

Agenda Item Summary

1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a portion of a 66-foot wide Right-of-Way located east of Three Oaks Parkway and south of Corkscrew Rd., Fort Myers. (Case No. VAC2007-00005).

2. FUNDING SOURCE: No funding required.

3. WHAT ACTION ACCOMPLISHES: To allow development of a multi-family residential community and remove all encumbrances on the subject lots. **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.**

4. MANAGEMENT RECOMMENDATION: Approve

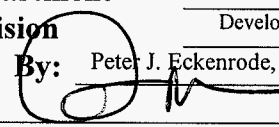
5. Departmental Category:
COMMISSION DISTRICT #: 3

9:30AM PH 1

6. Meeting Date: 5-1-07

7. Agenda:
 Consent
 Administrative
 Appeals
 Public
 Walk-On

8. Requirement/Purpose: (specify)
 Statute F.S.CH. 177
 Ordinance
 Admin. Code 13-1
 Other

9. Request Initiated:
 Commissioner _____
 Department Community Development
 Division Development Services
 By: Peter J. Eckenrode, Director
 3/28/07

10. Background:

The completed petition to vacate, VAC2007-00005 was submitted by Michelle Salberg and Ascot development on behalf of Estero Place, LLC and Long Bay Partners, LLC.

LOCATION: The site is located at the south end of 9910 and 9980 Corkscrew Rd., and the north end of 9850 Corkscrew Rd., Fort Myers, Florida 33928 and its strap numbers are 34-46-25-00-00018.0000, 0010 and 00020.0000. Petition No. VAC2007-00005 proposes to vacate a sixty six-foot (66') wide Right-of-Way east of Three Oaks Parkway and south of Corkscrew Rd., as shown on the Plat of Florida Land Company Subdivision, Section 34, Township 46 South, Range 25 East, as recorded in Plat Book 1, Page 59 of the Public Records of Lee County, Florida.

The pending Zoning case associated with this application is case number DCI2005-00077.

There are two (2) letters of objection to this Vacation.

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

Attached to this Blue sheet is the Petition to Vacate, Notice of Public Hearing and Exhibits.

11. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P. W. Director
M. Gibbs				John Salberg 3-30-07	Analyst 4/5/07	Risk 4/5/07	Grants 4/5/07	Mgr. 4/5-07	4-5-07

12. Commission Action:

Approved
 Deferred
 Denied
 Other

RECEIVED BY
 COUNTY ADMIN: TD
 4/2/07
 10 AM
 COUNTY ADMIN
 FORWARDED TO: PK
 4-5-07
 11:30

Rec. by CoAtty
 Date: 3/28/07
 Time: 3:11 pm
 Forwarded To:
 ADMIN
 3/30/07 3:00



PETITION TO VACATE
TRANSMITTAL FOR PUBLIC NOTICE
REQUIREMENTS

DATE: March 26, 2007

To: Molly Schweers
Public Resources

FROM: Ron Wilson
Development Services

BLUESHEET NUMBER: 20070472

CASE NUMBER: VAC2007-00005

Applicable Public Noticing Requirement:

PTV under AC13-1

1st Notice - 15 days prior to Public Hearing
2nd Notice - 7 days prior to Public Hearing

PTV under AC13-8

One Notice - 15 days prior to Public Hearing

Upon scheduling of Public Hearing date, please provide e-mail notice to Ron Wilson, Development Services (rwilson@leegov.com) and John Fredyma, Assistant County Attorney (fredymjj@leegov.com).

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2007-00005

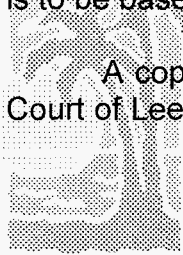
TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 1st of May, 2007 at 9:30 a.m. 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.



LEE COUNTY

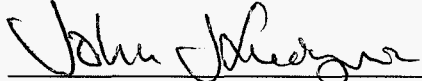
CHARLIE GREEN, CLERK

S O U T H W E S T F L O R I D A

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM



County Attorney Signature



Please Print Name



CONSULTING CIVIL ENGINEERS,
SURVEYORS & MAPPERS

EXHIBIT "A"

OCTOBER 04, 2006
JOB # 04-7086
FILE # 04-7086SK01VACREVCLGL
SHEET 1 OF 2

DESCRIPTION:

A PORTION OF A 66 FOOT WIDE ROAD RIGHT-OF-WAY, AS SHOWN ON THE PLAT OF FLORIDA LAND COMPANY SUBDIVISION RECORDED IN PLAT BOOK 1, PAGE 59 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA, LYING IN SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST DESCRIBED AS FOLLOWS:

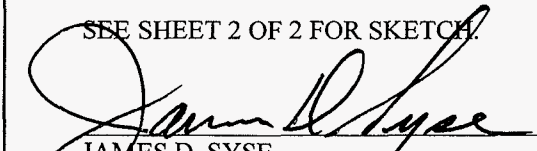
COMMENCING AT THE INTERSECTION OF THE EAST LINE OF THE NE 1/4 OF SAID SECTION 34 AND THE NORTH LINE OF SAID 66 FOOT WIDE ROAD RIGHT-OF WAY; THENCE S.89°55'49"W., ALONG SAID NORTH LINE, FOR 130.04 FEET TO THE INTERSECTION WITH A LINE LYING 130.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NE 1/4 OF SAID SECTION 34 AND TO THE POINT OF BEGINNING; THENCE S.01°17'44"E., ALONG SAID PARALLEL LINE, FOR 33.01 FEET TO THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 34; THENCE S.00°38'16"E., FOR 33.00 FEET TO THE INTERSECTION WITH A LINE LYING 130.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SE 1/4 OF SAID SECTION 34 AND TO THE SOUTH LINE OF SAID 66 FOOT RIGHT OF WAY; THENCE S.89°55'49"W., ALONG SAID SOUTH LINE, FOR 535.70 FEET TO THE WEST LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 34; THENCE N.00°04'11"W., FOR 66.00 FEET TO THE NORTH LINE OF SAID 66 FOOT RIGHT-OF-WAY; THENCE N.89°55'49"E., ALONG SAID NORTH LINE, FOR 534.67 FEET TO THE POINT OF BEGINNING.

PORTION OF RIGHT OF WAY TO BE VACATED CONTAINS 0.81 ACRES MORE OR LESS

CIVIL
AGRICULTURAL
WATER RESOURCES
WATER & WASTEWATER
TRANSPORTATION
SURVEYING & MAPPING
GIS

"Partners for Results
Value by Design"

SEE SHEET 2 OF 2 FOR SKETCH.



JAMES D. SYSE
PROFESSIONAL SURVEYOR & MAPPER
FL. CERTIFICATE # 4211

1400 Colonial Boulevard
Suite 31
Ft. Myers, FL 33907
(239) 931-0455
Fax: (239) 931-0456
www.lbfh.com

Exhibit "A"
Petition to Vacate
VAC2007-00005
[Page One of One]

P:\04-7086\Survey\Sketch\04-7086SK01VACREVELGL.doc

RECEIVED
FEB 28 2007

VAC 2007 - 0000

THIS INSTRUMENT PREPARED BY:

Department of Community Development
Development Services Division
1500 Monroe Street
Fort Myers Florida 33901

RESOLUTION NO. _____ FOR PETITION TO VACATE

Case Number: VAC2007-00005

WHEREAS, Petitioner **Long Bay Partners, LLC and Estero Place, LLC, both Florida Limited Liability Companies** in accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, filed a Petition to Vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A"; and

WHEREAS, the Board of County Commissioners of Lee County, Florida held a Public Hearing on this Petition to Vacate on the _____; and

WHEREAS, a legally sufficient Affidavit of Publication regarding the Notice of Public Hearing on this Petition to Vacate was entered into the minutes of the County Commission Meeting; and

WHEREAS, the Petitioner(s) has fee simple title ownership to the underlying land sought to be vacated; and

WHEREAS, the Petitioner(s) has provided proof that all applicable state and county taxes have been paid; and

WHEREAS, Petitioner(s) did provide notice to all affected property owners concerning the intent of the Petition to Vacate in accordance with LCAC 13-1; and

WHEREAS, the letters of review and recommendation provided by the various governmental and utility entities indicate that granting the Petition to Vacate will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

NOW therefore be it resolved by the Board of County Commissioners as follows:

1. Petition to Vacate No. VAC2007-00005 is hereby granted.
2. The public's interest in the easement, plat or portion of a plat legally described in Exhibit "A" and graphically depicted in the sketch attached as Exhibit "B" is hereby vacated.
3. This Resolution will become effective upon recording of a fully executed copy in the public records of Lee County, Florida.

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



CONSULTING CIVIL ENGINEERS,
SURVEYORS & MAPPERS

EXHIBIT "A"

OCTOBER 04, 2006
JOB # 04-7086
FILE # 04-7086SK01VACREVCLGL
SHEET 1 OF 2

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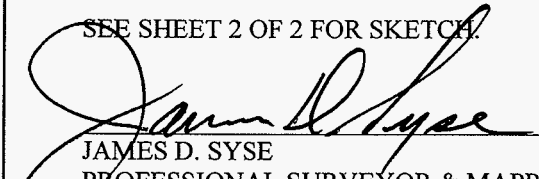
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SEE SHEET 2 OF 2 FOR SKETCH.


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Exhibit "A"
Petition to Vacate
VAC2007-00005
[Page One of One]

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FEB 28 2007

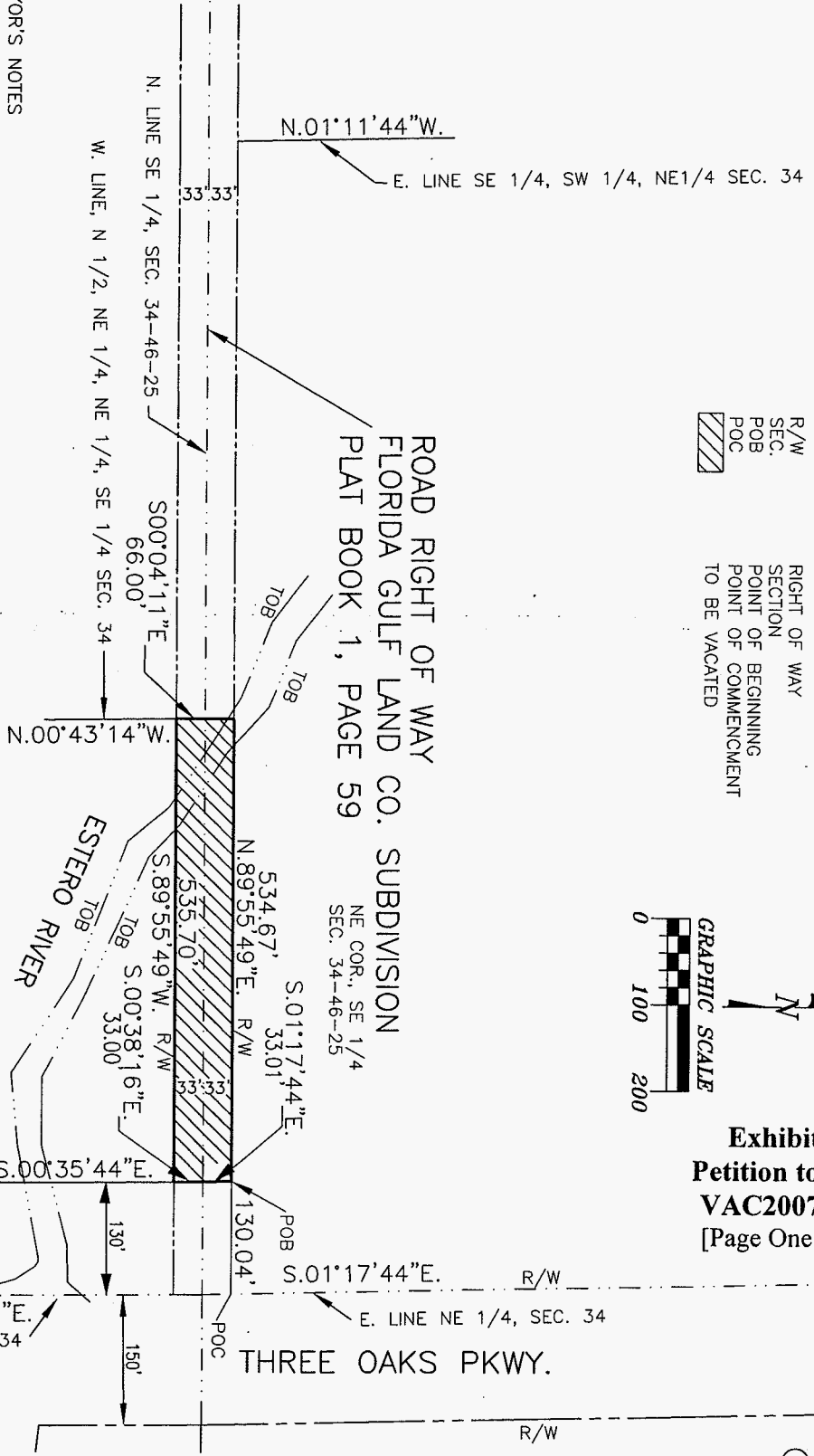
VAC 2007 - 0000

EXHIBIT "B"

- LEGEND
- R/W RIGHT OF WAY
 - SEC. SECTION
 - POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT
 - TO BE VACATED



Exhibit "B"
 Petition to Vacate
 VAC2007-00005
 [Page One of One]



- SURVEYOR'S NOTES
1. BEARINGS SHOWN HEREON ARE ASSUMED AND ARE BASED UPON THE EAST LINE OF THE SE 1/4 OF SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA BEING S.00°35'44"E.
 2. SUBJECT TO EXISTING EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD.
 3. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A LICENSED SURVEYOR AND MAPPER.
 4. SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION.

SKETCH NOT A SURVEY

James D. Sysse
 JAMES D. SY SSE
 PROFESSIONAL SURVEYOR & MAPPER
 FLORIDA CERTIFICATE # 4211

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Ink Engineering CONSULTING CIVIL ENGINEERS, SURVEYORS & MAPPERS A Division of LBFH, Inc. "Partners For Results, Value By Design"	Scale: 1"=200'	PROJECT NAME: RIGHT OF WAY TO BE VACATED		
	Sheet 2 Of 2	LYING IN SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA		
400 Colonial Blvd, Suite 31, Fort Myers, Florida 33907 (239) 931-0455 Fax: (239) 931-0456 BPR & FBPE License No: 959 www.lbfh.com	Computed: CP	Date	FILE NO.	Project No.
	Checked: JDS	10/10/06	04-7086sk01vacE.dwg	04-7086



PETITION TO VACATE (AC 13-1)

Case Number: VAC2007-00005

Petitioner(s), Long Bay Partners, LLC 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, 9990 Coconut Road, Suite 200 Bonita Springs, FL 34135

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".

3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".

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:

Petitioner Signature

Petitioner Signature

Printed Name

as Vice President of Bonita Bay Properties, Inc., managing member of Long Bay Partners, LLC SCOTT R. WHITNEY Printed Name

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

VAC2007-00005

FEB 20 2007

PETITION TO VACATE (AC 13-1)

Case Number: VAC 2007-00005

Petitioner(s), Estero Place, LLC
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, 1000 NW 17th Ave, Delray Beach, FL 33445
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".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
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: ESTERO PLACE, LLC; BY ASCOT ESTERO PLACE, LLC
BY: ASCOT ACQUISITIONS, LLC, ITS MANAGING MEMBER

ITS
MANAGING
MEMBER

BY: [Signature]
Petitioner Signature

Petitioner Signature

Garrett Bender
Printed Name
ITS MANAGING MEMBER

Printed Name

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

LETTER OF AUTHORIZATION

The undersigned do hereby swear or affirm that they are the fee simple title-holders and owners of record of property commonly known as Midtown Estero (aka Estero West).

STRAP #': 34-46-25-00-00018.0010

The property described herein is the subject of an application for zoning or development. We hereby designate Ascot Development, LLC as a legal representative of the property and as such, 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 on the site. This representative will remain an entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

Company: Long Bay Partners, LLC

By: Bonita Bay Properties, Inc.,
It's: its Managing Member

By: [Signature]
It's: _____

By: Scott R. Whitney, its Vice President

Signature _____

STATE OF FLORIDA

COUNTY OF Lee

The foregoing instrument was sworn (or affirmed) and subscribed before me this 13th day of February, 2007

by Scott R. Whitney as Vice President
of Bonita Bay Properties, Inc.

on behalf of the corporation. He / she is personally known to me or has produced _____
as identification.

[Signature]
Notary Signature

NOTARY PUBLIC-STATE OF FLORIDA
Lori Faye Parks
Commission # DD612161
Expires: JULY 10, 2009
BONDED THRU ATLANTIC BONDING CO., INC.

FEB 20 2007

VAC 2007-00005

LETTER OF AUTHORIZATION

The undersigned do hereby swear or affirm that they are the fee simple title-holders and owners of record of property commonly known as Midtown Estero (aka Estero West) and legally described in exhibit "A" attached hereto.

STRAP #'s: 34-46-25-00-00018.0000, 0020, 34-46-25-00-00020.0000 & 0010,

The property described herein is the subject of an application for zoning or development. We hereby designate **Ascot Development** 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 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.

Company: Estero Place, LLC

By: Garrett Bender, Managing Member
BGBM
Signature


STATE OF FLORIDA

COUNTY OF Palm Beach

The foregoing instrument was sworn (or affirmed) and subscribed before me this 25 day of July, 2006

by Garrett Bender as Managing Member
of Estero Place, LLC

on behalf of the corporation. He / she is personally known to me or has produced N/A
as identification.

NOTARY PUBLIC-STATE OF FLORIDA
 Sheree Katzman
Commission # DD250887
Expires: SEP. 17, 2007
Bonded Thru Atlantic Bonding Co., Inc.

[Signature]
Notary Signature

VAC 2007 - 00005

BONITA BAY PROPERTIES, INC.

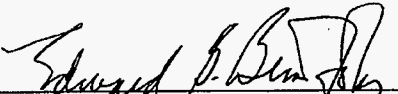
Unanimous Written Consent of
The Executive Committee of Directors
Pursuant to Section 607.0821 of the Business
Corporation Act of the State of Florida

THE UNDERSIGNED, being all of the Members of the Executive Committee of Directors of Bonita Bay Properties, Inc., a Florida corporation (the "Corporation"), do hereby consent to and take the following action as fully as though the same were taken at a Meeting of the Executive Committee of Directors regularly held for that purpose and do hereby waive the holding of any formal meeting and any notice required to be given in connection therewith.


The resolution set forth below is hereby adopted:

RESOLVED, that Scott Whitney be, and hereby is, elected to the office of Vice President of Business Development of the Corporation, effective immediately, to serve until his successor has been elected and shall have qualified, or until his death, or until he shall have resigned or shall have been removed in accordance with the Bylaws of the Corporation.

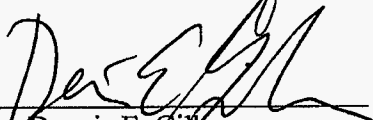
IN WITNESS WHEREOF, the undersigned have executed this Consent effective as of February 1, 2006.



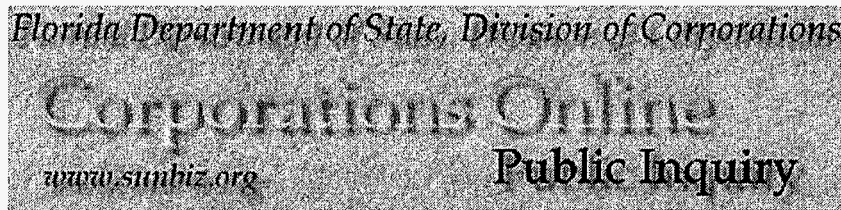
Edward G. Beimfohr



David Lucas



Dennis E. Gilkey



Florida Limited Liability

ESTERO PLACE, LLC

PRINCIPAL ADDRESS
 1000 NW 17TH AVE.
 DELRAY BEACH FL 33445 US
 Changed 04/27/2006

MAILING ADDRESS
 1000 NW 17TH AVE.
 DELRAY BEACH FL 33445 US
 Changed 04/27/2006

Document Number
 L05000016337

FEI Number
 050617557

Date Filed
 02/17/2005

State
 FL

Status
 ACTIVE

Effective Date
 NONE

Total Contribution
 0.00

Registered Agent

Name & Address
BENDER, GARRETT M 1000 NW 17TH AVE. DELRAY BEACH FL 33445
Address Changed: 04/27/2006

Manager/Member Detail

Name & Address	Title
ASCOT ESTERO PLACE, LLC 1000 NW 17TH AVE. DELRAY BEACH FL 33445	MGRM
BAY STATE REALTY VENTURES ESTERO WEST, LLC 18205 BISCA YNE BLVD #2201 AVENTURA FL 33160	MBR

Annual Reports

Report Year	Filed Date
2006	04/27/2006

[Previous Filing](#)[Return to List](#)[Next Filing](#)

No Events
No Name History Information

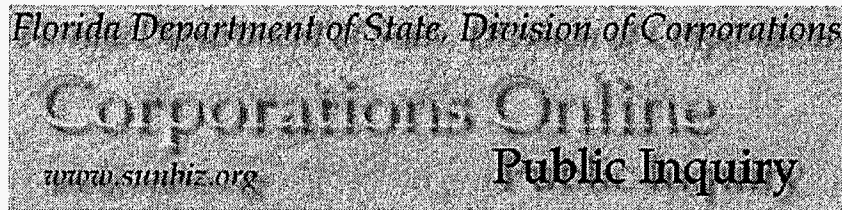
Document Images

Listed below are the images available for this filing.

04/27/2006 -- ANNUAL REPORT
02/17/2005 -- Florida Limited Liability

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

[Corporations Inquiry](#)[Corporations Help](#)



Florida Limited Liability

LONG BAY PARTNERS LLC

PRINCIPAL ADDRESS

9990 COCONUT RD
 STE 200
 BONITA SPRINGS FL 34-1365
 Changed 03/20/2003

MAILING ADDRESS

9990 COCONUT RD
 STE 200
 BONITA SPRINGS FL 34-1365
 Changed 03/20/2003

Document Number
 L95000000926

FEI Number
 593359534

Date Filed
 11/29/1995

State
 FL

Status
 ACTIVE

Effective Date
 NONE

Total Contribution
 4,000,000.00

Registered Agent

Name & Address
BONITA BAY PROPERTIES, INC. 9990 COCONUT RD STE 200 BONITA SPRINGS FL 34135 Address Changed: 03/20/2003

Manager/Member Detail

Name & Address	Title
BONITA BAY PROPERTIES, INC. 9990 COCONUT RD STE 200 BONITA SPRINGS FL 34135	MGRM

Annual Reports

Report Year	Filed Date
2004	04/29/2004
2005	03/25/2005
2006	03/20/2006

[Previous Filing](#)[Return to List](#)[Next Filing](#)

No Events
No Name History Information

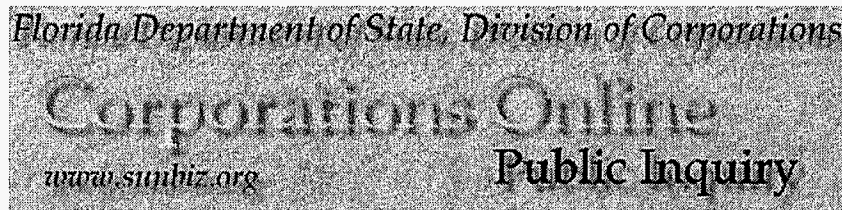
Document Images

Listed below are the images available for this filing.

03/20/2006 -- ANN REP/UNIFORM BUS REP
03/25/2005 -- ANNUAL REPORT
04/29/2004 -- ANNUAL REPORT
03/20/2003 -- ANN REP/UNIFORM BUS REP
05/12/2002 -- COR - ANN REP/UNIFORM BUS REP
04/04/2001 -- ANN REP/UNIFORM BUS REP
04/12/2000 -- ANN REP/UNIFORM BUS REP
04/06/1999 -- ANNUAL REPORT
05/29/1998 -- ANNUAL REPORT
06/02/1997 -- ANNUAL REPORT

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

[Corporations Inquiry](#)[Corporations Help](#)



Florida Profit

BONITA BAY PROPERTIES, INC.

PRINCIPAL ADDRESS
 9990 COCONUT RD, STE 200
 BONITA SPRINGS FL 34135 US
 Changed 02/27/2003

MAILING ADDRESS
 9990 COCONUT RD, STE 200
 BONITA SPRINGS FL 34135 US
 Changed 02/27/2003

Document Number M09234	FEI Number 592475007	Date Filed 12/21/1984
State FL	Status ACTIVE	Effective Date NONE
Last Event NAME CHANGE AMENDMENT	Event Date Filed 12/31/1984	Event Effective Date NONE

Registered Agent

Name & Address
GILKEY, DENNIS E. 9990 COCONUT RD, STE 200 BONITA SPRINGS FL 34135
Name Changed: 05/15/1998
Address Changed: 02/27/2003

Officer/Director Detail

Name & Address	Title
SCHESTAG, HARVEY R 9990 COCONUT RD, STE 200 BONITA SPRINGS FL 34135	STV
LUCAS, LINDA S.	

9990 COCONUT RD, STE 200 BONITA SPRINGS FL 34135	D
UKLEJA, LOUISE S. 9990 COCONUT RD, STE 200 BONITA SPRINGS FL 34135	D
LUCAS, DAVID 9990 COCONUT RD, STE 200 BONITA SPRINGS FL 34135	DC
UKLEJA, P. MICHAEL 9990 COCONUT RD, STE 200 BONITA SPRINGS FL 34135	D
GILKEY, DENNIS E. 9990 COCONUT RD, STE 200 BONITA SPRINGS FL 34135	DP

Annual Reports

Report Year	Filed Date
2005	03/24/2005
2005	07/14/2005
2006	03/20/2006

[Previous Filing](#)

[Return to List](#)

[Next Filing](#)

[View Events](#)
[View Name History](#)

Document Images

Listed below are the images available for this filing.

03/20/2006 -- ANN REP/UNIFORM BUS REP
07/14/2005 -- ANN REP/UNIFORM BUS REP
03/24/2005 -- ANNUAL REPORT
04/29/2004 -- ANNUAL REPORT
05/08/2003 -- ANN REP/UNIFORM BUS REP
02/27/2003 -- COR - ANN REP/UNIFORM BUS REP
05/13/2002 -- COR - ANN REP/UNIFORM BUS REP
04/03/2001 -- ANN REP/UNIFORM BUS REP
04/13/2000 -- ANN REP/UNIFORM BUS REP
03/24/1999 -- ANNUAL REPORT
05/15/1998 -- ANNUAL REPORT
05/20/1997 -- ANNUAL REPORT
04/24/1996 -- 1996 ANNUAL REPORT

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

Corporations Inquiry

Corporations Help



CONSULTING CIVIL ENGINEERS,
SURVEYORS & MAPPERS

EXHIBIT "A"

OCTOBER 04, 2006
JOB # 04-7086
FILE # 04-7086SK01VACREVCLGL
SHEET 1 OF 2

DESCRIPTION:

A PORTION OF A 66 FOOT WIDE ROAD RIGHT-OF-WAY, AS SHOWN ON THE PLAT OF FLORIDA LAND COMPANY SUBDIVISION RECORDED IN PLAT BOOK 1, PAGE 59 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA, LYING IN SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST DESCRIBED AS FOLLOWS:

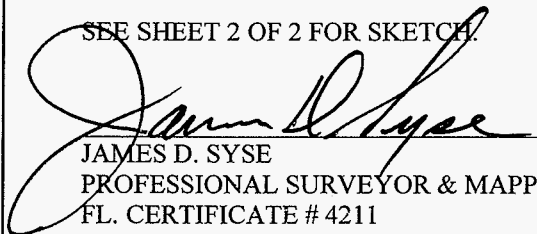
COMMENCING AT THE INTERSECTION OF THE EAST LINE OF THE NE 1/4 OF SAID SECTION 34 AND THE NORTH LINE OF SAID 66 FOOT WIDE ROAD RIGHT-OF WAY; THENCE S.89°55'49"W., ALONG SAID NORTH LINE, FOR 130.04 FEET TO THE INTERSECTION WITH A LINE LYING 130.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NE 1/4 OF SAID SECTION 34 AND TO THE POINT OF BEGINNING; THENCE S.01°17'44"E., ALONG SAID PARALLEL LINE, FOR 33.01 FEET TO THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 34; THENCE S.00°38'16"E., FOR 33.00 FEET TO THE INTERSECTION WITH A LINE LYING 130.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SE 1/4 OF SAID SECTION 34 AND TO THE SOUTH LINE OF SAID 66 FOOT RIGHT OF WAY; THENCE S.89°55'49"W., ALONG SAID SOUTH LINE, FOR 535.70 FEET TO THE WEST LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 34; THENCE N.00°04'11"W., FOR 66.00 FEET TO THE NORTH LINE OF SAID 66 FOOT RIGHT-OF-WAY; THENCE N.89°55'49"E., ALONG SAID NORTH LINE, FOR 534.67 FEET TO THE POINT OF BEGINNING.

PORTION OF RIGHT OF WAY TO BE VACATED CONTAINS 0.81 ACRES MORE OR LESS

CIVIL
AGRICULTURAL
WATER RESOURCES
WATER & WASTEWATER
TRANSPORTATION
SURVEYING & MAPPING
GIS

"Partners for Results
Value by Design"

SEE SHEET 2 OF 2 FOR SKETCH.



JAMES D. SYSE
PROFESSIONAL SURVEYOR & MAPPER
FL. CERTIFICATE # 4211

1400 Colonial Boulevard
Suite 31
Ft. Myers, FL 33907
(239) 931-0455
Fax: (239) 931-0456
www.lbfh.com

Exhibit "A"
Petition to Vacate
VAC2007-00005
[Page One of One]

P:\04-7086\Survey\Sketch\04-7086SK01VACREVELGL.doc

RECEIVED
FEB 28 2007

VAC 2007 - 0000

EXHIBIT "B"

LEGEND

R/W
SEC.
POB
POC

RIGHT OF WAY
SECTION
POINT OF BEGINNING
POINT OF COMMENCEMENT
TO BE VACATED

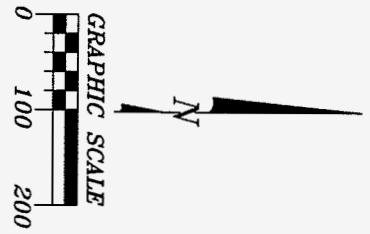
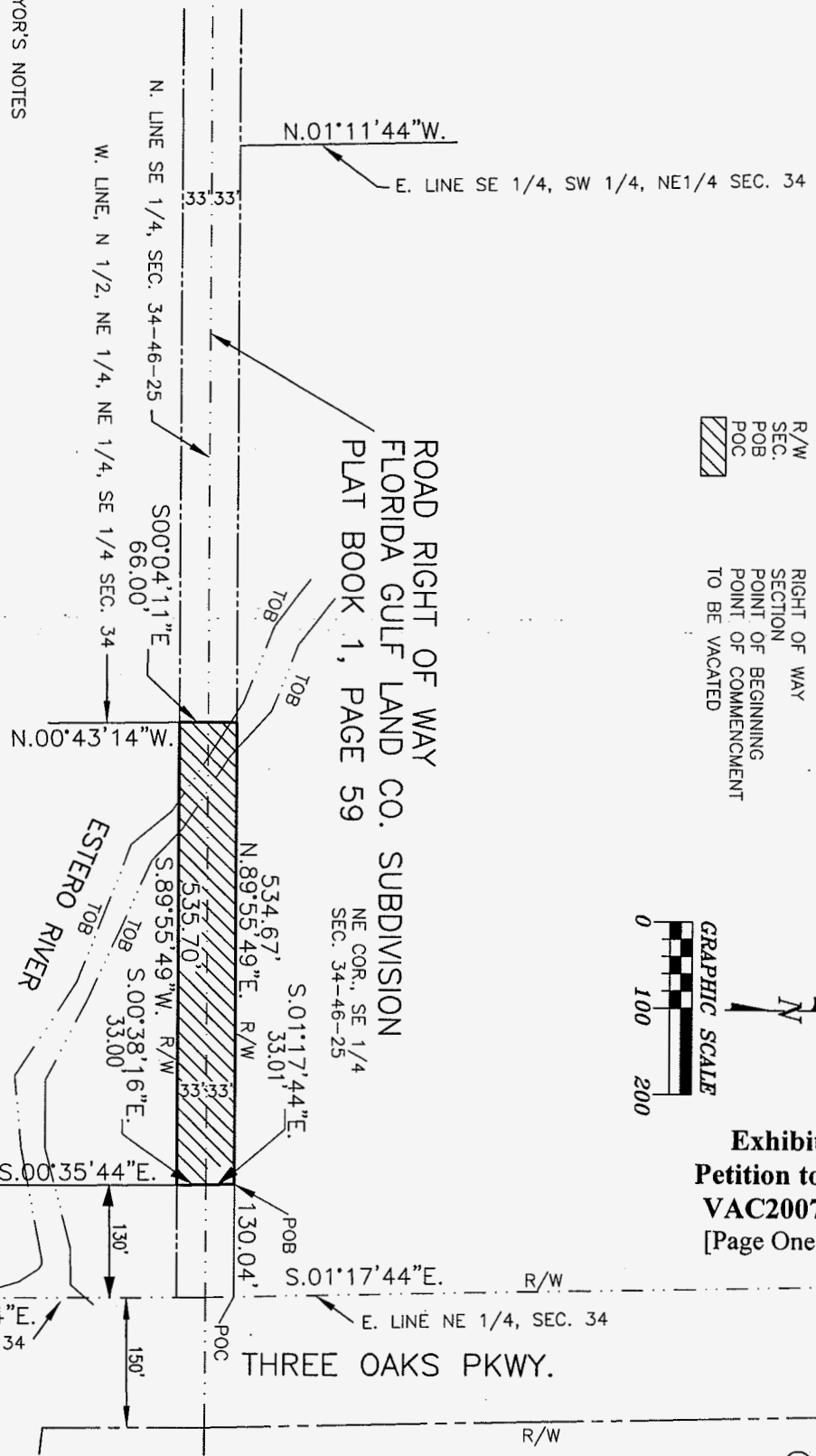


Exhibit "B"
Petition to Vacate
VAC2007-0005
[Page One of One]



SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE ASSUMED AND ARE BASED UPON THE EAST LINE OF THE SE 1/4 OF SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA BEING S.00°35'44"E.
2. SUBJECT TO EXISTING EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD.
3. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A LICENSED SURVEYOR AND MAPPER.
4. SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION.

SKETCH NOT A SURVEY

James D. Syse


JAMES D. SYSE
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE # 4211


© 2007 LBFH Inc.


Ink Engineering A Division of LBFH, Inc. CONSULTING CIVIL ENGINEERS, SURVEYORS & MAPPERS <i>"Partners For Results, Value By Design"</i>	Scale: 1"=200'	PROJECT NAME: RIGHT OF WAY TO BE VACATED		
	Sheet 2 Of 2	LYING IN SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA		
Computed: CP	Date	FILE NO.	Project No.	
Checked: JDS	10/10/06	04-7086sk01vacE.dwg	04-7086	

400 Colonial Blvd, Suite 301, Fort Myers, Florida 33907
 (239) 931-0455 Fax: (239) 931-0456
 BPR & FBPE License No: 959 www.lbfh.com

Exhibit "C"
Petition to Vacate
VAC2007-00005
 [Page One of One]

Real Property Information		
Account	Tax Year	Status
34-46-25-00-00018.0000	2006	PAID
Original Account	Instrument No	
34-46-25-00-00018.0000	2006000064720	
Owner		
ESTERO PLACE LLC		
Physical Address	Mailing Address	
9910 CORKSCREW RD ESTERO FL 33928	1000 NE 17TH AVE DELRAY BEACH FL 33445 USA	
Legal Description		
E 1/2 OF SE 1/4 OF NE 1/4 LESS R/W SR S-850 LESS 18.001 + LESS INST 2005-183873		
Outstanding Balance as of 3/2/2007		\$0.00

Real Property Information		
Account	Tax Year	Status
34-46-25-00-00018.0010	2006	PAID
Original Account	Instrument No	
34-46-25-00-00018.0010	2005000183873	
Owner		
LONG BAY PARTNERS LLC		
Physical Address	Mailing Address	
9980 CORKSCREW RD ESTERO FL 33928	9990 COCONUT RD STE 202 BONITA SPRINGS FL 34135 USA	
Legal Description		
PARL LYING IN E 1/2 OF THE E 1/2 OF THE E 1/2 LYING S OF CORKSCREW ROAD + INST 2005-183873 LESS R/W DESC OR 3645/2534		
Outstanding Balance as of 3/2/2007		\$0.00

Real Property Information		
Account	Tax Year	Status
34-46-25-00-00020.0000	2006	PAID
Original Account	Instrument No	
34-46-25-00-00020.0000	2006000064720	
Owner		
ESTERO PLACE LLC		
Physical Address	Mailing Address	
9850 CORKSCREW RD ESTERO FL 33928	1000 NE 17TH AVE DELRAY BEACH FL 33445 USA	
Legal Description		
PARL IN S 1/2 OF NE 1/4 LESS CORKSCREW RD AS DESC IN OR2103 PG2027		
Outstanding Balance as of 3/2/2007		\$0.00

LIST OF NOTIFIED PROPERTY OWNERS

RE: VAC2007-00005
Petition to Vacate a portion of 66-foot ROW shown PB 1, pg 59 of the Public
Records of Lee County

The following parcels are owned by the applicant:

Estero Place, LLC: 34-46-25-00-00018.0000
34-46-25-00-00018.0020
34-46-25-00-00020.0000
34-46-25-00-00020.0010
Long Bay Partners LLC: 34-46-25-00-00018.0010

The following property owners were notified:

34-46-25-00-00022.0000

Property address:

21511 River Ranch Road
Estero, FL 33928

Mailing address:

Allen G R & Catherine
26680 Landfall Pl
Bonita Springs, FL 34135

34-46-25-00-00022.0010 &

34-46-25-00-00022.0020

Property & mailing address:

Allen G R Jr & Barbara S
9800 Horne Ln
Estero FL 33928

34-46-25-00-00023.0000

Property address:

9870 Horne Ln
Estero FL 33928

Mailing address:

Mr. & Mrs. William Crews
15200 Shamrock Dr
Ft Myers, FL 33912

34-46-25-00-00023.0010

Property & mailing address:

Estero Fire Rescue
21500 Three Oaks Parkway
Estero, FL 33928

RECEIVED
MAR 22 2007

PERMIT COUNTER

VAC2007-00005

34-46-25-00-00023.0020

Property address:

9840 Horne Ln
Estero FL 33928

Mailing address:

Gary & Paulette Reynolds
8951 Bonita Beach Rd 525-202
Bonita Springs FL 34135

RECEIVED
MAR 22 2007

PERMIT COUNTER

VAC2007-00005

**PROPERTY DATA FOR PARCEL 34-46-25-00-00022.0000
TAX YEAR 2006**

Parcel data is available for the following tax years:
[2001 | 2002 | 2003 | 2004 | 2005 | 2006]

[Next Lower Parcel Number | Next Higher Parcel Number | Display Building Permits on this Parcel
| Display Tax Bills on this Parcel | [Tax Estimator](#)]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2006 ROLL.

PROPERTY DETAILS

OWNER OF RECORD

ALLEN G R +
CATHERINE
26680 LANDFALL
PL
BONITA SPRINGS
FL 34135

SITE ADDRESS

21511 RIVER
RANCH RD
ESTERO FL 33928

**LEGAL
DESCRIPTION**

W 1/2 OF NW 1/4
OF NE 1/4
OF SE 1/4 LESS
PARLS
22.0010 + 22.0020

[[VIEWER](#)] [TAX MAP](#) [[PRINT](#)]

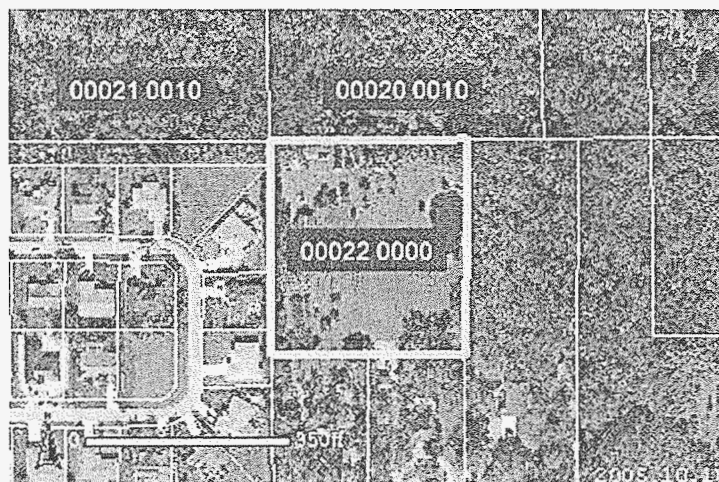


IMAGE OF STRU

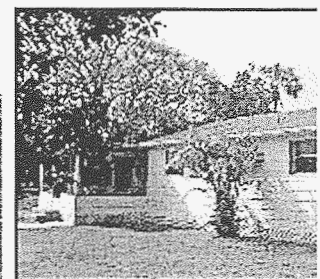


Photo Date: Decem

[[PICTOMETRY](#)]

TAXING DISTRICT

186 - ESTERO FIRE

DOR CODE

01 - SINGLE FAMILY RESIDENTIAL

**PROPERTY VALUES (TAX
ROLL 2006)**

[[HISTORY CHART](#)]

EXEMPTIONS

ATTRIBUTES

JUST	320,500	HOMESTEAD	0 UNITS OF MEASURE	AC
ASSESSED	320,500	AGRICULTURAL	0 NUMBER OF UNITS	2.75

**PROPERTY DATA FOR PARCEL 34-46-25-00-00022.0010
TAX YEAR 2006**

Parcel data is available for the following tax years:
[2001 | 2002 | 2003 | 2004 | 2005 | 2006]

[[Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) | [Display Tax Bills on this Parcel](#) | [Tax Estimator](#)]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2006 ROLL.

PROPERTY DETAILS

OWNER OF RECORD

ALLEN GIDEON R
JR + BARBARA
9800 HORNE
LANE
ESTERO FL 33928

SITE ADDRESS

9760 HORNE LN
ESTERO FL 33928

**LEGAL
DESCRIPTION**

FR SW COR NW
1/4 OF NE
1/4 OF SE 1/4 RUN
N 264FT
TH E 165 FT TH S
334 FT

[[VIEWER](#)] [TAX MAP](#) [[PRINT](#)]

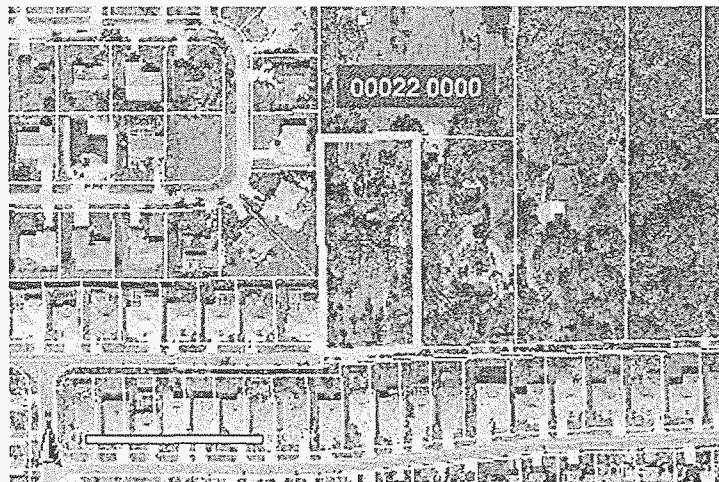


IMAGE OF STRU

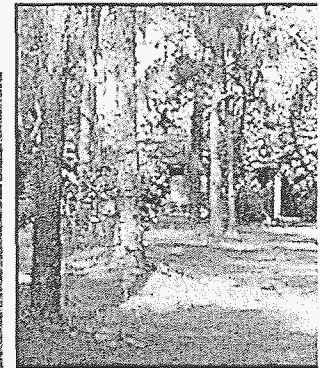


Photo Date: Decem

[[PICTOMETRY](#)]

TAXING DISTRICT

186 - ESTERO FIRE

DOR CODE

01 - SINGLE FAMILY RESIDENTIAL

**PROPERTY VALUES (TAX
ROLL 2006)**

[[HISTORY CHART](#)]

EXEMPTIONS

ATTRIBUTES

JUST	245,170	HOMESTEAD	0	UNITS OF MEASURE	AC
ASSESSED	245,170	AGRICULTURAL	0	NUMBER OF UNITS	1.27
ASSESSED SOH	245,170	WIDOW	0	FRONTAGE	165

**PROPERTY DATA FOR PARCEL 34-46-25-00-00022.0020
TAX YEAR 2006**

Parcel data is available for the following tax years:
[2001 | 2002 | 2003 | 2004 | 2005 | 2006]

[[Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) | [Display Tax Bills on this Parcel](#) | [Tax Estimator](#)]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2006 ROLL.

PROPERTY DETAILS

OWNER OF RECORD

ALLEN G R JR +
BARBARA S
9800 HORNE LN
ESTERO FL 33928

SITE ADDRESS

9800 HORNE LN
ESTERO FL 33928

**LEGAL
DESCRIPTION**

FR SW COR OF
NW1/4 OF NE1/4
OF SE1/4 E 165FT
TO POB
DESC OR
2924/2689

[[VIEWER](#)] [TAX MAP](#) [[PRINT](#)]

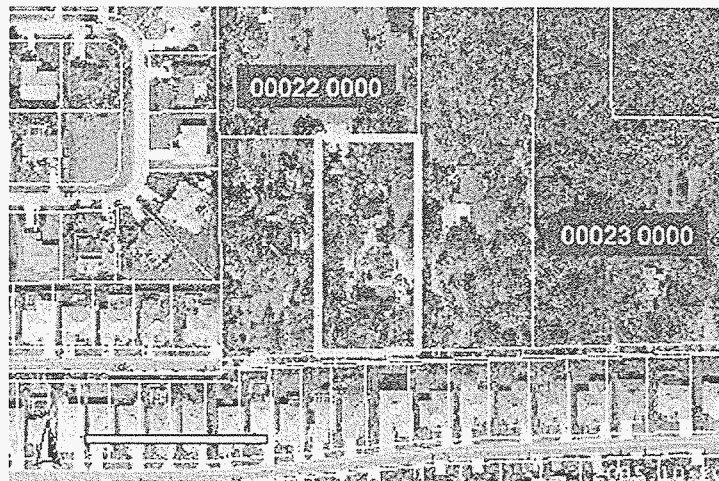


IMAGE OF STRU

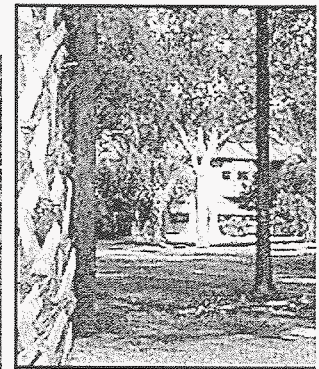


Photo Date: Decem

[[PICTOMETRY](#)]

TAXING DISTRICT

186 - ESTERO FIRE

DOR CODE

01 - SINGLE FAMILY RESIDENTIAL

**PROPERTY VALUES (TAX
ROLL 2006)
[[HISTORY CHART](#)]**

EXEMPTIONS

ATTRIBUTES

PROPERTY VALUES (TAX ROLL 2006)	EXEMPTIONS	ATTRIBUTES
JUST 288,060	HOMESTEAD 25,000	UNITS OF MEASURE AC
ASSESSED 288,060	AGRICULTURAL	NUMBER OF UNITS 1.25
ASSESSED SOH 132,670	WIDOW	FRONTAGE 0
TAXABLE 102,670	WIDOWER	DEPTH 0

**PROPERTY DATA FOR PARCEL 34-46-25-00-00023.0000
TAX YEAR 2006**

Parcel data is available for the following tax years:
[2001 | 2002 | 2003 | 2004 | 2005 | 2006]

[Next Lower Parcel Number | Next Higher Parcel Number | Display Tax Bills on this Parcel | Tax Estimator]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2006 ROLL.

PROPERTY DETAILS

OWNER OF RECORD
CREWS WILLIAM J
TR +
CREWS JOAN TR
15200 SHAMROCK
DR
FORT MYERS FL
33912

[VIEWER] TAX MAP [PRINT]

IMAGE OF STRU

SITE ADDRESS
9870 HORNE LN
ESTERO FL 33928

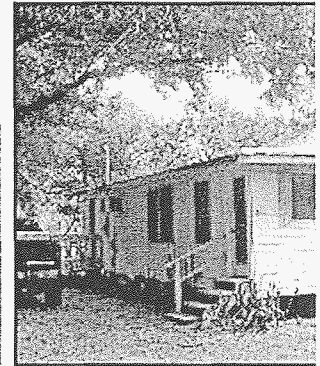
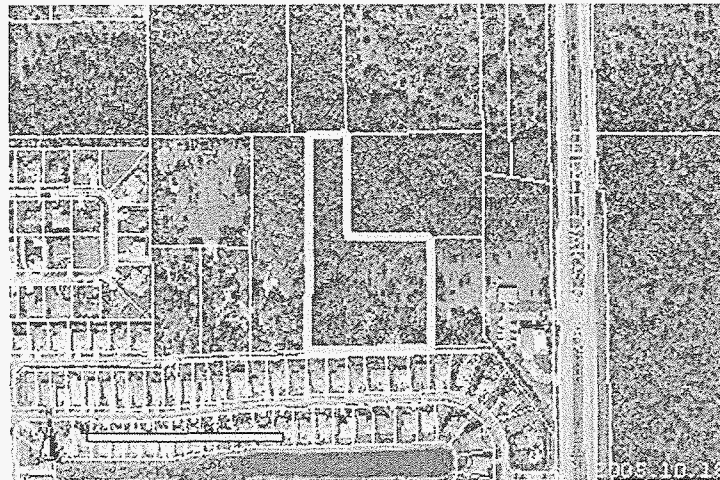


Photo Date: July

LEGAL DESCRIPTION
PAR IN NE 1/4 OF
SE 1/4
DESC IN OR 1527
PG 0420
LESS W 183 FT
LESS OR 3795 PG
3873

[PICTOMETRY]

TAXING DISTRICT
186 - ESTERO FIRE

DOR CODE
01 - SINGLE FAMILY RESIDENTIAL

PROPERTY VALUES (TAX ROLL 2006)
[HISTORY CHART]

EXEMPTIONS

ATTRIBUTES

JUST 491,640 **HOMESTEAD** 0 **UNITS OF MEASURE** AC

**PROPERTY DATA FOR PARCEL 34-46-25-00-00023.0010
TAX YEAR 2006**

Parcel data is available for the following tax years:

[2001 | 2002 | 2003 | 2004 | 2005 | 2006]

[[Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) | [Display Building Permits on this Parcel](#)

| [Display Tangible Accounts on this Parcel](#) | [Display Tax Bills on this Parcel](#) | [Tax Estimator](#)]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2006 ROLL.

PROPERTY DETAILS

OWNER OF RECORD

ESTERO FIRE
PROTECTION +
RESCUE SERVICE
DISTRICT
21500 THREE
OAKS PKWY
ESTERO FL 33928

SITE ADDRESS
[[NEW! NOTES](#)]

21500/510 THREE
OAKS PKWY
ESTERO FL 33928

**LEGAL
DESCRIPTION**

PARL LYING IN
THE E 1/2 OF THE
E 1/2 OF THE E 1/2
DESC IN OR 3234
PG 1877 + OR
3795/3873

[[VIEWER](#)] [TAX MAP](#) [[PRINT](#)]



IMAGE OF STRU

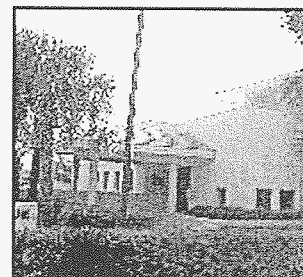


Photo Date: Novem
PHOTO DATED AFTER 2

[[PICTOMETRY](#)]

TAXING DISTRICT

186 - ESTERO FIRE

DOR CODE

89 - MUNICIPAL- OTHER

**PROPERTY VALUES (TAX
ROLL 2006)**

EXEMPTIONS

ATTRIBUTES

**PROPERTY DATA FOR PARCEL 34-46-25-00-00023.0020
TAX YEAR 2006**

Parcel data is available for the following tax years:
[2001 | 2002 | 2003 | 2004 | 2005 | 2006]

[Next Lower Parcel Number | Next Higher Parcel Number | Display Building Permits on this Parcel
| Display Tax Bills on this Parcel | Tax Estimator]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2006 ROLL.

PROPERTY DETAILS

OWNER OF RECORD

REYNOLDS GARY
+ PAULETTE
8951 BONITA
BEACH RD 525-
202
BONITA SPRINGS
FL 34135

SITE ADDRESS

9840 HORNE LN
ESTERO FL 33928

**LEGAL
DESCRIPTION**

PARL IN NE 1/4 OF
SE 1/4
DESC IN OR 1849
PG 3658

[VIEWER] TAX MAP [PRINT]



IMAGE OF STRU

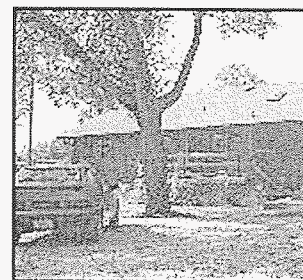


Photo Date: Decem

[PICTOMETRY]

TAXING DISTRICT

186 - ESTERO FIRE

DOR CODE

01 - SINGLE FAMILY RESIDENTIAL

**PROPERTY VALUES (TAX
ROLL 2006)
[HISTORY CHART]**

EXEMPTIONS

ATTRIBUTES

JUST ASSESSED	421,270	HOMESTEAD	0	UNITS OF MEASURE	AC
	421,270	AGRICULTURAL	0	NUMBER OF UNITS	3.00



NOTICE TO AFFECTED PROPERTY OWNERS

RE: PETITION TO VACATE RIGHT OF WAY EASEMENT

To Whom It May Concern:

Please accept this correspondence as notice of our intent to submit a Petition to the Lee County Board of Commissioners seeking to vacate the public interest in the right of way or road easement as shown on the attached sketch or drawing.

If you have any questions or concerns, please do not hesitate to contact me at the phone number below.

Signed,

A handwritten signature in cursive script that reads "Michelle Salberg".

Michelle Salberg
Ascot Development
17595 S. Tamiami Trail
Suite 102
Fort Myers, FL 33908
(239) 936-8565

Enclosure:

Sketch of Proposed Easement to Vacate

17595 S. Tamiami Trail, Suite 102
Fort Myers, FL 33908
Office 239.936.8565 · Fax: 239.936.8332
www.ascotdevelopment.com

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

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. & Mrs. Gary Reynolds
9840 Horne Ln
Esterd, FL 33928

COMPLETE THIS SECTION ON 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

2. Article Number (Transfer from service label) 7004 1350 0003 8788 4198

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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 & Mrs. Gary Reynolds
8591 Bank Beach Rd
525-202
Bonita Springs, FL 34135

COMPLETE THIS SECTION ON 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

2. Article Number (Transfer from service label) 7004 1350 0003 8788 0640

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

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 & Mrs. G Allen
26680 Landfall Pl
Bonita Springs, FL
34135

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
X *G. Allen*

B. Received by (Printed Name) C. Date of Delivery
G. Allen 8-5-06

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 (Transfer from service label) 7004 1350 0003 8788 0626

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

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:

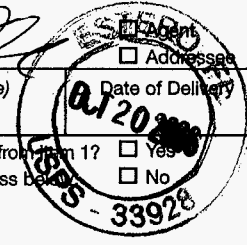
Gideon Allen, Jr.
 9760 Horne Lane
 Estero, FL 33928

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 X *[Signature]* Addressee

B. Received by (Printed Name) _____ C. Date of Delivery 01/20/06

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 9002 1509 5110 0001 8952 6699
 (Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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 & Mrs. Gideon Allen
 9800 Horne Ln
 Estero, FL 33928

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 X *[Signature]* Addressee

B. Received by (Printed Name) _____ C. Date of Delivery 8/16/06

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 _____
 (Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt 95-02-M-1540

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. & Mrs. William Crews
 15200 Shamrock Dr.
 Ft. Myers, FL 33912

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 X *Wm J Crews* Addressee

B. Received by (Printed Name) Wm J Crews C. Date of Delivery 10-19-06

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 9002 1509 5110 0001 8952 6712
 (Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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:

Estero Fire Rescue
21500 Three Oaks Pkwy
Estero, FL 33928

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
M. Ramos Addressee

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

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 (Transfer from service label) **7005 3110 0001 8952 6705**

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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:

Gr & Barbara Allen
9800 Horne Lane
Estero, FL 33928

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
Barbara Allen Addressee

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

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 (Transfer from service) **7005 3110 0001 8952 6736**

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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:

Mrs Mrs. William Crews
15200 Shamrock Dr
Fort Myers, FL 33912

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
William Crews Addressee

B. Received by (Printed Name) C. Date of Delivery
William Crews *8/5/06*

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 (Transfer from service label) **7004 1350 0003 8788 0619**

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

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

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:

Estero Fine Reseue
 21500 Three Oaks Pkwy
 Estero, FL 33928

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 X Sara Munes Addressee

B. Received by (Printed Name) Sara C. Date of Delivery 9/18

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 (Transfer from service label) 7004 1350 0003 8788 4228

9/25/2006

COMMISSIONER

John E. Albion
County Commissioner District 5
P.O. Box 398
Ft Myers Fl 33902

SEP 26 2006

JOHN ALBION

To Whom It May Concern:

On August 5th 2006, we received a letter from Ascot Development in regards to their intention to vacate a public 66ft right-of-way on the North end of our family's property in Estero. The exact reason for their intention to vacate this right-of-way is unknown but we assume it is for their slated project "Midtown Estero". If this is approved it would be a tremendous hardship to several residents on Horne Lane And River Ranch Rd.

For many reasons we feel the need to inform you that we strongly oppose The vacation of this 66ft public right-of-way.

1. The vacation would potentially land lock parcel#34-46-25-00-00022.0000. This right-of-way is their only access to their 3 acre parcel.

2. It also takes away the potential development of the 13 acres+/- that are located along that right-of-way. According to county standards the limited access available to the residents of Horne Lane would not allow the construction of a road to allow for development of those parcels. However the 66ft right-of-way along the back of the parcels is more than enough room to construct a road with proper procedures and paperwork.

3. We also feel as though the continued access through this right-of-way could be beneficial to all potential developments located on either side of this right-of-way because it could allow for another potential entrance or exit via River Ranch Road or Three Oaks Parkway.

Please consider our concerns of this matter carefully. Over the course of the last 30 years or so, we have watched our secluded paradise rapidly diminish because of different developments. Some of these developments such as the Estero Fire Department and the Colonial Oaks subdivision have limited our access already and we can not allow for another hardship to our properties. We completely understand that times change and that growth in our area is inevitable, but we want the opportunity to participate as well if we desire.

The approval of this particular vacation will have a devastating impact on our current and potential future plans of our property. We would appreciate any guidance or support you can give us in this very important matter.

21511 River Ranch Rd
Estero, FL 33928

Gideon R. Allen

Gideon R. Allen

Catherine Allen

Catherine Allen

9/25/2006

John E. Albion
County Commissioner District 5
P.O. Box 398
Ft Myers Fl 33902

COMMISSIONER

SEP 26 2006

JOHN ALBION

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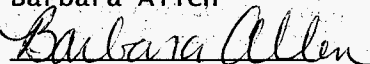
The approval of this particular vacation will have a devastating impact on our current and potential future plans of our property. We would appreciate any guidance or support you can give us in this very important matter.

Gideon & Barbara Allen
9760 Horne Lane
Estero, Fl 33928

Gideon R. Allen Jr.



Barbara Allen



Prepared by and return to:

Jay A. Brett
Attorney at Law
Sheppard, Brett, Stewart, Hersch & Kinsey, P.A.
9100 College Pointe Court
Fort Myers, FL 33919

27.00
36,136.80

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 23 day of December, 2005 between **Dwight S. Baird, Jr., Individually and as Trustee**, whose address is: **9005 Colby Drive, Unit 1907, Fort Myers, FL 33919**, Grantor, and **ESTERO PLACE, LLC, a Florida Limited Liability Company**, whose address is: **1000 NE 17th Avenue, Delray Beach, FL 33445**, 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 of 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 and made a part hereof by reference.

SUBJECT to taxes for the current calendar year.

THE ABOVE DESCRIBED PROPERTY IS VACANT LAND AND NEITHER HOMESTEAD PROPERTY NOR THE RESIDENCE OF THE GRANTOR.

Property Appraiser's Parcel Identification Numbers: STRAP#34-46-25-00-00018.0000
34-46-25-00-00020.0000

FEB 28 2007

VAC 2007-00005

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 whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2005.

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:

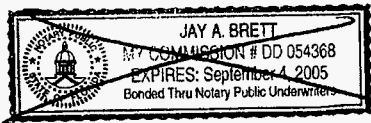
JAB
Witness Name: Jay A Brett
Maureen Phillips
Witness Name: MAUREEN PHILLIPS

Dwight S. Baird, Jr.
Dwight S. Baird, Jr., Individually and as Trustee

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 23 day of December, 2005 by Dwight S. Baird, Jr., Individually and as Trustee, who is personally known or has produced a Florida driver's license as identification.

[Notary Seal]



JAB
Notary Public
Printed Name: Jay A Brett
My Commission Expires: _____

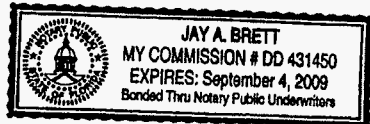


EXHIBIT "A"

(revised)



Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard
Fort Myers, Florida 33919-5910
email - fmooffice@bwlk.net
(Ph) 239-481-1331 (Fax) 239-481-1073

Description of a Parcel of Land
Lying in
Section 34, Township 46 South, Range 25 East
Lee County, Florida
(Baird - West Parcel - Revised)

A parcel of land situated in the State of Florida, County of Lee, Section 34, Township 46 South, Range 25 East and further described as follows:

Commencing at a 5/8" iron rod with cap stamped LB1772 marking the east quarter corner of said Section 34 and lying on the westerly right-of-way line of Three Oaks Parkway; thence S89°55'36"W along the north line of the Southeast One Quarter (SE 1/4) for 230.05 feet to an intersection with a line parallel with and 230.00 feet west of the east line of said Section 34 and the Point of Beginning; thence S01°17'55"E along said parallel line for 3.55 feet to an iron rod with cap stamped LB4919; thence S00°36'52"E along said parallel line for 326.57 feet to a 4"x4" concrete monument with a nail in top marking the south line of the North One Half (N 1/2) of the Northeast One Quarter (NE 1/4) of the Northeast One Quarter (NE 1/4) of the Southeast One Quarter (SE 1/4) of said Section 34; thence S89°55'09"W along said south line for 434.84 feet to a 3"x3" concrete monument with a pin in top marking the southwest corner of said fraction; thence N00°44'17"W along the west line of said fraction for 330.18 feet to the northwest corner of said fraction being marked by a 4"x4" concrete monument with a nail in top; thence N01°15'03"W along the east line of the west one-half (W 1/2) of the southeast one-quarter (SE 1/4) of the northeast one-quarter (NE 1/4) of said Section 34 for 33.01 feet; thence S89°55'36"W parallel with and 33.00 feet north of the south line of the Northeast One Quarter (NE 1/4) of said Section 34 for 194.39 feet to a 4"x4" concrete monument stamped "PLS 2465-Starnes" marking an intersection with a line parallel with and 859.727 feet west of the east line of the Northeast One Quarter (NE 1/4) of said Section 34; thence N01°17'55"W along said parallel line for 1170.50 feet to a 5/8" iron rod with cap stamped "Starnes" marking the southerly right-of-way line of Corkscrew Road (CR-850) as recorded in Official Record Book 1129 at Page 1215; thence N89°44'47"E along said right-of-way line for 131.66 feet to a 1/2" iron rod with no identification as called for in Official Record Book 1636 at Page 1749; thence N86°52'55"E along said right-of-way line for 300.14 feet to a 4"x4" concrete monument stamped "LB6773 - Corkscrew R/W"; thence N89°44'47"E along said right-of-way line for 68.11 feet to an intersection with a line lying 360.00 feet west of the east line of the Northeast One Quarter (NE 1/4) of said Section 34; thence S01°17'55"E along said parallel line for 200.03 feet to an intersection with a line parallel with and 200.00 feet south of said right-of-way line being marked by a 5/8" iron rod with cap stamped LB1772; thence N89°44'47"E parallel with said right-of-way line for 130.02 feet to an intersection with a line parallel with and 230.00 feet west of the east line of the Northeast One Quarter (NE 1/4) of said Section 34, being marked by a 5/8" iron rod with cap stamped LB1772; thence S01°17'55"E parallel with said east line for 1020.46 feet to the Point of Beginning.

Containing 20.09 acres (874,980 square feet), more or less.

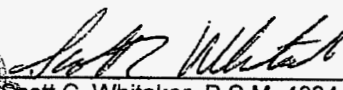
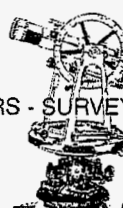
Bearings are based on the State Plane Coordinate System - Florida West Zone (North American Datum of 1983 - 1990 Adjustment) with the east line of the Northeast One Quarter (NE 1/4) as bearing N01°17'55"W.

Subject to easements, restrictions, reservations and rights-of-way (recorded and unrecorded, written and unwritten).

Bean, Whitaker, Lutz & Kareh, Inc. (LB 4919)

PRINCIPALS: 33196_DESC_WEST1_R 12/19/05
WILLIAM E. BEAN, PSM, CHAIRMAN
SCOTT C. WHITAKER, PSM, PRESIDENT
JOSEPH L. LUTZ, PSM
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS
Parcel B/C


Scott C. Whitaker, P.S.M. 4324


ASSOCIATES:
TRACY N. BEAN, AICP
CHARLES D. KNIGHT, PSM
W. BRIT POMEROY, JR., PSM
STEPHEN H. SKORUPSKI, PSM
ELWOOD FINEFIELD, PSM
JAMES A. HESSLER, PSM
JAMES R. COLEMAN, PSM
RUDOLF A. NORMAN, PE

VAC 2007-00005

FEB 28 2007

15PP
69,000
101,500.00 (D)

3905588

DR2672 PG3982

This instrument prepared by:
J. Stephen Crawford, Esq.
5129 Castello Drive, Suite 1
Naples, Florida 33940

Documentary Tax Pd. \$ 101,500.00
Intangible Tax Pd.
CHARLIE GREEN, CLERK LEE COUNTY
By: [Signature] Deputy Clerk

SPECIAL WARRANTY DEED

THIS INDENTURE, made January 31, 1996, between Edward J. McArdle, as Trustee of the trust created by that certain Declaration of Trust, dated January 6, 1992, known as the Edward J. McArdle Grantor Trust, as Grantor, and Long Bay Partners, LLC, a Florida limited liability company, whose Post Office address is Bonita Bay Executive Center, #202, 3451 Bonita Bay Boulevard, Bonita Springs, Florida 33923, as Grantee, witnesseth:

GRANTOR, for and in consideration of the sum of Ten Dollars and other good and valuable consideration to Grantor in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, and Grantee's successors and assigns, the real property in Sections 2, 3, 9, 10 and 11, Township 47 South, Range 25 East, and Sections 34 and 35, Township 46 South, Range 25 East, in Lee County, Florida, (the "Property") more particularly described as follows:

PARCEL 1

All that part of Sections 2, 3, 10 and 11, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows: Commencing at the Southeast corner of said Section 10; thence along the East line of said Section 10, North 01° 05' 50" West 1,699.08 feet to the Point of Beginning of the parcel herein described; thence leaving said Section line South 88° 26' 03" West 441.49 feet; Westerly 567.82 feet along the arc of a tangential circular curve concave to the South, having a radius of 2,925.00 feet through a central angle of 11° 07' 22" and being subtended by a chord which bears South 82° 52' 22" West 566.93 feet; South 77° 18' 41" West 446.48 feet; Westerly and Northwesterly 1,013.71 feet along the arc of a tangential circular curve concave to the Northeast, having a radius of 1,150.00 feet through a central angle of 50° 30' 19" and

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

FEB 28 2007

VAC 2007-00005

being subtended by a chord which bears North 77° 26' 09" West 981.20 feet; North 52° 11' 00" West 1,240.71 feet; Northwesterly and Westerly 1,272.57 feet along the arc of a tangential circular curve concave to the Southwest, having a radius of 1,925.00 feet through a central angle of 37° 52' 36" and being subtended by a chord which bears North 71° 07' 18" West 1,249.52 feet to a point on said curve; thence leaving said curve, South 00° 59' 47" East 436.17 feet; thence South 89° 00' 13" West 663.24 feet to the Easterly right-of-way line of Seaboard Coastline Railroad; thence along said Easterly right-of-way line North 00° 59' 47" West 3,455.99 feet; thence leaving said right-of-way line South 73° 35' 15" East 457.66 feet; thence North 85° 18' 36" East 1,675.18 feet; thence South 81° 35' 06" East 1,297.84 feet; thence North 31° 35' 30" East 359.66 feet; thence Northeasterly and Easterly 642.94 feet along the arc of a tangential circular curve concave to the Southeast, having a radius of 800.00 feet through a central angle of 46° 02' 51" and being subtended by a chord which bears North 54° 36' 55" East 625.78 feet; thence North 77° 38' 21" East 253.20 feet; thence North 13° 14' 05" East 3,039.56 feet; thence Southerly and Southeasterly 1,216.63 feet along the arc of a non-tangential circular curve concave to the Northeast, having a radius of 1,850.00 feet, through a central angle of 37° 40' 48" and being subtended by a chord which bears South 26° 09' 36" East 1,194.83 feet; thence South 45° 00' 00" East 1,283.97 feet; thence Southeasterly, Southerly and Southwesterly 3,300.70 feet along the arc of a tangential circular curve concave to the West, having a radius of 2,350.00 feet, through a central angle of 80° 28' 30" and being subtended by a chord which bears South 04° 45' 45" East 3,036.00 feet to a point of reverse curvature; Southwesterly and Southerly 1,389.94 feet along the arc of a tangential circular curve concave to the Southeast, having a radius of 2,150.00 feet, through a central angle of 37° 02' 27" and being subtended by a chord which bears South 16° 57' 17" West 1,365.86 feet; thence South 01° 33' 57" East 600.10 feet; thence South 88° 26' 03" West 249.56 feet; thence South 48° 31' 36" West 316.55 feet; thence South 01° 33' 57" East 560.62 feet; thence South 88° 26' 03" West 592.73 feet to the Point of Beginning of the parcel herein described. Containing 707.50 acres, more or less. Bearings are based on the East line of said Section 10, being North 01° 05' 50" West.

Subject to the Reservation of all oil, gas, mineral and other subsurface rights and deposits of any kind below 140 feet under the surface as provided in the Warranty Deed from Barron Collier, Jr. et Ux. and Miles Collier et Ux., dated August 18, 1952, as recorded September 4, 1952, in Deed Book 220 at page 359 of the Public Records of

Lee County, Florida, excluding the right of ingress and egress for exploration and exploitation; and to assessments and taxes for 1996 and subsequent years.

PARCEL 2

That Part of Section 9, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows: Commencing at the Southeast corner of Section 10, Township 47 South, Range 25 East, Lee County, Florida; thence along the East line of said Section 10, North 01° 05' 50" West 1,699.08 feet; thence South 88° 26' 03" West 441.49 feet; thence Westerly 567.82 feet along the arc of a tangential circular curve concave to the South, having a radius of 2,925.00 feet through a central angle of 11° 07' 22" and being subtended by a chord which bears South 82° 52' 22" West 566.93 feet; thence South 77° 18' 41" West 446.48 feet; thence Westerly and Northwesterly 1,013.71 feet along the arc of a tangential circular curve concave to the Northeast, having a radius of 1,150.00 feet through a central angle of 50° 30' 19" and being subtended by a chord which bears North 77° 26' 09" West 981.20 feet; thence North 52° 11' 00" West 1,240.71 feet; thence Northwesterly and Westerly 1,272.57 feet along the arc of a tangential circular curve concave to the Southwest having a radius of 1,925.00 feet through a central angle of 37° 52' 36" and being subtended by a chord which bears North 71° 07' 18" West 1,249.52 feet to a point on said curve; thence leaving said curve, South 00° 59' 47" East 436.17 feet; thence South 89° 00' 13" West 663.24 feet to the Easterly right-of-way line of Seaboard Coastline Railroad; thence along said Easterly right-of-way North 00° 59' 47" West 329.80 feet; thence leaving said Easterly right-of-way line, South 58° 06' 50" West 151.49 feet; thence Southwesterly 255.27 feet along a non-tangential circular curve concave to the Southeast, having a radius of 1,900.00 feet through a central angle of 07° 41' 52" and being subtended by a chord which bears South 61° 31' 04" West 255.08 feet to a point of reverse curvature; thence Southwesterly and Westerly 583.13 feet along the arc of a tangential circular curve concave to the Northwest, having a radius of 1,100.00 feet through a central angle of 30° 22' 26" and being subtended by a chord which bears South 72° 51' 21" West 576.33 feet; thence South 88° 02' 34" West 1,184.25 feet to a point on the Easterly right-of-way line of U.S. 41 (Tamiami Trail); thence along said Easterly right-of-way line North 00° 15' 56" West 200.09 feet to the Point of Beginning of the parcel herein described; thence continue along said Easterly right-of-way line, North 00° 15' 56" West 415.00 feet; thence leaving said Easterly right-of-way line, South 46° 02' 16" East 577.45 feet; thence South 88° 02' 34" West 413.96 feet to the Point of Beginning of the parcel herein described.

OR2672 PG3984

Containing 2 acres, more or less. Bearings are based on the East line of said Section 10 being North 01° 05' 50" West., to be used only for aquascaping, landscaping, signage and monumentation

Subject to assessments and taxes for 1996 and subsequent years.

PARCEL 3

All that part of section 9, Township 47 South, Range 25 East, Lee County, Florida being more particularly described as follows: Commencing at the Southeast corner of Section 10, Township 4 South, Range 25 East, Lee County, Florida, thence along the East line of said Section 10, North 01° 05' 50" West 1,699.08 feet to a point; thence South 88° 26' 03" West 441.49 feet; thence Westerly 567.82 feet along the arc of a tangential circular curve concave to the South, having a radius of 2,925.00 feet through a central angle of 11° 07' 22" and being subtended by a chord which bears South 82° 52' 22" West 566.93 feet; thence South 77° 18' 41" West 446.48 feet; thence Westerly and Northwesterly 1,013.71 feet along the arc of a tangential circular curve concave to the Northeast, having a radius of 1,150.00 feet through a central angle of 50° 30' 19" and being subtended by a chord which bears North 77° 26' 09" West 981.20 feet; thence North 52° 11' 00" West 1,240.71 feet; thence Northwesterly and Westerly 1,272.57 feet along the arc of a tangential circular curve concave to the Southwest, having a radius of 1,925.00 feet through a central angle of 37° 52' 36" and being subtended by a chord which bears North 71° 07' 18" West 1,249.52 feet to a point on said curve; thence leaving said curve, South 00° 59' 47" East 436.17 feet; thence South 89° 00' 13" West 663.24 feet to the Easterly right-of-way line of Seaboard Coastline Railroad; thence along said Easterly right-of-way line North 00° 59' 47" West 329.80 feet; thence leaving said Easterly right-of-way line, South 58° 06' 50" West 151.49 feet; thence Southwesterly 255.27 feet along a non-tangential circular curve concave to the Southeast, having a radius of 1,900.00 feet through a central angle of 07° 41' 52" and being subtended by a chord which bears South 61° 31' 04" West 255.08 feet to a point of reverse curvature; thence Southwesterly and Westerly 583.13 feet along the arc of a tangential circular curve concave to the Northwest, having a radius of 1,100.00 feet through a central angle of 30° 22' 26" and being subtended by a chord which bears South 72° 51' 21" West 576.33 feet; thence South 88° 02' 34" West 433.92 feet to the Point of Beginning of the Parcel herein described; thence South 00° 15' 56" East 186.49 feet; thence South 88° 02' 34" West 320.14 feet; thence South 00° 15' 56" East 180.75 feet; thence South 88° 02' 34" West 430.19 feet to a point on the

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Easterly right-of-way line of U.S. 41 (Tamiami Trail); thence along said Easterly right-of-way line, North 00° 15' 56" West 367.24 feet; thence leaving said Easterly right-of-way line, North 88° 02' 34" East 750.33 feet to the Point of Beginning of the parcel herein described. Containing 5.00 acres more or less. Bearings are based on the East line of said Section 10, being North 01° 05' 50" West.

Subject to assessments and taxes for 1996 and subsequent years.

PARCEL 4

The West 120.00 feet of the East 230.00 feet of that part of the North half (N½) of the Northeast quarter (NE¼) of the Southeast quarter (SE¼) of Section 34, Township 46 South, Range 25 East, Lee County, Florida, lying within 200.00 feet South of the right-of-way line of Corkscrew Road (S.R. No. 850).

Subject to the right retained by Grantor, his successors and assigns, to use the property for ingress, egress, utilities and drainage in a manner consistent with Grantee's development of the property for the same purposes; the Mortgage, Assignment of Rents and Security Agreement, recorded in Official Records Book 1664, page 4259, of the Public Records of Lee County, Florida, executed and delivered by Edward J. McArdle, a married person, to NSF Mortgage Corporation, a corporation existing under the laws of the State of Florida, securing an obligation for the original principal amount of Two Million Dollars (\$2,000,000.00) and certain promises and obligations set forth in said Mortgage, upon the premises therein described, transferred to Naples Federal Savings and Loan Association by Assignment of Mortgage, recorded in Official Records Book 1685, page 1735, as modified by Mortgage Modification Agreement recorded in Official Records Book 1718, page 2911, by Loan Modification Agreement recorded in Official Records Book 1836, page 118, by Loan Modification Agreement recorded in Official Records Book 2339, page 241, and Loan Modification Agreement recorded in Official Records Book 2459, page 4035, of the Public Records of Lee County, Florida; the Mortgage, Assignment of Rents and Security Agreement, recorded in Official Records Book 1718, page 2109, of the Public Records of Lee County, Florida, executed and delivered by Edward J. McArdle, a married person, to Naples Federal Savings and Loan Association, a corporation existing under the laws of the United States of America, securing an obligation for the original principal amount of Three Million Dollars (\$3,000,000.00) and certain promises and obligations set forth in said Mortgage, upon the premises therein described, as modified by Mortgage Modification Agreement recorded in Official Records Book 1836, page 114, by Loan Modification Agreement recorded in Official Records Book 2339, page 241, and Loan Modification Agreement recorded in Official Records Book 2060, page 1071, of the Public Records of Lee County, Florida; the rights of the State of Florida which may be asserted on the

basis of the State of Florida Department of Environmental Regulation jurisdictional survey of part of the Estero River lying in part of Section 34, Township 46 South, Range 25 East, Lee County, Florida, as shown in the Affidavit, dated November 9, 1987, recorded in Official Records Book 1952 at page 1831 of the Public Records of Lee County, Florida; and to assessments and taxes for 1996 and subsequent years.

PARCEL 5

The West 100.00 feet of the East 230.00 feet of that part of the North half (N½) of the Northeast quarter (NE¼) of the Southeast quarter (SE¼) of Section 34, Township 46 South, Range 25 East, Lee County, Florida, lying more than 200.00 feet South of the right-of-way line of Corkscrew Road (S.R. No. 850) and North of the centerline of the Estero River.

Subject to the right retained by Grantor, his successors and assigns, to use the property for ingress, egress, utilities and drainage in a manner consistent with Grantee's development of the property for the same purposes; the Mortgage, Assignment of Rents and Security Agreement, recorded in Official Records Book 1664, page 4259, of the Public Records of Lee County, Florida, executed and delivered by Edward J. McArdle, a married person, to NSF Mortgage Corporation, a corporation existing under the laws of the State of Florida, securing an obligation for the original principal amount of Two Million Dollars (\$2,000,000.00) and certain promises and obligations set forth in said Mortgage, upon the premises therein described, transferred to Naples Federal Savings and Loan Association by Assignment of Mortgage, recorded in Official Records Book 1685, page 1735, as modified by Mortgage Modification Agreement recorded in Official Records Book 1718, page 2911, by Loan Modification Agreement recorded in Official Records Book 1836, page 118, by Loan Modification Agreement recorded in Official Records Book 2339, page 241, and Loan Modification Agreement recorded in Official Records Book 2459, page 4035, of the Public Records of Lee County, Florida; the Mortgage, Assignment of Rents and Security Agreement, recorded in Official Records Book 1718, page 2109, of the Public Records of Lee County, Florida, executed and delivered by Edward J. McArdle, a married person, to Naples Federal Savings and Loan Association, a corporation existing under the laws of the United States of America, securing an obligation for the original principal amount of Three Million Dollars (\$3,000,000.00) and certain promises and obligations set forth in said Mortgage, upon the premises therein described, as modified by Mortgage Modification Agreement recorded in Official Records Book 1836, page 114, by Loan Modification Agreement recorded in Official Records Book 2339, page 241, and Loan Modification Agreement recorded in Official Records Book 2060, page 1071, of the Public Records of Lee County, Florida; the rights of the State of Florida which may be asserted on the basis of the State of Florida Department of Environmental Regulation jurisdictional survey of part of the Estero River lying in part of Section 34, Township 46 South, Range 25 East, Lee County, Florida, as shown in the Affidavit, dated November 9,

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1987, recorded in Official Records Book 1952 at page 1831 of the Public Records of Lee County, Florida; and to assessments and taxes for 1996 and subsequent years.

PARCEL 6

The West 120.00 feet of the East 230.00 feet of that part of the North half (N½) of the Northeast quarter (NE¼) of the Southeast quarter (SE¼) of Section 34, Township 46 South, Range 25 East, Lee County, Florida, lying South of the centerline of the Estero River.

Subject to the right retained by Grantor, his successors and assigns, to use the property for ingress, egress, utilities and drainage in a manner consistent with Grantee's development of the property for the same purposes; the Mortgage, Assignment of Rents and Security Agreement, recorded in Official Records Book 1664, page 4259, of the Public Records of Lee County, Florida, executed and delivered by Edward J. McArdle, a married person, to NSF Mortgage Corporation, a corporation existing under the laws of the State of Florida, securing an obligation for the original principal amount of Two Million Dollars (\$2,000,000.00) and certain promises and obligations set forth in said Mortgage, upon the premises therein described, transferred to Naples Federal Savings and Loan Association by Assignment of Mortgage, recorded in Official Records Book 1685, page 1735, as modified by Mortgage Modification Agreement recorded in Official Records Book 1718, page 2911, by Loan Modification Agreement recorded in Official Records Book 1836, page 118, by Loan Modification Agreement recorded in Official Records Book 2339, page 241, and Loan Modification Agreement recorded in Official Records Book 2459, page 4035, of the Public Records of Lee County, Florida; the Mortgage, Assignment of Rents and Security Agreement, recorded in Official Records Book 1718, page 2109, of the Public Records of Lee County, Florida, executed and delivered by Edward J. McArdle, a married person, to Naples Federal Savings and Loan Association, a corporation existing under the laws of the United States of America, securing an obligation for the original principal amount of Three Million Dollars (\$3,000,000.00) and certain promises and obligations set forth in said Mortgage, upon the premises therein described, as modified by Mortgage Modification Agreement recorded in Official Records Book 1836, page 114, by Loan Modification Agreement recorded in Official Records Book 2339, page 241, and Loan Modification Agreement recorded in Official Records Book 2060, page 1071, of the Public Records of Lee County, Florida; the rights of the State of Florida which may be asserted on the basis of the State of Florida Department of Environmental Regulation jurisdictional survey of part of the Estero River lying in part of Section 34, Township 46 South, Range 25 East, Lee County, Florida, as shown in the Affidavit, dated November 9, 1987, recorded in Official Records Book 1952 at page 1831 of the Public Records of Lee County, Florida; and to assessments and taxes for 1996 and subsequent years.

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PARCEL 7

The West 120.00 feet of the East 230.00 feet of the South half (S½) of the Northeast quarter (NE¼) of the Northeast quarter (NE¼) of the Southeast quarter (SE¼) of Section 34, Township 46 South, Range 25 East, Lee County, Florida.

Subject to the right retained by Grantor, his successors and assigns, to use the property for ingress, egress, utilities and drainage in a manner consistent with Grantee's development of the property for the same purposes; the Mortgage, Assignment of Rents and Security Agreement, recorded in Official Records Book 1664, page 4259, of the Public Records of Lee County, Florida, executed and delivered by Edward J. McArdle, a married person, to NSF Mortgage Corporation, a corporation existing under the laws of the State of Florida, securing an obligation for the original principal amount of Two Million Dollars (\$2,000,000.00) and certain promises and obligations set forth in said Mortgage, upon the premises therein described, transferred to Naples Federal Savings and Loan Association by Assignment of Mortgage, recorded in Official Records Book 1685, page 1735, as modified by Mortgage Modification Agreement recorded in Official Records Book 1718, page 2911, by Loan Modification Agreement recorded in Official Records Book 1836, page 118, by Loan Modification Agreement recorded in Official Records Book 2339, page 241, and Loan Modification Agreement recorded in Official Records Book 2459, page 4035, of the Public Records of Lee County, Florida; the Mortgage, Assignment of Rents and Security Agreement, recorded in Official Records Book 1718, page 2109, of the Public Records of Lee County, Florida, executed and delivered by Edward J. McArdle, a married person, to Naples Federal Savings and Loan Association, a corporation existing under the laws of the United States of America, securing an obligation for the original principal amount of Three Million Dollars (\$3,000,000.00) and certain promises and obligations set forth in said Mortgage, upon the premises therein described, as modified by Mortgage Modification Agreement recorded in Official Records Book 1836, page 114, by Loan Modification Agreement recorded in Official Records Book 2339, page 241, and Loan Modification Agreement recorded in Official Records Book 2060, page 1071, of the Public Records of Lee County, Florida; the reservation of oil, gas and mineral interests and the right of ingress and egress for purposes of exploration and removal as set forth in the Warranty Deed from Mae Horne and C. C. Horne, dated July 21, 1980, recorded July 24, 1980, in Official Records Book 1442 at page 957 of the Public Records of Lee County, Florida; and to assessments and taxes for 1996 and subsequent years.

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PARCEL 8

That part of Lot C-30 in Florida Gulf Coast Land Company's Subdivision, according to the map or plat thereof in Plat Book 1, page 59, in the Public Records of Lee County, Florida, lying East of a line running from the

Southeast corner of said Lot C-30 Northwesterly to a point on the North lot line of said Lot C-30 which point is 230.00 feet West of the Northeast corner of said Lot C-30.

Subject to the right retained by Grantor, his successors and assigns, to use the property for ingress, egress, utilities and drainage in a manner consistent with Grantee's development of the property for the same purposes; the Mortgage, Assignment of Rents and Security Agreement, recorded in Official Records Book 1664, page 4259, of the Public Records of Lee County, Florida, executed and delivered by Edward J. McArdle, a married person, to NSF Mortgage Corporation, a corporation existing under the laws of the State of Florida, securing an obligation for the original principal amount of Two Million Dollars (\$2,000,000.00) and certain promises and obligations set forth in said Mortgage, upon the premises therein described, transferred to Naples Federal Savings and Loan Association by Assignment of Mortgage, recorded in Official Records Book 1685, page 1735, as modified by Mortgage Modification Agreement recorded in Official Records Book 1718, page 2911, by Loan Modification Agreement recorded in Official Records Book 1836, page 118, by Loan Modification Agreement recorded in Official Records Book 2339, page 241, and Loan Modification Agreement recorded in Official Records Book 2459, page 4035, of the Public Records of Lee County, Florida; the Mortgage, Assignment of Rents and Security Agreement, recorded in Official Records Book 1718, page 2109, of the Public Records of Lee County, Florida, executed and delivered by Edward J. McArdle, a married person, to Naples Federal Savings and Loan Association, a corporation existing under the laws of the United States of America, securing an obligation for the original principal amount of Three Million Dollars (\$3,000,000.00) and certain promises and obligations set forth in said Mortgage, upon the premises therein described, as modified by Mortgage Modification Agreement recorded in Official Records Book 1836, page 114, by Loan Modification Agreement recorded in Official Records Book 2339, page 241, and Loan Modification Agreement recorded in Official Records Book 2060, page 1071, of the Public Records of Lee County, Florida; the rights of The School Board of Lee County, Florida, to a drainage easement described as follows: Beginning at the Northwest corner of the Southwest quarter (SW $\frac{1}{4}$) of the Southwest quarter (SW $\frac{1}{4}$) run Southerly along the West line of said fraction for 75 feet; thence run Easterly, perpendicular to said West line, for 72 feet; thence run Northerly parallel with said West line, for 75 feet more or less to an intersection with the North line of said fraction; thence run Westerly along said North line for 72 feet more or less to the point of beginning, by virtue of the Order of Taking entered September 28, 1987, in Case No. 87-3480 in the Circuit Court of the Twentieth Judicial Circuit in and for Lee County, Florida, and recorded in Official Records Book 1944 at page 3478 of the Public Records of Lee County, Florida; the easement for ingress and egress over the East 25 feet of said Lot C-30; the rights of all other owners of lands in Sections 2, 3, 10 and 11, Township 47 North, Range 25 East,

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Lee County, Florida, to the use of said parcel for drainage; and to assessments and taxes for 1996 and subsequent years.

PARCEL 9

The West 120.00 feet of the West 200.00 feet of the Northwest quarter (NW¼) of the Southwest quarter (SW¼) of that part of Section 35, Township 46 South, Range 25 East, Lee County, Florida, lying South of the centerline of the Estero River.

Subject to the right retained by Grantor, his successors and assigns, to use the property for ingress, egress, utilities and drainage in a manner consistent with Grantee's development of the property for the same purposes; the Mortgage, Assignment of Rents and Security Agreement, recorded in Official Records Book 1664, page 4259, of the Public Records of Lee County, Florida, executed and delivered by Edward J. McArdle, a married person, to NSF Mortgage Corporation, a corporation existing under the laws of the State of Florida, securing an obligation for the original principal amount of Two Million Dollars (\$2,000,000.00) and certain promises and obligations set forth in said Mortgage, upon the premises therein described, transferred to Naples Federal Savings and Loan Association by Assignment of Mortgage, recorded in Official Records Book 1685, page 1735, as modified by Mortgage Modification Agreement recorded in Official Records Book 1718, page 2911, by Loan Modification Agreement recorded in Official Records Book 1836, page 118, by Loan Modification Agreement recorded in Official Records Book 2339, page 241, and Loan Modification Agreement recorded in Official Records Book 2459, page 4035, of the Public Records of Lee County, Florida; the Mortgage, Assignment of Rents and Security Agreement, recorded in Official Records Book 1718, page 2109, of the Public Records of Lee County, Florida, executed and delivered by Edward J. McArdle, a married person, to Naples Federal Savings and Loan Association, a corporation existing under the laws of the United States of America, securing an obligation for the original principal amount of Three Million Dollars (\$3,000,000.00) and certain promises and obligations set forth in said Mortgage, upon the premises therein described, as modified by Mortgage Modification Agreement recorded in Official Records Book 1836, page 114, by Loan Modification Agreement recorded in Official Records Book 2339, page 241, and Loan Modification Agreement recorded in Official Records Book 2060, page 1071, of the Public Records of Lee County, Florida; the reservation of all mineral rights in Special Warranty Deed from C.C. Gatlin et Ux., dated June 2, 1952, as recorded June 2, 1952, in Deed Book 218 at page 372 of the Public Records of Lee County, Florida; to the rights of all other owners of lands in Sections 2, 3, 10 and 11, Township 47 North, Range 25 East, Lee County, Florida, to the use of said parcel for drainage; to the rights of the State of Florida which may be asserted on the basis of the State of Florida Department of Environmental Regulation jurisdictional survey of part of the Estero River lying in part of Section 34, Township 46 South, Range 25 East, Lee County, Florida, as shown in the

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Affidavit, dated November 9, 1987, recorded in Official Records Book 1952 at page 1831 of the Public Records of Lee County, Florida; and to assessments and taxes for 1996 and subsequent years.

PARCEL 10

The non-exclusive use and benefit of Grantor's right, title and interest in the grant of easement lying in the West 200.00 feet of the Northwest quarter (NW¼) of the Southwest quarter (SW¼) of Section 35, Township 46 South, Range 25 East, Lee County, Florida, from C. C. Marshall and Ranch Properties, Inc., a Florida corporation, to Aeroproducts, Inc., a New York corporation, as recorded in Official Records Book 381, page 645, of the Public Records of Lee County, Florida.

Subject to the right retained by Grantor, his successors and assigns, to use the property for ingress, egress, utilities and drainage in a manner consistent with Grantee's development of the property for the same purposes; the Mortgage, Assignment of Rents and Security Agreement, recorded in Official Records Book 1664, page 4259, of the Public Records of Lee County, Florida, executed and delivered by Edward J. McArdle, a married person, to NSF Mortgage Corporation, a corporation existing under the laws of the State of Florida, securing an obligation for the original principal amount of Two Million Dollars (\$2,000,000.00) and certain promises and obligations set forth in said Mortgage, upon the premises therein described, transferred to Naples Federal Savings and Loan Association by Assignment of Mortgage, recorded in Official Records Book 1685, page 1735, as modified by Mortgage Modification Agreement recorded in Official Records Book 1718, page 2911, by Loan Modification Agreement recorded in Official Records Book 1836, page 118, by Loan Modification Agreement recorded in Official Records Book 2339, page 241, and Loan Modification Agreement recorded in Official Records Book 2459, page 4035, of the Public Records of Lee County, Florida; the Mortgage, Assignment of Rents and Security Agreement, recorded in Official Records Book 1718, page 2109, of the Public Records of Lee County, Florida, executed and delivered by Edward J. McArdle, a married person, to Naples Federal Savings and Loan Association, a corporation existing under the laws of the United States of America, securing an obligation for the original principal amount of Three Million Dollars (\$3,000,000.00) and certain promises and obligations set forth in said Mortgage, upon the premises therein described, as modified by Mortgage Modification Agreement recorded in Official Records Book 1836, page 114, by Loan Modification Agreement recorded in Official Records Book 2339, page 241, and Loan Modification Agreement recorded in Official Records Book 2060, page 1071, of the Public Records of Lee County, Florida; the rights of The School Board of Lee County, Florida, to a drainage easement described as follows: Beginning at the Northwest corner of the Southwest quarter (SW¼) of the Southwest quarter (SW¼) run Southerly along the West line of said fraction for 75 feet; thence run Easterly, perpendicular to said West

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line, for 72 feet; thence run Northerly parallel with said West line, for 75 feet more or less to an intersection with the North line of said fraction; thence run Westerly along said North line for 72 feet more or less to the point of beginning, by virtue of the Order of Taking entered September 28, 1987, in Case No. 87-3480 in the Circuit Court of the Twentieth Judicial Circuit in and for Lee County, Florida, and recorded in Official Records Book 1944 at page 3478 of the Public Records of Lee County, Florida; to the rights of all other owners of lands in Sections 2, 3, 10 and 11, Township 47 North, Range 25 East, Lee County, Florida, to the use of said parcel for drainage; to the rights of the State of Florida which may be asserted on the basis of the State of Florida Department of Environmental Regulation jurisdictional survey of part of the Estero River lying in part of Section 34, Township 46 South, Range 25 East, Lee County, Florida, as shown in the Affidavit, dated November 9, 1987, recorded in Official Records Book 1952 at page 1831 of the Public Records of Lee County, Florida; and to assessments and taxes for 1996 and subsequent years.

PARCEL 11

The non-exclusive use and benefit of Grantor's right, title and interest in the grant of easement lying in the West 200.00 feet of the Southwest quarter (SW¼) of the Southwest quarter (SW¼) of Section 35, Township 46 South, Range 25 East, Lee County, Florida, from Edward Grad and Molle Grad to Aeroproducts, Inc., a New York corporation, as recorded in Official Records Book 379, page 430, of the Public Records of Lee County, Florida.

Subject to the right retained by Grantor, his successors and assigns, to use the property for ingress, egress, utilities and drainage in a manner consistent with Grantee's development of the property for the same purposes; the Mortgage, Assignment of Rents and Security Agreement, recorded in Official Records Book 1664, page 4259, of the Public Records of Lee County, Florida, executed and delivered by Edward J. McArdle, a married person, to NSF Mortgage Corporation, a corporation existing under the laws of the State of Florida, securing an obligation for the original principal amount of Two Million Dollars (\$2,000,000.00) and certain promises and obligations set forth in said Mortgage, upon the premises therein described, transferred to Naples Federal Savings and Loan Association by Assignment of Mortgage, recorded in Official Records Book 1685, page 1735, as modified by Mortgage Modification Agreement recorded in Official Records Book 1718, page 2911, by Loan Modification Agreement recorded in Official Records Book 1836, page 118, by Loan Modification Agreement recorded in Official Records Book 2339, page 241, and Loan Modification Agreement recorded in Official Records Book 2459, page 4035, of the Public Records of Lee County, Florida; the Mortgage, Assignment of Rents and Security Agreement, recorded in Official Records Book 1718, page 2109, of the Public Records of Lee County, Florida, executed and delivered by Edward J. McArdle, a married

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person, to Naples Federal Savings and Loan Association, a corporation existing under the laws of the United States of America, securing an obligation for the original principal amount of Three Million Dollars (\$3,000,000.00) and certain promises and obligations set forth in said Mortgage, upon the premises therein described, as modified by Mortgage Modification Agreement recorded in Official Records Book 1836, page 114, by Loan Modification Agreement recorded in Official Records Book 2339, page 241, and Loan Modification Agreement recorded in Official Records Book 2060, page 1071, of the Public Records of Lee County, Florida; the rights of The School Board of Lee County, Florida, to a drainage easement described as follows: Beginning at the Northwest corner of the Southwest quarter (SW¼) of the Southwest quarter (SW¼) run Southerly along the West line of said fraction for 75 feet; thence run Easterly, perpendicular to said West line, for 72 feet; thence run Northerly parallel with said West line, for 75 feet more or less to an intersection with the North line of said fraction; thence run Westerly along said North line for 72 feet more or less to the point of beginning, by virtue of the Order of Taking entered September 28, 1987, in Case No. 87-3480 in the Circuit Court of the Twentieth Judicial Circuit in and for Lee County, Florida, and recorded in Official Records Book 1944 at page 3478 of the Public Records of Lee County, Florida; to the rights of all other owners of lands in Sections 2, 3, 10 and 11, Township 47 North, Range 25 East, Lee County, Florida, to the use of said parcel for drainage; to the rights of the State of Florida which may be asserted on the basis of the State of Florida Department of Environmental Regulation jurisdictional survey of part of the Estero River lying in part of Section 34, Township 46 South, Range 25 East, Lee County, Florida, as shown in the Affidavit, dated November 9, 1987, recorded in Official Records Book 1952 at page 1831 of the Public Records of Lee County, Florida; and to assessments and taxes for 1996 and subsequent years.

PARCEL 12

The non-exclusive use and benefit of Grantor's right, title and interest in the grant of easement lying in the West 200.00 feet of the Southwest quarter (SW¼) of the Southwest quarter (SW¼) of Section 35, Township 46 South, Range 25 East, Lee County, Florida, from Herman Brams, Trustee, to J. Stephen Crawford, Trustee, as recorded in Official Records Book 1447, page 713, of the Public Records of Lee County, Florida.

Subject to the right retained by Grantor, his successors and assigns, to use the property for ingress, egress, utilities and drainage in a manner consistent with Grantee's development of the property for the same purposes; the Mortgage, Assignment of Rents and Security Agreement, recorded in Official Records Book 1664, page 4259, of the Public Records of Lee County, Florida, executed and delivered by Edward J. McArdle, a married person, to NSF Mortgage Corporation, a corporation existing under the laws of the State of Florida, securing an obligation for the original principal amount of Two

Million Dollars (\$2,000,000.00) and certain promises and obligations set forth in said Mortgage, upon the premises therein described, transferred to Naples Federal Savings and Loan Association by Assignment of Mortgage, recorded in Official Records Book 1685, page 1735, as modified by Mortgage Modification Agreement recorded in Official Records Book 1718, page 2911, by Loan Modification Agreement recorded in Official Records Book 1836, page 118, by Loan Modification Agreement recorded in Official Records Book 2339, page 241, and Loan Modification Agreement recorded in Official Records Book 2459, page 4035, of the Public Records of Lee County, Florida; the Mortgage, Assignment of Rents and Security Agreement, recorded in Official Records Book 1718, page 2109, of the Public Records of Lee County, Florida, executed and delivered by Edward J. McArdle, a married person, to Naples Federal Savings and Loan Association, a corporation existing under the laws of the United States of America, securing an obligation for the original principal amount of Three Million Dollars (\$3,000,000.00) and certain promises and obligations set forth in said Mortgage, upon the premises therein described, as modified by Mortgage Modification Agreement recorded in Official Records Book 1836, page 114, by Loan Modification Agreement recorded in Official Records Book 2339, page 241, and Loan Modification Agreement recorded in Official Records Book 2060, page 1071, of the Public Records of Lee County, Florida; the rights of The School Board of Lee County, Florida, to a drainage easement described as follows: Beginning at the Northwest corner of the Southwest quarter (SW¼) of the Southwest quarter (SW¼) run Southerly along the West line of said fraction for 75 feet; thence run Easterly, perpendicular to said West line, for 72 feet; thence run Northerly parallel with said West line, for 75 feet more or less to an intersection with the North line of said fraction; thence run Westerly along said North line for 72 feet more or less to the point of beginning, by virtue of the Order of Taking entered September 28, 1987, in Case No. 87-3480 in the Circuit Court of the Twentieth Judicial Circuit in and for Lee County, Florida, and recorded in Official Records Book 1944 at page 3478 of the Public Records of Lee County, Florida; to the rights of all other owners of lands in Sections 2, 3, 10 and 11, Township 47 North, Range 25 East, Lee County, Florida, to the use of said parcel for drainage; to the rights of the State of Florida which may be asserted on the basis of the State of Florida Department of Environmental Regulation jurisdictional survey of part of the Estero River lying in part of Section 34, Township 46 South, Range 25 East, Lee County, Florida, as shown in the Affidavit, dated November 9, 1987, recorded in Official Records Book 1952 at page 1831 of the Public Records of Lee County, Florida; and to assessments and taxes for 1996 and subsequent years.

TO HAVE AND TO HOLD unto the Grantee, its successors and assigns, in fee simple.

GRANTOR COVENANTS with Grantee that, except as above noted, at the time of delivery of this deed, Grantor is lawfully seized of the Property in fee simple, that Grantor

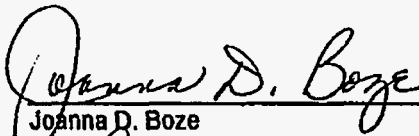
96 FEB -1 PM 2:11


has good right and lawful authority to sell and convey the Property, that except as herein provided the Property is free from all encumbrances, and that Grantor hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons claiming through Grantor and none other.

GRANTOR FURTHER COVENANTS with Grantee that no part of the property hereby conveyed is Grantor's homestead.

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed the date first above written.

Signed, sealed and delivered in the presence of:

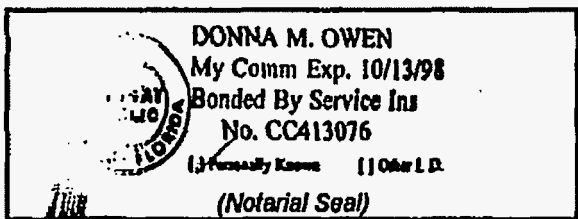

Joanna D. Boze



Donna M. Owen


Edward J. McArdle, Trustee

State of Florida
County of Lee

Before me on January 31, 1996, appeared Edward J. McArdle, Trustee, who is personally known to me and acknowledged on oath the execution of the foregoing instrument.




Notary Public, State of Florida
Name: Donna M. Owen
Commission No.: CC413076
Expiration Date: 10/13/98

Grantee's FEIN:

Tax Strap Numbers:

02-47-25-00-00001.0000; 03-47-25-00-00002.0000; 09-47-25-00-00001.0000; 10-47-25-00-00002.0000; 11-47-25-00-00001.0000; 34-46-25-00-00018.0010; 34-46-25-00-00023.0010

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LEE COUNTY
S O U T H W E S T F L O R I D A

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

239-479-8585

A. Brian Bigelow
District Two

March 26, 2007

Ray Judah
District Three

Michelle Salberg
Ascot Development
17595 S. Tamiami Trail, Suite 102
Fort Myers, FL 33908

Tammy Hall
District Four

Frank Mann
District Five

Re: **VAC2007-00005 - Petition to Vacate** the Public's Interest in portion of a 66-foot wide platted Right-of-Way, as shown on the Plat of Florida Land Company Subdivision, S 34, T 46 S, R 25 E, as recorded in Plat Book 1, Page 59 of the Public Records of Lee County, Florida.

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing
Examiner


Dear Ms. Salberg:

This office has received your request to vacate the above referenced portion of the platted Right-of-Way east of Three Oaks Parkway, and south of Corkscrew Rd., Fort Myers, Florida and the reference strap numbers are 34-46-25-00-00018.0000, 0010 and 00020.0000. The road to be vacated include a portion of platted Rightof-Way being part of the Plat of Florida Land Company Subdivision, as recorded in Plat Book 1, Page 59, lying in Section 34, Township 46 South, Range 25 East, of the Public Records of Lee County, Florida. You have indicated this vacation is to allow development of a multi-family residential community and remove all encumbrances on the subject parcels. 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 rightof-way. Private rights of use may still remain. 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



Peter J. Eckenrode
Director

PJE/RXW

U:\200703\20070228.150\8342930\DCDLETTER.DOC



February 1, 2007

Lee County Department of Community Development
P.O. Box 398 (1500 Monroe Street)
Fort Myers, FL 33902

Attn: Mr. Peter J. Eckenrode, Director of Development Services

RE: Vacation of Road right-of-way
Midtown Estero (aka Estero West)

Dear Mr. Eckenrode:

Estero Place LLC and Long Bay Partners LLC are petitioning to vacate an existing road right-of-way running through the above referenced project. The project is located on the southwest corner of Three Oaks Parkway and Corkscrew Road. Strap numbers are 34-46-25-00-0000~~2~~.0000, 34-46-25-00-00018.0000 & 0010. ₂₀

Currently a 66' wide road right-of-way exists near the south boundary of the property. This right-of-way was platted (PB1 pg. 59) but never accepted by the county nor built. Vacation of the easement is proposed to allow development of a multi-family residential community and remove all encumbrances.

As discussed in various meetings with Lee County DOT and the county attorney's office, documentation has been provided to the department of community development to ensure that no landlocked parcels will be created with the vacation of this right-of-way. The property is presently vacant and no roads, utilities or drainage structures lie within the right-of-way. Letters of no objection have been secured and are included along with this application.

Thank you in advance for you consideration. If you should require further information or have questions please don't hesitate to contact me at 936-8565.

Sincerely,

Michelle Salberg

17595 S. Tamiami Trail, Suite 102
Fort Myers, FL 33908
Office 239.936.8565 · Fax: 239.936.8332
www.ascotdevelopment.com

VAC 2007-00005



26430 Old Us 41
Bonita Springs, Florida 34135
Fax: 1-239-947-7345

August 17, 2005

Mr. James Syse
Ink Engineering
1400 Colonial Blvd., Suite 31
Fort Myers, FL 33907

RE: Road Right-of-Way Vacation
Lee County, Florida
Job #04-7086

Dear Mr. Syse:

Florida Power & Light Company has no objection to the vacation of the road right-of-way in Section 34, Township 46 South, Range 25 East, Lee County, Florida, described in your letter dated August 2, 2005.

If you have any questions, please contact me at 239-947-7340.

Sincerely,

A handwritten signature in cursive script that reads "Mona Beach".

Mona Beach
Customer Project Manager

cc: file

FEB 28 2007



P.O. Box 2469
Naples, Florida 34106-2469

September 23, 2005

James D. Syse
Ink Engineering
1400 Colonial Blvd. – Suite 31
Fort Myers, Florida 33907

RE: Petition to Vacate - Road ROW / Ascot Development / Revised Legal Description
Job # 04-7086 / File # 04-7086SK01VACLGL
Sec 34 Twp 46S Rng 25E County - Lee

Dear Mr. Syse:

Sprint has no objection to your petition to vacate the easement described on the attached letter dated August 10, 2005.

If I can be of any further assistance, please contact me at 239-263-6342.

Sincerely,

A handwritten signature in black ink that reads "John T. Reynolds".

John T. Reynolds
Network Engineer I - E&C

JTR:ns

Attach.

cc: Easement File
Chron File

FEB 20 2007

VAC2007-00005



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

September 2, 2005

Ink Engineering
Attn: James Syse
1400 Colonial Bl #31
Ft Myers, Fl 33907

Re: Right of Way to be vacated, lying in Section 34, 46 South,
Range 25 East Lee County Florida
Vacate Right-of-Way and/or Utility Easement

Dear James Syse,

This letter will serve to inform you that Comcast has no objection to your proposed vacation of Right-of-way and/or Utility easement of the above referenced location.

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

Cordially,

Mark Cook
Design Coordinator

VAC 2007-00005

Bob Janes
District One

August 03, 2006

Douglas R. St. Cerny
District Two

Michelle Salberg

Ray Judah
District Three

Ascot Development
17595 S. Tamiami Trl., Suite 102

Tammy Hall
District Four

Fort Myers, FL 33908

John E. Albion
District Five

SUBJECT: VACATION OF UTILITY EASEMENT AND/OR RIGHT-OF-WAY

Donald D. Stilwell
County Manager

**STRAP #: 34-46-25-00-00020.0000, 34-46-25-00-00020.0010,
34-46-25-00-00018.0000, 34-46-25-00-00018.0010, &
34-46-25-00-00018.0020**

David M. Owen
County Attorney

9850, 9800, 9910, 9980 CORKSCREW RD AND ACCESS UNDETERMINED

Diana M. Parker
County Hearing
Examiner

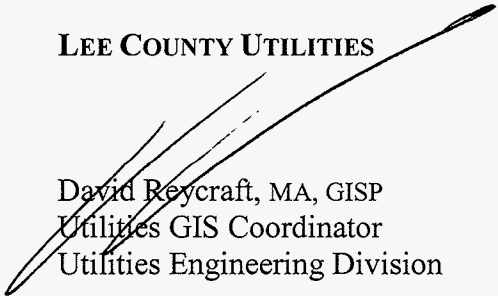
Dear Ms. Salberg,

Lee County Utilities has reviewed your request and has ***NO OBJECTION*** to the proposed vacation. Even though the area in question is located within Lee County Utilities' service area our records indicate that we have no water or wastewater facilities within the area to be vacated.

If you should have any questions, or require further assistance, please do not hesitate to contact our office at (239) 479-8150.

Sincerely,

LEE COUNTY UTILITIES


David Reycraft, MA, GISP
Utilities GIS Coordinator
Utilities Engineering Division

Original Mailed: 08/03/2006

Original Faxed: 08/03/2006

CC: Correspondence File

H:\Vacates\2006\Salberg08032006.doc

08/03/06
AUG 26 2006

Bob Janes
District One

Monday, June 12, 2006

Douglas R. St. Cerny
District Two

Ms. Michelle Dormeyer, E.I.

Ray Judah
District Three

Ascot Development
10175 Six Mile Cypress, Suite 2
Fort Myers, FL 33912

Tammy Hall
District Four

John E. Albion
District Five

Re: Vacation of a portion of a 66 foot Right of Way
Estero West (aka Midtown Estero Village)

Donald D. Stilwell
County Manager

STRAP #'s 34-46-25-00-00018.0000
34-46-25-00-00018.0010
34-46-25-00-00018.0020
34-46-25-00-00020.0000
34-46-25-00-00020.0010

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Dear Ms. Dormeyer:

Based on the review of the documents submitted with your request, Lee County Division of Natural Resources has no objection to the vacation of a 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:\SURFACE\DOCUMENT\vac547.doc

REC'D 6/12/06



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 479-8517

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

November 6, 2006

Mr. Peter Pellerito
Ascot Development
17595 South Tamiami Trail
Suite 102
Fort Myers, FL 33908

Re: Petition to Vacate—Road and Utility Easement; Estero West (aka Midtown Estero) STRAP #34-46-25-00-00020.0010, 34-46-25-00-00020.0000, 34-46-25-00-00018.0000, 34-46-25-00-00018.0010 & 34-46-25-00-00018.0020; Three Oaks Parkway; Estero 33928

Mr. Pellerito:

Lee County Department of Transportation has reviewed the request to vacate the road and utility easement at Estero West (aka Midtown Estero), Three Oaks Parkway, Estero.

Based on the resubmitted notification letter, sketch and description, DOT offers no objection to this vacation.

Very truly yours,

Margaret Lawson
Right-of-way Supervisor
Lee County Department of Transportation

ML/hc

cc: Terry Kelly, Utilities
Ron Wilson, Development Services
Allan Davies, Natural Resources
DOT/PTV File (Three Oaks Parkway)

VAC 2007-00005

S:\DOCUMENT\Coachman\Letters\PTV Objection Letters\Three Oaks Parkway (Pete Pellerito-Ascot Development 10-31-06).doc

FEB 28 2007



Florida Department of Transportation

JEB BUSH
GOVERNOR

Denver Stutler
SECRETARY

August 31, 2006

Ascot Development
Attn: Michelle Salberg
17595 S. Tamiami Trail
Suite 102
Fort Myers, FL 33908

Re: Road and Drainage/Utility easement vacation request
Lee County, STRAP No.: 35-46-25-00-00020.0000 & 0010 and 35-46-25-00-00018.0000,
0010 & 0020.

Dear Ms. Salberg

In response to your letter dated July 28, 2006, we have reviewed the information submitted. The department has no easement issues based on this information. We therefore "Defer to the County" this vacation request.

Sincerely,

A handwritten signature in black ink that reads "Brian T. DeBoy".

Brian T. DeBoy
Permits Manager

BD/btd
cc: File 22.2

RECEIVED

FEB 28 2007

Fort Myers Operations Center
2981 NE Pine Island Road * Cape Coral, FL 33909-6513
(239) 656-7800 * (239) 656-7742 (Fax) * MS 1-93
www.dot.state.fl.us

VAC 2007-00005

Petition to Vacate
 Petition No: 96-04-104-02R
 Description: See CCMB
 Date of Approval: 10/02/96
 Resolution No: 96-04-104-02R
 CCMB: 13605-04
 Page: 306
 Recorded on: 03/13/96 OR Book: 2731 Page: 0254-025

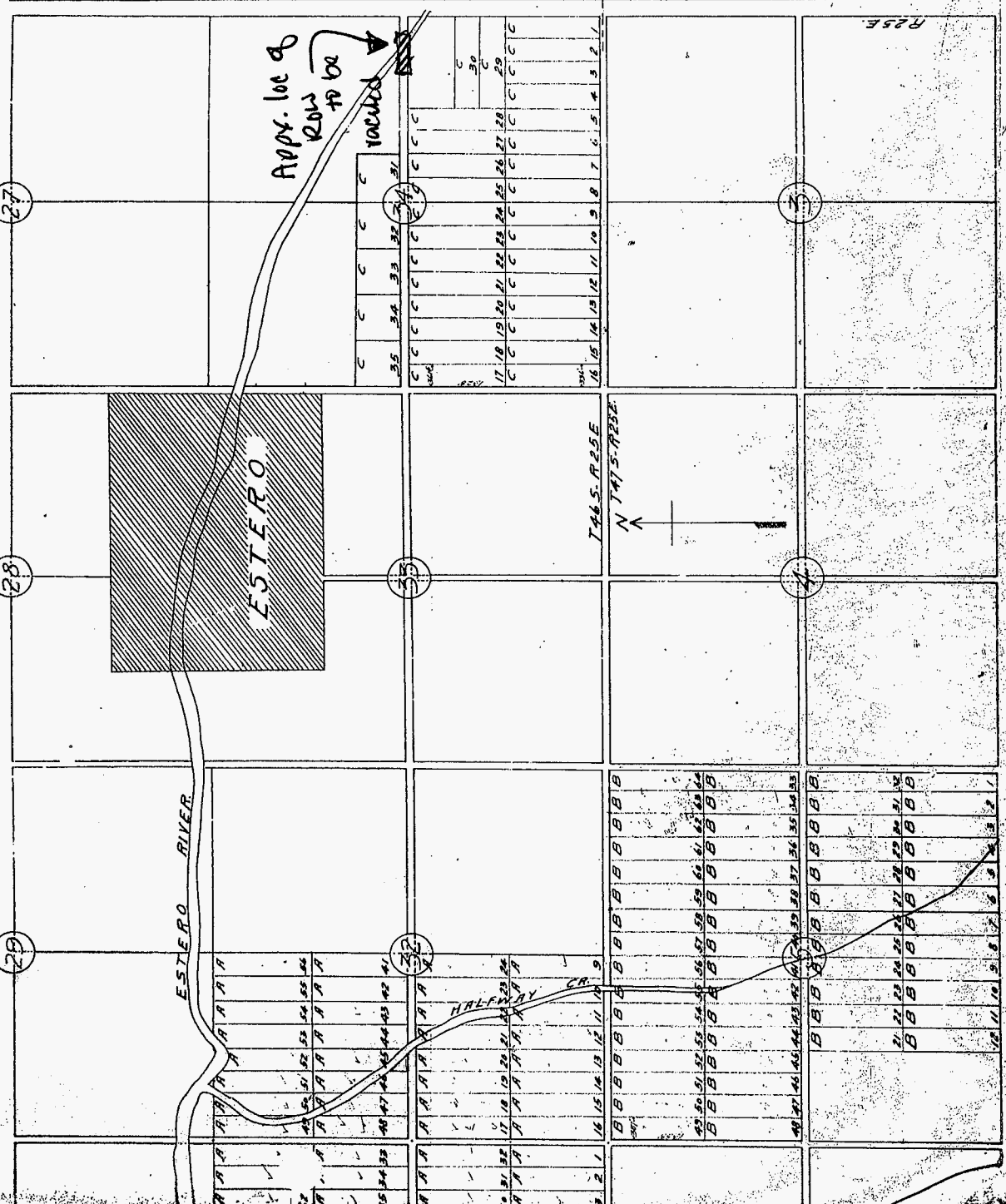
PLAT BOOK 59

Petition to Vacate
 Petition No: 89-07-063-03E
 Description: See CCMB
 Date of Approval: 03/01/89
 Resolution No: 89-07-063-03E
 CCMB: 13605-03
 Page: 307
 Recorded on: 02/22/89 OR Book: 3027 Page: 0390-0393

59

**NOTICE!!
 SEE
 NEXT FRAME**

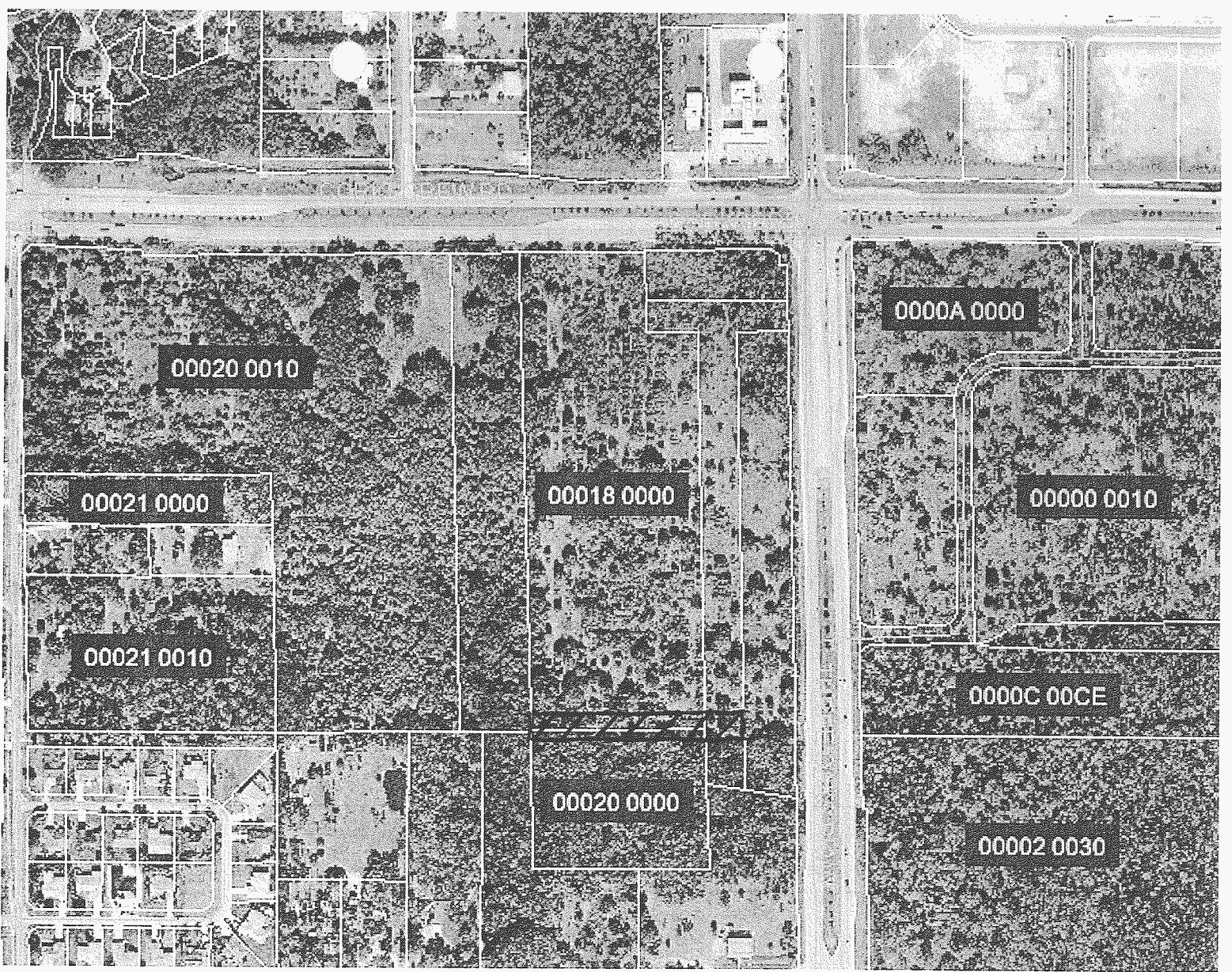
Petition to Vacate
 Petition No: 2001-00023
 Description: See CCMB
 Date of Approval: 03/01/89
 Resolution No: 2001-00023
 CCMB: 2001-00023
 Page: 3892



FLORIDA GULF LAND COMPANY'S
 SUBDIVISION
 OF
 W 1/2 SEC. 32 - E 1/2 SEC. 31 - AND PART OF SEC. 34
 OF TP 46 50 R25E - AND ALL OF SEC. 5 EXCEPT
 THE W 1/2 OF SW 1/4 IN TP 47 50, R25E - LEE CO,
 FLORIDA - AS SURVEYED BY
 R. BLEAK & L. C. WATSON
 Scale 1 inch = 660'

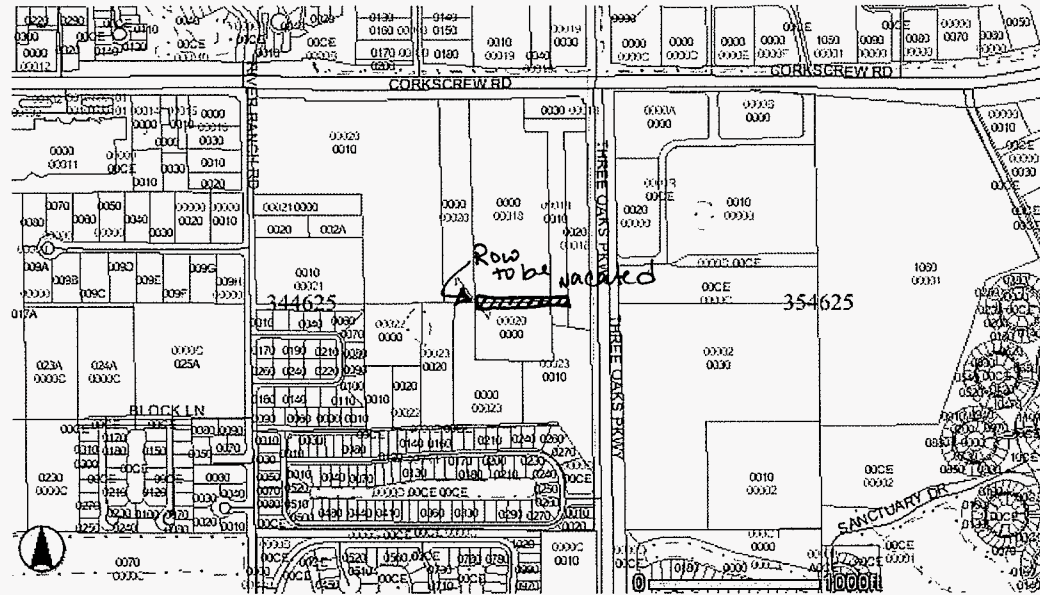
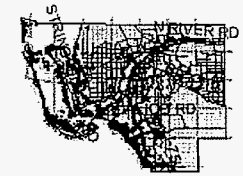
Petition to Vacate
 Petition No: 89-29
 Description: Road & Utility Easement; See CCMB
 Date of Approval: 03/01/89
 Resolution No: 89-03-10
 CCMB: 201 Page: 2609-2610

RECEIVED
 1989



 - AREA TO BE VACATED

Lee County Map



- Legend
- Hydro Features
 - Lot
 - Block
 - Condo Block
 - Condo Lot
 - Condo Building
 - Parcels
 - Parcel Hooks
 - Road Center Line
 - Township Range Lines
 - Township Range Labels
 - Section Lines
 - City Limits
 - Barbours Springs
 - Cape Coral
 - Fort Myers
 - Saribel
 - Town of Fort Myers Beach