

This instrument prepared by:
Vivien N. Hastings, Esquire
24301 Walden Center Drive
Bonita Springs, FL 34134

4419338

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AMENDED AND RESTATED
DECLARATION OF RESTRICTIONS AND PROTECTIVE COVENANTS
FOR
PELICAN'S NEST GOLF COURSE

RECORDED BY
TRENT VOGES, D.C.

THIS AMENDED AND RESTATED DECLARATION OF RESTRICTIONS AND PROTECTIVE COVENANTS FOR PELICAN'S NEST GOLF COURSE is made this day of APRIL , 1998 by WCI Communities Limited Partnership, a Delaware limited partnership (hereinafter referred to as "Declarant"), and is joined in by Pelican's Nest Golf Club, Inc., a Florida corporation not-for-profit (hereinafter referred to as "Owner").

STATEMENT OF BACKGROUND INFORMATION

- A. Terms capitalized in this Declaration are defined in Article I hereof.
- B. Declarant is the master land developer of the Property as defined herein and Pelican Landing.
- C. Declarant previously executed and recorded a Declaration of Restrictions and Protective Covenants for Pelican's Nest Golf Course, recorded in O.R. Book 1823, at Page 2247, et seq. of the Public Records of Lee County, Florida.
- D. Declarant, pursuant to Article III, Section 1 of the Declaration referred to in C. above, has amended and restated the Declaration as hereinafter set forth.

STATEMENT OF DECLARATION

Declarant hereby declares that the Property shall be held, sold, conveyed, encumbered, leased, occupied and improved subject to the covenants, conditions, restrictions, easements and provisions hereinafter set forth.

INTENT OF DECLARATION

Declarant desires to provide for the preservation and enhancement of the value, desirability and attractiveness of the Property and, therefore, Declarant intends by this Declaration to impose upon the Property mutually beneficial restrictions for the benefit of the Owner of the Property and Declarant.

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ARTICLE I
DEFINITIONS

1. "Building Height" shall mean the vertical distance measured from the finished grade or minimum base flood elevation, whichever is greater, to the mean high level between eaves and ridge of gable, hip and gambrel roofs.
2. "Declarant" shall mean and refer to WCI Communities Limited Partnership, a Delaware limited partnership, successor by merger of WCN Communities, Inc. (formerly Westinghouse Communities of Naples, Inc.
3. "Declaration" shall mean and refer to this AMENDED AND RESTATED DECLARATION OF RESTRICTIONS AND PROTECTIVE COVENANTS FOR PELICAN'S NEST GOLF COURSE, as amended.
4. "Golf Course" shall mean and refer to thirty-six (36) holes of golf owned by OWNER along with accessory facilities including, but not limited to, a clubhouse, cart storage barn and maintenance facilities known as Pelican's Nest Golf Club.
5. "Owner" shall mean and refer to Pelican's Nest Golf Club, Inc., a Florida corporation not-for-profit.
6. "Pelican Landing" shall mean and refer to the planned community located within the Pelican Landing PUD.
7. "Property" shall mean and refer collectively to Property A, Property B, Property C and Property D, notwithstanding anything to the contrary contained in the recitals to the Declaration.
8. "Property A" shall mean and refer to the real property legally described on Exhibit "A" attached hereto and made a part hereof. (36 golf holes, clubhouse, and golf course structure easement area)
9. "Property B" shall mean and refer to the real property legally described on Exhibit "B" attached hereto and made a part hereof. (parking lot)
10. "Property C" shall mean and refer to the real property legally described on Exhibit "C" attached hereto and made a part hereof. (golf course, driving range or related purposes)
11. "Property D" shall mean and refer to the real property legally described on Exhibit "D" attached hereto and made a part hereof. (Pelican's Nest Golf Club maintenance facility)
12. "PUD" shall mean and refer to the Planned Unit Development Ordinance for Pelican's Nest, dated November 15, 1982, adopted by the Board of County Commissioners of Lee

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County, Florida, on November 15, 1982, as it may from time to time be modified or amended.

13. "Special Golf Course Events" shall mean and refer to golf tournaments or other special golf events, clinics, exhibitions and the like that are held at the Golf Course and that are open to the public.
14. "Structure" shall mean that which is built or constructed, or any piece of work artificially built up or composed of parts joined together in some definite manner, the use of which requires more or less permanent location on the ground or which is attached to something having a permanent location on the ground. The term shall be construed as if followed by the words "or part thereof".

ARTICLE II RESTRICTIONS

1. USE RESTRICTIONS FOR PROPERTY A. Property A shall be used only for: thirty-six (36) holes of golf, a clubhouse and restaurant, golf cart storage, golf studio, pro shop, parking lot, general golf course use, practice range and greens and such other uses not inconsistent herewith, together with related accessory facilities as approved by Declarant, which approval will not be unreasonably withheld, for the use, comfort, convenience and safety of Owner, Golf Course members and their guests and invitees and for other purposes not inconsistent herewith.

2. USE RESTRICTIONS FOR PROPERTY B. Property B shall be used only for a parking lot to serve:

- (a) the golf course and facilities on Property; and
- (b) the Redfish Point facility and adjacent boat dockage facilities.

The terms of such use are set forth in that certain Non-Exclusive Parking and Access Easement, of even date herewith, between Declarant and Owner.

3. USE RESTRICTIONS FOR PROPERTY C. Property C shall be used only for , golf cart storage, golf studio, pro shop, parking lot, general golf course use, practice range and greens and such other uses not inconsistent herewith.

4. USE RESTRICTIONS FOR PROPERTY D. Property D shall be used only for a golf maintenance building to be used in conjunction with the maintenance of the golf course on Property and any other golf course in Pelican Landing as may be agreed to by OWNER, together with appurtenant parking for such facility, and for other purposes not inconsistent herewith.

5. USE RESTRICTIONS FOR THE PROPERTY:

- (a) No Structure shall be commenced, placed, erected, improved or altered in or on the Property unless and until Declarant has issued its written approval, which approval shall not be unreasonably withheld or delayed. Nor shall any grading, excavation or

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other work that in any way alters the exterior appearance of any Structure, site appearance or the Property be done without prior written approval of Declarant.

(b) The Property shall not be divided or subdivided without the express written consent of Declarant, who may either withhold approval (in Declarant's sole discretion) or may approve and impose certain requirements on Owner. There shall be no residential use, either permanent or temporary of the Property or any buildings Structures or vehicles on the Property.

(c) Owner shall, prior to the commencement of any construction, submit in sequence to Declarant the following materials: (i) a "preliminary concept plan" which shall include schematic site plans, floor plans and exterior elevations; (ii) "design proposals" which shall include more detailed building and site design documents sufficient and definitive in detail so that there can be determined the character, exterior appearance, exterior materials and colors, and the quality and kind of building and landscape materials proposed; and (iii) "construction plans and specifications" which shall be a true extension of the preliminary concept plans and design proposals. Once required plans are submitted to Declarant, Declarant shall, in writing, within fifteen (15) working days after receipt of each required submittal, approve, reject, or approve subject to change, such plans, proposals and specifications as are submitted to it as required above. Failure to obtain written approval of Declarant of all such plans, proposals and specifications prior to the commencement of construction shall be deemed a material breach hereof and Declarant shall have the right, in addition to any other right permitted by law or in equity, to proceed in the courts to seek a mandatory injunction requiring any construction done without said approvals to be torn down or removed forthwith.

(d) The approval, rejection or withholding or any approval by Declarant of the plans, proposals and specifications and the location of all Structures and every alteration of any Structure shall not be construed or interpreted as a representation or determination by Declarant that any building, plumbing, electrical code or other applicable governmental regulations or requirements have or have not been properly met by Owner. The Owner shall be responsible for obtaining all necessary technical data to make application to and obtain the approval of Lee County and any other appropriate governmental agencies prior to commencement of any work or construction.

(e) Declarant shall have no duty, responsibility nor liability to any Owner or to any other person whomsoever in respect to the exercise of its rights or the failure to exercise its rights. Declarant's decision to approval, reject or withhold its approval of such work will, within the sole reasonable discretion, be at a minimum, based upon: (i) the harmony of its exterior design, color and location in relation to, and its effect upon surrounding structures, properties, vegetation, topography, and the overall community design, (ii) the character of the exterior materials, (iii) the planned quality of the exterior workmanship, or (iv) any other material and relevant factors.

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(f) No temporary sales trailer, construction trailer, or any other type of temporary Structure may be placed in or on the Property unless Declarant has issued its prior written approval. Notwithstanding the foregoing, Declarant may permit a temporary trailer to be used as a sales office for Golf Course memberships. Any such permission must be granted by Declarant in writing prior to such use.

(g) Owner shall not inaugurate or implement any variation from, modification to, or amendment of the PUD or any other governmental plans, land development regulations, development orders or development permits applicable to the Property and/or Pelican Landing, without the prior written approval of Declarant, which approval shall not be unreasonably withheld or delayed.

6. BUILDING SETBACK LINES, SIZE OF BUILDING AND BUILDING HEIGHT

(a) The minimum setback from the Property boundaries to the principal Structure(s), accessory Structure(s) or improvements shall be in accordance with the zoning regulation for the Property approved in writing by Declarant and Lee County. The minimum distance between any two unattached principal Structures shall be in accordance with CPD zoning and the zoning regulation for the Property approved in writing by Declarant and Lee County.

(b) No Structure shall exceed forty-five (45') feet above minimum floor elevation pursuant to county regulation. All Structures shall be developed with the clubhouse's architectural theme and shall be subject to review and approval by Declarant.

7. LANDSCAPING

(a) If required by Declarant all areas not covered by Structures, walkways, or paved parking facilities shall be maintained as lawn or landscape areas, with underground sprinkler systems, to the pavement edge or any abutting streets and to the waterline or any abutting lakes, or water management areas. No stone, gravel or paving of any types shall be used as a lawn unless approved as part of a final landscape plan.

(b) . All landscaping, trees, shrubs, lawns and waterscapes shall be maintained so as to keep and maintain the high quality nature of the Property. Internal golf course landscaping is not subject to Declarant's approval.

(c) Prior to making a change, variation or deviation to the existing landscaping or from the approved master landscape plan, Owner shall first obtain Declarant's written approval of the change, variation or deviation, if such change variation or deviation is substantial and not in conformance or compliance with the previously approved master landscape plan. Subject to subparagraph (b) above, any new or additional landscaping to be installed within the Property shall require the prior written approval of Declarant.

(d) No refuse or unsightly objects shall be allowed to be placed or suffered to remain on the Property, except that approved containers, screened from the view of neighboring

properties may be utilized for the temporary storage of refuse generated by the operation of the Golf Course. All lawns, landscaping, irrigation and sprinkler systems and any property, Structure, improvement and appurtenance shall be kept in good, safe, clean, neat and attractive condition, and all Structures shall be maintained in a finished, painted and attractive condition.

8. SIGNS. No signs, displays, or pylons shall be erected, installed or placed in or on the Property unless the Owner has obtained the prior written approval of the Declarant. The placement, time of placement, location, size, design, material, text and lighting of all such signs, displays or pylons shall be approved in writing by Declarant prior to their installation or placement on the Property. All signs, displays or pylons must also conform with governmental codes and regulations. There shall be no advertising flags, pennants, streamers or the like displayed on the Property or any Structures on the Property, except that Declarant may, in its reasonable discretion, if notified in advance of special promotional events, approve in writing such displays. Notwithstanding the foregoing, for golf tournament events, flags, pennants, streamers and the like are permitted.

9. WATER MANAGEMENT AREAS.

(a) Owner shall provide water management areas for the Property in accordance with the requirements of the appropriate governmental agencies. Surface water drainage and management, including but not limited to storm water storage capacity, shall conform to the approved and adopted water management plan of applicable governmental agencies and meet with the approval of Declarant.

(b) Any lakes or lagoons in the Property shall at all times be maintained by Owner, if Owner has maintenance responsibility over such lakes or lagoons, in a clean, attractive, pristine manner and be aesthetically pleasing.

(c) Owner shall in no way deny or prevent ingress and egress to water management areas for maintenance or landscape purposes by Declarant, or any appropriate governmental agency that may reasonably require such right of ingress and egress. Such ingress and egress shall be over easement areas and on paved or improved roadways or walks, to the extent practical. The expense of repairing damage caused by or resulting from such maintenance or landscaping activities shall be the responsibility of the entity, Declarant, other appropriate governmental agencies, or their respective agents, causing such damage.

(d) No Structure of any kind shall be constructed or erected, nor shall Owner in any way change, alter, impede, revise or otherwise interfere with the flow and the volume of water in any portion of any water management area reserved for or intended by Declarant and appropriate governmental agencies to be reserved for drainage ways, sluiceways or for the accumulation of runoff waters, as reflected in any plat or instrument of record, without the specific written permission of Declarant and appropriate governmental agencies.

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(e) Owner shall not fill, dike, rip-rap, block, divert or change the established water or retention and drainage areas that have been or may be created by easement without the prior written consent of Declarant or said governmental agencies.

(f) Notwithstanding the requirements of Section (b) above, the Owner shall have the right, but not the obligation, without consideration from Bay Creek Community Development District or Bayside Improvement Community Development District, to supplement maintenance of lakes, wetlands or lagoons dedicated to and/or maintained by either Bay Creek Community Development District or Bayside Improvement Community Development District to the extent the same are (i) located within the boundaries of the Property, and (ii) the lakes or lagoons are utilized in conjunction with golf play on the Property as wetlands by the development approvals, permits and orders for the Property.

(g) The Declarant hereby declares that any lakes or lagoons utilized in conjunction with the operation of the golf course on the Property, are hereby burdened with an easement for reasonable use in connection with golf play, including without limitation play over such bodies of water, retrieval of golf balls by persons utilizing the golf course and the Owner for retrieval of golf balls which are not retrieved by persons utilizing the golf course, and drainage of the golf course into the lakes and lagoons.

(h) The Owner agrees that its maintenance and operation of the Property and its supplemental maintenance of lakes, lagoons and wetlands as described in (f) above shall be performed in compliance with the terms, conditions and provisions of the development of regional impact approvals for the Property, lakes, lagoons and wetlands and all other ordinances, orders, permits and approvals from governmental agencies or authorities having jurisdiction over the Property and such areas. Owner acknowledges that the use of the wetlands is restricted pursuant to the development approvals, permits and orders for the Property.

10. ACCESS. Motor vehicle access to Golf Course clubhouse shall be via the main entranceway to the Golf Course clubhouse and the Property, which entranceway may change from time to time, subject to Declarant's written approval.

11. DRIVEWAYS. All roads and driveways within the Property shall be designed and constructed only in accordance with the design and the materials as approved in writing by Declarant and must be maintained in a clean, neat and attractive manner.

12. ELECTRONIC DEVICES AND FLAGPOLES Satellite dishes and lighting detection devices are approved by Declarant. Flagpoles for display of the American flag and the flag of the State of Florida only and any other flag approved in writing by Declarant shall be permitted if first approved by Declarant in writing.

13. UNDERGROUND UTILITY LINES. All electric, telephone, gas and other utility lines must be installed underground unless otherwise approved by Declarant in writing.

14. TEMPORARY AND ACCESSORY STRUCTURES. No tents or temporary structures shall be permitted unless their size, appearance and temporary location on the Property have first been approved in writing by Declarant. Notwithstanding the foregoing, temporary tents utilized by Owner for Special Golf Events shall be allowed. All such temporary tents shall be constructed of attractive, high-quality materials and shall not be located closer than one hundred (100') feet from any adjacent residential properties.

15. WALLS, FENCES AND SHUTTERS. No exterior wall, fence, enclosure or screen enclosure of any kind, either temporary or permanent shall be constructed, erected or installed on the Property without the specific written approval of Declarant. The height, length, type, design, composition, material and location of walls, fences and enclosures must be approved in writing by Declarant prior to their placement on the Property. Declarant may require landscape screening or sheilding for any such structure. The height of any wall or fence shall be measured from the existing property elevations.

16. EXTERIOR LIGHTING. No exterior lighting fixtures or structures shall be placed in or on the Property without the prior written consent of the Declarant.

17. NUISANCES. No obnoxious, unpleasant or offensive activity shall be carried on, nor may anything be done which can reasonably be construed to constitute a public or private nuisance. Owner will minimize activities that may offend adjacent properties and individuals.

18. COLORS. No exterior colors on any Structure shall be permitted that, in the sole judgment of Declarant would be inharmonious or discordant with Pelican Landing or the Property. Any future exterior color changes desired by Owner must first be approved by Declarant in writing.

19. PARKING AND STORAGE AREAS.

(a) The design and layout of all service roads and parking areas must be submitted to Declarant for approval. No parking shall be permitted on any street or service road, and adequate permanent paved parking and service roads shall be constructed and maintained in accordance with standards acceptable to Declarant and Lee County for such use.

(b) No commercial vehicle or trailer of any kind shall be permitted to be parked on the Property for a period of more than four (4) hours unless such vehicle is necessary in the actual construction or repair of a structure or for ground maintenance, or are necessary and incident to business in the Property, or unless kept fully enclosed inside a structure so that it is not visible from outside of the structure.

(c) No recreational vehicle of any kind, motor home or bus shall be parked overnight on the Property except in a parking area designated by Owner for such purposes. No boats, boat trailers, or other trailer of any kind, mobile home or disabled vehicle shall be permitted to be parked or stored on the Property at any time unless kept fully enclosed inside a structure so that it is not visible from outside of the structure.

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(d) None of the vehicles named herein shall be used as a domicile or residence, either permanent or temporary, while located on the Property.

(e) All garbage and trash containers, fuel tanks, sprinkler pumps, mechanical equipment and other such outdoor equipment must be underground or placed in walled-in, sight screened, or fenced-in areas so that they will not be readily visible from any adjacent streets or properties. Garbage shall be kept in closed containers. Garbage, trash and all waste material shall be regularly removed from the Property and not allowed to accumulate.

20. ROOFS. All roofs within the Property shall be designed and constructed only in accordance with the design and the materials as approved in writing by Declarant and must be and shall be maintained in a neat, clean and attractive manner.

21. SOLAR COLLECTORS. Solar collectors shall only be permitted at locations and on Structures as are first approved in writing by Declarant, and if approved shall be designed and constructed only in accordance with the design and with the materials as approved by Declarant, and must be maintained in a neat, clean and attractive manner.

22. FACTORY BUILT STRUCTURES. No structure of any kind of what is commonly known as "factory built", "manufactured", "modular" type construction shall be erected in or on the PROPERTY without the prior written permission of DECLARANT. Notwithstanding the foregoing, these types of Structures related to golf course events and tournaments are permitted temporarily.

23. AIR CONDITIONERS. All air conditioning units and equipment shall be shielded and hidden so that they are not readily visible from any adjacent streets and properties. Window and wall air conditioning units may be permitted only upon prior written approval of Declarant.

24. CONSTRUCTION. During any construction activity within the Property, the construction area shall be maintained in a neat and orderly manner.

25. CONSERVATION AREAS. Conservation areas located within boundaries of the Property shall be maintained by either Bay Creek Community Development District or Bayside Improvement Community Development District. Conservation areas shall refer to those areas identified on recorded plats or future plats within the Property. The Owner shall have the right, but not the obligation, without consideration from Bay Creek Community Development District or Bayside Improvement Community Development District, to supplement the maintenance of the conservation areas, to the extent the same are located within the Property. The Owner agrees that its maintenance and operation of the Property and all supplemental maintenance of conservation areas shall be performed in compliance with the terms, conditions and provisions of the development of regional impact approvals for the Property and the conservation areas and all other ordinances, orders, permits and approvals from governmental agencies or authorities having jurisdiction over the Property and such areas. Owner acknowledges that the conservation areas are to be retained forever predominantly in their natural condition and no use thereof which will significantly impair or interfere with the natural, scenic and ecological values of the conservation areas are permitted. By

example, the following uses and practices within the conservation areas (though not an exhaustive recital of inconsistent uses and practices) are prohibited:

- (a) Construction or placing of buildings, signs, billboard or advertising, utilities, or other structures and facilities, in, on or above the conservation areas, except for caution signs and education displays as approved by the appropriate state, federal and/or local regulatory agencies;
- (b) Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste or unsightly or offensive materials;
- (c) Removal or destruction of native trees, shrubs, or other vegetation, except for trimming or removal of dead or diseased trees or removal of exotic nuisance vegetation as have been or may be approved by the appropriate state, federal, and/or local regulatory agencies;
- (d) Excavation, dredging, or removal of loam, peat, gravel, soil, rock or other material substance;
- (e) Surface use (except for purposes that permit the land or water area to remain predominantly in its natural condition and which are approved in writing by South Florida Water Management District);
- (f) Activities materially detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish or wildlife habitat preservation;
- (g) Acts or uses materially detrimental to the retention of the conservation areas in their natural condition.

26. SOLID/HAZARDOUS WASTE:

- (a) All storage, siting, and disposal of hazardous wastes and/or hazardous materials must be accomplished in accordance with federal, state, and local regulations. Owners and operators are responsible for compliance with all permitting, reporting, emergency notification provisions and other regulations relating to hazardous materials and hazardous wastes.
- (b) All Owners and operators must insure that regulated substances are loaded, off-loaded and stored in an area that is curbed and provided with an impervious base. The impervious base must be maintained free of cracks and gaps so as to contain any spills or leaks.
- (c) Outdoor storage of hazardous waste is prohibited.
- (d) Any business that generates hazardous waste defined by the Code of Federal Regulations 40 CFR Part 261, shall notify the Division of Natural Resources Management

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for an assessment as required by Section 403.7225, Florida Statutes. This assessment will address any deficiencies in the management practices of hazardous waste generated at the facility.

(e) The Owner of any property which will be used to store, manufacture, or use hazardous materials, shall contact the Lee County Office of Emergency Management, Hazardous Material Representative, prior to obtaining a development order to discuss the proposed development in relation to potential type, use, and storage of hazardous materials which will be located on the premises.

(f) If required by federal, state and/or local regulations:

(i) The Owner shall prepare or have available material safety data sheets (MSDS) and submit either copies of MSDS or a list of MSDS chemicals to the appropriate fire department or district and to the Lee County Division of Public Safety.

(ii) The Owner shall establish an emergency notification system to be used in the event of a hazardous material release.

ARTICLE III
GENERAL PROVISIONS

1. DECLARANT'S APPROVAL. All approvals required of Declarant in writing or otherwise as set forth in this Declaration shall not be unreasonably withheld or delayed.

2. AMENDMENT. The Declarant may, in its sole discretion, modify, amend, waive or add to this Declaration or any part thereof; provided, however, that any such modification or amendment shall not materially and adversely affect the Property nor the Owner's right to use the Property for any purpose permitted by this Declaration. The power of amendment, however, shall be limited to modification or clarification of existing covenants which shall not substantially impair the general and uniform plan of development originally set forth herein, nor substantially increase the financial obligations of Owner beyond that otherwise required herein, unless an amendment or modification is required by any governmental agency or authority.

3. ENFORCEMENT AND ASSIGNMENT.

(a) The Declaring reserves unto itself the right and the power to enforce the covenants, conditions, restrictions and other provisions of this Declaration by any proceeding in law or equity and to delegate or assign, either exclusively or nonexclusively, any or all of its rights, powers, duties or privileges hereunder to Owner, Pelican Landing Community Association, Inc., or to any other person or entity.

(b) The Declarant shall have the right and the power to enforce the covenants, conditions, restrictions and other provisions imposed by this Declaration by any proceeding at law or in equity against any person violating or attempting to violate any

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such provisions, to restrain any violation or attempted violation of such provisions, to require specific performance of such provisions, to recover damages for violations of such provisions, and against the land to enforce any lien created by this Declaration. Failure by Declarant, or a Property Owners association for Pelican's Nest, or any Owner, or any other Person, to enforce any of such provisions shall in no event be deemed a waiver of their right to do so thereafter.

(c) The costs and reasonable attorneys fees, including those resulting from any appellate proceedings, incurred by Declarant in any action against Owner to enforce any provision of this Declaration shall be the personal obligation of Owner which shall be paid by Owner and any amount thereof which remains due and unpaid shall be a continuing lien upon the Property or any part thereof, which lien and obligation shall run with the Property, and collectable as provided herein. The lien herein granted shall be effective from and after the date of recording of a Claim of Lien in the Public Records of Lee County, Florida, which Claim of Lien shall state the description of the property encumbered thereby, the name of the then Owner of the Property, the amount then due and the date when due and the lien shall continue in effect until all sums secured by said lien, as herein provided, shall have been fully paid, and the lien satisfied or discharged. Declarant may bring an action at law against Owner to pay its obligations to Declarant or it may foreclose the lien against the Property. Owner shall pay all costs of collection, including reasonable attorney's fees, which includes those resulting from appellate proceedings. Owner may not waive or otherwise escape liability for the payments provided for herein by non-use or abandonment of the Property.

(d) The lien herein created is specifically declared to be subordinate and inferior to the lien and operation of any first mortgage encumbering Property given by the Owner to an institutional mortgagee. For the purpose of this section, an institutional mortgagee shall be a bank, savings and loan association, insurance company, union pension fund, authorized and licensed to do business in the State of Florida, or any agency of the United States Government, or any Person giving a mortgage insured by the Federal Housing Administration, the Veterans Administration, Federal National Mortgage Association, or any branch or agency of the United States Government or the government of the State of Florida, and, furthermore, the term "institutional mortgagee" shall be deemed to include any mortgagee that Declarant shall declare by instrument in writing and place of record among the Public Records of Lee County, Florida, to be an institutional mortgagee.

4. DECLARANT'S INACTION. Neither the execution and recordation of this Declaration, nor the creation of any property owner's association or other entity, nor the recordation of any other instrument subjecting any land in Pelican Landing to protective covenants, conditions or restrictions or other provisions shall obligate or require (i) Declarant to grant any right, power, duty or privilege of any nature or kind to any other entity, or (ii) Declarant, or any other entity to perform any act permitted by this Declaration or by any other recorded instrument, or to enforce any covenant, condition, restriction or other provisions hereof or thereof, or to do anything which it does not, in its sole discretion, elect to do so.

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5. ASSIGNMENT. Except as otherwise specifically provided herein, Declarant reserves the right, and the power, to delegate or assign, either exclusively or nonexclusively, to any person or entity any or all of its rights, powers, duties or privileges created or provided for by this Declaration or by any other recorded instrument. DECLARANT SHALL BE UNDER NO OBLIGATION TO DELEGATE OR ASSIGN ANY OF ITS RIGHTS, POWERS, DUTIES AND PRIVILEGES CONTAINED IN THIS DECLARATION TO ANY PERSON OR ENTITY.

6. COMPLETION OF CONSTRUCTION – REMEDY. When the construction of any structure is once begun, work thereon must be prosecuted diligently and completed within a reasonable time. If for any reason work is discontinued or there is no substantial progress toward completion for a continuous sixty (60) day period (excluding delays directly attributable to strikes, war, Acts of God, national emergency, or other similar cause not within Owner's control when prompt written notice of said cause of delay and anticipated date of the termination of said cause of delay is given by Owner to Declarant) then Declarant shall have the right to notify the Owner of its intentions herein and within ten (10) days thereafter, enter the Property and take such steps as may be reasonably required to correct the undesirable appearance. The reason for such correction shall be reasonable in the discretion of Declarant and may include but not be limited to aesthetic grounds. The Owner shall be liable for all reasonable costs incurred in such action.

7. NON-LIABILITY OF DECLARANT. The Declarant shall not in any way or manner be held liable or responsible for any violation of these covenants, conditions, restrictions or other provisions by any person or entity other than itself.

8. CONFLICT. In the event of conflict among the provisions of this Declaration or the Amended and Restated Declaration and General Protective Covenants for Pelican Landing,, the provisions of this Declaration shall supercede.

9. GENDER. Wherever in this Declaration the context so requires the singular number shall include the plural, and the converse; and, the use of any gender shall be deemed to include all genders.

10. NOTICES.

(a) To Declarant. Notice to Declarant as may be required herein shall be in writing and delivered or mailed to Declarant at its principal place of business as shown by the records of the Secretary of State of the State of Florida, or at any other location designated by Declarant.

(b) To Owner. Notice to any Owner or a violation of any of these restrictions, or any other notice as may be required herein shall be in writing and shall be delivered or mailed to the Owner at the address shown on the tax rolls of Lee County, Florida, or if not shown thereon, to the address of the Owner, as shown on the deed recorded in the Public Records of Lee County, Florida, or at any other location designated in writing by Owner.

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11. WAIVER. Any waiver by Declarant of any provision of this Declaration or breach hereof must be in writing and shall not operate or be construed as a waiver of any other provision or subsequent breach.

12. DECLARATION RUNS WITH THE LAND. The covenants, conditions, restrictions and other provisions under this Declaration shall run with the land and bind the property within the Property and shall inure to the benefit of and be enforceable by the Declarant for a term of thirty (30) years from the date this Declaration is recorded, after which time these provisions shall automatically be extended for successive periods of ten (10) years. Any time after the initial thirty (30) year period provided for in this Section, these provisions may be terminated or modified in whole or in part only by recordation of a written instrument jointly executed by the then Owner(s) of the Property and Declarant, agreeing to the termination or modifications.

13. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Amended And Restated Declaration Of Restrictions And Protective Covenants For Pelican's Nest Golf Course is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portion thereof.

WITNESSES:

[Signature]
Carmel A. Rupp

DECLARANT:

WCI COMMUNITIES LIMITED
PARTNERSHIP

By: [Signature]
Its: SENIOR VICE PRESIDENT

OWNER:

PELICAN'S NEST GOLF CLUB, INC.

By: [Signature]
Its: President

[Signature]
[Signature]

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STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 22 day of JUNE, 1998, by Vivien N. Hastings, Senior Vice President of WCI Communities Limited Partnership, a Delaware limited partnership, on behalf of the partnership. She is personally known to me.

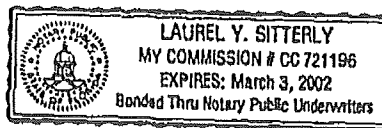
Laurel Y Sitterly
Notary Public
Print Name: LAUREL Y. SITTERLY
My Commission expires:

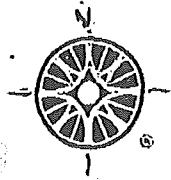


STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 22 day of JUNE, 1998, by JAMES A. PETERSON, as PRESIDENT of Pelican's Nest Golf Club, Inc., a Florida corporation not-for-profit, on behalf of the corporation. He is personally known to me.

Laurel Y Sitterly
Notary Public
Print Name: LAUREL Y. SITTERLY
My Commission expires:





WILSON, MILLER, BARTON & PEEK, INC.

Engineers, Planners, Surveyors, Landscape Architects & Environmental Consultants
4571 Colonial Boulevard, Suite 200, Fort Myers, Florida 33912 • (813) 939-1020 Fax (813) 939-7479

**DESCRIPTION
OF PELICAN LANDING GOLF COURSE PROPERTY "A"
BEING PART OF
SECTIONS 17, 20, AND 21, TOWNSHIP 47 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA**

All that part of Sections 17, 20 and 21, Township 47 South, Range 25 East, being more particularly described as follows:

PARCEL "A-1"

All that part of Tract "E", 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 also being more particularly described as follows:

COMMENCING at the West 1/4 corner of said Section 21;
thence along the West line of said Section 21 N.00°35'34"W. 1225.97 feet to the POINT OF BEGINNING of the parcel herein described;
thence continue along said West Section line N.00°35'34"W. 942.73 feet to the northerly boundary of said Tract "E";
thence along said boundary of Tract "E" for the following thirteen (13) described courses;
1) N.76°42'22"E. 88.74 feet;
2) N.01°16'19"W. 34.17 feet;
3) N.63°30'21"E. 65.50 feet;
4) N.50°10'20"E. 74.11 feet;
5) N.83°47'23"E. 75.58 feet;
6) S.20°19'33"E. 22.85 feet;
7) N.89°56'43"E. 20.73 feet;
8) N.21°05'41"E. 66.67 feet;
9) S.62°06'40"E. 51.54 feet;
10) N.43°23'36"E. 61.11 feet;
11) N.22°35'24"W. 34.45 feet;
12) N.67°24'36"E. 129.97 feet;
13) S.22°35'24"E. 48.82 feet to the boundary of those lands as described in Official Record Book 2474, Pages 3978 through 3980, Public Records of Lee County, Florida;
thence along said boundary, S.35°19'39"W. 73.50 feet;
thence continue along said boundary, S.54°40'21"E. 546.64 feet;
thence continue along and continue past said boundary S.75°09'28"E. 857.30 feet to the boundary of those lands described in Official Record Book 2456, Page 1717 through 1722, Public Records of Lee County, Florida and a point on a curve;
thence along said boundary Southerly 36.07 feet along the arc of a non-tangential circular curve concave to the East, having a radius of 300.00 feet, through a central angle of 06°53'19" and being subtended by a chord which bears S.09°41'09"W. 36.05 feet to a point of tangency;
thence continue along and then continue past said boundary S.06°14'29"W. 740.69 feet to the Northerly right-of-way line of Pelican's Nest Drive also being Tract "A" of said Pelican Landing Unit Fourteen;
thence along said Northerly right-of-way line S. 85°00'00"W. 655.64 feet to a point of curvature;
thence continue along said Northerly right-of-way line Southwesterly 186.20 feet along the arc of a circular curve concave to the Southeast, having a radius of 617.50 feet, through a central angle of 17°16'37" and being subtended by a chord which bears S.76°21'41"W. 185.50 feet to a point on said curve;

OR 2978 PG 3359

EXHIBIT "A"

OK'D J.A.S.
NOV 20 1994

DESCRIPTION
PELICAN LANDING GOLF COURSE PROPERTY "A"

thence along the boundary of said Tract "E" and the boundary of Pelican Landing Unit Seventeen according to the plat thereof as recorded at Plat Book 53, Pages 50 through 53, Public Records of Lee County, Florida for the following forty-one (41) described courses:

- 1) N.25°00'00"W. 155.14 feet;
- 2) N.73°14'37"W. 567.72 feet to the easterly right-of-way line of Ridge Oak Drive, also being Tract "A" of said Pelican Landing Unit Seventeen and to a point on a curve;
- 3) Northeasterly 232.65 feet along said easterly right-of-way and the arc of a non-tangential circular curve concave to the Southeast, having a radius of 982.50 feet, through a central angle of 13°34'02" and being subtended by a chord which bears N. 18°26'27"E. 232.11 feet to a point on said curve;
- 4) S.60°24'41"E. 163.59 feet;
- 5) S.71°17'03"E. 113.50 feet;
- 6) N.71°27'09"E. 29.25 feet;
- 7) N.58°51'44"E. 18.87 feet;
- 8) S.72°55'45"E. 45.63 feet;
- 9) S.40°45'39"E. 19.99 feet;
- 10) S.82°56'07"E. 38.38 feet;
- 11) S.89°33'15"E. 24.69 feet;
- 12) N.60°00'40"E. 16.83 feet;
- 13) S.64°08'15"E. 38.34 feet;
- 14) S.59°17'14"E. 36.00 feet;
- 15) S.63°35'29"E. 21.85 feet;
- 16) S.69°04'59"E. 24.08 feet;
- 17) N.78°44'50"E. 107.50 feet;
- 18) S.84°24'30"E. 146.58 feet;
- 19) S. 88°45'20"E. 440.64 feet;
- 20) N.42°00'00"E. 102.24 feet;
- 21) N.17°00'00"E. 137.12 feet;
- 22) N.17°00'00"W. 108.68 feet;
- 23) N.46°45'20"W. 149.73 feet;
- 24) N.85°54'11"W. 684.93 feet;
- 25) N.76°00'00"W. 132.19 feet;
- 26) N.62°00'00"W. 121.01 feet;
- 27) N.41°00'00"W. 241.46 feet;
- 28) N.62°00'00"W. 142.92 feet;
- 29) S.73°00'00"W. 185.39 feet;
- 30) S.27°00'00"W. 144.61 feet;
- 31) S.02°00'00"W. 91.89 feet;
- 32) S.28°00'00"E. 168.27 feet to a point of curvature;
- 33) Southerly 69.38 feet along the arc of a circular curve concave to the West, having a radius of 75.00 feet, through a central angle of 53°00'00" and being subtended by a chord which bears S.01°30'00"E. 66.93 feet to a point of tangency;
- 34) S.25°00'00"W 54.03 feet to a point of curvature;
- 35) Southwesterly 15.97 feet along the arc of a circular curve concave to the Northwest, having a radius of 50.00 feet, through a central angle of 18°18'17" and being subtended by a chord which bears S.34°09'09"W. 15.91 feet to a point on said curve;
- 36) S.74°00'00"E. along a non-tangential line 182.43 feet to the westerly right-of-way line of said Ridge Oak Drive and to a point on a curve;
- 37) Southwesterly 60.56 feet along said westerly right-of-way and the arc of a non-tangential circular curve concave to the Southeast, having a radius of 1017.50 feet, through a central angle 03°24'37" and being subtended by a chord which bears S.23°44'13"W. 60.55 feet to a point on said curve;

OR2978 PG3360

EXHIBIT

OK'D AAS
 NOV 20 1995

DESCRIPTION
PELICAN LANDING GOLF COURSE PROPERTY "A"

- 38) N.74°00'00"W. 182.77 feet;
- 39) S. 17°00'00"W. 120.02 feet;
- 40) S. 12°00'00"W. 139.60 feet;
- 41) N.82°00'00"W. 14.60 feet to the Point of Beginning of the Parcel herein described;

Parcel contains 22.72 acres more or less;
 Subject to any easements, restrictions, reservations or rights-of-way of record;
 Bearings are based on the West line of the northwest ¼ of said Section 21 being N.00°35'34"W.

ALONG WITH

PARCEL "A-2"

All of Tracts "H", "J", "K", "L", "M", and "N" and all that part of Tract "I" of Pelican Landing Unit Eighteen, a re-subdivision of Tract "D" of Pelican Landing Unit Fourteen, according to the plat thereof as recorded at Plat Book 56, pages 21 through 26, Public Records of Lee County Florida, also being all that part of Section 21, Township 47 South, Range 25 East, Lee County, Florida all being more particularly described as follows:

COMMENCING at the West 1/4 corner of said Section 21,
 thence along the East-West 1/4 Section line of said Section 21 N.88°52'47"E, 252.09 feet to the boundary of said Pelican Landing Unit Eighteen, also being the east right-of-way line of Pelican's Nest Drive, Tract "A" of said Pelican Landing Unit Fourteen and to a point on a curve and to the POINT OF BEGINNING of the Parcel herein described;

thence along said easterly right-of-way line and the boundary of said Pelican Landing Unit Eighteen in the following four (4) described courses:

- 1) Northerly 36.95 feet along the arc of a non-tangential circular curve concave to the East, having a radius of 59.08 feet, through a central angle of 35°50'16" and being subtended by a chord which bears N.15°04'52"E. 36.35 feet to a point of tangency;
- 2) N.33°00'00"E. 143.70 feet to a point of curvature;
- 3) Northerly 182.87 feet along the arc of a circular curve concave to the Northwest, having a radius of 317.50 feet, through a central angle of 33°00'00" and being subtended by a chord which bears N.16°30'00"E. 180.35 feet to a point of tangency;
- 4) N.00°00'00"E. 102.84 feet;

thence leaving said line N.75°38'14"E. 881.60 feet;

thence S.89°54'17"E. 666.60 feet to the boundary of aforesaid Pelican Landing Unit Eighteen;

thence along the boundary of said Pelican Landing Unit Eighteen in the following fifteen (15) described courses:

- 1) S.14°53'07"W. 54.41 feet;
- 2) S.21°22'25"W. 47.49 feet;
- 3) S.27°29'27"W. 42.59 feet;
- 4) S.79°02'35"W. 48.38 feet;
- 5) S.75°12'46"W. 52.38 feet;
- 6) S.42°54'00"W. 31.17 feet;
- 7) S.51°48'14"W. 54.83 feet;
- 8) S.40°23'37"W. 42.51 feet;
- 9) S.22°48'21"W. 48.73 feet;
- 10) S.19°46'35"W. 48.48 feet;
- 11) S.06°49'39"E. 33.62 feet;
- 12) S.06°23'36"W. 42.45 feet;
- 13) S.60°43'59"W. 51.35 feet;
- 14) S.71°41'24"W. 55.13 feet;
- 15) S.68°16'53"W. 45.16 feet to the boundary of Pelican Landing Unit Sixteen according to the plat thereof as recorded in Plat Book 53, Pages 47 through 49, Public Records of Lee County, Florida;

thence along the boundary of said Pelican Landing Unit Sixteen and the boundary of said Pelican Landing Unit Eighteen in the following five (5) described courses:

- 1) N.51°03'32"W. 40.47 feet;

EXHIBIT

OK'D LAS
 NOV 20 1995

DR2978 PG3361

DESCRIPTION
PELICAN LANDING GOLF COURSE PROPERTY "A"

- 2) S.69°10'28"W. 282.19 feet;
- 3) S.68°13'34"W. 359.59 feet;
- 4) S.82°54'39"W. 167.68 feet;
- 5) S.43°00'00"W. 74.90 feet to the northerly right-of-way line of Bay Creek Drive also being Tract "A" of said Pelican landing Unit Sixteen, and a point on a curve;
thence along said northerly right-of-way line and the boundary of said Pelican Landing Unit Eighteen for the following four (4) described courses:
 - 1) Northwesterly 132.90 feet along the arc of a non-tangential circular curve concave to the Southwest, having a radius of 197.50 feet, through a central angle of 38°33'19" and being subtended by a chord which bears N.77°48'42"W. 130.41 feet to a point of tangency;
 - 2) S.82°54'39"W. 59.39 feet to a point of curvature;
 - 3) Northwesterly 189.27 feet along the arc of a circular curve concave to the Northeast having a radius of 285.50 feet through a central angle of 37°59'02" and being subtended by a chord which bears N.78°05'50"W. 185.82 feet to a point of compound curvature;
 - 4) Northwesterly 58.02 feet along the arc of a circular curve concave to the Northeast having a radius of 59.08 feet through a central angle of 56°16'02" and being subtended by a chord which bears N.30°58'18"W. 55.71 feet to the Point of Beginning of the Parcel herein described;

Parcel Contains 16.89 Acres, more or less;
 Subject to any easements, restrictions, reservations or rights-of-way of record;
 Bearings are based on the West line of the northwest 1/4 of said Section 21, being N.00°35'34"W.

ALONG WITH

PARCEL "A-3"

All that part of Tract "G", 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, also being all that part of Section 21, Township 47 South, Range 25 East, Lee County, Florida being more particularly described as follows:

- COMMENCING at the West 1/4 corner of said Section 21;
 thence along the East-West 1/4 section line of said Section 21 N.88°52'47"E. 2640.34 feet to the center of said section and to the POINT OF BEGINNING of the Parcel herein described;
 thence N.36°03'19"W. 180.08 feet;
 thence S.79°57'25"W. 739.32 feet;
 thence N.36°21'59"W. 152.84 feet to the westerly line of said Tract "G";
 thence along the westerly line of said Tract "G" in the following nine (9) described courses:
- 1) N.18°07'43"E. 48.56 feet;
 - 2) N.00°43'59"E. 46.33 feet;
 - 3) N.07°36'22"E. 55.49 feet;
 - 4) N.24°44'38"E. 45.16 feet;
 - 5) N.46°23'18"E. 18.61 feet;
 - 6) N.52°29'35"E. 27.81 feet;
 - 7) N.65°52'58"E. 10.51 feet;
 - 8) N.78°36'39"E. 28.87 feet;
 - 9) N.79°30'03"E. 65.77 feet to the boundary of those lands described in Official Records Book 2430, Pages 2982 through 2985, Public Records of Lee County, Florida;
- thence along said boundary in the following four (4) described courses:
- 1) S.00°00'00"E. 38.94 feet;
 - 2) S.88°55'17"E. 577.25 feet;
 - 3) N.14°06'56"E. 785.31 feet;

OR 2978 PG 3362

OKDLAS
NOV 20 1995

EXHIBIT

DESCRIPTION
PELICAN LANDING GOLF COURSE PROPERTY "A"

4) N.04°30'21"E. 488.13 feet to the northerly boundary of said Tract "G" also being the South right-of-way of Pelican's Nest Drive, Tract "A" of said Pelican Landing Unit Fourteen and to a point on a curve;

thence along said lines Northeasterly 311.31 feet along the arc of a non-tangential circular curve concave to the Southeast, having a radius of 695.00 feet, through a central angle of 25°39'51" and being subtended by a chord which bears N.50°49'48"E. 308.71 feet to the boundary of Bay Crest Villas at Pelican Landing and according to the Plat thereof as recorded in Plat Book 54, Pages 38 through 42, Public Records of Lee County, Florida and to a point on said curve;

thence along said boundary in the following seven (7) described courses:

- 1) S.01°41'53"E. 701.81 feet to a point of curvature;
- 2) Southwesterly 69.64 feet along the arc of a circular curve concave to the Northwest, having a radius of 150.00 feet, through a central angle of 26°35'58" and being subtended by a chord which bears S.11°36'06"W. 69.01 feet to a point of tangency;
- 3) S.24°54'05"W. 614.36 feet;
- 4) S.45°34'36"E. 258.37 feet;
- 5) N.67°42'26"E. 257.14 feet;
- 6) N.41°11'28"E. 514.96 feet;
- 7) N.01°33'08"W. 914.68 feet to a point on a curve;

thence leaving said boundary Southeasterly 175.88 feet along the arc of a non-tangential circular curve concave to the Northeast, having a radius of 323.00 feet, through a central angle of 31°11'57" and being subtended by a chord which bears S.50°16'34"E. 173.72 feet to a point of reverse curvature;

thence Southeasterly 381.63 feet along the arc of a circular curve concave to the Southwest, having a radius of 332.50 feet, through a central angle of 65°45'43" and being subtended by a chord which bears S.32°59'42"E. 361.03 feet to a point of tangency;

thence S.00°06'50"E. 605.67 feet;

thence S.41°11'28"W. 673.12 feet to a point of curvature;

thence Southwesterly 100.73 feet along the arc of a circular curve concave to the Northwest, having a radius of 150.00 feet, through a central angle of 38°28'28" and being subtended by a chord which bears S.60°25'42"W. 98.84 feet to a point of tangency;

thence S.79°39'56"W. 494.76 feet to the aforementioned East-West 1/4 section line;

thence along said East-West 1/4 Section line S.88°52'47"W. 102.26 feet to the Point of Beginning.

Parcel contains 27.49 acres, more or less;

Subject to any easements, restrictions, reservations or rights-of-way of record;

Bearings are based on the West line of the northwest 1/4 of said Section 21 being N.00°35'34"W.

ALONG WITH

PARCEL "B-1"

All of Tract "A" of Pelican's Nest Unit One according to the plat thereof as recorded in Plat Book 41, pages 58 through 60, Public Records of Lee County, Florida;

Parcel contains 19.87 acres, more or less;

Subject to any easements, restrictions, reservations or rights-of-way of record;

ALONG WITH

PARCEL "B-2"

All that part of Section 20, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

EXHIBIT "A"

OK'D LAS
NOV 20 1995

OR2978 PG3363

DESCRIPTION
PELICAN LANDING GOLF COURSE PROPERTY "A"

COMMENCING at the East 1/4 corner of said Section 20;
thence along the east line of said Section 20 S.00°38'18"E. 22.50 feet to the south right-of-way line of Pelican's Nest Drive (formerly Bay Creek Drive, SW) also being Tract "D" of Pelican's Nest Unit One, according to the plat thereof as recorded in Plat Book 41, pages 58 through 60, Public Records of Lee County, Florida, and to a point on a curve;
thence along said south right-of-way line northwesterly 165.42 feet along the arc of a non-tangential circular curve concave to the northeast, having a radius of 340.46 feet, through a central angle of 27°50'20", and being subtended by a chord which bears N.77°10'04"W. 163.80 feet to a point on said curve and the POINT OF BEGINNING of the parcel herein described;

thence S.63°14'54"E. 69.98 feet;
thence S.09°20'07"W. 111.07 feet;
thence N.80°39'53"W. 104.58 feet;
thence N.37°04'32"W. 63.54 feet;
thence S.52°55'28"W. 23.69 feet;
thence N.64°17'06"W. 95.38 feet;
thence N.75°17'54"W. 302.27 feet;
thence N.78°11'21"W. 241.45 feet;
thence N.79°38'53"W. 298.23 feet;
thence N.65°35'01"W. 324.58 feet;
thence N.79°26'04"W. 187.67 feet;
thence S.49°20'34"W. 262.27 feet;
thence S.55°21'30"W. 52.43 feet;
thence S.61°05'58"W. 233.42 feet;
thence N.89°14'11"W. 71.72 feet;
thence S.75°36'22"W. 107.75 feet;
thence S.64°27'28"W. 125.79 feet;
thence S.78°53'40"W. 152.33 feet;
thence N.80°50'25"W. 73.89 feet;
thence N.07°01'06"W. 124.51 feet;
thence N.23°16'32"W. 114.60 feet;
thence N.50°16'00"W. 92.99 feet;
thence S.88°59'18"W. 58.88 feet;
thence N.49°15'35"W. 133.21 feet;
thence N.02°41'07"W. 66.94 feet;
thence N.90°00'00"E. 110.62 feet to and then along the south boundary of those lands as described in Official Records Book 2184, pages 444 through 445, Public Records of Lee County, Florida;
thence continue along said boundary N.31°22'02"E. 59.39 feet to the boundary of the Coventry, according to the plat thereof as recorded in Plat Book 50, pages 20 through 22, Public Records of Lee County, Florida;
thence along said boundary in the following seven (7) described courses:

- 1) S.59°41'53"E. 403.24 feet;
- 2) N.78°44'30"E. 393.57 feet;
- 3) N.68°40'14"E. 170.00 feet;
- 4) N.22°15'40"W. 69.16 feet;
- 5) N.89°19'31"W. 150.00 feet to a point on a curve;
- 6) westerly, northerly and northeasterly 148.98 feet along the arc of a non-tangential circular curve concave to the northeast, having a radius of 75.00 feet, through a central angle of 113°48'56" and being subtended by a chord which bears N.30°00'43"W. 125.67 feet to a point on said curve;
- 7) N.28°45'47"E. 61.36 feet to a point on a curve and the south right-of-way line of Pelican's Nest Drive (formerly Bay Creek Drive, SW), also being Tract "C" of Pelican's Nest Unit Two, according to the plat thereof as recorded in Plat Book 44, pages 27 through 31, Public Records of Lee County, Florida;

OR 2978 PG 3364

EXHIBIT "A"

OKDDAS
NOV 20 1995

**DESCRIPTION
PELICAN LANDING GOLF COURSE PROPERTY "A"**

thence along said south right-of-way line easterly 131.52 feet along the arc of a non-tangential circular curve concave to the northeast, having a radius of 247.63 feet, through a central angle of 30°25'49" and being subtended by a chord which bears S.78°47'06"E. 129.98 feet to a point of compound curvature;
thence continue along said south right-of-way line northeasterly 504.49 feet along the arc of a circular curve concave to the northwest, having a radius of 1562.45 feet, through a central angle of 18°30'00" and being subtended by a chord which bears N.76°45'00"E. 502.30 feet to a point of tangency;
thence continue along said south right-of-way line N.67°30'00"E. 150.00 feet to the boundary of aforementioned Pelican's Nest Unit One;

thence along said boundary in the following nine (9) described courses:

- 1) S.22°30'00"E. 96.96 feet;
- 2) N.86°42'52"E. 490.08 feet to a point of curvature;
- 3) northeasterly 33.91 feet along the arc of a circular curve concave to the northwest, having a radius of 25.00 feet, through a central angle of 77°42'52" and being subtended by a chord which bears N.47°51'26"E. 31.37 feet to a point of tangency;
- 4) N.09°00'00"E. 145.44 feet to a point on a curve and the aforementioned south right-of-way line of Pelican's Nest Drive (formerly Bay Creek Drive, SW) of said Pelican's Nest Unit One;
- 5) southeasterly 122.07 feet along said south right-of-way line and the arc of a non-tangential circular curve concave to the southwest, having a radius of 485.74 feet, through a central angle of 14°23'54", and being subtended by a chord which bears S.80°40'55"E. 121.74 feet to a point on said curve;
- 6) S.11°15'00"E. 231.05 feet;
- 7) S.88°23'21"E. 197.17 feet to said south right-of-way line;
- 8) along said south right-of-way line S.11°30'00"E. 315.00 feet to a point of curvature;
- 9) continue along said south right-of-way line southeasterly 307.49 feet along the arc of a circular curve concave to the northeast, having a radius of 340.46 feet, through a central angle of 51°44'54" and being subtended by a chord which bears S.37°22'27"E. 297.15 feet to the Point of Beginning of the parcel herein described.

Parcel contains 24.48 acres, more or less;
Subject to any easements, restrictions, reservations or rights-of-way of record;
Bearings are based on the east line of the Southeast 1/4 of said Section 20 being S.00°38'18"E.

ALONG WITH

PARCEL "B-3"

All that part of Sections 17 and 20, Township 47 South, Range 25 East, Lee County, Florida being more particularly described as follows:

COMMENCING at the East 1/4 corner of said Section 20;
thence along the east line of said Section 20 N.00°35'34"W. 2659.37 feet to the Northeast corner of said Section 20;
thence along the north line of said Section 20, S.89°32'27"W. 2301.58 feet to the westerly boundary of Pelican's Nest Unit Two, according to the plat thereof as recorded in Plat Book 44, pages 27 through 31, Public Records of Lee County, Florida and the POINT OF BEGINNING of the parcel herein described;

- thence along said boundary S.09°21'21"W. 281.12 feet;
- thence continue along said boundary S.11°54'17"E. 520.52 feet;
- thence continue along said boundary S.04°46'17"E. 120.79 feet to the boundary of those lands as described in Official Records Book 2178, Pages 3983 and 3984, Public Records of Lee County, Florida;
- thence continue along said boundary S.22°47'34"W. 377.77 feet to the boundary of those lands as described in Official Record Book 2227, Pages 2913 through 2914, Public Records of Lee County;
- thence along said boundary S.55°42'41"W. 30.59 feet to the aforesaid boundary of those lands as described in Official Record Book 2178, Pages 3983 through 3984;
- thence along said boundary S.89°08'43"W. 160.06 feet;
- thence N.20°22'11"W. 390.83 feet;

DR2978 PG3365

OK'D L.A.S.
NOV 20 1995

EXHIBIT "A"

**DESCRIPTION
 PELICAN LANDING GOLF COURSE PROPERTY "A"**

thence S.79°39'03"W. 466.37 feet;
 thence S.19°27'45"E. 795.74 feet;
 thence S.45°51'26"E. 315.09 feet to the westerly right-of-way line of Goldcrest Drive, also being Tract "C" of said Pelican's Nest Unit Two and a point on a curve;
 thence along said westerly right-of-way line southerly 71.51 feet along the arc of a non-tangential circular curve concave to the east, having a radius of 197.50 feet, through a central angle of 20°44'43" and being subtended by a chord which bears S.12°24'47"E. 71.12 feet to a point on said curve;
 thence S.31°22'02"W. 170.53 feet to the north line of those lands as described in Official Records Book 2184, pages 444 and 445, Public Records of Lee County, Florida;
 thence along said north line N.78°38'31"W. 120.32 feet;
 thence N.13°47'08"E. 118.23 feet;
 thence N.02°46'50"E. 56.05 feet;
 thence N.22°34'52"W. 109.02 feet;
 thence N.64°48'14"W. 68.96 feet;
 thence S.89°41'27"W. 135.52 feet;
 thence S.40°42'24"W. 126.13 feet;
 thence N.50°39'42"W. 25.52 feet;
 thence N.35°30'08"W. 46.77 feet;
 thence N.26°40'14"W. 67.72 feet;
 thence N.43°07'00"W. 59.41 feet;
 thence N.23°40'11"W. 70.86 feet;
 thence N.09°37'48"E. 36.68 feet;
 thence N.44°03'52"E. 92.31 feet;
 thence N.22°13'37"W. 127.36 feet;
 thence N.02°39'15"E. 78.93 feet;
 thence N.87°59'25"W. 25.65 feet;
 thence N.61°57'18"W. 25.76 feet;
 thence N.46°57'32"E. 36.68 feet;
 thence N.21°25'13"W. 117.52 feet;
 thence N.34°28'24"W. 63.95 feet;
 thence N.34°35'33"E. 93.25 feet;
 thence N.00°31'40"E. 137.90 feet;
 thence N.37°20'50"E. 22.47 feet;
 thence N.09°38'57"E. 51.17 feet;
 thence N.24°24'03"E. 76.72 feet;
 thence N.11°43'04"E. 37.56 feet;
 thence N.20°31'04"W. 19.45 feet to the boundary of Pelican Landing Unit Fifteen according to the plat thereof as recorded in Plat Book 52, pages 48 through 53, Public Records of Lee County, Florida;
 thence along said boundary in the following five (5) described courses:
 1) N.59°21'36"E. 159.62 feet;
 2) N.84°35'56"E. 555.36 feet;
 3) N.08°49'39"W. 416.31 feet to a point of curvature;
 4) northerly 75.91 feet along the arc of a circular curve concave to the east, having a radius of 150.00 feet, through a central angle of 28°59'47" and being subtended by a chord which bears N.05°40'15"E. 75.10 feet to a point of tangency;
 5) N.20°10'08"E. 209.67 feet to the boundary of A Replat of Pelican's Nest Unit Six, according to the plat thereof as recorded in Plat Book 50, pages 9 through 13, Public Records of Lee County, Florida;
 thence along said boundary in the following eleven (11) described courses:
 1) N.20°10'08"E. 590.23 feet;
 2) N.36°09'57"E. 49.99 feet;
 3) N.11°22'12"W. 407.33 feet;
 4) N.05°10'36"W. 640.85 feet;
 5) N.00°31'22"E. 152.00 feet;
 6) N.42°58'46"E. 50.98 feet;
 7) S.89°28'27"E. 55.27 feet to a point on the westerly right-of-way line of Goldcrest Drive, also being said Tract "C" of said Pelican Landing Unit Two;
 8) along said right-of-way line S.17°12'40"E. 5.32 feet to a point of curvature;

DR2978 PG3366

EXHIBIT "A"

OK'D LAS
 NOV 20 1995

DESCRIPTION
PELICAN LANDING GOLF COURSE PROPERTY "A"

- 9) continue along said right-of-way line southeasterly 51.20 feet along the arc of a circular curve concave to the Northeast, having a radius of 170.00 feet, through a central angle of 17°15'26" and being subtended by a chord which bears S.25°50'24"E. 51.01 feet to a point of reverse curvature;
 - 10) continue along said right-of-way line southeasterly 55.14 feet along the arc of a circular curve concave to the southwest, having a radius of 149.93 feet, through a central angle of 21°04'15" and being subtended by a chord which bears S.23°55'59"E. 54.83 feet to a point of tangency;
 - 11) continue along said right-of-way line S.13°23'52"E. 10.42 feet to the boundary of aforementioned Pelican's Nest Unit Two;
- thence along said boundary in the following four (4) described courses:
- 1) S.17°07'41"E. 745.72 feet;
 - 2) S.10°57'32"E. 354.13 feet;
 - 3) S.45°32'17"W. 272.00 feet;
 - 4) S.09°21'21"W. 462.70 feet to the Point of Beginning of the parcel herein described.

Parcel contains 29.05 acres more or less;
 Subject to any easements, restrictions, reservations or rights-of-way of record.
 Bearings are based on the east line of the northeast ¼ of said Section 20 being N.00°35'34"W.

ALONG WITH

PARCEL "B-4"

All that part of Tract "C" of Pelican's Nest Unit One according to the plat thereof as recorded in Plat Book 41, pages 58 through 60, Public Records of Lee County, Florida and all that part of Sections 17 and 20, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

COMMENCING at the east 1/4 of corner of said Section 20;
 thence along east line of said Section 20, N.00°35'34"W. 2659.37 feet to the northeast corner of said Section 20;
 thence along the east line of said Section 17, N.00°18'31"W. 535.57 feet to the south line of said Tract "C" of Pelican's Nest Unit One;
 thence along said south line S.89°41'29"W. 107.52 feet to the POINT OF BEGINNING of the parcel herein described;
 thence continue along said south line S.89°41'29"W. 90.25 feet to a point of curvature;
 thence continue along said south line southwesterly 78.27 feet along the arc of a circular curve concave to the southeast, having a radius of 172.50 feet, through a central angle of 25°59'47" and being subtended by a chord which bears S.76°41'36"W. 77.60 feet to a point on said curve;
 thence along the west line of said Tract "C" N.11°00'00"W. 132.21 feet;
 thence along boundary of said Pelican's Nest Unit One in the following sixteen (16) described courses:

- 1) N.66°00'00"W. 60.00 feet;
- 2) S.28°22'02"W. 68.74 feet;
- 3) S.61°17'08"W. 84.26 feet;
- 4) N.82°51'55"W. 97.36 feet to a point on a curve;
- 5) southwesterly 290.28 feet along the arc of a non-tangential circular curve concave to the northwest, having a radius of 120.00 feet, through a central angle of 138°35'50" and being subtended by a chord which bears S.54°42'20"W. 224.50 feet to a point on said curve;
- 6) S.40°14'29"W. 133.72 feet;
- 7) S.11°15'00"E. 240.00 feet;
- 8) S.02°30'00"E. 360.00 feet;
- 9) S.07°15'00"E. 267.00 feet;
- 10) S.14°15'00"E. 342.00 feet to a point on a curve;
- 11) southeasterly 146.53 feet along the arc of a non-tangential circular curve concave to the southwest, having a radius of 115.40 feet, through a central angle of 72°45'00" and being subtended by a chord which bears S.26°22'30"E. 136.88 feet to a point of tangency;
- 12) S.10°00'00"W. 145.00 feet;

OR2978 PG3367

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NOV 20 1995

EXHIBIT "A"

DESCRIPTION
PELICAN LANDING GOLF COURSE PROPERTY "A"

- 13) S.09°25'36"W. 706.90 feet to the north right-of-way line of Pelican's Nest Drive (formerly Bay Creek Drive, SW) also being Tract "D" of said Pelican's Nest Unit One and to a point on a curve;
- 14) along said north right-of-way line westerly 86.87 feet along the arc of a non-tangential circular curve concave to the south, having a radius of 530.74 feet, through a central angle of 09°22'41" and being subtended by a chord which bears S.88°11'21"W. 86.77 feet to a point of tangency;
- 15) continue along said north right-of-way line S.83°30'00"W. 200.00 feet to a point of curvature;
- 16) continue along said north right-of-way line southwesterly 324.20 feet along the arc of a circular curve concave to the southeast, having a radius of 1160.96 feet, through a central angle of 16°00'00" and being subtended by a chord which bears S.75°30'00"W. 323.15 feet to a point of tangency and a point on the north right-of-way line of Pelican's Nest Drive (formerly Bay Creek Drive, SW) also being Tract "C" of Pelican's Nest Unit Two according to the plat thereof as recorded in Plat Book 44, pages 27 through 31, Public Records of Lee County, Florida;

thence along said north right-of-way line S.67°30'00"W. 150.00 feet to a point of curvature;
 thence continue along said north right-of-way line southwesterly 36.00 feet along the arc of a circular curve concave to the northwest, having a radius of 1517.45 feet, through a central angle of 01°21'34" and being subtended by a chord which bears S.68°10'47"W. 36.00 feet to a point on said curve;
 thence N.09°14'03"E. 37.14 feet;
 thence N.49°42'41"W. 198.39 feet;
 thence S.77°02'51"W. 42.44 feet;
 thence N.37°54'48"W. 73.14 feet;
 thence N.42°34'46"E. 206.61 feet;
 thence N.47°25'14"W. 230.23 feet;
 thence S.86°54'53"W. 40.31 feet;
 thence S.40°32'41"W. 259.11 feet;
 thence S.08°59'22"W. 352.08 feet;
 thence S.49°01'44"E. 110.81 feet to the boundary of said Pelican's Nest Unit Two and the right-of-way line of said Pelican's Nest Drive (formerly Bay Creek Drive, SW) and a point on a curve;
 thence along said right-of-way line in the following three (3) described courses:

- 1) westerly 120.24 feet along the arc of a non-tangential circular curve concave to the north, having a radius of 202.63 feet, through a central angle of 34°00'00" and being subtended by a chord which bears N.77°00'00"W. 118.49 feet to a point of tangency;
 - 2) N.60°00'00"W. 54.14 feet;
 - 3) S.30°00'00"W. 12.05 feet;
- thence leaving said line N.58°33'05"W. 156.55 feet;
 thence northwesterly and westerly 128.80 feet along the arc of a circular curve concave to the south, through a central angle of 42°10'14", having a radius of 175.00 feet and being subtended by a chord which bears N.79°38'11"W. 125.91 feet to a point of tangency;
 thence S.79°16'42"W. 77.48 feet;
 thence N.26°45'16"W. 144.44 feet to a point on right-of-way line of Goldcrest Drive of said Pelican Nest Unit Two;

thence along said line in the following five described courses

- 1) N.56°52'33"E. 397.86 feet to a point of curvature;
- 2) northeasterly 440.18 feet along the arc of a circular curve concave to the northwest having a radius of 514.50 feet, through a central angle of 49°01'11" and being subtended by a chord which bears N.32°21'57"E. 426.88 feet to a point of reverse curvature;
- 3) northerly 41.14 feet along the arc of a circular curve concave to the east having a radius of 187.50 feet, through a central angle of 12°34'20" and being subtended by a chord which bears N.14°08'32"E. 41.06 feet to a point of reverse curvature;
- 4) northerly 107.43 feet along the arc of a circular curve concave to the west having a radius of 212.50 feet, through a central angle of 28°57'55" and being subtended by a chord which bears N.05°56'45"E. 106.29 feet to a point of tangency;
- 5) N.08°32'13"W. 30.75 feet;

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OK'D BAS
NOV 20 1995

EXHIBIT "A"

DESCRIPTION
PELICAN LANDING GOLF COURSE PROPERTY "A"

thence leaving said line continue along said Unit Two plat boundary in the following eleven (11) described courses:

- 1) N.81°27'47"E. 100.00 feet;
- 2) N.27°23'39"E. 144.01 feet;
- 3) N.10°33'28"E. 630.02 feet;
- 4) N.03°00'00"E. 67.61 feet;
- 5) N.08°45'00"W. 505.00 feet to a point of curvature;
- 6) northerly 217.52 feet along the arc of a circular curve concave to the east having a radius of 465.90 feet, through a central angle of 26°45'00" and being subtended by a chord which bears N.04°37'30"E. 215.55 feet to a point of tangency;
- 7) N.18°00'00"E. 338.50 feet;
- 8) N.46°34'22"W. 177.99 feet;
- 9) N.28°19'23"W. 521.96 feet;
- 10) N.11°36'56"E. 414.96 feet;
- 11) S.76°36'08"W. 382.63 feet to a point on a curve and the boundary of A Replat of Pelican Landing Unit Six, according to the plat thereof as recorded in Plat Book 50, pages 9 through 13, Public Records of Lee County, Florida;

thence along said boundary in the following four (4) described courses:

- 1) northwesterly 56.89 feet along the arc of a non-tangential circular curve concave to the southwest, having a radius of 133.78 feet, through a central angle of 24°22'02" and being subtended by a chord which bears N.25°34'53"W. 56.47 feet to a point of tangency;
- 2) N.37°45'54"W. 20.49 feet to a point of curvature;
- 3) northwesterly 44.84 feet along the arc of a circular curve concave to the northeast having a radius of 125.00 feet, through a central angle of 20°33'14" and being subtended by a chord which bears N.27°29'17"W. 44.60 feet to a point of tangency;
- 4) N.17°12'40"W. 112.14 feet to the boundary of the plat of Capri at Pelican Landing, according to the plat thereof as recorded in Plat Book 57, Pages 20 through 23 Public Records of Lee County, Florida;

thence along said boundary N.66°54'00"E. 449.21 feet;

thence continue along said boundary N.47°47'02"E. 581.44 feet;

thence continue along said boundary N.00°41'04"W. 142.97 feet;

thence S.89°58'35"E. 687.29 feet to the boundary of that certain access easement described in Official Records Book 2512, pages 2922 through 2926 Public Records of Lee County, Florida and to a point on a curve;

thence along said boundary southeasterly 89.61 feet along the arc of a non-tangential circular curve concave to the southwest, having a radius of 90.00 feet, through a central angle of 57°02'40" and being subtended by a chord which bears S.33°07'46"E. 85.95 feet to a point of tangency and the boundary of that certain access easement described in Official Records Book 2427, pages 4044 through 4048, Public Records of Lee County, Florida;

thence along said boundary S.04°36'26"E. 226.61 feet to the boundary of those lands as described in Official Records Book 2201, pages 1283 and 1284, Public Records of Lee County, Florida;

thence along said boundary in the following three (3) described courses:

- 1) S.80°32'00"W. 294.79 feet;
- 2) S.37°12'00"W. 568.50 feet;
- 3) S.22°08'00"E. 333.50 feet;

thence S.71°34'04"W. 596.33 feet;

thence S.04°25'56"E. 50.74 feet;

thence S.57°03'55"E. 217.29 feet;

thence N.80°26'55"E. 134.65 feet;

thence N.80°56'02"E. 240.93 feet;

thence N.51°29'02"E. 88.08 feet;

thence N.84°34'04"E. 76.02 feet;

thence S.54°25'56"E. 24.33 feet;

thence S.13°25'56"E. 137.23 feet;

thence S.22°25'56"E. 46.35 feet;

thence S.32°34'04"W. 43.82 feet;

thence S.64°34'04"W. 75.05 feet;

thence S.37°34'04"W. 238.85 feet;

OR 2978 PG 3369

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NOV 20 1995

EXHIBIT "A"

DESCRIPTION
PELICAN LANDING GOLF COURSE PROPERTY "A"

thence S.22°34'04"W. 390.00 feet;
 thence S.09°34'04"W. 455.58 feet;
 thence S.03°34'04"W. 374.73 feet;
 thence S.55°51'55"E. 170.14 feet;
 thence S.05°08'05"W. 299.91 feet;
 thence S.89°51'55"E. 522.85 feet;
 thence N.07°51'55"W. 718.89 feet;
 thence N.06°08'05"E. 650.56 feet;
 thence N.78°08'05"E. 60.97 feet;
 thence S.30°51'55"E. 73.64 feet;
 thence S.64°51'55"E. 31.19 feet;
 thence S.48°51'55"E. 105.29 feet to a point of curvature;
 thence southeasterly, easterly, northeasterly, and northerly 240.67 feet along the arc of a circular curve concave to the northwest, having a radius of 95.00 feet, through a central angle of 145°09'02" and being subtended by a chord which bears N.58°33'34"E. 181.28 feet to a point on said curve;
 thence N.29°08'05"E. 32.51 feet;
 thence S.82°51'55"E. 101.58 feet;
 thence N.61°17'08"E. 71.88 feet;
 thence N.28°22'02"E. 81.31 feet;
 thence S.78°01'30"E. 103.04 feet;
 thence S.58°01'30"E. 63.35 feet;
 thence S.52°01'30"E. 60.54 feet;
 thence S.37°01'30"E. 86.96 feet to the Point of Beginning of the parcel herein described.

Parcel contains 76.02 acres more or less.
 Subject to any easements, restrictions, reservations or rights-of-way of record.
 Bearings are based on the east line of the northeast ¼ of said Section 20 being N.00°35'34"W.

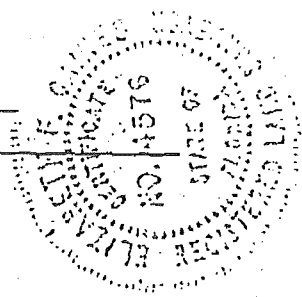
Parcels contain 216.52 total acres more or less;

Prepared by:

WILSON, MILLER, BARTON & PEEK, INC.

Elizabeth F. Gaines
 Elizabeth F. Gaines, Professional Surveyor & Mapper
 Florida Registration No. 4576

11-1-95
 Date



OR 2978 Pg 3370

W.O.: 4417
 REF.: E-0250-168
 DATE: October 16, 1995
 REVISED: November 1, 1995

OK'D-BAS
 NOV 20 1995

EXHIBIT "A"



DESCRIPTION
GOLF COURSE STRUCTURE EASEMENT #7
Section 17, Township 47 South, Range 25 East,
Lee County, Florida

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

COMMENCING at the northerlymost point of those lands described in Official Records Book 2201, pages 1283 through 1284 (Sawgrass Point Condominium), Public Records of Lee County, Florida also being a point on the west line of those lands described in Official Records Book 2427, pages 4044 through 4048 (Lakemont Drive), Public Records of Lee County, Florida;

thence along said west line, N.04°36'26"W. 226.61 feet to a point of curvature;
thence northwesterly 89.61 feet along the arc of a circular curve concave to the southwest, having a radius of 90.00 feet, through a central angle of 57°02'40" and being subtended by a chord which bears N.33°07'46"W. 85.95 feet;

thence N.89°58'35"W. 129.53 feet to the POINT OF BEGINNING of the parcel herein described;

thence N.89°58'35"W. 30.61 feet;

thence N.00°01'25"E. 9.65 feet;

thence S.89°58'35"E. 30.61 feet;

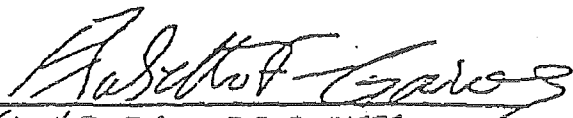
thence S.00°01'25"W. 9.65 feet to the Point of Beginning of the parcel herein described;

Parcel contains 296 square feet, more or less.

Subject to easements, restrictions, reservations and rights of way of record;
Bearings shown hereon are based on the west line of those lands described in Official Records Book 2427, pages 4044 through 4048 (Lakemont Drive), Public Records of Lee County, Florida being N.04°36'26"W.

Prepared by:

WILSON, MILLER, BARTON & PEEK, INC.


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


3-30-95
Date

W.O.: 4065
REF.: E-0250-110
DATE: March 30, 1995

EXHIBIT "A"
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Naples
(813) 649-1040
Fax (813) 643-3716

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

Sarasota
(813) 371-3690
Fax (813) 377-9832

OR2978 PG3371

GSM

Gaines Surveying & Mapping, Inc.

LEGAL DESCRIPTION

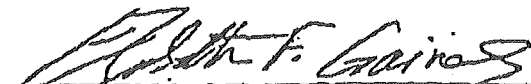
So-called Parcel "D-1",
being all of Tract "H" of Pelican Landing Unit Five, (P.B. 59, Pages 11-16)
located in Sections 17 and 20, Township 47 South, Range 25 East,
Lee County, Florida

All of Tract "H", Pelican Landing Unit Five according to the plat thereof as recorded in Plat Book 59, pages 11 through 16, inclusive, Public Records of Lee County, Florida.

Parcel contains 47.42 acres, more or less;
Subject to easements, restrictions and reservations of record;

Prepared by:

GAINES SURVEYING & MAPPING, INC.



Elizabeth F. Gaines, Professional Surveyor & Mapper
Florida License No. 4576

5-8-98
Date

Project No. 4725-006
Sketch: GSM Dwg. File No. 47250603
Preparation Date: 5-8-98

4725-006-007.doc

EXHIBIT "A"

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2223 McGregor Boulevard, Fort Myers, Florida 33901

Phone: (941) 337-1109 • Fax: (941) 337-0173 • Email: gsm@peganet.com

OR2978 PG3372



Gaines Surveying & Mapping, Inc.

LEGAL DESCRIPTION

So-called Parcel "D-2",

being part of Tract "I" of Pelican Landing Unit Five, (P.B. 59, Pages 11-16) and part of Section 17, Township 47 South, Range 25 East, Lee County, Florida

OR 2978 PG 3373

All that part of Tract "I", Pelican Landing Unit Five according to the plat thereof as recorded in Plat Book 59, pages 11 through 16, inclusive, Public Records of Lee County, Florida and all that part of Section 17, Township 47 South, Range 25 East, Lee County, Florida being more particularly described being more particularly described as follows:

BEGINNING at the northwest corner of Tract "I" of said Pelican Landing Unit Five also being a point on the easterly boundary of Capri at Pelican Landing, according to the plat thereof as recorded in Plat Book 57, pages 20 through 23, Public Records of Lee County, Florida;

thence along said easterly boundary in the following four (4) described courses:

- 1) N.21°58'56"E., a distance of 65.41 feet;
- 2) N.06°09'39"E., a distance of 66.26 feet;
- 3) N.08°01'04"W., a distance of 66.21 feet;
- 4) N.31°15'10"W., a distance of 15.10 feet to a point on the easterly boundary of Pelican Landing Unit Seven, according to the plat thereof as recorded in Plat Book 56, pages 82 through 84, Public Records of Lee County, Florida;

thence along said easterly boundary in the following three (3) described courses:

- 1) N.58°44'50"E., a distance of 62.03 feet to the point of curvature of a curve to the left, having: a radius of 50.00 feet, a central angle of 52°58'09", a tangent length of 24.91 feet, a chord bearing of N.32°15'46"E. and a chord length of 44.60 feet;
 - 2) along the arc of said curve, an arc length of 46.22 feet to the point of tangency of said curve;
 - 3) N.05°46'42"E., a distance of 62.37 feet;
- thence continue N.05°46'42"E., a distance of 606.30 feet to the point of curvature of a curve to the right, having: a radius of 150.00 feet, a central angle of 59°40'23", a tangent length of 86.03 feet, a chord bearing of N.35°36'53"E. and a chord length of 149.26 feet;
- thence along the arc of said curve, an arc length of 156.22 feet to the point of tangency of said curve;
- thence N.65°27'04"E., a distance of 600.00 feet to the point of curvature of a curve to the right, having: a radius of 150.00 feet, a central angle of 20°34'44", a tangent length of 27.23 feet, a chord bearing of N.75°44'27"E. and a chord length of 53.59 feet;
- thence along the arc of said curve, an arc length of 53.88 feet to the point of tangency of said curve;
- thence N.86°01'49"E., a distance of 129.61 feet to the point of curvature of a curve to the right, having: a radius of 125.00 feet, a central angle of 93°17'07", a tangent length of 132.38 feet, a chord bearing of S.47°19'38"E. and a chord length of 181.77 feet;
- thence along the arc of said curve, an arc length of 203.52 feet to the point of tangency of said curve;
- thence S.00°41'04"E., a distance of 244.51 feet to the northwesterly boundary of a wetland conservation easement recorded in Official Record Book 2374, Pages 695 through 708 (inclusive), Public Records of Lee County, Florida;

thence along said boundary in the following six (6) described courses:

- 1) S.77°56'55"W., a distance of 223.90 feet;
- 2) S.69°43'01"W., a distance of 82.99 feet;

EXHIBIT "A"

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- 3) S.59°48'35"W., a distance of 74.81 feet;
- 4) S.38°07'50"W., a distance of 79.71 feet;
- 5) S.22°25'10"W., a distance of 102.62 feet;
- 6) S.00°15'34"W., a distance of 134.65 feet to a point on the boundary of The Reserve (a condominium), recorded in Official Record Book 2430, Pages 2959 through 2961 (inclusive), Public Records of Lee County, Florida;
- thence along said boundary N.73°26'10"W., a distance of 290.41 feet;
- thence continue along said boundary S.16°33'50"W., a distance of 608.78 feet to the northerly line of aforementioned Tract "I" of Pelican Landing Unit Five;
- thence along the boundary of said Tract "I" in the following four (4) described courses;
- 1) S.82°12'39"E., a distance of 498.96 feet;
- 2) S.15°59'18"W., a distance of 133.85 feet to the point of curvature of a curve to the left, having: a radius of 52.00 feet, a central angle of 77°38'24", a tangent length of 41.84 feet, a chord bearing of S.22°49'54"E. and a chord length of 65.20 feet;
- 3) thence along the arc of said curve, an arc length of 70.46 feet to the end of said curve;
- 4) thence N.89°58'35"W., a distance of 129.53 feet;
- thence N.00°01'25"E., a distance of 9.65 feet;
- thence N.89°58'35"W., a distance of 30.61 feet;
- thence S.00°01'25"W., a distance of 9.65 feet to the south line of said Tract "I";
- thence along said south line N.89°58'35"W., a distance of 527.15 feet;
- thence along the west line of said Tract "I" N.00°41'04"W., a distance of 196.95 feet to the Point of Beginning of the Parcel herein described.

Parcel contains 16.67 acres, more or less;
 Bearings are based on the south line of Tract "I" of said Pelican Landing Unit Five being S.89°58'35"E.
 Subject to easements, restrictions and reservations of record;

Prepared by:

GAINES SURVEYING & MAPPING, INC.


 Elizabeth F. Gaines, Professional Surveyor & Mapper
 Florida License No. 4576

5-7-98
 Date

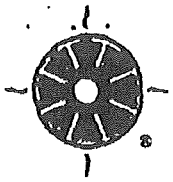
Project No. 4725-006
 Sketch: GSM Dwg. File No. 47250601
 Preparation Date: 4-22-98
 Revision Date: 5-7-98

4725-006-001.doc

OR 2978 PG 3374

EXHIBIT "A"

Page 16 of 16



WILSON, MILLER, BARTON & PEEK, INC.

Engineers, Planners, Surveyors, Landscape Architects & Environmental Consultants
4571 Colonial Boulevard, Suite 200, Fort Myers, Florida 33912 • (813) 939-1020 Fax (813) 939-7479

DESCRIPTION PELICAN'S NEST CLUBHOUSE PARKING AREA Section 20, Township 47 South, Range 25 East Lee County, Florida

All that part of Section 20, Township 47 South, Range 25 East, Lee County, Florida being more particularly described as follows;

COMMENCING at the easterlymost corner of Tract "C", Pelican's Nest Unit Two according to the plat thereof as recorded in Plat Book 44, pages 27 through 31, Public Records of Lee County, Florida;

thence N.22°30'00"W. 45.00 feet to the northerly line of said Tract "C";

thence along said northerly right-of-way line in the following five (5) described courses:

- 1) S.67°30'00"W. 150.00 feet to a point of curvature;
- 2) southwesterly 489.96 feet along the arc of a circular curve concave to the northwest, through a central angle of 18°30'00", having a radius of 1517.45 feet and being subtended by a chord which bears S.76°45'00"W. 487.84 feet to the point of compound curvature;
- 3) northwesterly 120.24 feet along the arc of a circular curve concave to the northeast, through a central angle of 34°00'00", having a radius of 202.63 feet and being subtended by a chord which bears N.77°00'00"W. 118.49 feet to a point of tangency;
- 4) N.60°00'00"W. 54.14 feet;
- 5) S.30°00'00"W. 12.05 feet to the POINT OF BEGINNING of the parcel herein described;

thence continue along the northerly line of said Tract "C" in the following four (4) described courses:

- 1) S.30°00'00"W. 32.95 feet to a point of curvature;
- 2) southwesterly, westerly and northwesterly 538.58 feet along the arc of a circular curve concave to the north, through a central angle of 106°24'28", having a radius of 290.00 feet and being subtended by a chord which bears S.89°59'15"W. 464.45 feet to a point of compound curvature;
- 3) northwesterly, northerly and northeasterly 249.35 feet along the arc of a circular curve concave to the east, through a central angle of 93°41'04", having a radius of 152.50 feet and being subtended by a chord which bears N.10°02'01"E. 222.49 feet to a point of tangency;
- 4) N.56°52'33"E. 52.06 feet;

thence S.26°45'16"E. 144.44 feet;

thence N.79°16'42"E. 77.48 feet to the point of curvature;

thence easterly and southeasterly 128.80 feet along the arc of a circular curve concave to the south, through a central angle of 42°10'14", having a radius of 175.00 feet and being subtended by a chord which bears S.79°38'11"E. 125.91 feet to a point of tangency;

EXHIBIT "B"

12/29/94-10135.dwg

Naples
(813) 549-3140
Fax (813) 549-5716

Page 1 of 3
Fort Myers
(813) 939-1020
Fax (813) 939-7479

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

OK'D IAS
MAR 24 1995

OR 2978 P 53375

thence S.58°33'05"E. 156.55 feet to the Point of Beginning of the parcel herein described;

Parcel contains 2.44 acres, more or less.

Subject to easements, restrictions, reservations and rights-of-way of record;
Bearings shown hereon are based on the north line of said Tract "C", Pelican's Nest Unit Two being S.67°30'00"W.

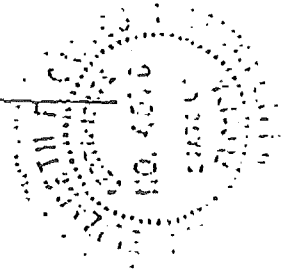
Prepared by:

WILSON, MILLER, BARTON & PEEK, INC.

Elizabeth F. Gaines

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

3-20-95
Date



REF.: C-0250-117
W.O.: 3895
DATE: December 29, 1994
REVISED: March 15, 1995
REVISED: March 16, 1995

EXHIBIT "B"

OK'D J.A.R.
MAR 24 1995

OR2978 PG3376

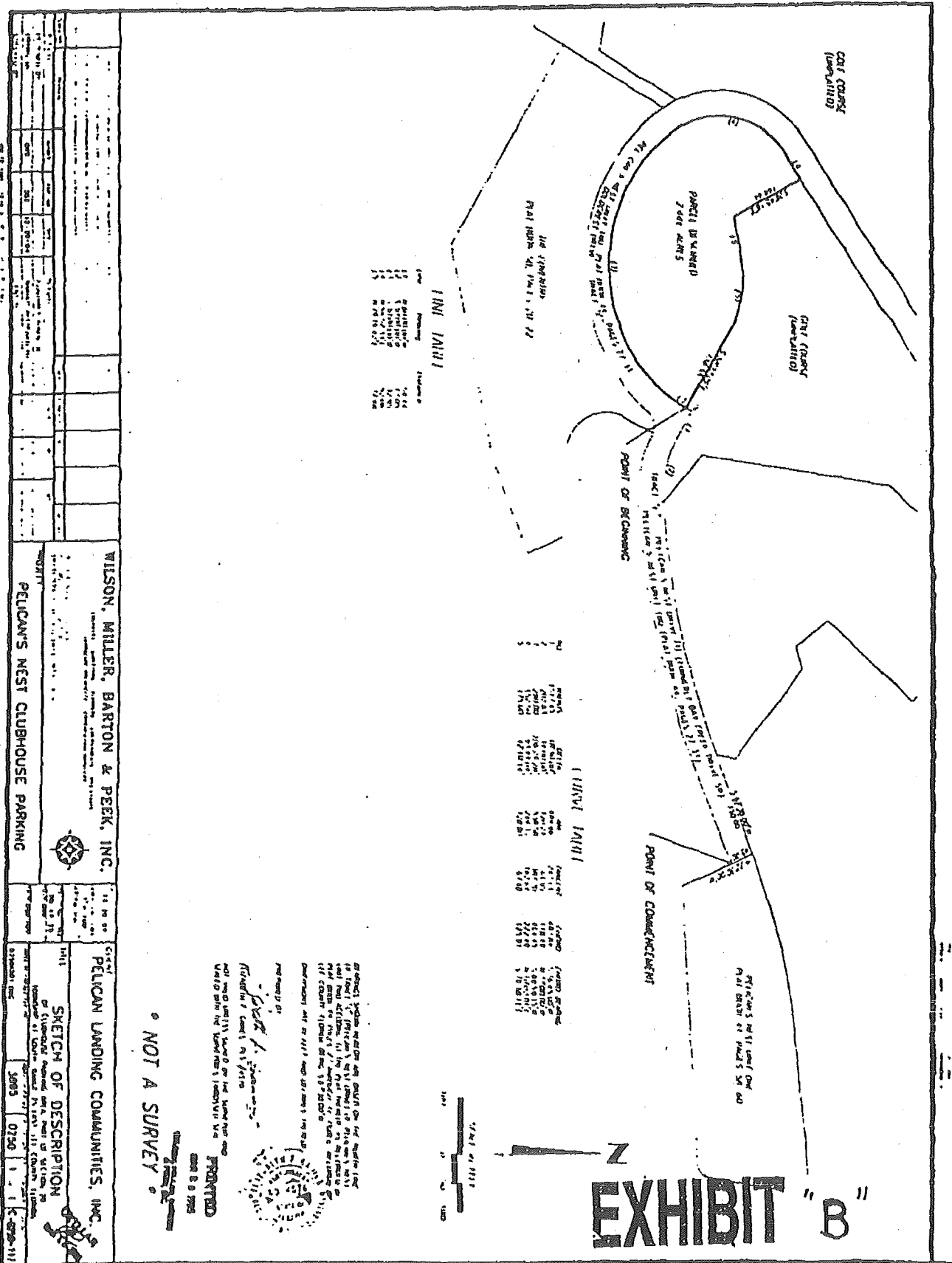


EXHIBIT "B"

NOT A SURVEY

PROFESSIONAL SURVEYOR
 STATE OF CALIFORNIA
 No. 12345
 J. J. JONES
 12345 Main St.
 San Francisco, CA 94101

NO.	DESCRIPTION	ACRES	REMARKS
1	Parcel 1 Unrecorded	7.00	7 Acres Approx
2	Parcel 2 Unrecorded	0.50	1/2 Acre Approx
3	Other Land

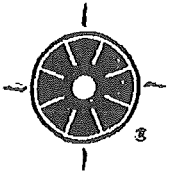
WILSON, MILLER, BARTON & PECK, INC.

PELICAN'S NEST CLUBHOUSE PARKING

PELICAN LANDING COMMUNITIES, INC.

SKETCH OF DESCRIPTION

5005 0750 1 1 1 (K-878-111)



WILSON, MILLER, BARTON & PEEK, INC.

Engineers, Planners, Surveyors, Landscape Architects & Environmental Consultants
4571 Colonial Boulevard, Suite 200, Fort Myers, Florida 33912 • (813) 939-1020 Fax (813) 939-7479

DESCRIPTION

PELICAN'S NEST GOLF COURSE DRIVING RANGE

Section 20, Township 47 South, Range 25 East
Lee County, Florida

All that part of Section 20, Township 47 South, Range 25 East, Lee County, Florida being more particularly described as follows:

BEGINNING at the southerlymost corner of Mystic Ridge Condominium as recorded in Official Records Book 2178, pages 3983 through 3984, Public Records of Lee County, Florida and a point on the northerly line of Tract "C" (Goldcrest Drive), Pelican's Nest Unit Two according to the plat thereof as recorded in Plat Book 44, pages 27 through 31 Public Records of Lee County, Florida;

thence along said northerly line in the following two (2) courses;

- 1) S.56°52'33"W. 158.67 feet to a point of curvature;
- 2) southwesterly and southerly 203.09 feet along the arc of a circular curve concave to the southeast, through a central angle of 58°54'58", having a radius of 197.50 feet and being subtended by a chord which bears S.27°25'04"W. 194.26 feet;

thence N.45°51'26"W. 315.09 feet;

thence N.19°27'45"W. 795.74 feet;

thence N.79°39'03"E. 466.37 feet;

thence S.20°22'11"E. 390.83 feet to the west line of said Mystic Ridge Condominium;

thence along said west line S.15°30'31"E. 444.13 feet to the Point of Beginning of the parcel herein described;

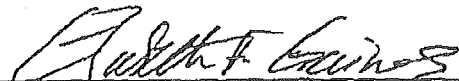
Parcel contains 9.56 acres, more or less.

Subject to easements, restrictions, reservations and rights-of-way of record;

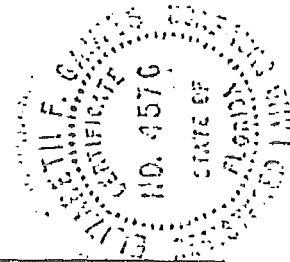
Bearings shown hereon are based on the northerly line of Tract "C", Pelican's Nest Unit Two according to the plat thereof as recorded in Plat Book 44, pages 27 through 31, Public Records of Lee County, Florida being S.56°52'33"W.

Prepared by:

WILSON, MILLER, BARTON & PEEK, INC.


Elizabeth F. Gaines, P.L.S.

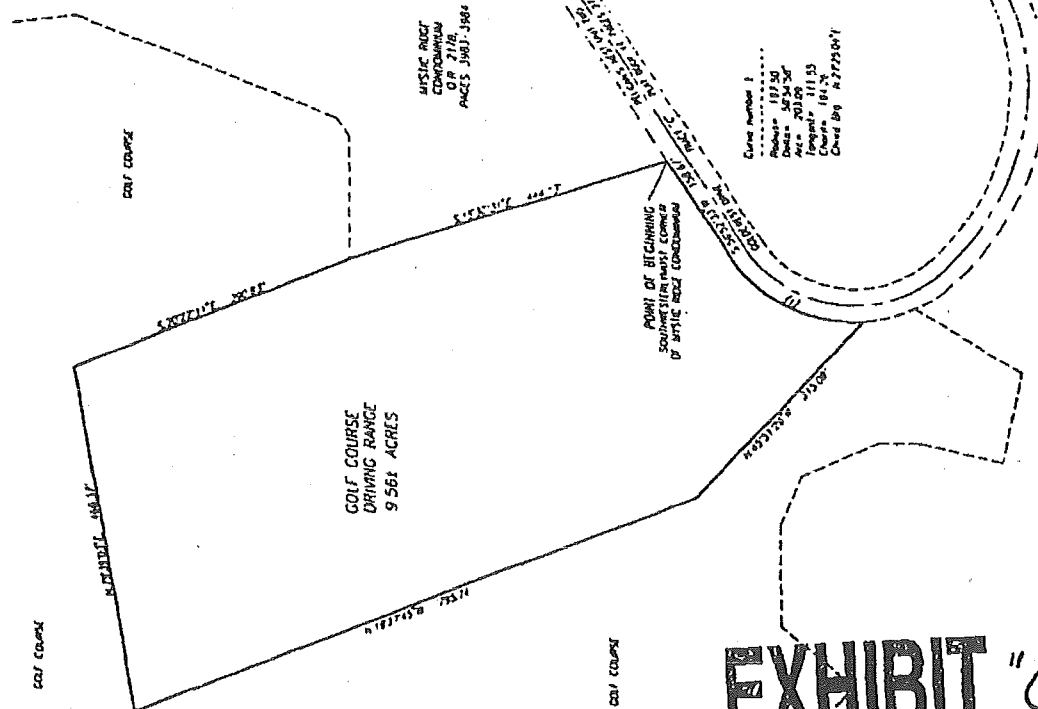
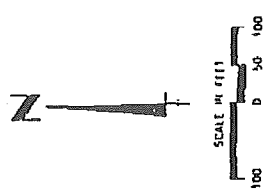
3-20-95
Date



REF: 3964
W.O.: E-0250-110
DATE: March 20, 1995

EXHIBIT "C"

OR 2978 PG 3378



PLANS SHOWN HEREON ARE BASED ON THE ADJUTANT GENERAL'S SURVEY OF THE PROPERTY INDICATED BY THE RED LINES ON SHEET C OF PLANS FILED IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BOOK 5363 PAGE 27.

DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

O.R. DENOTES OFFICIAL RECORDS BOOK.

PREPARED BY:
Robert F. Edwards
 ROBERT F. EDWARDS P.L.S. 7/15/76
PRINTED
 MAR 20 1985



CLIENT: PELICAN LANDING COMMUNITIES, INC.		1-2-78	1-1-78	1-1-78	1-1-78	1-1-78	1-1-78	1-1-78	1-1-78	1-1-78	1-1-78	1-1-78	1-1-78	1-1-78	1-1-78	1-1-78	1-1-78
TITLE: SKETCH OF DESCRIPTION OF PART OF SECTION 20, TOWNSHIP SOUTH, RANGE 75 EAST OF PINEAPPLE CREEK, LEE COUNTY, FLORIDA		L.C. DISTRICT NO. 22		L.C. DISTRICT NO. 22		L.C. DISTRICT NO. 22		L.C. DISTRICT NO. 22		L.C. DISTRICT NO. 22		L.C. DISTRICT NO. 22		L.C. DISTRICT NO. 22		L.C. DISTRICT NO. 22	
PROJECT NO. 22-0290-178		3995	0250														

WILSON, MILLER, BARTON & PEEK, INC.					PELICAN'S NEST DRIVING RANGE	
ENGINEERS AND ARCHITECTS 1111 N. MILPUEBLA AVENUE, SUITE 110 TAMPA, FLORIDA 33604 TEL: 813-971-1111 FAX: 813-971-1111					SECTION 20, TOWNSHIP SOUTH, RANGE 75 EAST OF PINEAPPLE CREEK, LEE COUNTY, FLORIDA	

Area	Acres	Area	Acres	Area	Acres	Area	Acres
1	0.0000	2	0.0000	3	0.0000	4	0.0000
5	0.0000	6	0.0000	7	0.0000	8	0.0000
9	0.0000	10	0.0000	11	0.0000	12	0.0000
13	0.0000	14	0.0000	15	0.0000	16	0.0000
17	0.0000	18	0.0000	19	0.0000	20	0.0000
21	0.0000	22	0.0000	23	0.0000	24	0.0000

EXHIBIT "C"
 page 2 of 2