

2005  
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Prepared By and To Be Returned To:  
Kenneth Y. Gordon, Esq.  
WCI Communities, Inc.  
24301 Walden Center Drive  
Bonita Springs, FL 34134

INSTR # 6751200  
OR BK 04676 Pgs 0086 - 89; (4pgs)  
RECORDED 04/21/2005 04:27:06 PM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY, FLORIDA  
RECORDING FEE 35.50  
DEPUTY CLERK J Miller

**FOURTH SUPPLEMENT TO  
COMMUNITY DECLARATION FOR PELICAN PRESERVE**

**WHEREAS**, the Community Declaration for Sun City Center Ft. Myers was recorded on December 7, 2001, in Official Records Book 3535, Page 4531, Public Records of Lee County, Florida, as supplemented by that certain First Supplement recorded on November 19, 2003, in Official Records Book 4125, Page 4224, Public Records of Lee County, Florida, that certain Second Supplement recorded on December 24, 2003, in Official Records Book 4157, Page 1411, Public Records of Lee County, Florida, and that certain Third Supplement recorded January 3, 2005, in Official Records Book 4542, Page 3057, Public Records of Lee County, Florida, and as has been amended from time to time (collectively, the "Declaration"); and

**WHEREAS**, Article 13 of the Declaration allows Bay Colony-Gateway, Inc., a Delaware corporation, and its successors, assigns and designees, as Declarant under the Declaration ("Declarant"), in its sole discretion and without the need for consent or approval of any other person or entity, to amend the Declaration to make additional land subject to the scheme of said Declaration and to bring such land within the jurisdiction and control of the Pelican Preserve Community Association, Inc. f/k/a Sun City Center Ft. Myers Community Association, Inc.; and

**WHEREAS**, Declarant desires to amend the Declaration to subject additional land to the terms, conditions, covenants, restrictions and easements of the Declaration;

**NOW, THEREFORE**, this instrument hereby provides that Declarant, for itself and its successors, grantees and assigns, hereby makes, declares and publishes its intention to subject and does hereby subject the real property described in Exhibit "A" attached hereto and made a part hereof to all terms, provisions, covenants, conditions, restrictions and easements contained in the Declaration, with terms, provisions, covenants, conditions, restrictions and easements to run with said property and be binding upon the owners of said property. Hereinafter, said real property shall be included within the "Property" as defined and referenced in the Declaration.

The real property described above shall be subject to all of the terms, provisions, conditions, covenants, restrictions and easements contained in the Declaration.

IN WITNESS WHEREOF, this instrument was executed by the undersigned this 20<sup>th</sup> day of April, 2005.

**WITNESSES:**

**DECLARANT:**  
BAY COLONY-GATEWAY, INC., a  
Delaware corporation

Name: Sandra L. Carpenter  
Print Name: SANDRA L. CARPENTER

By: [Signature]  
Tim Oak, Vice President

Name: [Signature]  
Print Name: DIANNA M. LUTZ

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of April 2005, by Tim Oak, as Vice President of BAY COLONY-GATEWAY, INC., a Delaware corporation, as Declarant hereunder. He is personally known to me.

My Commission Expires: 1/19/08  
(AFFIX NOTARY SEAL)



Sandra L. Carpenter  
(Signature)  
Name: SANDRA L. CARPENTER  
(Legibly Printed)  
Notary Public, State of Florida  
DD0277639  
(Commission Number, if any)

LEGAL DESCRIPTION  
LYING IN  
SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST,  
CITY OF FORT MYERS, LEE COUNTY, FLORIDA

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:

**BEGINNING** AT THE SOUTHWEST CORNER OF LOT B29 OF SAID SUN CITY CENTER FT. MYERS,  
PARCEL A & B, RECORDED IN PLAT BOOK 76, PAGES 35 THROUGH 40, OF THE PUBLIC  
RECORDS OF LEE COUNTY, FLORIDA;

SAID POINT OF BEGINNING BEING A POINT ON A CURVE TO THE RIGHT, OF WHICH THE RADIUS  
POINT LIES S.32°16'43"E., A RADIAL DISTANCE OF 300.00 FEET AND HAVING A CHORD BEARING  
OF N.61°12'42"E., 36.53 FEET; THENCE NORTHEASTERLY ALONG THE SOUTH LINE OF SAID LOT  
B29 AND ARC, THROUGH A CENTRAL ANGLE OF 06°58'49", FOR 36.55 FEET  
THENCE N.64°42'06"E., FOR 22.56 FEET TO A POINT ON A CURVE, THE SOUTHEAST CORNER OF  
SAID LOT B29 AND THE WESTERLY LINE OF A CONSERVATION EASEMENT, RECORDED IN  
OFFICIAL RECORDS BOOK 3617. PAGE 2877 OF THE PUBLIC RECORDS OF LEE COUNTY,  
FLORIDA;  
THENCE SOUTHEASTERLY 15.94 FEET ALONG SAID WESTERLY LINE AND THE ARC OF A NON-  
TANGENTIAL CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 100.00 FEET THROUGH A  
CENTRAL ANGLE OF 09°08'07" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.64°08'28"E.  
FOR 15.93 FEET;  
THENCE LEAVING SAID WEST LINE, S.61°22'05"W., FOR 68.35 FEET;  
THENCE N.28°24'45"W., FOR 14.18 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 897 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

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

BEARINGS ARE BASED ON THE WEST LINE OF LOT B29, SUN CITY CENTER FT. MYERS, PARCEL  
A & B, RECORDED IN PLAT BOOK 76, PAGES 35 THROUGH 40, OF THE PUBLIC RECORDS OF LEE  
COUNTY, FLORIDA AS BEARING N.28°37'37"W..

RWA, INC.  
LAND SURVEYORS AND MAPPERS  
1542 CARSON ST  
FORT MYERS, FLORIDA 33901  
(239) 278-5224

FLORIDA CERTIFICATE OF AUTHORIZATION #6952

BY:  DATE: 4/19/05  
RICHARD V. NESTLER, PROFESSIONAL LAND SURVEYOR LS# 4786

NOT VALID UNLESS EMBOSSED WITH THE PROFESSIONAL'S SEAL.

Ref. 00-0140-04-SK5  
Revised 4-19-05

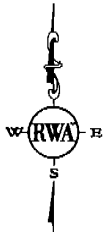
\*\*\* THIS IS NOT A SURVEY \*\*\*

TRIESTE DRIVE  
40' WIDE TRACT "R"

TRACT-"LB1"  
LANDSCAPE BUFFER

LINE TABLE		
LINE	BEARING	LENGTH
L1	N64°42'06"E	22.56'
L2	N28°24'45"W	14.18'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BRG.
C1	36.55'	300.00'	6°58'49"	36.53'	S61°12'42"W
C2	15.94'	100.00'	9°08'07"	15.93'	S64°08'28"E



0 15 30  
GRAPHIC SCALE  
1" = 30'

CONSERVATION  
EASEMENT  
O.R. 3617, PAGE 2877

**LOT B29**

SUN CITY CENTER FORT MYERS,  
PARCEL A & B  
PB 76, PGS 35-40

**LEGEND**

- POC = POINT OF COMMENCEMENT
- POB = POINT OF BEGINNING
- O.R. = OFFICIAL RECORDS BOOK
- PB = PLAT BOOK
- PGS = PAGES

LOT B30

N28°37'37"W  
BEARING BASIS

SOUTH LINE  
LOT B30

20' LAKE  
MAINTENANCE  
EASEMENT

POB  
SOUTHWEST CORNER  
OF LOT B29

WESTERLY LINE

SOUTHEAST  
CORNER  
OF LOT B29

C1 SOUTH LINE  
LOT B29

S61°22'05"W 68.35'

UNPLATTED

SEE SHEET 1 FOR DESCRIPTION  
REVISED 4-19-05

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

1542 Carson Street  
Fort Myers, Florida 33901  
Phone: (239) 278-5224  
FAX: (239) 278-5419  
Florida Certificate of Authorization # 8952

DATE: 4-12-05

CLIENT:

WCI COMMUNITIES

SCALE: 1" = 30'

DRAWN BY: PTN

TITLE:

SKETCH TO ACCOMPANY DESCRIPTION

CHECKED BY: RVN

SEC: 35 TWP: 44 RGE: 25

PROJECT NUMBER: 00-0140

SHEET NUMBER: 2 OF 2

FILE NUMBER: 04-SK5

EXHIBIT "A"  
Page 2 of 2