

8

This instrument prepared by:
Kenneth Y. Gordon, Esq.
24301 Walden Center Drive
Bonita Springs, FL 34134

Parcel ID No.: 35-44-25-P2-00001.0000

INSTR # 6027701
Official Records
BK 04107 Pgs 1410 - 1417; (8pgs)
RECORDED 10/29/2003 02:03:37 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 37.50
DEED DOC 0.70
DEPUTY CLERK G Sherwood

GRANT OF EASEMENT

Sun City Center Ft. Myers

(Entry Features at SE corner of Treeline Avenue & Sun City Center Blvd.)

(Requisition #6)

THIS GRANT OF EASEMENT, made and entered into this 23rd day of October, 2003, by and between BAY COLONY - GATEWAY, INC., a Delaware corporation, whose post office address is 24301 Walden Center Drive, Bonita Springs, Florida 34134 (hereinafter referred to as "Grantor"), to the GATEWAY SERVICES COMMUNITY DEVELOPMENT DISTRICT, a local unit of special purpose government organized and existing under the laws of the State of Florida, whose address is c/o Anthony P. Pires, Esquire, 3200 Tamiami Trail North, Suite 200, Naples, Florida 34103 ("hereinafter referred to as "Grantee").

WITNESSETH: That the Grantor for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, hereby grants unto the Grantee, its successors and assigns, a non-exclusive easement for purposes of ingress and egress, maintenance, operation, repair, replacement, installation and construction of landscaping, irrigation, lighting, structures and signage improvements within said easement on the property situated in Lee County, Florida, more particularly described in Exhibit "A" attached hereto and made a part hereof (the "Easement Property");

TO HAVE AND TO HOLD forever the easement hereby granted to the GRANTEE, subject to the following:

GRANTEE by acceptance of this easement agrees for itself, its successors and assigns:

- 1) GRANTOR hereby reserves for itself, its successors and assigns, employees and invitees, agents and licensees the right, within the parameters of governmental regulations, the Sun City Fort Myers Special Development Area Ordinance No. 3001, City of Ft. Myers, Florida, as amended and restrictions of record, as of the date of recording this easement, to determine the size, color, content, shape and placement of any signs as well as the number of signs desired to be installed by GRANTEE. Landscaping, irrigation, lighting, structures and signage improvements on within and in the Easement Property shall be maintained by GRANTEE in a neat, attractive, good and clean condition.

2) Except as may be provided by any other instruments conveying the existing improvements located within the Easement Property, it is further understood that GRANTOR, its successors, assigns and legal representatives, in no way will be bound to improve, maintain or construct any of the facilities herein described or to keep such facilities in repair.

3) It is further understood by the parties hereto that the cost of installation, maintenance and repair of the improvements located within the Easement Property shall be borne by the GRANTEE.

4) Grantee, by acceptance of this easement, agrees for itself, its successors and assigns, to not unreasonably interfere with the right of ingress or egress of Grantor, its successors and assigns, or any other party requiring access to the Easement Property or to any property abutting the Easement Property.

Except as provided herein, this easement shall be binding upon and shall inure to the benefit of the parties hereto, their successors and assigns.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereto affixed, by its proper officer thereunto duly authorized, the day and year first above written.

Witnesses:

BAY COLONY - GATEWAY, INC.,
a Delaware corporation

Judy Spurgeon
Signature

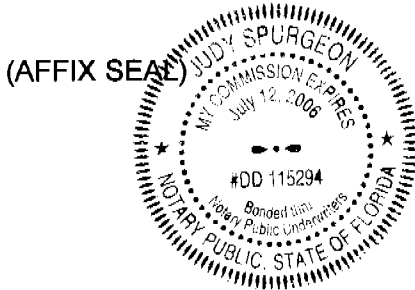
By: [Signature]
Print: Timothy Oak
Its: Vice President

JUDY SPURGEON
Printed Name

[Signature]
Signature
CHRIS NICHOLSON
Printed Name

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 23rd day of October, 2003 by Timothy Oak, as Vice President of Bay Colony-Gateway, Inc., a Delaware corporation, on behalf of said corporation. He is personally known to me or has produced his _____, as identification.



Judy Spurgeon
Notary Public - State of Florida
Printed Name: JUDY SPURGEON
Commission Expires: JULY 12, 2006
Commission No.: DD 115294

LEGAL DESCRIPTION
LYING IN
SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA
(SIGN, WALL AND LANDSCAPE BUFFER EASEMENT)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE,
LYING IN SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST, AND BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A SOUTHWEST CORNER OF TRACT "R2", (SUN CITY CENTER
BOULEVARD) SUN CITY CENTER FT. MYERS PHASE ONE, RECORDED IN PLAT BOOK
69, PAGES 76 THROUGH 81, PUBLIC RECORDS LEE COUNTY, FLORIDA AND THE
EASTERLY LINE OF TREELINE AVENUE, RECORDED IN OFFICIAL RECORD BOOK 3681,
PAGE 1946, PUBLIC RECORDS LEE COUNTY FLORIDA, SAID POINT BEING THE
BEGINNING OF A CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES
S.58°13'33"E., A RADIAL DISTANCE OF 50.00 FEET AND HAVING A CHORD BEARING OF
N.73°34'18"E., FOR 66.65 FEET; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF
SAID TRACT "R2" AND ARC, THROUGH A CENTRAL ANGLE OF 83°35'41", FOR 72.95
FEET

THENCE S.64°37'52"E., ALONG SAID SOUTHERLY LINE FOR 73.33 FEET TO A POINT OF
CURVATURE;

THENCE SOUTHEASTERLY 100.44 FEET ALONG SAID SOUTHERLY LINE AND THE ARC
OF A TANGENTIAL CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 986.33 FEET
THROUGH A CENTRAL ANGLE OF 05°50'04" AND BEING SUBTENDED BY A CHORD
WHICH BEARS S.61°42'50"E. FOR 100.40 FEET TO THE POINT OF BEGINNING OF THE
FOLLOWING DESCRIBED SIGN, WALL AND LANDSCAPE BUFFER EASEMENT;

THENCE CONTINUE SOUTHEASTERLY 40.55 FEET ALONG SAID SOUTHERLY LINE AND
THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF
986.33 FEET THROUGH A CENTRAL ANGLE OF 02°21'20" AND BEING SUBTENDED BY A
CHORD WHICH BEARS S.57°37'07"E. FOR 40.55 FEET;

THENCE LEAVING SAID SOUTHERLY LINE, S.33°15'30"W., FOR 5.00 FEET TO A POINT
ON A CURVE;

THENCE NORTHWESTERLY 17.75 FEET ALONG THE ARC OF A NON-TANGENTIAL
CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 981.33 FEET THROUGH A
CENTRAL ANGLE OF 01°02'12" AND BEING SUBTENDED BY A CHORD WHICH BEARS
N.56°57'28"W. FOR 17.75 FEET;

THENCE S.36°24'14"W., FOR 10.85 FEET TO A POINT ON A CURVE;

THENCE WESTERLY 98.04 FEET ALONG THE ARC OF A NON-TANGENTIAL CIRCULAR
CURVE TO THE RIGHT HAVING A RADIUS OF 55.35 FEET THROUGH A CENTRAL ANGLE
OF 101°29'23" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.85°13'17"W. FOR
85.72 FEET;

THENCE N.30°13'34"W., FOR 8.49 FEET TO A POINT ON A CURVE;

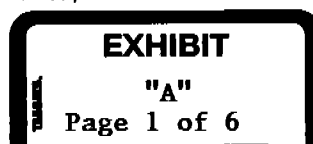
THENCE NORTHWESTERLY 22.30 FEET ALONG THE ARC OF A NON-TANGENTIAL
CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 34.65 FEET THROUGH A
CENTRAL ANGLE OF 36°52'42" AND BEING SUBTENDED BY A CHORD WHICH BEARS
N.46°21'20"W. FOR 21.92 FEET;

THENCE N.64°30'00"W., FOR 28.89 FEET;

THENCE S.70°24'25"W., FOR 71.26 FEET;

THENCE N.65°10'04"W., FOR 31.94 FEET;

THENCE N.25°40'52"E., FOR 30.92 FEET;



THENCE N.74°24'32"E., FOR 65.31 FEET;
THENCE S.64°30'00"E., FOR 61.77 FEET TO A POINT ON A CURVE;
THENCE SOUTHEASTERLY 36.52 FEET ALONG THE ARC OF A NON-TANGENTIAL
CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 57.65 FEET THROUGH A
CENTRAL ANGLE OF 36°17'36" AND BEING SUBTENDED BY A CHORD WHICH BEARS
S.46°34'56"E. FOR 35.91 FEET;
THENCE S.30°13'34"E., FOR 7.12 FEET TO A POINT ON A CURVE;
THENCE EASTERLY 55.23 FEET ALONG THE ARC OF A NON-TANGENTIAL CIRCULAR
CURVE TO THE LEFT HAVING A RADIUS OF 32.35 FEET THROUGH A CENTRAL ANGLE
OF 97°49'26" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.84°41'54"E. FOR
48.76 FEET;
THENCE N.36°24'14"E., FOR 12.30 FEET TO THE POINT OF BEGINNING.

CONTAINING 7,413 SQUARE FEET OR 0.17 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS AND RESTRICTIONS, RESERVATIONS AND RIGHTS OF
WAY (WRITTEN AND UNWRITTEN, RECORDED AND UNRECORDED).

BEARINGS ARE BASED ON THE SOUTHERLY LINE OF TRACT "R2" (SUN CITY CENTER
BOULEVARD) PLAT BOOK 69, PAGES 76-81, PUBLIC RECORDS LEE COUNTY, FLORIDA,
AS BEING S.64°37'52" E.

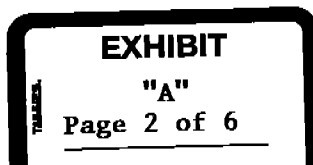
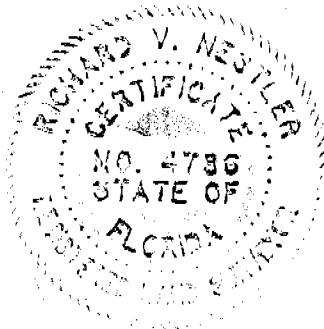
THIS DESCRIPTION IS BASED ON FIELD LOCATIONS OF THE EXISTING SIGN AND
IMPROVEMENTS LYING WITHIN THE EASEMENT AREA.

RWA, INC.
LAND SURVEYORS AND MAPPERS
1342 COLONIAL BOULEVARD
SUITE H-60
FORT MYERS, FLORIDA 33907
(239) 278-5224
FLORIDA CERTIFICATE OF AUTHORIZATION #6952

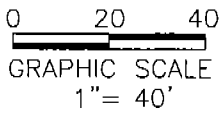
BY:  DATE: 7/15/03
RICHARD V. NESTLER, PROFESSIONAL LAND SURVEYOR LS# 4786

NOT VALID UNLESS EMBOSSED WITH THE PROFESSIONAL'S SEAL.

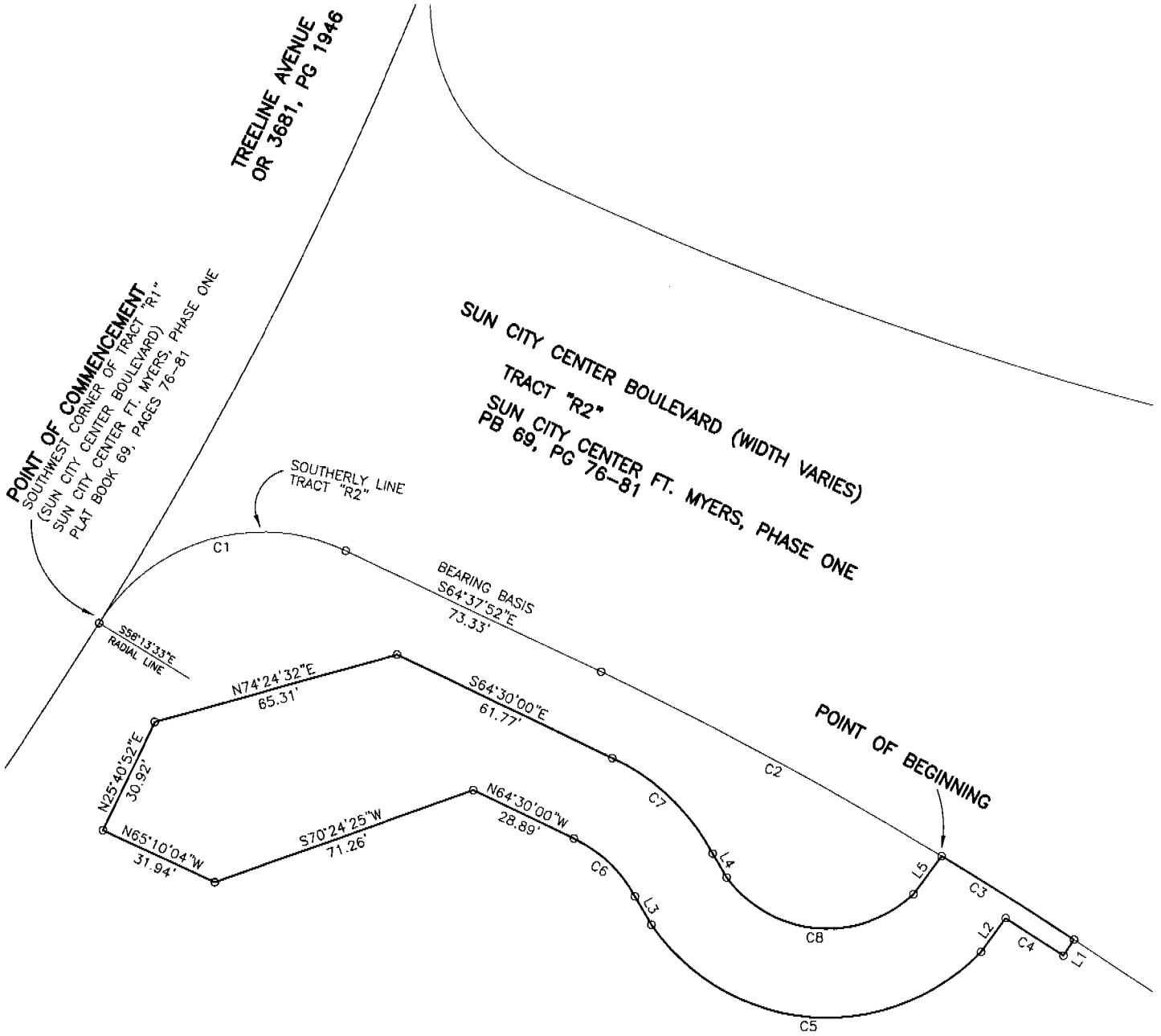
Ref. 99-0236-A3-AS06
REV 07-15-03



****THIS IS NOT A SURVEY****



LEGEND:
 C1 = SEE CURVE TABLE
 L1 = SEE LINE TABLE
 OR = OFFICIAL RECORD BOOK
 PB = PLAT BOOK
 PG = PAGE



LINE TABLE		
LINE	LENGTH	BEARING
L1	5.00	S33°15'30"W
L2	10.85	S36°24'14"W
L3	8.49	N30°13'34"W
L4	7.12	S30°13'34"E
L5	12.30	N36°24'14"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CB	CD
C1	72.95	50.00	83°35'41"	N73°34'18"E	66.65
C2	100.44	986.33	5°50'04"	S61°42'50"E	100.40
C3	40.55	986.33	2°21'20"	S57°37'07"E	40.55
C4	17.75	981.33	1°02'12"	N56°57'28"W	17.75
C5	98.04	55.35	101°29'23"	N85°13'16"W	85.72
C6	22.30	34.65	36°52'42"	N46°21'20"W	21.02
C7	36.52	57.65	36°17'36"	S46°34'56"E	35.91
C8	55.23	32.35	97°49'26"	S84°41'54"E	48.76

EXHIBIT
"A"
Page 3 of 6

SEE SHEET 1 AND 2 FOR DESCRIPTION

RWA INC.
CONSULTING
 Engineers,
 Surveyors & Mappers,
 Planners, Project Managers

1342 Colonial Boulevard, Suite H-60
 Fort Myers, Florida 33907
 Phone: (239) 278-5224
 FAX: (239) 278-5419
 Florida Certificate of Authorization # 6952

DATE: 6-17-03
 SCALE: 1"=40'
 DRAWN BY: RVN
 CHECKED BY: RVN
 SEC: 35 TWP: 44 RGE: 25

CLIENT: BAY COLONY-GATEWAY, INC
 TITLE: SKETCH TO ACCOMPANY DESCRIPTION
 PROJECT NUMBER: 99-0232 SHEET NUMBER: 3 OF 3 FILE NUMBER: A3-AS06

LEGAL DESCRIPTION
LYING IN
SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA
(SIGN, WALL AND LANDCAPE BUFFER EASEMENT)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE,
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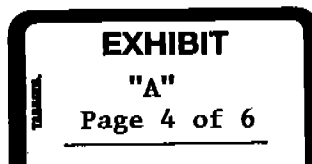
COMMENCING AT A NORTHWEST CORNER OF TRACT "R2", (SUN CITY CENTER
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EASTERLY LINE OF TREELINE AVENUE, RECORDED IN OFFICIAL RECORD BOOK 3681,
PAGE 1946, PUBLIC RECORDS LEE COUNTY FLORIDA, SAID POINT BEING THE
BEGINNING OF A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES
S.68°37'31"E., A RADIAL DISTANCE OF 50.00 FEET AND HAVING A CHORD BEARING OF
S.21°18'13"E., FOR 67.79 FEET; THENCE SOUTHERLY ALONG THE NORTHERLY LINE OF
SAID TRACT "R2" AND ARC, THROUGH A CENTRAL ANGLE OF 85°21'24", FOR 74.49
FEET TO A POINT ON A CURVE;
THENCE EASTERLY 163.08 FEET ALONG SAID NORTHERLY LINE AND THE ARC OF A
NON-TANGENTIAL CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 955.27 FEET
THROUGH A CENTRAL ANGLE OF 09°46'53" AND BEING SUBTENDED BY A CHORD
WHICH BEARS S.69°31'19"E. FOR 162.88 FEET;
THENCE S.74°24'40"E., ALONG SAID NORTHERLY LINE FOR 3.90 FEET TO THE POINT
OF BEGINNING OF THE FOLLOWING DESCRIBED SIGN, WALL AND LANDSCAPE
BUFFER EASEMENT.

THENCE LEAVING SAID NORTHERLY LINE, N.07°59'39"E., FOR 9.66 FEET TO A POINT
ON A CURVE;
THENCE NORTHWESTERLY 67.29 FEET ALONG THE ARC OF A NON-TANGENTIAL
CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 32.35 FEET THROUGH A
CENTRAL ANGLE OF 119°10'43" AND BEING SUBTENDED BY A CHORD WHICH BEARS
N.61°14'35"W. FOR 55.80 FEET;
THENCE N.21°56'29"W., FOR 23.16 FEET TO A POINT ON A CURVE;
THENCE SOUTHEASTERLY 113.75 FEET ALONG THE ARC OF A NON-TANGENTIAL
CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 55.35 FEET THROUGH A
CENTRAL ANGLE OF 117°44'46" AND BEING SUBTENDED BY A CHORD WHICH BEARS
S.58°15'04"E. FOR 94.76 FEET;
THENCE S.07°59'39"W., FOR 9.36 FEET;
THENCE S.74°24'40"E., FOR 18.26 FEET;
THENCE S.15°40'19"W., FOR 5.00 FEET TO SAID NORTHERLY LINE;
THENCE N.74°24'40"W., ALONG SAID NORTHERLY LINE FOR 40.79 FEET TO THE POINT
OF BEGINNING.

CONTAINING 2,448 SQUARE FEET OR 0.06 ACRES, MORE OR LESS.


SUBJECT TO EASEMENTS AND RESTRICTIONS, RESERVATIONS AND RIGHTS OF
WAY (WRITTEN AND UNWRITTEN, RECORDED AND UNRECORDED).

BEARINGS ARE BASED ON THE NORTHERLY LINE OF TRACT "R2" (SUN CITY CENTER
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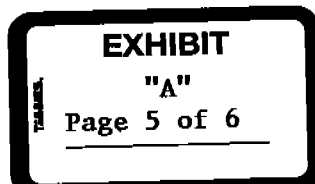
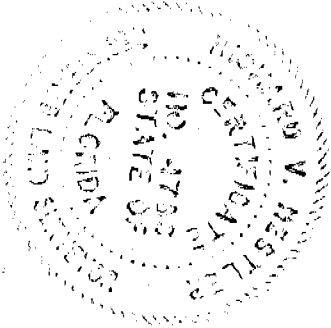
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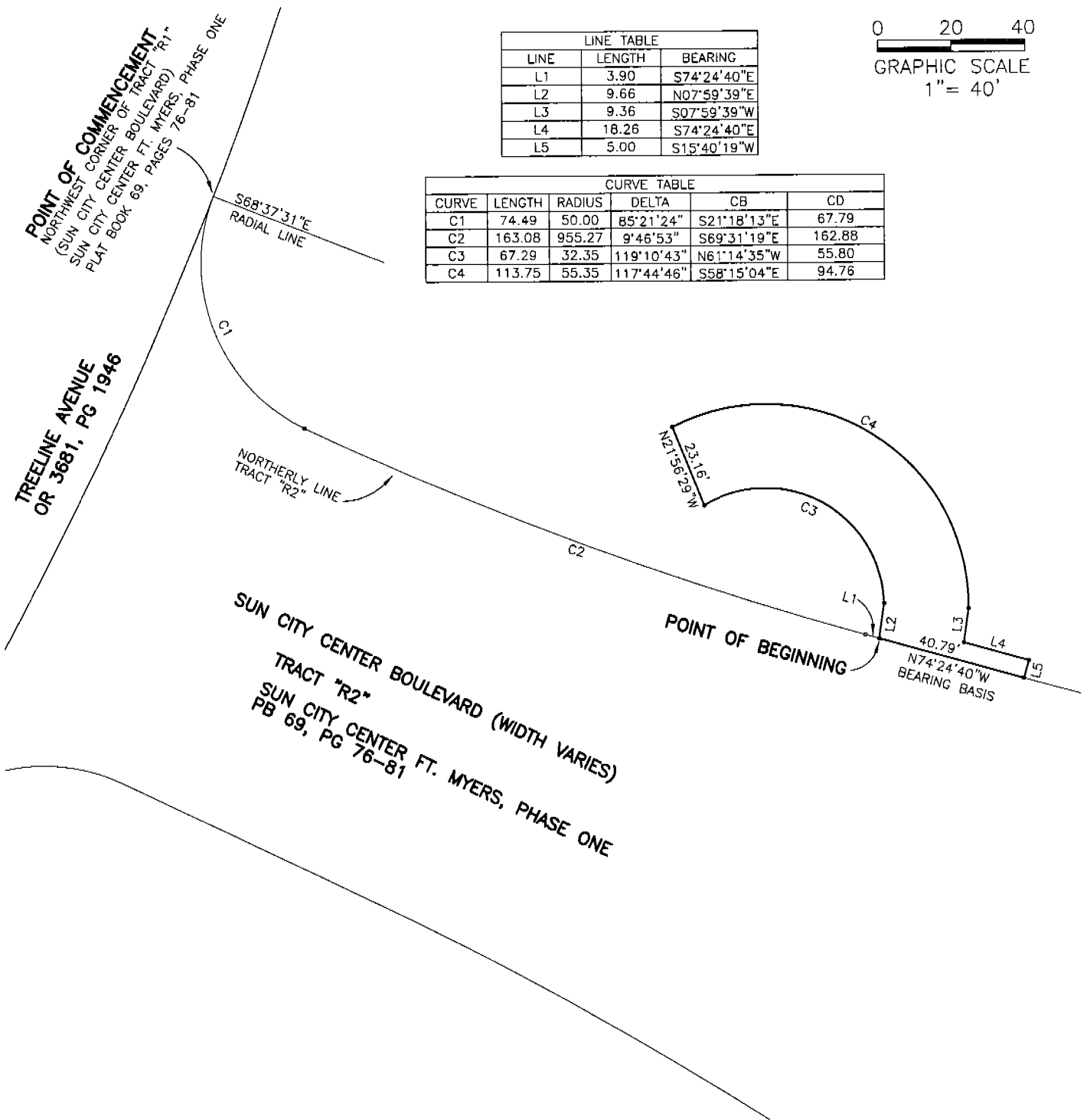
****THIS IS NOT A SURVEY****



0 20 40
 GRAPHIC SCALE
 1" = 40'

LINE TABLE		
LINE	LENGTH	BEARING
L1	3.90	S74°24'40"E
L2	9.66	N07°59'39"E
L3	9.36	S07°59'39"W
L4	18.26	S74°24'40"E
L5	5.00	S15°40'19"W

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CB	CD
C1	74.49	50.00	85°21'24"	S21°18'13"E	67.79
C2	163.08	955.27	9°46'53"	S69°31'19"E	162.88
C3	67.29	32.35	119°10'43"	N61°14'35"W	55.80
C4	113.75	55.35	117°44'46"	S58°15'04"E	94.76



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