

2400 70

GRANT OF EASEMENT

3968963

UTILITY

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

THIS INDENTURE made and executed this 8th day of May, 1996 by and between WCI COMMUNITIES LIMITED PARTNERSHIP, a Delaware Limited Partnership (as successor by merger of Pelican Landing Communities, Inc.), whose address is: 24820 Burnt Pine Drive, Bonita Springs, Florida 33923, hereinafter called GRANTOR; and the BAY CREEK COMMUNITY DEVELOPMENT DISTRICT, a community development district organized under the laws of the State of Florida, hereinafter called GRANTEE, whose address is: 23844 Spring Creek Road, Bonita Springs, Florida 33923.

WITNESSETH

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good valuable consideration, receipt of which is hereby acknowledged, the GRANTOR hereby grants to GRANTEE, its successors or assigns, a non-exclusive easement for utilities including the construction, maintenance, repair, and replacement of street lighting poles, luminaires, conduits, wires, electrical equipment and irrigation water distribution main, valves and fittings and related appurtenances over, under, and through the property as more particularly described in Exhibit "A", attached hereto and made a part hereof; including reasonable access to said property for purposes of ingress and egress over GRANTOR's, its successor's and assign's property.

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

GRANTEE by acceptance of this easement agrees to maintain said easement and in no way interfere at any time with the right of ingress and egress of GRANTOR, its successor or assigns, or any other party requiring access to any of the property over which said easement is granted. GRANTEE further agrees that it will at all times use extreme care to repair and or replace any pavement, landscaping or other improvements which it may disturb, damage or destroy in the construction, operation or maintenance of said District facilities on, over, in and under the said property.

In the event GRANTOR, its successors or assigns requires modification of this easement, GRANTEE agrees to consider said modification whose approval shall not be unreasonable withheld. Modification will not impair existing facilities and be substantially same as existing easement. Said modification shall be done at no expense to the GRANTEE.

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Documentary Tax Pd. \$ 70
Interpolio Tax Pd
BY CHARLE GREEN, CLERK, LEE COUNTY
Deputy Clerk

In the event GRANTEE, its successors or assigns, shall fail to use this easement for the purposes intended, then GRANTEE, its successors or assigns shall vacate said easement or relevant part thereof. GRANTEE, upon said vacation, shall have the right to remove any structures or improvements which may be on the property.

IN WITNESS WHEREOF, the GRANTOR, has caused these presents to be executed in its name, the day and year first above written.

Signed, and delivered
in the presence of:

WCI COMMUNITIES LIMITED PARTNERSHIP
a Delaware Limited Partnership

David W. Caldwell
Printed name: DAVID W. CALDWELL

BY: [Signature]
Jerry H. Schmoyer, Senior Vice President

Cynthia A. DeVito
Printed Name: Cynthia A. DeVito

STATE OF FLORIDA }
COUNTY OF ~~LEE~~ Collier }

Sworn to and subscribed before me this 8th day of May, 1996 by Jerry H. Schmoyer, Senior Vice President of WCI Communities Limited Partnership, a Delaware Limited Partnership, on behalf of the partnership. He is personally known to me.



CYNTHIA A. DEVITO
COMMISSION # CC 312854
EXPIRES SEP 2, 1997
Atlantic Bonding Co., Inc.
800-732-2245

[Signature]
Notary Public, State of Florida

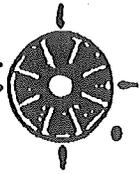
My Commission Expires: Sep 2, 1997

Cynthia A. DeVito
Printed Name

This instrument prepared by:

Vivien Hastings, Esquire
801 Laurel Oak Drive, Suite 500
Naples, Florida 33963

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WILSON, MILLER, BARTON & PEEK, INC.

Engineers, Planners, Surveyors, Landscape Architects & Environmental Consultants
4371 Colonial Boulevard, Suite 200, Fort Myers, Florida 33912 • (813) 939-1030 Fax (813) 939-7479

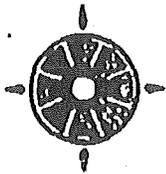
DESCRIPTION GREENVIEW ACCESS EASEMENT Pelican Landing, Lee County, Florida

All that part of Tract "G" 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 northeast corner of said Tract "G";
thence along the north line of said Tract "G" S.89°53'10"W. 421.26 feet to the POINT OF BEGINNING of the parcel herein described;

- thence continue S.89°53'10"W. 10.47 feet;
- thence westerly, southwesterly southerly 40.32 feet along the arc of a circular curve concave to the southeast, through a central angle of 92°24'23", having a radius of 25.00 feet and being subtended by a chord which bears S.43°40'59"W. 36.09 feet;
- thence S.02°31'13"E. 61.58 feet;
- thence southerly and southeasterly 106.43 feet along the arc of a circular curve concave to the northeast, through a central angle of 40°39'09", having a radius of 150.00 feet and being subtended by a chord which bears S.22°50'47"E. 104.21 feet to a point of compound curvature;
- thence southeasterly 114.12 feet along the arc of a circular curve concave to the northeast, through a central angle of 22°42'12", having a radius of 288.00 feet and being subtended by a chord which bears S.54°31'27"E. 113.37 feet to a point of reverse curvature;
- thence southeasterly and southerly 421.80 feet along the arc of a circular curve concave to the southwest, through a central angle of 65°45'43", having a radius of 367.50 feet and being subtended by a chord which bears S.32°59'42"E. 399.03 feet;
- thence S.00°06'50"E. 1384.00 feet;
- thence southwesterly 177.96 feet along the arc of a circular curve concave to the northwest, through a central angle of 32°06'50", having a radius of 317.50 feet and being subtended by a chord which bears S.15°56'35"W. 175.64 feet;
- thence S.32°00'00"W. 35.38 feet;
- thence southerly 43.63 feet along the arc of a circular curve concave to the east, through a central angle of 49°59'41", having a radius of 50.00 feet and being subtended by a chord which bears S.07°00'09"W. 42.26 feet to a point of reverse curvature;
- thence southerly, southwesterly, westerly and northwesterly 268.77 feet along the arc of a circular curve concave the northeast, through a central angle of 279°59'23", having a radius of 55.00 feet and being subtended by a chord which bears N.58°00'00"W. 70.71 feet to a point of reverse curvature;
- thence northeasterly 43.63 feet along the arc of a circular curve concave to the northwest, through a central angle of 49°59'41", having a radius of 50.00 feet and

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being subtended by a chord which bears N.56°59'51"E. 42.26 feet;
 thence N.32°00'00"E. 35.38 feet;
 thence northeasterly 158.34 feet along the arc a circular curve concave to the northwest, through a central angle of 32°06'50", having a radius of 282.50 feet and being subtended by a chord which bears N.15°56'35"E. 156.27 feet;
 thence N.00°06'50"W. 1384.00 feet;
 thence northwesterly 381.63 feet along the arc of a circular curve concave to the southwest, through a central angle of 65°45'43", having a radius of 332.50 feet and being subtended by a chord which bears N.32°59'42"W. 361.03 feet to a point of reverse curvature;
 thence northwesterly 344.76 feet along the arc of a circular curve concave to the northeast, through a central angle of 61°09'22", having a radius of 323.00 feet and being subtended by a chord which bears N.35°17'52"W. 328.63 feet to a point of reverse curvature;
 thence northwesterly 37.26 feet along the arc of a circular curve concave to the southwest, through a central angle of 85°23'39", having a radius of 25.00 feet and being subtended by a chord which bears N.47°25'01"W. 33.91 feet to a point of cusp and the north line of said Tract "G";
 thence along said north line N.89°53'10"E. 129.04 feet;
 thence continue along said north line S.00°06'50"E. 10.00 feet to the POINT OF BEGINNING of the parcel herein described;

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Subject to easements, restrictions and reservations and rights-of-way of record;
 Parcel contains 2.22 acres, more or less.
 Bearings are based on the north line of said Tract "G" being N.89°53'10"E.

Prepared by:

WILSON, MILLER, BARTON & PEEK, INC.
 Elizabeth F. Gaines, P.L.S. #4576
 W.O.: 3842
 Reference: D-0250-107
 Date: November 13, 1994

11-15-94
 Dated

