

Agenda Item Summary

1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing to adopt a Resolution on Petition to Vacate a portion of a 50' wide Road Right-of-Way being Bolt Lane between Zaharias Drive and Fairway Drive, located at 2130 and 2156 Fairway Dr., Lehigh Acres (Case No. VAC2005-00036).

2. WHAT ACTION ACCOMPLISHES: To develop the entire site into a multi-family subdivision. **The vacation of the Right-of-Way as requested will not affect existing traffic conditions and is not required to accommodate any future transportation needs.**

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category:
COMMISSION DISTRICT #: 5

9:30 PH 2

5. Meeting Date:

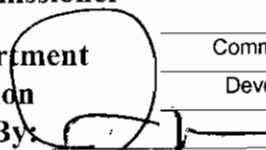
01-31-2006

- Consent
- Administrative
- Appeals
- Public
- Walk-On

- 7. Requirement/Purpose: (specify)**
- Statute F.S. Ch. 366
F.S. Ch. 177
 - Ordinance
 - Admin. Code 13-1& 13-8
 - Other

8. Request Initiated:
Commissioner

Department Community Development
Division Development Services

By: 
Peter J. Eckenrode, Director

9. Background:

The completed petition to vacate, VAC2005-00036 was submitted by Al Quattrone and Fairway Villages, LLC, a Florida limited liability company.

LOCATION: The site is located at **2130 and 2156 Fairway Dr., Lehigh Acres, Florida 33971** and its strap numbers are **32-44-26-09-00007.0000 and 00011.0000**. Petition No. VAC2005-00036 proposes to vacate a portion of a 50' wide Road Right-of-Way being that portion of Bolt Lane located between Zaharias Drive and Fairway Drive between Blocks 7 and 11, Section 32, Township 44 South, Range 26 East, a subdivision of Lehigh Acres, as recorded in Plat Book 15, Page 89 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.

Bolt Lane has been partially constructed within the right-of-way to be vacated. The petitioner owns the property on both sides of the right-of-way. Access to surrounding properties will not be impacted. 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>M. J. ...</i>				<i>John J. ... 12-23-05</i>	<i>RK ... 11/14</i>	<i>08 11/16/06</i>	<i>11/16/06</i>	<i>11/16/06</i>	<i>11/5/06</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
COUNTY ADMIN: *TD*
12/23/05
3pm
COUNTY ADMIN
FORWARDED TO: *PJC*
1-6-06
4/21

Rec. by CoAtty
Date: *12/23/05*
Time: *1:04pm*
Forwarded To:
Co. Adm.:
12/23/05 3PM



PETITION TO VACATE
TRANSMITTAL FOR PUBLIC NOTICE
REQUIREMENTS

DATE: December 7, 2005

To: Richard DeSalvo
Public Resources

FROM: Ron Wilson
Development Services

BLUESHEET NUMBER: 20051577

CASE NUMBER: VAC2005-00036

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: VAC2005-00036

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that on the 31st day of January 2006 @ 9:30AM 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, abandoning, closing and discontinuing the public's interest in the right-of-way or portion of a right-of-way, as well as 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 Department, Room 200, 2115 Second Street, Fort Myers, Florida, 33901.

CHARLIE GREEN, CLERK

Deputy Clerk Signature

Please Print Name

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

LEGAL DESCRIPTION

A PORTION OF LEHIGH ACRES SUBDIVISION RECORDED IN PLAT BOOK 15, PAGE 89 IN SECTION 32, TOWNSHIP 44 SOUTH, RANGE 26 EAST, LEE COUNTY FLORIDA, BEING MORE PROPERLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF BOLT LANE (50' WIDE RIGHT-OF-WAY) AND FAIRWAY DRIVE (50' WIDE RIGHT-OF-WAY) AS RECORDED IN SAID PLAT BOOK 15 PAGE 89; THENCE RUN N.45°55'47"W. ALONG THE CENTERLINE OF SAID BOLT LANE, A DISTANCE OF 25.00 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF SAID FAIRWAY DRIVE AND THE CENTERLINE OF SAID BOLT LANE AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN S.44°04'13"W ALONG SAID NORTHERLY LINE OF FAIRWAY DRIVE A DISTANCE OF 50.89 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID BOLT LANE AND THE BEGINNING OF A NON-TANGENTIAL CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET A CHORD BEARING OF N.04°14'22"W. AND A CHORD LENGTH OF 37.34 FEET; THENCE ALONG SAID CURVE TO THE LEFT AND SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 42.16 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 158.00 FEET A CHORD BEARING OF N.71°30'19"W. AND A CHORD LENGTH OF 102.65 FEET; THENCE ALONG SAID CURVE TO THE LEFT AND SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 104.55 FEET; THENCE S.89°29'40"W. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 102.60 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE TO THE LEFT HAVING A RADIUS OF 75.00 FEET A CHORD BEARING OF N.44°31'07"E. AND A CHORD LENGTH OF 106.02 FEET; THENCE ALONG SAID CURVE TO THE LEFT A DISTANCE OF 117.75 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ZAHARIHAS DRIVE (50' WIDE RIGHT-OF-WAY) AND THE BEGINNING OF A NON-TANGENTIAL CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET A CHORD BEARING OF S.45°52'06"E. AND A CHORD DISTANCE OF 35.51 FEET; THENCE ALONG SAID CURVE TO THE LEFT AND THE NORTHERLY RIGHT-OF-WAY LINE OF BOLT LANE, A DISTANCE OF 39.49 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 208.00 FEET A CHORD BEARING OF S.70°24'32"E. A CHORD DISTANCE OF 147.09 FEET; THENCE ALONG SAID CURVE TO THE RIGHT AND THE NORTHERLY RIGHT-OF-WAY LINE OF BOLT LANE, A DISTANCE OF 150.34 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET A CHORD BEARING OF N.87°11'02"E. AND A CHORD DISTANCE OF 34.17 FEET; THENCE ALONG SAID CURVE TO THE LEFT AND THE NORTHERLY RIGHT-OF-WAY LINE OF SAID BOLT LANE A DISTANCE OF 37.62 FEET TO A POINT ON THE NORTHERLY LINE OF SAID FAIRWAY DRIVE; THENCE S.44°04'13"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 49.50 FEET TO THE POINT OF BEGINNING.
SAID PARCEL CONTAINS 0.24 ACRES MORE OR LESS.



KRIS A. SLOSSER, STATE OF FLORIDA, (P.S.M. #5560)
SEE ATTACHED SKETCH

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN
SECTION 32, TOWNSHIP 44 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

KRIS A SLOSSER P.S.M.

4650 VILLA CAPRI LN. BONITA SPRINGS

FLORIDA 34134 (239) 947-1915

JOB#: 50081VAC

DRAWN BY: KAS

DRAWING: 50081VAC

SCALE: N.A.

Exhibit "A"

Petition to Vacate

VAC2005-00036

[Page One of One]

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: VAC2005-00036

WHEREAS, Petitioner Fairway Villages, LLC, a Florida limited liability company 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. VAC2005-00036 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

APPROVED AS TO FORM

County Attorney Signature

Please Print Name

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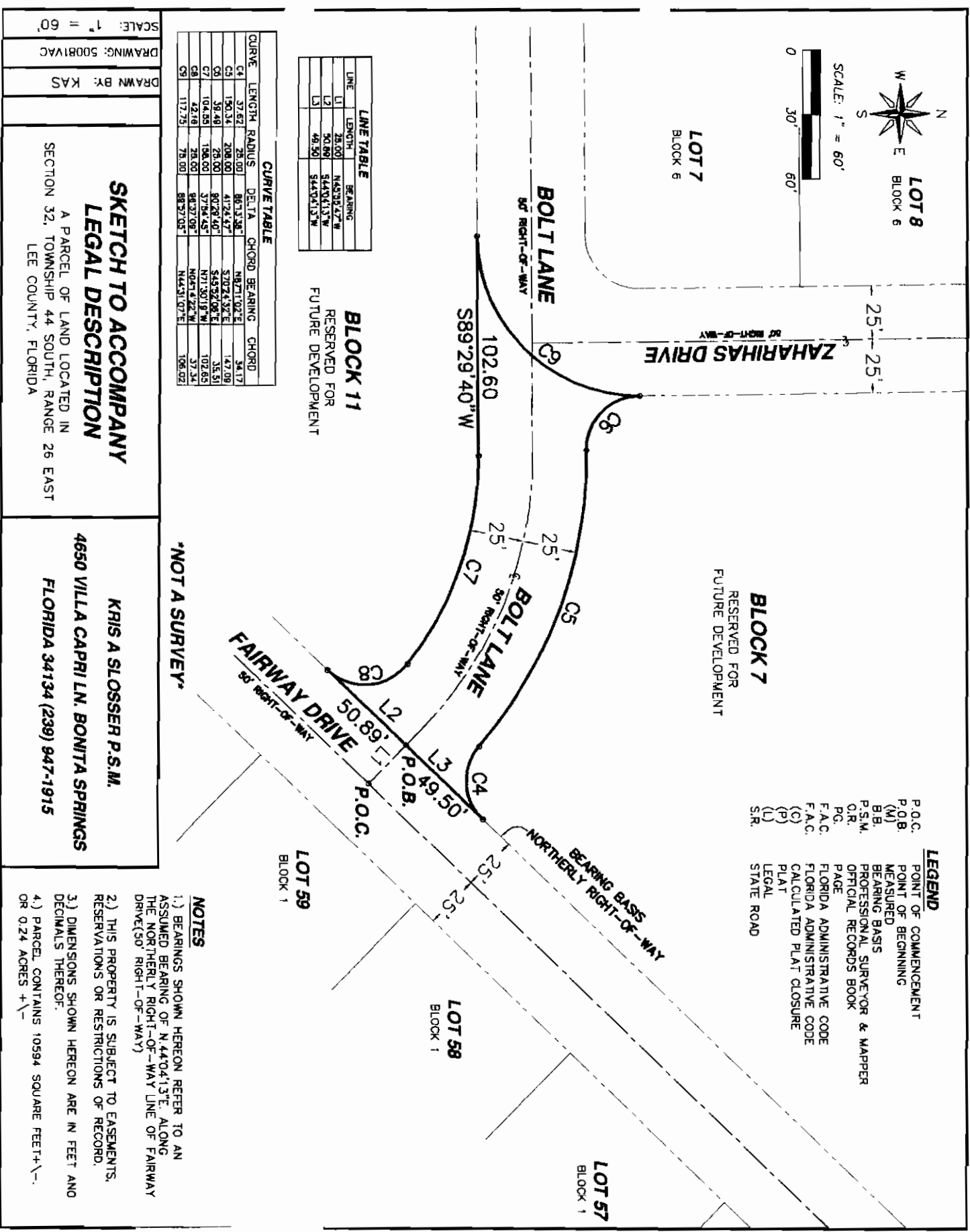
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SEE ATTACHED SKETCH

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DRAWING: 50081VAC
SCALE: N.A.

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LEE COUNTY, FLORIDA

KRIS A SLOSSER P.S.M.
4650 VILLA CAPRI LN. BONITA SPRINGS
FLORIDA 34134 (239) 947-1915



LINE	LENGTH	BEARING
L1	28.00	N43°36'12"W
L2	50.89	S44°04'13"E
L3	49.50	S44°04'13"E

CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING	CHORD
C4	37.62	28.00	86°13'38"	N82°11'02"E	34.17	
C5	150.36	208.00	41°24'47"	S70°24'32"E	147.09	
C6	39.48	29.00	80°28'40"	S45°52'06"E	35.51	
C7	104.95	196.00	37°54'45"	N71°30'18"W	102.65	
C8	42.18	28.00	86°32'08"	N84°12'22"W	37.34	
C9	117.25	78.00	88°32'05"	N44°51'07"E	106.02	

BLOCK 11
RESERVED FOR
FUTURE DEVELOPMENT

BLOCK 7
RESERVED FOR
FUTURE DEVELOPMENT

NOT A SURVEY

**SKETCH TO ACCOMPANY
LEGAL DESCRIPTION**

A PARCEL OF LAND LOCATED IN
SECTION 32, TOWNSHIP 44 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

KRIS A SLOSSER P.S.M.

**4650 VILLA CAPRI LN. BONITA SPRINGS
FLORIDA 34134 (239) 947-1915**

- LEGEND**
- P.O.C. POINT OF COMMENCEMENT
 - P.O.B. POINT OF BEGINNING
 - (M) MEASURED
 - BEARING BASIS
 - P.S.M. PROFESSIONAL SURVEYOR & MAPPER
 - O.R. OFFICIAL RECORDS BOOK
 - P.G. PAGE
 - F.A.C. FLORIDA ADMINISTRATIVE CODE
 - F.A.C. FLORIDA ADMINISTRATIVE CODE
 - (C) CALCULATED PLAT CLOSURE
 - (P) PLAT
 - (I) LEGAL
 - S.R. STATE ROAD

NOTES

- 1.) BEARINGS SHOWN HEREON REFER TO AN ASSUMED BEARING OF N 44°04'13"E ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF FAIRWAY DRIVE (50' RIGHT-OF-WAY)
- 2.) THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.
- 3.) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
- 4.) PARCEL CONTAINS 10594 SQUARE FEET +/- OR 0.24 ACRES +/-

PETITION TO VACATE (AC13-1 & AC13-8)

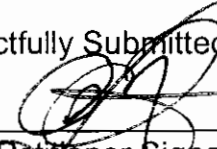
Case Number: VAC2005-00036

Petitioner, Fairway Villages, LLC 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, 11000-30 Metro Pkwy .
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" and in accordance with F.S. Chapter 336 and LCAC 13-8, Petitioner desires to vacate, abandon, close and discontinue the public's interest in the right-of-way or portion of right-of-way legally described in the attached Exhibit "A".
3. A sketch showing the area(s) the Petitioner desires to vacate is attached as Exhibit "B".
4. In accordance with F.S. Chapter 177, proof Petitioner paid all applicable state and county taxes on the property to be vacated is attached as Exhibit "C".
5. In accordance with F.S. Chapter 177, Petitioner is the fee simple title holder to the underlying land sought to be vacated.
6. In accordance with the LCAC 13-1, Petitioner did provide notice to all affected property owners concerning the intent of this Petition. Notice concerning the intent of this Petition will also be provided in accordance with LCAC 13-8.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, there is no apparent impediment to granting Petitioner's request.

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

Respectfully Submitted

By: 
Petitioner Signature
Al Quattrone, Man. Member
Printed Name

By: _____
Petitioner Signature

Printed Name

RECEIVED
DEC 14 2005

VAC 2005-00036



Florida Limited Liability

FAIRWAY VILLAGES LLC

PRINCIPAL ADDRESS
 11000 METRO PARKWAY
 SUITE 30
 FORT MYERS FL 33912

MAILING ADDRESS
 11000 METRO PARKWAY
 SUITE 30
 FORT MYERS FL 33912

Document Number
 L05000008402

FEI Number
 NONE

Date Filed
 01/26/2005

State
 FL

Status
 ACTIVE

Effective Date
 NONE

Total Contribution
 0.00

Registered Agent

Name & Address
SILVER, KEITH M CPA 5235 RAMSEY WAY SUITE 17 FORT MYERS FL 33907

Manager/Member Detail

Name & Address	Title
QUATTRONE, ALFRED 11000 METRO PARKWAY SUITE 30 FORT MYERS FL 33912	MGRM
BAGLEY, MARSHALL 4850 CEDAR HAMMOCK CT FORT MYERS FL 33912	MGRM

Annual Reports

Report Year	Filed Date
-------------	------------

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No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

01/26/2005 -- Florida Limited Liability

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT



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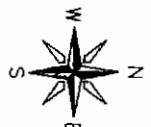
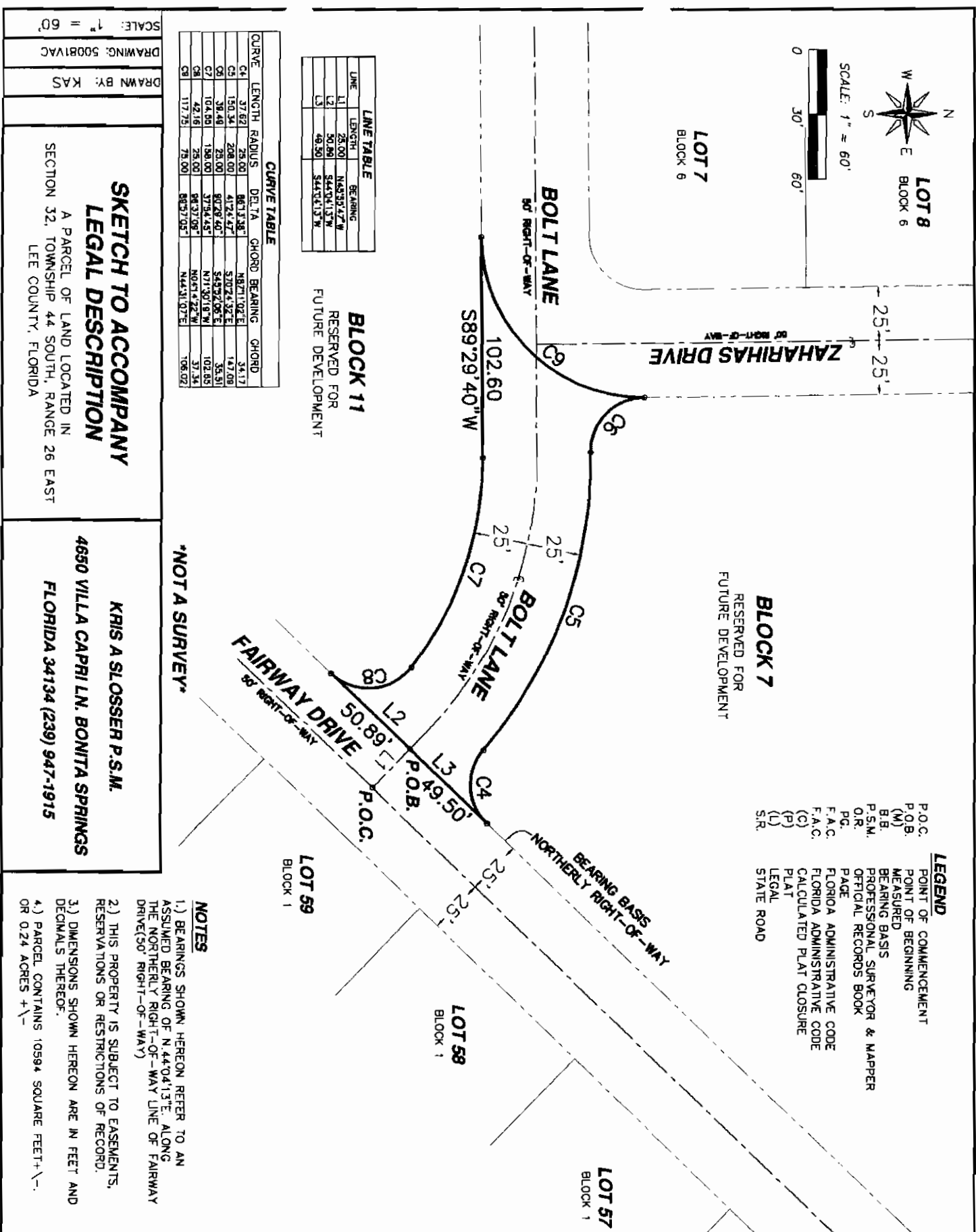
LEGAL DESCRIPTION

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SECTION 32, TOWNSHIP 44 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

KRIS A SLOSSER P.S.M.

4650 VILLA CAPRI LN. BONITA SPRINGS

FLORIDA 34134 (239) 947-1915



SCALE: 1" = 60'
 0 30' 60'

LOT 8
 BLOCK 6

LOT 7
 BLOCK 6

ZAHARIHAS DRIVE
 25' 25'

BLOCK 7
 RESERVED FOR
 FUTURE DEVELOPMENT

BLOCK 11
 RESERVED FOR
 FUTURE DEVELOPMENT

LEGEND

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- (M) MEASURED
- B.B. BEARING BASIS
- P.S.M. PROFESSIONAL SURVEYOR & MAPPER
- O.R. OFFICIAL RECORDS BOOK
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- (P) PLAT
- (L) LEGAL
- S.R. STATE ROAD

LINE TABLE

LINE	LENGTH	BEARING
L1	25.00	N43°51'47"W
L2	50.89	S44°04'13"E
L3	49.50	S44°04'13"W

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C4	37.82	26.00	86.1338°	N82°11'02"E	34.11
C5	150.34	208.00	41°24'47"	S102°21'32"E	147.08
C6	39.48	23.00	80°28'40"	S43°52'06"E	35.51
C7	104.88	188.00	37°34'45"	N11°30'18"W	102.85
C8	42.18	28.00	96°37'08"	N61°42'22"W	37.34
C9	117.75	79.00	88°37'05"	N44°51'07"E	106.02

**SKETCH TO ACCOMPANY
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 LEE COUNTY, FLORIDA

KRIS A SLOSSER P.S.M.
**4650 VILLA CAPRI LN. BONITA SPRINGS
 FLORIDA 34134 (239) 947-1915**

NOT A SURVEY

NOTES

- 1.) BEARINGS SHOWN HEREON REFER TO AN ASSUMED BEARING OF N 44°04'13"E. ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF FAIRWAY DRIVE (50' RIGHT-OF-WAY)
- 2.) THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.
- 3.) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
- 4.) PARCEL CONTAINS 10594 SQUARE FEET ± OR 0.24 ACRES ±

Exhibit "C"
Petition to Vacate
VAC2005-00036
 [Page One of One]

Real Property Information		
Account	Tax Year	Status
32-44-26-09-00007.0000	2005	PAID
Original Account	Book/Page	
32-44-26-09-00007.0000	4623/2201	
Owner		
FAIRWAY VILLAGES LLC		
Physical Address	Mailing Address	
2130 FAIRWAY DR Lehigh Acres FL 33971	11000 METRO PKWY STE 30 FORT MYERS FL 33912 USA	
Legal Description		
LEHIGH ESTATES UNIT 9 BLK.7 PB 15 PG 89 ALL BLOCK 7		
Outstanding Balance as of 12/15/2005		\$0.00

Real Property Information		
Account	Tax Year	Status
32-44-26-09-00011.0000	2005	PAID
Original Account	Book/Page	
32-44-26-09-00011.0000	4623/2201	
Owner		
FAIRWAY VILLAGE LLC		
Physical Address	Mailing Address	
2156 FAIRWAY DR Lehigh Acres FL 33971	11000 METRO PKWY STE 30 FORT MYERS FL 33912 USA	
Legal Description		
LEHIGH ESTATES UNIT 9 BLK.11 PB 15 PG 89 ALL BLOCK 11		
Outstanding Balance as of 12/15/2005		\$0.00

34-12-06
3.02

Quattrone &
Associates, Inc.

COPY

Engineers, Planners & Development Consultants

11000 Metro Parkway, Suite 30 • Fort Myers, Florida 33912
Tel: (239) 936-5222 • Fax: (239) 936-7228

October 4, 2005

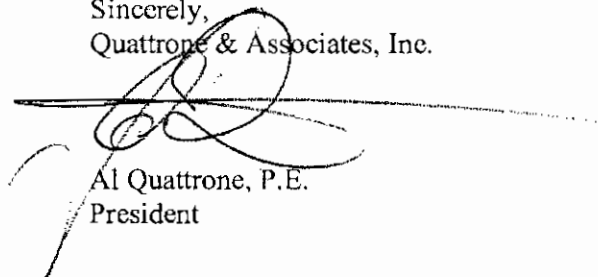
Certified Letter to Adjacent Property Owners

**Re: Petition to Vacate: 2130 & 2156 Fairway Drive
Strap #: 32-44-26-09-00007.0000 & 00011.0000**

To whom it may concern;

Please accept this letter as written notification that we intend to submit a Petition to the Lee County Board of Commissioners seeking approval to vacate a portion of the Bolt Lane road right-of-way located between Zaharihas Drive and Fairway Drive; as depicted in the attached drawing.

Sincerely,
Quattrone & Associates, Inc.



Al Quattrone, P.E.
President

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>	<u>Map Index</u>
BOYD W + 19713 MOORSHIRE DR CERRITOS CA 90703	32-44-26-09-00001.0410 4992/4994 FAIRWAY CT LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.1 PB 15 PG 89 LOT 41	15
GEMME GERARD L + ELOISA M 7738 CAMERON CIR FORT MYERS FL 33912	32-44-26-09-00001.0460 4989/4991 FAIRWAY CT LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.1 PB 15 PG 89 LOT 46	16
GASS PATRICIA M TR 487 DOVER CIR ENGLEWOOD FL 34223	32-44-26-09-00001.0470 4993/4995 FAIRWAY CT LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.1 PB 15 PG 89 LOT 47	17
RANDOLPH LENORE M 2310 RANDOLPH RD MORRISVILLE VT 05661	32-44-26-09-00001.0480 4997/4999 FAIRWAY CT LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.1 PB 15 PG 89 LOT 48	18
ZIELINSKI P J + EFFIE 1/2 + 2418 IVY AV FT MYERS FL 33907	32-44-26-09-00001.0490 2105/2107 FAIRWAY DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.1 PB 15 PG 89 LOT 49	19
① BARREDO ANGEL L + MILDRED 6831 W WEDGEWOOD AVE DAVIE FL 33331	32-44-26-09-00001.0500 2109/2111 FAIRWAY DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.1 PB 15 PG 89 LOT 50	20
② GLUCKSTAL LEONARD 16855 FOX DEN FORT MYERS FL 33908	32-44-26-09-00001.0510 2113/2115 FAIRWAY DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.1 PB 15 PG 89 LOT 51	21
③ DELUCIA JAMES A 108 FOX DR ALLENDALE NJ 07401	32-44-26-09-00001.0520 2117/2119 FAIRWAY DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.1 PB 15 PG 89 LOT 52	22
④ DELUCIA JAMES A 108 FOX DR ALLENDALE NJ 07401	32-44-26-09-00001.0530 2121/2123 FAIRWAY DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.1 PB 15 PG 89 LOT 53	23
⑤ NICO CONSTRUCTION MANAGMENT + 12811 KENWOOD LN STE 212 FORT MYERS FL 33907	32-44-26-09-00001.0540 2125/2127 FAIRWAY DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.1 PB 15 PG 89 LOT 54	24
⑥ MOATS ARTHUR M 402 E WASHINGTON ST HARRISONBURG VA 22802	32-44-26-09-00001.0550 2129/2131 FAIRWAY DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.1 PB 15 PG 89 LOT 55	25
⑦ MOATS ARTHUR M 402 E WASHINGTON ST HARRISONBURG VA 22802	32-44-26-09-00001.0560 2133/2135 FAIRWAY DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.1 PB 15 PG 89 LOT 56	26
⑧ BLANCO JOHNNY G + 1140 21ST ST SW NAPLES FL 34117	32-44-26-09-00001.0570 2137/2139 FAIRWAY DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.1 PB 15 PG 89 LOT 57	27
⑨ WILLIAMS LOUIS K 2141 FAIRWAY DR LEHIGH ACRES FL 33971	32-44-26-09-00001.0580 2141 FAIRWAY DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.1 PB 15 PG 89 LOT 58	28
⑩ DELACRUZ ENTERPRISES INC 322 GUNNERY RD S STE B LEHIGH ACRES FL 33971	32-44-26-09-00001.0590 2145/2147 FAIRWAY DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.1 PB 15 PG 89 LOT 59	29
⑪ JONES RICHARD L JR + RITA S 2201 FAIRWAY DR LEHIGH ACRES FL 33971	32-44-26-09-00001.0600 2201 FAIRWAY DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.1 PB 15 PG 89 LOTS 60 + 61	30
⑫ MEYER DIANNE PO BOX 666 8120 TUCKERS TRAIL OWINGS MD 20736	32-44-26-09-00001.0620 2209/2211 FAIRWAY DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.1 PB 15 PG 89 LOT 62	31
⑬ MARKIN LOTTIE L TR 4606 OAK FOREST DR E SARASOTA FL 34231	32-44-26-09-00001.0630 2221/2223 SNEAD DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.1 PB 15 PG 89 LOT 63	32

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>	<u>Map Ind</u>
RINKENBACK WAYNE J 7243 WINKLER ROAD FORT MYERS FL 33919	32-44-26-09-00005.0050 2131/33 ARMOUR RD LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.5 PB 15 PG 89 LOT 5	87
MOLES MARY A TR 1050 LAKE SEBRING DR SEBRING FL 33870	32-44-26-09-00005.0060 2135/37 ARMOUR RD LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.5 PB 15 PG 89 LOT 6	88
ARI DINCER 60 RHUME AVE EAST ROCKAWAY NY 11518	32-44-26-09-00005.0070 5046/5048 BOLT LN LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.5 PB 15 PG 89 LOT 7	89
DURBIN JACK L + REBECCA 2365 ROUNTOP DR COLORADO SPRINGS CO 80918	32-44-26-09-00005.0080 2130/32 SNEAD DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.5 PB 15 PG 89 LOT 8	90
TRENDSTONE ENTERPRISES 3923 SW 1ST AVE CAPE CORAL FL 33914	32-44-26-09-00005.0090 2126/28 SNEAD DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK 5 PB 15 PG 89 LOT 9	91
TRENDSTONE ENTERPRISES 3923 SW 1ST AVE CAPE CORAL FL 33914	32-44-26-09-00005.0100 2122/24 SNEAD DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.5 PB 15 PG 89 LOT 10	92
CATUCCIO KENNETH 3923 SW 1ST AVE CAPE CORAL FL 33914	32-44-26-09-00005.0110 2118/20 SNEAD DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.5 PB 15 PG 89 LOT 11	93
BONITA HOLDINGS GROUP LLC 27400 RIVERVIEW CTR BLVD STE 3 BONITA SPRINGS FL 34134	32-44-26-09-00005.0120 2114/16 SNEAD DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.5 PB 15 PG 89 LOT 12	94
B N V INVESTMENTS INC PO BOX 5271 HIALEAH FL 33014	32-44-26-09-00006.0010 2115/17 SNEAD DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.6 PB 15 PG 89 LOT 1	95
FRANCE WINSTON + MAY 921 MCKINLEY AV LEHIGH ACRES FL 33936	32-44-26-09-00006.0020 2119/21 SNEAD DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.6 PB 15 PG 89 LOT 2	96
SCHAPIRA RACHEL A 1867 CYNTHIA LN MERRICK NY 11566	32-44-26-09-00006.0030 2123/25 SNEAD DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.6 PB 15 PG 89 LOT 3	97
DAVIDSON WM A + ANNA MAY 538 TAMPICO DR VENICE FL 34287	32-44-26-09-00006.0040 2127/29 SNEAD DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.6 PB 15 PG 89 LOT 4	98
MAYOR CONSTRUCTION OF NAPLES 211 14TH ST NE NAPLES FL 34120	32-44-26-09-00006.0050 2131/33 SNEAD DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.6 PB 15 PG 89 LOT 5	99
14 MITTON LUCILLE A 250 CABANA RD VENICE FL 34293	32-44-26-09-00006.0060 2135/37 SNEAD DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.6 PB 15 PG 89 LOT 6	100
15 FULS ROBERT P + LILLIAN A 114 READING AV W PLEASANTVILLE NJ 08232	32-44-26-09-00006.0070 2134/36 ZAHARIHAS DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.6 PB 15 PG 89 LOT 7	101
16 FULS ROBERT P + 114 W READING AVE PLEASANTVILLE NJ 08232	32-44-26-09-00006.0080 2130/32 ZAHARIHAS DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.6 PB 15 PG 89 LOT 8	102
17 FOURGEAU CIERS DENIS J/T + 131 MOUNTAINVIEW RD WARREN NJ 07059	32-44-26-09-00006.0090 2126/28 ZAHARIHAS DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK 6 PB 15 PG 89 LOT 9	103
18 CROSS COUNTRY DEVELOPMENT W 7974 HWY B LAKE MILLS WI 53551	32-44-26-09-00006.0100 2122/24 ZAHARIHAS DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.6 PB 15 PG 89 LOT 10	104

(A)

(20)

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>	<u>Map Ind</u>
ODAIYAR WALIU + 3870 SW 61ST AVE DAVIE FL 33314	32-44-26-09-00006.0110 2118/20 ZAHARIHAS DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.6 PB 15 PG 89 LOT 11	105
ROGERS GARY MARTIN 13124 DESTINO PL CERRITOS CA 90703	32-44-26-09-00006.0120 2114/16 ZAHARIHAS DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.6 PB 15 PG 89 LOT 12	106
LONG JEROME R + PEGGY B 380 SUMMIT RIDGE RD CHRISTIANSBURG VA 24073	32-44-26-09-00009.0010 2201 WILSON RD #03 LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK 9 PB 15 PG 89 LOT 1	107
SCHAPIRA YESHAYA E 1867 CYNTHIA LN MERRICK NY 11566	32-44-26-09-00009.0020 2205 WILSON RD #07 LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.9 PB 15 PG 89 LOT 2	108
SANDOVAL MARIA 2214 ARMOUR RD LEHIGH ACRES FL 33971	32-44-26-09-00009.0140 2214 ARMOUR RD LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK 9 PB 15 PG 89 LOT 14	109
THEILER SUZANNE PO BOX 5369 SPARTANBURG SC 29304	32-44-26-09-00009.0150 2210/2212 ARMOUR RD LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.9 PG 15 PG 89 LOT 15	110
SZECHTMAN JOSHUA 14 LINDEN PL GLENVILLE CT 06831	32-44-26-09-00009.0160 2204/2206 ARMOUR RD LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.9 PB 15 PG 89 LOT 16	111
OLSON GEORGE H ESTATE DENISE PELLINEN 4725 35TH AV S MINNEAPOLIS MN 55406	32-44-26-09-00009.0170 2200/2202 ARMOUR RD LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.9 PB 15 PG 89 LOT 17	112
OLEARY DANNY T + MARTINA M + 1700 S PROSPECT PARK RIDGE IL 60068	32-44-26-09-00010.0010 2201/2203 ARMOUR RD LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK 10 PB 15 PG 89 LOT 1	113
EDIE H SHERRIE 5801 CORDWOOD LANE FORT MYERS FL 33919	32-44-26-09-00010.0020 2205/2207 ARMOUR RD LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.10 PB 15 PG 89 LOT 2	114
PRESNELL LEOTA M 908 EAGLE LN WRIGHTSVILLE PA 17368	32-44-26-09-00010.0030 2209/2211 ARMOUR RD LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.10 PB 15 PG 89 LOT 3	115
PRESNELL LEOTA M 908 EAGLE LN WRIGHTSVILLE PA 17368	32-44-26-09-00010.0040 2213/2215 ARMOUR RD LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.10 PB 15 PG 89 LOT 4	116
SWEARINGEN GEORGE S 50% + 410 OLD COLONY RD ANDERSON SC 29621	32-44-26-09-00010.0050 2217/2219 ARMOUR RD LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.10 PB 15 PG 89 LOT 5	117
FLORES GUSTAVO + 2120 CROTONA AVE #21 BRONX NY 10457	32-44-26-09-00010.0060 2221/2223 ARMOUR RD LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.10 PB 15 PG 89 LOT 6	118
GRAHAM DAVID W + IRENE L 935 GEORGETOWN RD PARADISE PA 17562	32-44-26-09-00010.0150 2232/2234 FAIRWAY DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.10 PB 15 PG 89 LOT 15	119
O J MARKETING + INVESTORS 19842 NW 86TH CT MIAMI FL 33015	32-44-26-09-00010.0160 2228/2230 FAIRWAY DR LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.10 PB 15 PG 89 SLY POR OF LOT 16 DESC IN OR 4558 PG 939	120
PIEDRA JUAN + MERARI 2756 FLORAL RD LANTANA FL 33462	32-44-26-09-00010.016A 2225/2227 FAIRWAY TER LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK 10 PB 15 PG 89 NLY POR OF LOT 16 DESC IN OR 4558 PG 941	121
HANUSCIN JEROME J 6217 FLORIDA CIR E APOLLO BEACH FL 33572	32-44-26-09-00010.0170 2224/2226 FAIRWAY TER LEHIGH ACRES FL 33971	LEHIGH ESTATES UNIT 9 BLK.10 PB 15 PG 89 LOT 17	122

7004 0550 0001 1292 3735

Richard L. Jr & Rita Jones
2201 Fairway Drive
Lehigh Acres FL 33971

Richard L Jr & Rita Jones
2201 Fairway Drive
Lehigh Acres FL 33971

04-12-16
302

7004 0550 0001 1292 3742

Dianne Meyer
P.O. Box 666
8120 Tuckers Trail
Owings MD 20736

Dianne Meyer
P.O. Box 666
8120 Tuckers Trail
Owings MD 20736

7004 0550 0001 1292 3759

Lottie L TR Markin
4606 Oak Drive E
Sarasota FL 34231

Lottie L TR Markin
4606 Oak Drive E
Sarasota FL 34231

7004 0550 0001 1292 3766

Lucille A Mitton
250 Cabana Road
Venice FL 34293

Lucille A Mitton
250 Cabana Road
Venice FL 34293

7004 0550 0001 1292 3773

Robert P & Lillian A Flus
114 Reading Avenue W
Pleasantville NJ 08232

Robert P & Lillian A Flus
114 Reading Avenue W
Pleasantville NJ 08232

7004 0550 0001 1292 3780

Robert P Flus
114 Reading Avenue W
Pleasantville NJ 08232

Robert P Flus
114 Reading Avenue W
Pleasantville NJ 08232

7004 0550 0001 1292 3797

Ciers Denis J/T Fourgeau
131 Mountainview Road
Warren NJ 07059

Ciers Denis J/T Fourgeau
131 Mountainview Road
Warren NJ 07059

7004 0550 0001 1292 3803

Ciers Denis J/T Fourgeau
131 Mountainview Road
Warren NJ 07059

Ciers Denis J/T Fourgeau
131 Mountainview Road
Warren NJ 07059

7004 0550 0001 1292 3810

Waliu Odaiyar
3870 SW 61st Avenue
Davie FL 33314

Waliu Odaiyar
3870 SW 61st Avenue
Davie FL 33314

7004 0550 0001 1292 3827

Gary Martin Rogers
13124 Destino Place
Cerritos CA 90703

Gary Martin Rogers
13124 Destino Place
Cerritos CA 90703

7004 0550 0001 1292 4 4

04-12-06
302

Angel & Mildred Barredo
6831 W Wedgewood Ave
Davie FL 33331

Angel & Mildred Barredo
6831 W Wedgewood Ave
Davie FL 33331

7004 0550 0001 1292 3643

Leonard Gluckstal
16855 Fox Den
Fort Myers FL 33908

Leonard Gluckstal
16855 Fox Den
Fort Myers FL 33908

7004 0550 0001 1292 3650

James A. Delucia
108 Fox Drive
Allendale NJ 07401

James A. Delucia
108 Fox Drive
Allendale NJ 07401

7004 0550 0001 1292 3667

James A. Delucia
108 Fox Drive
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James A. Delucia
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7004 0550 0001 1292 3674

NICO Construction Management
1288 Kenwood Lane; Suite 212
Fort Myers FL 33907

NICO Construction Management
1288 Kenwood Lane; Suite 212
Fort Myers FL 33907

7004 0550 0001 1292 3681

Author M Moats
402 E Washington Street
Harrisonburg VA 22802

Author M Moats
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7004 0550 0001 1292 3698

Author M Moats
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Author M Moats
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Johnny G Blanco
1140 21st Street SW
Naples FL 34117

Johnny G Blanco
1140 21st Street SW
Naples FL 34117

7004 0550 0001 1292 3711

Louis K Williams
2141 Fairway Drive
Lehigh Acres FL 33971

Louis K Williams
2141 Fairway Drive
Lehigh Acres FL 33971

7004 0550 0001 1292 4367

Delacruz Enterprise Inc
322 Gunnery Road; Suite B
Lehigh Acres FL 33971

Delacruz Enterprise Inc
322 Gunnery Road; Suite B
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Sent To **Richard L Jr & Rita Jones**
 2201 Fairway Drive
 Lehigh Acres FL 33971

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 P.O. Box 666
 8120 Tuckers Trail
 Owings MD 20736

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 City, State, ZIP+4

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 Sarasota FL 34231

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 250 Cabana Road
 Venice FL 34293

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Sent To **Robert P & Lillian A Flus**
 114 Reading Avenue W
 Pleasantville NJ 08232

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 Pleasantville NJ 08232

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Sent To **Ciers Denis J/T Fourageau**

Street, Apt. No.,
or PO Box No. **131 Mountainview Road**

City, State, Zip **Warren NJ 07059**

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Sent To **Ciers Denis J/T Fourageau**

Street, Apt. No.,
or PO Box No. **131 Mountainview Road**

City, State, Zip **Warren NJ 07059**

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Sent To **Waliu Odaiyar**

Street, Apt. No.,
or PO Box No. **3870 SW 61st Avenue**

City, State, ZIP+4 **Davie FL 33314**

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Street, Apt. No.,
or PO Box No. **13124 Destino Place**

City, State, ZIP+4 **Cerritos CA 90703**

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Sent To **Angel & Mildred Barredo**

Street, Apt. No.,
or PO Box No. **6831 W Wedgewood Ave**

City, State, Zip **Davie FL 33331**

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Street, Apt. No.,
or PO Box No. **16855 Fox Den**

City, State, Zip **Fort Myers FL 33908**

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Sent To James A. Delucia
 Street, Apt. or PO Box 108 Fox Drive
 City, State Allendale NJ 07401

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Restricted Delivery Fee (Endorsement Required)	
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Sent To James A. Delucia
 Street, Apt. or PO Box No 108 Fox Drive
 City, State, ZIP+4 Allendale NJ 07401

7004 0550 0001 1292 3674

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Restricted Delivery Fee (Endorsement Required)	
Total Post	

Postmark
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Sent To NICO Construction Management
 Street, Apt. or PO Box 1288 Kenwood Lane; Suite 212
 City, State, ZIP+4 Fort Myers FL 33907

7004 0550 0001 1292 3681

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Restricted Delivery Fee (Endorsement Required)	
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Sent To Author M Moats
 Street, Apt. No.; or PO Box No 402 E Washington Street
 City, State, ZIP+4 Harrisonburg VA 22802

7004 0550 0001 1292 3696

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total P	

Postmark
Here

Sent To Author M Moats
 Street, Apt. or PO Box 402 E Washington Street
 City, State Harrisonburg VA 22802

7004 0550 0001 1292 3704

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & F	

Postmark
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Sent To Johnny G Blanco
 Street, Apt. No.; or PO Box No 1140 21st Street SW
 City, State, ZIP+4 Naples FL 34117

7004 0550 0001 1292 4367

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Return Receipt Fee (Endorsement Required)		
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Total Postage

Sent To	Delacruz Enterprise Inc
Street, Apt. 1 or PO Box N	322 Gunnery Road; Suite B
City, State, ZIP+4	Lehigh Acres FL 33971

PS Form 3800, June 2002

See Reverse for Instructions

7004 0550 0001 1292 3711

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Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		

Total Postage &

Sent To	Louis K Williams
Street, Apt. No., or PO Box No.	2141 Fairway Drive
City, State, ZIP+4	Lehigh Acres FL 33971

PS Form 3800, June 2002

See Reverse for Instructions

10-B
5712-D



THIS INSTRUMENT PREPARED BY AND RETURN TO:
J. Jeffrey Rice, Esquire
GOLDSTEIN, BUCKLEY, CECHMAN, RICE & PURTZ, P.A.
1515 Broadway
Fort Myers, Florida 33901

INSTR # 6687676
OR BK 04623 Pg 2201; (1pg)
RECORDED 03/11/2005 03:15:21 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 10.00
DEED DOC 5,712.00
DEPUTY CLERK L Ambrosio

Property Appraisers Parcel Identification (Folio) Numbers:
32-44-26-09-00007.0000 & 32-44-26-09-00011.0000

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED, made the 11th day of **March, 2005** by **Gassner Development, Inc.**, a Florida corporation, whose post office address is **1100 Lee Blvd., Suite 101, Lehigh Acres, FL 33936**, herein called the grantor, to **Fairway Villages, LLC**, a Florida limited liability company whose post office address is **11000 Metro Parkway, Suite 30, Fort Myers, FL 33912**, hereinafter called the Grantee:
(Wherever used herein the terms "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 00/100'S (\$10.00)** Dollars 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, State of Florida**, viz.:

All Blocks 7 and 11, Unit 9, LEHIGH ESTATES, a Subdivision of Lehigh Acres, Florida, Section 32, Township 44 South, Range 26 East, as recorded in Plat Book 15, page 89, of the Public Records of Lee County, Florida.

Subject to easements, restrictions and reservations of record and taxes for the year 2005 and thereafter.

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, and hereby 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, 2004.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness #1 Signature

WALTER J. SORBO
Witness #1 Printed Name

[Signature]
Witness #2 Signature

JONANN P. PFAUER
Witness #2 Printed Name

[Signature]
Gassner Development, Inc., a Florida corporation
By: [Signature]
Heinz S. Pfuner, President
1140 Lee Blvd., Suite 101, Lehigh Acres, FL 33936

**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was acknowledged before me this 11th day of **March, 2005** by **Heinz S. Pfuner**, President of **Gassner Development, Inc.**, a Florida corporation on behalf of the corporation. He/She is personally known to me or has produced _____ as identification.

SEAL

[Signature]
Notary Signature

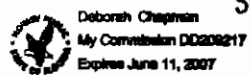
DEBORAH CHAPMAN

Printed Notary Signature

My Commission Expires:

RECEIVED

SEP 12 2005



VAC 2005-00036

Details of contents and printed on this Commitment Jacket is the Closing Protection Letter promulgated under Statute 6186.016, F.S.C.

COMMITMENT AND CLOSING PROTECTION LETTER

Attorneys' Title Insurance Fund, Inc.

ORLANDO, FLORIDA

Commitment To Insure Title

ATTORNEYS' TITLE INSURANCE FUND, INC., a Florida corporation, herein called THE FUND, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A; subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by THE FUND, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of THE FUND.

In Witness Whereof, ATTORNEYS' TITLE INSURANCE FUND, INC. has caused this Commitment to be signed and sealed as of the effective date of Commitment shown in Schedule A, the Commitment to become valid when countersigned by an authorized signatory.



Attorneys' Title Insurance Fund, Inc.

By [Signature]

Charles J. Kovaleski
President

SERIAL
CF - 1430919

RECEIVED
SEP 12 2005

Closing Protection Letter

The operation and scope of the following Closing Protection Letter ("Letter") is limited to the transaction which is the subject of the commitment to which this Letter is attached and is also directed to those person(s) and/or entity (ies) set forth in the Letter and identified as a proposed insured in the commitment.

RE: Issuing Agent: Agent countersigning the attached commitment.

When title insurance of Attorneys' Title Insurance Fund, Inc. is specified for your protection in connection with closings of real estate transactions in which you are to be the lessee or purchaser of an interest in land or a lender secured by a mortgage (including any other security instrument) of an interest in land, Attorneys' Title Insurance Fund, Inc., subject to the Conditions and Exclusions set forth below, hereby agrees to reimburse you for actual loss incurred by you in connection with such closing when conducted by said Issuing Agent when such loss arises out of:

1. Failure of said Issuing Agent to comply with your written closing instructions to the extent that they relate to (a) the status of the title to said interest in land or the validity, enforceability and priority of the lien of said mortgage on said interest in land, including the obtaining of documents and the disbursement of funds necessary to establish such status of title or lien, or (b) the obtaining of any other document, specifically required by you, but not to the extent that said instructions require a determination of the validity, enforceability or effectiveness of such other document, or (c) the collection and payment of funds due you, or
2. Fraud or dishonesty of said Issuing Agent in handling your funds or documents in connection with such closing.

If you are a lender protected under the foregoing paragraph, your borrower in connection with a loan secured by a mortgage on a one-to-four family dwelling shall be protected as if this letter were addressed to your borrower.

Conditions and Exclusions

A. Attorneys' Title Insurance Fund, Inc. will not be liable to you for loss arising out of:

1. Failure of said Issuing Agent to comply with your closing instructions which require title insurance protection inconsistent with that set forth in the title insurance binder or commitment issued by Attorneys' Title Insurance Fund, Inc. Instructions which require the removal of specific exceptions to title or compliance with the requirements contained in said binder or commitment shall not be deemed to be inconsistent.
2. Loss or impairment of your funds in the course of collection or while on deposit with a bank due to bank failure, insolvency or suspension, except such as shall result from failure of said Issuing Agent to comply with your written closing instructions to deposit the funds in a bank which you designated by name.
3. Mechanics' and materialmen's liens in connection with your purchase or lease or construction loan transactions, except to the extent that protection against such liens is afforded by a title insurance binder, commitment or policy of Attorneys' Title Insurance Fund, Inc.
4. The periodic disbursement of construction loan proceeds or funds furnished by the owner to pay for construction costs during the construction of improvements on the land to be insured, unless an officer of the company has specifically accepted the responsibility to you for such disbursement program in writing.

B. When Attorneys' Title Insurance Fund, Inc. shall have reimbursed you pursuant to this letter, it shall be subrogated to all rights and remedies which you would have had against any person or property had you not been so reimbursed. Liability of Attorneys' Title Insurance Fund, Inc. for such reimbursement shall be reduced to the extent that you have knowingly and voluntarily impaired the value of such right of subrogation.

C. Any liability of Attorneys' Title Insurance Fund, Inc. for loss incurred by you in connection with closings of real estate transactions by said Issuing Agent shall be limited to the protection provided by this letter. However, this letter shall not affect the protection afforded by a title insurance binder, commitment or policy of Attorneys' Title Insurance Fund, Inc. The dollar amount of liability hereby incurred shall not be greater than the amount of the title insurance binder, commitment or policy of title insurance to be issued, and liability hereunder as to any particular loan transaction shall be coextensive with liability under the policy issued to you in connection with such transaction. Payment in accordance with the terms of this letter shall reduce by the same amount the liability under such policy and payment under such policy shall reduce by the same amount the company's liability under the terms of this letter.

D. Claims of loss shall be made promptly to Attorneys' Title Insurance Fund, Inc. at its principal office at 6545 Corporate Centre Boulevard, P.O. Box 628600, Orlando, Florida 32862-8600. When the failure to give prompt notice shall prejudice Attorneys' Title Insurance Fund, Inc., then liability of Attorneys' Title Insurance Fund, Inc., hereunder shall be reduced to the extent of such prejudice. Attorneys' Title Insurance Fund, Inc. shall not be liable hereunder unless notice of loss in writing is received by Attorneys' Title Insurance Fund, Inc. within ninety (90) days from the date of discovery of such loss.

E. Nothing contained herein shall be construed as authorizing compliance by any issuing agent with any such closing instructions, compliance with which would constitute a violation of any applicable law, rule or regulation relating to the activity of title insurers, their issuing agents, and their failure to comply with any such closing instructions shall not create any liability under the terms of this letter.

F. The protection herein offered will be effective until cancelled by written notice from Attorneys' Title Insurance Fund, Inc. Any previous insured Closing Service letter or similar agreement is hereby cancelled, except as to closings of your real estate transactions regarding which you have previously sent (or within 30 days hereafter send) written closing instructions to said Issuing Agent.

FUND COMMITMENT FORM

SCHEDULE A

Commitment No.: **CF-1430919**

Member's
File Reference: **051074**

Effective Date: **January 6, 2005 at 11:00 PM**

1. Policy or Policies to be issued

Proposed Amount of Insurance:

OWNER'S: ALTA Owners' Policy (10/17/92), (if other, specify)

\$816,000.00

Proposed Insured:

APJ. LLC,, a Florida limited liability company

MORTGAGEE: ALTA Loan Policy (10/17/92), (if other, specify)

Proposed Insured:

2. The estate or interest in the land described or referred to in this commitment is a Fee Simple and title thereto is at the effective date hereof vested in:

Gassner Development, Inc., a Florida corporation

3. The land referred to in this commitment is described as follows:

All Blocks 7 and 11, Unit 9, LEHIGH ESTATES, a Subdivision of Lehigh Acres, Florida, Section 32, Township 44 South, Range 26 East, as recorded in Plat Book 15, page 89, of the Public Records of Lee County, Florida.

**GOLDSTEIN, BUCKLEY, CECHMAN,
RICE & PURTZ, P.A.**
Name of Attorney

3200
Agent No

J. JEFFREY RICE
Attorney-Member's Signature

1515 Broadway Fort Myers, Florida 33901

FUND COMMITMENT FORM

SCHEDULE B-I

Commitment No. #: **CF-1430919**

Member's File No. #: **051074**

I. The following are the requirements to be complied with:

1. Payment of the full consideration to, or for the account of, the grantors or mortgagors.
2. Instruments creating the estate or interest to be insured which must be executed, delivered and filed for record:
 - (a) Warranty Deed to be executed by **Gassner Development, Inc., a Florida corporation**, to **APJ. LLC., a Florida limited liability company**.
3. Corrective Warranty Deed from Johann Pfuner, joined by spouse if married or proof subject property is not his homestead, to Gassner Development, Inc., a Florida corporation, correcting the legal description contained in Warranty Deeds recorded in Official Record Book 4535, pages 1731 and 1738, Public Records of Lee County, Florida.
4. Release of that certain UCC-1 Financing Statement given by Gassner Development, Inc., to Florida Community Bank recorded in Official Record Book 3279, page 1734, Public Records of Lee County, Florida.
5. Payment of 2004 Ad-Valorem Taxes for STRAP No. 32-44-26-09-00007.0000 and 32-44-26-09-00011.0000.

FUND COMMITMENT FORM

SCHEDULE B-II

Commitment No. #: **CF-1430919**

Member's File No. #: **051074**

11. Schedule B of the policy or policies or guarantee to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of The Fund:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
2. Any owner and mortgagee policies issued pursuant hereto will contain under Schedule B the standard exceptions set forth at the inside cover hereof unless an affidavit of possession and a satisfactory current survey are submitted, an inspection of the premises is made, it is determined the current year's taxes or special assessments have been paid, and it is determined there is nothing of record which would give rise to construction liens which could take priority over the interest(s) insured hereunder (where the liens would otherwise take priority, submission of waivers is necessary).
3. Any owner policy issued pursuant hereto will contain under Schedule B the following exception: Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of such lands insured hereunder, including submerged, filled and artificially exposed lands, and lands accreted to such lands.
4. A six foot (6') public utility and drainage easement along all sides of lot as stated on plat.
5. East County Water Control District as recorded in C.O. Book 38, page 330, Public Records of Lee County, Florida.
6. Sewer and water covenants in Misc. Book 58, page 266; Official Record Book 10, page 695 and Official Record 41, page 264, Public Records of Lee County, Florida.
7. Easement Agreement between Lehigh Acres Development and Community Television Cable Corporation of Lee County, dated September 19, 1964 and recorded October 9, 1964 in Official Record Book 269, page 704, Public Records of Lee County, Florida.
8. Lee County Ordinance #86-14 recorded November 30, 1990 in Official Record Book 2189, page 3281 and amended by Ordinance #86-38 in Official Record Book 2189, page 3334, public Records of Lee County, Florida; relating to garbage and solid waste collection.
9. Notice of Development Orders recorded in Official Record Book 3052, page 3072 and Official Record Book 3147, page 1214, Public Records of Lee County, Florida.
10. Force Main Agreement dated July 17, 1998 between Gassner Development, Inc., and MDC Southwest LTD 1, and Westminster Golf Club, Inc., recorded in Official Record Book 3176, page 1157, Public Records of Lee County, Florida.

NOTE: Taxes for the year 2005 became a lien on January 1, 2005; however they are not due and payable until November 1, 2005.

Note: This company reserves the right to make additional requirements and/or exceptions upon receipt of a survey meeting the minimum technical standards for surveying required by the Department of Professional Regulations and certified to the title insurer by a registered Florida surveyor.

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

Bob Janes
District One

November 7, 2005

Douglas R. St. Cerny
District Two

Al Quattrone, P.E.
Quattrone & Associates, Inc.
11000 Metro Parkway, Suite 30,
Fort Myers, FL 33912

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Sliwell
County Manager

Re: **VAC2005-00036 - Petition to Vacate** a portion of Bolt Lane between Zaharias Drive and Fairway Drive Between Blocks 7 and 11.

David M. Owen
County Attorney

Dear Mr. Quattrone:

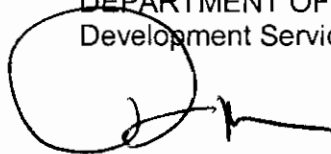
Diana M. Parker
County Hearing Examiner

This office has received your request to vacate the above referenced portion of the platted Right-of-Way of Bolt Lane between Zaharias Drive and Fairway Drive between Blocks 7 and 11, Lehigh Acres, Florida and the reference strap numbers are 32-44-26-09-00007.0000 and 00011.0000. The road to be vacated includes a portion of platted Right-of-Way being part of Bolt Lane, Lehigh Acres Subdivision, as recorded in Plat Book 15, Page 89, lying in Section 32, Township 44 South, Range 26 East, of the Public Records of Lee County, Florida. The reason of this vacation is to allow the property owner to develop the entire site into a multi-family subdivision. Based on a review of the information provided and our subsequent research, this office has no objection to the proposed vacation.

You and your clients should be aware, however that the Board of County Commissioner's approval of this petition will only extinguish the rights of the public to use the right-of-way. Private rights of use may still remain. This means that certification of fee ownership in the area being vacated will be required prior to issuance of any building permit(s) within that area of the easement as it presently exists, occupied or otherwise. 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

U:\200510\20050912.155\4495770\DCDLETTER.DOC

Quattrone & Associates, Inc.

Engineers, Planners & Development Consultants

11000 Metro Parkway, Suite 30 • Fort Myers, Florida 33912
Tel: (239) 936-5222 • Fax: (239) 936-7228

September 12, 2005

Lee County Division of Community Development
Peter J. Eckenrode
1500 Monroe Street
Fort Myers, FL 33901

**Subject: Petition to Vacate Utility Easements
 Site Address 2130 & 2156 Fairway Drive
 STRAP #32-44-26-09-00007.0000 & 00011.0000**

Dear Mr. Eckenrode:

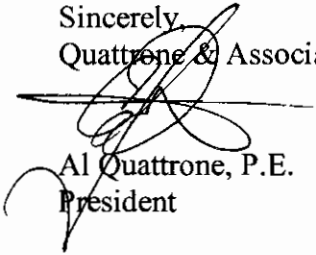
Attached please find one (1) original and two (2) copies of the following documents required for a road right-of-way vacation request:

Recorded Plat (Exhibit A);
Sketch showing area to be vacated and the proposed Drainage/Utility Easement (Exhibit B);
Proof of paid taxes (Exhibit C);
Title Policy (Exhibit D)
Aerial photo (Exhibit E);
Written description of easement to be vacated (Exhibit F);
Letters of no objection from utility providers;
Check for application fee

The road right-of-way in question is a portion of Bolt Lane located between Zaharias Drive and Fairway Drive as depicted on the attached site plan. The owners are requesting approval to vacate in order to develop the entire site into a multi-family subdivision.

Should additional information be required or if you have any questions regarding this submittal, please call me.

Sincerely,
Quattrone & Associates, Inc.


Al Quattrone, P.E.
President

RECEIVED

SEP 12 2005

36



Eric Walther
Customer Project Manager
15834 Winkler Rd
Ft. Myers, FL 33908
415-1348 Office
415-1350 FAX

Quattrone & Associates, Inc
11000 Metro Pkwy, Ste. 30
Ft. Myers, FL 33912

RE: Vacation of Easement for a portion of Sec. 32, Twnshp 44, Range 26

Florida Power & Light has no objection to the vacation of the easements described in your petition and shown in your documentation, provided that good and sufficient easements are granted to provide electrical service to the property upon further or future development.

The PUE to be vacated is the section of Bolt Lane that lies between Block 7 and Block 11, connecting Bolt Lane to Fairway Drive, currently a dirt road.

Sincerely,

Eric Walther
FPL Customer Project Manager

415-1348-1336



June 22, 2005

Quattrone & Associates
11000 Metro Parkway, Suite 30
Fort Myers, Florida 33912


Re: REQUEST FOR LETTER OF REVIEW AND RECOMMENDATION ON
PROPOSED RIGHT-OF-WAY OR ROAD EASEMENT VACATION LOCATED AT:
2130 & 2156 Fairway Drive
Strap #: 32-44-26-09-00007 & 00011.0000

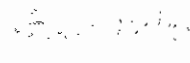

Dear Sir:

Sprint-Florida Incorporated has reviewed the document for the above referenced information. Based on the review, we have no objection to the vacation of a portion of a proposed right-of-way or road easement vacation at the above Lehigh Acres location.

If you should require additional information, please contact me at 863-452-3207.

Sincerely,


Wayneth Jackson
Engineer

VAC 2005-00036



26930 Old US 41
Bonita Springs, FL 34135
Phone: 239-732-3805
FAX: 239-498-4483

May 6, 2005

Quattrone & Associates, Inc
C/O Al Quattrone
11000 Metro Parkway #30
Ft Myers, Fl 33912

Re: 2130 & 2156 Fairway Dr
Vacate Right-of-Way and/or Utility Easement

Dear Al,

This letter will serve to inform you that Comcast has no objection to your proposed vacation of Right-of-way and/or Utility easement of the above referenced location.

Should you require additional information or assistance, please feel free to contact me here at 732-3805.

Cordially,

A handwritten signature in black ink, appearing to read "Mark Cook".

Mark Cook
Design Coordinator

VAC 2005-00036



BOARD OF COUNTY COMMISSIONERS

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

Bob Janes
District One

Thursday, October 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. Al Quattrone, P.E.
Quattrone & Associates
11000 Metro Parkway, Suite 30
Fort Myers, FL 33912

Re: Petition to Vacate the road right-of-way of Bolt Lane between Zaharihas Drive and Fairway Drive, Unit 9, Lehigh Estates, Plat Book 15, Page 89, Section 32, Township 44 South, Range 26 East, Lee County, Florida.

Dear Mr. Quattrone:

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 right of way.

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

S:\NATRES\SURFACE\DOCUMENT\vac521.doc



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8580

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District One

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County Manager

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County Attorney

Diana M. Parker
County Hearing
Examiner

July 28, 2005

Mr. Al Quattrone, P.E.
Quattrone & Associates
11000 Metro Parkway, Suite 30
Fort Myers, FL 33912

**RE: Petition to Vacate the road right-of-way of Bolt Lane
Between Zaharihas Drive and Fairway Drive,
Unit 9, Lehigh Estates, Plat Book 15, page 89,
Section 32, Township 44 South, Range 26 East**

Dear Mr. Quattrone:

Lee County Department of Transportation has reviewed your request to vacate the above described road right-of-way. Any questions concerning the length, width, pavement and drainage within the proposed right-of-way will be addressed at the Development Order stage by the Department of Development Review.

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

Very truly yours,

DEPARTMENT OF TRANSPORTATION


Margaret Lawson
Right-of-way Supervisor

MAL/JMK/mlb

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

VAC 2005-00036

S:\DOCUMENT\Petition To Vacate\2005\Bolt Lane ROW (Quattrone).doc

P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 335-2111

Internet address <http://www.lee-county.com>

AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER



LEE COUNTY
SOUTHWEST FLORIDA

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May 16, 2005

Mr. Al Quattrone, P.E.
Quattrone & Associates, Inc.
11000 Metro Parkway, Suite 30
Fort Myers, FL 33912

RE: 2130 and 2156 Fairway Drive

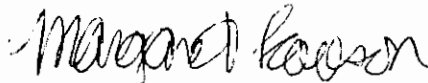
Dear Mr. Quattrone:

I am in receipt of your letter requesting a review and recommendation regarding the vacation of an easement. The documentation provided to DOT is insufficient for the department to respond to the request. As outlined in the Administrative Code, please provide DOT with a copy of the plat showing the right-of-way intended to be vacated. The site plan you provided in your correspondence depicts what is "planned"; however, it does not show the plat or the easement and dedication language on the plat.

If you have any questions please do not hesitate to contact me.

Yours very truly,

DEPARTMENT OF TRANSPORTATION

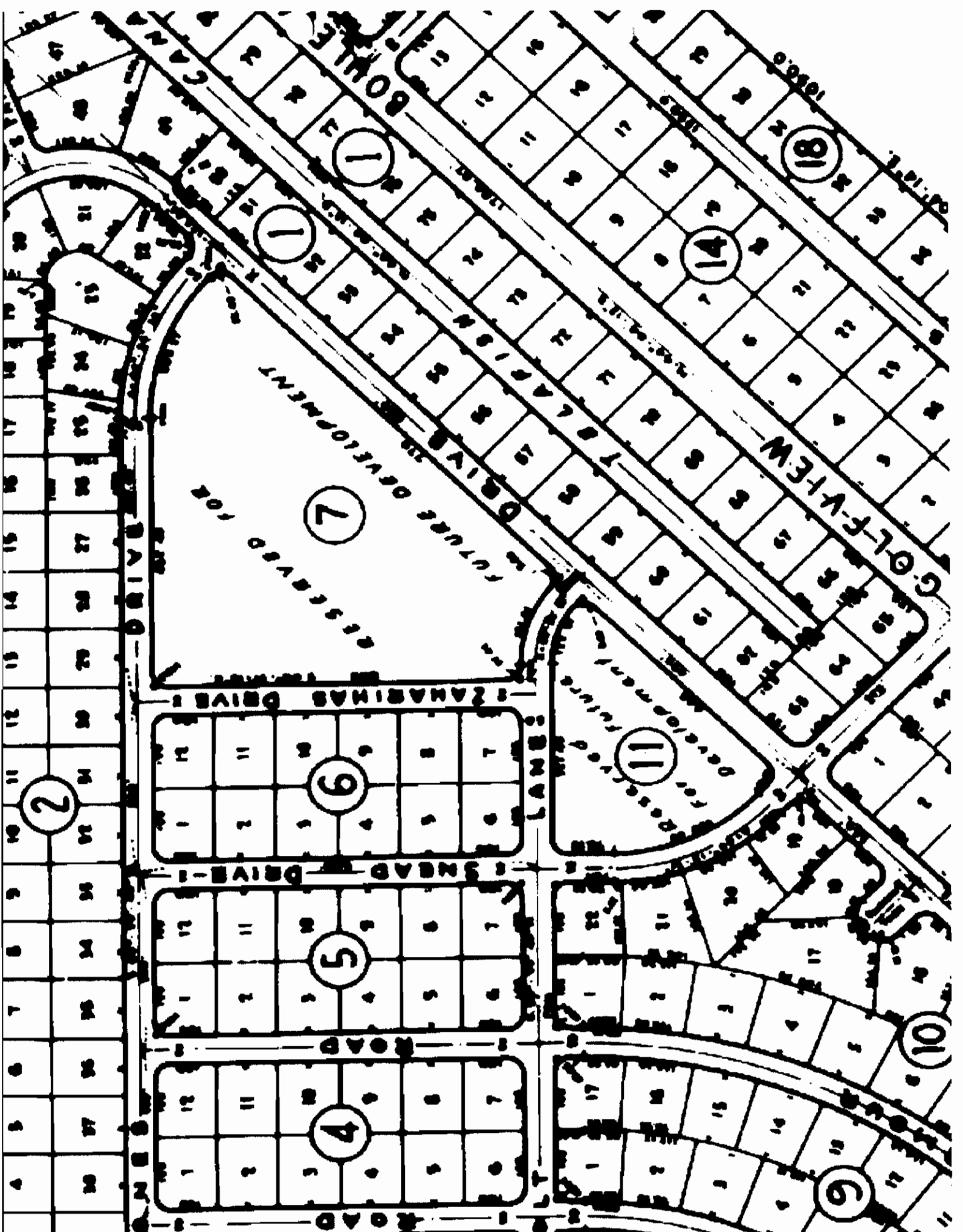


Margaret Lawson
Right-of-way Supervisor

MAL/mlb

cc: 05 PTV File/Fairways Drive

VAC 2005-00036



1

1

18

14

7

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11

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10

9

RESERVED FOR
FUTURE DEVELOPMENT

Development
reserved

LAMB LANE

SNEAD DRIVE

Development reserved

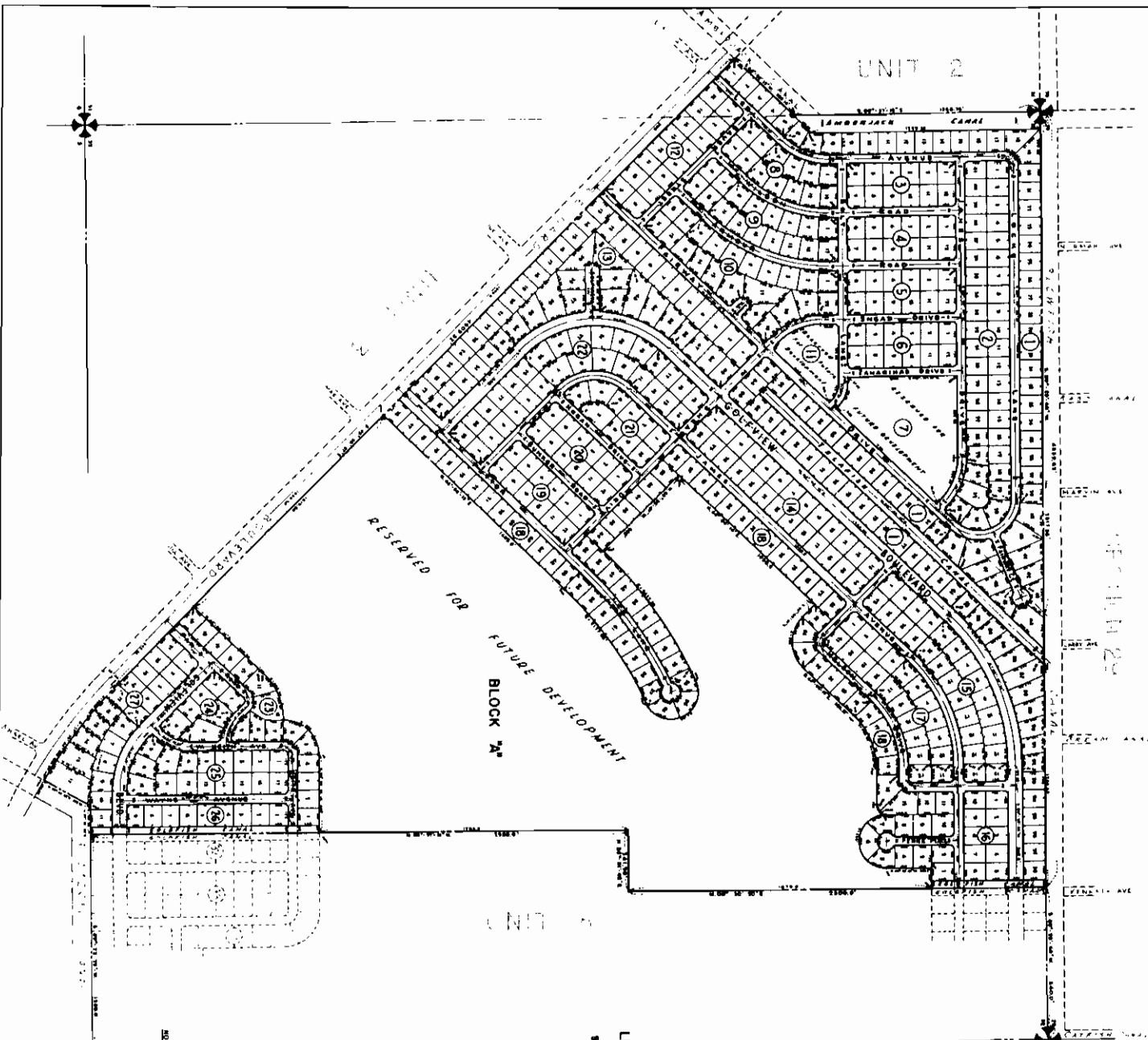
Development reserved

ROAD

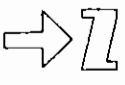
Development reserved

ROAD

Development reserved



PLAT OF
LEHIGH ESTATES
 A SUBDIVISION OF
LEHIGH ACRES
 LEE COUNTY, FLORIDA



LEE COUNTY LAND & TITLE CO., DEVELOPERS
 January 1980

Scale: 1" = 200.00 Feet

DESCRIPTION

The part of Sections 31 and 32, Township 44 South, Range 26 East, and part of Section 5, Township 45 South, Range 26 East, described as follows: Beginning of the North corner of said Section 31; thence S 0° 37' 38" E along the East line of said Section 31, a distance of 1360.78 feet; thence S 44° 04' 13" W a distance of 4291.14 feet; thence S 45° 30' 47" E a distance of 4508.88 feet; to the P. C. of a curve, thence Subtangently on a tangential curve to the left, with a radius of 20880.00 feet, a distance of 631.89 feet; thence N 2° 24' 38" E, a distance of 233.76 feet; thence N 85° 22' 29" E, a distance of 164.20 feet; thence N 0° 37' 38" W, a distance of 2395.0 feet; thence N 88° 01' 46" E, a distance of 341.90 feet; thence N 0° 30' 20" E, a distance of 2300.0 feet more or less to the North line of said Section 32; thence S 89° 29' 40" W, along the North line of said Section 32, a distance of 4339.02 feet, to the point of beginning.

SURVEYORS CERTIFICATE

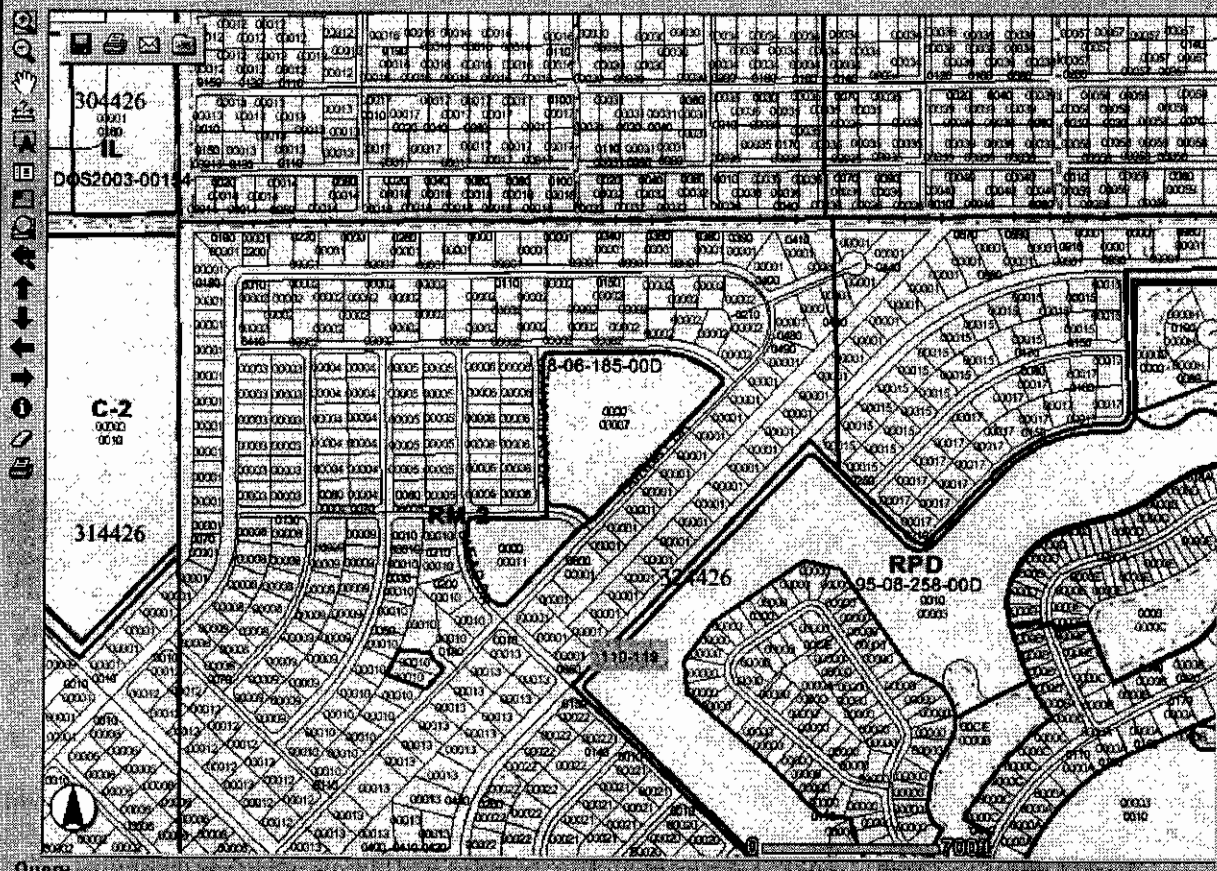
I, the undersigned hereby certify that the plat of above is a correct representation of the land surveyed and that personal reference monuments have been placed as shown.

[Signature]
 Licensed Registered Land Surveyor
 No. 11888

NOTE:
 All lots, except the 4.9 Acre Limited Common, are 100' wide, front and back. (Section 31 only) and 75' wide (Section 32).
 All lots, except the 4.9 Acre Limited Common, are 100' wide, front and back. (Section 31 only) and 75' wide (Section 32).
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 All lots, except the 4.9 Acre Limited Common, are 100' wide, front and back. (Section 31 only) and 75' wide (Section 32).



 - AREA TO BE VACATED



Search By STRAP
 Strap Number:
 32442609000070000
 (Ex: 134424P3000100000)
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Query

Map: 74214S.24, 929540.25 -- Image: 413, 7 -- ScaleFactor: 5.973934342484706 Internet

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 SEP 12 2005