

Agenda Item Summary

1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a 5-foot wide portion of a 20-foot wide Buffer and Drainage Easement located between 16600 and 16648 Wellington Lakes Circle, Ft. Myers (Case No. VAC2005-00045).

2. WHAT ACTION ACCOMPLISHES: To allow homeowners to increase their usable space to add improvements on the subject Lots. **The vacation of this easement will not alter existing drainage conditions and the easement is not necessary to accommodate any future drainage and requirements.**

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category:
COMMISSION DISTRICT #: 3

9:30 PH1

5. Meeting Date:

10-24-2006

6. Agenda:
 Consent
 Administrative
 Appeals
 Public
 Walk-On

7. Requirement/Purpose: (specify)
 Statute F.S. Ch. 177
 Ordinance
 Admin. Code 13-1
 Other

8. Request Initiated:

Commissioner
 Department Community Development
 Division Development Services
 By: *[Signature]* 9/20/06
 Peter J. Eckenrode, Director

9. Background:

The completed petition to vacate, VAC2005-00045 was submitted by Patrick R. and Della I. D'Onofrio, Joseph and Hillary Gates, Carlos V. and Mary Christine Arguello, Thomas M. and Kathryn P. Murphy, Edward A. and Helen G. Kotlewski, William G. and Katherine A. Hudson, Robert and Jill A. Flynn, Steven Lipschultz and Coppelia D. Gonzalez-Lipschultz, Phillip J. and Barbara L. Ursillo, Joseph Puleo, Richard M. and Edna G. Bernhard, Ellen L. Golden, and Todd G. and Kimberley C. Vail.

LOCATION: The site is located between 16600 and 16648 Wellington Lakes Circle, Ft. Myers, Florida 33908 and its strap numbers are 03-46-24-06-00000.0260, 0270, 0280, 0290, 0300, 0310, 0320, 0330, 0340, 0350, 0360, 0370, and 0380. Petition No. VAC2005-00045 proposes to vacate a 5-foot wide portion of a 20-foot wide Buffer and Drainage Easement on Lots 26 thru 38, Section 3, Township 46 South, Range 24 East, plat of Wellington, as recorded in Plat Book 62, Pages 56 thru 58, of the Public Records of Lee County, Florida.

Documentation pertaining to this Petition to Vacate is available for viewing at the Office of Lee Cares.

There are no objections to this Petition to Vacate.

Attached to this Blue sheet is the Petition to Vacate, Notice of Public Hearing and Exhibits.

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>[Signature]</i>				<i>[Signature]</i> 9/20/06	<i>[Signature]</i> 9/25/06	<i>[Signature]</i> 9/25/06	<i>[Signature]</i> 9/25	<i>[Signature]</i> 9/26/06	<i>[Signature]</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: *[Signature]*
 9/25/06 11:30 AM
 COUNTY ADMIN FORWARDED TO: *[Signature]*
 9/27/06
 9 AM

Rec. by CoAtty
 Date: 9/25/06
 Time: 4:00 pm
 Co. Admin.
 9/25/06 11 AM



PETITION TO VACATE

TRANSMITTAL FOR PUBLIC NOTICE REQUIREMENTS

DATE: September 20, 2006

To: Richard DeSalvo
Public Resources

FROM: Ron Wilson
Development Services

BLUESHEET NUMBER: 20061266

CASE NUMBER: VAC2005-00045

Applicable Public Noticing Requirement:

PTV under AC13-1

1st Notice - 15 days prior to Public Hearing
2nd Notice - 7 days prior to Public Hearing

PTV under AC13-8

One Notice - 15 days prior to Public Hearing

Upon scheduling of Public Hearing date, please provide e-mail notice to Ron Wilson, Development Services (rwilson@leegov.com) and John Fredyma, Assistant County Attorney (fredymjj@leegov.com).

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2005-00045

TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 24th of October, 2006 @ 9:30 am in the County Commissioners' Meeting Room, Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida, the Board of County Commissioners of Lee County, Florida, will consider and take action on a Petition vacating the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".

Interested parties may appear in person or through a representative and be heard with respect to the Petition to Vacate.

Anyone wishing to appeal the decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such appeal, and may need a verbatim record, to include all testimony and evidence upon which the appeal is to be based.

A copy of the Petition to Vacate is on file in the Office of the Clerk of the Circuit Court of Lee County, Florida, Minutes Office, 2115 Second Street, Fort Myers, Florida.



LEE COUNTY

CHARLIE GREEN, CLERK

SOUTH WEST FLORIDA

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

John J. Fredyma
County Attorney Signature

John J. Fredyma
Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2005-00045
[Page One of One]

Legal Description of the Buffer and Drainage Easement to be Vacated:

A portion of the twenty-foot wide Buffer and Drainage Easement located in Section 3, Township 46 South, Range 24 East, shown on the Plat of Wellington as recorded in Plat Book 62, in Pages 56 through 58 of the Public Records of Lee County, Florida, being more particularly described as follows:

The east 5.00 feet of the west 20.0 feet of Lots 26 through 38, inclusive, of the aforesaid Plat of Wellington, LESS and EXCEPT the South 10.0 feet of Lot 38 and the North 7.5 feet of Lot 26.

THIS INSTRUMENT PREPARED BY:

Department of Community Development
Development Services Division
1500 Monroe Street
Fort Myers Florida 33901

RESOLUTION NO. _____ FOR PETITION TO VACATE

Case Number: VAC2005-00045

WHEREAS, Petitioner **Patrick R. and Della I. D'Onofrio, Joseph and Hillary Gates, Carlos V. and Mary Christine Arguello, Thomas M. and Kathryn P. Murphy, Edward A. and Helen G. Kotlewski, William G. and Katherine A. Hudson, Robert and Jill A. Flynn, Steven Lipschultz and Coppelia D. Gonzalez-Lipschultz, Phillip J. and Barbara L. Ursillo, Joseph Puleo, Richard M. and Edna G. Bernhard, Ellen L. Golden, Todd G. and Kimberley C. Vail** in accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, filed a Petition to Vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A"; and

WHEREAS, the Board of County Commissioners of Lee County, Florida held a Public Hearing on this Petition to Vacate on the _____; and

WHEREAS, a legally sufficient Affidavit of Publication regarding the Notice of Public Hearing on this Petition to Vacate was entered into the minutes of the County Commission Meeting; and

WHEREAS, the Petitioner(s) has fee simple title ownership to the underlying land sought to be vacated; and

WHEREAS, the Petitioner(s) has provided proof that all applicable state and county taxes have been paid; and

WHEREAS, Petitioner(s) did provide notice to all affected property owners concerning the intent of the Petition to Vacate in accordance with LCAC 13-1; and

WHEREAS, the letters of review and recommendation provided by the various governmental and utility entities indicate that granting the Petition to Vacate will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

NOW therefore be it resolved by the Board of County Commissioners as follows:

1. Petition to Vacate No. VAC2005-00045 is hereby granted.
2. The public's interest in the easement, plat or portion of a plat legally described in Exhibit "A" and graphically depicted in the sketch attached as Exhibit "B" is hereby vacated.
3. This Resolution will become effective upon recording of a fully executed copy in the public records of Lee County, Florida.

This Resolution passed by voice and entered into the minutes of the Board of County Commissioners of Lee County, Florida, this _____ .

ATTEST
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

Deputy Clerk Signature

Chairman Signature

Please Print Name

Please Print Name

LEE COUNTY
S O U T H W E S T F L O R I D A

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

EXHIBIT "A"
Petition to Vacate
VAC2005-00045
[Page One of One]

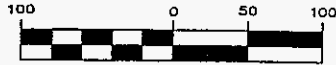
Legal Description of the Buffer and Drainage Easement to be Vacated:

A portion of the twenty-foot wide Buffer and Drainage Easement located in Section 3, Township 46 South, Range 24 East, shown on the Plat of Wellington as recorded in Plat Book 62, in Pages 56 through 58 of the Public Records of Lee County, Florida, being more particularly described as follows:

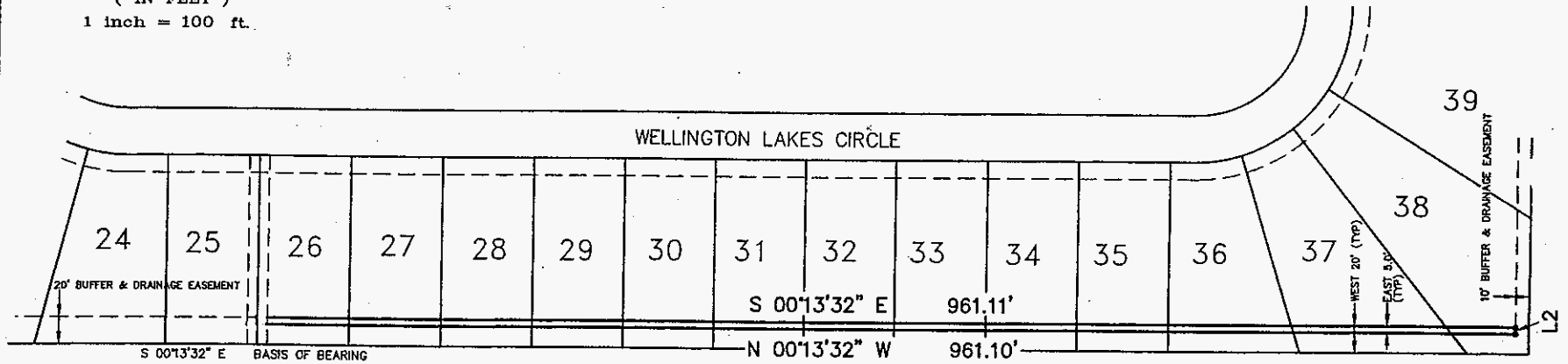
The east 5.00 feet of the west 20.0 feet of Lots 26 through 38, inclusive, of the aforesaid Plat of Wellington, LESS and EXCEPT the South 10.0 feet of Lot 38 and the North 7.5 feet of Lot 26.



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



Legal Description of the Buffer and Drainage Easement to be Vacated:

A portion of the twenty-foot wide Buffer and Drainage Easement located in Section 3, Township 46 South, Range 24 East, shown on the Plat of Wellington as recorded in Plat Book 62, in Pages 56 through 58 of the Public Records of Lee County, Florida, being more particularly described as follows:

The east 5.00 feet of the west 20.0 feet of Lots 26 through 38, inclusive, of the aforesaid Plat of Wellington, LESS and EXCEPT the South 10.0 feet of Lot 38 and the North 7.5 feet of Lot 26.

LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	N 89°46'28" E	5.00'
L2	S 89°51'16" W	5.00'

BEARINGS SHOWN HEREON REFER TO THE WEST LINE OF WELLINGTON, ACC. TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 62 AT PAGES 56 THROUGH 58 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AS BEING N.00°13'32"W.

HOLE MONTES, INC.
CERTIFICATE OF AUTHORIZATION LB #1772

BY *Thomas M. Murphy*
THOMAS M. MURPHY

P.S.M. #5022
STATE OF FLORIDA

* NOT A SURVEY *

H:\8200\W-Miscellaneous\Employee CAD-Dwg Folders\WELLINGTON\EHW20.dwg Tab: Bx14 Jun 12, 2006 - 5:30pm Plotted by: TomMurphy

SEC-TWN-RGE: 3-46-24	
DRAWN BY: TF/BN	DATE: 3/06
CHECKED BY: TMM	DRAWING NO. B-4773-1



950 Encore Way
Naples, FL 34110
Phone: (239) 254-2000
Florida Certificate of
Authorization No.1772

NOT VALID WITHOUT
THE SIGNATURE AND
THE ORIGINAL RAISED
SEAL OF A FLORIDA
LICENSED SURVEYOR
AND MAPPER.

SKETCH AND LEGAL DESCRIPTION

PROJECT NO. 8200
REFERENCE NO. EHW20

Exhibit "B"
Petition to Vacate
VAC2005-00045
[Page One of One]



PETITION TO VACATE (AC 13-1)

Case Number: VAC2005-00045

Petitioner(s), Patrick R. D'Onofrio and Della I. D'Onofrio
requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

1. Petitioner(s) mailing address, 16600 Wellington lakes Cir., Ft. Myers, FL 33908.
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Wherefore, Petitioner respectfully requests the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted by:

Patrick R. D'Onofrio
Petitioner Signature

Della I. D'Onofrio
Petitioner Signature

Patrick R. D'Onofrio
Printed Name

Della I. D'Onofrio
Printed Name

NOTE: This is a legal document and is therefore not available in Word Perfect format.



PETITION TO VACATE (AC 13-1)

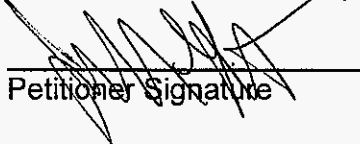
Case Number: VAC2005-00045

Petitioner(s), Joseph Gates and Hillary Gates
requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

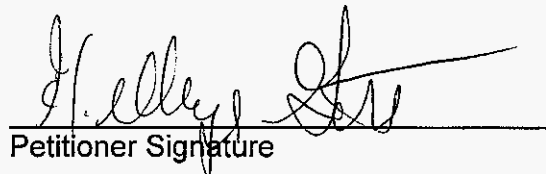
1. Petitioner(s) mailing address, 16604 Wellington lakes Cir., Ft. Myers, FL 33908
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Wherefore, Petitioner respectfully requests the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted by:



Petitioner Signature



Petitioner Signature

Joseph Gates

Printed Name

Hillary Gates

Printed Name

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PETITION TO VACATE (AC 13-1)

Case Number: VAC2005-00045

Petitioner(s), Carlos V. Arguello and Mary Christine Arguello
requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

- 1. Petitioner(s) mailing address, 16608 Wellington lakes Cir., Ft. Myers, FL 33908
- 2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
- 3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
- 4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
- 5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
- 6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
- 7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Wherefore, Petitioner respectfully requests the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted by:

Carlos Arguello
Petitioner Signature

Mary Christine Arguello
Petitioner Signature

Carlos V. Arguello
Printed Name

Mary Christine Arguello
Printed Name

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PETITION TO VACATE (AC 13-1)

Case Number: VAC2005-00045

Petitioner(s), Thomas M. Murphy and Kathryn P. Murphy
requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

1. Petitioner(s) mailing address, 16612 Wellington lakes Cir., Ft. Myers, FL 33908
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Wherefore, Petitioner respectfully requests the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted by:

Thomas M. Murphy
Petitioner Signature

Kathryn P. Murphy
Petitioner Signature

Thomas M. Murphy
Printed Name

Kathryn P. Murphy
Printed Name

NOTE: This is a legal document and is therefore not available in Word Perfect format.



PETITION TO VACATE (AC 13-1)

Case Number: VAC2005-00045

Petitioner(s), Edward A. Kotlewski and Helen G. Kotlewski
requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

1. Petitioner(s) mailing address, 2 Upper Greens Auchtermuchty Cupar Fife KY147BK, United Kingdom.
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Wherefore, Petitioner respectfully requests the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted by:



Petitioner Signature



Petitioner Signature

Edward A. Kotlewski

Printed Name

Helen G. Kotlewski

Printed Name

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PETITION TO VACATE (AC 13-1)

Case Number: VAC2005-00045

Petitioner(s), William G. Hudson and Katherine A. Hudson
requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

1. Petitioner(s) mailing address, 16620 Wellington Lakes Cir., Ft. Myers, FL 33908.
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Wherefore, Petitioner respectfully requests the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted by:

William G. Hudson
Petitioner Signature

Katherine A. Hudson
Petitioner Signature

William G. Hudson
Printed Name

Katherine A. Hudson
Printed Name

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PETITION TO VACATE (AC 13-1)

Case Number: VAC2005-00045


Petitioner(s), Robert Flynn and Jill A. Flynn
requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

1. Petitioner(s) mailing address, 16624 Wellington Lakes Cir., Ft. Myers, FL 33908
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Wherefore, Petitioner respectfully requests the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted by:


Petitioner Signature


Petitioner Signature

Robert Flynn
Printed Name

Jill A. Flynn
Printed Name

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PETITION TO VACATE (AC 13-1)

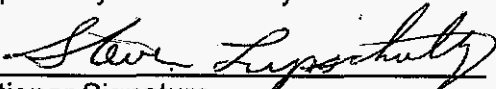
Case Number: VAC2005-00045

Petitioner(s), Steven Lipschultz and Coppelia D. Gonzalez-Lipschultz requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

1. Petitioner(s) mailing address, 16628 Wellington Lakes Cir., Ft. Myers, FL 33908
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Wherefore, Petitioner respectfully requests the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted by:


Petitioner Signature


Petitioner Signature

Steven Lipschultz
Printed Name

Coppelia D. Gonzalez-Lipschultz
Printed Name

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PETITION TO VACATE (AC 13-1)

Case Number: VAC2005-00045

Petitioner(s), Phillip J. Ursillo and Barbara L. Ursillo
requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

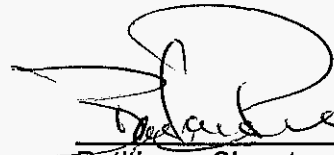
1. Petitioner(s) mailing address, 16632 Wellington Lakes Cir., Ft. Myers, FL 33908
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Wherefore, Petitioner respectfully requests the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted by:



Petitioner Signature



Petitioner Signature

Phillip J. Ursillo

Printed Name

Barbara L. Ursillo

Printed Name

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PETITION TO VACATE (AC 13-1)

Case Number: VAC2005-00045

Petitioner(s), Joseph Puleo requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

- 1. Petitioner(s) mailing address, 16636 Wellington Lakes Cir., Ft. Myers, FL 33908
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Wherefore, Petitioner respectfully requests the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted by:

Petitioner Signature Joseph Puleo Petitioner Signature
Joseph Puleo Printed Name Printed Name



PETITION TO VACATE (AC 13-1)

Case Number: VAC2005-00045

Petitioner(s), Richard M. Bernhard and Edna G. Bernhard
requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

1. Petitioner(s) mailing address, 16640 Wellington Lakes Cir., Ft. Myers, FL 33908.
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Wherefore, Petitioner respectfully requests the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted by:

Richard M. Bernhard
Petitioner Signature

Edna G. Bernhard
Petitioner Signature

Richard M. Bernhard
Printed Name

Edna G. Bernhard
Printed Name

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PETITION TO VACATE (AC 13-1)

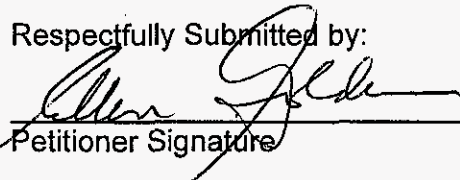
Case Number: VAC2005-00045

Petitioner(s), Ellen L. Golden
requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

1. Petitioner(s) mailing address, 16644 Wellington Lakes Cir., Ft. Myers, FL 33908.
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
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5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Wherefore, Petitioner respectfully requests the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted by:



Petitioner Signature

Petitioner Signature

Ellen L. Golden

Printed Name

Printed Name

NOTE: This is a legal document and is therefore not available in Word Perfect format.



PETITION TO VACATE (AC 13-1)

Case Number: VAC2005-00045

Petitioner(s), Todd G. Vail and Kimberley C. Vail
requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

1. Petitioner(s) mailing address, 16648 Wellington Lakes Cir., Ft. Myers, FL 33908.
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Wherefore, Petitioner respectfully requests the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted by:

Todd G. Vail
Petitioner Signature

Kimberley C. Vail
Petitioner Signature

Todd G. Vail
Printed Name

Kimberley C. Vail
Printed Name

NOTE: This is a legal document and is therefore not available in Word Perfect format.

EXHIBIT "A"
Petition to Vacate
VAC2005-00045
[Page One of One]

Legal Description of the Buffer and Drainage Easement to be Vacated:

A portion of the twenty-foot wide Buffer and Drainage Easement located in Section 3, Township 46 South, Range 24 East, shown on the Plat of Wellington as recorded in Plat Book 62, in Pages 56 through 58 of the Public Records of Lee County, Florida, being more particularly described as follows:

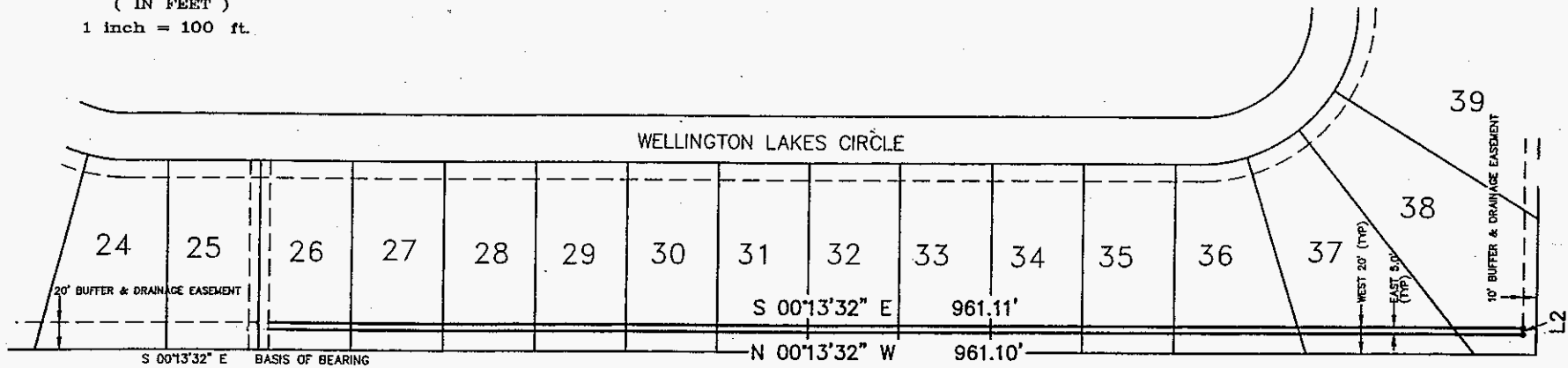
The east 5.00 feet of the west 20.0 feet of Lots 26 through 38, inclusive, of the aforesaid Plat of Wellington, LESS and EXCEPT the South 10.0 feet of Lot 38 and the North 7.5 feet of Lot 26.



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



Legal Description of the Buffer and Drainage Easement to be Vacated:

A portion of the twenty-foot wide Buffer and Drainage Easement located in Section 3, Township 46 South, Range 24 East, shown on the Plat of Wellington as recorded in Plat Book 62, in Pages 56 through 58 of the Public Records of Lee County, Florida, being more particularly described as follows:

The east 5.00 feet of the west 20.0 feet of Lots 26 through 38, inclusive, of the aforesaid Plat of Wellington, LESS and EXCEPT the South 10.0 feet of Lot 38 and the North 7.5 feet of Lot 26.

LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	N 89°46'28" E	5.00'
L2	S 89°51'16" W	5.00'

BEARINGS SHOWN HEREON REFER TO THE WEST LINE OF WELLINGTON, ACQ. TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 62 AT PAGES 56 THROUGH 58 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AS BEING N.00°13'32\"/>

HOLE MONTES, INC.
CERTIFICATE OF AUTHORIZATION LB #1772

BY *Thomas M. Murphy*
THOMAS M. MURPHY

P.S.M. #5628
STATE OF FLORIDA

* NOT A SURVEY *

SEC-TWN-RGE: 3-46-24	
DRAWN BY: TF/BN	DATE 3/06
CHECKED BY: TMM	DRAWING NO. B-4773-1



950 Encore Way
Naples, FL 34110
Phone: (239) 254-2000
Florida Certificate of
Authorization No.1772

NOT VALID WITHOUT
THE SIGNATURE AND
THE ORIGINAL RAISED
SEAL OF A FLORIDA
LICENSED SURVEYOR
AND MAPPER.

SKETCH AND LEGAL DESCRIPTION

PROJECT NO. 8200
REFERENCE NO. EHW20

H:\0200\A-Miscellaneous\Employee CAD-Dwg Folders\WELLINGTON\EHW20.dwg Tbs: 8x14 Jun 12, 2006 - 5:30pm Plotted by: TomMurphy

Exhibit "B"
Petition to Vacate
VAC2005-00045
[Page One of One]

Exhibit "C"
Petition to Vacate
VAC2005-00045
[Page One of Five]

Real Property Information		
Account	Tax Year	Status
03-46-24-06-00000.0260	2005	PAID
Original Account	Book/Page	
03-46-24-06-00000.0260	3374/ 941	
Owner		
DONOFRIO PATRICK R + DELLA I		
Physical Address	Mailing Address	
16600 WELLINGTON LAKES CIR Fort Myers FL 33908	16600 WELLINGTON LAKES CIR FORT MYERS FL 33908 USA	
Legal Description		
WELLINGTON PB 62 PGS 56-58 LOT 26		
Outstanding Balance as of 12/5/2005		\$0.00

Real Property Information		
Account	Tax Year	Status
03-46-24-06-00000.0270	2005	PAID
Original Account	Book/Page	
03-46-24-06-00000.0270	3207/1899	
Owner		
GATES JOSEPH + HILLARY		
Physical Address	Mailing Address	
16604 WELLINGTON LAKES CIR Fort Myers FL 33908	16604 WELLINGTON LAKES CIR FORT MYERS FL 33908 USA	
Legal Description		
WELLINGTON PB 62 PGS 56-58 LOT 27		
Outstanding Balance as of 12/5/2005		\$0.00

Real Property Information		
Account	Tax Year	Status
03-46-24-06-00000.0280	2005	PAID
Original Account	Book/Page	
03-46-24-06-00000.0280	3236/1360	
Owner		
ARGUELLO CARLOS V + MARY C		
Physical Address	Mailing Address	
16608 WELLINGTON LAKES CIR Fort Myers FL 33908	16608 WELLINGTON LAKES CIR FORT MYERS FL 33908 USA	
Legal Description		
WELLINGTON PB 62 PGS 56-58 LOT 28		
Outstanding Balance as of 12/23/2005		\$0.00

Exhibit "C"
Petition to Vacate
VAC2005-00045
 [Page Two of Five]

Real Property Information		
Account	Tax Year	Status
03-46-24-06-00000.0290	2005	PAID
Original Account	Book/Page	
03-46-24-06-00000.0290	3228/2594	
Owner		
MURPHY THOMAS M + KATHRYN P		
Physical Address	Mailing Address	
16612 WELLINGTON LAKES CIR Fort Myers FL 33908	16612 WELLINGTON LAKES CIR FORT MYERS FL 33908 USA	
Legal Description		
WELLINGTON PB 62 PGS 56-58 LOT 29		
Outstanding Balance as of 12/5/2005		\$0.00

Real Property Information		
Account	Tax Year	Status
03-46-24-06-00000.0300	2005	PAID
Original Account	Book/Page	
03-46-24-06-00000.0300	3431/3209	
Owner		
KOTLEWSKI EDWARD A + HELEN G		
Physical Address	Mailing Address	
16616 WELLINGTON LAKES CIR Fort Myers FL 33908	2 UPPER GREENS AUCHTERMUCHTY CUPAR FIFE KY147BK UNITED KINGDOM	
Legal Description		
WELLINGTON PB 62 PGS 56-58 LOT 30		
Outstanding Balance as of 12/5/2005		\$0.00

Real Property Information		
Account	Tax Year	Status
03-46-24-06-00000.0310	2005	PAID
Original Account	Book/Page	
03-46-24-06-00000.0310	3644/1923	
Owner		
HUDSON WILLIAM G + KATHERINE A		
Physical Address	Mailing Address	
16620 WELLINGTON LAKES CIR Fort Myers FL 33908	16620 WELLINGTON LAKES CIR FORT MYERS FL 33908 USA	
Legal Description		
WELLINGTON PB 62 PGS 56-58 LOT 31		
Outstanding Balance as of 12/5/2005		\$0.00

Exhibit "C"
Petition to Vacate
VAC2005-00045
 [Page Three of Five]

Real Property Information		
Account	Tax Year	Status
03-46-24-06-00000.0320	2005	PAID
Original Account	Book/Page	
03-46-24-06-00000.0320	3540/4474	
Owner		
FLYNN ROBERT + JILL A		
Physical Address	Mailing Address	
16624 WELLINGTON LAKES CIR Fort Myers FL 33908	16624 WELLINGTON LAKES CIR FORT MYERS FL 33908 USA	
Legal Description		
WELLINGTON PB 62 PGS 56-58 LOT 32		
Outstanding Balance as of 12/5/2005		\$0.00

Real Property Information		
Account	Tax Year	Status
03-46-24-06-00000.0330	2005	PAID
Original Account	Book/Page	
03-46-24-06-00000.0330	4470/4514	
Owner		
LIPSCHULTZ STEVEN + COPPELIA D		
Physical Address	Mailing Address	
16628 WELLINGTON LAKES CIR Fort Myers FL 33908	16628 WELLINGTON LAKES CIR FORT MYERS FL 33908 USA	
Legal Description		
WELLINGTON PB 62 PGS 56-58 LOT 33		
Outstanding Balance as of 1/5/2006		\$0.00

Real Property Information		
Account	Tax Year	Status
03-46-24-06-00000.0340	2005	PAID
Original Account	Book/Page	
03-46-24-06-00000.0340	3497/2935	
Owner		
URSILLO PHILLIP J + BARBARA L		
Physical Address	Mailing Address	
16632 WELLINGTON LAKES CIR Fort Myers FL 33908	16632 WELLINGTON LAKES CIR FORT MYERS FL 33908 USA	
Legal Description		
WELLINGTON PB 62 PGS 56-58 LOT 34		
Outstanding Balance as of 12/5/2005		\$0.00


Exhibit "C"
Petition to Vacate
VAC2005-00045
 [Page Four of Five]

Real Property Information		
Account	Tax Year	Status
03-46-24-06-00000.0350	2005	PAID
Original Account	Book/Page	
03-46-24-06-00000.0350	4216/ 45	
Owner		
PULEO JOSEPH		
Physical Address	Mailing Address	
16636 WELLINGTON LAKES CIR Fort Myers FL 33908	16636 WELLINGTON LAKES CIR FORT MYERS FL 33908 USA	
Legal Description		
WELLINGTON PB 62 PGS 56-58 LOT 35		
Outstanding Balance as of 12/5/2005		\$0.00

Real Property Information		
Account	Tax Year	Status
03-46-24-06-00000.0360	2005	PAID
Original Account	Book/Page	
03-46-24-06-00000.0360	3887/ 374	
Owner		
BERNHARD RICHARD M + EDNA G		
Physical Address	Mailing Address	
16640 WELLINGTON LAKES CIR Fort Myers FL 33908	16640 WELLINGTON LAKES CIR FORT MYERS FL 33908 USA	
Legal Description		
WELLINGTON PB 62 PGS 56-58 LOT 36		
Outstanding Balance as of 1/31/2006		\$0.00

Real Property Information		
Account	Tax Year	Status
03-46-24-06-00000.0370	2005	PAID
Original Account	Book/Page	
03-46-24-06-00000.0370	3542/4315	
Owner		
GOLDEN ELLEN L		
Physical Address	Mailing Address	
16644 WELLINGTON LAKES CIR Fort Myers FL 33908	16644 WELLINGTON LAKES CIR FORT MYERS FL 33908 USA	
Legal Description		
WELLINGTON PB 62 PGS 56-58 LOT 37		
Outstanding Balance as of 12/5/2005		\$0.00

Exhibit "C"
Petition to Vacate
VAC2005-00045
 [Page Five of Five]

Real Property Information		
Account	Tax Year	Status
03-46-24-06-00000.0380	2005	PAID
Original Account	Book/Page	
03-46-24-06-00000.0380	3259/2807	
Owner		
VAIL TODD G + KIMBERLEY C		
Physical Address	Mailing Address	
16648 WELLINGTON LAKES CIR Fort Myers FL 33908	16648 WELLINGTON LAKES CIR FORT MYERS FL 33908 USA	
Legal Description		
WELLINGTON PB 62 PGS 56-58 LOT 38		
Outstanding Balance as of 12/5/2005		\$0.00

6-1253-

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

INSTR # 5079161
OR BK 03374 PG 0941

RECORDED 03/08/01 02:43 PM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DOC TAX PD(F.S.201.02) 1,253.00
DEPUTY CLERK K Cartwright

THIS INSTRUMENT PREPARED BY:
GUARDIAN TITLE SERVICES CORPORATION
Deborah A. Rickard
9311 COLLEGE PARKWAY, SUITE 2
FORT MYERS, FLORIDA 33919

STRAP NO: 03-46-24-06-00000.0260
GRANTEE'S SOCIAL SECURITY NO:

THIS INDENTURE DEED Made this 5th of March, A.D. 2001, between **Nova Capital, L.P.**, a Delaware Limited Partnership qualified to transact business in the State of Florida as **Mastercraft Homes, LTD.** whose post office address is: 9311 College Parkway #1, Fort Myers, FL 33919 hereinafter called the grantor, and:

Patrick R. D'Onofrio and Della I. D'Onofrio, husband and wife

whose post office address is: *10600 Wellington Lakes Cir.
Ft Myers FL 33908*
hereinafter called the grantee:

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other good and valuable considerations to it in hand paid by the Grantee, the receipt whereof and sufficiency of which is hereby acknowledged, has granted, bargained and sold to the Grantee, its successors and assigns forever, the following described land situated, lying and being in the County of Lee, State of Florida, to-wit:

Lot 26, Wellington Subdivision, according to the plat thereof as recorded in Plat Book 62, Pages 56 through 58 inclusive, in the Public Records of Lee County, Florida.

TOGETHER with all improvements thereon.

TO HAVE AND TO HOLD, the same in fee simple forever.

SUBJECT TO: taxes and assessments for the year 2001 and thereafter, conditions, restrictions, easements and limitations of record, and to all zoning rules and regulations and to any other laws, ordinances, rules and regulations of any governmental authority or otherwise.

Grantor does hereby warrant and covenant that it has not done or suffered to be done anything whereby the premises herein conveyed is, or may be, in any manner encumbered or charged, except as more particularly set forth herein and Grantor will warrant and forever defend said premises to the extent of the Warranties hereinabove made, against all persons claiming lawfully by, through, or under the Grantor.

NOVA CAPITAL, L.P., Delaware limited partnership qualified to transact business in the State of Florida as **MASTERCRAFT HOMES, LTD.**

By: **MCH Holdings, Inc.**, a Delaware Corporation its general partner

By: *James L. Southern III*
James L. Southern, III, President

Deborah A. Rickard
Witness
Also Print: *Deborah A. Rickard*

Joann M. Kaminski
Witness
Also Print: **JOANN M. KAMINSKI**

State of Florida
County of Lee

EXECUTION of the foregoing instrument was acknowledged before me this 5th day of March, 2001, by James L. Southern, III, President of MCH Holdings, Inc., a Delaware Corporation, as General Partner of Nova Capital, L.P., a Delaware limited partnership qualified to transact business in the State of Florida as Mastercraft Homes, Ltd., on behalf of the corporation and the partnership, who is personally known to me and who did not take an oath.

Deborah A. Rickard

NOTARY PUBLIC-SIGNATURE ABOVE
NOTARY NAME: _____
COMMISSION NO.: _____
COMMISSION EXP. DATE: _____
FILE # F91954H
MC-DEED.DOC



RECEIVED
OCT 04 2005

VAC 2005-00045

THIS INSTRUMENT PREPARED BY:
Kathryn I. Weed
Weed and Associates, Title Services, Inc.
301 N US Hwy 27, Suite H
Clermont, Florida 34711

1050 R
1374 R-D

(Handwritten signature/initials)

RECORD AND RETURN TO:
Weed and Associates, Title Services, Inc.
301 N US Hwy 27, Suite H
Clermont, Florida 34711

RE PARCEL ID #: 03-46-24-00-00003-0010
BUYER'S TIN:

INSTR # 4788584
OR BK 03207 PG 1899
RECORDED 01/06/00 02:33 PM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 18.50
DOC TAX PD (F.S. 201.02) 1,374.88
DEPUTY CLERK K Cartwright

**CORPORATE
WARRANTY DEED**

THIS INDENTURE made this 8th day of December, 1999 by Nova Capital L.P., a Delaware Limited Partnership authorized to transact business in the State of Florida as Mastercraft Homes, LTD., hereinafter called Grantor, and whose address is 9311 College Parkway, Fort Myers, FL 33919 to Joseph Gates and Hillary Gates, Husband and Wife, hereinafter called Grantee, and whose address is 16604 Wellington Lakes Circle, Fort Myers, FL 33908.

(Wherever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH:

THAT the Grantor, for and in consideration of the sum of Ten and NO/100 Dollars and other valuable considerations, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee the following described land situate, lying and being in the County of Lee, State of Florida to wit:

Lot 27 Wellington Subdivision, according to the Plat thereof, recorded in Plat Book 62, Pages 56-58, of the Public Records of Lee County, Florida.

SUBJECT TO taxes accruing subsequent to December 31, 1999.

SUBJECT TO covenants, restrictions and easements of record, if any; however, this reference shall not operate to reimpose same.

AND the said Grantor hereby covenants that it is lawfully seized of said land in fee simple and fully warrants the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed in its name by its duly authorized officer(s) and caused its corporate seal to be hereto affixed the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Signature
[Signature]
Kathryn I. Weed

Witness Printed Signature
Paige Morgan
Witness Signature
[Signature]
PAIGE MORGAN
Witness Printed Signature

Mastercraft Homes, LTD.

by: *[Signature]*
Mike Diamond, Executive Vice Pres.
(Corporate Seal)

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 8th day of December, 1999 by Mike Diamond, Executive Vice President of Nova Capital L.P., a Delaware Limited Partnership authorized to transact business in the State of Florida as Mastercraft Homes LTD, on behalf of the corporation. He/She is personally known to me or has produced a drivers license as identification.

Notary Public, State and County Aforesaid

Notary Signature
[Signature]
Kathryn I. Weed
Notary Printed Signature

(Title or Rank)

(Serial No., if any)



KATHRYN I. WEED
My Comm Exp. 1/27/00
Bonded By ServiceFns
No. CC514736
[[Personally Known] [Other]

600P
1061.90
1067.90

INSTRUMENT NO. 4842639

INSTR # 4842639
OR BK 03236 PG 1360

RECORDED 03/29/00 09:26 AM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DOC TAX PD (F.S. 201.02) 1,061.90
DEPUTY CLERK K Cartwright

THIS INSTRUMENT PREPARED BY:
GUARDIAN TITLE SERVICES CORPORATION
Linda J. Antonaccio
9311 COLLEGE PARKWAY, SUITE 2
FORT MYERS, FLORIDA 33919

STRAP NO: 03-46-24-06-00000.0280
GRANTEE'S SOCIAL SECURITY NO:

THIS INDENTURE DEED Made this 24th of March, A.D. 2000, between **Nova Capital, L.P.**, a Delaware Limited Partnership qualified to transact business in the State of Florida as **Mastercraft Homes, LTD.** whose post office address is: 9311 College Parkway #1, Fort Myers, FL 33919 hereinafter called the grantor, and;

Carlos V. Arguello and Mary Christine Arguello, husband and wife

whose post office address is: 16608 Wellington Lakes Circle
Fort Myers, FL 33908

hereinafter called the grantee:

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other good and valuable considerations to it in hand paid by the Grantee, the receipt whereof and sufficiency of which is hereby acknowledged, has granted, bargained and sold to the Grantee, its successors and assigns forever, the following described land situated, lying and being in the County of Lee, State of Florida, to-wit:

Lot 28, Wellington Subdivision, according to the plat thereof as recorded in Plat Book 62, Pages 56 through 58 inclusive, in the Public Records of Lee County, Florida.

TOGETHER with all improvements thereon.

TO HAVE AND TO HOLD, the same in fee simple forever.

SUBJECT TO: taxes and assessments for the year 2000 and thereafter, conditions, restrictions, easements and limitations of record, and to all zoning rules and regulations and to any other laws, ordinances, rules and regulations of any governmental authority or otherwise.

Grantor does hereby warrant and covenant that it has not done or suffered to be done anything whereby the premises herein conveyed is, or may be, in any manner encumbered or charged, except as more particularly set forth herein and Grantor will warrant and forever defend said premises to the extent of the Warranties hereinabove made, against all persons claiming lawfully by, through, or under the Grantor.

NOVA CAPITAL, L.P., Delaware limited partnership qualified to transact business in the State of Florida as **MASTERCRAFT HOMES, LTD.**

By: **MCH Holdings, Inc.**, a Delaware Corporation its general partner

By: Michael S. Diamond
Michael S. Diamond, Executive Vice President

Cindy Dunn
Witness
Also Print: **Cindy Dunn**

Linda J. Antonaccio
Witness
Also Print: **Linda J. Antonaccio**

State of Florida
County of Lee

EXECUTION of the foregoing instrument was acknowledged before me this 24th day of March, 2000, by Michael S. Diamond, Executive Vice President of MCH Holdings, Inc., a Delaware Corporation, as General Partner of Nova Capital, L.P., a Delaware limited partnership qualified to transact business in the State of Florida as Mastercraft Homes, Ltd., on behalf of the corporation and the partnership, who is personally known to me and who did not take an oath.

Linda J. Antonaccio
NOTARY PUBLIC-SIGNATURE ABOVE
NOTARY NAME: **Linda J. Antonaccio**
COMMISSION NO.: _____
COMMISSION EXP. DATE: _____
FILE # F87584H
MC-DEED.DOC

NOTARY PUBLIC
STATE OF FLORIDA
LINDA J. ANTONACCIO
COMMISSION # CC 657339
EXPIRES AUG 18, 2001
BONDED THRU
ATLANTIC BONDING CO., INC.

NOTARY PUBLIC
STATE OF FLORIDA
LINDA J. ANTONACCIO
COMMISSION # CC 657339
EXPIRES AUG 18, 2001
BONDED THRU
ATLANTIC BONDING CO., INC.

6.09
1072.80
1058.80

INSTR # 4828077
OR BK 03228 PG 2594

RECORDED 03/08/00 12:54 PM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DOC TAX PD (F.S. 201.02) 1,052.80
DEPUTY CLERK J Miller

THIS INSTRUMENT PREPARED BY:
GUARDIAN TITLE SERVICES CORPORATION
Linda J. Antonaccio
9311 COLLEGE PARKWAY, SUITE 2
FORT MYERS, FLORIDA 33919

STRAP NO: 03-46-24-06-00000.0290
GRANTEE'S SOCIAL SECURITY NO:

THIS INDENTURE DEED Made this 3rd of March, A.D. 2000, between **Nova Capital, L.P.**, a Delaware Limited Partnership qualified to transact business in the State of Florida as **Mastercraft Homes, LTD.** whose post office address is: 9311 College Parkway #1, Fort Myers, FL 33919 hereinafter called the grantor, and;

Thomas M. Murphy and Kathryn P. Murphy, husband and wife

whose post office address is: 16612 Wellington Lakes Circle
Fort Myers, FL 33908

hereinafter called the grantee:

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other good and valuable considerations to it in hand paid by the Grantee, the receipt whereof and sufficiency of which is hereby acknowledged, has granted, bargained and sold to the Grantee, its successors and assigns forever, the following described land situated, lying and being in the County of Lee, State of Florida, to-wit:

Lot 29, Wellington Subdivision, according to the plat thereof as recorded in Plat Book 62, Pages 56 through 58 inclusive, in the Public Records of Lee County, Florida.

TOGETHER with all improvements thereon.

TO HAVE AND TO HOLD, the same in fee simple forever.

SUBJECT TO: taxes and assessments for the year 2000 and thereafter, conditions, restrictions, easements and limitations of record, and to all zoning rules and regulations and to any other laws, ordinances, rules and regulations of any governmental authority or otherwise.

Grantor does hereby warrant and covenant that it has not done or suffered to be done anything whereby the premises herein conveyed is, or may be, in any manner encumbered or charged, except as more particularly set forth herein and Grantor will warrant and forever defend said premises to the extent of the Warranties hereinabove made, against all persons claiming lawfully by, through, or under the Grantor.

NOVA CAPITAL, L.P., Delaware limited partnership qualified to transact business in the State of Florida as **MASTERCRAFT HOMES, LTD.**

By: **MCH Holdings, Inc.**, a Delaware Corporation its general partner

BY: Michael S. Diamond
Michael S. Diamond, Executive Vice President

Cindy Dunn
Witness
Also Print: Cindy Dunn

Linda J. Antonaccio
Witness
Also Print: Linda J. Antonaccio

State of Florida
County of Lee

EXECUTION of the foregoing instrument was acknowledged before me this 3rd day of March, 2000, by Michael S. Diamond, Executive Vice President of MCH Holdings, Inc., a Delaware Corporation, as General Partner of Nova Capital, L.P., a Delaware limited partnership qualified to transact business in the State of Florida as Mastercraft Homes, Ltd., on behalf of the corporation and the partnership, who is personally known to me and who did not take an oath.

Linda J. Antonaccio
NOTARY PUBLIC-SIGNATURE ABOVE
NOTARY NAME- Linda J. Antonaccio
COMMISSION NO. _____
COMMISSION EXP. DATE _____
FILE # FB2688P
MC-DEED.DOC

NOTARY PUBLIC
STATE OF FLORIDA
LINDA J. ANTONACCIO
COMMISSION # CC 657639
EXPIRES AUG 18, 2001
BONDED THRU
ATLANTIC BONDING CO., INC.

Prepared by / Return to:
William B. Dawson
Beta Title Company
12734 Kenwood Lane, Suite 13
Fort Myers, Florida 33907
Title Insurance #56673WT
Tax Parcel No.03-46-24-06-00000.0310

INSTR # 5446073
OR BK 03544 PG 1923
RECORDED 05/13/2002 03:45:07 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DEED DOC 1,796.20
DEPUTY CLERK J Miller

[Space Above This Line for Recording Data]

WARRANTY DEED

THIS INDENTURE made this 25 day of April, 2002 BETWEEN COLONIAL HOMES, INC., A FLORIDA CORPORATION, as Seller of 12631 WESTLINKS DRIVE #1, FORT MYERS, FLORIDA 33913, GRANTOR*, and WILLIAM G. HUDSON and KATHERINE A. HUDSON, HUSBAND AND WIFE, AS AN ESTATE BY THE ENTIRETY, as GRANTEE*, of 16620 Wellington Lakes Circle, Fort Myers, FL 33908

WITNESSETH, That said Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and convey to the grantee and grantee's heirs forever the following described land located in the County of LEE, State of Florida, to-wit:

LOT 31, WELLINGTON SUBDIVISION, AS RECORDED IN PLAT BOOK 62, AT PAGES 56 THROUGH 58, IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

SUBJECT TO restrictions, reservations and easements of record and taxes for the year subsequent to the year 2001.

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

*Singular and plural are interchangeable as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

WITNESSES

[Signature]
Printed Name

COLONIAL HOMES, INC.

[Signature]
ANTHONY PERSICHELLI
DIVISION PRESIDENT

[Signature]
PATRICIA A.B. BERG
Printed Name

STATE OF FLORIDA, COUNTY OF LEE

I HEREBY CERTIFY that on this 25 day of April, 2002, before me, an officer duly qualified to take acknowledgements, personally appeared: ANTHONY PERSICHELLI, DIVISION PRESIDENT of COLONIAL HOMES, INC. to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same for such corporation, freely and voluntarily, under authority duly vested in him by said corporation, and that the above-named person is personally known to me and that an oath was not taken.

[Signature]
Notary Public

Printed Name
COMMISSION EXPIRATION:



OR EK 03540 PG 4474

Prepared by / Return to:
William B. Dawson
Beta Title Company
12734 Kenwood Lane, Suite 13
Fort Myers, Florida 33907
Title Insurance #56204WT
Tax Parcel No.03-46-24-06-00000.0320

RECORDED 12/17/01 08:23 AM
CHARLIE GREEN-CLERK-OF-COURT
LEE COUNTY
RECORDING FEE 6.00
DOC TAX PD(F.S.201.02) 1,327.98
DEPUTY CLERK J Miller

[Space Above This Line for Recording Data]
WARRANTY DEED

THIS INDENTURE made this 3rd day of December, 2001 BETWEEN COLONIAL HOMES, INC., A FLORIDA CORPORATION, as Sellers of 12631 WESTLINKS DRIVE #1, FORT MYERS, FLORIDA 33913, GRANTOR*, and ROBERT FLYNN and JILL A. FLYNN, HUSBAND AND WIFE, as GRANTEE*, of 16624 Wellington Lakes Circle, Ft. Myers, Fl. 33908

WITNESSETH. That said Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and convey to the grantee and grantee's heirs forever the following described land located in the County of LEE, State of Florida, to-wit:

LOT 32, WELLINGTON SUBDIVISION, AS RECORDED IN PLAT BOOK 62, AT PAGES 56 THROUGH 58, IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

SUBJECT TO restrictions, reservations and easements of record and taxes for the year subsequent to the year 2001.

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

*Singular and plural are interchangeable as context requires.
IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

WITNESSES

Patricia A. B. Berg
Patricia A. B. Berg
Printed Name

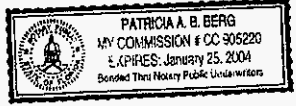
COLONIAL HOMES, INC.

[Signature]
BY
ANTHONY PERSICILLI
DIVISION PRESIDENT

Nancy A. Donaldson
NANCY A. DONALDSON
Printed Name

STATE OF FLORIDA, COUNTY OF LEE
I HEREBY CERTIFY that on this 3rd day of December, 2001, before me, an officer duly qualified to take acknowledgements, personally appeared: ANTHONY PERSICILLI, DIVISION PRESIDENT of COLONIAL HOMES, INC. to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same for such corporation, freely and voluntarily, under authority duly vested in him by said corporation, and that the above-named person is personally known to me and that an oath was not taken.

Patricia A. B. Berg
Patricia A. B. Berg
Printed Name
COMMISSION EXPIRATION:





INSTR # 6493630
 OR BK 04470 Pgs 4517 - 4518; (2pgs)
 RECORDED 10/20/2004 02:33:34 PM
 CHARLIE GREEN, CLERK OF COURT
 LEE COUNTY, FLORIDA
 RECORDING FEE 18.50
 DEED DOC 1,855.00
 DEPUTY CLERK B Sherwood

WARRANTY DEED (INDIVIDUAL)

This WARRANTY DEED, dated 10/15/2004 by

Patricia Kane, a single person

hereinafter called the GRANTOR, to

Steven Lipschultz and Coppelia D. Gonzalez-Lipschultz, husband and wife

whose post office address is:

214 Kentucky Way, Freehold, NJ 07728

hereinafter called the GRANTEE:

(Wherever used herein the terms "Grantor" and "Grantee" include all parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)
 WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the GRANTEE, all that certain land situate in Lee County, Florida, viz:

Lot 33, WELLINGTON SUBDIVISION, according to the plat thereof as recorded in Plat Book 62, Pages 56 through 58, inclusive, in the Public Records of Lee County, Florida.

SUBJECT TO covenants, conditions, restrictions, reservations, easements and agreements of record, if any; taxes and assessments for the year 2004 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND THE GRANTOR hereby covenants with said GRANTEE that except as above noted, the GRANTOR is lawfully seized of said land in fee simple; that the GRANTOR has good right and lawful authority to sell and convey said land; that the GRANTOR hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

②

18-32

IN WITNESS WHEREOF, GRANTOR has signed and sealed these presents the date set forth above.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES:

Witness 1 Signature: [Signature]
Print Name: Jo ANN Hogick

} Patricia Kane
Patricia Kane

Witness 2 Signature: [Signature]
Print Name: Gina Grable

Witness 1 Signature: _____
Print Name: _____

} _____

Witness 2 Signature: _____
Print Name: _____

State of Florida
County of Lee

I hereby Certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Patricia Kane, surviving spouse of Edward J. Kane, Jr., known to me to be the person(s) described in and who executed the foregoing instrument, who acknowledged before me that; he, she and/or they, executed the same, and an oath was not taken. (Check one:) Said person(s) is/are personally known to me. Said person(s) provided the following type of identification: Drivers license

WITNESS my hand and official seal in the County and State last aforesaid this 15th day of October, 2004.

[Signature]
Notary Signature

(SEAL)



Print/Type/Stamp Notary Signature

My Commission Expires:

INSTR # 5252335
OR BK 03497 PG 2935

Prepared by / Return to:
William B. Dawson
Beta Title Company
12734 Kenwood Lane, Suite 13
Fort Myers, Florida 33907
Title Insurance #56028WT
Tax Parcel No.03-46-24-06-00000.0340

RECORDED 10/08/01 08:37 AM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DOC TAX PD(F.S.201.02) 1,339.10
DEPUTY CLERK C Keller

[Space Above This Line for Recording Data]

WARRANTY DEED

THIS INDENTURE made this 28th day of September, 2001 BETWEEN COLONIAL HOMES, INC., A FLORIDA CORPORATION, as Seller of 12631 WESTLINKS DRIVE #1, FORT MYERS, FLORIDA 33913, GRANTOR*, and PHILLIP J. URSILLO and BARBARA L. URSILLO, HUSBAND AND WIFE, AS AN ESTATE BY THE ENTIRETY, as GRANTEE*, of 16632 Wellington Lakes Circle, Ft. Myers, FL. 33919

WITNESSETH, That said Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and convey to the grantee and grantee's heirs forever the following described land located in the County of LEE, State of Florida, to-wit:

LOT 34, WELLINGTON SUBDIVISION, AS RECORDED IN PLAT BOOK 62, AT PAGES 56 THROUGH 58, IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

SUBJECT TO restrictions, reservations and easements of record and taxes for the year subsequent to the year 2001.

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

*Singular and plural are interchangeable as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

WITNESSES

Patricia A. B. Berg
Patricia A. B. Berg
Printed Name

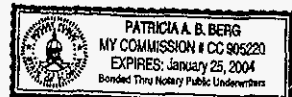
COLONIAL HOMES, INC.

BY [Signature]
ANTHONY PERSICHILLI, PRESIDENT

Domenica Acquarulo
DOMENICA ACQUARULO
Printed Name

STATE OF FLORIDA, COUNTY OF LEE
I HEREBY CERTIFY that on this 28th day of September, 2001, before me, an officer duly qualified to take acknowledgements, personally appeared: ANTHONY PERSICHILLI, PRESIDENT, of COLONIAL HOMES, INC. to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same for such corporation, freely and voluntarily, under authority duly vested in him by said corporation, and that the above-named person is personally known to me and that an oath was not taken.

Patricia A. B. Berg
Notary Public
Patricia A. B. Berg
Printed Name
COMMISSION EXPIRATION:



This Warranty Deed



Made this 30th day of January, 2004 by
EDMUND M. HEGEWALD AND CECYLIA HEGEWALD,
HUSBAND AND WIFE

INSTR # 6169470
DR BK 04216 Pg 0045; (1pg)
RECORDED 03/04/2004 07:54:58 AM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 6.00
DEED DOC 1,750.00
DEPUTY CLERK L Ambrosio

hereinafter called the grantor, to
JOSEPH PULEO

whose post office address is:
16636 Wellington Lake Circle Ft. Myers, FL 33908

hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in LEE County, Florida, viz:

LOT 35, WELLINGTON SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 62, PAGES 56 THROUGH 58, INCLUSIVE, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

Subject to covenants, restrictions, easements of record and taxes for the current year.

Parcel Identification Number: 03-46-24-06-00000.0350

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.
To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2003

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Witness: (Signature)
Print Name: Tracy L. Elston

EDMUND M. HEGEWALD

Witness: (Signature)
Print Name: DROOKE BROWNARD

CECYLIA HEGEWALD

State of Florida
County of LEE

The foregoing instrument was acknowledged before me this 30th day of January, 2004, by EDMUND M. HEGEWALD AND CECYLIA HEGEWALD, HUSBAND AND WIFE, who is personally known to me or who has produced diversified as identification.

NOTARY PUBLIC (signature)
Print Name:
My Commission Expires:
Stamp/Seal:



Prepared by and Returned to:
Diane Cranmer
Sunbelt Title Agency
8843 Porto Fino Circle
Ft. Myers, FL 33812
File Number: 742040073

Incident to the issuance of a title insurance contract.
warrantydeed
Rev. 12/21/03
tp

10.50
162000



Prepared by & Return to:
Title Professionals of Florida
13241 University Drive # 103
Ft. Myers, FL 33907
incidental to the issuance of a title insurance policy.
File Number: paf-2228-03
Parcel ID #: 03-46-24-06-00000.0360

INSTR # 5765867
Official Records BK 03887 PG 0374
RECORDED 03/31/2003 04:01:49 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 10.50
DEED DOC 1,680.00
DEPUTY CLERK G Sherwood

Ⓢ

**WARRANTY DEED
(INDIVIDUAL)**

This WARRANTY DEED, dated 03/26/2003 by

Paul J. O'Neill and Patricia A. O'Neill, husband and wife

hereinafter called the GRANTOR, to

Richard M. Bernhard and Edna G. Bernhard, husband and wife

whose post office address is:

11410 Wellington Lakes Circle, Fort Myers, FL 33908

hereinafter called the GRANTEE:

(Wherever used herein the terms "Grantor" and "Grantee" include all parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the GRANTEE, all that certain land situate in Lee County, Florida, viz:

Lot 36, WELLINGTON SUBDIVISION, according to the plat thereof as recorded in Plat Book 62, Pages 56 through 58, inclusive, in the Public Records of Lee County, Florida.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2003 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND THE GRANTOR hereby covenants with said GRANTEE that except as above noted, the GRANTOR is lawfully seized of said land in fee simple; that the GRANTOR has good right and lawful authority to sell and convey said land; that the GRANTOR hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, GRANTOR has signed and sealed these presents the date set forth above.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES:

Witness 1 Signature: Colleen L. Campbell
Print Name:

Witness 2 Signature: Paul J. O'Neill
Print Name:

Paul J. O'Neill
Paul J. O'Neill

Witness 1 Signature: Colleen L. Campbell
Print Name:

Witness 2 Signature: Patricia A. O'Neill
Print Name:

Patricia A. O'Neill
Patricia A. O'Neill

State of Florida
County of Lee

I hereby Certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Paul J. O'Neill and Patricia A. O'Neill, husband and wife, known to me to be the person(s) described in and who executed the foregoing instrument, who acknowledged before me that; he, she and/or they, executed the same, and an oath was not taken. (Check one:) Said person(s) is/are personally known to me. Said person(s) provided the following type of identification: Driver License

WITNESS my hand and official seal in the County and State last aforesaid this March 26, 2003.

(SEAL)



Colleen L. Campbell
Notary Signature

Print/Type/Stamp Notary Signature

My Commission Expires:

INSTR # 4884078
OR BK 03259 PG 2807

RECORDED 05/25/00 01:39 PM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DOC TAX PD(F.S. 201.02) 1,435.00
DEPUTY CLERK A Janke

THIS INSTRUMENT PREPARED BY:
GUARDIAN TITLE SERVICES CORPORATION
Linda J. Antonaccio
9311 COLLEGE PARKWAY, SUITE 2
FORT MYERS, FLORIDA 33919

STRAP NO: 03-46-24-06-00000.0380
GRANTEE'S SOCIAL SECURITY NO:

THIS INDENTURE DEED Made this 23rd of May, A.D. 2000, between **Nova Capital, L.P.**, a Delaware Limited Partnership qualified to transact business in the State of Florida as **Mastercraft Homes, LTD.** whose post office address is: 9311 College Parkway #1, Fort Myers, FL 33919 hereinafter called the grantor, and:

Todd G. Vail and Kimberley C. Vail, husband and wife

whose post office address is: 16648 Wellington Lakes Circle
Fort Myers, FL 33908

hereinafter called the grantee:

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other good and valuable considerations to it in hand paid by the Grantee, the receipt whereof and sufficiency of which is hereby acknowledged, has granted, bargained and sold to the Grantee, its successors and assigns forever, the following described land situated, lying and being in the County of Lee, State of Florida, to-wit:

Lot 38, Wellington Subdivision, according to the plat thereof as recorded in Plat Book 62, Pages 56 through 58 inclusive, in the Public Records of Lee County, Florida.

TOGETHER with all improvements thereon.

TO HAVE AND TO HOLD, the same in fee simple forever.

SUBJECT TO: taxes and assessments for the year 2000 and thereafter, conditions, restrictions, easements and limitations of record, and to all zoning rules and regulations and to any other laws, ordinances, rules and regulations of any governmental authority or otherwise.

Grantor does hereby warrant and covenant that it has not done or suffered to be done anything whereby the premises herein conveyed is, or may be, in any manner encumbered or charged, except as more particularly set forth herein and Grantor will warrant and forever defend said premises to the extent of the Warranties hereinabove made, against all persons claiming lawfully by, through, or under the Grantor.

NOVA CAPITAL, L.P., Delaware limited partnership qualified to transact business in the State of Florida as **MASTERCRAFT HOMES, LTD.**

By: **MCH Holdings, Inc.**, a Delaware Corporation its general partner

BY: Michael S. Diamond
Michael S. Diamond, Executive Vice President

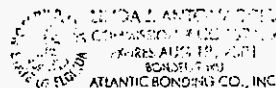
Cindy Dunn
Witness
Also Print: Cindy Dunn

Linda J. Antonaccio
Witness
Also Print: Linda J. Antonaccio

State of Florida
County of Lee

EXECUTION of the foregoing instrument was acknowledged before me this 23rd day of May, 2000, by Michael S. Diamond, Executive Vice President of MCH Holdings, Inc., a Delaware Corporation, as General Partner of Nova Capital, L.P., a Delaware limited partnership qualified to transact business in the State of Florida as Mastercraft Homes, Ltd., on behalf of the corporation and the partnership, who is personally known to me and who did not take an oath.

Linda J. Antonaccio
NOTARY PUBLIC-SIGNATURE ABOVE
NOTARY NAME: Linda J. Antonaccio
COMMISSION NO.: _____
COMMISSION EXP. DATE: _____
FILE # F84729P
MC-DEED.DOC



Bob Janes
District One

September 20, 2006

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Thomas M. Murphy
16612 Wellington Lakes Cir.
Ft. Myers, FL 33908

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Re: VAC2005-00045 – Petition to Vacate a 5-foot wide portion of a 20-foot wide Buffer and Drainage Easement located at 16600 – 16648 Wellington Lakes Circle on the combined Lots of 26 thru 38, S 3, T 46 S, R 24 E, the plat of Wellington, as recorded in Plat Book 62, Pages 56 thru 58, in the public records of Lee County, FL

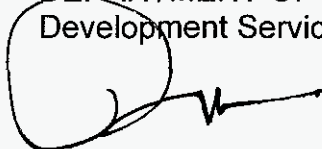
Dear Mr. Murphy:

You have indicated that in order to increase the owner usable space to add improvements, the owners desire to eliminate the easterly 5-feet of a 20-foot Buffer and Drainage Easements located in the rear of your thirteen (13) lots. The site is located between 16600 and 16648 Wellington Lakes Circle, Ft. Myers, Florida. Based on a review of the information provided and our subsequent research, this office has no objection to the proposed vacation.

Should you have any questions, please call me at the above telephone number.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division



Peter J. Eckenrode
Director

PJE/RXW

October 4,2005

Department of Community Development
Attn: Peter J. Eckenrode, Director Development Services
1500 Monroe Street
Fort Myers, Florida 33901

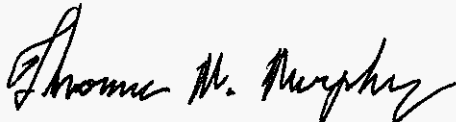
Re: Petition to Vacate the easterly ten(10) feet of a twenty(20) foot wide buffer and drainage easement along the rear of Lots 26-38, Wellington Subdivision, as recorded in Plat Book 62 at page 56, in the Public Records of Lee County.

Dear Mr. Eckenrode,

The reason for our request to vacate part of the noted buffer and drainage easement is so homeowners can increase their usable space to add improvements like pools and landscape designs.

Should you have any questions, please call me at 489-1092.

Regards,



Thomas M. Murphy
Wellington Resident Lot 29
16612 Wellington Lakes Circle
Ft Myers, FL 33908

RECEIVED
OCT 04 2005

VAC 2005-00045

AFFIDAVIT

STATE OF FLORIDA)
) SS
COUNTY OF LEE)

BEFORE ME, the undersigned authority, duly authorized to administer oaths and take acknowledgments, personally appeared Kathryn P. Murphy who, after being duly sworn, deposes and says:

1. I am the President of the Wellington Homeowners Association of Lee County, Inc.
2. That all the home owners of lots 26 through 38 of Wellington, according to the plat thereof as recorded in plat book 62 at pages 56 through 58 of the public records of Lee County, Florida were mailed the letter attached marked as exhibit "D" in May of 2005.
3. That each home owner has elected to proceed with the easement vacation and with the \$80.00 fee as requested in exhibit "D"
4. This Affidavit is made in order to induce Lee County to proceed with the easement vacation process.
5. She further states that she is familiar with the nature of an oath, and with the penalties as provided by the laws of the State aforesaid for falsely swearing to statements made in an instrument of this nature. She further certifies that she has read, the full facts of this Affidavit, and understands its content.

Wellington Homeowners Association of Lee County, Inc.

By: *Kathryn P. Murphy*
Kathryn P. Murphy, Affiant

Sworn to and subscribed before me this 4th day of October, A.D. 2005, by Kathryn P. Murphy, who is personally known to me.

Kristin G. Cannestra
Notary Public, State of Florida at large

My commission expires: _____



RECEIVED

VAC 2005 - 00045.

OCT 04 2005

EXHIBIT "D"

June 7, 2005

Wellington Homeowners Association
16733 Wellington Lakes Circle
Ft Myers, FL 33908

Dear Neighbors,

At the last meeting held solely for the purpose of discussing the buffer/drainage easement we all agreed to proceed with correcting the development order and requesting a partial vacation for our western easement. Since then all of the required letters have been sent to both state and county agencies for their approval. All required maps and tax receipts also have been obtained. Upon receiving the letters of no objection from the state and county agencies we will have all necessary documents for the submittal package. Also at the last meeting we approximately estimated the fees per lot to be \$75.00. After reviewing the costs associated with the previous vacation of the northern easement we now estimate the fees to be approximately \$80.00 per lot since we have fewer lots. This money needs to be collected prior to making the vacation submittal. Please send checks to the Homeowners Association and note that it is for the western easement vacation. Any monies not used will be credited towards your quarterly assessments.

During the previous meeting handouts were provided depicting the current configuration of the western easement as well as the proposed. Those lots which do not meet the minimum of a 10 foot wide drainage ditch (from property corner to top of ditch) with a 3 to 1 slope as outlined on the proposed cross section need to take action to comply with what is anticipated to be approved. In the event the proposed cross section is not approved this will revert back to the current configuration of a 20 foot wide drainage ditch which will then be required behind every lot. As rainy season has already begun it is imperative that our drainage ditch be wide enough and clear from obstructions and debris as to allow adequate drainage for all lots. We have seen in past years where attention was not given to our rear drainage ditch and resulted in restricted flow of some lots. Also any lot that removed the existing trees must replant trees and shrubs as outlined in the handouts provided at the last meeting. We are requesting that these actions be taken care of in the next 30 days. It's most important that the ditch be cleared now; the trees and shrubs can follow later.

All of these items will be required by the county prior to receiving a certificate of compliance. Any lot owner that has questions regarding their drainage ditch please feel free to contact Katie Murphy at 489-1092 for assistance. Please keep in mind that I am not a county official and am only attempting to keep the process of complying with the county code moving forward. Thank you in advance for your cooperation!

Sincerely,
Katie Murphy
Association President

RECEIVED

OCT 04 2005

VAC 2005 - 00045



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number (239) 479-8124

Bob Janes
District One

Monday, June 27, 2005

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

Robert W. Gray
Deputy County Attorney

Diana M. Parker
County Hearing
Examiner

Mr. Thomas M. Murphy
Wellington Resident
16612 Wellington Lakes Circle
Fort Myers, FL 33908

Re: Petition to Vacate the easterly ten (10) feet of a twenty-foot (20') wide buffer and drainage easement along the rear of Lots 26-38, Wellington Subdivision, as recorded in Plat Book 62 at Page 56, in the Public Records of Lee County, Florida.

Dear Mr. Murphy:

Based on the review of the documents submitted with your request, Lee County Division of Natural Resources has no objection to the vacation of the subject buffer and drainage easement.

Should you have any questions, please call me at the above telephone number.

Regards,

LEE COUNTY PUBLIC WORKS DEPARTMENT

Allen L. Davies, Jr.
Natural Resources Division

Cc: Ruth Keith, Development Services

RECEIVED

OCT 04 2005

S:\NATRES\SURFACE\DOCUMENT\vac497.doc

VAC 2005 - 00045



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8580

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing
Examiner

June 20, 2005

Mr. Thomas M. Murphy
16612 Wellington Lakes Circle
Fort Myers, FL 33908

**RE: Petition to Vacate the 20' wide Buffer and
Drainage Easement along the western boundary
Line of Lots 26 through 38, Wellington, Plat Book 62,
Pages 57 and 58, Section 3, Township 46 South,
Range 24 East**

Dear Mr. Murphy:

Lee County Department of Transportation has reviewed your request to vacate the above described easement. The roads and drainage within Wellington are dedicated to the Wellington Homeowners Association and are not county maintained.

Therefore, DOT offers no objection to this petition to vacate as proposed.

Very truly yours,

DEPARTMENT OF TRANSPORTATION

David M. Loveland,
Manager, Transportation Planning

JMK/DML/mlb

cc: Ruth Keith, Development Services
Allen Davies, Natural Resources
DOT PTV File

RECEIVED
OCT 04 2005

VAC 2005 - 00045



Florida Department of Transportation

JEB BUSH
GOVERNOR

DENVER J. STUTLER, JR.
SECRETARY

September 12, 2005

Mr. Thomas M. Murphy
16612 Wellington Lakes Circle
Fort Myers, Florida 33908

**RE: VACATION OF PROPOSED BUFFER & DRAINAGE EASEMENT
SECTION 3, TOWNSHIP 46 SOUTH, RANGE 24 EAST, LOCATED
IN WELLINGTON SUBDIVISION, FORT MYERS, LEE COUNTY,
FLORIDA
PM Log# 05-58**

Dear Mr. Murphy:

In response to your letter we received on June 1, 2005, our staff conducted a review of your request to vacate the subject area as marked and generally described as:

A 20' Buffer & Drainage easement located along the western boundary line (Lots 23-38) of Wellington Subdivision, according to the plate thereof as recorded in Plat Book 62 at pages 56 through 58 of the public records of Lee County, Florida.

Based on this review, we offer "No Objection" to this vacation request. If we can be of further assistance, please feel free to contact this office

Sincerely,

Sylvia Petrosky
Right of Way Agent
Property Management

SAP/jps

cc: Scott Gilbertson, P.E. – Lee County
Peter J. Eckenrode – Lee County
Michael G. Rippe – FDOT
Thomas T. Garcia – FDOT
File, Daily File

RECEIVED

OCT 04 2005

VAC 2005 - 00045

District One-Right of Way Department-Property Management
801 North Broadway Avenue*Post Office Box 1249*Bartow, FL 33831-1249
(863)519-2413*(863)519-5183(FAX)*MS 1-66

www.dot.state.fl.us

RECYCLED PAPER

WELLINGTON

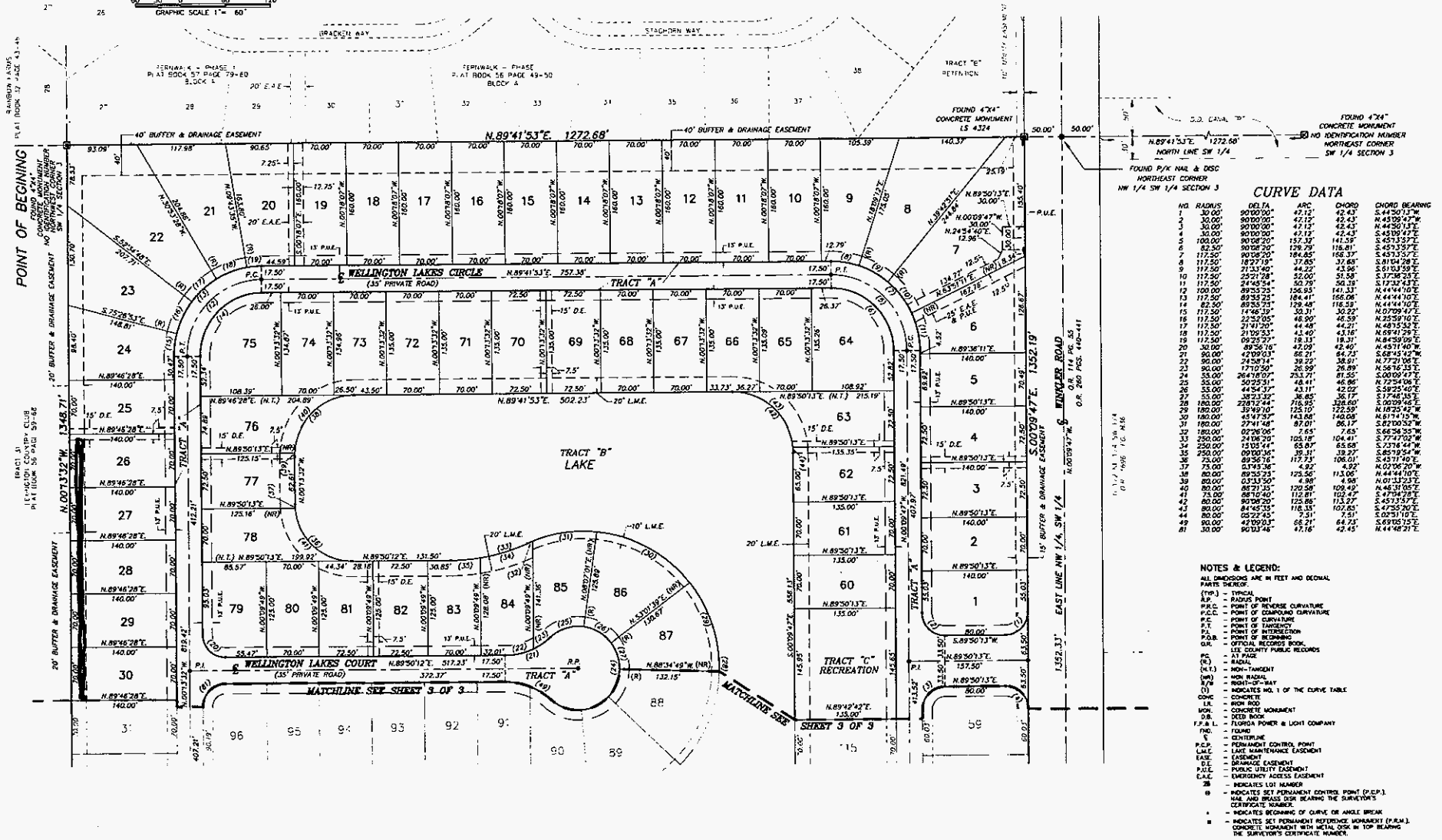
A SUBDIVISION LYING IN
SECTION 3, TOWNSHIP 46 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

Banks Engineering, Inc.

PROFESSIONAL ENGINEERS, PLANNERS & LAND SURVEYORS
FLORIDA SURVEYING BOARD CERTIFICATION NO. 6590
10501 SIX MILE CYPRESS PARKWAY - SUITE 104
FORT MYERS, FLORIDA 33912
(813) 833-3490



GRAPHIC SCALE 1" = 60'



CURVE DATA

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	30.00	90°00'00"	47.12'	42.43'	S.44°50'13"W
2	30.00	90°00'00"	47.12'	42.43'	N.45°09'47"E
3	30.00	90°00'00"	47.12'	42.43'	N.45°09'47"E
4	30.00	90°00'00"	47.12'	42.43'	S.45°09'47"E
5	100.00	90°00'00"	141.37'	141.37'	S.45°13'57"E
6	82.50	90°00'00"	128.79'	116.81'	S.45°13'57"E
7	117.50	90°00'00"	166.85'	156.37'	S.45°13'57"E
8	117.50	182°19'	174.83'	37.63'	S.01°04'28"E
9	117.50	213°40'	44.22'	42.96'	S.01°03'59"E
10	117.50	222°19'	52.00'	31.98'	S.17°08'52"E
11	117.50	244°54"	50.79'	50.19'	S.17°32'32"E
12	100.00	90°00'00"	141.37'	141.37'	S.45°13'57"E
13	117.50	89°33'22"	184.41'	156.08'	N.44°44'10"E
14	82.50	89°33'22"	159.48'	116.59'	N.44°44'10"E
15	117.50	144°39'	30.31'	30.22'	N.07°09'47"E
16	117.50	223°05'	46.90'	46.59'	N.25°09'10"E
17	117.50	211°20'	44.48'	44.21'	N.40°15'32"E
18	117.50	219°23'	41.40'	43.16'	N.69°41'29"E
19	100.00	90°00'00"	141.37'	141.37'	N.45°09'47"E
20	30.00	90°00'00"	47.12'	42.40'	N.45°11'40"E
21	30.00	90°00'00"	47.12'	42.40'	N.45°11'40"E
22	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
23	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
24	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
25	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
26	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
27	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
28	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
29	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
30	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
31	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
32	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
33	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
34	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
35	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
36	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
37	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
38	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
39	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
40	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
41	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
42	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
43	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
44	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
45	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
46	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
47	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
48	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
49	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
50	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
51	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
52	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
53	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
54	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
55	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
56	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
57	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
58	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
59	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
60	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
61	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
62	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
63	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
64	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
65	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
66	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
67	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
68	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
69	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
70	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
71	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
72	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
73	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
74	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
75	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
76	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
77	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
78	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
79	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
80	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
81	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
82	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
83	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
84	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
85	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
86	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
87	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
88	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
89	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
90	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
91	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
92	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
93	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
94	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
95	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E
96	30.00	90°00'00"	47.12'	42.40'	S.45°11'40"E

NOTES & LEGEND:
ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.
(T.P.) - TYPICAL
R.L. - RADIAL POINT
P.C. - POINT OF CURVATURE
P.T.C. - POINT OF TANGENCY
P.T. - POINT OF TANGENCY
P.O.B. - POINT OF BEGINNING
O.B. - OFFICIAL RECORD BOOK
L.C. - LEE COUNTY PUBLIC RECORDS
P.L. - PLAT
N.T. - NON-TANGENT
(W) - HIGH ROAD
(M) - HIGHWAY
(L) - INDICATES NO. 1 OF THE CURVE TABLE
CONE - CONCRETE MONUMENT
D.B. - DEED BOOK
F.P. & L. - FLORIDA POWER & LIGHT COMPANY
FND - FOUND
C - CENTERLINE
P.C.P. - PERMANENT CONTROL POINT
L.M.E. - LAKE MAINTENANCE EASEMENT
D.E. - DRAINAGE EASEMENT
P.U.E. - PUBLIC UTILITY EASEMENT
L.A.E. - LAKE ACCESS EASEMENT
L.A.L. - LAKE ACCESS EASEMENT
B - INDICATES LOT NUMBER
M - INDICATES SET PERMANENT CONTROL POINT (P.C.P.)
M&B - METAL BRASS DISK BEARING THE SURVEYOR'S CERTIFICATE NUMBER
- - - INDICATES BEGINNING OF CURVE OR ANGLE BREAK
- - - INDICATES SET PERMANENT REFERENCE MONUMENT (P.R.M.)
CONCRETE MONUMENT WITH METAL DISK ON TOP BEARING THE SURVEYOR'S CERTIFICATE NUMBER

TRACT USE TABLE
TRACT 1 - RECREATION
TRACT 2 - PRIVATE ROAD RIGHT-OF-WAY, FLOOD PROTECTION, PUBLIC UTILITY & DRAINAGE EASEMENT
TRACT 3 - LAKE/WATER MANAGEMENT & DRAINAGE EASEMENT
TRACT 4 - COMMON AREA LANDSCAPE, UTILITY, DRAINAGE & LAKE MAINTENANCE ACCESS EASEMENT

D.B. 67-05-05-246-00

Banks Engineering, Inc.

PROFESSIONAL ENGINEERS, PLANNERS & LAND SURVEYORS
 FLORIDA SURVEYING BUSINESS CERTIFICATION NO. 6590
 10501 SIX MILE CYPRESS PARKWAY - SUITE 104
 FORT MYERS, FLORIDA 33912
 (813) 332-5400

WELLINGTON

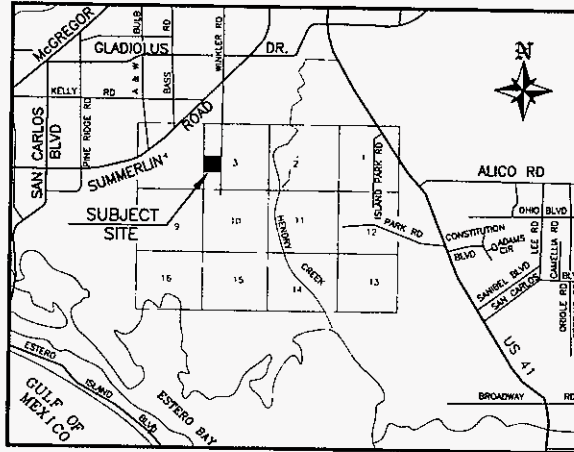
A SUBDIVISION LYING IN
 SECTION 3, TOWNSHIP 46 SOUTH, RANGE 24 EAST,
 LEE COUNTY, FLORIDA

NOTICE:

THIS PLAT AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

NOTICE:

LANDS DESCRIBED IN THIS PLAT MAY BE SUBDIVIDED BY THE DEVELOPER WITHOUT THE ROADS, DRAINAGE, WATER AND SEWER FACILITIES BEING ACCEPTED FOR MAINTENANCE BY LEE COUNTY. ANY PURCHASER OF A LOT IN THIS SUBDIVISION IS ADVISED TO DETERMINE WHETHER THE LOT MAY BE SUBJECT TO ASSESSMENT OR CALLED UPON TO BEAR A PORTION OR ALL OF THE EXPENSE OF CONSTRUCTION, MAINTENANCE OR IMPROVEMENT OF ROADS, DRAINAGE, WATER AND SEWER FACILITIES.



VICINITY SKETCH
(NOT TO SCALE)

LEGAL DESCRIPTION:

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 03, TOWNSHIP 46 SOUTH, RANGE 24 EAST AND BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 03, TOWNSHIP 46 SOUTH, RANGE 24 EAST; THENCE S00°13'32"E ALONG THE WEST LINE OF SAID FRACTION OF SECTION FOR 1348.71 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE N09°51'16"E ALONG THE SOUTH LINE OF SAID FRACTION OF SECTION FOR 1271.20 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF WRINKLER ROAD (100 FEET WIDE) AS DESCRIBED IN OFFICIAL RECORDS BOOK 296, PAGES 440-441, LEE COUNTY PUBLIC RECORDS; THENCE N00°02'47"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 1332.19 FEET TO THE NORTH LINE OF SAID FRACTION OF SECTION; THENCE S89°41'53"W ALONG SAID NORTH LINE FOR 1272.86 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 39.43 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 03 AS BEARING S 89°41'53" W.

WPD FILE: 1171.47

CLERK'S CERTIFICATION: 4514998

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF WELLINGTON, A SUBDIVISION LOCATED IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, WAS FILED FOR RECORDING AT 3:09 PM, THIS 12TH DAY OF November, 1998, AND DULY RECORDED IN PLAT BOOK 62, AT PAGES 56-58 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

Charlie Green
 CHARLES GREEN
 CLERK OF CIRCUIT COURT IN AND FOR LEE COUNTY, FLORIDA

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF WELLINGTON WAS PREPARED UNDER MY DIRECTION AND SUPERVISION AND COMPLES WITH ALL OF THE SURVEY REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES.

I FURTHER CERTIFY THAT THE PERMANENT REFERENCE MONUMENTS (P.R.M.'S) HAVE BEEN PLACED AT THE LOCATIONS SHOWN ON THE PLAT.

Richard M. Pitt
 RICHARD M. PITT
 PROFESSIONAL SURVEYOR & MASTER
 FLORIDA CERTIFICATION NO. 4009

DATE: 11-18-98

EASEMENT DESCRIPTIONS:

- TRACT "A" IS ROADWAY INGRESS-EGRESS, DRAINAGE, PUBLIC UTILITY AND MAINTENANCE EASEMENT.
- TRACT "B" IS A LAKE AND DRAINAGE EASEMENT.
- A THIRTEEN FOOT WIDE STRIP LYING ADJACENT TO AND ALONG TRACT "A" IS A PUBLIC UTILITY EASEMENT.
- ALL OTHER EASEMENTS ARE GRANTED FOR THE USES AS STATED ON THE FACE OF THE PLAT.
- ALL PRIVATE ROADS ARE PUBLIC UTILITY EASEMENTS.

APPROVALS:

THIS PLAT IS ACCEPTED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS, LEE COUNTY, FLORIDA THIS 12TH DAY OF November, 1998.

Paul G. Gidd
 CHAIRMAN OF THE BOARD

PRINTED NAME: Paul G. Gidd

Man G. Gidd
 DIRECTOR, DEPARTMENT OF COMMUNITY DEVELOPMENT

PRINTED NAME: Man G. Gidd

Patricia S. White
 COUNTY ATTORNEY

PRINTED NAME: Patricia S. White

Charlie Green
 CLERK OF COUNTY

PRINTED NAME: Charlie Green

Walter S. McCarty
 DIRECTOR, DIVISION OF DEVELOPMENT SERVICES

PRINTED NAME: Walter S. McCarty

REVIEW BY THE COUNTY DESIGNATED PSM DETERMINED THAT THIS PLAT CONFORMS TO THE REQUIREMENTS OF F.S. CH. 177, PART 1.

Allen L. Dennis
 SIGNATURE

PRINTED NAME: Allen L. Dennis

TITLE: D.C.P.S.M.

DEDICATION:

KNOW BY ALL MEN THESE PRESENT THAT NOVA CAPITAL, L.P., A DELAWARE LIMITED PARTNERSHIP QUALIFIED TO TRANSACT BUSINESS IN THE STATE OF FLORIDA AS MASTERCRAFT HOMES, LTD., THE OWNER OF THE HEREIN DESCRIBED LANDS HAS CAUSED THIS PLAT OF WELLINGTON, A SUBDIVISION LYING IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 24 EAST, TO BE MADE AND DOES HEREBY DEDICATE ALL UTILITY EASEMENTS, EASEMENTS, AS SHOWN ON THE FACE OF THE PLAT, ARE DEDICATED TO THE WELLINGTON HOMEOWNERS ASSOCIATION OF LEE COUNTY, INC.

IN WITNESS WHEREOF NOVA CAPITAL, L.P. HAS CAUSED THIS DEDICATION TO BE MADE THIS 12TH DAY OF November, 1998.

NOVA CAPITAL, L.P., A DELAWARE LIMITED PARTNERSHIP QUALIFIED TO TRANSACT BUSINESS IN THE STATE OF FLORIDA AS MASTERCRAFT HOMES, LTD.

Tommy Gann
 WITNESS

BY: *Joey Gagnon*
 A DELAWARE CORPORATION AS GENERAL PARTNER

PRINTED NAME: Joey Gagnon

BY: *James L. Southern, III*
 JAMES L. SOUTHERN, III, PRESIDENT

Tommy Gann
 WITNESS

PRINTED NAME: THOMAS R. CLEWERT, JR.

ACKNOWLEDGMENT:

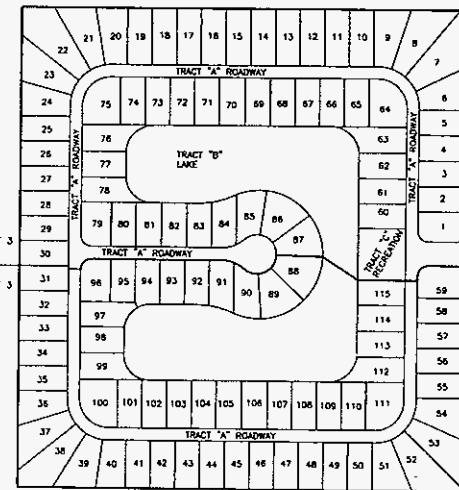
STATE OF FLORIDA
 COUNTY OF LEE

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 12TH DAY OF November, 1998, BY JAMES L. SOUTHERN, III, PRESIDENT, NOVA HOLDINGS, INC., ON BEHALF OF THE CORPORATION. HE IS PERSONALLY KNOWN TO ME.

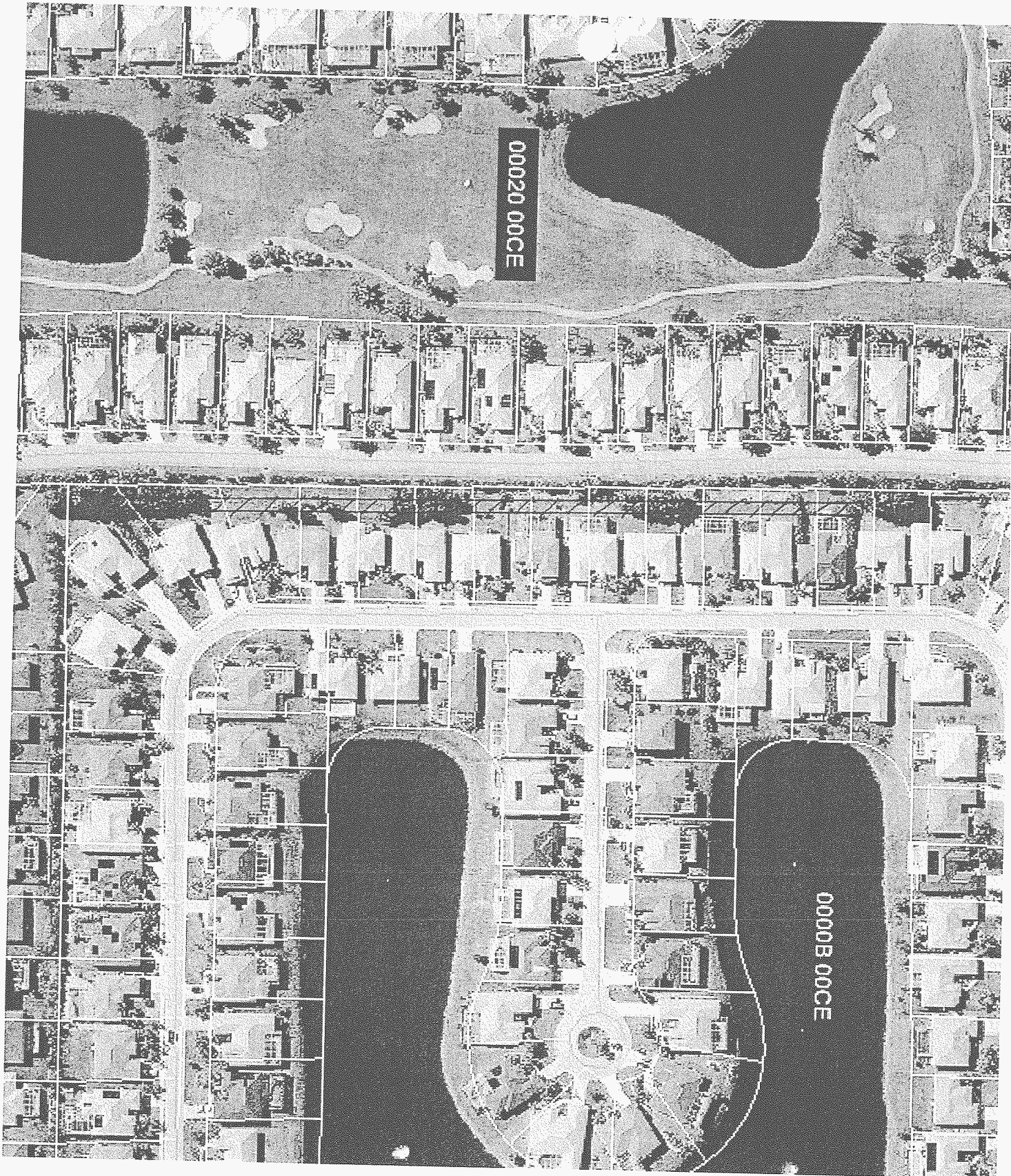
Thomas R. Clewert, Jr.
 NOTARY PUBLIC - STATE OF FLORIDA

(IF USING STAMP, PERMANENT INK IS REQUIRED)

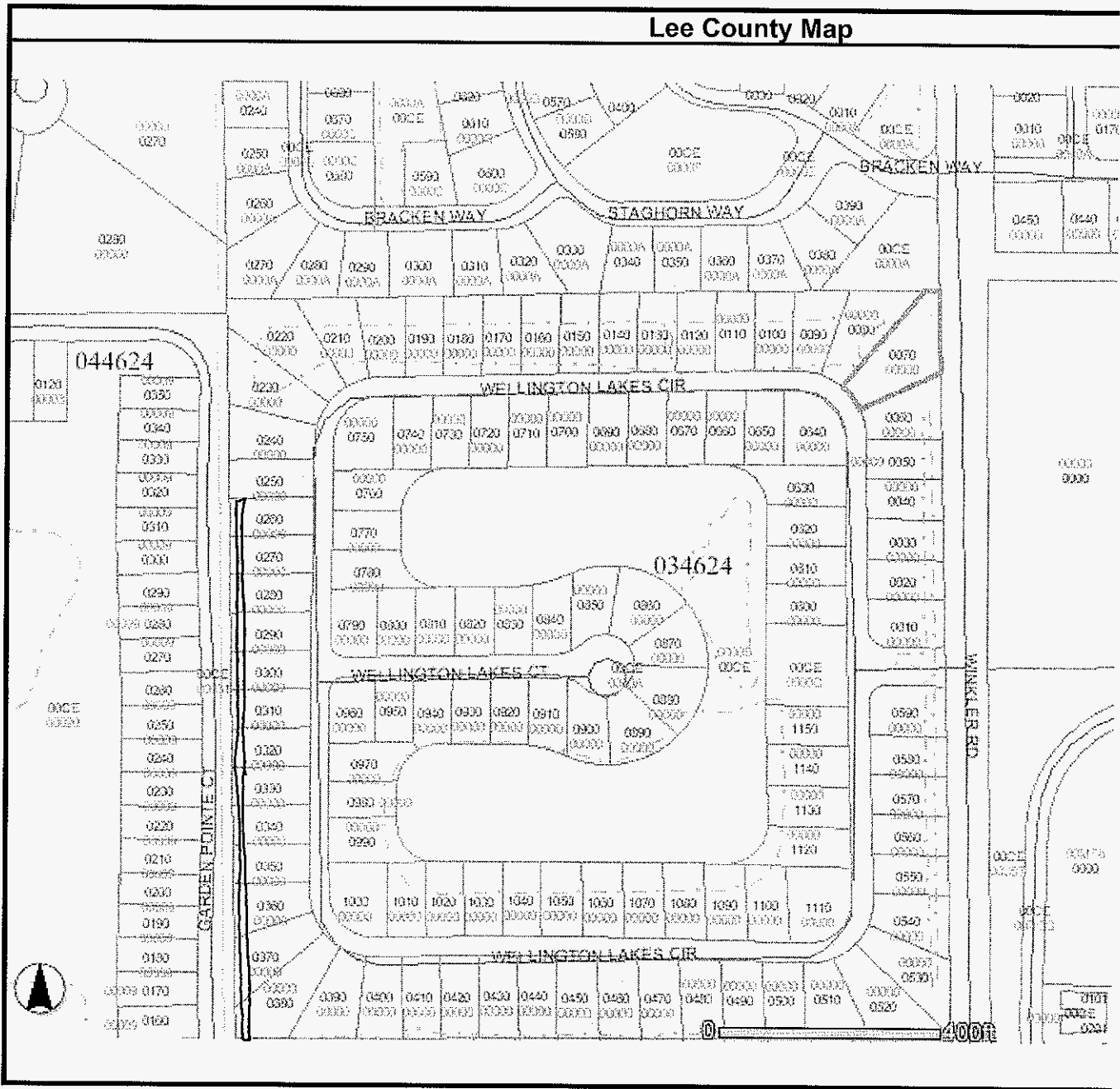
PRINTED NAME: Thomas R. Clewert, Jr.



SHEET KEY MAP



▨ - AREA TO BE VACATED



RECEIVED

OCT 04 2005

VAC 2005-00045