

37.50R  
70DS

GRANT OF EASEMENT

3462628

OR2428 PG1697

THIS INDENTURE made and executed this 28<sup>th</sup> day of September, 1993, by and between WESTINGHOUSE COMMUNITIES OF NAPLES, INC., a Florida corporation, whose address is 801 Laurel Oak Drive, Suite 500, Naples, Florida 33963, and PELICAN'S NEST ASSOCIATES, LTD., a Florida Limited Partnership, whose address is 9200 Bonita Beach Road, S.E., Bonita Springs, Florida 33923, hereinafter collectively called GRANTORS; and PELICAN LANDING COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation, whose address is 9200 Bonita Beach Road, S.E., Bonita Springs, Florida 33923, its successors and assigns, (hereinafter called GRANTEE);

W I T N E S S E T H:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, the GRANTORS hereby grant to GRANTEE, its successors and assigns, for the benefit of GRANTEE's present and future members, and their tenants, invitees, business invitees, licensees, mortgagees and employees, a non-exclusive, temporary easement for access over, across and through the property described in Exhibit "A", attached hereto and made a part hereof, for the purpose of ingress and egress to the lands known as Parcel "G" in Pelican Landing, as further described in Exhibit "B" attached hereto, and made a part hereof, situated in Pelican Landing, Lee County, Florida.

TO HAVE AND TO HOLD the easement hereby granted unto said GRANTEE, its successors and assigns.

GRANTEE, by acceptance of this easement agrees for itself, its successors and assigns, not to interfere at any time with the right of ingress or egress of GRANTORS, their successors or assigns, or any other party requiring access to any of the property over which said easement is granted.

This is a private easement between GRANTORS and GRANTEE and the general public shall not acquire any right, title or interest in or to the easement. Further, this easement shall automatically expire upon the issuance by Lee County, Florida, of a Certificate of Completion for the Parcel "G" access road as depicted on Exhibit "C" attached hereto and made a part hereof.

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

RECORD VERIFIED - CHARLIE GREEN, CLERK  
By: K. Delisle, D.C.

Documentary Tax Pd. \$ 70  
Intangible Tax Pd.  
CHARLIE GREEN, CLERK, LEE COUNTY  
By: K. Delisle Deputy Clerk

IN WITNESS WHEREOF, the GRANTORS have caused these presents to be executed in their names, by their proper officers thereunto duly authorized, the day and year first above written.

WITNESSES:

Vivien Haskins  
Print: Vivien Haskins

Laura A. Sargeant  
Print: LAURA A. SARGEANT

WITNESSES:

Vivien Haskins  
Print: Vivien Haskins

Laura A. Sargeant  
Print: LAURA A. SARGEANT

PELICAN'S NEST ASSOCIATES, LTD.  
a Florida Limited Partnership

By: Pelican's Nest Investments,  
Inc. Its Sole General Partner

By: [Signature]  
Its: Jerry H. Schmoyer  
Vice-President

WESTINGHOUSE COMMUNITIES  
OF NAPLES, INC.

By: [Signature]  
Jerry H. Schmoyer  
Vice President

OR 2628 PG 1698

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before this 28<sup>th</sup> day of September, 1993, by Jerry H. Schmoyer, a Vice-President of WESTINGHOUSE COMMUNITIES OF NAPLES, INC., on behalf of the Corporation. He is personally known to me.

[SEAL]



CYNTHIA A. DEVITO  
COMMISSION # CC312854  
EXPIRES SEP 2, 1997  
Atlantic Bonding Co., Inc.  
800-732-2245

Cynthia A. DeVito  
Notary Public  
Print: Cynthia A. DeVito  
My Comm. Expires: 9-2-97  
Comm. No.: CC 312854

OR2428 PG1699

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before this 28<sup>th</sup> day of September, 1993, by Jerry H. Schmoyer, Vice-President of PELICAN'S NEST INVESTMENTS, INC., Sole General Partner of PELICAN'S NEST ASSOCIATES, LTD, a Florida Limited Partnership, on behalf of the Corporation. He is personally known to me.

[SEAL]

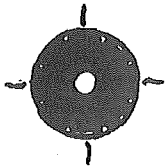


CYNTHIA A. DEVITO  
COMMISSION # CC312854  
EXPIRES SEP 2, 1997  
Atlantic Bonding Co., Inc.  
800-732-2245

Cynthia A. DeVito  
Notary Public  
Print: Cynthia A. DeVito  
My Comm. Expires: 9-2-97  
Comm. No.: CC 312854

This instrument prepared by:

Vivien N. Hastings, Esq. ✓  
801 Laurel Oak Drive, Suite 500  
Naples, FL 33963



# WILSON, MILLER, BARTON & PEEK, INC.

Engineers, Planners, Surveyors, Landscape Architects, Environmental Consultants & Construction Managers  
4571 Colonial Boulevard, Fort Myers, Florida 33912 • (813) 939-1020 Fax (813) 939-7479

**DESCRIPTION**  
of a 55' Temporary  
Construction Access Easement  
Part of Section 17, Township 47 South, Range 25 East  
Lee County, Florida

OR 2428 PG 1700


All that part of Section 17, Township 47 South, Range 25 East, Lee County, Florida being more particularly described as follows:

COMMENCING at the east quarter corner of said Section 17;  
thence along the east-west quarter section line of said Section 17, N.89°58'35"W. 750.93 feet;  
thence leaving said line, N.04°36'26"W. 59.67 feet;  
thence N.00°15'34"E. 96.07 feet to the POINT OF BEGINNING of the parcel herein described;  
thence N.82°12'39"W. 22.70 feet;  
thence N.00°15'34"E. 480.41 feet;  
thence S.63°33'33"E. 61.29 feet;  
thence S.00°15'34"W. 460.64 feet;  
thence N.82°12'39"W. 32.78 feet to the Point of Beginning of the parcel herein described.

Containing 25,879 square feet more or less.  
SUBJECT TO any easements, restrictions, reservations or rights-of-way of record.  
Bearings shown hereon are based on the east-west quarter section line of Section 17, Township 47 South, Range 25 East, being N.89°58'35"W.

Prepared by:

WILSON, MILLER, BARTON & PEEK, INC.

  
Elizabeth F. Gaines, PLS #4576

REF: D-0250-43  
W.O.: 3144  
DATE: September 27, 1993

## EXHIBIT "A"

Naples  
(813) 649-4040  
Fax (813) 643-5716

Fort Myers  
(813) 939-1020  
Fax (813) 939-7479

Sarasota  
(813) 371-3690  
Fax (813) 377-9852

ok  
9/28/93

# JOHNSON ENGINEERING, INC.

CIVIL ENGINEERS AND LAND SURVEYORS

2188 JOHNSON STREET  
TELEPHONE (613) 334-0048  
TELECOPIER (613) 334-3661  
POST OFFICE BOX 1880  
FORT MYERS, FLORIDA  
33907-1880

December 15, 1992

## DESCRIPTION SECTIONS 16 & 17, T. 47 S., R. 25 E. LEE COUNTY, FLORIDA

CARLE JOHNSON  
1911-1989

### (PARCEL G)

A tract or parcel of land lying in Sections 16 and 17, Township 47, S., Range 25 East, Lee County, Florida which tract or parcel of land is described as follows:

From the southeast corner of said Section 17 run N 00° 18' 31" W along the east line of said Section for 1,943.62 feet to the Point of Beginning.

From said Point of Beginning continue N 00° 18' 31" W for 451.40 feet; thence run the following courses: S 80° 43' 04" E for 51.23 feet; S 38° 30' 53" E for 21.08 feet; S 26° 43' 03" E for 15.97 feet; S 64° 57' 44" E for 28.94 feet and S 54° 01' 07" E for 24.40 feet to an intersection with the north line of Tract "D", Pelican Landing, Unit Four as recorded in Plat Book 49 at page 1 of the Lee County Records; thence run N 75° 01' 27" E along said north line for 56.04 feet; thence run the following courses: N 33° 11' 43" E for 30.57 feet; N 64° 29' 44" E for 34.86 feet; N 42° 13' 50" E for 39.40 feet; N 72° 30' 38" E for 47.16 feet; N 56° 49' 24" E for 43.82 feet; N 63° 29' 00" E for 42.96 feet; N 16° 18' 43" E for 31.07 feet; N 36° 58' 11" E for 28.21 feet; N 80° 40' 16" E for 42.99 feet; S 69° 01' 02" E for 59.09 feet; S 84° 33' 47" E for 36.24 feet; and S 81° 09' 33" E for 70.63 feet to the most northerly corner of said Tract "D"; thence run N 22° 50' 05" E for 153.96 feet; thence run N 25° 30' 22" W for 104.04 feet to a point of curvature; thence run westerly along an arc of a curve to the left of radius 40.00 feet (chord bearing N 72° 14' 41" W) (chord 58.26) (delta 93° 28' 39") for 65.26 feet to a point.

CHAIRMAN  
ARCHIE T. GRANT, JR.

PRESIDENT  
FORREST H. BANKS

JOSEPH W. EUBNER  
STEVEN K. MORRISON  
ANDREW D. TILTON  
JEFFREY C. COONER

DAN W. DICKEY  
KENTON R. KEILING  
GEORGE J. KALAL  
MICHAEL L. HARMON  
THOMAS L. FENDLEY  
W. DAVID KEY, JR.  
W. BRITT POMEROY  
CARL A. BARRACO  
GARY R. BULL  
KEVIN M. WINTER  
STEPHEN W. ADAMS

CONSULTANT  
LESTER L. BULSON

EXHIBIT "B"

Page 1 of 3

OR 2428 Pg 1701

OR 2376 Pg 1316

of reverse curvature; thence run westerly along an arc of a curve to the right of radius 150.00 feet (chord bearing S 76° 23' 23" W) (chord 79.53 feet) (delta 30° 44' 49") for 80.50 feet to a point of tangency; thence run N 88° 14' 12" W for 119.38 feet to a point of curvature; thence run westerly along an arc of a curve to the right of radius 150.00 feet (chord bearing N 82° 50' 59" W) (chord 28.16) (delta 10° 46' 27") for 28.21 feet to a point of tangency; thence run N 77° 27' 46" W for 70.12 feet to a point of curvature; thence run northwesterly along an arc of a curve to the right of radius 150.00 feet (chord bearing N 57° 29' 25" W) (chord 102.47 feet) (delta 39° 56' 41") for 104.57 feet; to a point of reverse curvature; thence run northwesterly along an arc of a curve to the left of radius 150.00 feet (chord bearing N 63° 58' 11" W) (chord 133.63 feet) (delta 52° 54' 12") for 138.50 feet; thence run S 68° 57' 07" W along a non-radial line for 30.86 feet; thence run the following courses:

S 80° 54' 34" W	for	27.70	feet;
S 64° 17' 35" W	for	41.97	feet;
S 48° 34' 40" W	for	61.36	feet;
S 41° 25' 31" W	for	61.36	feet;
S 20° 17' 15" W	for	43.62	feet;
S 13° 51' 43" E	for	12.59	feet;
S 33° 37' 02" W	for	18.23	feet;
S 11° 48' 33" W	for	20.86	feet;
S 87° 16' 02" W	for	28.44	feet;
S 85° 46' 58" W	for	10.13	feet;
S 87° 44' 15" W	for	22.24	feet;
S 18° 39' 56" W	for	10.62	feet;
S 23° 28' 24" E	for	16.47	feet;
S 58° 58' 35" E	for	14.33	feet;
S 77° 26' 01" E	for	18.23	feet;
S 52° 38' 36" E	for	18.67	feet;
S 24° 44' 19" E	for	16.58	feet;
S 22° 05' 53" E	for	19.76	feet;
S 22° 11' 53" E	for	22.29	feet;
S 70° 08' 01" E	for	30.95	feet;
S 83° 26' 34" E	for	34.60	feet;
S 86° 01' 16" E	for	27.07	feet;
S 79° 52' 06" E	for	14.88	feet;
S 10° 55' 18" E	for	6.47	feet and
S 00° 18' 31" E	for	578.17	feet to a point on


a non-tangent curve; thence run easterly and southeasterly along an arc of a curve to the right of radius 172.50 feet (chord bearing S 82° 03' 46" E) (chord 35.37 feet) (delta 11° 46' 03") for 35.43 feet to the Point of Beginning.

Containing 6.22 acres, more or less.

OR2428 Pg1702

OR2376 Pg1317

Bearings hereinabove mentioned are based on the east line of Pelican's Nest Unit One as recorded in Plat Book 41 at pages 58 through 60 of the public records of Lee County, Florida.

  
W. Bratt Pomeroy, Jr.  
Professional Land Surveyor  
Florida Certificate No.: 4448

WBP/kc  
19627

OR 2428 PG 1703

OR 2376 PG 1318

CHARLE GREEN LEE CIV. EN.  
93 APR -8 AM 9:21

OR 26 28 PG 1704

CHARLE GREEN LEE CIV. R.  
93 SEP 29 AM 9:08

PARCEL "G"

ACCESS TO PARCEL "G"

LAKEMONT

DRIVE

EXTENSION

EXHIBIT "C"

