

# Lee County Board Of County Commissioners

## Agenda Item Summary

Blue Sheet No. 20051206

**1. ACTION REQUESTED/PURPOSE:** Adopt a Resolution of Exchange relating to 1) privately owned property located in Section 33, Township 45 South, Range 24 East, and Section 4, Township 46 South, Range 24 East, and 2) County held easements located in Section 33, Township 45 South, Range 24 East, and Section 4, Township 46 South, Range 24 East; authorize Chairman to execute all documents necessary to effectuate the exchange; authorize the Division of County Lands to handle and accept all documentation to complete this transaction.

**2. WHAT ACTION ACCOMPLISHES:** Exchange of County property must be approved by the Board of County Commissioners pursuant to Florida Statute.

**3. MANAGEMENT RECOMMENDATION:** Management recommends Board approve the Action Requested.

**4. Departmental Category:** 6

**C6B**

**5. Meeting Date:** 09-20-2005  
DATE CRITICAL

**6. Agenda:**

☒ Consent  
☐ Administrative  
☐ Appeals  
☐ Public  
☐ Walk-On

**7. Requirement/Purpose: (specify)**

☒ Statute 125.37  
☐ Ordinance  
☐ Admin. Code  
☐ Other

**8. Request Initiated:**

Commissioner

Department

Independent

Division

County Lands

By: Karen L.W. Forsyth, Director

TLM  
KRL

**9. Background:** The proposed exchange consists of parcels owned by EH Building Group II, SW Division LLC, a Florida Corporation, within a pending new development known as Sail Harbour at Healthpark, and three utility easements acquired by the County by instruments recorded at Official Record Book 3008, page 1603, Official Record Book 2319, page 4361, and Official Record Book 4237, page 1340, Public Records of Lee County, Florida. Based upon the terms of the agreement, staff has determined that the existing utility easements previously conveyed to the County several years ago under a different proposed development plan, are not necessary for County purposes. This exchange will provide the County with new public utility easements serving the needs of the County, the Sail Harbour project, and adjacent properties.

No Funds are required for this transaction.

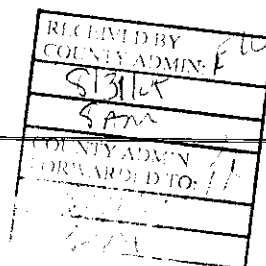
**ATTACHMENTS:** Resolution of Exchange, Utility Easement Exchange Agreement, Affidavit of Interest, Corporate Resolution, and Location Map.

### 10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services	County Manager/P.W. Director
K. Forsyth					Analyst Risk Grants Mgr.	
					3/31	8/31/05

### 11. Commission Action:

☐ Approved  
☐ Deferred  
☐ Denied  
☐ Other



Rec. by CoAtty
Date: 8-30-05
Time: 3:11
Forwarded To: H. W. H. in 8/30/05 4pm

**RESOLUTION OF EXCHANGE**

WHEREAS, EH Building Group II, SW Division LLC, a Florida corporation, as the Developer of a project known as Sail Harbour at Healthpark, desires to exchange three existing public utility easements held by the County for two new public utility easements over, across and through certain property within the Sail Harbour at Healthpark project; and

WHEREAS, the Board of County Commissioners entered into the Sail Harbour at Healthpark Utility Easement Exchange Agreement on \_\_\_\_\_, 2005; and

WHEREAS, based upon the terms of this agreement, County staff has determined that the existing utility easements previously conveyed to the County by instruments recorded at O.R. Book 3008, Page 1603, O.R. Book 2319, Page 4361, and O.R. Book 4237, Page 1340, Public Records of Lee County, Florida, will not be necessary for County purposes; and

WHEREAS, this exchange would provide the County with new public utility easements to serve the needs of the County, the Sail Harbour project, and adjacent properties; and

WHEREAS, an exchange is of mutual benefit to the Developer and the public; and

WHEREAS, the proposed exchange was advertised and approved after full consideration by the Board of County Commissioners.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS that:

1. An exchange will be accomplished by the execution and recording of documents as indicated below:

- a. County deeds to EH Building Group II, SW Division LLC, for the property described in the existing utility easements described hereinabove, said property being more particularly described in the attached Exhibits "A", "B", and "C".
- b. Perpetual Utility Easements from EH Building Group II SW Division, LLC, to Lee County, a political subdivision of the State of Florida, for new public utility easements over certain property within the Sail Harbour project, said property being more particularly described in the attached Exhibit "D" and "E".

2. Lee County staff has the authority to take all actions necessary to complete the exchange and to close the transaction. The Chairman may execute the necessary documents on behalf of the Board.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and, being put to a vote, the vote was as follows:

ROBERT P. JANES  
DOUGLAS R. ST. CERNY  
RAY JUDAH  
TAMMY HALL  
JOHN E. ALBION

DULY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

ATTEST:

CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairman

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Office of County Attorney

This Instrument Prepared by:  
Charles J. Basinait  
P.O. Box 280  
Fort Myers, FL 33902



Page 1 of 4

THIS SPACE FOR RECORDING

### COUNTY DEED

THIS DEED, executed this \_\_\_\_ day of \_\_\_\_\_, 2005, by LEE COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398 Grantor, to EH BUILDING GROUP II, SW DIVISION LLC, a Florida corporation, whose address is 12751 Westlinks Drive, #1, Fort Myers, Florida 33913, Grantee.

Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars to it in hand paid by Grantee, receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its heirs and assigns forever, the following described land, lying and being in Lee County, Florida:

### See Attached Exhibit "A"

This grant conveys only the interest of the County and its Board of County Commissioners in the property herein described, and is not to be deemed to warrant the title or to represent any state of facts concerning the same.

**IN WITNESS WHEREOF** Grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said Board, the day and year aforesaid.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

CHARLIE GREEN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairman

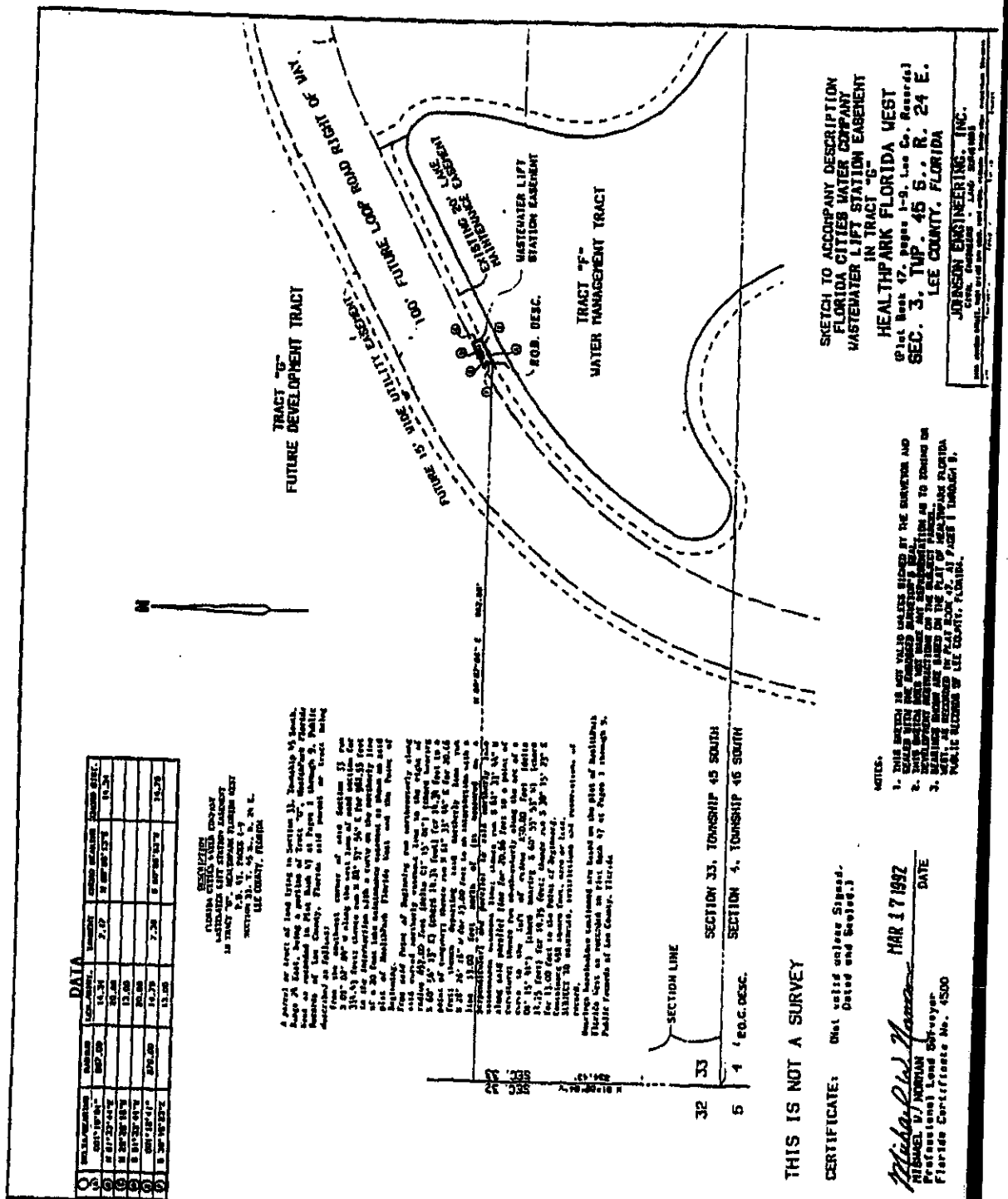
APPROVED AS TO FORM:

By: \_\_\_\_\_  
Office of County Attorney

**Exhibit "A"**

Page 2 of 4

082319 PGL 363



## EXHIBIT "B"

OR2319 Pg4364

## JOHNSON ENGINEERING, INC.

2156 JOHNSON STREET  
TELEPHONE (813) 334-0046  
TELECOMMER (813) 334-3661  
POST OFFICE BOX 1550  
FORT MYERS, FLORIDA  
33902-1550

CARLE E. JOHNSON  
1911-1982

CIVIL ENGINEERS AND LAND SURVEYORS

February 26, 1992

DESCRIPTION

FLORIDA CITIES WATER COMPANY  
WASTEWATER LIFT STATION EASEMENT  
IN TRACT "G", HEALTHPARK FLORIDA WEST  
P.B. 47, PAGES 1-9  
SECTION 33, T. 45 S., R. 24 E.  
LEE COUNTY, FLORIDA

A parcel or tract of land lying in Section 33, Township 45 South, Range 24 East, being a portion of Tract "G", HealthPark Florida West as recorded in Plat Book 47 at Pages 1 through 9, Public Records of Lee County, Florida said parcel or tract being described as follows:

From the southwest corner of said Section 33 run N 01° 02' 04" W along the west line of said section for 334.43 feet; thence run N 88° 57' 56" E for 982.55 feet to the intersection with a curve on the northerly line of a 20 foot lake maintenance easement as shown on said plat of HealthPark Florida West and the Point of Beginning.

From said Point of Beginning run northeasterly along said curved northerly easement line to the right of radius 657.00 feet (delta 01° 15' 01") (chord bearing N 60° 56' 13" E) (chord 14.34 feet) for 14.34 feet to a point of tangency; thence run N 61° 33' 44" E for 20.66 feet; thence departing said northerly line run N 28° 26' 16" W for 13.00 feet to an intersection with a line 13.00 feet north of (as measured on a perpendicular) and parallel to said northerly lake maintenance easement line; thence run S 61° 33' 44" W along said parallel line for 20.66 feet to a point of curvature; thence run southwesterly along the arc of a curve to the left of radius 670.00 feet (delta 01° 15' 41") (chord bearing S 60° 55' 53" W) (chord 14.75 feet) for 14.75 feet; thence run S 30° 15' 23" E for 13.00 feet to the Point of Beginning. Containing 458 square feet, more or less.

SUBJECT TO easements, restrictions and reservations of record.

Bearings hereinabove mentioned are based on the plat of HealthPark Florida West as recorded in Plat Book 47 at Pages 1 through 9, Public Records of Lee County, Florida

CHAIRMAN  
ARCHIE T. GRANT, JR.

PRESIDENT  
FORREST H. BANKS

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

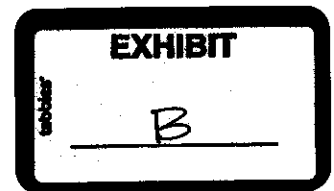
DAN W. DICKEY  
KENTON R. KEILING  
GEORGE J. KALAL  
MICHAEL L. HARMON  
THOMAS L. FENDLEY  
W. DAVID KEY, JR.  
W. BRITT POMEROY  
CARL A. BARRACO  
GARY R. BULL  
KEVIN M. WINTER  
STEPHEN W. ADAMS

CONSULTANT  
LESTER L. BULSON

*Michael W. Norman*  
Michael W. Norman  
Professional Land Surveyor  
Florida Certificate No. 4500

MWN/pm  
17904

This Instrument Prepared by:  
Charles J. Basinait  
P.O. Box 280  
Fort Myers, FL 33902



Page 1 of 4

THIS SPACE FOR RECORDING

### COUNTY DEED

THIS DEED, executed this \_\_\_\_ day of \_\_\_\_\_, 2005, by LEE COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398 Grantor, to EH BUILDING GROUP II, SW DIVISION LLC, a Florida corporation, whose address is 12751 Westlinks Drive, #1, Fort Myers, Florida 33913, Grantee.

Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars to it in hand paid by Grantee, receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its heirs and assigns forever, the following described land, lying and being in Lee County, Florida:

### See Attached Exhibit "A"

This grant conveys only the interest of the County and its Board of County Commissioners in the property herein described, and is not to be deemed to warrant the title or to represent any state of facts concerning the same.



**IN WITNESS WHEREOF** Grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said Board, the day and year aforesaid.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

CHARLIE GREEN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairman

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Office of County Attorney

**Exhibit "B"**

Page 2 of 4

August 12, 2003

DESCRIPTION

UTILITY EASEMENT  
HEALTHPARK FLORIDA WEST  
SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 33, Township 45 South, Range 24 East, Lee County, Florida being a part of Tract "T" as shown on the Plat of Phase I-F, HealthPark Florida West as recorded in Plat Book 53 at Pages 81 through 90, Public Records of Lee County, Florida, and a part of Tract "G" as shown on the Plat of HealthPark Florida West as recorded in Plat Book 47 at Pages 1 through 9 said Public Records which tract or parcel is described as follows:

From the northwest corner of said Tract "T" (HealthPark Circle) 100.00 feet wide, run N 61° 33' 44" E along the north line of said Tract "T", being the northerly right-of-way line of HealthPark Circle for 308.76 feet; thence run S 28° 26' 16" E departing said north right-of-way line for 100.00 feet to an intersection with the southerly right-of-way line of said HealthPark Circle, being the south line of said Tract "T"; thence run S 61° 33' 44" W along the south line of said Tract "T" and its westerly prolongation for 323.18 feet; thence run S 28° 26' 16" E for 20.00 feet; thence run S 61° 33' 44" W for 35.00 feet; thence run N 28° 26' 16" W for 120.00 feet to an intersection with the westerly prolongation of the north line of said Tract "T"; thence run N 61° 33' 44" E along said prolongation for 49.42 feet to the Point of Beginning

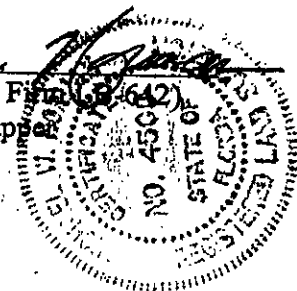
Parcel contains 36,518 square feet, more or less.

~~SUBJECT TO easements, restrictions and reservations of record.~~

Bearings hereinabove mentioned are based on the Plat of Phase I-F, HealthPark Florida West as recorded in Plat Book 53 at Pages 81 through 90, Public Records of Lee County, Florida wherein the south line of Tract "T" bears S 61° 33' 44" W.

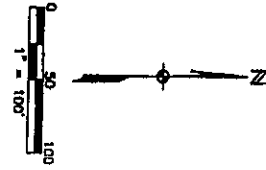
**Exhibit "B"**Page 3 of 4

*Michael W. Norman*  
Michael W. Norman (For The Firm) (642)  
Professional Surveyor and Mapper  
Florida Certificate No. 4500



20033872/Utility Easement 081203

Exhibit "A" - Page Two of Two



UTILITY EASEMENT  
HEALTHPARK FLORIDA WEST  
(PLAT BOOK 53, PAGES 81-90)  
SECTION 31, TOWNSHIP 45 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA

**JOHNSON**  
ENGINEERING

2136 JOHNSON STREET  
P.O. BOX 1550  
FORT MYERS, FLORIDA 33902-1550  
PHONE (239) 334-0044  
FAX (239) 334-0861  
C.E. #942 & L.E. #942

DATE 07/22/03

PROJECT NO. 20013862

FILE NO. 33-45-24

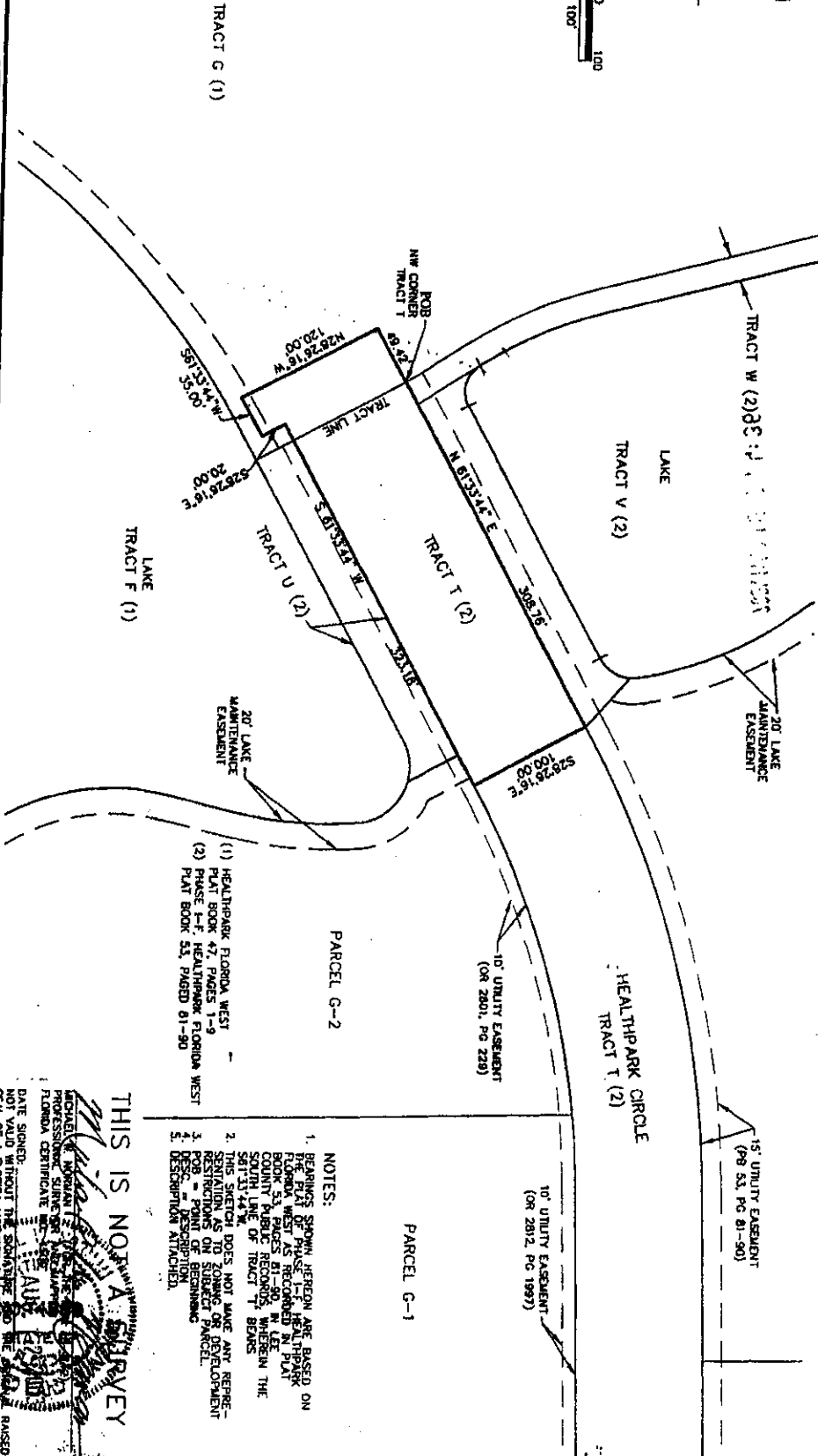
SCALE 1" = 100'

SHEET 1 OF 1

SKETCH TO ACCOMPANY  
DESCRIPTION

THIS IS NOT A SURVEY  
MICHAEL JOHNSON  
PROFESSIONAL SURVEYOR  
FLORIDA CERTIFICATE NO. 11111  
DATE SIGNED: AUG 12 2003  
NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND NOTAR.

- NOTES:
1. BEARINGS SHOWN HEREON ARE BASED ON THE BEARING OF THE BOUNDARY LINE OF PARCEL G-1, PLAT BOOK 53, PAGES 81-90, N 1/4 E 1/4 SECTION 31, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA. WHEREIN THE SOUTH LINE OF TRACT "T" BEARS THE BEARING OF N 81°33'45" E.
  2. THIS SKETCH DOES NOT HAVE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
  3. POB = POINT OF BEGINNING
  4. BEARING AND DISTANCE
  5. DESCRIPTION ATTACHED.



This Instrument Prepared by:  
Charles J. Basinait  
P.O. Box 280  
Fort Myers, FL 33902



Page 1 of 9

THIS SPACE FOR RECORDING

### COUNTY DEED

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Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars to it in hand paid by Grantee, receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its heirs and assigns forever, the following described land, lying and being in Lee County, Florida:

### See Attached Exhibit "A"

This grant conveys only the interest of the County and its Board of County Commissioners in the property herein described, and is not to be deemed to warrant the title or to represent any state of facts concerning the same.

**IN WITNESS WHEREOF** Grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said Board, the day and year aforesaid.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

CHARLIE GREEN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairman

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Office of County Attorney

**Exhibit "C"**

Page 2 of 9

EXHIBIT "A"  
1 of 2

0R3008 PG1606

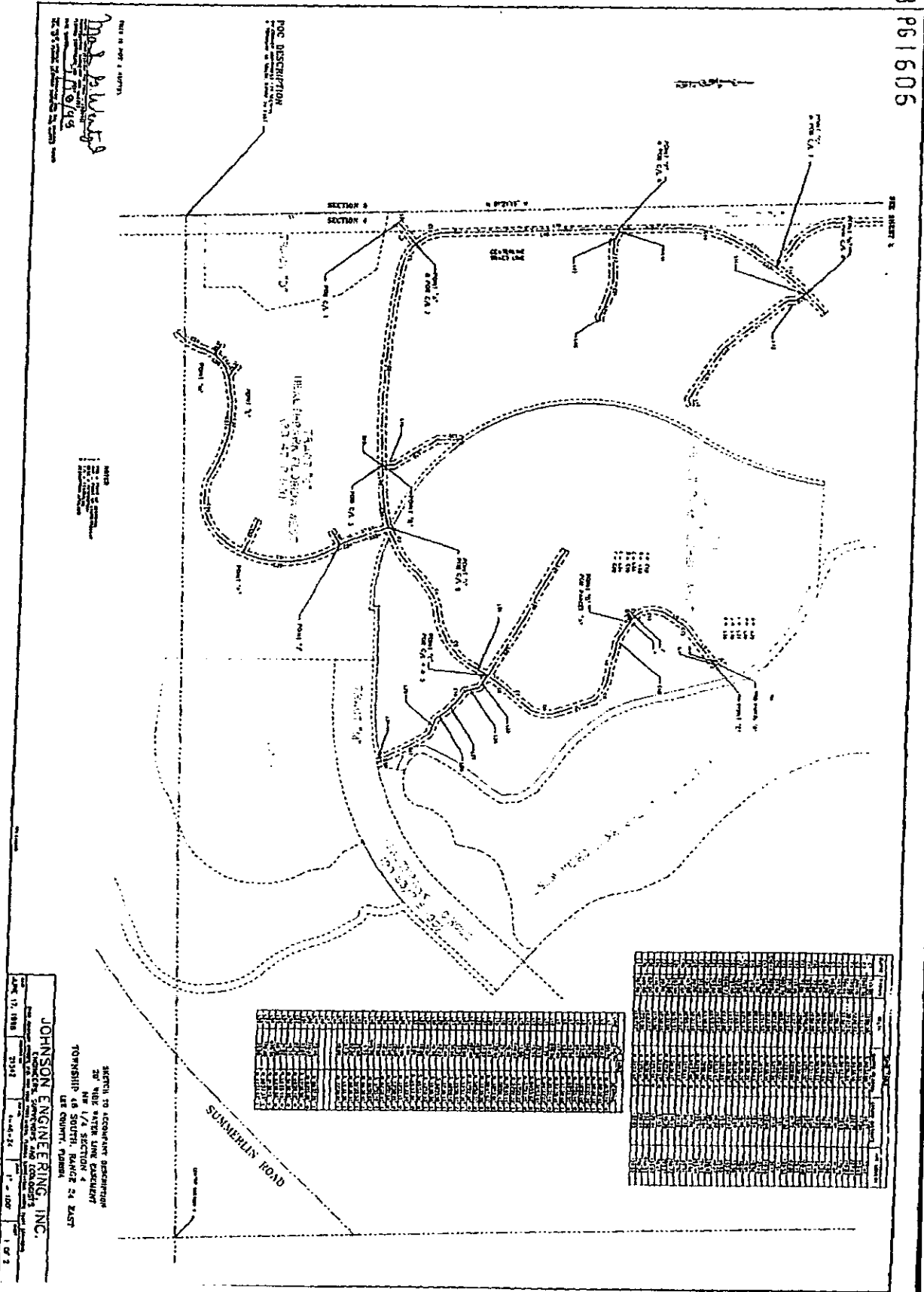
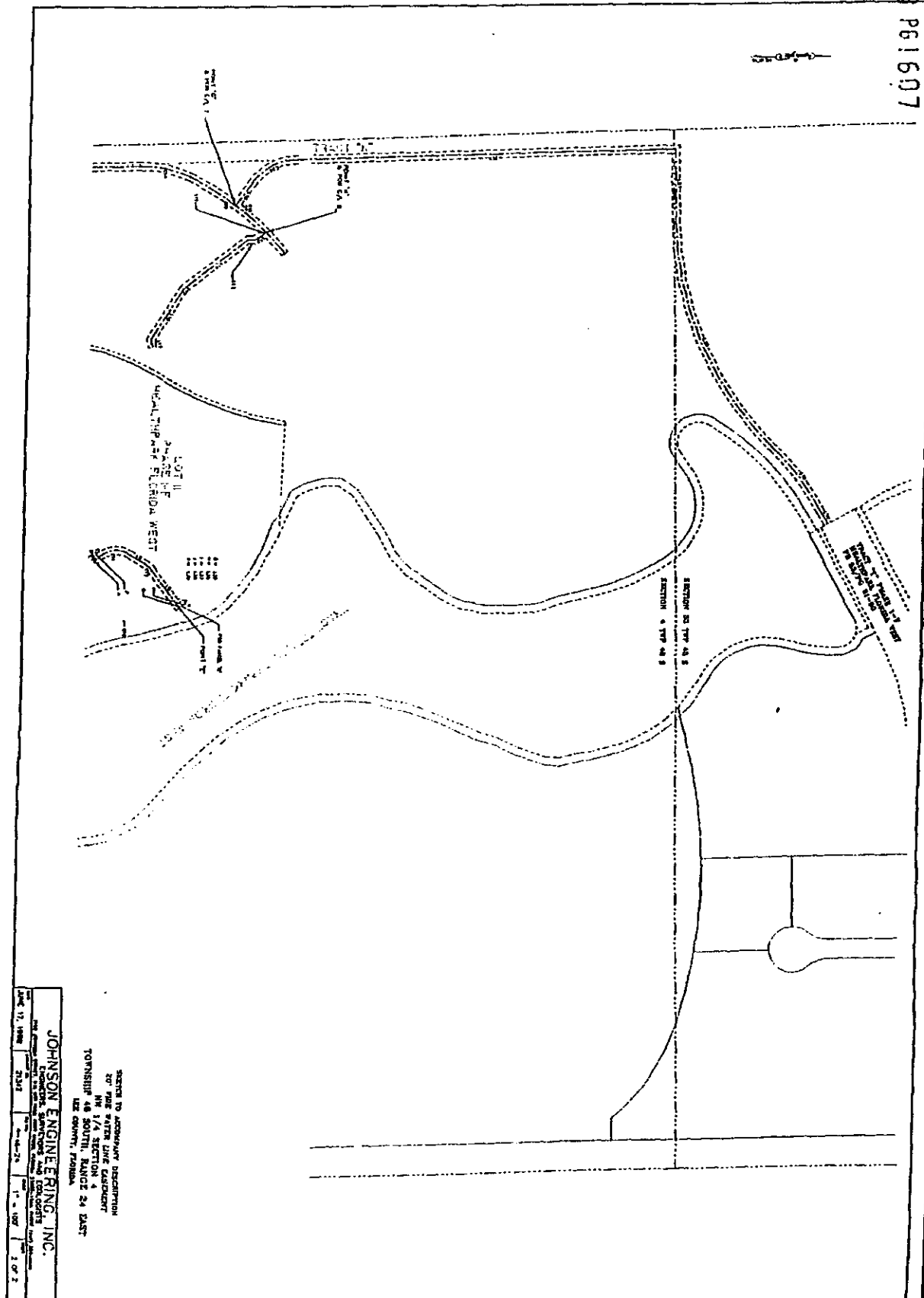


EXHIBIT "A"  
2 of 2

OR3008 Pg1607



# JOHNSON ENGINEERING, INC.

FORT MYERS  
NAPLES  
PORT CHARLOTTE

ENGINEERS, SURVEYORS AND ECOLOGISTS

June 4, 1998

EXHIBIT "B"

2158 JOHNSON STREET  
TELEPHONE (941) 334-0046  
TELECOPIER (941) 334-3661  
POST OFFICE BOX 1550  
FORT MYERS, FLORIDA  
33902-1550

CARLE E. JOHNSON  
1911-1968

## DESCRIPTION

20' WIDE WATER LINE EASEMENT IN  
HEALTHPARK FLORIDA WEST AND  
PHASE 1-F HEALTHPARK FLORIDA WEST  
NW¼ SECTION 4, TOWNSHIP 46 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA

A strip of land twenty feet wide lying in tracts "K" and "G" as shown on the plat of Healthpark Florida West as recorded in Plat Book 47 at pages 1 through 9 of the Public Records of Lee County, Florida and Lot 11 as shown on the plat of Phase 1-F Healthpark Florida West as recorded in Plat Book 53 at pages 81 through 90 of said Public Records, Section 4, Township 46 South, Range 24 East, lying 10.00 feet each side of the following described centerlines:

From the Southwest corner of the Northwest one-quarter (NW¼) of said Section 4, run N 01° 21' 19" W along the West line of said Northwest quarter (NW¼) for 551.76 feet; thence run N 88° 38' 41" E for 26.62 feet to the Point of Beginning.

### Centerline 1

From said Point of Beginning run N 50° 30' 28" E for 73.00 feet to a point designated "A" on a non-tangent curve; thence run southeasterly along said arc of a curve to the left of radius 115.00 feet (chord bearing S 60° 32' 09" E) (chord 69.37 feet) (delta 35° 06' 38") for 70.47 feet to a point of compound curvature; thence run easterly along said arc of a curve to the left of radius 1892.76 feet (chord bearing S 85° 51' 55" E) (chord 512.05 feet) (delta 15° 32' 53") for 513.63 feet to a point designated "B" and a point of tangency; thence run N 86° 21' 39" E for 73.48 feet to a point of curvature; thence run northeasterly along said arc of a curve to the left of radius 298.00 feet (chord bearing N 64° 28' 18" E) (chord 222.20 feet) (delta 43° 46' 42"), passing through point designated "I" at 84.42 feet, for 227.69 feet to a point of reverse curvature; thence run northeasterly along said arc of a curve to the right of radius 177.00 feet (chord bearing N 61° 50' 54" E) (chord 116.80 feet) (delta 38° 31' 54") for 119.03 feet to a point of reverse curvature; thence run northeasterly along said arc of a curve to the left of radius 194.94 feet (chord bearing N 54° 47' 07" E) (chord 172.93 feet) (delta 52° 39' 29") for 179.16 feet to a point on a non-tangent line; thence run N 32° 35' 20" E for 69.26 feet passing through point designated "C" at 37.57 feet to a point on a non-tangent curve; thence run northeasterly along said arc of a curve to the right of radius 165.00 feet (chord bearing N 38° 10' 21" E) (chord 31.90 feet) (delta 11° 05' 35") for 31.95 feet to a point of reverse

**Exhibit "C"**

Page 5 of 9

CHAIRMAN  
FORREST H. BANKS

PRESIDENT  
STEVEN K. MORRISON

PARTNERS  
GARY R. BULL  
DAN W. DICKEY  
JOSEPH W. EBNER  
ARCHIE T. GRANT, JR.  
KENTON R. KEILING  
W. DAVID KEY, JR.  
W. BRITT POMEROY  
ANDREW D. TILTON  
KEVIN M. WINTER

ASSOCIATES  
CHRISTOPHER D. HAGAN  
PATRICIA H. NEWTON  
MARK G. WENTZEL

CONSULTANT  
LESTER L. BULSON

0R3008 Pg 1608



DK3008 Pg 1609

**Exhibit "C"**Page 6 of 9

curvature; thence run northeasterly along said arc of a curve to the left of radius 483.00 feet (chord bearing N 39° 17' 23" E) (chord 74.60 feet) (delta 08° 51' 30") for 74.68 feet to a point of compound curvature; thence run northerly along said arc of a curve to the left of radius 83.00 feet (chord bearing N 06° 48' 24" E) (chord 78.07 feet) (delta 56° 06' 28") for 81.28 feet to a point on a non-tangent line; thence run N 18° 20' 10" W for 95.40 feet to a point on a non-tangent curve; thence run northwesterly along said arc of a curve to the left of radius 93.00 feet (chord bearing N 58° 53' 02" W) (chord 58.93 feet) (delta 36° 56' 33") for 59.96 feet to a point of tangency; thence run N 77° 21' 19" W for 99.47 feet to a point of curvature; thence run westerly along said arc of a curve to the right of radius 72.00 feet (chord bearing N 67° 21' 19" W) (chord 25.00 feet) (delta 19° 59' 59") for 25.13 feet to a point of tangency; thence run N 57° 21' 20" W for 43.55 feet to a point designated "D" and a point on a non-tangent curve; thence run northerly along said arc of a curve to the right of radius 69.00 feet (chord bearing N 12° 21' 20" W) (chord 97.59 feet) (delta 90° 00' 38") for 108.40 feet to a point on a non-tangent line; thence run N 32° 38' 40" E for 43.55 feet to a point of curvature; thence run northeasterly along said arc of a curve to the right of radius 72.00 feet (chord bearing N 42° 38' 41" E) (chord 25.01 feet) (delta 20° 00' 01") for 25.13 feet to a point of tangency; thence run N 52° 38' 41" E for 117.69 feet to a point designated "E" and the end of Centerline 1.

AND

Centerline 2

Beginning at said point designated "A" run northerly along an arc of a curve to the right of radius 115.00 feet (chord bearing N 22° 10' 05" W) (chord 81.72 feet) (delta 41° 37' 32") for 83.55 feet to a point of tangency; thence run N 01° 21' 19" W for 610.08 feet passing through a point designated "F" at 445.70 feet to a point of curvature; thence run northerly along said arc of a curve to the right of radius 271.00 feet (chord bearing N 12° 13' 55" E) (chord 127.33 feet) (delta 27° 10' 27") for 128.53 feet to a point of compound curvature; thence run northeasterly along said arc of a curve to the right of radius 707.00 feet (chord bearing N 38° 35' 41" E) (chord 312.68 feet) (delta 25° 33' 04") for 315.29 feet passing through point designated "G" at 137.23 feet and point designated "H" at 242.21 feet to the end of Centerline 2.

AND

063008 Pg 1610

**Exhibit "C"**Page 7 of 9Centerline 3

From said point designated "B" run Southwesterly along an arc of a curve to the right of radius 1892.76 feet (chord bearing S 86° 23' 01" W) (chord 1.51 feet) (delta 00 02' 44") for 1.51 feet to the Point of Beginning.

From said Point of Beginning run N 00° 09' 42" E for 29.46 feet; thence run N 30° 12' 01" W for 128.64 feet; thence run N 00° 47' 03" W for 63.83 feet to the end of Centerline 3.

AND

Centerline 4

Beginning at said point designed "C" run N 58° 50' 31" W for 161.59 feet; thence run N 62° 11' 01" W for 110.87 feet; thence run N 57° 55' 38" W for 107.98 feet to the end of Centerline 4.

AND

Centerline 5

Beginning at said point designated "C" run S 57° 22' 26" E for 35.80 feet; thence run S 15° 26' 51" E for 37.21 feet to a point on a non-tangent curve; thence run southeasterly along an arc of a curve to the right of radius 217.50 feet (chord bearing S 52° 15' 39" E) (chord 31.15 feet) (delta 08° 12' 42") for 31.17 feet to a point of tangency; thence run S 48° 09' 18" E for 36.65 feet; thence run S 37° 36' 42" E for 37.46 feet; thence run S 68° 11' 41" E for 43.42 feet to a point on a non-tangent curve; thence run southeasterly along an arc of a curve to the right of radius 560.50 feet (chord bearing S 28° 15' 02" E) (chord 121.21 feet) (delta 12° 24' 52") for 121.45 feet to a point on a non-tangent line; thence run S 16° 46' 34" E for 16.76 feet; thence run S 12° 19' 43" E for 11.81 feet to an intersection with the northerly line of Tract "M" (Healthpark Circle) said Healthpark Florida West and the end of Centerline 5.

AND

Centerline 6

Beginning at said point designated "F" run N 88° 38' 41" E for 9.73 feet; thence run S 59° 29' 53" E for 25.90 feet; thence run N 88° 38' 41" E for 83.58 feet to a point of curvature; thence run easterly along an arc of a curve to the right of radius 163.00 feet (chord bearing S 78° 28' 23" E) (chord 72.68 feet) (delta 25° 45' 52") for 73.30 feet to a point on a non-tangent line; thence run S 65° 35' 36" E for 47.31 feet; thence run N 77° 38' 41" E for 10.99 feet to the end of Centerline 6.

AND

Centerline 7

Beginning at point designated "G" run N 52° 41' 58" W for 68.38 feet to a point of curvature; thence run Northwesterly along said arc of a curve to the right of radius 148.00 feet

(chord bearing N 27° 17' 16" W) (chord 129.44 feet) (delta 51° 51' 54") for 133.97 feet to a point of tangency; thence run N 01° 21' 19" W for 970.38 feet; thence run N 88° 52' 33" E for 178.80 feet to a point of curvature; thence run Northeasterly along said arc of a curve to the left of radius 831.00 feet (chord bearing N 66° 31' 06" E) (chord 632.20 feet) (delta 44° 42' 53") for 648.53 feet to a point of reverse curvature; thence run Northeasterly along said arc of a curve to the right of radius 689.00 feet (chord bearing N 52° 51' 41" E) (chord 208.45 feet) (delta 17° 24' 04") for 209.25 feet to a point of tangency; thence run N 61° 33' 43" E for 35.90 feet to an intersection with the southwesterly line of Tract "T" said Phase 1-F Healthpark Florida West and the end of Centerline 7.

AND

Centerline 8

Beginning at point designated "H" run S 44° 33' 07" E for 7.77 feet; thence run S 31° 53' 51" E for 28.13 feet; thence run S 04° 15' 07" W for 15.74 feet; thence run S 37° 21' 20" E for 199.23 feet; thence run S 47° 21' 20" E for 12.50 feet; thence run S 57° 21' 20" E for 148.07 feet; thence run N 76° 45' 14" E for 18.49 feet to the end of Centerline 8.

AND

Centerline 9

Beginning at point designated "I" run Southeasterly along an arc of a curve to the right of radius 1540.73 feet (chord bearing S 18° 15' 55" E) (chord 95.51 feet) (delta 03° 33' 08") for 95.52 feet to a point of reverse curvature; thence run Southeasterly along said arc of a curve to the left of radius 143.00 feet (chord bearing S 24° 35' 47" E) (chord 40.33 feet) (delta 16° 12' 52") for 40.47 feet to a point designated "J" and a point of reverse curvature; thence run Southeasterly along said arc of a curve to the right of radius 263.00 feet (chord bearing S 02° 14' 33" W) (chord 301.30 feet), passing through point designated "K" at 258.72 feet, for 320.82 feet to a point of compound curvature; thence run Northwesterly along said arc of a curve to the right of radius 131.20 feet (chord bearing S 79° 01' 48" W) (chord 175.04 feet) (delta 83° 40' 57") for 191.62 feet to a point of reverse curvature; thence run Northwesterly along said arc of a curve to the left of radius 313.00 feet (chord bearing N 83° 14' 28" W) (chord 255.74 feet) (delta 48° 13' 27"), passing through point designated "L" at 253.21 feet, for 263.44 feet to a point of compound curvature; thence run Southwesterly along said arc of a curve to the left of radius 89.00 feet (chord bearing S 44° 27' 40" W) (chord 84.08 feet) (delta 56° 22' 18"), passing through point

**Exhibit "C"**Page 8 of 9

063008 Pg 1611

063008 P61612

designated "M" at 58.47 feet, for 87.56 feet to a point of reverse curvature; thence run Southwesterly along said arc of a curve to the right of radius 167.00 feet (chord bearing S 31° 19' 14" W) (chord 86.70 feet) (delta 30° 05' 27") for 87.71 feet, and from said point designated "J" run S 57° 36' 56" W for 43.07 feet, and from said point designated "K" run N 65° 26' 19" W for 92.39 feet, and from said point designated "L" run N 51° 38' 35" W for 40.77 feet, and from said point designated "M" run N 59° 45' 44" W for 34.02 feet to the end of Centerline 9.

Parcel A

From said point designated "D" run Northwesterly along an arc of a curve to the right of radius 69.00 feet (chord bearing N 52° 58' 43" W) (chord 10.54 feet) (delta 08° 45' 53") for 10.56 feet; thence run S 45° 33' 34" W for 10.02 feet to the Point of Beginning.

From said Point of Beginning continue S 45° 33' 34" W for 8.01 feet to a point on a non-tangent curve; thence run Northwesterly along said arc of a curve to the right of radius 87.00 feet (chord bearing N 44° 26' 26" W) (chord 10.00 feet) (delta 06° 35' 22") for 10.01 feet to a point on a non-tangent line; thence run N 45° 33' 34" E for 8.01 feet to a point on a non-tangent curve to the left of radius 79.00 feet (chord bearing S 44° 26' 26" E) (chord 10.00 feet) (delta 07° 15' 27") for 10.01 feet to the Point of Beginning.

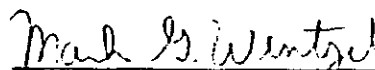
AND

Parcel B

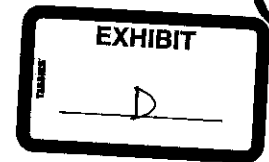
From said point designated "E" run N 37° 21' 19" W for 10.00 feet to the Point of Beginning.

From said Point of Beginning run S 52° 38' 41" W for 10.00 feet; thence run N 37° 21' 19" W for 11.00 feet; thence run N 52° 38' 41" E for 10.00 feet; thence run S 37° 21' 19" E for 11.00 feet to the Point of Beginning.

Bearings hereinabove mentioned are based on the West line of the Northwest quarter (NW¼) of Section 4, Township 46 South, Range 24 East, as shown on the plat of Healthpark Florida West as recorded in Plat Book 47 at Pages one through nine, Lee County Records, to bear N 01° 21' 19" W.

**Exhibit "C"**Page 9 of 9


Mark G. Wentzel (For The Firm)  
Professional Land Surveyor  
Florida Certificate No. 5247



August 5, 2005  
**PROPOSED**  
**VARIED WIDTH LEE COUNTY UTILITY EASEMENT**  
**PARCEL LYING IN**  
**SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST**  
**LEE COUNTY, FLORIDA**

**VARIED WIDTH LEE COUNTY UTILITY EASEMENT**

A parcel of land lying in Section 33, Township 45 South, Range 24 East, Lee County, Florida, being more particularly described as follows:

Beginning at the Southwest Corner of Lot 9, as recorded in the Plat Health Park Florida west, as recorded in Plat Book 53, pages 81 through 90, Lee County Records, said point also being the POINT OF BEGINNING run  
 South 28°26'16" East, for a distance of 100.00 feet;  
 Thence South 61°33'44" West, for a distance of 27.65 feet;  
 Thence South 28°26'16" East, for a distance of 10.00 feet to the point of intersection with a non-tangent curve;  
 Thence run southwesterly along an arc of a curve to the right of radius 110.00 feet (delta 05°55'56") (chord bearing South 64°26'16" West) (chord 11.38 feet) for a distance of 11.39 feet;  
 Thence South 67°24'14" West, for a distance of 111.86 feet to a point of curvature;  
 Thence run southwesterly along an arc of a curve to the left of radius 632.00 feet (delta 05°50'57") (chord bearing South 64°28'46" West) (chord 64.49 feet) for a distance of 64.52 feet;  
 Thence South 61°33'17" West, for a distance of 93.54 feet;  
 Thence South 60°04'19" West, for a distance of 14.94 feet;  
 Thence South 28°26'16" East, for a distance of 24.84 feet;  
 Thence South 61°33'44" West, for a distance of 35.00 feet;  
 Thence North 28°26'16" West, for a distance of 83.95 feet;  
 Thence North 60°04'19" East, for a distance of 54.75 feet to a point of curvature; Thence run northeasterly along an arc of a curve to the left of radius 432.00 feet (delta 14°53'19") (chord bearing North 52°37'40" East) (chord 111.94 feet) for a distance of 112.26 feet to a point of reverse curvature; Thence run northeasterly along an arc of a curve to the right of radius 668.00 feet (delta 15°32'35") (chord bearing North 52°57'18" East) (chord 180.66 feet) for a distance of 181.21 feet; Thence North 60°43'35" East, for a distance of 10.74 feet;  
 Thence South 47°48'20" East, for a distance of 10.55 feet to the POINT OF BEGINNING.

Containing 31,337 square feet or 0.719 acres, more or less.

Bearings shown hereon are based on the Plat of Phase I-F, HealthPark Florida West as recorded in Plat Book 53, pages 81-90, in Lee County Public Records, wherein the south line of Tract "T" bears South 61°33'44" West.

MICHAEL A. WARD (FOR THE FIRM LB-642) PROFESSIONAL SURVEYOR  
 AND MAPPER FLORIDA CERTIFICATE NO. 5301  
 DATE SIGNED: 8/5/05  
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A  
 FLORIDA LICENSED SURVEYOR AND MAPPER



August 5, 2005  
DESCRIPTION

**UTILITY EASEMENT (20 FEET WIDE)  
HEALTHPARK FLORIDA WEST  
SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST  
AND SECTION 4, TOWNSHIP 46 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA**

A strip of land 20 feet wide lying in Section 33, Township 45 South, Range 24 East and Section 4, Township 46 South, Range 24 East, Lee County, Florida being a part of Tract "G" as shown on the Plat of HealthPark Florida West as recorded in Plat Book 47 at Pages 1 through 9, Public Records of Lee County, Florida, which strip of land is described as follows:

From the southwest corner of Tract "U" as shown on the Plat of Phase I-F, HealthPark Florida West as recorded in Plat Book 53 at Pages 81 through 90, Public Records of Lee County, Florida, run North 28°26'16" West along the southwesterly line of said Tract "U" and southwesterly line of Tract "T" as shown on said plat for a distance of 38.21 feet to the POINT OF BEGINNING.

From said POINT OF BEGINNING run South 60°04'19" West, for a distance of 53.17 feet to a point of curvature; thence run southwesterly along an arc of a curve to the left of radius 674.00 feet (delta 15°55'07") (chord bearing South 52°06'46" West) (chord 186.66 feet) for a distance of 187.26 feet to a point of reverse curvature; thence run southwesterly along an arc of a curve to the right of radius 846.00 feet (delta 44°43'48") (chord bearing South 66°31'06" West) (chord 643.82 feet) for a distance of 660.46 feet;

thence South 88°52'33" West, for a distance of 39.78 feet;  
thence South 43°52'06" West, for a distance of 66.51 feet;

thence South 01°21'46" East, for a distance of 333.57 feet to a point of curvature;

thence run southerly along an arc of a curve to the left of radius 115.00 feet (delta 41°27'07")

(chord bearing South 22°05'20" East) (chord 81.40 feet) for a distance of 83.20 feet to the point of intersection with a non-tangent curve; thence run southwesterly along an arc of a curve to the right of radius 110.00 feet (delta 28°17'57") (chord bearing South 56°39'06" West) (chord 53.78 feet) for a distance of 54.33 feet;

thence South 70°48'05" West, for a distance of 38.82 feet to a point of curvature; thence run southwesterly along an arc of a curve to the left of radius 40.00 feet (delta 72°09'24") (chord bearing South 34°43'23" West) (chord 47.11 feet) for a distance of 50.37 feet;

thence South 01°21'19" East, for a distance of 103.94 feet;

thence South 88°38'41" West, for a distance of 20.00 feet;

thence North 01°21'19" West, for a distance of 103.94 feet to a point of curvature;

thence run northeasterly along an arc of a curve to the right of radius 60.00 feet (delta 72°09'24")

(chord bearing North 34°43'23" East) (chord 70.67 feet) for a distance of 75.56 feet;

thence North 70°48'05" East, for a distance of 38.82 feet to a point of curvature;

thence run northeasterly along an arc of a curve to the left of radius 90.00 feet (delta 17°33'04") (chord bearing North 62°01'33" East) (chord 27.46 feet) for a distance of 27.57 feet to the point of intersection with a non-tangent curve; thence run northerly along an arc of a curve to the right of radius 135.00 feet (delta 32°52'26")

(chord bearing North 17°47'58" West) (chord 76.40 feet) for a distance of 77.46 feet;

thence North 01°21'46" West, for a distance of 341.90 feet;

thence North 43°52'06" East, for a distance of 83.13 feet;

thence North 88°52'33" East, for a distance of 48.29 feet to the point of intersection with a non-tangent curve;

thence run northeasterly along an arc of a curve to the left of radius 826.00 feet (delta 44°42'53")

(chord bearing North 66°30'39" East) (chord 628.39 feet) for a distance of 644.62 feet to a point of reverse curvature; thence run northeasterly along an arc of a curve to the right of radius 694.00 feet (delta 15°55'07")

(chord bearing North 52°06'46" East) (chord 192.20 feet) for a distance of 192.82 feet;

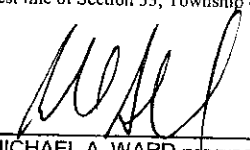
thence North 60°04'19" East, for a distance of 53.69 feet;

thence South 28°26'16" East, for a distance of 20.01 feet to the POINT OF BEGINNING.

Containing 33,592.19 square feet or 0.7712 acres, more or less.

SUBJECT TO easements, restrictions and reservations of record.

Bearings hereinabove mentioned are based on the Plat of HealthPark Florida West as recorded in Plat Book 47 at Pages 1 through 9, Public Records of Lee County, Florida wherein the west line of Section 33, Township 45 South, Range 24 East bears North 01° 02' 04" West.

  
MICHAEL A. WARD (FOR THE FIRM LB-642) PROFESSIONAL SURVEYOR  
AND MAPPER FLORIDA CERTIFICATE NO. 5201  
DATE SIGNED: 8/5/05  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A  
FLORIDA LICENSED SURVEYOR AND MAPPER

# NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF HEALTHPARK FLORIDA WEST AS RECORDED IN PLAT BOOK 47, PAGES 1-9, IN LEE COUNTY PUBLIC RECORDS, WHEREIN THE WEST LINE OF SECTION 33, TWP. 45 SOUTH, RGE. 24 EAST BEARS N01°02'04"W.
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. POB = POINT OF BEGINNING
4. DESCRIPTION ATTACHED.

- (1) HEALTHPARK FLORIDA WEST  
PLAT BOOK 47, PAGES 1-9
- (2) PHASE 1-F, HEALTHPARK FLORIDA WEST  
PLAT BOOK 53, PAGES 81-90

0 50 100 200  
1" = 200'

N 01°02'04" W

SW CORNER  
SECTION 33

PROPOSED 20'  
UTILITY EASEMENT

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N28°26'16"W	38.21
L2	S60°04'19"W	53.17
L3	S88°52'33"W	39.78
L4	S43°52'06"W	66.51
L5	S01°21'46"E	333.57
L6	S70°48'05"W	38.82
L7	S01°21'19"E	103.94
L8	S88°38'41"W	20.00
L9	N01°21'19"W	103.94
L10	N70°48'05"E	38.82
L11	N01°21'46"W	341.90
L12	N43°52'06"E	83.13
L13	N88°52'33"E	48.29
L14	N60°04'19"E	53.69
L15	S28°26'16"E	20.01

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	674.00	15°55'07"	S52°06'46"W	186.66	187.26
C2	846.00	44°43'48"	S66°31'06"W	643.82	660.46
C3	115.00	41°27'07"	S22°05'20"E	81.40	83.20
C4	110.00	28°17'57"	S56°39'06"W	53.78	54.33
C5	40.00	72°09'24"	S34°43'23"W	47.11	50.37
C6	60.00	72°09'24"	N34°43'23"E	70.67	75.56
C7	90.00	17°33'04"	N62°01'33"E	27.46	27.57
C8	135.00	32°52'26"	N17°47'58"W	76.40	77.46
C9	826.00	44°42'53"	N66°30'39"E	628.39	644.62
C10	694.00	15°55'07"	N52°06'46"E	192.20	192.82

THIS IS NOT A SURVEY

MICHAEL A. WARD (FOR THE FIRM LB-642)  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5301

DATE SIGNED: 8/5/05  
NOT VALID WITHOUT THE SIGNATURE AND THE  
ORIGINAL RAISED SEAL OF A FLORIDA LICENSED  
SURVEYOR AND MAPPER.

**JOHNSON**  
ENGINEERING

2158 JOHNSON STREET  
P.O. BOX 1550  
FORT MYERS, FLORIDA 33902-1550  
PHONE (941) 334-0046  
FAX (941) 334-3661  
E.B. #642 & L.B. #642

SKETCH TO ACCOMPANY DESCRIPTION  
20' WIDE UTILITY EASEMENT

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
8/5/2005	20033872	33-45-24	1" = 200'	2 of 2



THIS INSTRUMENT PREPARED BY:

Charles J. Basinait  
Post Office Box 280  
Fort Myers, Florida 33902

**SAIL HARBOUR AT HEALTHPARK UTILITY EASEMENT EXCHANGE AGREEMENT**

This Agreement is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2005, between EH BUILDING GROUP II, SW DIVISION LLC, a Florida corporation, whose address is 12751 Westlinks Drive, #1, Fort Myers, Florida 33913 ("Group"); and LEE COUNTY, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902 ("County").

WHEREAS, Group is the fee simple owner of property located in Section 33, Township 45 South, Range 24 East, Lee County, Florida and more specifically described in attached Exhibit "A" ; and

WHEREAS, Group is the Developer of a project known as Sail Harbour at Healthpark ("Sail Harbour Project") which includes the property described in Exhibit "A"; and

WHEREAS, the County holds easement interests for public utility purposes over and across the property described in Exhibit "A", said easements being recorded at Official Records Book 3008, Page 1603, Official Records Book 2319, Page 4361, and Official Records Book 4237, Page 1340, Public Records of Lee County, Florida; and

WHEREAS, Group desires to develop the Sail Harbour Project in a manner that requires the relocation and reconfiguration of the public utility easements described above which encumber the property described in Exhibit "A"; and

WHEREAS, in order to facilitate the design and development of the Sail Harbour Project as proposed by Group and accommodate public utilities within the Sail Harbour Project for the benefit of the Sail Harbour Project and adjacent properties, the County is willing to relocate and reconfigure the existing public utility easements to new locations; and

WHEREAS, a principal purpose of this Agreement is to provide for an exchange of real property interests as allowed by and pursuant to Section 125.37, Florida Statutes (2004); and

WHEREAS, the purpose of this Agreement is to set forth the terms acceptable to the parties to accomplish both objectives; and

WHEREAS, the parties believe this Agreement will facilitate county utility needs and adequately serve to protect the public interest.

NOW, THEREFORE, in consideration of the covenants contained in this Agreement, Ten Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties hereto, the parties do hereby agree as follows:

1. The recitals set forth above are true and correct and incorporated into this Agreement.

2. The purpose of the Agreement is to accommodate the relocation of the public utility easements presently existing over the property described in Exhibit "A" by virtue of those certain instruments recorded in Official Records Book 3008, Page 1603, Official Records Book 2319, Page 4361, and Official Records Book 4237, Page 1340, Public Records of Lee County, Florida, while continuing to accommodate the public utility needs of the County.

3. The County has agreed to relinquish and exchange its rights in the existing public utility easements based upon Group's agreement to provide new utility easements, in the forms attached hereto as Exhibit "B," over and across the property described in said Exhibit "A." In consideration of this new public utility easement, the County shall execute and deliver to Group County Deeds in the form attached hereto as Exhibit "C" conveying its interests in the existing public utility easements to Group.

4. This Agreement was considered by the Board of County Commissioners in accordance with the requirements of Section 125.37, F.S. Group will be responsible for all recording costs and fees associated with this exchange (including but not limited to documentary stamps and costs of advertising required under Section 125.37, F.S.).

5. The parties understand and agree that no impact fee credits will be issued to Group, or any other party, for the new public utility easements described in Exhibit "B".

6. Group covenants and agrees that the new public utility easements described in Exhibit "B" will be shown on any future plat of the property.

7. This Agreement will be construed in accordance with the laws of the State of Florida. The venue for any action arising from this Agreement lies in Lee County, Florida.

8. The parties agree that the rights and obligations provided to the Group under this Agreement are freely assignable to a purchaser for value.

9. This Agreement, including all exhibits, constitutes the entire agreement of the parties and may be modified only by a written instrument executed with the same formality.

10. This exchange must be completed with all necessary documents recorded in the Public Records of Lee County on or before October 31, 2005, otherwise this Agreement will terminate and be of no further force and effect.

11. The County hereby authorizes the Chairman of the Board of County Commissioners, or his designee, to accept and execute all documents on behalf of the County and to do all other things prudent and necessary to effectuate the terms of this Agreement and the exchange of real property interests contemplated herein.

12. This Agreement is binding upon and inures to the benefit of the parties, their successors and assigns.

\_\_\_\_\_  
Witness Signature EH GROUP II, SW DIVISION LLC, a  
Florida corporation

\_\_\_\_\_  
Printed Name By: \_\_\_\_\_  
name: \_\_\_\_\_  
Its \_\_\_\_\_

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Printed Name

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing Agreement was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2005 by \_\_\_\_\_ as \_\_\_\_\_ of EH Building Group II, SW Division LLC. He is personally known to me or has produced the following identification \_\_\_\_\_.

My Commission Expires:

\_\_\_\_\_  
Notary Public

ATTEST:

CHARLIE GREEN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

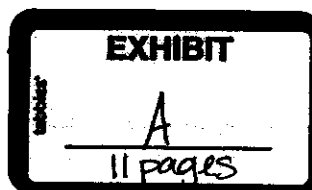
By: \_\_\_\_\_  
Chairman

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Office of County Attorney

Attachments:

- Exhibit A - Legal Descriptions of Existing Public Utility Easement Areas
- Exhibit B - New Utility Easements and Legal Descriptions
- Exhibit C - County Deeds



August 12, 2003

DESCRIPTION

**UTILITY EASEMENT  
HEALTHPARK FLORIDA WEST  
SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA**

A tract or parcel of land lying in Section 33, Township 45 South, Range 24 East, Lee County, Florida being a part of Tract "T" as shown on the Plat of Phase I-F, HealthPark Florida West as recorded in Plat Book 53 at Pages 81 through 90, Public Records of Lee County, Florida, and a part of Tract "G" as shown on the Plat of HealthPark Florida West as recorded in Plat Book 47 at Pages 1 through 9 said Public Records which tract or parcel is described as follows:

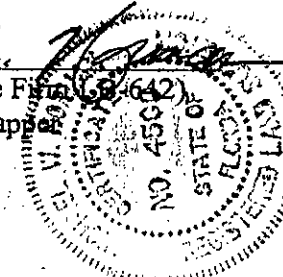
From the northwest corner of said Tract "T" (HealthPark Circle) 100.00 feet wide, run N 61° 33' 44" E along the north line of said Tract "T", being the northerly right-of-way line of HealthPark Circle for 308.76 feet; thence run S 28° 26' 16" E departing said north right-of-way line for 100.00 feet to an intersection with the southerly right-of-way line of said HealthPark Circle, being the south line of said Tract "T"; thence run S 61° 33' 44" W along the south line of said Tract "T" and its westerly prolongation for 323.18 feet; thence run S 28° 26' 16" E for 20.00 feet; thence run S 61° 33' 44" W for 35.00 feet; thence run N 28° 26' 16" W for 120.00 feet to an intersection with the westerly prolongation of the north line of said Tract "T"; thence run N 61° 33' 44" E along said prolongation for 49.42 feet to the Point of Beginning

Parcel contains 36,518 square feet, more or less.

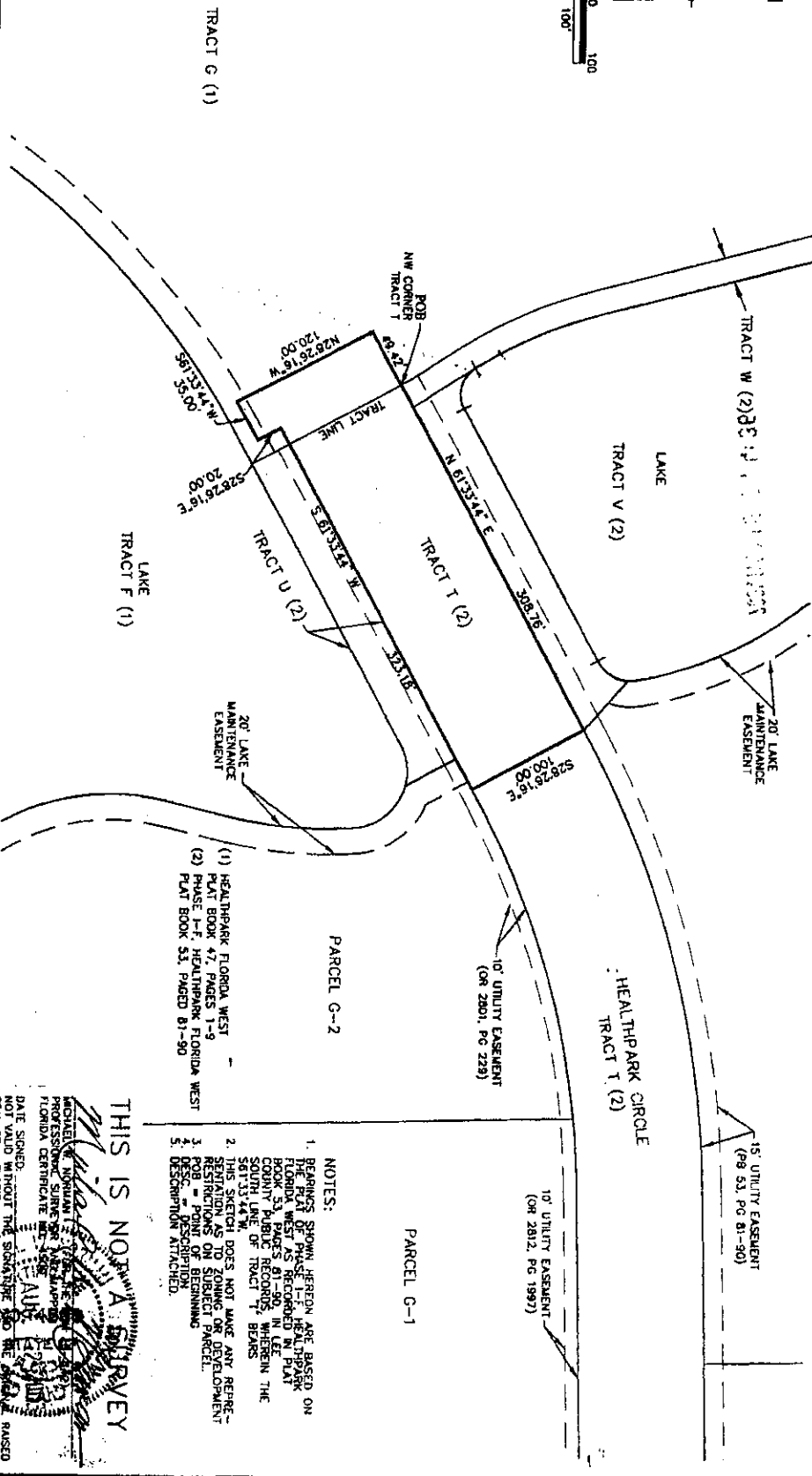
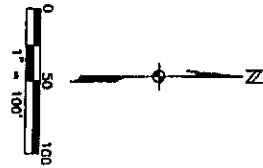
~~SUBJECT TO easements, restrictions and reservations of record.~~

Bearings hereinabove mentioned are based on the Plat of Phase I-F, HealthPark Florida West as recorded in Plat Book 53 at Pages 81 through 90, Public Records of Lee County, Florida wherein the south line of Tract "T" bears S 61° 33' 44" W.

*Michael W. Norman*  
Michael W. Norman (For The Firm 68-642)  
Professional Surveyor and Mapper  
Florida Certificate No. 4500



20033872/Utility Easement 081203



(1) HEATHPARK FLORIDA WEST  
PLAT BOOK 47, PAGES 1-9  
(2) PHASE 1-F, HEATHPARK FLORIDA WEST  
PLAT BOOK 53, PAGES 81-90

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF PHASE 1-1, HEALTHY PARK FLORIDA WEST AS RECORDED IN PLAT BOOK 35, PAGES 61-90, IN THE COUNTY OF BROWARD, WITHIN THE SOUTH LINE OF TRACT 1, BEARS 56133.14 N.
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. POB = POINT OF BEGINNING
4. DESC. = DESCRIPTION ATTACHED.

PARCEL G-1

UTILITY EASEMENT  
HEALTHPARK, FLORIDA WEST  
(PLAT BOOK 53, PAGES 81-90)  
SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA

**JOHNSON**  
**ENGINEERING**

2158 JOHNSON STREET  
P.O. BOX 1550  
FORT MYERS, FLORIDA 33902-1550  
PHONE (239) 334-0046  
FAX (239) 334-3661  
E.B. #642 & L.B. #642

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
07/22/03	200339862	13-45-24	1" = 100'	1 OF 1

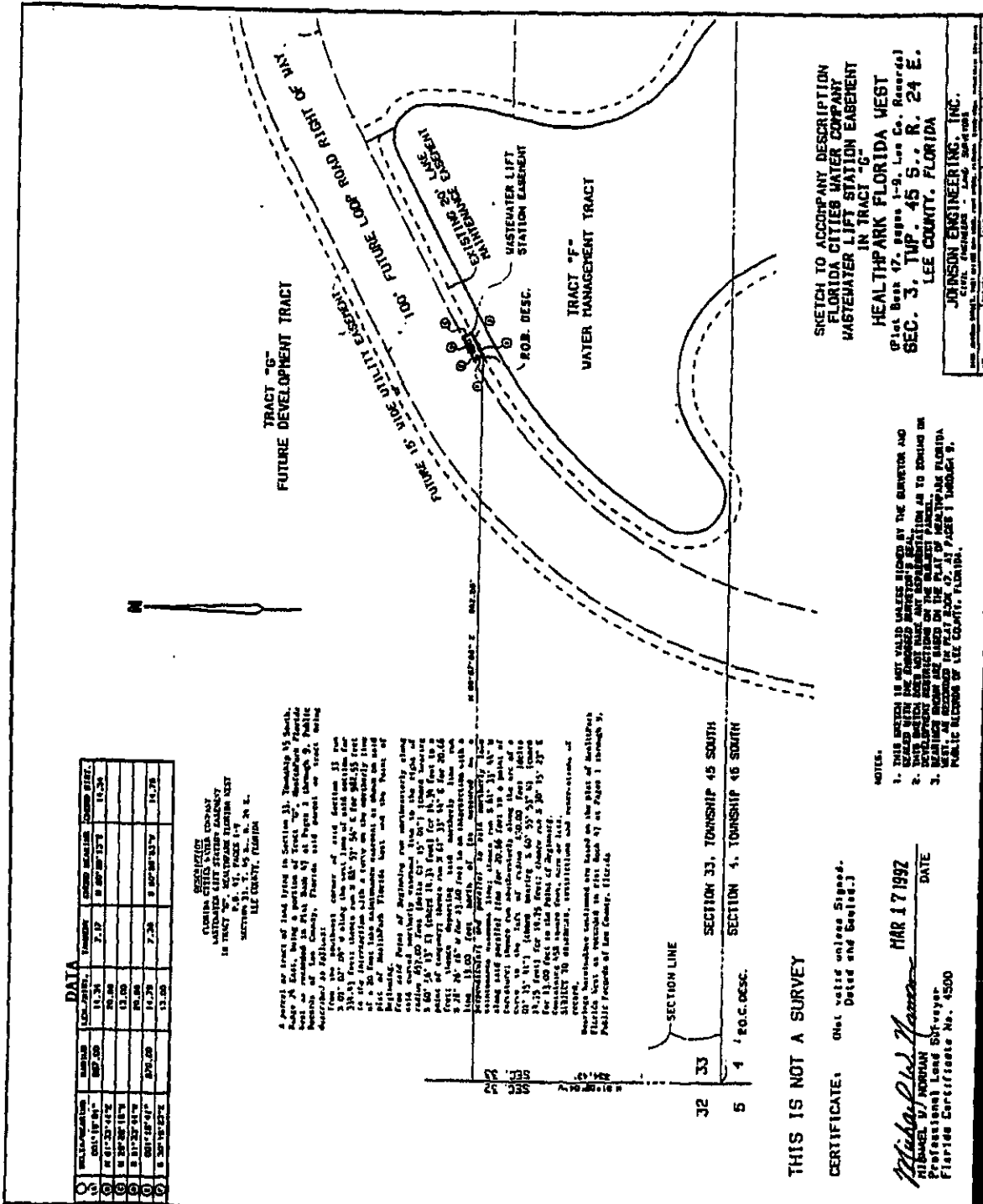
THIS IS NOT A SURVEY

*Michael J. Nounan*

MICHAEL J. NOUNAN  
PROFESSIONAL SURVEYOR  
FLORIDA CERTIFICATE NO. 13505

DATE SIGNED: 11/11/2011  
NOT VALID WITHOUT THE SIGNATURE AND  
SEAL OF A FLORIDA LICENSED SURVEYOR

RAISED



## EXHIBIT "B"

OR2319 Pg4364

## JOHNSON ENGINEERING, INC.

CIVIL ENGINEERS AND LAND SURVEYORS

February 26, 1992

2136 JOHNSON STREET  
TELEPHONE (813) 334-0046  
TELECOPIER (813) 334-3661  
POST OFFICE BOX 1550  
FORT MYERS, FLORIDA  
33902-1550

CARLE E. JOHNSON  
1911-1968

DESCRIPTION  
FLORIDA CITIES WATER COMPANY  
WASTEWATER LIFT STATION EASEMENT  
IN TRACT "G", HEALTHPARK FLORIDA WEST  
P.B. 47, PAGES 1-9  
SECTION 33, T. 45 S., R. 24 E.  
LEE COUNTY, FLORIDA

A parcel or tract of land lying in Section 33, Township 45 South, Range 24 East, being a portion of Tract "G", HealthPark Florida West as recorded in Plat Book 47 at Pages 1 through 9, Public Records of Lee County, Florida said parcel or tract being described as follows:

From the southwest corner of said Section 33 run N 01° 02' 04" W along the west line of said section for 334.43 feet; thence run N 88° 57' 56" E for 982.55 feet to the intersection with a curve on the northerly line of a 20 foot lake maintenance easement as shown on said plat of HealthPark Florida West and the Point of Beginning.

From said Point of Beginning run northeasterly along said curved northerly easement line to the right of radius 657.00 feet (delta 01° 15' 01") (chord bearing N 60° 56' 13" E) (chord 14.34 feet) for 14.34 feet to a point of tangency; thence run N 61° 33' 44" E for 20.66 feet; thence departing said northerly line run N 28° 26' 16" W for 13.00 feet to an intersection with a line 13.00 feet north of (as measured on a perpendicular) and parallel to said northerly lake maintenance easement line; thence run S 61° 33' 44" W along said parallel line for 20.66 feet to a point of curvature; thence run southwesterly along the arc of a curve to the left of radius 670.00 feet (delta 01° 15' 41") (chord bearing S 60° 55' 53" W) (chord 14.75 feet) for 14.75 feet; thence run S 30° 15' 23" E for 13.00 feet to the Point of Beginning.

Containing 458 square feet, more or less.

SUBJECT TO easements, restrictions and reservations of record.

Bearings hereinabove mentioned are based on the plat of HealthPark Florida West as recorded in Plat Book 47 at Pages 1 through 9, Public Records of Lee County, Florida

CHAIRMAN  
ARCHIE T. GRANT, JR.

PRESIDENT  
FORREST H. BANKS

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

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

CONSULTANT  
LESTER L. BULSON

MWN/pm  
17904

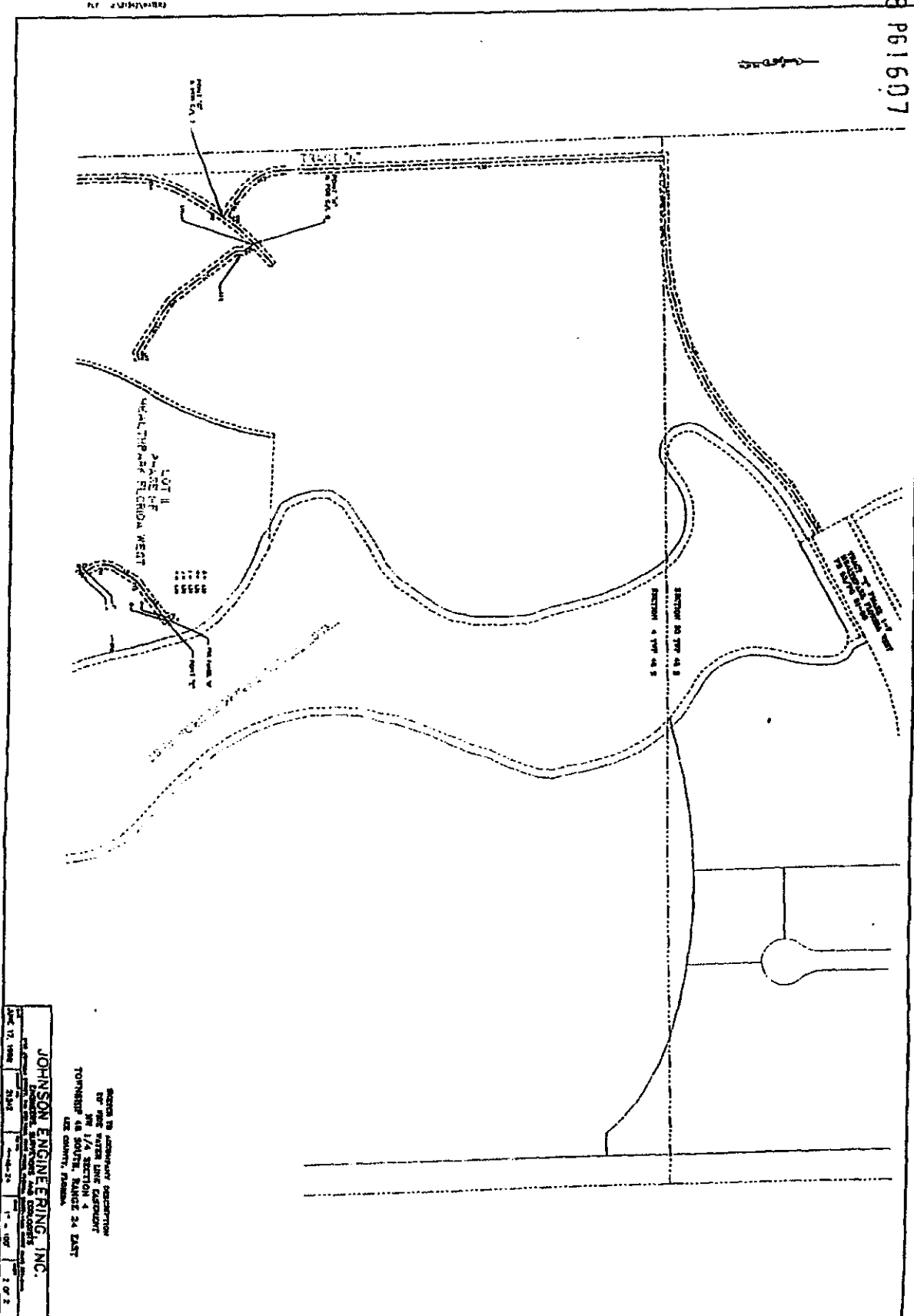
*Michael W. Norman*  
Michael W. Norman  
Professional Land Surveyor  
Florida Certificate No. 4500





**EXHIBIT "A"**  
**2 of 2**

OR3008 Pg 1607



# JOHNSON ENGINEERING, INC.

FORT MYERS  
NAPLES  
PORT CHARLOTTE

ENGINEERS, SURVEYORS AND ECOLOGISTS

June 4, 1998

EXHIBIT "B"

2158 JOHNSON STREET  
TELEPHONE (941) 334-0046  
TELECOPIER (941) 334-3661  
POST OFFICE BOX 1550  
FORT MYERS, FLORIDA  
33902-1550

CARLE JOHNSON  
1911-1968

## DESCRIPTION 20' WIDE WATER LINE EASEMENT IN HEALTHPARK FLORIDA WEST AND PHASE 1-F HEALTHPARK FLORIDA WEST NW¼ SECTION 4, TOWNSHIP 46 SOUTH, RANGE 24 EAST LEE COUNTY, FLORIDA

DR3008 PG1608

A strip of land twenty feet wide lying in tracts "K" and "G" as shown on the plat of Healthpark Florida West as recorded in Plat Book 47 at pages 1 through 9 of the Public Records of Lee County, Florida and Lot 11 as shown on the plat of Phase 1-F Healthpark Florida West as recorded in Plat Book 53 at pages 81 through 90 of said Public Records, Section 4, Township 46 South, Range 24 East, lying 10.00 feet each side of the following described centerlines:

From the Southwest corner of the Northwest one-quarter (NW¼) of said Section 4, run N 01° 21' 19" W along the West line of said Northwest quarter (NW¼) for 551.76 feet; thence run N 88° 38' 41" E for 26.62 feet to the Point of Beginning.

### Centerline 1

From said Point of Beginning run N 50° 30' 28" E for 73.00 feet to a point designated "A" on a non-tangent curve; thence run southeasterly along said arc of a curve to the left of radius 115.00 feet (chord bearing S 60° 32' 09" E) (chord 69.37 feet) (delta 35° 06' 38") for 70.47 feet to a point of compound curvature; thence run easterly along said arc of a curve to the left of radius 1892.76 feet (chord bearing S 85° 51' 55" E) (chord 512.05 feet) (delta 15° 32' 53") for 513.63 feet to a point designated "B" and a point of tangency; thence run N 86° 21' 39" E for 73.48 feet to a point of curvature; thence run northeasterly along said arc of a curve to the left of radius 298.00 feet (chord bearing N 64° 28' 18" E) (chord 222.20 feet) (delta 43° 46' 42"), passing through point designated "I" at 84.42 feet, for 227.69 feet to a point of reverse curvature; thence run northeasterly along said arc of a curve to the right of radius 177.00 feet (chord bearing N 61° 50' 54" E) (chord 116.80 feet) (delta 38° 31' 54") for 119.03 feet to a point of reverse curvature; thence run northeasterly along said arc of a curve to the left of radius 194.94 feet (chord bearing N 54° 47' 07" E) (chord 172.93 feet) (delta 52° 39' 29") for 179.16 feet to a point on a non-tangent line; thence run N 32° 35' 20" E for 69.26 feet passing through point designated "C" at 37.57 feet to a point on a non-tangent curve; thence run northeasterly along said arc of a curve to the right of radius 165.00 feet (chord bearing N 38° 10' 21" E) (chord 31.90 feet) (delta 11° 05' 35") for 31.95 feet to a point of reverse

Exhibit "A"

Page 7 of 11

CHAIRMAN  
FORREST H. BANKS

PRESIDENT  
STEVEN K. MORRISON

PARTNERS  
GARY R. BULL  
DAN W. DICKEY  
JOSEPH W. EBNER  
ARCHIE T. GRANT, JR.  
KENTON R. KEILING  
W. DAVID KEY, JR.  
W. BRITT POMEROY  
ANDREW D. TILTON  
KEVIN M. WINTER

ASSOCIATES  
CHRISTOPHER D. HAGAN  
PATRICIA H. NEWTON  
MARK G. WENTZEL

CONSULTANT  
LESTER L. BULSON

0R3008 PG 1609

Exhibit "A"

Page 8 of 11

curvature; thence run northeasterly along said arc of a curve to the left of radius 483.00 feet (chord bearing N 39° 17' 23" E) (chord 74.60 feet) (delta 08° 51' 30") for 74.68 feet to a point of compound curvature; thence run northerly along said arc of a curve to the left of radius 83.00 feet (chord bearing N 06° 48' 24" E) (chord 78.07 feet) (delta 56° 06' 28") for 81.28 feet to a point on a non-tangent line; thence run N 18° 20' 10" W for 95.40 feet to a point on a non-tangent curve; thence run northwesterly along said arc of a curve to the left of radius 93.00 feet (chord bearing N 58° 53' 02" W) (chord 58.93 feet) (delta 36° 56' 33") for 59.96 feet to a point of tangency; thence run N 77° 21' 19" W for 99.47 feet to a point of curvature; thence run westerly along said arc of a curve to the right of radius 72.00 feet (chord bearing N 67° 21' 19" W) (chord 25.00 feet) (delta 19° 59' 59") for 25.13 feet to a point of tangency; thence run N 57° 21' 20" W for 43.55 feet to a point designated "D" and a point on a non-tangent curve; thence run northerly along said arc of a curve to the right of radius 69.00 feet (chord bearing N 12° 21' 20" W) (chord 97.59 feet) (delta 90° 00' 38") for 108.40 feet to a point on a non-tangent line; thence run N 32° 38' 40" E for 43.55 feet to a point of curvature; thence run northeasterly along said arc of a curve to the right of radius 72.00 feet (chord bearing N 42° 38' 41" E) (chord 25.01 feet) (delta 20° 00' 01") for 25.13 feet to a point of tangency; thence run N 52° 38' 41" E for 117.69 feet to a point designated "E" and the end of Centerline 1.

AND

Centerline 2

Beginning at said point designated "A" run northerly along an arc of a curve to the right of radius 115.00 feet (chord bearing N 22° 10' 05" W) (chord 81.72 feet) (delta 41° 37' 32") for 83.55 feet to a point of tangency; thence run N 01° 21' 19" W for 610.08 feet passing through a point designated "F" at 445.70 feet to a point of curvature; thence run northerly along said arc of a curve to the right of radius 271.00 feet (chord bearing N 12° 13' 55" E) (chord 127.33 feet) (delta 27° 10' 27") for 128.53 feet to a point of compound curvature; thence run northeasterly along said arc of a curve to the right of radius 707.00 feet (chord bearing N 38° 35' 41" E) (chord 312.68 feet) (delta 25° 33' 04") for 315.29 feet passing through point designated "G" at 137.23 feet and point designated "H" at 242.21 feet to the end of Centerline 2.

AND

Exhibit "A"

Page 9 of 11Centerline 3

From said point designated "B" run Southwesterly along an arc of a curve to the right of radius 1892.76 feet (chord bearing S 86° 23' 01" W) (chord 1.51 feet) (delta 00 02' 44") for 1.51 feet to the Point of Beginning.

From said Point of Beginning run N 00° 09' 42" E for 29.46 feet; thence run N 30° 12' 01" W for 128.64 feet; thence run N 00° 47' 03" W for 63.83 feet to the end of Centerline 3.

AND

Centerline 4

Beginning at said point designated "C" run N 58° 50' 31" W for 161.59 feet; thence run N 62° 11' 01" W for 110.87 feet; thence run N 57° 55' 38" W for 107.98 feet to the end of Centerline 4.

AND

Centerline 5

Beginning at said point designated "C" run S 57° 22' 26" E for 35.80 feet; thence run S 15° 26' 51" E for 37.21 feet to a point on a non-tangent curve; thence run southeasterly along an arc of a curve to the right of radius 217.50 feet (chord bearing S 52° 15' 39" E) (chord 31.15 feet) (delta 08° 12' 42") for 31.17 feet to a point of tangency; thence run S 48° 09' 18" E for 36.65 feet; thence run S 37° 36' 42" E for 37.46 feet; thence run S 68° 11' 41" E for 43.42 feet to a point on a non-tangent curve; thence run southeasterly along an arc of a curve to the right of radius 560.50 feet (chord bearing S 28° 15' 02" E) (chord 121.21 feet) (delta 12° 24' 52") for 121.45 feet to a point on a non-tangent line; thence run S 16° 46' 34" E for 16.76 feet; thence run S 12° 19' 43" E for 11.81 feet to an intersection with the northerly line of Tract "M" (Healthpark Circle) said Healthpark Florida West and the end of Centerline 5.

AND

Centerline 6

Beginning at said point designated "F" run N 88° 38' 41" E for 9.73 feet; thence run S 59° 29' 53" E for 25.90 feet; thence run N 88° 38' 41" E for 83.58 feet to a point of curvature; thence run easterly along an arc of a curve to the right of radius 163.00 feet (chord bearing S 78° 28' 23" E) (chord 72.68 feet) (delta 25° 45' 52") for 73.30 feet to a point on a non-tangent line; thence run S 65° 35' 36" E for 47.31 feet; thence run N 77° 38' 41" E for 10.99 feet to the end of Centerline 6.

AND

Centerline 7

Beginning at point designated "G" run N 52° 41' 58" W for 68.38 feet to a point of curvature; thence run Northwesterly along said arc of a curve to the right of radius 148.00 feet

063008 PG 1610

Exhibit "A"

Page 10 of 11

(chord bearing N 27° 17' 16" W) (chord 129.44 feet) (delta 51° 51' 54" ) for 133.97 feet to a point of tangency; thence run N 01° 21' 19" W for 970.38 feet; thence run N 88° 52' 33" E for 178.80 feet to a point of curvature; thence run Northeasterly along said arc of a curve to the left of radius 831.00 feet (chord bearing N 66° 31' 06" E) (chord 632.20 feet) (delta 44° 42' 53") for 648.53 feet to a point of reverse curvature; thence run Northeasterly along said arc of a curve to the right of radius 689.00 feet (chord bearing N 52° 51' 41" E) (chord 208.45 feet) (delta 17° 24' 04") for 209.25 feet to a point of tangency; thence run N 61° 33' 43" E for 35.90 feet to an intersection with the southwesterly line of Tract "T" said Phase 1-F Healthpark Florida West and the end of Centerline 7.

AND

Centerline 8

Beginning at point designated "H" run S 44° 33' 07" E for 7.77 feet; thence run S 31° 53' 51" E for 28.13 feet; thence run S 04° 15' 07" W for 15.74 feet; thence run S 37° 21' 20" E for 199.23 feet; thence run S 47° 21' 20" E for 12.50 feet; thence run S 57° 21' 20" E for 148.07 feet; thence run N 76° 45' 14" E for 18.49 feet to the end of Centerline 8.

AND

Centerline 9

Beginning at point designated "I" run Southeasterly along an arc of a curve to the right of radius 1540.73 feet (chord bearing S 18° 15' 55" E) (chord 95.51 feet) (delta 03° 33' 08") for 95.52 feet to a point of reverse curvature; thence run Southeasterly along said arc of a curve to the left of radius 143.00 feet (chord bearing S 24° 35' 47" E) (chord 40.33 feet) (delta 16° 12' 52") for 40.47 feet to a point designated "J" and a point of reverse curvature; thence run Southeasterly along said arc of a curve to the right of radius 263.00 feet (chord bearing S 02° 14' 33" W) (chord 301.30 feet), passing through point designated "K" at 258.72 feet, for 320.82 feet to a point of compound curvature; thence run Northwesterly along said arc of a curve to the right of radius 131.20 feet (chord bearing S 79° 01' 48" W) (chord 175.04 feet) (delta 83° 40' 57") for 191.62 feet to a point of reverse curvature; thence run Northwesterly along said arc of a curve to the left of radius 313.00 feet (chord bearing N 83° 14' 28" W) (chord 255.74 feet) (delta 48° 13' 27"), passing through point designated "L" at 253.21 feet, for 263.44 feet to a point of compound curvature; thence run Southwesterly along said arc of a curve to the left of radius 89.00 feet (chord bearing S 44° 27' 40" W) (chord 84.08 feet) (delta 56° 22' 18"), passing through point

063008 PG 16 11

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## Exhibit "A"

Page 11 of 11

designated "M" at 58.47 feet, for 87.56 feet to a point of reverse curvature; thence run Southwesterly along said arc of a curve to the right of radius 167.00 feet (chord bearing S 31° 19' 14" W) (chord 86.70 feet) (delta 30° 05' 27") for 87.71 feet, and from said point designated "J" run S 57° 36' 56" W for 43.07 feet, and from said point designated "K" run N 65° 26' 19" W for 92.39 feet, and from said point designated "L" run N 51° 38' 35" W for 40.77 feet, and from said point designated "M" run N 59° 45' 44" W for 34.02 feet to the end of Centerline 9.

Parcel A

From said point designated "D" run Northwesterly along an arc of a curve to the right of radius 69.00 feet (chord bearing N 52° 58' 43" W) (chord 10.54 feet) (delta 08° 45' 53") for 10.56 feet; thence run S 45° 33' 34" W for 10.02 feet to the Point of Beginning.

From said Point of Beginning continue S 45° 33' 34" W for 8.01 feet to a point on a non-tangent curve; thence run Northwesterly along said arc of a curve to the right of radius 87.00 feet (chord bearing N 44° 26' 26" W) (chord 10.00 feet) (delta 06° 35' 22") for 10.01 feet to a point on a non-tangent line; thence run N 45° 33' 34" E for 8.01 feet to a point on a non-tangent curve to the left of radius 79.00 feet (chord bearing S 44° 26' 26" E) (chord 10.00 feet) (delta 07° 15' 27") for 10.01 feet to the Point of Beginning.

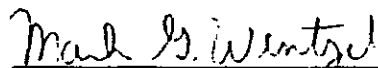
AND

Parcel B

From said point designated "E" run N 37° 21' 19" W for 10.00 feet to the Point of Beginning.

From said Point of Beginning run S 52° 38' 41" W for 10.00 feet; thence run N 37° 21' 19" W for 11.00 feet; thence run N 52° 38' 41" E for 10.00 feet; thence run S 37° 21' 19" E for 11.00 feet to the Point of Beginning.

Bearings hereinabove mentioned are based on the West line of the Northwest quarter (NW¼) of Section 4, Township 46 South, Range 24 East, as shown on the plat of Healthpark Florida West as recorded in Plat Book 47 at Pages one through nine, Lee County Records, to bear N 01° 21' 19" W.



Mark G. Wentzel (For The Firm)  
Professional Land Surveyor  
Florida Certificate No. 5247

THIS INSTRUMENT PREPARED BY:  
Charles J. Basinait  
P.O. Box 280  
Fort Myers, FL 33902-0280

**Exhibit "B"**

Page 1 of 6

---

**PERPETUAL UTILITY EASEMENT**

This indenture is made this \_\_\_\_\_ day of \_\_\_\_\_, 2005 between **EH BUILDING GROUP II, SW DIVISION LLC**, a Florida corporation, whose address is 12751 Westlinks Drive, #1, Fort Myers, Florida 33913 (Grantor), and LEE COUNTY, a political subdivision of the State of Florida, whose address is P.O. Box 398, Fort Myers, Florida 33902 (Grantee) as follows:

For good and valuable consideration, receipt of which is hereby acknowledged, Grantor grants to Grantee, its successors and assigns, a perpetual utility easement over and across that certain property more particularly described in attached Exhibit "A".

Grantor warrants that subject to existing easements, if any, for public highways, roads, railroads, laterals, ditches, pipelines and electrical transmission and/or distribution lines and telephone and cable television lines covering the land described above, Grantor is lawfully possessed of the land and has good and lawful right and power to convey, and that the property is free and clear of all liens and encumbrances except as recorded in the public records.

This easement is binding on the parties, their successors and assigns.

IN WITNESS of the above this instrument is executed.

\_\_\_\_\_  
Witness Signature

**EH BUILDING GROUP II, SW DIVISION  
LLC,  
a Florida corporation**

\_\_\_\_\_  
Printed Name

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Printed Name



**Exhibit "B"**

Page 2 of 6

STATE OF FLORIDA

COUNTY OF LEE

The foregoing Agreement was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2005 by \_\_\_\_\_ as \_\_\_\_\_ of EH Building Group II, SW Division LLC, a Florida corporation. He is personally known to me or has produced the following identification \_\_\_\_\_.

My Commission Expires:

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print/Type Name of Notary

Commission No. \_\_\_\_\_

Attachments:

Exhibit A - Legal Description and Sketch of Easement Area

August 5, 2005  
DESCRIPTION  
**UTILITY EASEMENT (20 FEET WIDE)  
HEALTHPARK FLORIDA WEST  
SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST  
AND SECTION 4, TOWNSHIP 46 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA**

A strip of land 20 feet wide lying in Section 33, Township 45 South, Range 24 East and Section 4, Township 46 South, Range 24 East, Lee County, Florida being a part of Tract "G" as shown on the Plat of HealthPark Florida West as recorded in Plat Book 47 at Pages 1 through 9, Public Records of Lee County, Florida, which strip of land is described as follows:

From the southwest corner of Tract "U" as shown on the Plat of Phase I-F, HealthPark Florida West as recorded in Plat Book 53 at Pages 81 through 90, Public Records of Lee County, Florida, run North 28°26'16" West along the southwesterly line of said Tract "U" and southwesterly line of Tract "T" as shown on said plat for a distance of 38.21 feet to the POINT OF BEGINNING.

From said POINT OF BEGINNING run South 60°04'19" West, for a distance of 53.17 feet to a point of curvature; thence run southwesterly along an arc of a curve to the left of radius 674.00 feet (delta 15°55'07") (chord bearing South 52°06'46" West) (chord 186.66 feet) for a distance of 187.26 feet to a point of reverse curvature; thence run southwesterly along an arc of a curve to the right of radius 846.00 feet (delta 44°43'48") (chord bearing South 66°31'06" West) (chord 643.82 feet) for a distance of 660.46 feet;

thence South 88°52'33" West, for a distance of 39.78 feet;

thence South 43°52'06" West, for a distance of 66.51 feet;

thence South 01°21'46" East, for a distance of 333.57 feet to a point of curvature;

thence run southerly along an arc of a curve to the left of radius 115.00 feet (delta 41°27'07")

(chord bearing South 22°05'20" East) (chord 81.40 feet) for a distance of 83.20 feet to the point of intersection

with a non-tangent curve; thence run southwesterly along an arc of a curve to the right of radius 110.00 feet

(delta 28°17'57") (chord bearing South 56°39'06" West) (chord 53.78 feet) for a distance of 54.33 feet;

thence South 70°48'05" West, for a distance of 38.82 feet to a point of curvature; thence run southwesterly

along an arc of a curve to the left of radius 40.00 feet (delta 72°09'24") (chord bearing South 34°43'23" West)

(chord 47.11 feet) for a distance of 50.37 feet;

thence South 01°21'19" East, for a distance of 103.94 feet;

thence South 88°38'41" West, for a distance of 20.00 feet;

thence North 01°21'19" West, for a distance of 103.94 feet to a point of curvature;

thence run northeasterly along an arc of a curve to the right of radius 60.00 feet (delta 72°09'24")

(chord bearing North 34°43'23" East) (chord 70.67 feet) for a distance of 75.56 feet;

thence North 70°48'05" East, for a distance of 38.82 feet to a point of curvature;

thence run northeasterly along an arc of a curve to the left of radius 90.00 feet (delta 17°33'04") (chord bearing

North 62°01'33" East) (chord 27.46 feet) for a distance of 27.57 feet to the point of intersection with a non-

tangent curve; thence run northerly along an arc of a curve to the right of radius 135.00 feet (delta 32°52'26")

(chord bearing North 17°47'58" West) (chord 76.40 feet) for a distance of 77.46 feet;

thence North 01°21'46" West, for a distance of 341.90 feet;

thence North 43°52'06" East, for a distance of 83.13 feet;

thence North 88°52'33" East, for a distance of 48.29 feet to the point of intersection with a non-tangent curve;

thence run northeasterly along an arc of a curve to the left of radius 826.00 feet (delta 44°42'53")

(chord bearing North 66°30'39" East) (chord 628.39 feet) for a distance of 644.62 feet to a point of reverse

curvature; thence run northeasterly along an arc of a curve to the right of radius 694.00 feet (delta 15°55'07")

(chord bearing North 52°06'46" East) (chord 192.20 feet) for a distance of 192.82 feet;

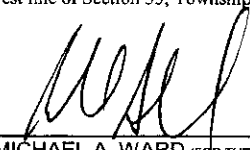
thence North 60°04'19" East, for a distance of 53.69 feet;

thence South 28°26'16" East, for a distance of 20.01 feet to the POINT OF BEGINNING.

Containing 33,592.19 square feet or 0.7712 acres, more or less.

SUBJECT TO easements, restrictions and reservations of record.

Bearings hereinabove mentioned are based on the Plat of HealthPark Florida West as recorded in Plat Book 47 at Pages 1 through 9, Public Records of Lee County, Florida wherein the west line of Section 33, Township 45 South, Range 24 East bears North 01° 02' 04" West.

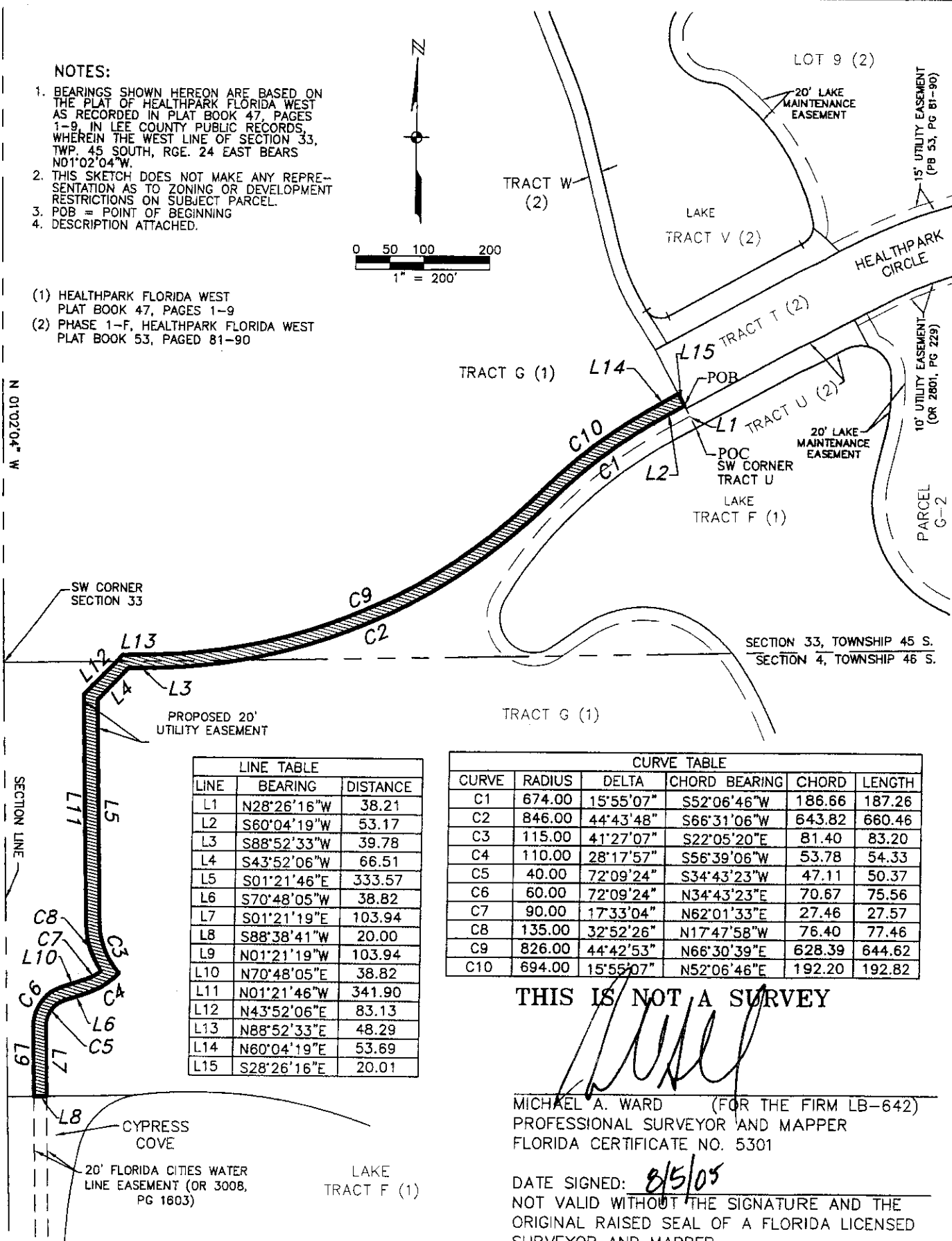
  
MICHAEL A. WARD (FOR THE FIRM LB-642) PROFESSIONAL SURVEYOR  
AND MAPPER FLORIDA CERTIFICATE NO. 5201  
DATE SIGNED: 8/5/05  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A  
FLORIDA LICENSED SURVEYOR AND MAPPER

## NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF HEALTHPARK FLORIDA WEST AS RECORDED IN PLAT BOOK 47, PAGES 1-9, IN LEE COUNTY PUBLIC RECORDS, WHEREIN THE WEST LINE OF SECTION 33, TWP. 45 SOUTH, RGE. 24 EAST BEARS N01°02'04"W.
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. POB = POINT OF BEGINNING
4. DESCRIPTION ATTACHED.

- (1) HEALTHPARK FLORIDA WEST  
PLAT BOOK 47, PAGES 1-9
- (2) PHASE 1-F, HEALTHPARK FLORIDA WEST  
PLAT BOOK 53, PAGED 81-90

0 50 100 200  
1" = 200'



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N28°26'16"W	38.21
L2	S60°04'19"W	53.17
L3	S88°52'33"W	39.78
L4	S43°52'06"W	66.51
L5	S01°21'46"E	333.57
L6	S70°48'05"W	38.82
L7	S01°21'19"E	103.94
L8	S88°38'41"W	20.00
L9	N01°21'19"W	103.94
L10	N70°48'05"E	38.82
L11	N01°21'46"W	341.90
L12	N43°52'06"E	83.13
L13	N88°52'33"E	48.29
L14	N60°04'19"E	53.69
L15	S28°26'16"E	20.01

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	674.00	15°55'07"	S52°06'46"W	186.66	187.26
C2	846.00	44°43'48"	S66°31'06"W	643.82	660.46
C3	115.00	41°27'07"	S22°05'20"E	81.40	83.20
C4	110.00	28°17'57"	S56°39'06"W	53.78	54.33
C5	40.00	72°09'24"	S34°43'23"W	47.11	50.37
C6	60.00	72°09'24"	N34°43'23"E	70.67	75.56
C7	90.00	17°33'04"	N62°01'33"E	27.46	27.57
C8	135.00	32°52'26"	N17°47'58"W	76.40	77.46
C9	826.00	44°42'53"	N66°30'39"E	628.39	644.62
C10	694.00	15°55'07"	N52°06'46"E	192.20	192.82

THIS IS NOT A SURVEY

MICHAEL A. WARD (FOR THE FIRM LB-642)  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5301

DATE SIGNED: 8/5/05  
NOT VALID WITHOUT THE SIGNATURE AND THE  
ORIGINAL RAISED SEAL OF A FLORIDA LICENSED  
SURVEYOR AND MAPPER.

**JOHNSON**  
ENGINEERING

2158 JOHNSON STREET  
P.O. BOX 1550  
FORT MYERS, FLORIDA 33902-1550  
PHONE (941) 334-0046  
FAX (941) 334-3661  
E.B. #642 & L.B. #642

SKETCH TO ACCOMPANY DESCRIPTION  
20' WIDE UTILITY EASEMENT

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
8/5/2005	20033872	33-45-24	1" = 200'	2 of 2



Exhibit "B"

Page 5 of 6

August 5, 2005  
**PROPOSED  
VARIED WIDTH LEE COUNTY UTILITY EASEMENT  
PARCEL LYING IN  
SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA**

**VARIED WIDTH LEE COUNTY UTILITY EASEMENT**

A parcel of land lying in Section 33, Township 45 South, Range 24 East, Lee County, Florida, being more particularly described as follows:

Beginning at the Southwest Corner of Lot 9, as recorded in the Plat Health Park Florida west, as recorded in Plat Book 53, pages 81 through 90, Lee County Records, said point also being the POINT OF BEGINNING run  
South 28°26'16" East, for a distance of 100.00 feet;  
Thence South 61°33'44" West, for a distance of 27.65 feet;  
Thence South 28°26'16" East, for a distance of 10.00 feet to the point of intersection with a non-tangent curve;  
Thence run southwesterly along an arc of a curve to the right of radius 110.00 feet (delta 05°55'56") (chord bearing South 64°26'16" West) (chord 11.38 feet) for a distance of 11.39 feet;  
Thence South 67°24'14" West, for a distance of 111.86 feet to a point of curvature;  
Thence run southwesterly along an arc of a curve to the left of radius 632.00 feet (delta 05°50'57") (chord bearing South 64°28'46" West) (chord 64.49 feet) for a distance of 64.52 feet;  
Thence South 61°33'17" West, for a distance of 93.54 feet;  
Thence South 60°04'19" West, for a distance of 14.94 feet;  
Thence South 28°26'16" East, for a distance of 24.84 feet;  
Thence South 61°33'44" West, for a distance of 35.00 feet;  
Thence North 28°26'16" West, for a distance of 83.95 feet;  
Thence North 60°04'19" East, for a distance of 54.75 feet to a point of curvature; Thence run northeasterly along an arc of a curve to the left of radius 432.00 feet (delta 14°53'19") (chord bearing North 52°37'40" East) (chord 111.94 feet) for a distance of 112.26 feet to a point of reverse curvature; Thence run northeasterly along an arc of a curve to the right of radius 668.00 feet (delta 15°32'35") (chord bearing North 52°57'18" East) (chord 180.66 feet) for a distance of 181.21 feet; Thence North 60°43'35" East, for a distance of 10.74 feet;  
Thence South 47°48'20" East, for a distance of 10.55 feet to the POINT OF BEGINNING.

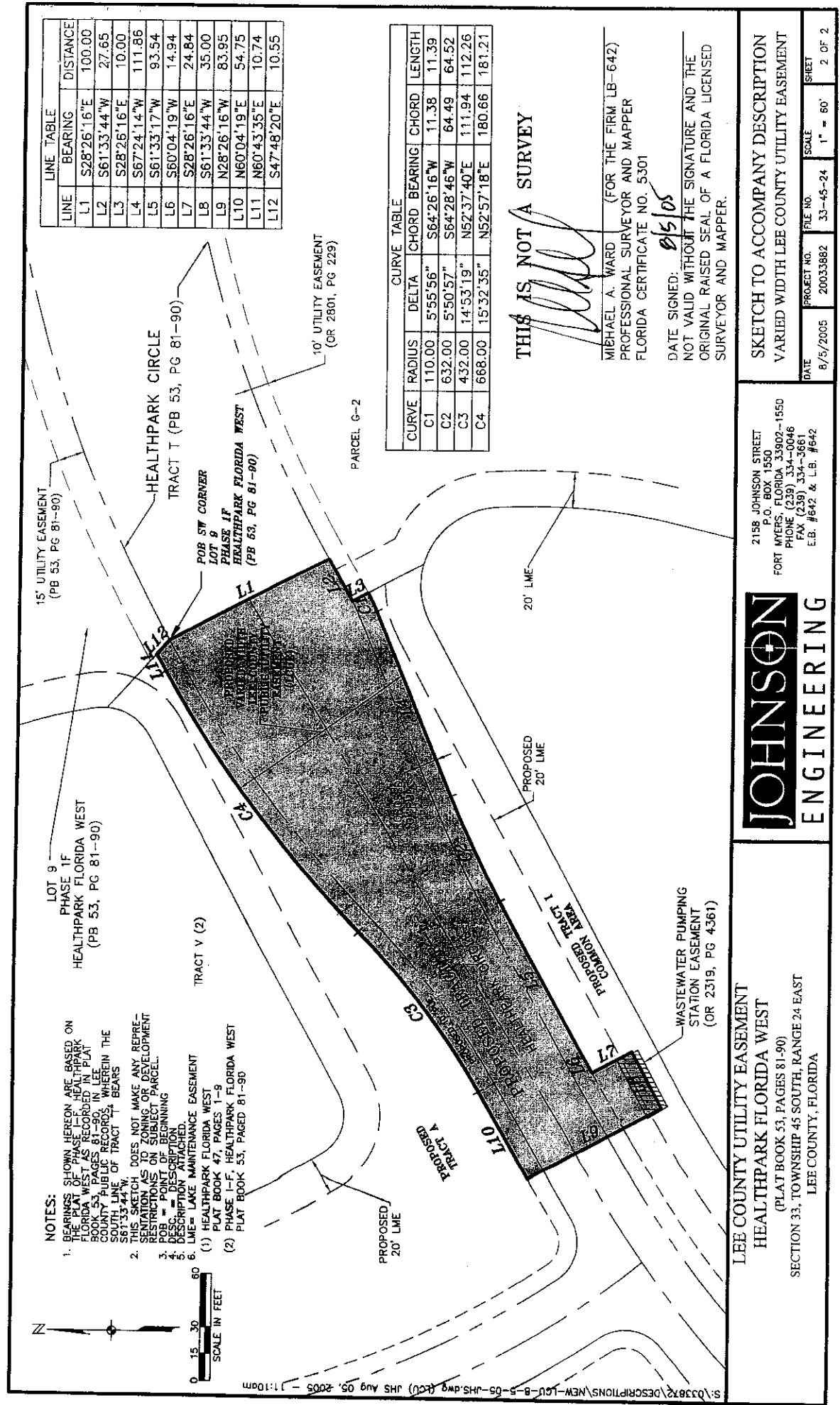
Containing 31,337 square feet or 0.719 acres, more or less.

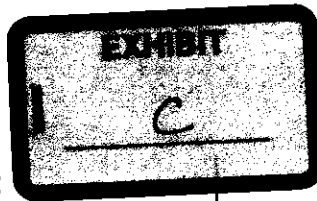
Bearings shown hereon are based on the Plat of Phase I-F, HealthPark Florida West as recorded in Plat Book 53, pages 81-90, in Lee County Public Records, wherein the south line of Tract "T" bears South 61°33'44" West.

MICHAEL A. WARD (FOR THE FIRM LB-642) PROFESSIONAL SURVEYOR  
AND MAPPER FLORIDA CERTIFICATE NO. 5301  
DATE SIGNED: 8/5/05  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A  
FLORIDA LICENSED SURVEYOR AND MAPPER

K:\JHS\033872-02\VARIED-WIDTH-LCUE.DOC

SHEET 1 OF 2





Page 1 of 17

This Instrument Prepared by:  
Charles J. Basinait  
P.O. Box 280  
Fort Myers, FL 33902

THIS SPACE FOR RECORDING

### **COUNTY DEED**

THIS DEED, executed this \_\_\_\_ day of \_\_\_\_\_, 2005, by LEE COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398 Grantor, to EH BUILDING GROUP II, SW DIVISION LLC, a Florida corporation, whose address is 12751 Westlinks Drive, #1, Fort Myers, Florida 33913, Grantee.

Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars to it in hand paid by Grantee, receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its heirs and assigns forever, the following described land, lying and being in Lee County, Florida:

**See Attached Exhibit "A"**

This grant conveys only the interest of the County and its Board of County Commissioners in the property herein described, and is not to be deemed to warrant the title or to represent any state of facts concerning the same.

**IN WITNESS WHEREOF** Grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said Board, the day and year aforesaid.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

CHARLIE GREEN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairman

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Office of County Attorney

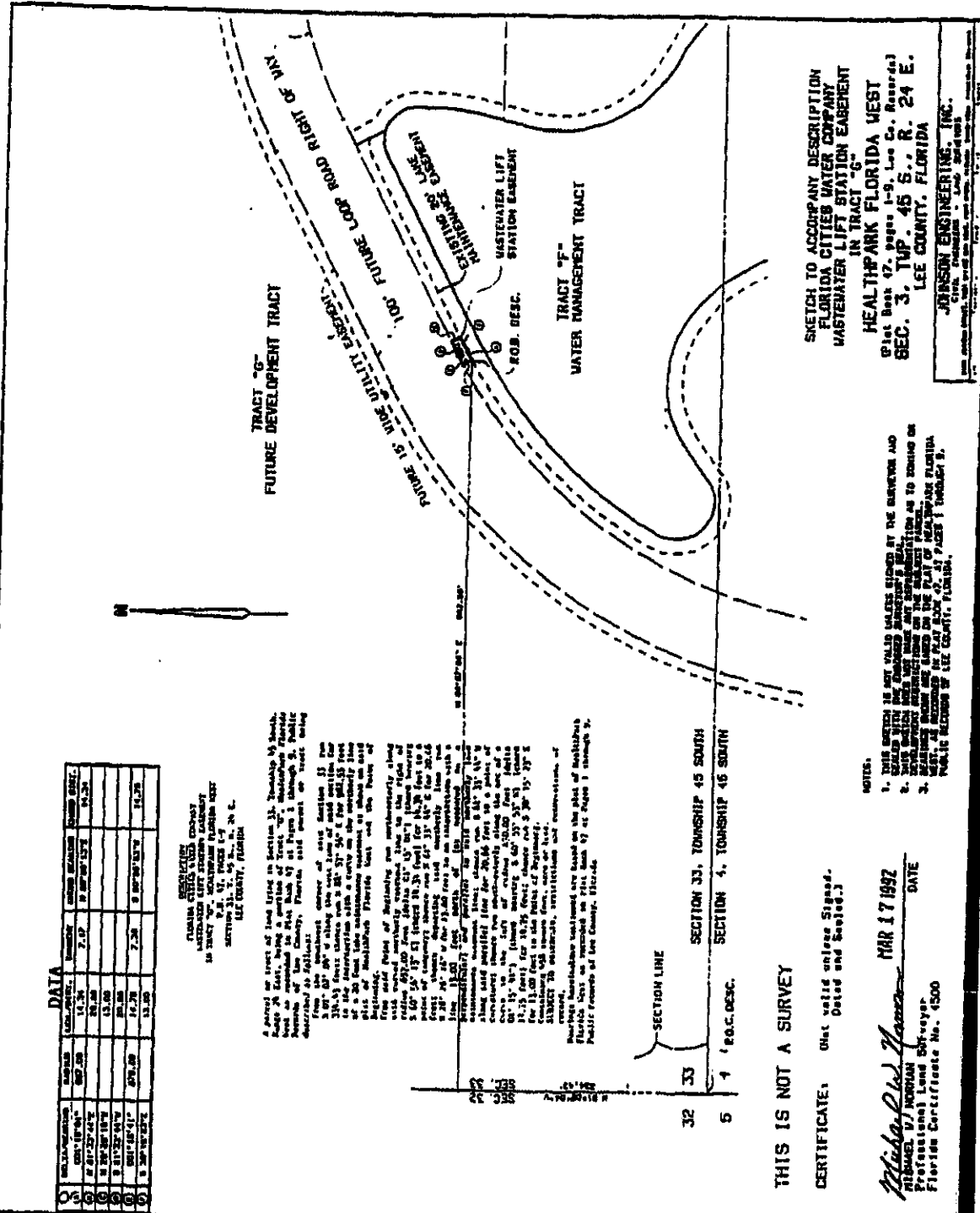
**Exhibit "C"**

Page 2 of 17

# Exhibit "C"

Page 3 of 17

DR2319 PGL 363





## EXHIBIT "B"

OR 2319 PGL 364

## JOHNSON ENGINEERING, INC.

2158 JOHNSON STREET  
TELEPHONE (813) 334-0048  
TELECOPIER (813) 334-3661  
POST OFFICE BOX 1330  
FORT MYERS, FLORIDA  
33902-1330

CARLE E. JOHNSON  
1911-1988

CIVIL ENGINEERS AND LAND SURVEYORS

February 26, 1992

DESCRIPTION  
FLORIDA CITIES WATER COMPANY  
WASTEWATER LIFT STATION EASEMENT  
IN TRACT "G", HEALTHPARK FLORIDA WEST  
P.B. 47, PAGES 1-9  
SECTION 33, T. 45 S., R. 24 E.  
LEE COUNTY, FLORIDA

A parcel or tract of land lying in Section 33, Township 45 South, Range 24 East, being a portion of Tract "G", HealthPark Florida West as recorded in Plat Book 47 at Pages 1 through 9, Public Records of Lee County, Florida said parcel or tract being described as follows:

From the southwest corner of said Section 33 run N 01° 02' 04" W along the west line of said section for 334.43 feet; thence run N 88° 57' 56" E for 982.55 feet to the intersection with a curve on the northerly line of a 20 foot lake maintenance easement as shown on said plat of HealthPark Florida West and the Point of Beginning.

From said Point of Beginning run northeasterly along said curved northerly easement line to the right of radius 657.00 feet (delta 01° 15' 01") (chord bearing N 60° 56' 13" E) (chord 14.34 feet) for 14.34 feet to a point of tangency; thence run N 61° 33' 44" E for 20.66 feet; thence departing said northerly line run N 28° 26' 16" W for 13.00 feet to an intersection with a line 13.00 feet north of (as measured on a perpendicular) and parallel to said northerly lake maintenance easement line; thence run S 61° 33' 44" W along said parallel line for 20.66 feet to a point of curvature; thence run southwesterly along the arc of a curve to the left of radius 670.00 feet (delta 01° 15' 41") (chord bearing S 60° 55' 53" W) (chord 14.75 feet) for 14.75 feet; thence run S 30° 15' 23" E for 13.00 feet to the Point of Beginning. Containing 458 square feet, more or less.

SUBJECT TO easements, restrictions and reservations of record.

Bearings hereinabove mentioned are based on the plat of HealthPark Florida West as recorded in Plat Book 47 at Pages 1 through 9, Public Records of Lee County, Florida

CHAIRMAN  
ARCHIE T. GRANT, JR.

PRESIDENT  
FORREST H. BANKS

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

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

CONSULTANT  
LESTER L. BULSON

MWN/pm  
17904

*Michael W. Norman*  
Michael W. Norman  
Professional Land Surveyor  
Florida Certificate No. 4500

This Instrument Prepared by:  
Charles J. Basinait  
P.O. Box 280  
Fort Myers, FL 33902

**Exhibit "C"**

Page 5 of 17

THIS SPACE FOR RECORDING

**COUNTY DEED**

THIS DEED, executed this \_\_\_\_ day of \_\_\_\_\_, 2005, by LEE COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398 Grantor, to EH BUILDING GROUP II, SW DIVISION LLC, a Florida corporation, whose address is 12751 Westlinks Drive, #1, Fort Myers, Florida 33913, Grantee.

Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars to it in hand paid by Grantee, receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its heirs and assigns forever, the following described land, lying and being in Lee County, Florida:

**See Attached Exhibit "A"**

This grant conveys only the interest of the County and its Board of County Commissioners in the property herein described, and is not to be deemed to warrant the title or to represent any state of facts concerning the same.

**IN WITNESS WHEREOF** Grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said Board, the day and year aforesaid.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

CHARLIE GREEN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairman

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Office of County Attorney

**Exhibit "C"**

Page 6 of 17

August 12, 2003

**Exhibit "C"**DESCRIPTIONPage 7 of 17

**UTILITY EASEMENT  
HEALTHPARK FLORIDA WEST  
SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA**

A tract or parcel of land lying in Section 33, Township 45 South, Range 24 East, Lee County, Florida being a part of Tract "T" as shown on the Plat of Phase I-F, HealthPark Florida West as recorded in Plat Book 53 at Pages 81 through 90, Public Records of Lee County, Florida, and a part of Tract "G" as shown on the Plat of HealthPark Florida West as recorded in Plat Book 47 at Pages 1 through 9 said Public Records which tract or parcel is described as follows:

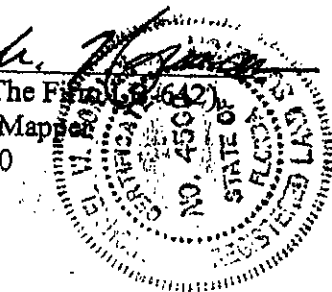
From the northwest corner of said Tract "T" (HealthPark Circle) 100.00 feet wide, run N 61° 33' 44" E along the north line of said Tract "T", being the northerly right-of-way line of HealthPark Circle for 308.76 feet; thence run S 28° 26' 16" E departing said north right-of-way line for 100.00 feet to an intersection with the southerly right-of-way line of said HealthPark Circle, being the south line of said Tract "T"; thence run S 61° 33' 44" W along the south line of said Tract "T" and its westerly prolongation for 323.18 feet; thence run S 28° 26' 16" E for 20.00 feet; thence run S 61° 33' 44" W for 35.00 feet; thence run N 28° 26' 16" W for 120.00 feet to an intersection with the westerly prolongation of the north line of said Tract "T"; thence run N 61° 33' 44" E along said prolongation for 49.42 feet to the Point of Beginning

Parcel contains 36,518 square feet, more or less.

~~SUBJECT TO easements, restrictions and reservations of record.~~

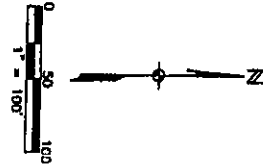
Bearings hereinabove mentioned are based on the Plat of Phase I-F, HealthPark Florida West as recorded in Plat Book 53 at Pages 81 through 90, Public Records of Lee County, Florida wherein the south line of Tract "T" bears S 61° 33' 44" W.

*Michael W. Norman*  
Michael W. Norman (For The Firm) (33642)  
Professional Surveyor and Mapper  
Florida Certificate No. 4500



20033872/Utility Easement 081203

Exhibit "A" - Page Two of Two



UTILITY EASEMENT  
HEALTHPARK FLORIDA WEST  
PLAT BOOK 53, PAGES 81-90  
SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA

**JOHNSON**  
ENGINEERING

2158 JOHNSON STREET  
P.O. BOX 1350  
FORT MYERS, FLORIDA 33902-1350  
TEL: (813) 334-0046  
FAX: (813) 334-0046  
CELL: (813) 334-0046

DATE  
07/22/03

PROJECT NO.  
2003082

FILE NO.  
33-45-24

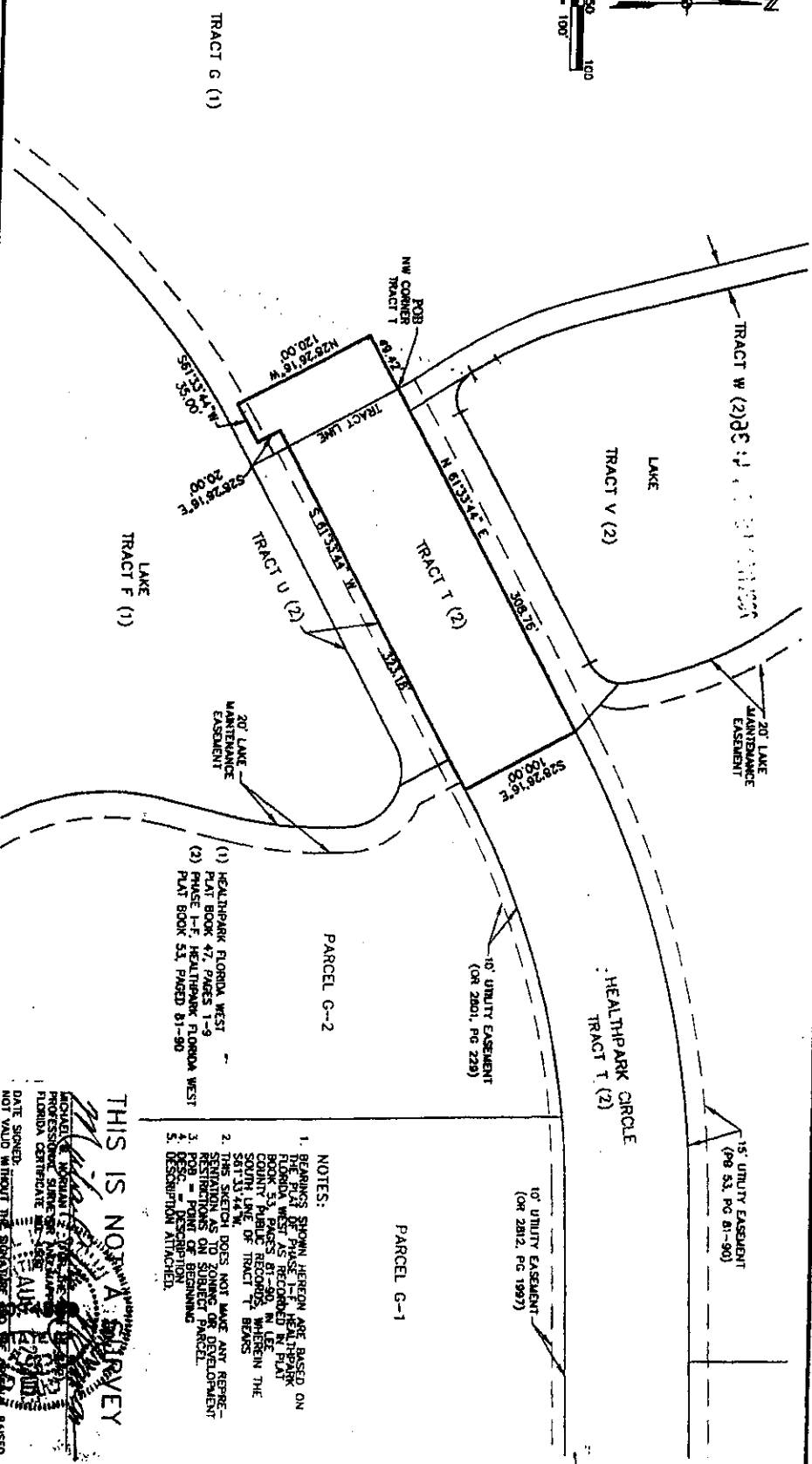
SCALE  
1" = 100'

SHEET  
1 OF 1

SKETCH TO ACCOMPANY  
DESCRIPTION

THIS IS NOT A SURVEY  
MICHAEL E. JOHNSON, P.E.  
REGISTERED PROFESSIONAL ENGINEER  
FLORIDA CERTIFICATE NO. 12345  
DATE SIGNED: 07/22/03  
NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND ENGINEER

- NOTES:
1. BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF PHASE 1-F, HEALTHPARK FLORIDA WEST AS RECORDED IN PLAT BOOK 53, PAGES 81-90, IN LEE COUNTY, FLORIDA, WHEREIN THE SOUTHEAST CORNER OF TRACT T BEARS THE S61°11'44"W.
  2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATIONS AS TO ZONING OR DEVELOPMENT PERMITTED BY ANY AGENCIES.
  3. PERMITS - EXISTING
  4. DESCRIBED
  5. DESCRIPTION ATTACHED.



## **Exhibit "C"**

This Instrument Prepared by:  
Charles J. Basinait  
P.O. Box 280  
Fort Myers, FL 33902

Page 9 of 17

THIS SPACE FOR RECORDING

### **COUNTY DEED**

THIS DEED, executed this \_\_\_\_ day of \_\_\_\_\_, 2005, by LEE COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398 Grantor, to EH BUILDING GROUP II, SW DIVISION LLC, a Florida corporation, whose address is 12751 Westlinks Drive, #1, Fort Myers, Florida 33913, Grantee.

Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars to it in hand paid by Grantee, receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its heirs and assigns forever, the following described land, lying and being in Lee County, Florida:

### **See Attached Exhibit "A"**

This grant conveys only the interest of the County and its Board of County Commissioners in the property herein described, and is not to be deemed to warrant the title or to represent any state of facts concerning the same.

**IN WITNESS WHEREOF** Grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said Board, the day and year aforesaid.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

CHARLIE GREEN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairman

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Office of County Attorney

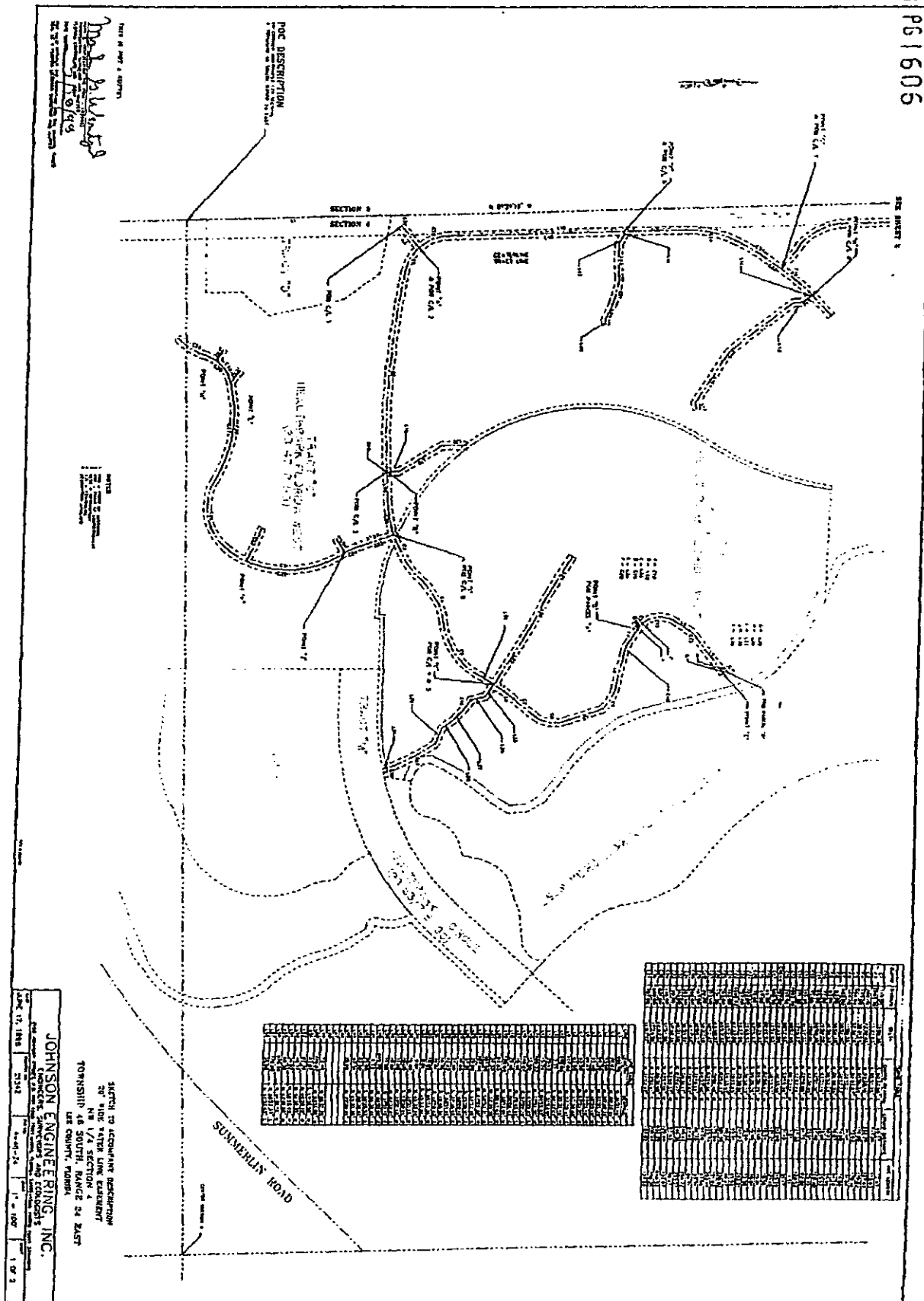
**Exhibit "C"**

Page 10 of 17

the 1990s, the number of people in the world who are illiterate has increased from 1.2 billion to 1.5 billion. The number of illiterate people in the world is projected to reach 1.7 billion by the year 2015. The number of illiterate people in the world is projected to reach 1.7 billion by the year 2015. The number of illiterate people in the world is projected to reach 1.7 billion by the year 2015.

OK3008 / P61605

၇.၄ သတ်မှတ်ချက်



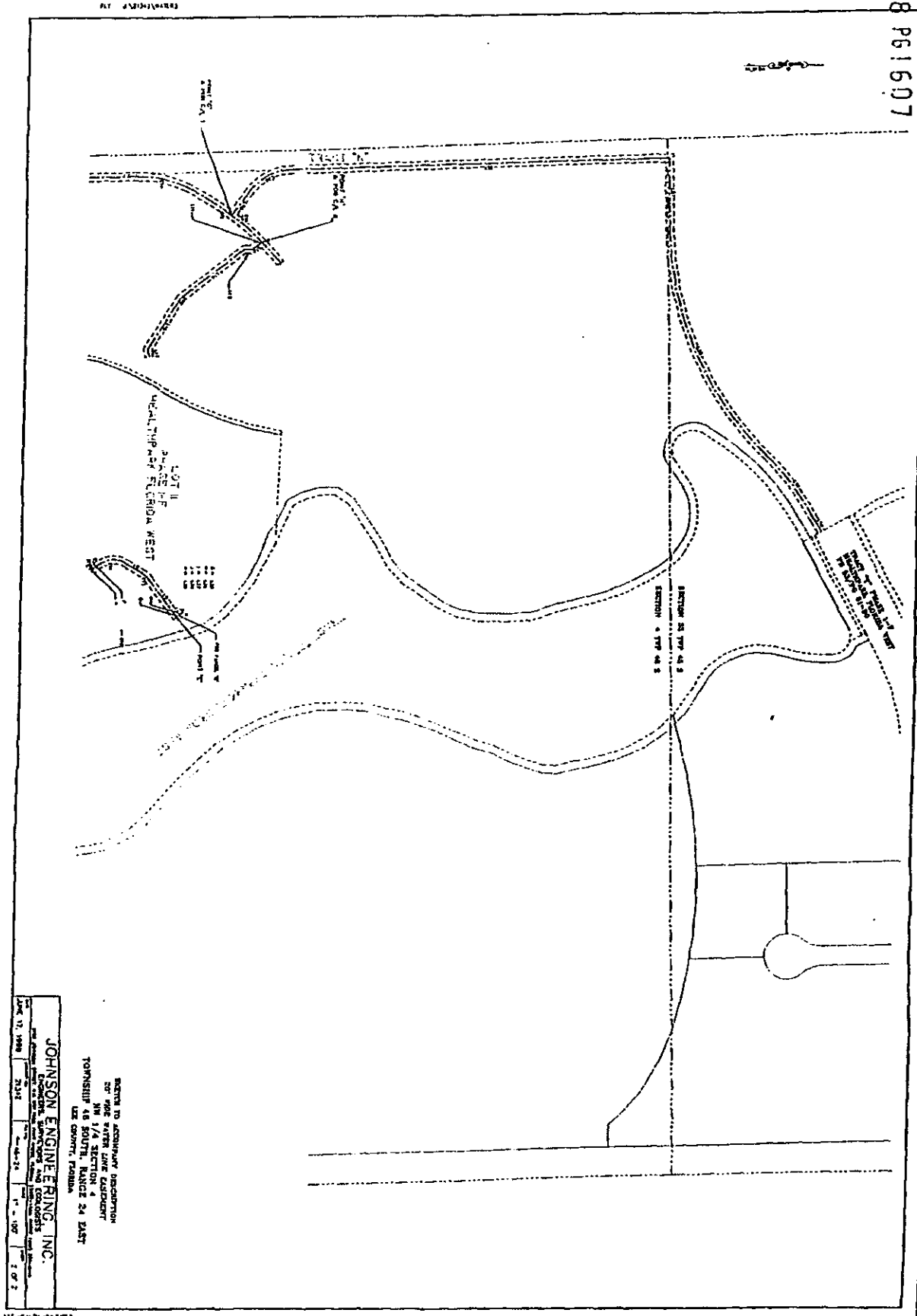


# Exhibit "C"

Page 12 of 17

EXHIBIT "A"  
2 of 2

0R3008 P61607



# JOHNSON ENGINEERING, INC.

FORT MYERS  
NAPLES  
PORT CHARLOTTE

ENGINEERS, SURVEYORS AND ECOLOGISTS

June 4, 1998

EXHIBIT "B"

2158 JOHNSON STREET  
TELEPHONE (941) 334-0046  
TELECOPIER (941) 334-3661  
POST OFFICE BOX 1550  
FORT MYERS, FLORIDA  
33902-1550

CARLE E. JOHNSON  
1911-1968

## DESCRIPTION

20' WIDE WATER LINE EASEMENT IN  
HEALTHPARK FLORIDA WEST AND  
PHASE 1-F HEALTHPARK FLORIDA WEST  
NW¼ SECTION 4, TOWNSHIP 46 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA

A strip of land twenty feet wide lying in tracts "K" and "G" as shown on the plat of Healthpark Florida West as recorded in Plat Book 47 at pages 1 through 9 of the Public Records of Lee County, Florida and Lot 11 as shown on the plat of Phase 1-F Healthpark Florida West as recorded in Plat Book 53 at pages 81 through 90 of said Public Records, Section 4, Township 46 South, Range 24 East, lying 10.00 feet each side of the following described centerlines:

From the Southwest corner of the Northwest one-quarter (NW¼) of said Section 4, run N 01° 21' 19" W along the West line of said Northwest quarter (NW¼) for 551.76 feet; thence run N 88° 38' 41" E for 26.62 feet to the Point of Beginning.

### Centerline 1

From said Point of Beginning run N 50° 30' 28" E for 73.00 feet to a point designated "A" on a non-tangent curve; thence run southeasterly along said arc of a curve to the left of radius 115.00 feet (chord bearing S 60° 32' 09" E) (chord 69.37 feet) (delta 35° 06' 38") for 70.47 feet to a point of compound curvature; thence run easterly along said arc of a curve to the left of radius 1892.76 feet (chord bearing S 85° 51' 55" E) (chord 512.05 feet) (delta 15° 32' 53") for 513.63 feet to a point designated "B" and a point of tangency; thence run N 86° 21' 39" E for 73.48 feet to a point of curvature; thence run northeasterly along said arc of a curve to the left of radius 298.00 feet (chord bearing N 64° 28' 18" E) (chord 222.20 feet) (delta 43° 46' 42"), passing through point designated "I" at 84.42 feet, for 227.69 feet to a point of reverse curvature; thence run northeasterly along said arc of a curve to the right of radius 177.00 feet (chord bearing N 61° 50' 54" E) (chord 116.80 feet) (delta 38° 31' 54") for 119.03 feet to a point of reverse curvature; thence run northeasterly along said arc of a curve to the left of radius 194.94 feet (chord bearing N 54° 47' 07" E) (chord 172.93 feet) (delta 52° 39' 29") for 179.16 feet to a point on a non-tangent line; thence run N 32° 35' 20" E for 69.26 feet passing through point designated "C" at 37.57 feet to a point on a non-tangent curve; thence run northeasterly along said arc of a curve to the right of radius 165.00 feet (chord bearing N 38° 10' 21" E) (chord 31.90 feet) (delta 11° 05' 35") for 31.95 feet to a point of reverse

Exhibit "C"

Page 13 of 17

CHAIRMAN  
FORREST H. BANKS

PRESIDENT  
STEVEN K. MORRISON

PARTNERS  
GARY R. BULL  
DAN W. DICKEY  
JOSEPH W. EBNER  
ARCHIE T. GRANT, JR.  
KENTON R. KEILING  
W. DAVID KEY, JR.  
W. BRITT POMEROY  
ANDREW D. TILTON  
KEVIN M. WINTER

ASSOCIATES  
CHRISTOPHER D. HAGAN  
PATRICIA H. NEWTON  
MARK G. WENTZEL

CONSULTANT  
LESTER L. BULSON

0R3008 Pg 1608

0R3008 Pg 1609

**Exhibit "C"**Page 14 of 17

curvature; thence run northeasterly along said arc of a curve to the left of radius 483.00 feet (chord bearing N 39° 17' 23" E) (chord 74.60 feet) (delta 08° 51' 30") for 74.68 feet to a point of compound curvature; thence run northerly along said arc of a curve to the left of radius 83.00 feet (chord bearing N 06° 48' 24" E) (chord 78.07 feet) (delta 56° 06' 28") for 81.28 feet to a point on a non-tangent line; thence run N 18° 20' 10" W for 95.40 feet to a point on a non-tangent curve; thence run northwesterly along said arc of a curve to the left of radius 93.00 feet (chord bearing N 58° 53' 02" W) (chord 58.93 feet) (delta 36° 56' 33") for 59.96 feet to a point of tangency; thence run N 77° 21' 19" W for 99.47 feet to a point of curvature; thence run westerly along said arc of a curve to the right of radius 72.00 feet (chord bearing N 67° 21' 19" W) (chord 25.00 feet) (delta 19° 59' 59") for 25.13 feet to a point of tangency; thence run N 57° 21' 20" W for 43.55 feet to a point designated "D" and a point on a non-tangent curve; thence run northerly along said arc of a curve to the right of radius 69.00 feet (chord bearing N 12° 21' 20" W) (chord 97.59 feet) (delta 90° 00' 38") for 108.40 feet to a point on a non-tangent line; thence run N 32° 38' 40" E for 43.55 feet to a point of curvature; thence run northeasterly along said arc of a curve to the right of radius 72.00 feet (chord bearing N 42° 38' 41" E) (chord 25.01 feet) (delta 20° 00' 01") for 25.13 feet to a point of tangency; thence run N 52° 38' 41" E for 117.69 feet to a point designated "E" and the end of Centerline 1.

AND

Centerline 2

Beginning at said point designated "A" run northerly along an arc of a curve to the right of radius 115.00 feet (chord bearing N 22° 10' 05" W) (chord 81.72 feet) (delta 41° 37' 32") for 83.55 feet to a point of tangency; thence run N 01° 21' 19" W for 610.08 feet passing through a point designated "F" at 445.70 feet to a point of curvature; thence run northerly along said arc of a curve to the right of radius 271.00 feet (chord bearing N 12° 13' 55" E) (chord 127.33 feet) (delta 27° 10' 27") for 128.53 feet to a point of compound curvature; thence run northeasterly along said arc of a curve to the right of radius 707.00 feet (chord bearing N 38° 35' 41" E) (chord 312.68 feet) (delta 25° 33' 04") for 315.29 feet passing through point designated "G" at 137.23 feet and point designated "H" at 242.21 feet to the end of Centerline 2.

AND

063008 PG 1610

**Exhibit "C"**Page 15 of 17Centerline 3

From said point designated "B" run Southwesterly along an arc of a curve to the right of radius 1892.76 feet (chord bearing S 86° 23' 01" W) (chord 1.51 feet) (delta 00 02' 44") for 1.51 feet to the Point of Beginning.

From said Point of Beginning run N 00° 09' 42" E for 29.46 feet; thence run N 30° 12' 01" W for 128.64 feet; thence run N 00° 47' 03" W for 63.83 feet to the end of Centerline 3.

AND

Centerline 4

Beginning at said point designated "C" run N 58° 50' 31" W for 161.59 feet; thence run N 62° 11' 01" W for 110.87 feet; thence run N 57° 55' 38" W for 107.98 feet to the end of Centerline 4.

AND

Centerline 5

Beginning at said point designated "C" run S 57° 22' 26" E for 35.80 feet; thence run S 15° 26' 51" E for 37.21 feet to a point on a non-tangent curve; thence run southeasterly along an arc of a curve to the right of radius 217.50 feet (chord bearing S 52° 15' 39" E) (chord 31.15 feet) (delta 08° 12' 42") for 31.17 feet to a point of tangency; thence run S 48° 09' 18" E for 36.65 feet; thence run S 37° 36' 42" E for 37.46 feet; thence run S 68° 11' 41" E for 43.42 feet to a point on a non-tangent curve; thence run southeasterly along an arc of a curve to the right of radius 560.50 feet (chord bearing S 28° 15' 02" E) (chord 121.21 feet) (delta 12° 24' 52") for 121.45 feet to a point on a non-tangent line; thence run S 16° 46' 34" E for 16.76 feet; thence run S 12° 19' 43" E for 11.81 feet to an intersection with the northerly line of Tract "M" (Healthpark Circle) said Healthpark Florida West and the end of Centerline 5.

AND

Centerline 6

Beginning at said point designated "F" run N 88° 38' 41" E for 9.73 feet; thence run S 59° 29' 53" E for 25.90 feet; thence run N 88° 38' 41" E for 83.58 feet to a point of curvature; thence run easterly along an arc of a curve to the right of radius 163.00 feet (chord bearing S 78° 28' 23" E) (chord 72.68 feet) (delta 25° 45' 52") for 73.30 feet to a point on a non-tangent line; thence run S 65° 35' 36" E for 47.31 feet; thence run N 77° 38' 41" E for 10.99 feet to the end of Centerline 6.

AND

Centerline 7

Beginning at point designated "G" run N 52° 41' 58" W for 68.38 feet to a point of curvature; thence run Northwesterly along said arc of a curve to the right of radius 148.00 feet

063008 PG 611

**Exhibit "C"**Page 16 of 17

(chord bearing N 27° 17' 16" W) (chord 129.44 feet) (delta 51° 51' 54") for 133.97 feet to a point of tangency; thence run N 01° 21' 19" W for 970.38 feet; thence run N 88° 52' 33" E for 178.80 feet to a point of curvature; thence run Northeasterly along said arc of a curve to the left of radius 831.00 feet (chord bearing N 66° 31' 06" E) (chord 632.20 feet) (delta 44° 42' 53") for 648.53 feet to a point of reverse curvature; thence run Northeasterly along said arc of a curve to the right of radius 689.00 feet (chord bearing N 52° 51' 41" E) (chord 208.45 feet) (delta 17° 24' 04") for 209.25 feet to a point of tangency; thence run N 61° 33' 43" E for 35.90 feet to an intersection with the southwesterly line of Tract "T" said Phase 1-F Healthpark Florida West and the end of Centerline 7.

AND

Centerline 8

Beginning at point designated "H" run S 44° 33' 07" E for 7.77 feet; thence run S 31° 53' 51" E for 28.13 feet; thence run S 04° 15' 07" W for 15.74 feet; thence run S 37° 21' 20" E for 199.23 feet; thence run S 47° 21' 20" E for 12.50 feet; thence run S 57° 21' 20" E for 148.07 feet; thence run N 76° 45' 14" E for 18.49 feet to the end of Centerline 8.

AND

Centerline 9

Beginning at point designated "I" run Southeasterly along an arc of a curve to the right of radius 1540.73 feet (chord bearing S 18° 15' 55" E) (chord 95.51 feet) (delta 03° 33' 08") for 95.52 feet to a point of reverse curvature; thence run Southeasterly along said arc of a curve to the left of radius 143.00 feet (chord bearing S 24° 35' 47" E) (chord 40.33 feet) (delta 16° 12' 52") for 40.47 feet to a point designated "J" and a point of reverse curvature; thence run Southeasterly along said arc of a curve to the right of radius 263.00 feet (chord bearing S 02° 14' 33" W) (chord 301.30 feet), passing through point designated "K" at 258.72 feet, for 320.82 feet to a point of compound curvature; thence run Northwesterly along said arc of a curve to the right of radius 131.20 feet (chord bearing S 79° 01' 48" W) (chord 175.04 feet) (delta 83° 40' 57") for 191.62 feet to a point of reverse curvature; thence run Northwesterly along said arc of a curve to the left of radius 313.00 feet (chord bearing N 83° 14' 28" W) (chord 255.74 feet) (delta 48° 13' 27"), passing through point designated "L" at 253.21 feet, for 263.44 feet to a point of compound curvature; thence run Southwesterly along said arc of a curve to the left of radius 89.00 feet (chord bearing S 44° 27' 40" W) (chord 84.08 feet) (delta 56° 22' 18"), passing through point

## Exhibit "C"

Page 17 of 17

designated "M" at 58.47 feet, for 87.56 feet to a point of reverse curvature; thence run Southwesterly along said arc of a curve to the right of radius 167.00 feet (chord bearing S 31° 19' 14" W) (chord 86.70 feet) (delta 30° 05' 27") for 87.71 feet, and from said point designated "J" run S 57° 36' 56" W for 43.07 feet, and from said point designated "K" run N 65° 26' 19" W for 92.39 feet, and from said point designated "L" run N 51° 38' 35" W for 40.77 feet, and from said point designated "M" run N 59° 45' 44" W for 34.02 feet to the end of Centerline 9.

Parcel A

From said point designated "D" run Northwesterly along an arc of a curve to the right of radius 69.00 feet (chord bearing N 52° 58' 43" W) (chord 10.54 feet) (delta 08° 45' 53") for 10.56 feet; thence run S 45° 33' 34" W for 10.02 feet to the Point of Beginning.

From said Point of Beginning continue S 45° 33' 34" W for 8.01 feet to a point on a non-tangent curve; thence run Northwesterly along said arc of a curve to the right of radius 87.00 feet (chord bearing N 44° 26' 26" W) (chord 10.00 feet) (delta 06° 35' 22") for 10.01 feet to a point on a non-tangent line; thence run N 45° 33' 34" E for 8.01 feet to a point on a non-tangent curve to the left of radius 79.00 feet (chord bearing S 44° 26' 26" E) (chord 10.00 feet) (delta 07° 15' 27") for 10.01 feet to the Point of Beginning.

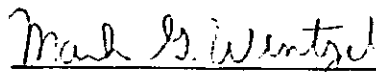
AND

Parcel B

From said point designated "E" run N 37° 21' 19" W for 10.00 feet to the Point of Beginning.

From said Point of Beginning run S 52° 38' 41" W for 10.00 feet; thence run N 37° 21' 19" W for 11.00 feet; thence run N 52° 38' 41" E for 10.00 feet; thence run S 37° 21' 19" E for 11.00 feet to the Point of Beginning.

Bearings hereinabove mentioned are based on the West line of the Northwest quarter (NW¼) of Section 4, Township 46 South, Range 24 East, as shown on the plat of Healthpark Florida West as recorded in Plat Book 47 at Pages one through nine, Lee County Records, to bear N 01° 21' 19" W.



Mark G. Wentzel (For The Firm)  
Professional Land Surveyor  
Florida Certificate No. 5247

Project: Sail Harbour at Healthpark

AFFIDAVIT OF INTEREST IN REAL PROPERTY

THIS AFFIDAVIT OF INTEREST IN REAL PROPERTY is made and entered this 29 day of August, 2005, for the sole purpose of compliance with Section 286.23 of the Florida Statutes.

The undersigned hereby swears and affirms under oath, subject to the penalties prescribed for perjury, that the following is true:

The Name and Address of the Grantor is:

EH Building Group II, SW Division LLC, a Florida Corporation  
12751 Westlinks Drive #1, Fort Myers, Florida 33913

The name(s) and address(es) of every person having a beneficial interest in real property that will be conveyed to Lee County are:

1. Michael D. Anderson
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

The real property to be conveyed to Lee County is known as: See attached Exhibit "X".

FURTHER AFFIANT SAYETH NAUGHT.

Signed, sealed and delivered  
in our presences:

Kimberly Allen  
Witness Signature

Kimberly Allen  
Printed Name

Chandra Evans  
Witness Signature  
Chandra Evans  
Printed Name

Michael D. Anderson  
Signature of Affiant

Michael D. Anderson  
Printed Name

Affidavit of Interest in Real Property  
Project: Sail Harbour at Healthpark

STATE OF Florida  
COUNTY OF Dee

SWORN TO AND SUBSCRIBED before me this 24<sup>th</sup> day of August, 2005, by  
Mike Dianda, Division President  
(name of officer or agent, title of officer or agent)

of EH Building Group II, SW Division LLC, a Florida corporation, on behalf of the  
corporation.



Tina Anderson  
Commission #DD420949  
Expires: APR. 20, 2009  
(SEAL) RONNOTARY.com

Tina Anderson  
(Notary Signature)

Tina Anderson  
(Print, type or stamp name)

Personally known ☒  
OR Produced Identification \_\_\_\_\_  
Type of Identification \_\_\_\_\_



Exhibit "X"

Page 1 of 4

# JOHNSON ENGINEERING

Since 1946



August 6, 2005

**PROPOSED**

**VARIED WIDTH LEE COUNTY UTILITY EASEMENT  
PARCEL LYING IN  
SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA**

**VARIED WIDTH LEE COUNTY UTILITY EASEMENT**

A parcel of land lying in Section 33, Township 45 South, Range 24 East, Lee County, Florida, being more particularly described as follows:

Beginning at the Southwest Corner of Lot 9, as recorded in the Plat Health Park Florida west, as recorded in Plat Book 63, pages 81 through 90, Lee County Records, said point also being the POINT OF BEGINNING run

South 28°28'16" East, for a distance of 100.00 feet;

Thence South 81°33'44" West, for a distance of 27.65 feet;

Thence South 28°26'16" East, for a distance of 10.00 feet to the point of intersection with a non-tangent curve;

Thence run southwesterly along an arc of a curve to the right of radius 110.00 feet (delta 05°55'56") (chord bearing South 64°26'16" West) (chord 11.38 feet) for a distance of 11.39 feet;

Thence South 67°24'14" West, for a distance of 111.86 feet to a point of curvature;

Thence run southwesterly along an arc of a curve to the left of radius 632.00 feet (delta 05°50'57") (chord bearing South 64°28'46" West) (chord 64.49 feet) for a distance of 64.52 feet;

Thence South 61°33'17" West, for a distance of 93.64 feet;

Thence South 60°04'18" West, for a distance of 14.94 feet;

Thence South 28°28'18" East, for a distance of 24.84 feet;

Thence South 81°33'44" West, for a distance of 35.00 feet;

Thence North 28°26'16" West, for a distance of 83.95 feet;

Thence North 60°04'18" East, for a distance of 54.75 feet to a point of curvature; Thence run

northeasterly along an arc of a curve to the left of radius 432.00 feet (delta 14°53'19") (chord bearing North 52°37'40" East)

(chord 111.94 feet) for a distance of 112.28 feet to a point of reverse curvature; Thence run

northeasterly along an arc of a curve to the right of radius 688.00 feet (delta 15°32'35") (chord

bearing North 52°57'18" East) (chord 180.68 feet) for a distance of 181.21 feet; Thence North

60°43'35" East, for a distance of 10.74 feet;

Thence South 47°48'20" East, for a distance of 10.55 feet to the POINT OF BEGINNING.

Containing 31,337 square feet or 0.719 acres, more or less.

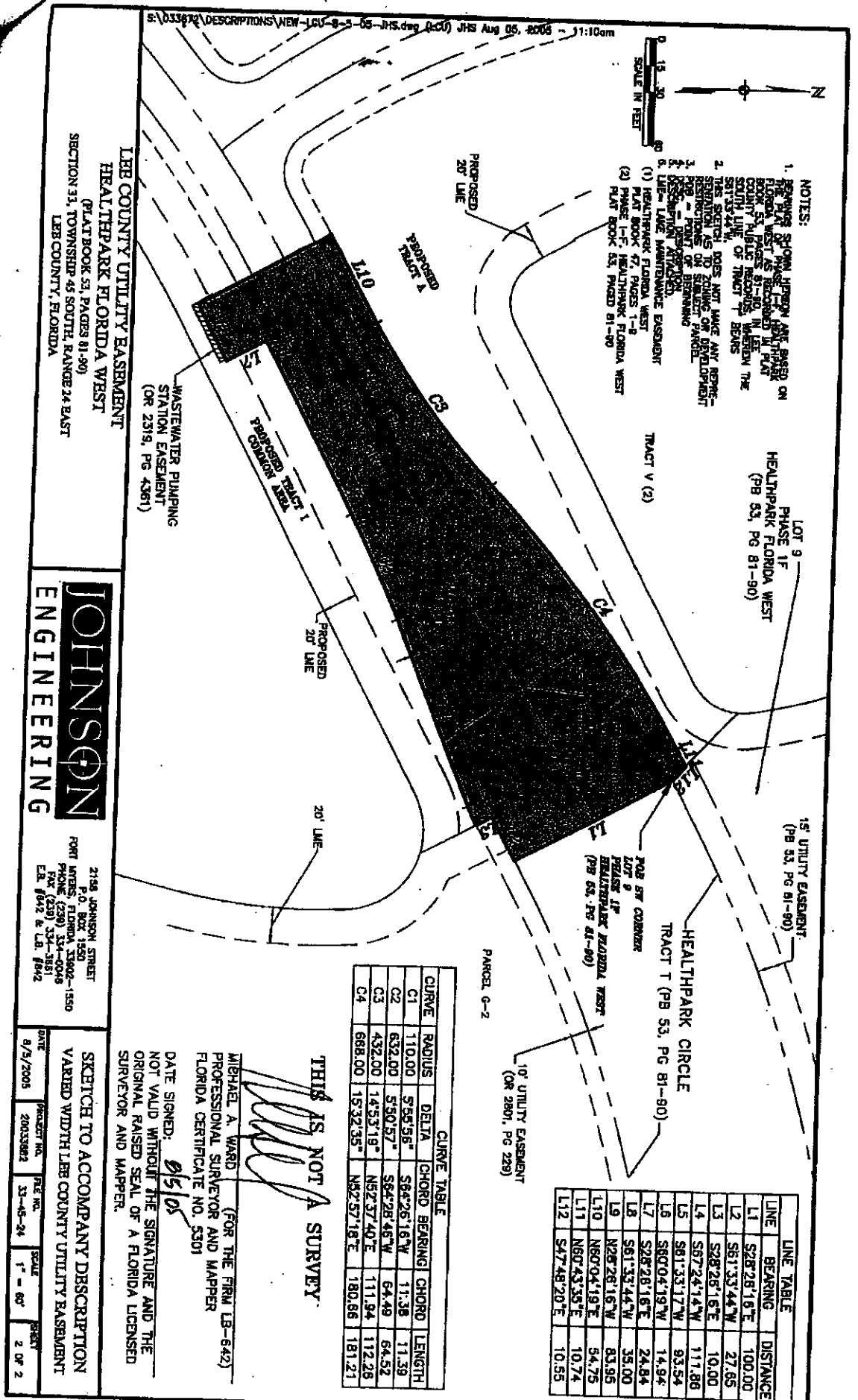
Bearings shown hereon are based on the Plat of Phase I-F, Health Park Florida West as recorded in Plat Book 53, pages 81-90, in Lee County Public Records, wherein the south line of Tract "T" bears South 81°33'44" West.

MICHAEL A. WARD (FOR THE FIRM LB-842) PROFESSIONAL SURVEYOR  
AND MAPPER FLORIDA CERTIFICATE NO. 5301  
DATE SIGNED: 8/9/05  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A  
FLORIDA LICENSED SURVEYOR AND MAPPER

K:\JHS\033872-02\VARIED-WIDTH-LCUE.DOC

SHEET 1 OF 2

2158 Johnson Street • Post Office Box 1550 • Fort Myers, Florida 33902-1550  
(239) 334-0046 • Fax (239) 334-3661

Page 2 of 4

**Exhibit "X"**Page 3 of 4August 5, 2005  
DESCRIPTION

**UTILITY EASEMENT (20 FEET WIDE)  
HEALTHPARK FLORIDA WEST  
SECTION 33, TOWNSHIP 45 SOUTH, RANGE 24 EAST  
AND SECTION 4, TOWNSHIP 46 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA**

A strip of land 20 feet wide lying in Section 33, Township 45 South, Range 24 East and Section 4, Township 46 South, Range 24 East, Lee County, Florida being a part of Tract "G" as shown on the Plat of HealthPark Florida West as recorded in Plat Book 47 at Pages 1 through 9, Public Records of Lee County, Florida, which strip of land is described as follows:

From the southwest corner of Tract "U" as shown on the Plat of Phase I-F, HealthPark Florida West as recorded in Plat Book 53 at Pages 81 through 90, Public Records of Lee County, Florida, run North 28°26'16" West along the southwesterly line of said Tract "U" and southwesterly line of Tract "T" as shown on said plat for a distance of 38.21 feet to the POINT OF BEGINNING.

From said POINT OF BEGINNING run South 60°04'19" West, for a distance of 53.17 feet to a point of curvature; thence run southwesterly along an arc of a curve to the left of radius 674.00 feet (delta 15°55'07") (chord bearing South 52°06'46" West) (chord 186.66 feet) for a distance of 187.26 feet to a point of reverse curvature; thence run southwesterly along an arc of a curve to the right of radius 846.00 feet (delta 44°43'48") (chord bearing South 66°31'06" West) (chord 643.82 feet) for a distance of 660.46 feet;

thence South 88°52'33" West, for a distance of 39.78 feet;

thence South 43°52'06" West, for a distance of 66.51 feet;

thence South 01°21'46" East, for a distance of 333.57 feet to a point of curvature;

thence run southerly along an arc of a curve to the left of radius 115.00 feet (delta 41°27'07")

(chord bearing South 22°05'20" East) (chord 81.40 feet) for a distance of 83.20 feet to the point of intersection

with a non-tangent curve; thence run southwesterly along an arc of a curve to the right of radius 110.00 feet

(delta 28°17'57") (chord bearing South 56°39'06" West) (chord 53.78 feet) for a distance of 54.33 feet;

thence South 70°48'05" West, for a distance of 38.82 feet to a point of curvature; thence run southwesterly

along an arc of a curve to the left of radius 40.00 feet (delta 72°09'24") (chord bearing South 34°43'23" West)

(chord 47.11 feet) for a distance of 50.37 feet;

thence South 01°21'19" East, for a distance of 103.94 feet;

thence South 88°38'41" West, for a distance of 20.00 feet;

thence North 01°21'19" West, for a distance of 103.94 feet to a point of curvature;

thence run northeasterly along an arc of a curve to the right of radius 60.00 feet (delta 72°09'24")

(chord bearing North 34°43'23" East) (chord 70.67 feet) for a distance of 75.56 feet;

thence North 70°48'05" East, for a distance of 38.82 feet to a point of curvature;

thence run northeasterly along an arc of a curve to the left of radius 90.00 feet (delta 17°33'04") (chord bearing

North 62°01'33" East) (chord 27.46 feet) for a distance of 27.57 feet to the point of intersection with a non-

tangent curve; thence run northerly along an arc of a curve to the right of radius 135.00 feet (delta 32°52'26")

(chord bearing North 17°47'58" West) (chord 76.40 feet) for a distance of 77.46 feet;

thence North 01°21'46" West, for a distance of 341.90 feet;

thence North 43°52'06" East, for a distance of 83.13 feet;

thence North 88°52'33" East, for a distance of 48.29 feet to the point of intersection with a non-tangent curve;

thence run northeasterly along an arc of a curve to the left of radius 826.00 feet (delta 44°42'53")

(chord bearing North 66°30'39" East) (chord 628.39 feet) for a distance of 644.62 feet to a point of reverse

curvature; thence run northeasterly along an arc of a curve to the right of radius 694.00 feet (delta 15°55'07")

(chord bearing North 52°06'46" East) (chord 192.20 feet) for a distance of 192.82 feet;

thence North 60°04'19" East, for a distance of 53.69 feet;

thence South 28°26'16" East, for a distance of 20.01 feet to the POINT OF BEGINNING.

Containing 33,592.19 square feet or 0.7712 acres, more or less.

SUBJECT TO easements, restrictions and reservations of record.

Bearings hereinabove mentioned are based on the Plat of HealthPark Florida West as recorded in Plat Book 47 at Pages 1 through 9, Public Records of Lee County, Florida wherein the west line of Section 33, Township 45 South, Range 24 East bears North 01°02'04" West.

  
MICHAEL A. WARD (FOR THE FIRM LB-842) PROFESSIONAL SURVEYOR  
AND MAPPER FLORIDA CERTIFICATE NO. 1001  
DATE SIGNED: 8/5/05  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A  
FLORIDA LICENSED SURVEYOR AND MAPPER

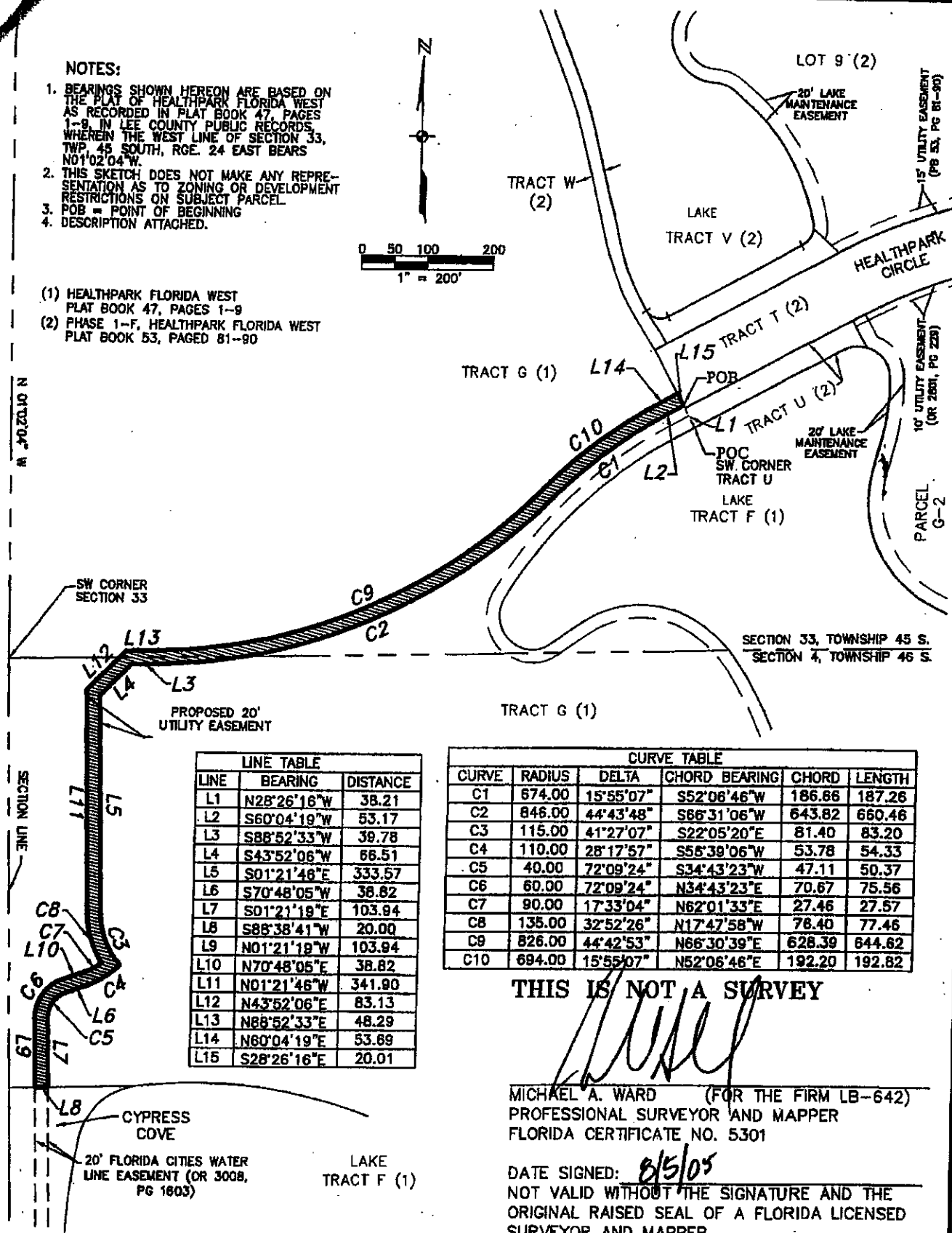
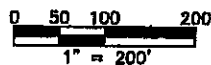
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SHEET 1 OF 2

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# NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF HEALTHPARK FLORIDA WEST AS RECORDED IN PLAT BOOK 47, PAGES 1-9, IN LEE COUNTY PUBLIC RECORDS, WHEREIN THE WEST LINE OF SECTION 33, TWP. 45 SOUTH, RGE. 24 EAST BEARS N01°02'04"W.
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. POB = POINT OF BEGINNING
4. DESCRIPTION ATTACHED.

- (1) HEALTHPARK FLORIDA WEST  
PLAT BOOK 47, PAGES 1-9
- (2) PHASE 1-F, HEALTHPARK FLORIDA WEST  
PLAT BOOK 53, PAGES 81-90



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N28°26'16"W	38.21
L2	S60°04'19"W	53.17
L3	S88°52'33"W	38.78
L4	S43°52'06"W	66.51
L5	S01°21'46"E	333.57
L6	S70°48'05"W	36.82
L7	S01°21'19"E	103.94
L8	S88°38'41"W	20.00
L9	N01°21'19"W	103.94
L10	N70°48'05"E	38.82
L11	N01°21'46"W	341.90
L12	N43°52'06"E	83.13
L13	N88°52'33"E	48.29
L14	N60°04'19"E	53.69
L15	S28°26'16"E	20.01

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	674.00	15°55'07"	S52°06'46"W	186.86	187.26
C2	846.00	44°43'48"	S66°31'06"W	643.82	660.46
C3	115.00	41°27'07"	S22°05'20"E	81.40	83.20
C4	110.00	28°17'57"	S56°39'06"W	53.78	54.33
C5	40.00	72°09'24"	S34°43'23"W	47.11	50.37
C6	60.00	72°09'24"	N34°43'23"E	70.67	75.56
C7	90.00	17°33'04"	N62°01'33"E	27.46	27.57
C8	135.00	32°52'26"	N17°47'58"W	78.40	77.46
C9	826.00	44°42'53"	N66°30'39"E	628.39	644.62
C10	694.00	15°55'07"	N52°06'46"E	192.20	192.82

THIS IS NOT A SURVEY

MICHAEL A. WARD (FOR THE FIRM LB-642)  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5301

DATE SIGNED: 8/5/05  
NOT VALID WITHOUT THE SIGNATURE AND THE  
ORIGINAL RAISED SEAL OF A FLORIDA LICENSED  
SURVEYOR AND MAPPER.

**JOHNSON**  
ENGINEERING

2158 JOHNSON STREET  
P.O. BOX 1550  
FORT MYERS, FLORIDA 33902-1550  
PHONE (941) 334-0046  
FAX (941) 334-3881  
E.B. #642 & L.B. #642

SKETCH TO ACCOMPANY DESCRIPTION  
20' WIDE UTILITY EASEMENT

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
8/5/2005	20033872	33-45-24	1" = 200'	2 of 2

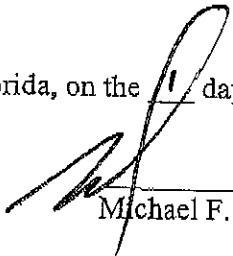
## CORPORATE RESOLUTION

I, Michael F. Aranda, majority member and sole Manager of EH Building Group II, SW, Division, LLC, a company, duly organized and existing under and by virtue of the laws of the State of Florida, do hereby certify that the following resolutions were duly adopted by action taken without meeting of the Members of said Company, in accordance with the Articles and Operation Agreement of the Company:

**RESOLVED:** That the Company shall add Michael D. Aranda, the SW Division President, as an Officer of the Company and shall have the ability to contract, negotiate, execute documents and bind the company for any lawful means and with full authority.

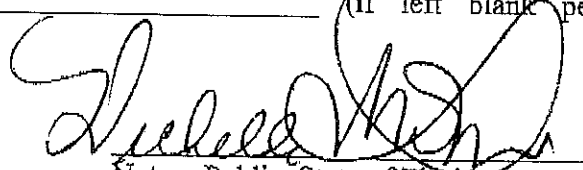
**RESOLVED:** That the Company execute, if needed, any and all documents necessary to effectuate the resolution.

DATED at Palm Beach Gardens, Florida, on the 1 day of June 2005.

  
Michael F. Aranda

### STATE OF FLORIDA COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 1 day of June 2005, by **Michael D. Aranda**, who is personally known to me or who has produced \_\_\_\_\_ (if left blank, personal knowledge exists) as identification.

  
Notary Public, State of Florida  
My Commission Expires: 02/24/07



Florida Department of State, Division of Corporations  
**Corporations Online**  
www.stuhiz.org **Public Inquiry**

## Florida Limited Liability

## EH BUILDING GROUP II SW DIVISION, LLC

PRINCIPAL ADDRESS  
4227 NORTHLAKE BLVD.  
PALM BEACH GARDENS FL 33410

MAILING ADDRESS  
4227 NORTHLAKE BLVD.  
PALM BEACH GARDENS FL 33410

Document Number  
1.04000048878

FET Number  
201311812

Date Filed  
06/30/2004

State  
FL

Status  
ACTIVE

Effective Date  
NONE

Total Contribution  
0.00

## Registered Agent

Name & Address
SIDES, MICHELLE I, ESQ. 4227 NORTHLAKE BLVD. PALM BEACH GARDENS FL 33410
Name Changed: 02/17/2005
Address Changed: 02/17/2005

## Manager/Member Detail

Name & Address	Title
ARANDA, MICHAEL F 4227 NORTHLAKE BLVD. PALM BEACH GARDENS FL 33410	MGR
ARANDA, MICHAEL F 4227 NORTHLAKE BLVD. PALM BEACH GARDENS FL 33410	ST

## Annual Reports

Report Year	Filed Date
2005	05/25/2005

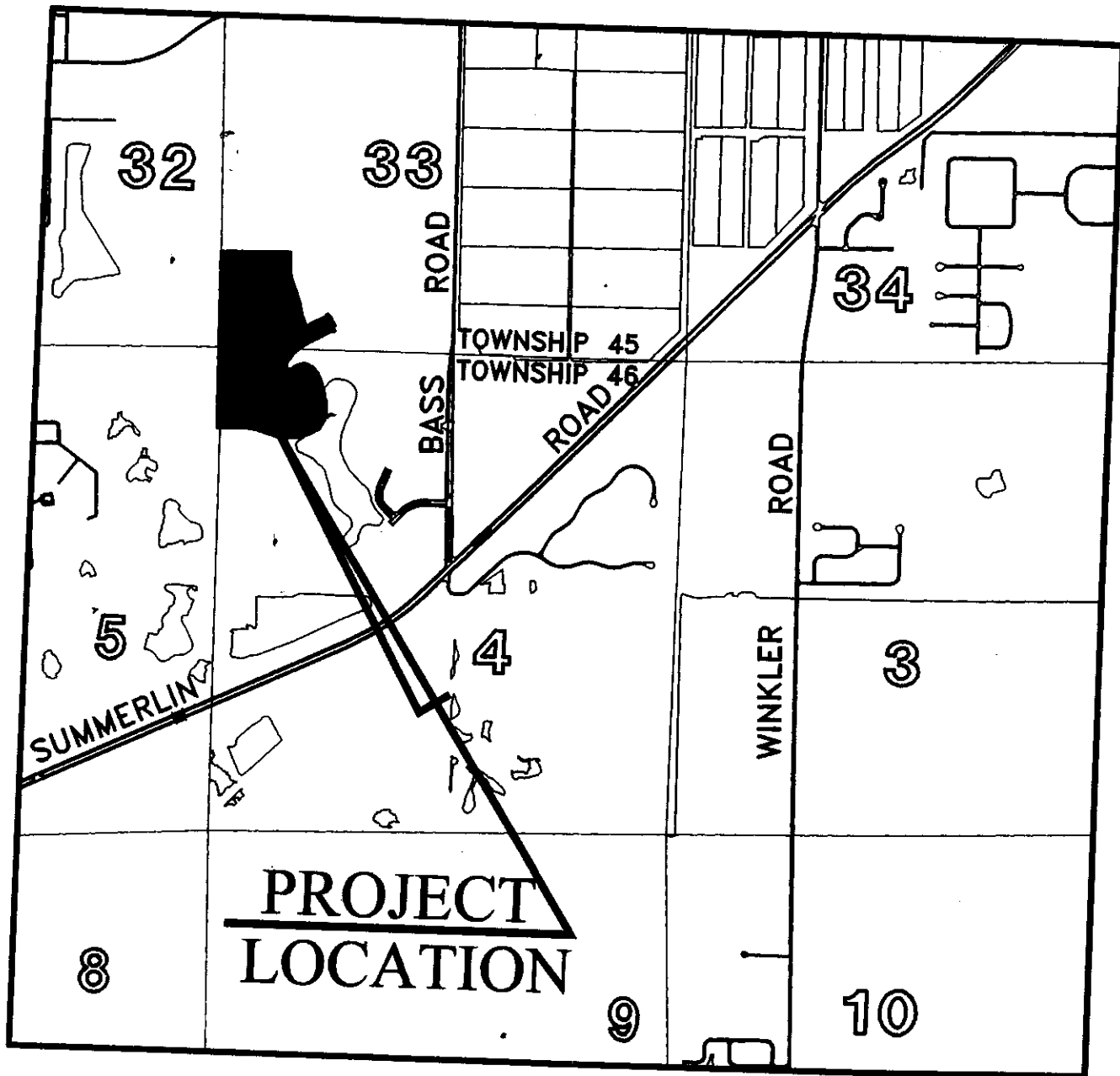
[Previous Filing](#)[Return to List](#)[Next Filing](#)

No Events  
No Name History Information

# 2005 LIMITED LIABILITY COMPANY ANNUAL REPORT

5/ **FILED**  
**May 25, 2005 8:00 a**  
**Secretary of State**  
05-02-2005 90368 017 \*\*\*\*\*50.00

<b>DOCUMENT # L04000048878</b> 1. Entity Name EH BUILDING GROUP II SW DIVISION, LLC					
Principal Place of Business 4227 NORTHLAKE BLVD. PALM BEACH GARDENS, FL 33410			Mailing Address 4227 NORTHLAKE BLVD. PALM BEACH GARDENS, FL 33410		
2. Principal Place of Business Suite, Apt. #, etc.			3. Mailing Address Suite, Apt. #, etc.		
City & State			City & State		
Zip		Country		Zip	
Country		Country		4. FEI Number <b>20-1311812</b>	
5. Certificate of Status Desired <input type="checkbox"/> \$5.00 Additional Fee Required				Applied For <input type="checkbox"/> Not Applicable	
6. Name and Address of Current Registered Agent SIDES, MICHELLE L ESQ. 4227 NORTHLAKE BLVD. PALM BEACH GARDENS, FL 33410				7. Name and Address of New Registered Agent Name Street Address (P.O. Box Number is Not Acceptable) City	
8. The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida. I am familiar with, and accept the obligations of registered agent.				FL Zip Code	
SIGNATURE _____ <small>Signature, typed or printed name of registered agent and title if applicable (NOTE: Registered Agent signature required when retesting)</small>					
Filing Fee is \$50.00 Due by May 1, 2005		Make check payable to Florida Department of State			
9. MANAGING MEMBERS / MANAGERS			10. ADDITIONS / CHANGES		
TITLE NAME STREET ADDRESS CITY-ST-ZIP	MGR ARANDA, MICHAEL F 4227 NORTHLAKE BLVD. PALM BEACH GARDENS, FL 33410	<input type="checkbox"/> Delete			
TITLE NAME STREET ADDRESS CITY-ST-ZIP	ST ARANDA, MICHAEL F 4227 NORTHLAKE BLVD. PALM BEACH GARDENS, FL 33410	<input type="checkbox"/> Delete			
TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input type="checkbox"/> Delete				
TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input type="checkbox"/> Delete				
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TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input type="checkbox"/> Delete				
TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input type="checkbox"/> Delete				
TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input type="checkbox"/> Delete				
11. I hereby certify that the information supplied with this filing does not qualify for the exemption stated in Section 119.07(3)(i), Florida Statutes. I further certify that the information indicated on this report is true and accurate and that my signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes.					
SIGNATURE: <u>Michael F. Aranda</u>		Date: <u>4-29-05</u>		Daytime Phone: <u>561-626-6121</u>	



LOCATION MAP