

28-50
25-70

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

351.0892

GRANT OF EASEMENT

OR2456 PG1717

THIS INDENTURE made and executed this 23rd day of December, 1993, by and between WESTINGHOUSE BAYSIDE COMMUNITIES, INC., a Florida corporation, whose address is 9200 Bonita Beach Road, S.E., Bonita Springs, Florida 33923, (hereinafter called GRANTOR); 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);

WITNESSETH:

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 GRANTOR hereby grants 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 perpetual non-exclusive 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 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 GRANTOR, its 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 GRANTOR 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 if the lands described in Exhibit "A" are included on a plat recorded in the public records of Lee County, Florida, and dedicated as public and/or private right-of-way.

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.

Documentary Tax Pd. \$ 170
Intangible Tax Pd
By CHARLIE GREEN, CLERK, LEE COUNTY, Deputy Clerk

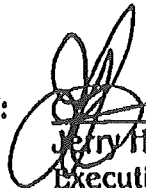
IN WITNESS WHEREOF, the GRANTOR has caused these presents to be executed in its name, by its proper officer thereunto duly authorized, the day and year first above written.

WITNESSES:

WESTINGHOUSE BAYSIDE COMMUNITIES, INC.


Laura A. Sargeant

BY:



Jerry H. Schmoyer
Executive Vice-President


Joann Finn

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 23rd day of December, 1993, by Jerry H. Schmoyer, Executive Vice-President of WESTINGHOUSE BAYSIDE COMMUNITIES, INC., on behalf of the corporation. He is personally known to me and did not take an oath.

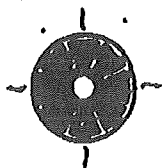



NOTARY PUBLIC
Joann Finn
My Comm. Expires: 7-31-95
Comm. No.: CC117869

This instrument prepared by:

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

OR2456 PG1718



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

December 23, 1993

DESCRIPTION

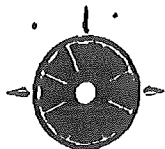
Access Easement for so-called PINEWATER EAST and PINEWATER WEST,
being a part of Tract "E" of Pelican Landing Unit Fourteen,
Plat Book 53, pages 35 through 46, Public Records of Lee County, Florida

All that part of Tract "E" of Pelican Landing Unit Fourteen, according to the plat thereof as recorded in Plat Book 53, pages 35 through 46, Public Records of Lee County, Florida being more particularly described as follows:

COMMENCING at the northeasterlymost corner of said Tract "E";
thence along the north line of said Tract "E" S.88°38'34"W. 727.53 feet;
thence S.01°21'26"E. 560.21 feet;
thence S.16°53'43"W. 160.54 feet to the POINT OF BEGINNING of the parcel herein described and a point on a curve;
thence easterly 22.09 feet along the arc of a curve to the left having a radius of 50.00 feet, delta angle of 25°18'56", chord distance of 21.91 feet and chord bearing of N.86°10'41"E. to a point of reverse curvature;
thence easterly, southeasterly, southerly and sothwesterly 254.16 feet along the arc of a curve to the right having a radius of 80.00 feet delta angle of 182°01'35", chord distance of 159.98 feet and chord bearing of S.15°27'59"E. to a point of reverse curvature;
thence southwesterly 45.50 feet along the arc of a curve to the left having a radius of 50.00 feet delta angle of 52°01'13", chord distance of 43.85 feet and chord bearing of S.49°32'12"W.;
thence S.23°31'36"W. 42.56 feet;
thence southwesterly and southerly 90.51 feet along the arc of a curve to the left having a radius of 300.00 feet delta angle of 17°17'07", chord distance of 90.16 feet and chord bearing of S.14°53'03"W.;
thence S.06°14'29"W. 346.93 feet;
thence southerly and southeasterly 100.66 feet along the arc of a curve to the left having a radius of 82.50 feet delta angle of 69°54'32", chord distance of 94.53 feet and chord bearing of S.28°42'47"E.; thence S.63°40'03"E. 159.57 feet;
thence southeasterly 62.73 feet along the arc of a curve to the right having a radius of 100.00 feet, delta angle of 35°56'22", chord distance of 61.70 feet and chord bearing of S.45°41'52"E. to a point of reverse curvature;
thence southeasterly and easterly 40.54 feet along the arc of a curve to the left having a radius of 25.00 feet, delta angle of 92°54'38", chord distance of 36.24 feet and chord bearing of S.74°11'00"E. to a point of cusp and the southerly line of said Tract "E" and the northerly line of said Tract "A", Pelican's Nest Drive, a 90 foot wide right-of-way as shown on said Pelican Landing Unit Fourteen plat;
thence along said southerly line of Tract "E" and said right-of-way line southwesterly 82.66 feet along the arc of a curve to the right having a radius of 355.00 feet, delta angle of 13°20'28", chord distance of 82.47 feet and chord bearing of S.66°01'55"W.;
thence continue along said southerly line of Tract "E" and said right-of-way line S.17°17'51"E.

DR2456 P61719

ok
12/23/93



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27.50 feet to a point on said right-of-way line where said right-of-way is 35 feet wide and to a point on a curve;
 thence continue along said southerly line of Tract "E" and said right-of-way line southwesterly 56.71 feet along the arc of a curve to the right having a radius of 382.50 feet, delta angle of 08°29'40", chord distance of 56.66 feet and chord bearing of S.76°56'59"W. to a point of cusp;
 thence northeasterly, northerly and northwesterly 43.84 feet along the arc of a curve to the left having a radius of 25.00 feet, delta angle of 100°28'33", chord distance of 38.44 feet and chord bearing of N.30°57'32"E.;

thence N.19°16'44"W. 22.32 feet;
 thence northwesterly 116.21 feet along the arc of a curve to the left having a radius of 150.00 feet, delta angle of 44°23'19", chord distance of 113.32 feet and chord bearing of N.41°28'23"W.;

thence N.63°40'03"W. 58.62 feet;
 thence northwesterly and northerly 143.37 feet along the arc of a curve to the right having a radius of 117.50 feet, delta angle of 69°54'32", chord distance of 134.64 feet and chord bearing of N.28°42'47"W.;

thence N.06°14'29"E. 436.39 feet;
 thence northerly 61.57 feet along the arc of a curve to the right having a radius of 300.00 feet, delta angle of 11°45'33", chord distance of 61.46 feet and chord bearing of N.12°07'16"E. to a point of reverse curvature;

thence northerly and northwesterly 41.36 feet along the arc of a curve to the left having a radius of 50.00 feet, delta angle of 47°23'53", chord distance of 40.19 feet and chord bearing of N.05°41'54"W. to a point of reverse curvature;

thence northwesterly 37.64 feet along the arc of a curve to the right having a radius of 80.00 feet, delta angle of 26°57'29", chord distance of 37.29 feet and chord bearing of N.15°55'07"W. to a point of reverse curvature;

thence northwesterly 22.09 feet along the arc of a curve to the left having a radius of 50.00 feet, delta angle of 25°18'56", chord distance of 21.91 feet and chord bearing of N.15°05'50"W. to a point on a curve;

thence N.35°32'25"E. 70.67 feet to the Point of Beginning.

Subject to easements and restrictions of record;
 Bearings are based on the north line of Tract "E", also being the north line of Section 21, Township 47 South, Range 25 East, Lee County, Florida being N.88°38'34"E.
 Containing 1.315 acres, more or less.

WILSON, MILLER, BARTON & PEEK, INC.

Elizabeth F. Gaines

Elizabeth F. Gaines, P.L.S. #4576

Reference: C-0250-58

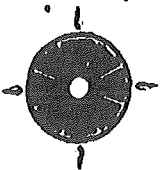
W.O.: 3381

Date: December 23, 1993

EXHIBIT A

*OK
12/23/93*

DR2456 PG1720



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

December 20, 1993

DESCRIPTION

So-called PINEWATER EAST, being a part of Tract "E"
of Pelican Landing Unit Fourteen, Plat Book 53, pages 35 through 46,
Public Records of Lee County, Florida

All that part of Tract "E" of Pelican Landing Unit 14 according to the plat thereof as recorded in Plat Book 53, pages 35 through 46, Public Records of Lee County, Florida being more particularly described as follows:

BEGINNING at the northeasterlymost corner of said Tract "E";
thence along the easterly line of said Tract "E" in the following thirty-one (31) described courses:

- 1) S.14°10'30"W. 21.17 feet;
- 2) S.31°27'26"W. 42.33 feet;
- 3) S.11°21'02"E. 49.65 feet;
- 4) S.07°42'02"W. 37.50 feet;
- 5) S.10°14'39"W. 21.60 feet;
- 6) S.07°16'57"W. 29.39 feet;
- 7) S.31°21'20"W. 27.93 feet;
- 8) S.44°46'02"W. 60.91 feet;
- 9) S.25°03'28"W. 56.26 feet;
- 10) S.49°52'09"W. 83.07 feet;
- 11) S.25°22'48"W. 51.55 feet;
- 12) S.26°18'29"W. 51.36 feet;
- 13) S.06°24'53"W. 91.40 feet;
- 14) S.09°00'55"W. 59.28 feet;
- 15) S.23°49'52"W. 49.25 feet;
- 16) S.10°44'51"W. 49.08 feet;
- 17) S.08°27'20"W. 40.06 feet;
- 18) S.11°45'28"W. 64.68 feet;
- 19) S.02°27'51"E. 39.19 feet;
- 20) S.26°51'48"W. 39.54 feet;
- 21) S.09°29'11"W. 62.93 feet;
- 22) S.22°46'28"W. 45.97 feet;
- 23) S.35°21'08"W. 69.86 feet;
- 24) S.39°33'26"W. 94.49 feet;
- 25) S.11°26'16"E. 49.52 feet;
- 26) S.36°43'40"E. 41.52 feet;
- 27) S.30°43'37"E. 48.88 feet;
- 28) S.07°22'32"E. 42.63 feet;
- 29) S.13°45'56"W. 29.67 feet;
- 30) S.15°34'00"W. 59.69 feet;
- 31) S.15°11'55"W. 96.45 feet;

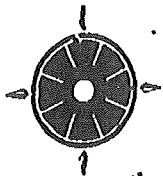
EXHIBIT B

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

OR2456 P61721



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thence S.68°33'19"W. 218.57 feet;
 thence N.63°40'03" W. 159.57 feet;
 thence northwesterly and northerly 100.66 feet along the arc of a circular curve concave to the northeast, through a central angle of 69°54'32", having a radius of 82.50 feet and being subtended by a chord which bears N.28°42'47"W. 94.53 feet;
 thence N.06°14'29"E. 346.93 feet;
 thence northerly and northeasterly 90.51 feet along the arc of a circular curve concave to the southeast, having a radius of 300.00 feet, through a central angle of 17°17'07" and being subtended by a chord which bears N.14°53'03"E. 90.16 feet;
 thence N.23°31'36" E. 42.56 feet;
 thence northeasterly 45.40 feet along the arc of a circular curve concave to the southeast, having a radius of 50.00 feet, through a central angle of 52°01'13" and being subtended by a chord which bears N.49°32'12" E. 43.85 feet to a point of reverse curvature;
 thence northeasterly, northerly, northwesterly and westerly 254.16 feet along the arc of a circular curve concave to the west, having a radius of 80.00 feet, through a central angle of 182°01'35" and being subtended by a chord which bears N.15°27'59"W. 159.98 feet to a point of reverse curvature;
 thence westerly 22.09 feet along the arc of a circular curve concave to the north, having a radius of 50.00 feet, through a central angle of 25°18'56" and being subtended by a chord which bears S.86°10'41"W. 21.91 feet to a point on said curve;
 thence along a non-tangential line N.16°53'43"E. 160.54 feet;
 thence N.01°21'26"W. 560.21 feet to the north line of said Tract "E";
 thence along said north line N.88°38'34"E. 727.53 feet to the Point of Beginning of the Parcel herein described;

Subject to easements and restrictions of record;
 Bearings are based on the north line of Tract "E", also being the north line of Section 21, Township 47 South, Range 25 East, Lee County, Florida being N.88°38'34"E.
 Containing 16.49 acres more or less.

WILSON, MILLER, BARTON & PEEK, INC.

Ron L. Wallace
 Ron L. Wallace, P.L.S. #4961
 Reference: C-0250-58
 W.O.: 3377
 Revised: 21 Dec 93

OR2456 Pg 1 722

CHARLE GREEN LEE CIV. FL.
93 DEC 23 PM 1:58

EXHIBIT B