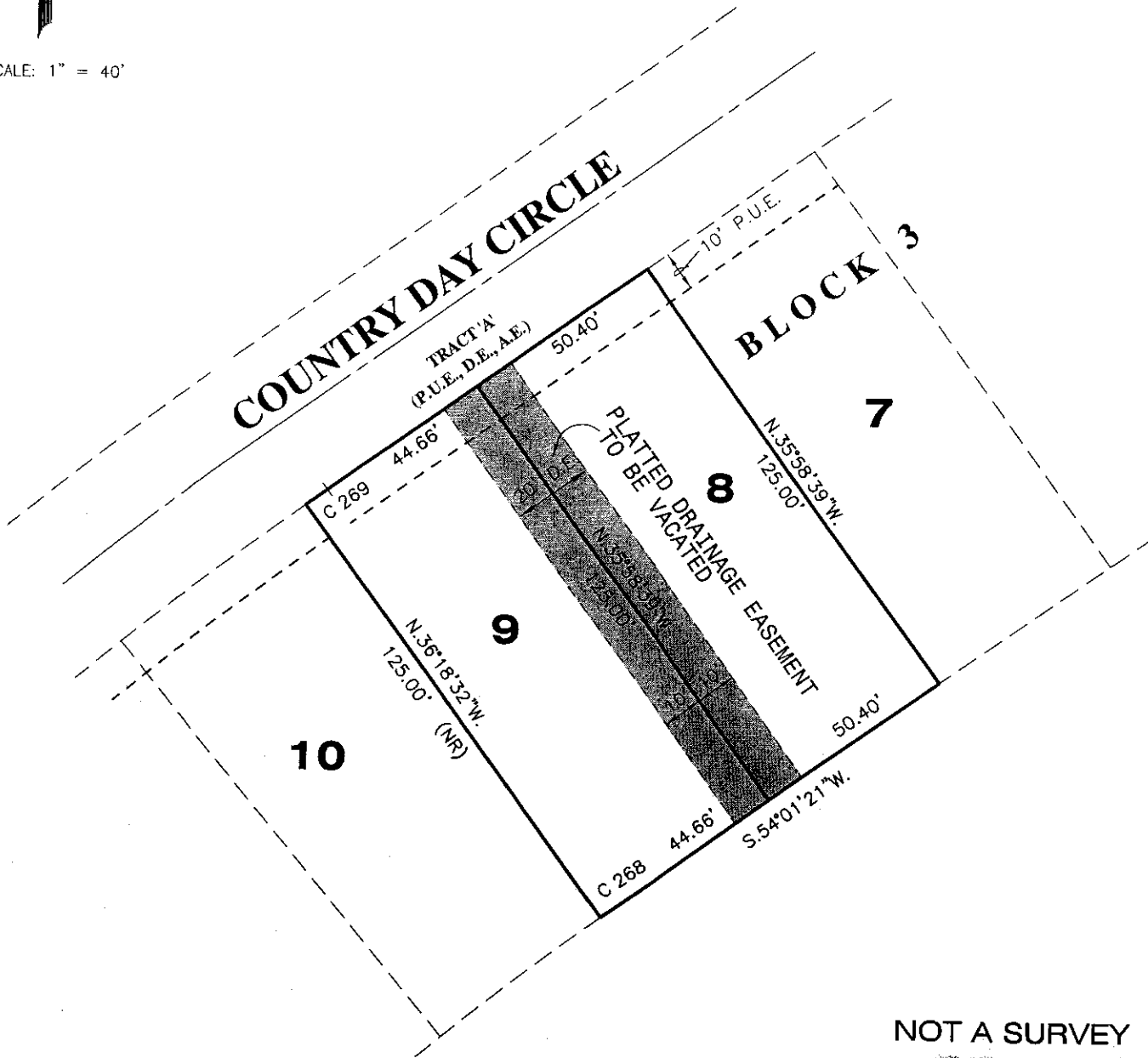


Exhibit "A"
Petition to Vacate
VAC2005-00010
[Page One of One]

DRAINAGE EASEMENT TO BE VACATED

79

SCALE: 1" = 40'



NOT A SURVEY

LEGEND

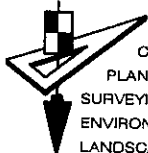
- DE - DRAINAGE EASEMENT
- PB - PLAT BOOK
- PG - PAGE
- OR - OFFICIAL RECORDS
- PUE - PUBLIC UTILITY EASEMENT

Exhibit "B"
Petition to Vacate
VAC2005-00010
 [Page One of One]



CERTIFICATE OF AUTHORIZATION NO. LB 148

PREPARED BY: **HEIDT & ASSOCIATES, Inc.**
 Tampa ♦ Fort Myers



CIVIL ENGINEERING
 PLANNING
 SURVEYING
 ENVIRONMENTAL PERMITTING
 LANDSCAPE ARCHITECTURE

Fort Myers Office
 3800 Colonial Blvd, Suite 200
 Fort Myers, Florida 33912
 Phone: 239-482-7275
 FAX: 239-482-2103

DRAINAGE EASEMENT TO BE VACATED
DANIELS PRESERVE

Prepared For: **DANIELS PRESERVE CONSULTANTS, INC.**

Dwn. RH	CR	DATE OF VACATION
Date: 01/17/05		Order No.: *

SECTION 18 TOWNSHIP 45 S RANGE 26 E
 LEE COUNTY, FLORIDA

Exhibit "C"
Petition to Vacate
VAC2005-00010
 [Page One of One]



Real Property Information		New Search
Account	Tax Year	Status
18-45-26-09-00003.0080	2004	PAID
Original Account	Book/Page	
18-45-26-09-00003.0080	3878/814	
Owner		
DANIELS PRESERVE COMM DEV INC		
Physical Address	Mailing Address	
12202 COUNTRY DAY CIR FT MYERS FL 33913	6767 N WICKHAM RD STE 500 MELBOURNE FL 32940 USA	
Legal Description		
DANIELS PRESERVE PB 77 PGS 59-62 BLOCK 3 LOT 8		
Outstanding Balance as of 2/21/2005		\$0.00



Real Property Information		New Search
Account	Tax Year	Status
18-45-26-09-00003.0090	2004	PAID
Original Account	Book/Page	
18-45-26-09-00003.0090	3878/814	
Owner		
DANIELS PRESERVE COMM DEV INC		
Physical Address	Mailing Address	
12196 COUNTRY DAY CIR FT MYERS FL 33913	6767 N WICKHAM RD STE 500 MELBOURNE FL 32940 USA	
Legal Description		
DANIELS PRESERVE PB 77 PGS 59-62 BLOCK 3 LOT 9		
Outstanding Balance as of 2/21/2005		\$0.00

150
30,730.00



Prepared by and return to:
THOMAS H. GUNDERSON
Attorney at Law
HENDERSON, FRANKLIN, STARNES & HOLT, P.A.
1715 Monroe St. P. O. Box 280
Fort Myers, FL 33902

INSTR # 5754901
Official Records BK 03878 PG 0814
RECORDED 03/20/2003 04:40:22 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 15.00
DEED DOC 30,730.00
DEPUTY CLERK J Miller

File Number: **thg worth merce**
Will Call No.: 12

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this 10th day of March, 2003, between **WORTHINGTON HOLDINGS, LLC**, a Florida limited liability company, whose post office address is 9240 Marketplace Road, Suite 2, Fort Myers, FL 33912, grantor, and **DANIELS PRESERVE COMMUNITY DEVELOPERS, INC.**, a Florida corporation, whose post office address is 6767 N. Wickham Rd., Suite 500, Melbourne, FL 32940, 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 County, Florida**, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO.

Parcel Identification Number: 07-45-26-00-00001.0000

Subject to taxes for 2003 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

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 fully 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:

WORTHINGTON HOLDINGS, LLC, a Florida limited liability company

Barbara George
Witness Name: BARBARA GEORGE

By: *John Gnagey*
JOHN GNAGEY, Vice President

Judy Moliqve
Witness Name: JUDY MOLIQUE

(Corporate Seal)

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 10TH day of MARCH, 2003 by JOHN GNAGEY, Vice President of WORTHINGTON HOLDINGS, LLC, a Florida limited liability company, on behalf of the corporation. He is personally known to me or has produced _____ as identification.

[Notary Seal]



Barbara George
My Commission DD038430
Expires September 17 2005

Barbara George
Notary Public

Printed Name: BARBARA GEORGE

My Commission Expires: _____

**DESCRIPTION
OF A PARCEL OF LAND
LYING IN
SECTIONS 7, 8, 17 & 18, TOWNSHIP 45 SOUTH, RANGE 26 EAST
(DANIELS ROAD PARCEL)**

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, IN SECTIONS 7, 8, 17 AND 18, TOWNSHIP 45 SOUTH, RANGE 26 EAST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 45 SOUTH, RANGE 26 EAST; THENCE S 89°42'31" W ALONG THE NORTH LINE OF SECTION 18 FOR 612.76 FEET TO THE POINT OF BEGINNING; THENCE N 54°00'05" E FOR 751.93 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID SECTION 7; THENCE S 35°59'55" E FOR 858.81 FEET; THENCE S 61°46'10" W FOR 373.34 FEET; THENCE S 01°37'46" E FOR 1607.37 FEET; THENCE S 60°00'00" W FOR 1241.56 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 800.00 FEET AND TO WHICH POINT A LINE BEARS N 29°21'21" E; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 27°02'52" FOR 377.66 FEET; THENCE S 89°37'38" W FOR 158.39 FEET; THENCE S 89°12'07" W FOR 338.37 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 900.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 18°13'00" FOR 286.15 FEET; THENCE S 70°59'07" W FOR 116.72 FEET; THENCE N 35°59'56" W FOR 417.52 FEET; THENCE N 00°54'11" W FOR 310.37 FEET; THENCE S 89°22'30" E FOR 316.92 FEET; THENCE N 00°54'11" W FOR 955.84 FEET; THENCE N 54°00'05" E FOR 1781.79 FEET TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD (WRITTEN AND UNWRITTEN, RECORDED AND UNRECORDED).

BEARINGS BASED ON THE NORTH LINE OF SECTION 18, TOWNSHIP 45 SOUTH, RANGE 26 EAST AS BEING S 89°42'31" W.

SENDER COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Ron Zul
Worthington Holdings, LLC
9240 Marketplace Rd; Suite 2
Fort Myers, FL 33912-0369

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Ron Zul

Agent

Addressee

B. Received by (*Printed Name*)

C. Date of Delivery

10/22/04

D. Is delivery address different from item 1? Yes
if YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail

Registered Return Receipt for Merchandise

Insured Mail C.O.D.

4. Restricted Delivery? (*Extra Fee*)

Yes

2. Article Number 7001 0320 0002 5906 1110
(*Transfer from service label*)

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Mr. Ron Zul
Worthington Holdings, LLC
9240 Marketplace Rd; Suite 2
Fort Myers, FL 33912-0869

2. Article Number **7001 0320 0002 5906 1110**
(Transfer from service label)

COMPLETE THIS SECTION FOR DELIVERY

A. Signature Agent
 Addressee
X

B. Received by (*Printed Name*) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 if YES, enter delivery address below: No

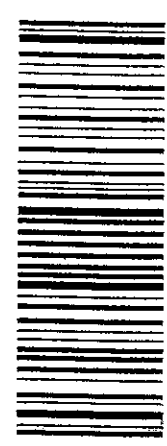
3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (*Extra Fee*) Yes

7001 0320 0002 5906 1110

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL



7001 0320 0002 5906 1110

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$.37	Postmark Here
Certified Fee		2.30	
Return Receipt Fee (Endorsement Required)		1.75	
Restricted Delivery Fee (Endorsement Required)			
Total Postage & Fees	\$	4.42	

Sent To **Mr. Ron Zul/Worthington**

Street, Apt. No. or PO Box No **9240 Marketplace Rd., #2**

City, State, ZIP+4 **Fort Myers, FL 33912-0869**

PS Form 3800, January 2001 See Reverse for Instructions

UNITED STATES POSTAL SERVICE

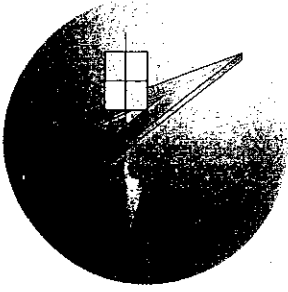


First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Pamela A. Eck
 Heidt & Associates, Inc.
 3800 Colonial Blvd. #200
 Fort Myers, FL 33912-1075

Daniels Preserve - Drainage Easement Vacation



October 20, 2004

Mr. Ron Zul
Worthington Holdings, L.L.C.
9240 Marketplace Road; Suite 2
Fort Myers, Florida 33912

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LANDSCAPE
ARCHITECTURE



Tampa

2212 W. Swann Avenue
Tampa, FL 33606-2426
Phone: 813.253.5311
Fax: 813.253.2478



Fort Myers

3800 Colonial Blvd., #200
Fort Myers, FL 33912-1075
Phone: 239.482.7275
Fax: 239.482.2103



Sarasota•Manatee

401 Interstate Boulevard
Sarasota, FL 34240-8996
Phone: 941.342.8280
Fax: 941.342.8457

**RE: Daniels Preserve / Lot's 8 & 9, Block 3 of Daniels Preserve
Strap No.'s 18-45-26-09-00003.0080 & 18-45-26-09-00003.0090**

Dear Mr. Zul:

The purpose of this letter is to notify your company of the issue of vacating the existing Drainage Easement located at the above referenced project between Lots 8 & 9. We are required by Lee County to give notice to the "Affected Property Owners" within 250 feet of the area to be vacated.

Attached to this letter is Exhibit "A" showing the Drainage Easement area to be vacated. This existing easement is being eliminated because the proposed drainage pipe and structure have been relocated to the northeast of the property in the common area across from the proposed park. The existing easement is no longer necessary.

Also attached for your review are copies of a Location Map (Exhibit "B") and overall Site Map (Exhibit "B-1") for Daniels Preserve.

If you have any questions or I may be of further assistance, please feel free to contact me.

Sincerely,

HEIDT & ASSOCIATES, INC.

Pamela A. Eck
Permit Coordinator
peck@heidtinc.com

Attachments

MCD-GD

P:\Mercedes Daniels\Master Plan\Vacate DE\Permits & Corresp\PE_Worthington Esmt Vacate CvrLtr 102004.doc

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8440

Bob Janes
District One

March 28, 2005

Douglas R. St. Cerny
District Two

Pamela A. Eck
Heidt & Associates, Inc.
3800 Colonial Blvd., # 200
Fort Myers, FL 33912

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Re: VAC2005-00010 - Petition to Vacate a (20') wide platted Drainage Easement centered on the common line between Lots 8 and 9, Block 3, S 18, T 45 S, R 26 E, a subdivision of Daniels Preserve, as recorded in PB 77, Pgs 59-62 of the Public Records of Lee County, FL

Donald D. Stilwell
County Manager

Diana M. Parker
County Hearing Examiner

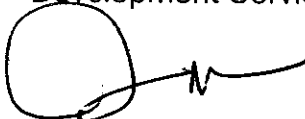
Dear Ms. Eck:

You have indicated that the proposed drainage pipe and structure have been relocated to the northeast corner of the development in the common area from the existing drainage easement, which is being eliminated. Due to this reason, your client, Daniels Preserve Community Developers, Inc. desire to vacate the proposed area described. The Grant of the Drainage Easement, which is held in trust by the county will be conveyed from Daniels Preserve Community Developers, Inc. to Gateway Services Community Development District pending the outcome of the Public Hearing. The site is located at 12202 and 12196 Country Day Cir., Fort Myers, located off Daniels Parkway. Based on a review of the information provided and our subsequent research, this office has no objection to the proposed vacation.

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

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

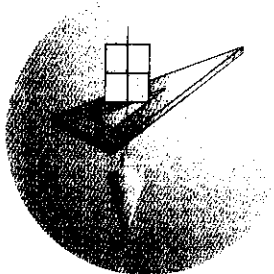


Peter J. Eckenrode
Director

PJE/RSK

U:\200503\20050304.154\0106800\DCDLETTER.DOC

HEIDT &
ASSOCIATES, INC.



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PERMITTING

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LANDSCAPE
ARCHITECTURE



Tampa

2212 W. Swann Avenue
Tampa, FL 33606-2426
Phone: 813.253.5311
Fax: 813.253.2478

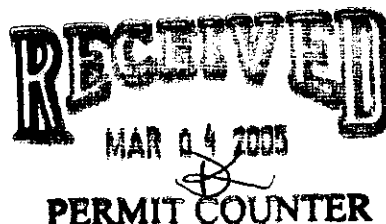
Fort Myers

3800 Colonial Blvd., #200
Fort Myers, FL 33912-1075
Phone: 239.482.7275
Fax: 239.482.2103

Sarasota•Manatee

401 Interstate Boulevard
Sarasota, FL 34240-8996
Phone: 941.342.8280
Fax: 941.342.8457

March 4, 2005



Mr. Pete Eckenrode
Lee County Division of Development Services
1500 Monroe Street
Ft. Myers, Florida 33901

**RE: Daniels Preserve Subdivision – Request to Vacate Drainage Easements
Lot 8 – 12202 Country Day Circle (Strap No. 18-45-26-09-00003.0080)
Lot 9 – 12196 Country Day Circle (Strap No. 18-45-26-09-00003.0090)**

Dear Mr. Eckenrode:

On behalf of our client, Daniels Preserve Community Developers, Inc. (DPCD), we are submitting the following for review and approval on the above referenced:

1. Check #2153 in the amount of \$600.00 for the review fee,
2. Original Petition to Vacate Application (Pages 1 - 7 of 7),
3. Original Review and Recommendation Letters from the appropriate utility companies and agencies (There are a total of seven (7) "approved" Review and Recommendation letters attached to Page 3 of 7 of the Application.),
4. Original and two (2) copies of the Lee County Letter of Authorization,
5. Three (3) copies of the Certificate of Corporate Resolution for DPCD,
6. Three (3) copies of the "draft" Vacation of Drainage Easement Agreement with Exhibit "A-1" (legal description, address & strap number of area to be vacated) and Exhibit "A-2" (sketch of area to be vacated),
7. Three (3) copies of the "draft" Grant of Drainage Easement Agreement with Exhibit "B-1" (legal description of Replacement Easement) and Exhibit "B-2" (Sketch of Replacement Easement),
8. Original and two (2) copies each (Lot 8 & 9) of the Paid Tax Receipts for the subject lots - Exhibit "C",
9. Three (3) copies of the Recorded Plat (8-1/2 x 11-inch) with the Drainage Easement area to be vacated delineated,
10. Three (3) copies of the Recorded Plat (24 x 36-inch) with the Drainage Easement area to be vacated delineated,
11. Three (3) copies of the Special Warranty Deed for the subject property,
12. Original and two (2) copies of this cover letter with the reason and purpose of this request,

Mr. Pete Eckenrode
RE: Daniels Preserve – D.E. Vacation Request
March 4, 2005
Page 2 of 2

13. Three (3) copies of the GIS Map (8-1/2 x 11-inch) with the Drainage Easement area to be vacated delineated,
14. Three (3) copies of the Aerial (8-1/2 x 11-inch) with the Drainage Easement area to be vacated delineated,
15. One (1) copy of the cover letter and attachments sent to the "Affected Property Owner" (Worthington Holdings, LLC) along with the "original" green Certified Return Receipt Card from the Post Office showing the signature that accepted the correspondence,

Reason and Purpose of Drainage Easement Vacation Request: The vacating of the above mentioned Drainage Easement is being requested because the proposed drainage pipe and structure have been relocated. The drainage pipe and structure are now located in the northeast corner of the development in the common area across from the proposed park. By allowing the Drainage Easements to be vacated, the new owners/buyers will be able to utilize the maximum lot size and be free of any unnecessary easements and encumbrances.

We have received the verbal approval from the Gateway Services CDD Attorney on the "Draft" Vacation Easement Agreements and Exhibits to be recorded for this request. Once the Agreements and Exhibits are recorded, a copy will be forwarded to your office for your records.

If you have any questions or we may be of further assistance, please feel free to contact our office.

Sincerely,

HEIDT & ASSOCIATES, INC.



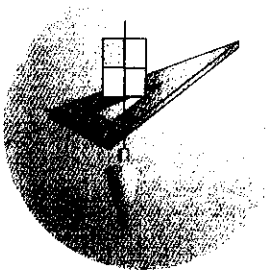
Pamela A. Eck
Permit Coordinator
peck@heidtinc.com

Attachments

cc: Theresa Steelman; Daniels Preserve Community Developers, Inc.
Ed Andrews w/ letter only; Andrews Asset Management Corporation
Don Blackburn w/ letter only; Lee County Development

MCD-GD

P:\Mercedes Daniels\Master Plan\Vacate DE\Permits & Corresp\Lee Co Eckenrode DE Vacation CvrLtr_PE 030405.doc



Mr. Eric Walther
Florida Power & Light
15834 Winkler Road
Ft. Myers, Florida 33908-4136

**RE: Daniels Preserve / Lot's 8 & 9, Block 3 of Daniels Preserve
Strap No.'s 18-45-26-09-00003.0080 & 18-45-26-09-00003.0090
Request for Letter of No Objection for Drainage Easement Vacation**

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ARCHITECTURE



Tampa

2212 W. Swann Avenue
Tampa, FL 33606-2426
Phone: 813.253.5311
Fax: 813.253.2478



X Fort Myers

3800 Colonial Blvd., #200
Fort Myers, FL 33912-1075
Phone: 239.482.7275
Fax: 239.482.2103



Sarasota•Manatee

401 Interstate Boulevard
Sarasota, FL 34240-8996
Phone: 941.342.8280
Fax: 941.342.8457

Dear Mr. Walther:

The purpose of this letter is to address the issue of vacating the existing Drainage Easement located at the above referenced project between Lots 8 & 9. Attached to this letter is an Exhibit for the vacating of that Drainage Easement. This existing easement is being eliminated as the drainage pipe has been relocated.

The proposed drainage pipe and structure have been relocated to the northeast of the property in the common area across from the proposed park. This easement is no longer necessary.

If our proposal for vacating this easement is acceptable, please sign this letter below where indicated stating you have no objection to our proposal for vacating the attached easement. After signing, please return the original to my attention at our Ft. Myers office.

If you have any questions or I may be of further assistance, please feel free to contact me.

Sincerely,

HEIDT & ASSOCIATES, INC.

Pamela A. Eck
Permit Coordinator
peck@heidtinc.com

I have no objection to the proposed vacation of the Drainage Easement as described in the attachment labeled as Exhibit "A", Lots 8 & 9, Block 3 of Daniels Preserve Drainage Easement Vacation dated 10-12-04.

Accepted:

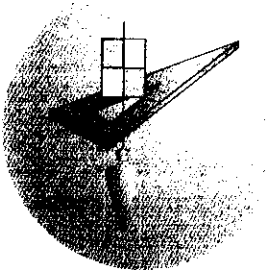
By:

Eric Walther; Customer Project Manager
Florida Power & Light

Date: 11-17-04

HEIDT &

ASSOCIATES, INC. October 15, 2004



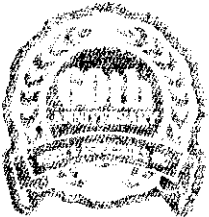
CIVIL ENGINEERING

SURVEYING

ENVIRONMENTAL PERMITTING

PLANNING

LANDSCAPE ARCHITECTURE



Tampa

2212 W. Swann Avenue
Tampa, FL 33606-2426
Phone: 813.253.5311
Fax: 813.253.2478

Fort Myers

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Fort Myers, FL 33912-1075
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Fax: 239.482.2103

Sarasota-Manatee

401 Interstate Boulevard
Sarasota, FL 34240-8996
Phone: 941.342.8280
Fax: 941.342.8457

Mr. Rick Twitchell
Sprint United Telephone of Florida
Mailstop FLFTME0105 / 2820 Cargo Street
Ft. Myers, Florida 33916

**RE: Daniels Preserve / Lot's 8 & 9, Block 3 of Daniels Preserve
Strap No.'s 18-45-26-09-00003.0080 & 18-45-26-09-00003.0090
Request for Letter of No Objection for Drainage Easement Vacation**

Dear Mr. Twitchell:

The purpose of this letter is to address the issue of vacating the existing Drainage Easement located at the above referenced project between Lots 8 & 9. Attached to this letter is an Exhibit for the vacating of that Drainage Easement. This existing easement is being eliminated as the drainage pipe has been relocated.

The proposed drainage pipe and structure have been relocated to the northeast of the property in the common area across from the proposed park. This easement is no longer necessary.

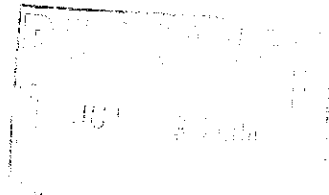
If our proposal for vacating this easement is acceptable, please sign this letter below where indicated stating you have no objection to our proposal for vacating the attached easement. After signing, please return the original to my attention at our Ft. Myers office.

If you have any questions or I may be of further assistance, please feel free to contact me.

Sincerely,

HEIDT & ASSOCIATES, INC.

Pamela A. Fck
Permit Coordinator
peck@heidtinc.com



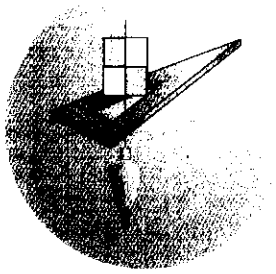
I have no objection to the proposed vacation of the Drainage Easement as described in the attachment labeled as Exhibit "A", Lots 8 & 9, Block 3 of Daniels Preserve Drainage Easement Vacation dated 10-12-04.

Accepted:

By:
Rick Twitchell
Sprint United Telephone of Florida

Date: 10/25/04

October 15, 2004



Mr. Mark Cook
Comcast Cablevision
26930 Old 41 Road
Bonita Springs, Florida 34135

**RE: Daniels Preserve / Lot's 8 & 9, Block 3 of Daniels Preserve
Strap No.'s 18-45-26-09-00003.0080 & 18-45-26-09-00003.0090
Request for Letter of No Objection for Drainage Easement Vacation**

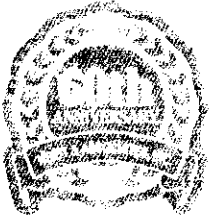
CIVIL ENGINEERING

SURVEYING

ENVIRONMENTAL
PERMITTING

PLANNING

LANDSCAPE
ARCHITECTURE



— Tampa

2212 W. Swann Avenue
Tampa, FL 33606-2426
Phone: 813.253.5311
Fax: 813.253.2478



X Fort Myers

3800 Colonial Blvd., #200
Fort Myers, FL 33912-1075
Phone: 239.482.7275
Fax: 239.482.2103



Sarasota•Manatee

401 Interstate Boulevard
Sarasota, FL 34240-8996
Phone: 941.342.8280
Fax: 941.342.8457

Dear Mark:

The purpose of this letter is to address the issue of vacating the existing Drainage Easement located at the above referenced project between Lots 8 & 9. Attached to this letter is an Exhibit for the vacating of that Drainage Easement. This existing easement is being eliminated as the drainage pipe has been relocated.

The proposed drainage pipe and structure have been relocated to the northeast of the property in the common area across from the proposed park. This easement is no longer necessary.

If our proposal for vacating this easement is acceptable, please sign this letter below where indicated stating you have no objection to our proposal for vacating the attached easement. After signing, please return the original to my attention at our Ft. Myers office.

If you have any questions or I may be of further assistance, please feel free to contact me.

Sincerely,

HEIDT & ASSOCIATES, INC.

Pamela A. Eck
Pamela A. Eck
Permit Coordinator
peck@heidtinc.com

I have no objection to the proposed vacation of the Drainage Easement as described in the attachment labeled as Exhibit "A", Lots 8 & 9, Block 3 of Daniels Preserve Drainage Easement Vacation dated 10-12-04.

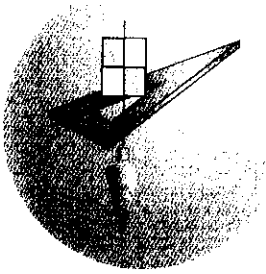
Accepted:

By: *Mark Cook*
Mark Cook; Design Manager
Comcast Cablevision

Date: 10/19/04

HEIDT &

ASSOCIATES, INC. October 15, 2004



CIVIL ENGINEERING

SURVEYING

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Tampa

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Tampa, FL 33606-2426
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Sarasota-Manatee

401 Interstate Boulevard
Sarasota, FL 34240-8996
Phone: 941.342.8280
Fax: 941.342.8457

Ms. Laura Siwicki
Daniels Preserve Homeowners' Association, Inc.
7370 College Parkway; Suite 201
Fort Myers, Florida 33907

**RE: Daniels Preserve / Lot's 8 & 9, Block 3 of Daniels Preserve
Strap No.'s 18-45-26-09-00003.0080 & 18-45-26-09-00003.0090
Request for Letter of No Objection for Drainage Easement Vacation**

Dear Ms. Siwicki:

The purpose of this letter is to address the issue of vacating the existing Drainage Easement located at the above referenced project between Lots 8 & 9. Attached to this letter is an Exhibit for the vacating of that Drainage Easement. This existing easement is being eliminated as the drainage pipe has been relocated.

The proposed drainage pipe and structure have been relocated to the northeast of the property in the common area across from the proposed park. This easement is no longer necessary.

If our proposal for vacating this easement is acceptable, please sign this letter below where indicated stating you have no objection to our proposal for vacating the attached easement. After signing, please return the original to my attention at our Ft. Myers office.

If you have any questions or I may be of further assistance, please feel free to contact me.

Sincerely,

HEIDT & ASSOCIATES, INC.

Pamela A. Eck
Permit Coordinator
peck@heidtinc.com

I have no objection to the proposed vacation of the Drainage Easement as described in the attachment labeled as Exhibit "A", Lots 8 & 9, Block 3 of Daniels Preserve Drainage Easement Vacation dated 10-12-04.

Accepted:

By:
Laura Siwicki; Secretary
Daniels Preserve Homeowners Association, Inc.

Date: 10/19/04



December 15, 2004

Pamela A. Eck
Permit Coordinator
Heidt and Associates, Inc.
3800 Colonial Boulevard
Fort Myers, FL 33912

Re: Daniels Preserve – Drainage Easement Vacation


Dear Pamela:

Johnson Engineering, Inc., acting as District Engineer on behalf of Gateway Services Development District, has reviewed your request to vacate the previously approved drainage easement between lots 8 and 9 and replace it with a drainage easement north of lot 1.

Johnson Engineering approves this modification.

Very truly yours,

JOHNSON ENGINEERING, INC.



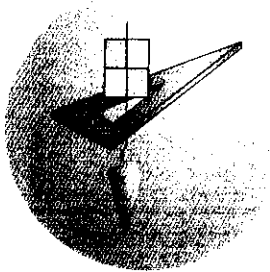
David V. Willems, P. E.

DVW/smd

Cc: James Ward
Chuck Adams
Andy Tilton
20033808-15

October 15, 2004

RECEIVED
OCT 19 2004



Mr. Allen Davies
Lee County Dept. of Natural Resources
1500 Monroe Street; 3rd Floor
Ft. Myers, Florida 33901

**RE: Daniels Preserve / Lot's 8 & 9, Block 3 of Daniels Preserve
Strap No.'s 18-45-26-09-00003.0080 & 18-45-26-09-00003.0090
Request for Letter of No Objection for Drainage Easement Vacation**

CIVIL ENGINEERING

SURVEYING

ENVIRONMENTAL
PERMITTING

PLANNING

LANDSCAPE
ARCHITECTURE



Tampa

2212 W. Swann Avenue
Tampa, FL 33606-2426
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Fort Myers

3800 Colonial Blvd., #200
Fort Myers, FL 33912-1075
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Fax: 239.482.2103



Sarasota-Manatee

401 Interstate Boulevard
Sarasota, FL 34240-8996
Phone: 941.342.8280
Fax: 941.342.8457

Dear Mr. Davies:

The purpose of this letter is to address the issue of vacating the existing Drainage Easement located at the above referenced project between Lots 8 & 9. Attached to this letter is an Exhibit for the vacating of that Drainage Easement. This existing easement is being eliminated as the drainage pipe has been relocated.

The proposed drainage pipe and structure have been relocated to the northeast of the property in the common area across from the proposed park. This easement is no longer necessary.

If our proposal for vacating this easement is acceptable, please sign this letter below where indicated stating you have no objection to our proposal for vacating the attached easement. After signing, please return the original to my attention at our Ft. Myers office.

If you have any questions or I may be of further assistance, please feel free to contact me.

Sincerely,

HEIDT & ASSOCIATES, INC.

Pamela A. Eck

Pamela A. Eck
Permit Coordinator
peck@heidtinc.com

I have no objection to the proposed vacation of the Drainage Easement as described in the attachment labeled as Exhibit "A", Lots 8 & 9, Block 3 of Daniels Preserve Drainage Easement Vacation dated 10-12-04.

Accepted:

By: *Allen Davies*
Allen Davies, Engineer
Lee County Dept. of Natural Resources

Date: 11/16/04



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-858

Bob Janes
District One

Douglas R. St. Cerny
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

December 10, 2004

Ms. Pamela A. Eck
Heidt & Associates, Inc.
3800 Colonial Blvd., #200
Fort Myers, FL 33912-1075

**RE: Petition to vacate the 20' wide drainage easement
On the lot line common to Lots 8 and 9, Block 3,
Daniels Preserve Subdivision, Plat Book 77,
Page 62, Section 18, Township 45 South, Range 26 East**

Dear Ms. Eck:

Lee County Department of Transportation has reviewed your request to vacate the above described easement. The roads and drainage are dedicated to the Daniels Preserve Homeowners Association, Inc., and the Gateway Services Community Development District, not the public.

Therefore, DOT offers no objection to this petition to vacate as proposed.

Very truly yours,

DEPARTMENT OF TRANSPORTATION

Margaret Lawson
Right-of-way Supervisor

MAL/mlb

cc: Ruth Keith, Development Services
Clay Simmons, DOT Operations
DOT PTV File Country Day Circle

PORTION OR ALL OF THE EXPENSE OF CONSTRUCTION, MAINTENANCE OR IMPROVEMENT OF ROADS, DRAINAGE, WATER AND SEWER FACILITIES.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT DANIELS PRESERVE COMMUNITY DEVELOPERS INC. QUALIFIED TO DO BUSINESS IN THE STATE OF FLORIDA, THE OWNER OF THE LANDS DESCRIBED HEREIN HAS CAUSED THIS PLAT OF DANIELS PRESERVE A REPLAT OF TRACT "A" OF WORTHINGTON COMMERCIAL PARK, A SUBDIVISION LOCATED IN SECTIONS 7, 17 AND 18, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, TO BE MADE, AND DOES HEREBY MAKE THE FOLLOWING DEDICATIONS:

TO THE DANIEL PRESERVE HOMEOWNERS ASSOCIATION, INC., ALL THAT PORTION OF THE PRIVATE ROAD RIGHTS-OF WAY HEREIN REFERRED TO AS TRACT "A" FOR PRIVATE STREET PURPOSES, SUBJECT TO THE DEDICATION OF AN ACCESS, DRAINAGE AND PUBLIC UTILITY EASEMENTS ON, OVER, ACROSS OR UNDER SAID TRACT "A".

TO THE GATEWAY SERVICES COMMUNITY DEVELOPMENT DISTRICT, ITS SUCCESSORS AND ASSIGNS, AND TO THE RESPECTIVE GOVERNMENTAL AGENCIES AND LICENSED PRIVATE AND PUBLIC UTILITIES HAVING THE AUTHORITY TO PROVIDE FOR SUCH SERVICES, ALL EASEMENTS HEREIN LABELED PUBLIC UTILITY EASEMENT (P.U.E.), FOR PURPOSES OF CONSTRUCTION, INSTALLATION, REPAIR, MAINTENANCE AND OPERATION OF THEIR RESPECTIVE FACILITIES, INCLUDING, BUT NOT LIMITED TO WATER, SEWER, IRRIGATION, STREET LIGHTS, ELECTRIC, GAS, CABLE TELEVISION AND TELEPHONE.

TO THE GATEWAY SERVICES COMMUNITY DEVELOPMENT DISTRICT, ITS SUCCESSORS AND ASSIGNS, ALL HEREIN LABELED DRAINAGE EASEMENTS (D.E.) FOR THE PURPOSES OF ACCESS, INSTALLATION, REPAIR, AND MAINTENANCE OF ITS DRAINAGE FACILITIES.

TO THE GATEWAY SERVICES COMMUNITY DEVELOPMENT DISTRICT, ITS SUCCESSORS AND ASSIGNS, ALL HEREIN LABELED ACCESS EASEMENTS (A.E.) FOR PURPOSE OF ACCESS TO THEIR RESPECTIVE FACILITIES AND WATER MANAGEMENT AREA.

TO THE GATEWAY SERVICES COMMUNITY DEVELOPMENT DISTRICT, ITS SUCCESSORS AND ASSIGNS, ALL HEREIN LABELED LAKE MAINTENANCE EASEMENTS (L.M.E.) FOR PURPOSES OF ACCESS TO AND MAINTENANCE OF THE LAKES AND WATER MANAGEMENT AREA.

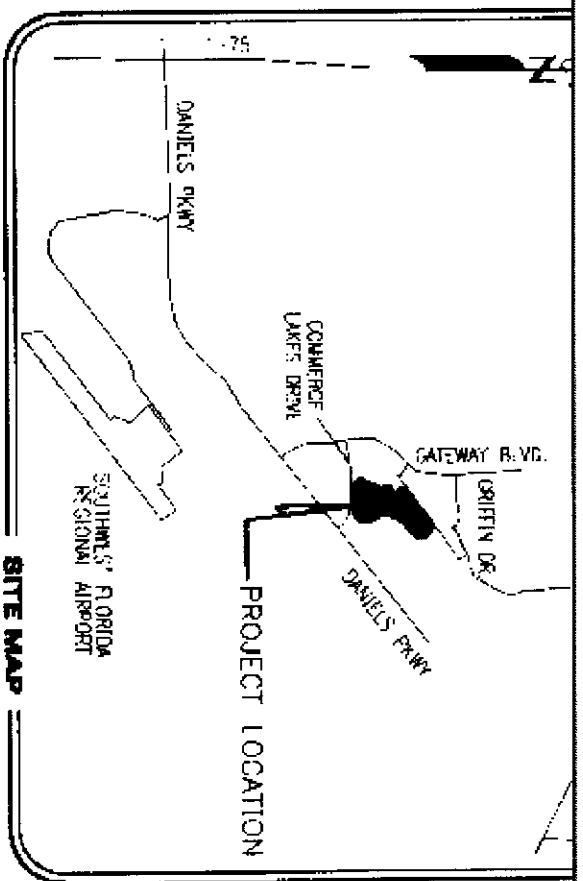
TO THE GATEWAY SERVICES COMMUNITY DEVELOPMENT DISTRICT, ITS SUCCESSORS AND ASSIGNS, ALL OF TRACT B, AS SHOWN HEREIN FOR THE PURPOSES OF WATER MANAGEMENT.

TO THE DANIEL PRESERVE HOMEOWNERS ASSOCIATION, INC. ALL OF TRACT C, AS SHOWN HEREIN FOR THE PURPOSES OF OPEN SPACE.

IN WITNESS WHEREOF, DANIELS PRESERVE COMMUNITY DEVELOPERS, INC., QUALIFIED TO DO BUSINESS IN THE STATE OF FLORIDA, HAS CAUSED THESE PRESENTS TO BE MADE AND SIGNED IN ITS NAME BY ITS VICE PRESIDENT THIS 25 DAY OF February, 2004.

[Signature]

DANIELS PRESERVE COMMUNITY DEVELOPERS, INC.



SITE MAP
(NOT TO SCALE)

NOTICE
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICT CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DI ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOU

NOTES

1. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF SECTION 7, TOWNSHIP 45 SOUTH, 26 EAST HAVING A BEARING OF S.89°42'31"W.
2. ALL CURVES SHOWN HEREON ARE CIRCULAR UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
4. UNLESS OTHERWISE NOTED, ALL PINS ARE SET 4"x4" CONCRETE MONUMENTS WITH A BRASS DISK "HEIGHT & ASSOC. INC LB 140"
5. ALL LINES ARE RADIAL UNLESS OTHERWISE NOTED.
6. ALL ACCESS EASEMENTS ARE TO BE STABILIZED FOR VEHICLE USE.

APPROVALS

THIS PLAT IS ACCEPTED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS, LEE COUNTY, FLORIDA THIS 25 OF Feb

VICE-CHAIRMAN OF THE BOARD

[Signature]
Doug St. Germy
PRINT NAME

CLERK OF COURT

[Signature]
Christina Green
PRINT NAME

GA. THE AND WITH

DANIELS PRESERVE
A REPLAT OF TRACT "A" OF WORTHINGTON COMMERCE PARK
AS RECORDED IN PLAT BOOK 76 AT PAGE 74
SECTIONS 7, 17 AND 18, TOWNSHIP 45 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

CURVE DATA TABLE

NO.	MARK.	DATA.	ARC.	CHORD.	BEARING.
1	200.00	100.00	100.00	100.00	90.00
2	300.00	150.00	150.00	150.00	90.00
3	400.00	200.00	200.00	200.00	90.00
4	500.00	250.00	250.00	250.00	90.00
5	600.00	300.00	300.00	300.00	90.00
6	700.00	350.00	350.00	350.00	90.00
7	800.00	400.00	400.00	400.00	90.00
8	900.00	450.00	450.00	450.00	90.00
9	1000.00	500.00	500.00	500.00	90.00
10	1100.00	550.00	550.00	550.00	90.00
11	1200.00	600.00	600.00	600.00	90.00
12	1300.00	650.00	650.00	650.00	90.00
13	1400.00	700.00	700.00	700.00	90.00
14	1500.00	750.00	750.00	750.00	90.00
15	1600.00	800.00	800.00	800.00	90.00
16	1700.00	850.00	850.00	850.00	90.00
17	1800.00	900.00	900.00	900.00	90.00
18	1900.00	950.00	950.00	950.00	90.00
19	2000.00	1000.00	1000.00	1000.00	90.00
20	2100.00	1050.00	1050.00	1050.00	90.00
21	2200.00	1100.00	1100.00	1100.00	90.00
22	2300.00	1150.00	1150.00	1150.00	90.00
23	2400.00	1200.00	1200.00	1200.00	90.00
24	2500.00	1250.00	1250.00	1250.00	90.00
25	2600.00	1300.00	1300.00	1300.00	90.00
26	2700.00	1350.00	1350.00	1350.00	90.00
27	2800.00	1400.00	1400.00	1400.00	90.00
28	2900.00	1450.00	1450.00	1450.00	90.00
29	3000.00	1500.00	1500.00	1500.00	90.00
30	3100.00	1550.00	1550.00	1550.00	90.00
31	3200.00	1600.00	1600.00	1600.00	90.00
32	3300.00	1650.00	1650.00	1650.00	90.00
33	3400.00	1700.00	1700.00	1700.00	90.00
34	3500.00	1750.00	1750.00	1750.00	90.00
35	3600.00	1800.00	1800.00	1800.00	90.00
36	3700.00	1850.00	1850.00	1850.00	90.00
37	3800.00	1900.00	1900.00	1900.00	90.00
38	3900.00	1950.00	1950.00	1950.00	90.00
39	4000.00	2000.00	2000.00	2000.00	90.00
40	4100.00	2050.00	2050.00	2050.00	90.00
41	4200.00	2100.00	2100.00	2100.00	90.00
42	4300.00	2150.00	2150.00	2150.00	90.00
43	4400.00	2200.00	2200.00	2200.00	90.00
44	4500.00	2250.00	2250.00	2250.00	90.00
45	4600.00	2300.00	2300.00	2300.00	90.00
46	4700.00	2350.00	2350.00	2350.00	90.00
47	4800.00	2400.00	2400.00	2400.00	90.00
48	4900.00	2450.00	2450.00	2450.00	90.00
49	5000.00	2500.00	2500.00	2500.00	90.00
50	5100.00	2550.00	2550.00	2550.00	90.00
51	5200.00	2600.00	2600.00	2600.00	90.00
52	5300.00	2650.00	2650.00	2650.00	90.00
53	5400.00	2700.00	2700.00	2700.00	90.00
54	5500.00	2750.00	2750.00	2750.00	90.00
55	5600.00	2800.00	2800.00	2800.00	90.00
56	5700.00	2850.00	2850.00	2850.00	90.00
57	5800.00	2900.00	2900.00	2900.00	90.00
58	5900.00	2950.00	2950.00	2950.00	90.00
59	6000.00	3000.00	3000.00	3000.00	90.00
60	6100.00	3050.00	3050.00	3050.00	90.00
61	6200.00	3100.00	3100.00	3100.00	90.00
62	6300.00	3150.00	3150.00	3150.00	90.00
63	6400.00	3200.00	3200.00	3200.00	90.00
64	6500.00	3250.00	3250.00	3250.00	90.00
65	6600.00	3300.00	3300.00	3300.00	90.00
66	6700.00	3350.00	3350.00	3350.00	90.00
67	6800.00	3400.00	3400.00	3400.00	90.00
68	6900.00	3450.00	3450.00	3450.00	90.00
69	7000.00	3500.00	3500.00	3500.00	90.00
70	7100.00	3550.00	3550.00	3550.00	90.00
71	7200.00	3600.00	3600.00	3600.00	90.00
72	7300.00	3650.00	3650.00	3650.00	90.00
73	7400.00	3700.00	3700.00	3700.00	90.00
74	7500.00	3750.00	3750.00	3750.00	90.00
75	7600.00	3800.00	3800.00	3800.00	90.00
76	7700.00	3850.00	3850.00	3850.00	90.00
77	7800.00	3900.00	3900.00	3900.00	90.00
78	7900.00	3950.00	3950.00	3950.00	90.00
79	8000.00	4000.00	4000.00	4000.00	90.00
80	8100.00	4050.00	4050.00	4050.00	90.00
81	8200.00	4100.00	4100.00	4100.00	90.00
82	8300.00	4150.00	4150.00	4150.00	90.00
83	8400.00	4200.00	4200.00	4200.00	90.00
84	8500.00	4250.00	4250.00	4250.00	90.00
85	8600.00	4300.00	4300.00	4300.00	90.00
86	8700.00	4350.00	4350.00	4350.00	90.00
87	8800.00	4400.00	4400.00	4400.00	90.00
88	8900.00	4450.00	4450.00	4450.00	90.00
89	9000.00	4500.00	4500.00	4500.00	90.00
90	9100.00	4550.00	4550.00	4550.00	90.00
91	9200.00	4600.00	4600.00	4600.00	90.00
92	9300.00	4650.00	4650.00	4650.00	90.00
93	9400.00	4700.00	4700.00	4700.00	90.00
94	9500.00	4750.00	4750.00	4750.00	90.00
95	9600.00	4800.00	4800.00	4800.00	90.00
96	9700.00	4850.00	4850.00	4850.00	90.00
97	9800.00	4900.00	4900.00	4900.00	90.00
98	9900.00	4950.00	4950.00	4950.00	90.00
99	10000.00	5000.00	5000.00	5000.00	90.00

WORKINGTON COMMERCE PARK
TRACT D-1
PLAT BOOK 76, PAGE 76

TRACT D-2
PLAT BOOK 76, PAGE 76

TRACT D-3
PLAT BOOK 76, PAGE 76

TRACT D-4
PLAT BOOK 76, PAGE 76

TRACT D-5
PLAT BOOK 76, PAGE 76

TRACT D-6
PLAT BOOK 76, PAGE 76

TRACT D-7
PLAT BOOK 76, PAGE 76

TRACT D-8
PLAT BOOK 76, PAGE 76

TRACT D-9
PLAT BOOK 76, PAGE 76

TRACT D-10
PLAT BOOK 76, PAGE 76

TRACT D-11
PLAT BOOK 76, PAGE 76

TRACT D-12
PLAT BOOK 76, PAGE 76

TRACT D-13
PLAT BOOK 76, PAGE 76

TRACT D-14
PLAT BOOK 76, PAGE 76

TRACT D-15
PLAT BOOK 76, PAGE 76

TRACT D-16
PLAT BOOK 76, PAGE 76

TRACT D-17
PLAT BOOK 76, PAGE 76

TRACT D-18
PLAT BOOK 76, PAGE 76

TRACT D-19
PLAT BOOK 76, PAGE 76

TRACT D-20
PLAT BOOK 76, PAGE 76

TRACT D-21
PLAT BOOK 76, PAGE 76

TRACT D-22
PLAT BOOK 76, PAGE 76

TRACT D-23
PLAT BOOK 76, PAGE 76

TRACT D-24
PLAT BOOK 76, PAGE 76

TRACT D-25
PLAT BOOK 76, PAGE 76

TRACT D-26
PLAT BOOK 76, PAGE 76

TRACT D-27
PLAT BOOK 76, PAGE 76

TRACT D-28
PLAT BOOK 76, PAGE 76

TRACT D-29
PLAT BOOK 76, PAGE 76

TRACT D-30
PLAT BOOK 76, PAGE 76

TRACT D-31
PLAT BOOK 76, PAGE 76

TRACT D-32
PLAT BOOK 76, PAGE 76

TRACT D-33
PLAT BOOK 76, PAGE 76

TRACT D-34
PLAT BOOK 76, PAGE 76

TRACT D-35
PLAT BOOK 76, PAGE 76

TRACT D-36
PLAT BOOK 76, PAGE 76

TRACT D-37
PLAT BOOK 76, PAGE 76

TRACT D-38
PLAT BOOK 76, PAGE 76

TRACT D-39
PLAT BOOK 76, PAGE 76

TRACT D-40
PLAT BOOK 76, PAGE 76

TRACT D-41
PLAT BOOK 76, PAGE 76

TRACT D-42
PLAT BOOK 76, PAGE 76

TRACT D-43
PLAT BOOK 76, PAGE 76

TRACT D-44
PLAT BOOK 76, PAGE 76

TRACT D-45
PLAT BOOK 76, PAGE 76

TRACT D-46
PLAT BOOK 76, PAGE 76

TRACT D-47
PLAT BOOK 76, PAGE 76

TRACT D-48
PLAT BOOK 76, PAGE 76

TRACT D-49
PLAT BOOK 76, PAGE 76

TRACT D-50
PLAT BOOK 76, PAGE 76

TRACT D-51
PLAT BOOK 76, PAGE 76

TRACT D-52
PLAT BOOK 76, PAGE 76

TRACT D-53
PLAT BOOK 76, PAGE 76

TRACT D-54
PLAT BOOK 76, PAGE 76

TRACT D-55
PLAT BOOK 76, PAGE 76

TRACT D-56
PLAT BOOK 76, PAGE 76

TRACT D-57
PLAT BOOK 76, PAGE 76

TRACT D-58
PLAT BOOK 76, PAGE 76

TRACT D-59
PLAT BOOK 76, PAGE 76

TRACT D-60
PLAT BOOK 76, PAGE 76

TRACT D-61
PLAT BOOK 76, PAGE 76

TRACT D-62
PLAT BOOK 76, PAGE 76

TRACT D-63
PLAT BOOK 76, PAGE 76

TRACT D-64
PLAT BOOK 76, PAGE 76

TRACT D-65
PLAT BOOK 76, PAGE 76

TRACT D-66
PLAT BOOK 76, PAGE 76

TRACT D-67
PLAT BOOK 76, PAGE 76

TRACT D-68
PLAT BOOK 76, PAGE 76

TRACT D-69
PLAT BOOK 76, PAGE 76

TRACT D-70
PLAT BOOK 76, PAGE 76

TRACT D-71
PLAT BOOK 76, PAGE 76

TRACT D-72
PLAT BOOK 76, PAGE 76

TRACT D-73
PLAT BOOK 76, PAGE 76

TRACT D-74
PLAT BOOK 76, PAGE 76

TRACT D-75
PLAT BOOK 76, PAGE 76

TRACT D-76
PLAT BOOK 76, PAGE 76

TRACT D-77
PLAT BOOK 76, PAGE 76

TRACT D-78
PLAT BOOK 76, PAGE 76

TRACT D-79
PLAT BOOK 76, PAGE 76

TRACT D-80
PLAT BOOK 76, PAGE 76

TRACT D-81
PLAT BOOK 76, PAGE 76

TRACT D-82
PLAT BOOK 76, PAGE 76

TRACT D-83
PLAT BOOK 76, PAGE 76

TRACT D-84
PLAT BOOK 76, PAGE 76

TRACT D-85
PLAT BOOK 76, PAGE 76

TRACT D-86
PLAT BOOK 76, PAGE 76

TRACT D-87
PLAT BOOK 76, PAGE 76

TRACT D-88
PLAT BOOK 76, PAGE 76

TRACT D-89
PLAT BOOK 76, PAGE 76

TRACT D-90
PLAT BOOK 76, PAGE 76

TRACT D-91
PLAT BOOK 76, PAGE 76

TRACT D-92
PLAT BOOK 76, PAGE 76

TRACT D-93
PLAT BOOK 76, PAGE 76

TRACT D-94
PLAT BOOK 76, PAGE 76

TRACT D-95
PLAT BOOK 76, PAGE 76

TRACT D-96
PLAT BOOK 76, PAGE 76

TRACT D-97
PLAT BOOK 76, PAGE 76

TRACT D-98
PLAT BOOK 76, PAGE 76

TRACT D-99
PLAT BOOK 76, PAGE 76

TRACT D-100
PLAT BOOK 76, PAGE 76

CURVE DATA TABLE

NO.	MARK.	DATA.	ARC.	CHORD.	BEARING.
1	100.00	50.00	50.00	50.00	90.00
2	200.00	100.00	100.00	100.00	90.00
3	300.00	150.00	150.00	150.00	90.00
4	400.00	200.00	200.00	200.00	90.00
5	500.00	250.00	250.00	250.00	90.00
6	600.00	300.00	300.00	300.00	90.00
7	700.00	350.00	350.00	350.00	90.00
8	800.00	400.00	400.00	400.00	90.00
9	900.00	450.00	450.00	450.00	90.00
10	1000.00	500.00	500.00	500.00	90.00
11	1100.00	550.00	550.00	550.00	90.00
12	1200.00	600.00	600.00	600.00	90.00
13	1300.00	650.00	650.00	650.00	90.00
14	1400.00	700.00	700.00	700.00	90.00
15	1500.00	750.00	750.00	750.00	90.00
16	1600.00	800.00	800.00	800.00	90.00
17	1700.00	850.00	850.00	850.00	90.00
18	1800.00	900.00	900.00	900.00	90.00
19	1900.00	950.00	950.00	950.00	90.00
20	2000.00	1000.00	1000.00	1000.00	90.00
21	2100.00	1050.00	1050.00	1050.00	90.00
22	2200.00	1100.00	1100.00	1100.00	90.00
23	2300.00	1150.00	1150.00	1150.00	90.00
24	2400.00	1200.00	1200.00	1200.00	90.00
25	2500.00	1250.00	1250.00	1250.00	90.00
26	2600.00	1300.00	1300.00	1300.00	90.00
27	2700.00	1350.00	1350.00	1350.00	90.00
28	2800.00	1400.00	1400.00	1400.00	90.00
29	2900.00	1450.00	1450.00	1450.00	90.00
30	3000.00	1500.00	1500.00	1500.00	90.00
31	3100.00	1550.00	1550.00	1550.00	90.00
32	3200.00	1600.00	1600.00	1600.00	90.00
33	3300.00	1650.00	1650.00	1650.00	90.00
34	3400.00	1700.00	1700.00	1700.00	90.00
35	3500.00	1750.00	1750.00	1750.00	90.00
36	3600.00	1800.00	1800.00	1800.00	90.00
37	3700.00	1850.00	1850.00	1850.00	90.00
38	3800.00	1900.00	1900.00	1900.00	90.00
39	3900.00	1950.00	1950.00	1950.	

Table with 10 columns: NO, BEARING, DIST, ARC, TANGENT, CHORD, BEARING ANGLE. Contains curve data for sections 7, 17, and 18.

CURVE DATA TABLE

Table with 10 columns: NO, BEARING, DIST, ARC, TANGENT, CHORD, BEARING ANGLE. Contains curve data for sections 7, 17, and 18.

CURVE DATA TABLE

Table with 10 columns: NO, BEARING, DIST, ARC, TANGENT, CHORD, BEARING ANGLE. Contains curve data for sections 7, 17, and 18.

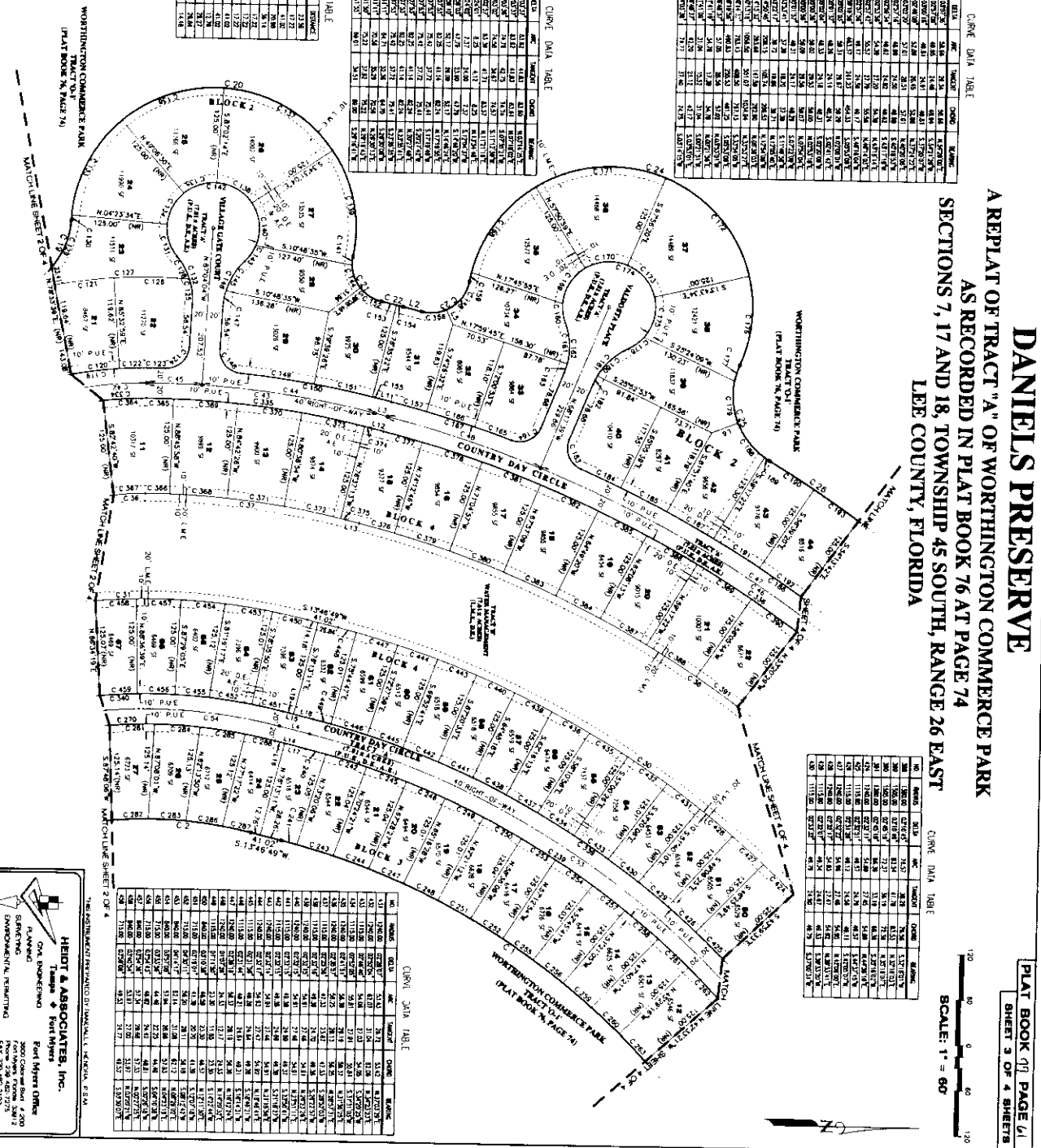
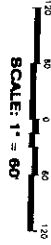
CURVE DATA TABLE

Table with 10 columns: NO, BEARING, DIST, ARC, TANGENT, CHORD, BEARING ANGLE. Contains curve data for sections 7, 17, and 18.

DANIELS PRESERVE

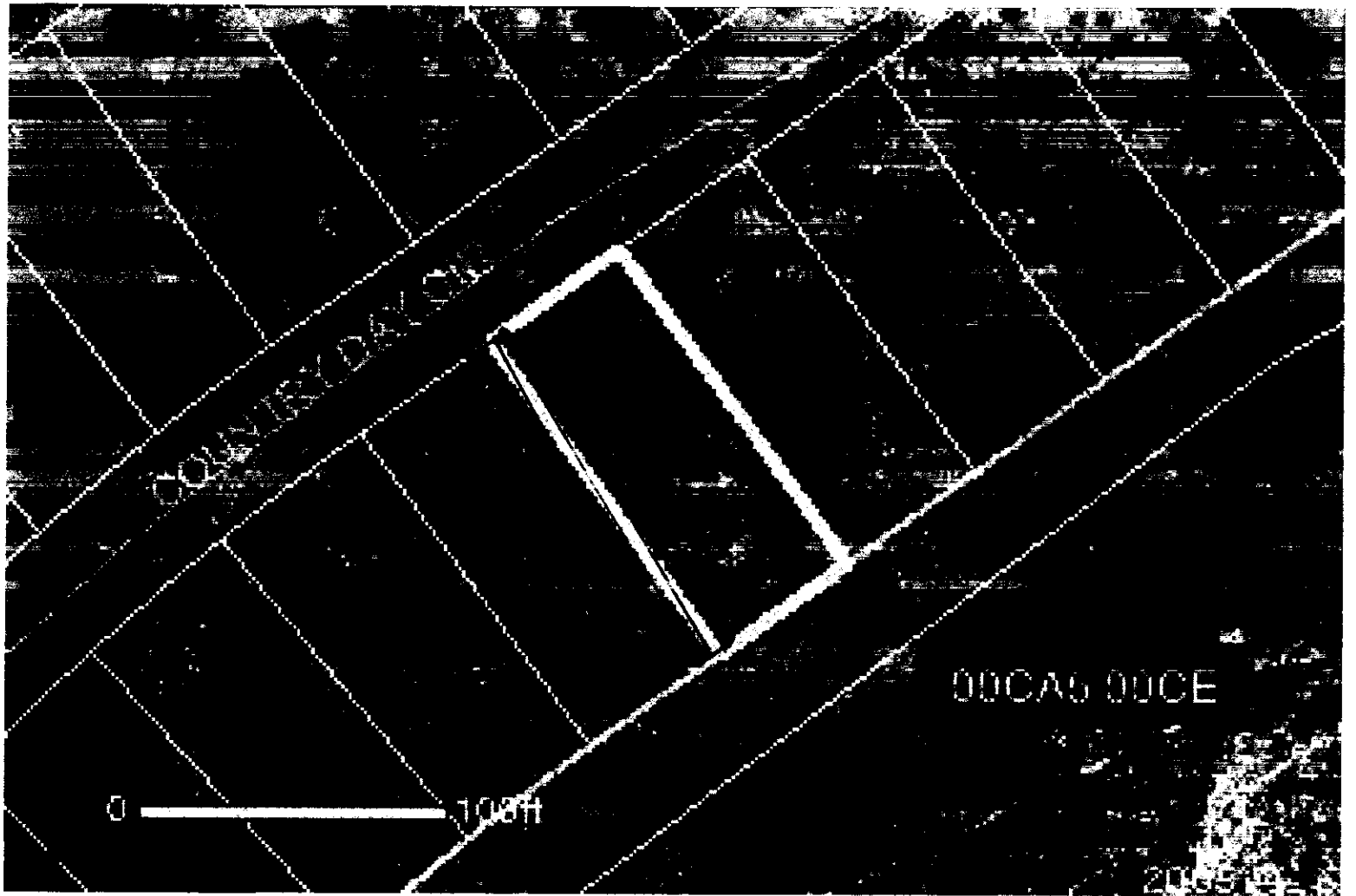
A REPLAT OF TRACT "A" OF WORTHINGTON COMMERCE PARK AS RECORDED IN PLAT BOOK 76 AT PAGE 74 SECTIONS 7, 17 AND 18, TOWNSHIP 45 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PLAT BOOK 76 PAGE 74 SHEET 3 OF 4 SHEETS



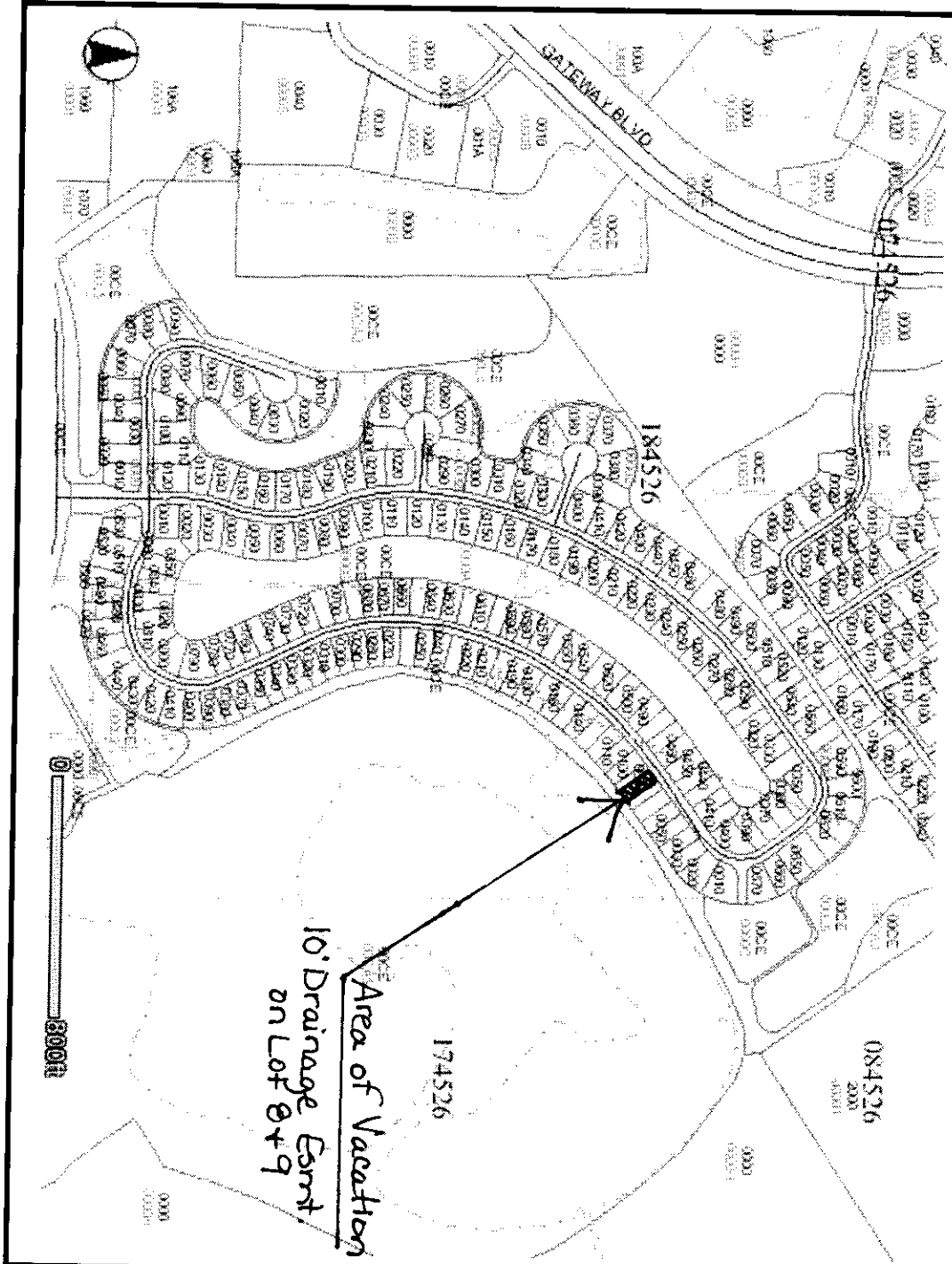
HEIDT & ASSOCIATES, Inc. logo and contact information including address and phone numbers.

NO.	NO. OF STAKES	BEARING	DIST.	MARK	MARK	COORD.	MARK
1	1	N 89° 24' 00" W	11.65	4	4.5	116.85	21.5
2	1	N 89° 24' 00" W	11.65	5	5.5	116.85	33.15
3	1	N 89° 24' 00" W	11.65	6	6.5	116.85	44.8
4	1	N 89° 24' 00" W	11.65	7	7.5	116.85	56.45
5	1	N 89° 24' 00" W	11.65	8	8.5	116.85	68.1
6	1	N 89° 24' 00" W	11.65	9	9.5	116.85	79.75
7	1	N 89° 24' 00" W	11.65	10	10.5	116.85	91.4
8	1	N 89° 24' 00" W	11.65	11	11.5	116.85	103.05
9	1	N 89° 24' 00" W	11.65	12	12.5	116.85	114.7
10	1	N 89° 24' 00" W	11.65	13	13.5	116.85	126.35
11	1	N 89° 24' 00" W	11.65	14	14.5	116.85	138.0
12	1	N 89° 24' 00" W	11.65	15	15.5	116.85	149.65
13	1	N 89° 24' 00" W	11.65	16	16.5	116.85	161.3
14	1	N 89° 24' 00" W	11.65	17	17.5	116.85	172.95
15	1	N 89° 24' 00" W	11.65	18	18.5	116.85	184.6
16	1	N 89° 24' 00" W	11.65	19	19.5	116.85	196.25
17	1	N 89° 24' 00" W	11.65	20	20.5	116.85	207.9
18	1	N 89° 24' 00" W	11.65	21	21.5	116.85	219.55
19	1	N 89° 24' 00" W	11.65	22	22.5	116.85	231.2
20	1	N 89° 24' 00" W	11.65	23	23.5	116.85	242.85
21	1	N 89° 24' 00" W	11.65	24	24.5	116.85	254.5
22	1	N 89° 24' 00" W	11.65	25	25.5	116.85	266.15
23	1	N 89° 24' 00" W	11.65	26	26.5	116.85	277.8
24	1	N 89° 24' 00" W	11.65	27	27.5	116.85	289.45
25	1	N 89° 24' 00" W	11.65	28	28.5	116.85	301.1
26	1	N 89° 24' 00" W	11.65	29	29.5	116.85	312.75
27	1	N 89° 24' 00" W	11.65	30	30.5	116.85	324.4
28	1	N 89° 24' 00" W	11.65	31	31.5	116.85	336.05
29	1	N 89° 24' 00" W	11.65	32	32.5	116.85	347.7
30	1	N 89° 24' 00" W	11.65	33	33.5	116.85	359.35
31	1	N 89° 24' 00" W	11.65	34	34.5	116.85	371.0
32	1	N 89° 24' 00" W	11.65	35	35.5	116.85	382.65
33	1	N 89° 24' 00" W	11.65	36	36.5	116.85	394.3
34	1	N 89° 24' 00" W	11.65	37	37.5	116.85	405.95
35	1	N 89° 24' 00" W	11.65	38	38.5	116.85	417.6
36	1	N 89° 24' 00" W	11.65	39	39.5	116.85	429.25
37	1	N 89° 24' 00" W	11.65	40	40.5	116.85	440.9
38	1	N 89° 24' 00" W	11.65	41	41.5	116.85	452.55
39	1	N 89° 24' 00" W	11.65	42	42.5	116.85	464.2
40	1	N 89° 24' 00" W	11.65	43	43.5	116.85	475.85
41	1	N 89° 24' 00" W	11.65	44	44.5	116.85	487.5
42	1	N 89° 24' 00" W	11.65	45	45.5	116.85	499.15
43	1	N 89° 24' 00" W	11.65	46	46.5	116.85	510.8
44	1	N 89° 24' 00" W	11.65	47	47.5	116.85	522.45
45	1	N 89° 24' 00" W	11.65	48	48.5	116.85	534.1
46	1	N 89° 24' 00" W	11.65	49	49.5	116.85	545.75
47	1	N 89° 24' 00" W	11.65	50	50.5	116.85	557.4
48	1	N 89° 24' 00" W	11.65	51	51.5	116.85	569.05
49	1	N 89° 24' 00" W	11.65	52	52.5	116.85	580.7
50	1	N 89° 24' 00" W	11.65	53	53.5	116.85	592.35
51	1	N 89° 24' 00" W	11.65	54	54.5	116.85	604.0
52	1	N 89° 24' 00" W	11.65	55	55.5	116.85	615.65
53	1	N 89° 24' 00" W	11.65	56	56.5	116.85	627.3
54	1	N 89° 24' 00" W	11.65	57	57.5	116.85	638.95
55	1	N 89° 24' 00" W	11.65	58	58.5	116.85	650.6
56	1	N 89° 24' 00" W	11.65	59	59.5	116.85	662.25
57	1	N 89° 24' 00" W	11.65	60	60.5	116.85	673.9
58	1	N 89° 24' 00" W	11.65	61	61.5	116.85	685.55
59	1	N 89° 24' 00" W	11.65	62	62.5	116.85	697.2
60	1	N 89° 24' 00" W	11.65	63	63.5	116.85	708.85
61	1	N 89° 24' 00" W	11.65	64	64.5	116.85	720.5
62	1	N 89° 24' 00" W	11.65	65	65.5	116.85	732.15
63	1	N 89° 24' 00" W	11.65	66	66.5	116.85	743.8
64	1	N 89° 24' 00" W	11.65	67	67.5	116.85	755.45
65	1	N 89° 24' 00" W	11.65	68	68.5	116.85	767.1
66	1	N 89° 24' 00" W	11.65	69	69.5	116.85	778.75
67	1	N 89° 24' 00" W	11.65	70	70.5	116.85	790.4
68	1	N 89° 24' 00" W	11.65	71	71.5	116.85	802.05
69	1	N 89° 24' 00" W	11.65	72	72.5	116.85	813.7
70	1	N 89° 24' 00" W	11.65	73	73.5	116.85	825.35
71	1	N 89° 24' 00" W	11.65	74	74.5	116.85	837.0
72	1	N 89° 24' 00" W	11.65	75	75.5	116.85	848.65
73	1	N 89° 24' 00" W	11.65	76	76.5	116.85	860.3
74	1	N 89° 24' 00" W	11.65	77	77.5	116.85	871.95
75	1	N 89° 24' 00" W	11.65	78	78.5	116.85	883.6
76	1	N 89° 24' 00" W	11.65	79	79.5	116.85	895.25
77	1	N 89° 24' 00" W	11.65	80	80.5	116.85	906.9
78	1	N 89° 24' 00" W	11.65	81	81.5	116.85	918.55
79	1	N 89° 24' 00" W	11.65	82	82.5	116.85	930.2
80	1	N 89° 24' 00" W	11.65	83	83.5	116.85	941.85
81	1	N 89° 24' 00" W	11.65	84	84.5	116.85	953.5
82	1	N 89° 24' 00" W	11.65	85	85.5	116.85	965.15
83	1	N 89° 24' 00" W	11.65	86	86.5	116.85	976.8
84	1	N 89° 24' 00" W	11.65	87	87.5	116.85	988.45
85	1	N 89° 24' 00" W	11.65	88	88.5	116.85	1000.1
86	1	N 89° 24' 00" W	11.65	89	89.5	116.85	1011.75
87	1	N 89° 24' 00" W	11.65	90	90.5	116.85	1023.4
88	1	N 89° 24' 00" W	11.65	91	91.5	116.85	1035.05
89	1	N 89° 24' 00" W	11.65	92	92.5	116.85	1046.7
90	1	N 89° 24' 00" W	11.65	93	93.5	116.85	1058.35
91	1	N 89° 24' 00" W	11.65	94	94.5	116.85	1070.0
92	1	N 89° 24' 00" W	11.65	95	95.5	116.85	1081.65
93	1	N 89° 24' 00" W	11.65	96	96.5	116.85	1093.3
94	1	N 89° 24' 00" W	11.65	97	97.5	116.85	1104.95
95	1	N 89° 24' 00" W	11.65	98	98.5	116.85	1116.6
96	1	N 89° 24' 00" W	11.65	99	99.5	116.85	1128.25
97	1	N 89° 24' 00" W	11.65	100	100.5	116.85	1139.9
98	1	N 89° 24' 00" W	11.65	101	101.5	116.85	1151.55
99	1	N 89° 24' 00" W	11.65	102	102.5	116.85	1163.2
100	1	N 89° 24' 00" W	11.65	103	103.5	116.85	1174.85
101	1	N 89° 24' 00" W	11.65	104	104.5	116.85	1186.5
102	1	N 89° 24' 00" W	11.65	105	105.5	116.85	1198.15
103	1	N 89° 24' 00" W	11.65	106	106.5	116.85	1209.8
104	1	N 89° 24' 00" W	11.65	107	107.5	116.85	1221.45
105	1	N 89° 24' 00" W	11.65	108	108.5	116.85	1233.1
106	1	N 89° 24' 00" W	11.65	109	109.5	116.85	1244.75
107	1	N 89° 24' 00" W	11.65	110	110.5	116.85	1256.4
108	1	N 89° 24' 00" W	11.65	111	111.5	116.85	1268.05
109	1	N 89° 24' 00" W	11.65	112	112.5	116.85	1279.7
110	1	N 89° 24' 00" W	11.65	113	113.5	116.85	1291.35
111	1	N 89° 24' 00" W	11.65	114	114.5	116.85	1303.0
112	1	N 89° 24' 00" W	11.65	115	115.5	116.85	1314.65
113	1	N 89° 24' 00" W	11.65	116	116.5	116.85	1326.3
114	1	N 89° 24' 00" W	11.65	117	117.5	116.85	1337.95
115	1	N 89° 24' 00" W	11.65	118	118.5	116.85	1349.6
116	1	N 89° 24' 00" W	11.65	119	119.5	116.85	1361.25
117	1	N 89° 24' 00" W	11.65	120	120.5	116.85	1372.9
118	1	N 89° 24' 00" W	11.65	121	121.5	116.85	1384.55
119	1	N 89° 24' 00" W	11.65	122	122.5	116.85	1396.2
120	1	N 89° 24' 00" W	11.65	123	123.5	116.85	1407.85
121	1	N 89° 24' 00" W	11.65	124	124.5	116.85	1419.5
122	1	N 89° 24' 00" W	11.65	125	125.5	116.85	1431.15
123	1	N 89° 24' 00" W	11.65	126	126.5	116.85	1442.8
124	1	N 89° 24' 00" W	11.65	127	127.5	116.85	1454.45
125	1	N 89° 24' 00" W	11.65	128	128.5	116.85	1466.1
126	1	N 89° 24' 00" W	11.65	129	129.5	116.85	1477.75
127	1	N 89° 24' 00" W	11.65	130	130.5	116.85	1489.4
128	1	N 89° 24' 00" W	11.65	131	131.5	116.85	1501.05
129	1	N 89° 24' 00" W	11.65	132	132.5	116.85	1512.7
130	1	N 89° 24' 00" W	11.65	133	133.5	116.85	1524.35
131	1	N 89° 24' 00" W	11.65	134	134.5	116.85	1536.0
132	1	N 89° 24' 00" W	11.65	135	135.5	116.85	1547.65
133	1	N 89° 24' 00" W	11.65	136	136.5	116.85	1559.3
134	1	N 89° 24' 00" W	11.65	137	137.5	116.85	1570.95
135	1	N 89° 24' 00" W	11.65	138	138.5	116.85	1582.6
136	1	N 89° 24' 00" W	11.65	139	139.5	116.85	1594.25
137	1	N 89° 24' 00" W	11.65	140	140.5	116.85	1605.9
138	1	N 89° 24' 00" W	11.65	141	141.5	116.85	1617.55
139	1	N 89° 24' 00" W	11.65	142	142.5	116.85	1629.2
140	1	N 89° 24' 00" W	11.65	143	143.5	116.85	1640.85
141	1	N 89° 24' 00" W	11.65	144	144.5	116.85	1652.5
142	1	N 89° 24' 00" W	11.65	145	145.5	116.85	1664.15
143	1	N 89° 24' 00" W	11.65	146	146.5	116.85	1675.8
144	1	N 89° 24' 00" W	11.65	147	147.5	116.85	1687.45
145	1	N 89° 24' 00"					



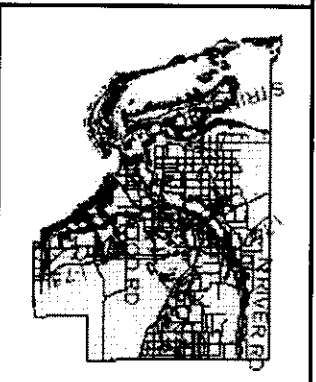
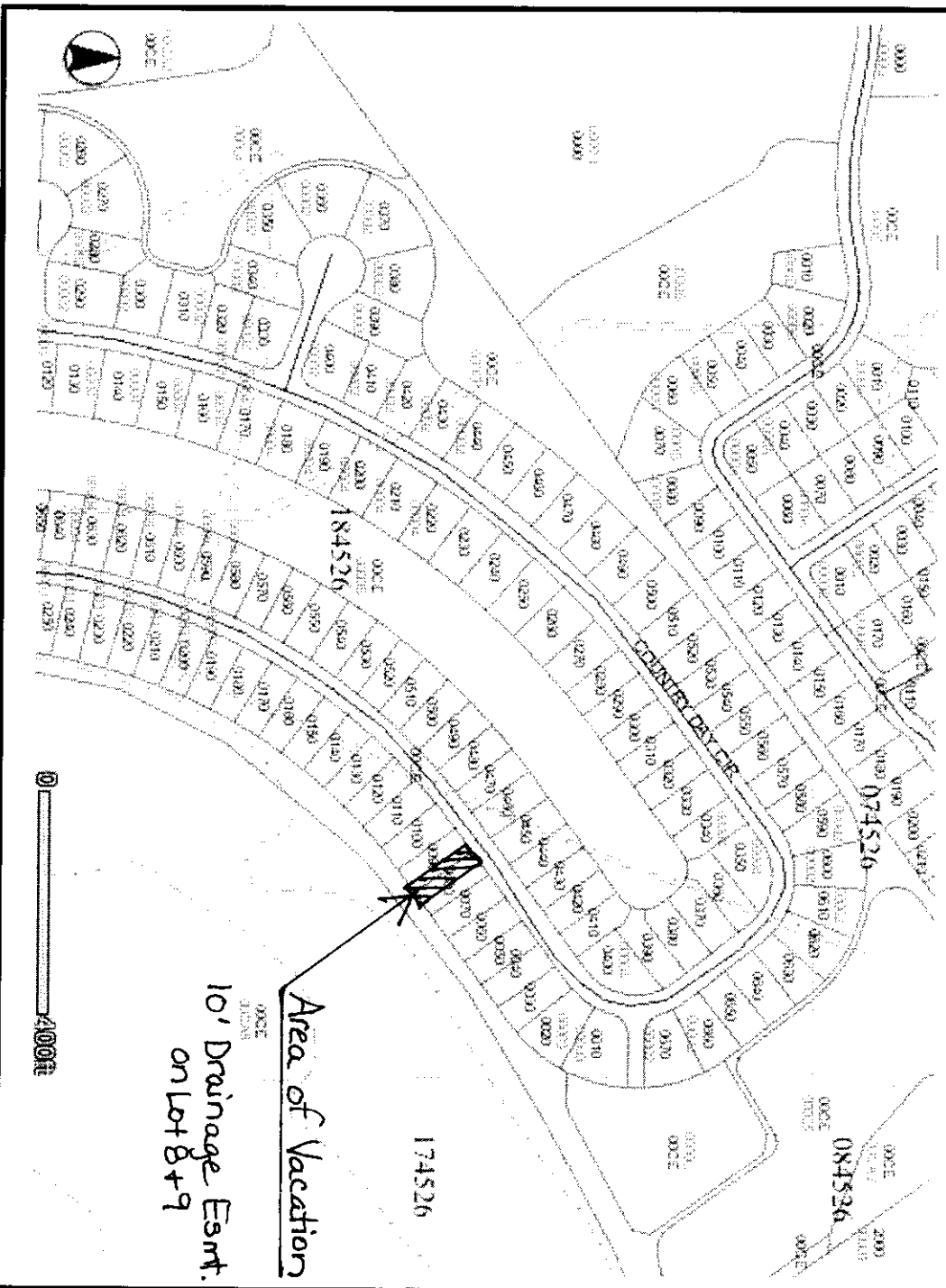
Area to be vacated

Daniels Preserve GIS Map



- Legend**
- Hydro Features
 - Lot
 - Block
 - Parcels
 - Parcel Hooks
 - Road Center Line
 - Section Lines
 - City Limits
 - Short Range
 - Cable Core
 - For Meter
 - Service
 - Town of Fort Myers Sewer

Daniels Preserve GIS Map (Close Up)



- Legend**
- Hydro Features
 - Lot
 - Block
 - Parcel
 - Parcel Hooks
 - Road Center Line
 - Section Lines
 - City Limits
 - District Boundary
 - Cape Court
 - East Myers
 - Service
 - Township (Not to Scale)



AERIAL EXHIBIT

Engineering Services Certificate of Authorization No. 148 HEIDT & ASSOCIATES, Inc. Tampa • Fort Myers		DRAINAGE EASEMENT VACATION	
Fort Myers Office: 3600 Colonial Boulevard, #200 Fort Myers, Florida 33912 Phone: 239-482-7275 FAX: 239-482-2103		JOB NO. 102-03-03	DANIELS PRESERVE
		DATE 11-10-04	FOR MERCEDES HOMES
STRICKLAND T. SMITH, P.E. NO. 50002 FLORIDA PROFESSIONAL ENGINEER		SHEET 1 OF 1	