

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20030767

1. REQUESTED MOTION:

ACTION REQUESTED: Authorize: (1) approval of Quit Claim Deed to release a portion of the Access and Utility Easement for Parcel 108, a/k/a Caloosahatchee Creeks Preserve, of the Conservation 2020 Land Acquisition Program, Project No. 8800; (2) the Chairman on behalf of the Board of County Commissioners to execute Quit Claim Deed; and (3) the Division of County Lands to handle and accept all documentation necessary to complete this transaction.

WHY ACTION IS NECESSARY: The Board must formally approve all real estate conveyances to and from Lee County.

WHAT ACTION ACCOMPLISHES: Allows the County to release an excess portion of an access and utility easement included when the County acquired the property.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #

4 *C6A*

3. MEETING DATE:

08-05-2003

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE FS 125.35
- ORDINANCE
- ADMIN. CODE
- OTHER
- Blue Sheet #20000921

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT Independent
- C. DIVISION County Lands *m/j*
- BY: Karen L.W. Forsyth, Director *KLF*

7. BACKGROUND: The Board of County Commissioners approved the acquisition of Parcel 108 on October 10, 2000 as part of the Conservation 2020 Land Acquisition Program. The approved Purchase Agreement included the Seller granting the County a 50 foot access easement from Bayshore Road – SR 78 (near the Race Track Gas station) to the subject parcel lying between the Seaboard Railroad and I-75. In preparation of the legal description for the proposed easement to Lee County, the property owner instead utilized the legal description for an existing surveyed 100-foot wide access road, and asked the County to accept this larger width dimension, rather than spending the money to obtain a new survey of the smaller 50-foot wide easement originally contemplated by the Purchase Agreement. The County accepted the larger dimension of the easement's width. However, the property owner now wants a return of the excess easement width, leaving the County with what was originally agreed to in the Purchase Agreement.

According to the sketch furnished by Banks Engineering, Inc., the easement area to be retained by the County includes the existing paved area with the dry sewer lines installed.

The Division of County Lands has notified Parks and Recreation, the department that manages lands acquired under the Conservation 2020 Lands Program, of the request to release a portion of the easement. Parks and Recreation indicates the originally contemplated 50-foot wide easement area is sufficient.

No additional funds are required, as the Grantee is to pay all necessary costs of recorded the Quit Claim Deed.

Staff recommends the Board approve Requested Motion.

ATTACHMENTS:

- Site location map
- Request for Reduction of "Access Easement"
- Quit Claim Deed
- Existing easement with sketch

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services	G County Manager
<i>K. Forsyth</i>			<i>AD 7/12/03</i>	<i>John D. Reinger 7-9-03</i>	<i>OM 7/10/03</i> <i>Risk 7/15/03</i> <i>GC 7/15/03</i>	<i>HS 7.15.03</i>

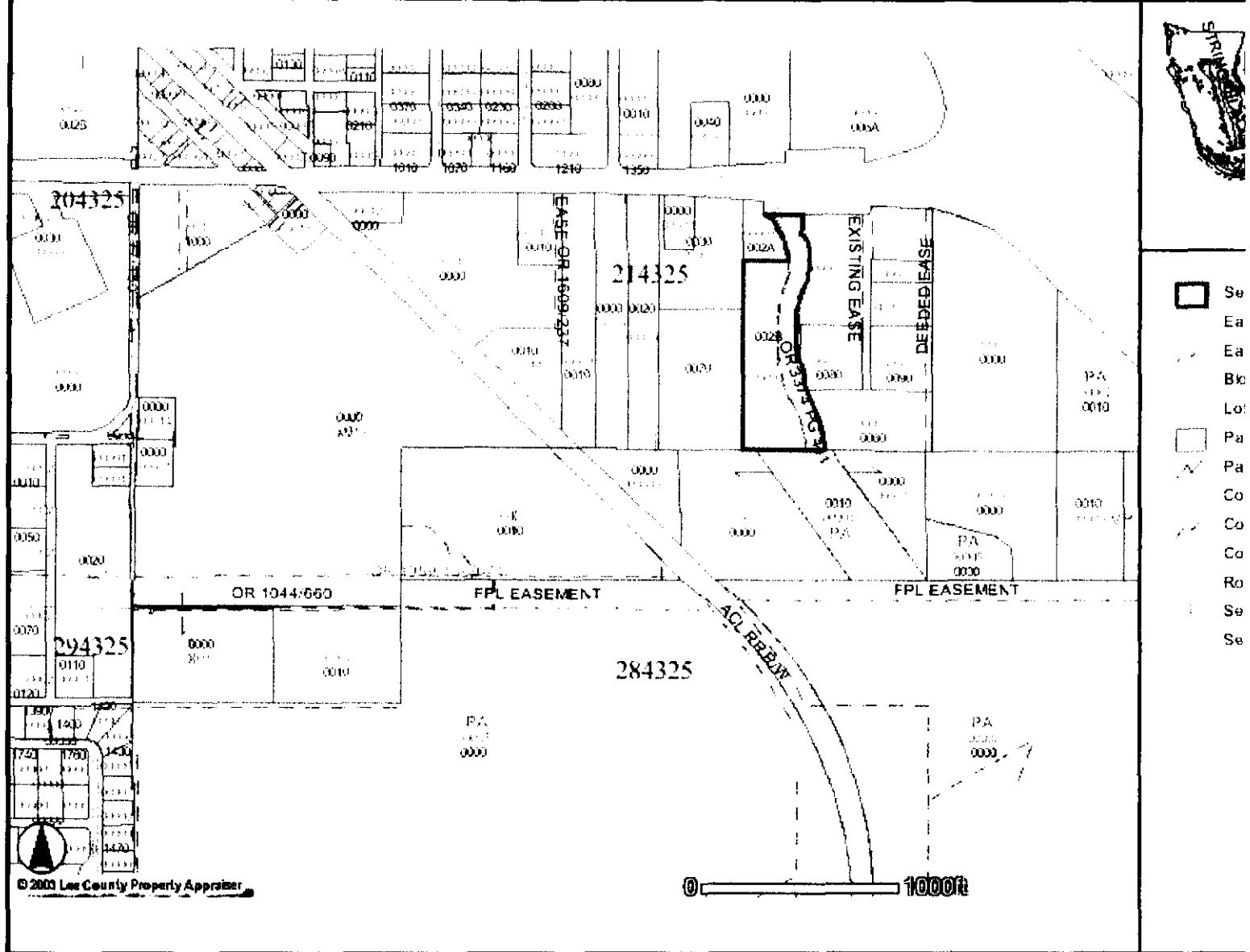
10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by Coltly
Date: *7/2/03*
Time: *1:00 PM*
Forwarded To: *CA, AD, H*
7/9/03 1PM

RECEIVED BY
COUNTY ADMIN
7/9/03
2145
COUNTY ADMIN
FORWARDED TO: *HS*
7/15/03

PARCEL 108, ACCESS EASEMENT SITE LOCATION IN 21-43-25



© 2003 Lee County Property Appraiser

0 1000ft

Karen L. W. Forsyth
County Lands Director
Division of County Lands
1500 Monroe Street
4th Floor
P O Box 396
Fort Myers, FL 33902-0398

6/6/2003

RE: Request for Reduction of "Access Easement"

Dear Mrs. Forsyth,

We the undersign trustees of Realty Transfer Company Liquidating Trust request that the "Access Easement" area over our property as described in Lee County Records INSTR # 5072656 at OR BK 03369, PG 1857 be reduced to approximately 50ft. in width.

The existing paved surface and existing utilities (water & dry sewer lines), as shown on the attached exhibit "X" are in the area of the existing "Access Easement" not being released by the requested Quit Claim Deed.

In order for you to fulfill this request we have enclosed a "Quit Claim Deed" from Lee County to the current fee holder Realty Transfer Company Liquidating Trust.

Would you please get the necessary approvals and keep us advised and copy our agent in this matter Charles F. Munro at his address P.O. Box 62157, Ft. Myers, FL 33906.

Thank you for your prompt attention in this matter. You may contact Mr. Munro at 239-826-9001 if we may be further assistance.

Sincerely,

OWNER:



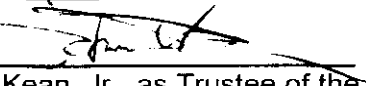
Robert W. Kean, Jr., Trustee of the
Realty Transfer Company Liquidating Trust

Dated: June 12, 2003



Hamilton Kean, as Trustee of the
Realty Transfer Company Liquidating Trust

Dated: June 12, 2003




John Kean, Jr., as Trustee of the
Realty Transfer Company Liquidating Trust

Dated: June 12, 2003

STATE OF NEW JERSEY
COUNTY OF UNION

THE FOREGOING INSTRUMENT was acknowledged before me this 12th day of June, 2003, by ROBERT W. KEAN, JR., as Trustee of the Realty Transfer Company Liquidating Trust, who is personally known to me or has produced _____ as identification.

My Commission Expires:
June 22, 2004

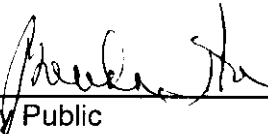


Notary Public
Print/Type Name of Notary **BRENDA H. WILLIS**
Commission No. _____
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires **June 22, 2004**

STATE OF NEW JERSEY
COUNTY OF UNION

THE FOREGOING INSTRUMENT was acknowledged before me this 12th day of June, 2003, by HAMILTON KEAN, as Trustee of the Realty Transfer Company Liquidating Trust, who is personally known to me or has produced _____ as identification.

My Commission Expires:
June 22, 2004




Notary Public
Print/Type Name of Notary **BRENDA H. WILLIS**
Commission No. _____
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires **June 22, 2004**

STATE OF NEW JERSEY
COUNTY OF UNION

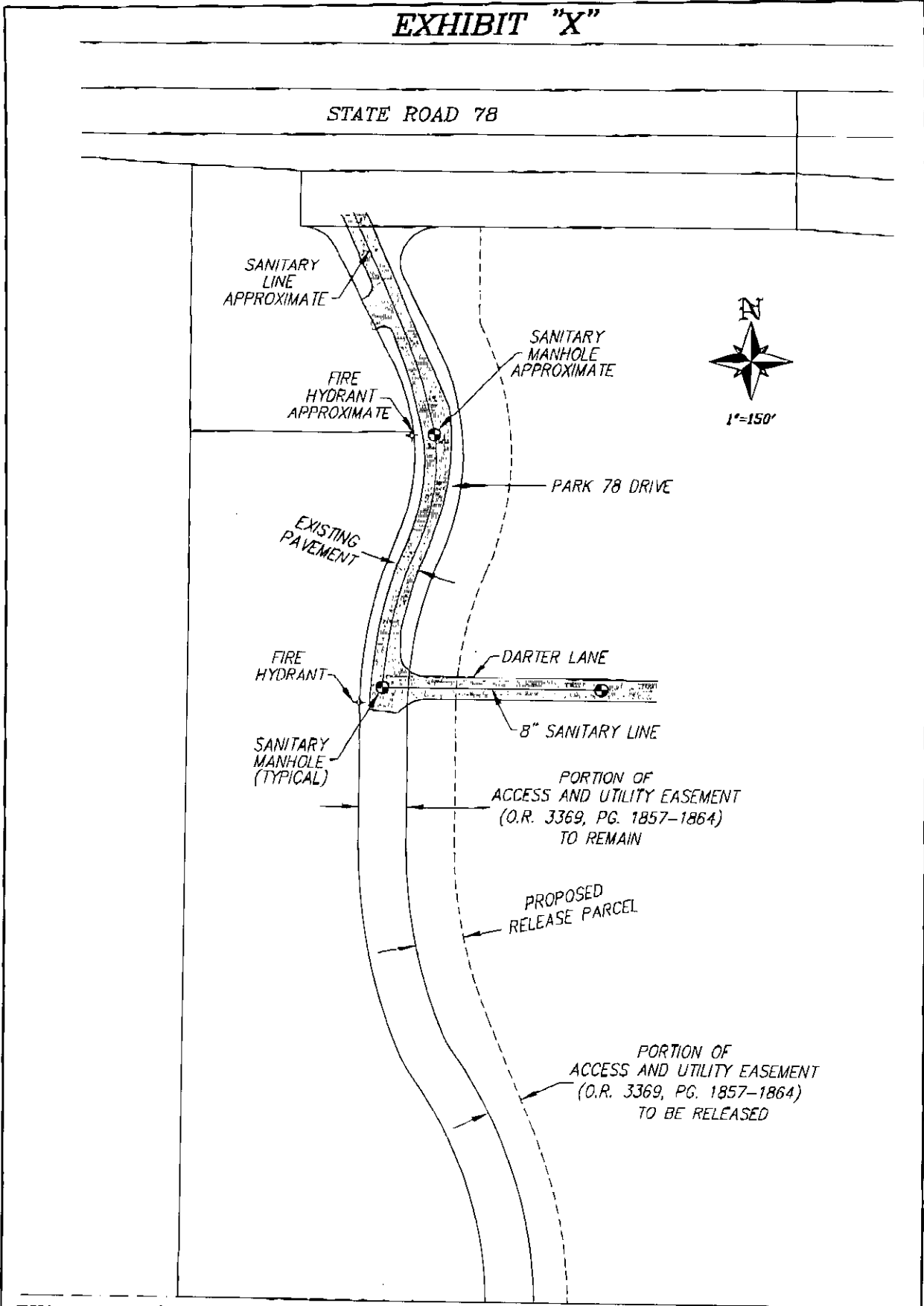
THE FOREGOING INSTRUMENT was acknowledged before me this 12th day of June, 2003, by JOHN KEAN, as Trustee of the Realty Transfer Company Liquidating Trust, who is personally known to me or has produced _____ as identification.

My Commission Expires:
June 22, 2004



Notary Public
Print/Type Name of Notary **BRENDA H. WILLIS**
Commission No. _____
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires **June 22, 2004**

EXHIBIT "X"



THIS EXHIBIT IS NOT A SURVEY

Banks Engineering, Inc. Professional Engineers, Planners & Land Surveyors FORT MYERS • NAPLES • SARASOTA 10211 SIX MILE COMMERCE PARKWAY - SUITE 101 FORT MYERS, FLORIDA 33912 PHONE: (239) 836-3490 FAX: (239) 836-2323 ENGINEERING LICENSE # CD 5649 SURVEY LICENSE # LR 6890		EXISTING PAVEMENT EXHIBIT BAYSHORE PARK OF COMMERCE LEE COUNTY, FLORIDA									
DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	PLA. NO. (2-1-R)		
02-15-03	1337	537_ROAD	BEI	JDW	RR	1"=120'	1	1	21-43-29		

THIS INSTRUMENT PREPARED BY:
Russell P. Schropp, Esq.
P.O. Box 280
Fort Myers, FL 33902-0280

QUIT CLAIM DEED

THIS INDENTURE, made this _____ day of June, 2003 between **LEE COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA**, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398, COUNTY, and **ROBERT W. KEAN, JR., HAMILTON KEAN and JOHN KEAN, JR., AS TRUSTEES OF THE REALTY TRANSFER COMPANY LIQUIDATING TRUST**, whose address is Post Office Box 788, Westfield, New Jersey 07091, Grantee.

WITNESSETH: The COUNTY, for and in consideration of the sum of TEN DOLLARS (\$10.00), in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its heirs and assigns forever, the following described lot, piece or parcel of land, situate lying and being in the County of Lee, State of Florida, to wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said COUNTY, either in law or equity, to the only proper use, benefit and behoof of the said Grantee.

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

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

(OFFICIAL SEAL)

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Chairman

APPROVED AS TO LEGAL FORM:

Office of County Attorney

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

Exhibit "A"

Page 1 of 3

DESCRIPTION
OF A
PARCEL OF LAND
LYING IN
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

(RELEASE PARCEL)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING A PORTION OF AN ACCESS AND UTILITY EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 3369, AT PAGES 1857 THROUGH 1864 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 21; THENCE S.89°39'10"E. ALONG THE SOUTH LINE OF SAID FRACTION FOR 803.48 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED AND AN INTERSECTION WITH A CURVE TO THE LEFT HAVING A RADIUS OF 510.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.88°58'22"E.; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 33°26'52" FOR 297.72 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 87.34 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.55°31'09"W.; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°54'14" FOR 19.67 FEET TO AN INTERSECTION WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 575.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.68°24'07"W.; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°29'30" FOR 215.68 FEET; THENCE N.00°06'24"W. FOR 150.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 425.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 22°51'39" FOR 169.57 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 284.79 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.67°14'42"E.; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 48°23'46" FOR 240.55 FEET; THENCE N.25°38'29"W. FOR 79.74 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 40.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 115°55'19" FOR 80.93 FEET TO AN INTERSECTION WITH THE EXISTING SOUTH RIGHT-OF-WAY LINE OF BAYSHORE ROAD (STATE ROAD NO. 78) AND THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3369, AT PAGES 1857 THROUGH 1864 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE S.89°43'10"E. ALONG SAID SOUTH AND NORTH LINE FOR 42.79 FEET TO THE EAST LINE OF SAID LANDS; THENCE S.00°10'26"W. ALONG SAID EAST LINE FOR 105.47 FEET; THENCE S.25°38'28"E. ALONG SAID EAST LINE FOR 2.07 FEET TO AN INTERSECTION WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 334.79 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.64°21'33"E.; THENCE SOUTHERLY ALONG SAID CURVE AND SAID EAST LINE THROUGH A CENTRAL ANGLE OF 48°23'41" FOR 282.79 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 375.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.67°14'46"W.; THENCE SOUTHERLY ALONG SAID CURVE AND SAID EAST LINE THROUGH A CENTRAL ANGLE OF 22°51'37" FOR 149.62 FEET; THENCE S.00°06'24"E. ALONG SAID EAST LINE FOR 150.00 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 525.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID EAST LINE THROUGH A CENTRAL ANGLE OF 21°30'00" FOR 197.00 FEET; THENCE S.21°36'24"E. ALONG SAID EAST LINE FOR 133.00 FEET TO THE

SHEET 1 OF 3

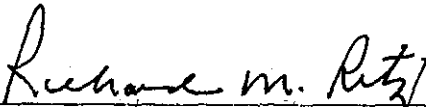
BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 545.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID EAST LINE THROUGH A CENTRAL ANGLE OF 20°40'12" FOR 196.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE N.89°39'10"W. ALONG SAID SOUTH LINE FOR 35.05 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1.36 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, AND RESERVATIONS OF RECORD.

ASSUMED NORTH BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S 89° 39' 10" E.

DESCRIPTION PREPARED JUNE 19, 2002



RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

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OF
 A TRACT OR PARCEL OF LAND LYING IN
 SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST,
 LEE COUNTY, FLORIDA
 (RELEASE PARCEL)

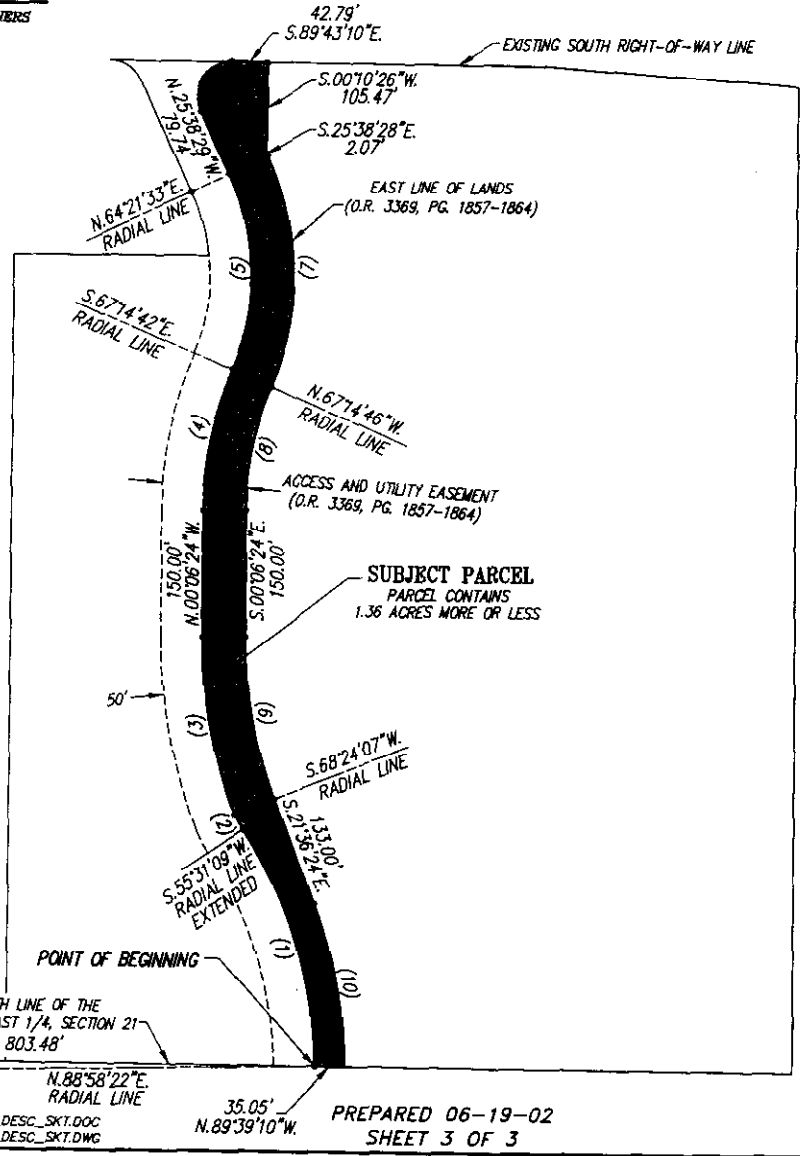
Exhibit "A"

Page 3 of 3



LEGEND:

- O.R. INDICATES OFFICIAL RECORDS BOOK
- PG. INDICATES PAGE
- (1) INDICATES CURVE #1 FROM TABLE



CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	510.00'	33°26'52"	297.72'	293.51'	N.17°45'03"W.
2	87.34'	12°54'14"	19.67'	19.63'	N.28°01'44"W.
3	575.00'	21°29'30"	215.68'	214.42'	N.10°51'08"W.
4	425.00'	22°51'39"	169.57'	168.45'	N.11°19'25"E.
5	284.79'	48°23'46"	240.55'	233.47'	N.01°26'35"W.
6	40.00'	115°55'19"	80.93'	67.81'	N.32°19'11"E.
7	334.79'	48°23'41"	282.79'	274.45'	S.01°26'37"E.
8	375.00'	22°51'37"	149.62'	148.63'	S.11°19'25"W.
9	525.00'	21°30'00"	197.00'	195.85'	S.10°51'24"E.
10	545.00'	20°40'12"	196.62'	195.55'	S.11°16'18"E.

NOTES:

- 1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
- 2.) ASSUMED NORTH BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, LEE COUNTY FLORIDA, AS BEARING S.89°39'10"E.

SEE SHEETS 1 AND 2 OF 3 FOR COMPLETE METES AND BOUNDS DESCRIPTION.

THIS SKETCH OF DESCRIPTION IS NOT A BOUNDARY SURVEY

Richard M. Ritz
 RICHARD M. RITZ
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATION NO. 4009

- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

INSTR # 5072656

OR BK 03369 PG 1857

RECORDED 02/27/01 10:13 AM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 37.50
DEPUTY CLERK L. Wheat

This Instrument Prepared by:
David K. Fowler, Esq.
Henderson, Franklin, Starnes & Holt, P. A.
1715 Monroe Street
P. O. Box 280
Fort Myers, FL 33902-0280

ACCESS AND UTILITY EASEMENT

THIS INDENTURE, made and entered into this 29th day of December, 2000, between ROBERT W. KEAN, JR., HAMILTON F. KEAN, STEWART B. KEAN AND JOHN KEAN, JR., as Trustees of the REALTY TRANSFER COMPANY LIQUIDATING TRUST, under Agreement dated December 26, 1986, Owner, whose address is Post Office Box 788, Westfield, New Jersey 07091, hereinafter "GRANTOR", and LEE COUNTY, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398, hereinafter "GRANTEE":

INSTR # 5079049 OR BK 3374 PG 0441 RECD 03/08/01 01:11 PM
CHARLIE GREEN, CLERK OF COURT, LEE COUNTY
DEPUTY CLERK V. Odom

WITNESSETH

1. For and in consideration of the sum of One Dollar and other good and valuable consideration, receipt of which is hereby acknowledged, GRANTOR hereby grants, transfers and conveys to the GRANTEE, its successors and assigns, a perpetual access and utility easement situated in Lee County, Florida, and located and described as set forth in Exhibit "A" attached hereto upon the terms and conditions set forth herein.
2. GRANTEE shall have a permanent access easement which will allow the GRANTEE's employees, consulting engineers, invitees, contractors and other representatives' vehicles and equipment to enter upon, cross, or exit GRANTOR's property within the easement described as set forth in Exhibit "A". GRANTEE shall have the right, privilege, and authority to grade, improve and maintain the surface of the property within the easement described as set forth in Exhibit "A" for the access purposes as herein described.
3. GRANTEE shall have the right, privilege, and authority to construct, replace, renew, extend and maintain utility facilities, to include, but not be limited to: electrical power, telephone, water systems, sewer transmission and collection systems with all appurtenances thereto, to be located on, under, above, across, through and within the easement described as set forth in Exhibit "A", with the additional right, privilege and authority to remove, replace, repair and enlarge said facilities within said easement, and to trim and remove roots, trees, shrubs, bushes and plants and remove fences or any other improvements which may affect the operation of the utility facilities or GRANTEE's use of the easement.

** This document has been re-recorded to show acceptance of this easement by Lee County.

4. The utility easement will not be limited to any particular diameter size or type and/or number of connections to other similar facilities for providing utility service to this and any adjacent properties. The total area of this utility easement is to be reserved for the utility lines, poles, mains, or other utility facilities and for any landscaping (excluding trees), walkways, roadways, drainage ways, or similar type uses. Houses, fences, buildings, carports, garages, storage sheds or any other structures will not be constructed upon or placed within this easement at any time, present or future, by GRANTOR, or its heirs, successors or assigns.
5. Title to any utility facilities constructed hereunder will remain in the GRANTEE, GRANTEE's successors, appointees and/or assigns, or the public utility providing the service.
6. Subject to any existing easements for public highways or roads, railroads, laterals, ditches, pipelines and electrical transmission or distribution lines and telephone and cable television lines covering the land herein described, GRANTORS covenant that they are lawfully seized and possessed of the property described as set forth in Exhibit "A", have good and lawful right and power to grant and convey the easement herein described, and that the property is free clear of all liens and encumbrances, except as recorded in the Public Records and, accordingly, GRANTORS will forever warrant and defend the title and terms to this said easement and the quiet possession thereof against all claims and demands of all other entities.
7. The parties understand and agree that GRANTOR may give other persons the same rights of entry and exit given to GRANTEE unless doing this will prevent the GRANTEE from being able to enter, cross, exit or maintain the easement.
8. This agreement will be binding upon the parties hereto, their successors and assigns.
9. To the extent allowed by law and subject to the provisions and limitations contained in §768.28, Florida Statutes, the GRANTEE shall and hereby agrees to be liable for injury or loss of property, personal injury, or death caused by the negligent or wrongful act or omission of any employee of the GRANTEE while acting within the scope of his office or employment under circumstances in which the GRANTEE, if a private person, would be liable to the claimant, in accordance with the general laws of the State of Florida.

Acquisition approved by the Lee County Board
of Commissioners action on 1-30-2001
and accepted on behalf of the board by Paul Schmitt on 3-8-2001
in accordance with BS# 20010024

OR BK 03374 PG 0442

IN WITNESS WHEREOF, ROBERT W. KEAN, ^{Jr.} HAMILTON F. KEAN, STEWART E. KEAN AND JOHN KEAN, ^{Jr.} Trustees of the REALTY TRANSFER COMPANY LIQUIDATING TRUST, GRANTOR, and LEE COUNTY, a political subdivision of the State of Florida, GRANTEE, have caused this document to be signed on the date first above-written.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF TWO WITNESSES:

Linda Bianco
Witness

Linda Bianco
Print Name

Maria F. Dasilva
Witness

MARIA F. DASILVA
Print Name

Linda Bianco
Witness

Linda Bianco
Print Name

Maria F. Dasilva
Witness

MARIA F. DASILVA
Print Name

Linda Bianco
Witness

Linda Bianco
Print Name

Maria F. Dasilva
Witness

MARIA F. DASILVA
Print Name

Linda Bianco
Witness

Linda Bianco
Print Name

Maria F. Dasilva
Witness

MARIA F. DASILVA
Print Name

[Signature]
ROBERT W. KEAN, ^{Jr.} Trustee of the REALTY TRANSFER COMPANY LIQUIDATING TRUST U/A/D 12/26/86

[Signature]
HAMILTON F. KEAN, Trustee of the REALTY TRANSFER COMPANY LIQUIDATING TRUST U/A/D 12/26/86

[Signature]
STEWART B. KEAN, Trustee of the REALTY TRANSFER COMPANY LIQUIDATING TRUST U/A/D 12/26/86

[Signature]
JOHN KEAN, ^{Jr.} Trustee of the REALTY TRANSFER COMPANY LIQUIDATING TRUST U/A/D 12/26/86

OR BK 03374 PG 0443

CHARLIE GREEN, CLERK

By: Michelle S. Letsmee
Deputy Clerk (DATE)

LEE COUNTY, FLORIDA, BY ITS BOARD OF
COUNTY COMMISSIONERS

By: [Signature]
CHAIRMAN OR VICE CHAIRMAN

APPROVED AS TO LEGAL FORM AND
SUFFICIENCY

[Signature] 2/21/01
COUNTY ATTORNEY (DATE)

STATE OF New Jersey
COUNTY OF Union

The foregoing instrument was acknowledged before me this 19 day of
December, 2000 by **ROBERT W. KEAN, JR.**, as Trustee of the REALTY TRANSFER
COMPANY LIQUIDATING TRUST U/A/D 12/26/86, who is personally known to me or who
produced _____ as identification.

[Signature]
Notary Public
PAMELA D. CARTER
(Type/Print Name of Notary)
Commission No: 2091686
PAMELA D. CARTER
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Aug. 8, 2001

STATE OF New Jersey
COUNTY OF Union

The foregoing instrument was acknowledged before me this 19 day of
December, 2000 by **HAMILTON F. KEAN**, as Trustee of the REALTY TRANSFER
COMPANY LIQUIDATING TRUST U/A/D 12/26/86, who is personally known to me or who
produced _____ as identification.

[Signature]
Notary Public
PAMELA D. CARTER
(Type/Print Name of Notary)
Commission No: 2091686

PAMELA D. CARTER
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Aug. 8, 2001

DR BK 03374 PG 0444

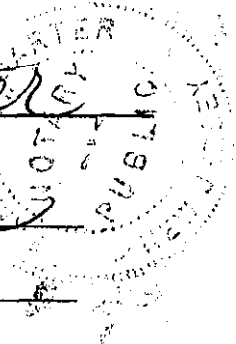
STATE OF New Jersey
COUNTY OF Union

The foregoing instrument was acknowledged before me this 19 day of December, 2000 by **JOHN KEAN, JR.**, as Trustee of the REALTY TRANSFER COMPANY LIQUIDATING TRUST U/A/D 12/26/86, who is personally known to me or who produced _____ as identification.

Pamela D. Carter
Notary Public

PAMELA D. CARTER
(Type/Print Name of Notary)
Commission No: 2091686

PAMELA D. CARTER
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Aug. 8, 2001



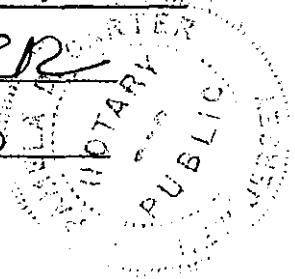
STATE OF New Jersey
COUNTY OF Union

The foregoing instrument was acknowledged before me this 19 day of December, 2000 by **STEWART B. KEAN**, as Trustee of the REALTY TRANSFER COMPANY LIQUIDATING TRUST U/A/D 12/26/86, who is personally known to me or who produced _____ as identification.

Pamela D. Carter
Notary Public

PAMELA D. CARTER
(Type/Print Name of Notary)
Commission No: 2091686

PAMELA D. CARTER
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Aug. 8, 2001



OR BK 03374 PG 0445

January 19, 2001

DESCRIPTION**INGRESS/EGRESS EASEMENT
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA**

A tract or parcel of land lying in Section 21, Township 43 South, Range 25 East being a portion of the lands as described in Deed recorded in Official Record Book 2013 at page 4491 of the Public Records of Lee County, Florida, which tract or parcel is described as follows:

From the southwest corner of the Southeast Quarter (SE-1/4) of said Section 21 run S 89° 39' 10" E along the south line of said fraction for 753.46 feet to the Point of Beginning.

From said Point of Beginning run northwesterly along the arc of a curve departing said fraction line to the left of radius 460.00 feet (chord bearing N 17° 49' 36" W) (chord 263.60 feet) (delta 33° 18' 01") for 267.35 feet to a point of reverse curvature; thence run northwesterly along the arc of said curve to the right of radius 137.34 feet (chord bearing N 28° 02' 50" W) (chord 30.74 feet) (delta 12° 50' 57") for 30.80 feet to a point of compound curvature; thence run northwesterly along the arc of said curve to the right of radius 625.00 feet (chord bearing N 10° 51' 23" W) (chord 233.15 feet) (delta 21° 30' 00") for 234.53 feet to a point of tangency; thence run N 00° 06' 24" W for 150.00 feet to a point of curvature; thence run northeasterly along the arc of said curve to the right of radius 475.00 feet (chord bearing N 11° 19' 26" E) (chord 188.26 feet) (delta 22° 51' 41") for 189.52 feet to a point of reverse curvature; thence run northwesterly along the arc of said curve to the left of radius 234.79 feet (chord bearing N 01° 26' 37" W) (chord 192.47 feet) (delta 48° 23' 42") for 198.32 feet to a point of tangency; thence run N 25° 38' 29" W for 142.92 feet to a point of curvature; thence run northwesterly along the arc of said curve to the left of radius 40.00 feet (chord bearing N 57° 43' 00" W) (chord 42.49 feet) (delta 64° 09' 20") for 44.79 feet to a non-tangent end of said curve at an iron rod and D.O.T. cap found, on the existing south right-of-way line of Bayshore Road (State Road No. 78); thence run S 89° 43' 10" E along said southerly right-of-way line for 187.38 feet to the northeasterlymost corner of the lands as described in Deed recorded in Official Record Book 2013 at page 4491 of said public records; thence run the following courses and distances along the east line of the lands as described in said deed: S 00° 10' 26" W departing said southerly right-of-way for 105.47 feet; S 25° 38' 28" E for 2.07 feet to a point on a non-tangent curve; thence run southeasterly along the arc of said curve to the right of radius 334.79 feet (chord bearing S 01° 26' 37" E) (chord 274.45 feet) (delta 48° 23' 41") for 282.79 feet to a point of reverse curvature; southwesterly along the arc of said curve to the left of radius 375.00 feet (chord bearing S 11° 19' 25" W) (chord 148.63 feet) (delta 22° 51' 37") for 149.62 feet to a point of tangency; S 00° 06' 24" E for 150.00

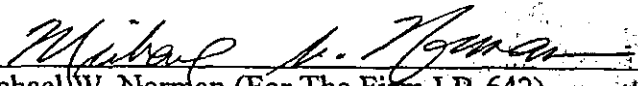
OR BK 03374 PG 0445

feet to a point of curvature; southeasterly along the arc of said curve to the left of radius 525.00 feet (chord bearing S 10° 51' 24" E) (chord 195.85 feet) (delta 21° 30' 00") for 197.00 feet to a point of tangency; S 21° 36' 24" E for 133.00 feet to a point of curvature; southeasterly along the arc of said curve to the right of radius 545.00 feet (chord bearing S 11° 16' 22" E) (chord 195.53 feet) (delta 20° 40' 04") for 196.59 feet to an intersection with the south line of the Southeast Quarter (SE-1/4) of said Section 21; thence run N 89° 39' 10" W along said fraction line for 85.02 feet to the Point of Beginning.

Parcel contains 2.81 acres, more or less.

SUBJECT TO easements, restrictions and reservations of record.

Bearings hereinabove mentioned are based on the south line of the Southeast Quarter (SE-1/4) of Section 21, Township 43 South, Range 25 East to bear S 89° 39' 10" E.


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

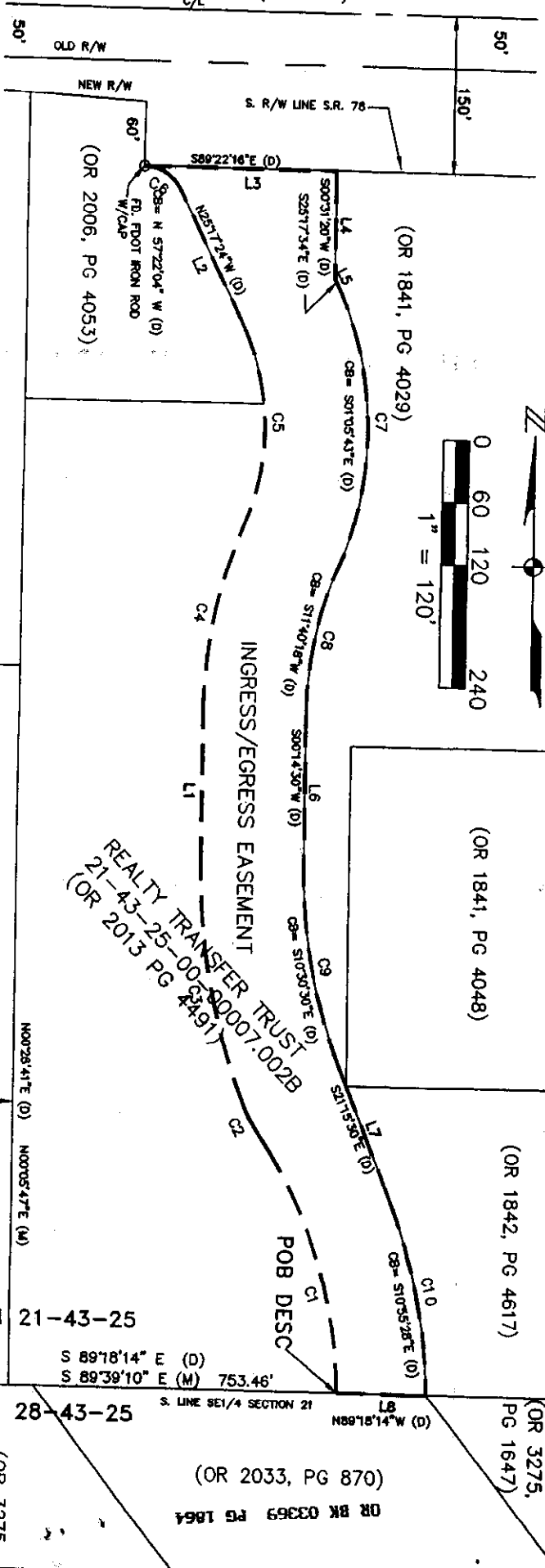
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OR BK 03374 PG 0447

OR BK 03369 PG 1863

BAYSHORE ROAD

(S.R. 78)



CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	400.00'	267.35'	337.81°	283.80'	N 17°48'36" W
C2	137.54'	30.80'	12°30'57"	30.74'	N 25°02'50" W
C3	825.00'	234.55'	21°30'00"	233.15'	N 10°51'25" W
C4	475.00'	188.52'	22°31'41"	188.28'	N 11°19'26" E
C5	224.78'	198.52'	48°25'42"	192.47'	N 01°28'37" W
C6	40.00'	44.79'	84°09'20"	42.49'	S 07°28'37" E
C7	334.28'	282.79'	48°25'41"	274.45'	S 07°28'37" E
C8	375.00'	149.62'	22°31'37"	148.63'	S 11°19'25" W
C9	525.00'	187.00'	21°30'00"	185.85'	S 10°51'24" E
C10	545.00'	198.59'	20°46'04"	195.53'	S 11°19'22" E

LINE	BEARING	LENGTH
L1	N 00°08'24" W	150.00'
L2	N 25°38'29" W	142.92'
L3	S 89°43'10" E	187.38'
L4	S 00°10'26" W	106.47'
L5	S 22°38'26" E	2.07'
L6	S 00°08'24" E	150.00'
L7	S 21°38'24" E	133.00'
L8	N 89°39'10" W	83.02'

THIS IS NOT A SURVEY

CHAIEL W. NORDMAN, S.T. A.G. 2000, F.S. 19-38
 PROFESSIONAL SURVEYOR AND MAPPER
 RIDA CERTIFICATE NO. 25800
 JAN 19 2001
 SIGNED: [Signature]
 AND WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED
 A FLORIDA LICENSED SURVEYOR AND MAPPER.

- NOTES:**
1. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 21 TOWNSHIP 43 SOUTH, RANGE 25 EAST TO BEAR S 89°39'10" E.
 2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
 3. POB = POINT OF BEGINNING
 4. DESC = DESCRIPTION
 5. OR = OFFICIAL RECORD BOOK
 6. PG = PAGE
 7. (D) = DEED
 8. (M) = MEASURE
 9. CONTAINS 2.81 ACRES, MORE OR LESS.

SKETCH TO ACCOMPANY DESCRIPTION
 INGRESS/EGRESS EASEMENT
 SECTION 21, TWP. 43 S., RGE. 25 E.
 LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.

218 JOHNSON STREET, SUITE 200, TAMPA, FL 33606
 ENGINEER: SHANTON AND ASSOCIATES, INC. (OR) 33-004
 17/6/00 20000263 21-43-25 1" = 120' 1 OF 1

SECTION 21-43-25

SECTION 28-43-25

REALTY TRANSFER TRUST
 21-43-25-007.0007.002B
 (OR 2013 PG 2491)

POB DESC
 SW CORNER, SE 1/4
 SECTION 21-43-25

S 89°18'14" E (D)
 S 89°39'10" E (M) 753.46'

(OR 2033, PG 870)
 OR BK 03369 PG 1864

(OR 3275,
 PG 1647)

(OR 1841, PG 4029)

(OR 1842, PG 4617)

(OR 3275,
 PG 1647)

