

This Instrument prepared by:
and return to:
Kenneth Y. Gordon, Esq.
24301 Walden Center Drive
Bonita Springs, FL 34134

Parcel ID No.(s): 35-44-25-P2-00001.0000

GRANT OF EASEMENT
(Pelican Preserve)

THIS GRANT OF DRAINAGE EASEMENT made and executed this 4 day of AUGUST, 2006 by and between 100 TREELINE EAST, LLC, a Florida limited liability company, whose post office address is 5245 Big Pine Way, Suite 102, Ft. Myers, Florida 33907, (hereinafter called the "GRANTOR") and GATEWAY SERVICES COMMUNITY DEVELOPMENT DISTRICT, a local unit of special purpose government organized and existing under the laws of the State of Florida, whose Post Office address is: c/o Anthony P. Pires, Esquire, 3200 Tamiami Trail North, Suite 200, Naples, Florida 34103, (hereinafter called the "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 perpetual, non-exclusive easement, license, and privilege to enter upon, over, under and across the real property located in Lee County, Florida, and described on Exhibit "A" attached hereto and made a part hereof (the "Property"), for the purposes of water management, drainage and lake maintenance, including but not limited to the operation, maintenance, repair, improvement, construction, reconstruction of the water management and drainage improvements thereon and structures appurtenances thereto (collectively "Drainage Facilities").

SUBJECT TO easements, restrictions, covenants, conditions, limitations and reservations of record, if any.

TO HAVE AND TO HOLD the easement hereby granted unto said GRANTEE, its successors and assigns.

Except to the extent necessary to access and maintain the Drainage Facilities located within the Property to ensure the proper operation of its water management system, GRANTEE, by acceptance of this easement agrees for itself, its successors and assigns, to in no way interfere with the right of ingress or egress of GRANTOR, their grantees, successors and assigns, or any other party requiring access to the properties over which this easement is granted or to any properties abutting the Property.

GRANTEE agrees for itself, its successors and assigns, that it will be responsible for the cost of any and all repairs, replacement, maintenance or restoration of the Drainage Facilities together with any landscaping, including sodding, that has been or will be located on the Property, which is removed or destroyed as a result of GRANTEE'S activities on the Property, except for any and all repair and replacement caused or required by GRANTOR'S activities on the Property which shall be the responsibility of GRANTOR.

This easement shall be a covenant running with title to the Property and shall be binding upon the GRANTOR, its successors and assigns, and inure to the benefit on GRANTEE, its successors and assigns.

In the event GRANTEE, its successors or assigns, shall fail to use this easement for the purposes intended, then GRANTEE, its successors or assigns, shall vacate this easement or relevant part thereof.

IN WITNESS WHEREOF, the GRANTOR has caused these presents to be executed the date and year first above written.

Witnesses:

[Signature]
Witness #1
John D. Jones, Jr.
Printed Name

100 TREELINE EAST, LLC
a Florida limited liability company

By: [Signature]
Name: David F. Ballew
Title: Managing Member

[Signature]
Witness #2
Krunka Briggs
Printed Name

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me on this 4th day of August, 2006, by David F. Ballew, as Managing Member of 100 TREELINE EAST, LLC, a Florida limited liability company, on behalf of the company. He is personally known to me or has produced his _____ as identification.

[Signature]
Notary Public
BARBARA SULLIVAN
Printed Name
#DD537587
Commission Number, if any

My Commission Expires:

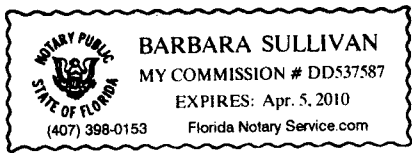


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LEGAL DESCRIPTION
 LYING IN
 SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST,
 LEE COUNTY, FLORIDA.

(LAKE MAINTENANCE 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 THE NORTHEAST CORNER OF SAID SECTION 35;
 THENCE N.89°38'27"W. ALONG THE NORTH LINE OF SAID SECTION 35, FOR 1,295.48 FEET;
 THENCE S.00°21'33"W., FOR 125.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF COLONIAL BOULEVARD (SR 884) (250' WIDE);
 THENCE S.02°16'01"E., FOR 807.33 FEET;
 THENCE S.90°00'00"W., FOR 11.63 FEET TO THE **POINT OF BEGINNING** OF THE FOLLOWING DESCRIBED LAKE MAINTENANCE EASEMENT;

THENCE CONTINUE S.90°00'00"W., FOR 185.94 FEET TO A POINT OF CURVATURE;
 THENCE NORTHWESTERLY 143.58 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 107.04 FEET THROUGH A CENTRAL ANGLE OF 76°51'24" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.51°34'18"W. FOR 133.05 FEET TO A POINT OF REVERSE CURVATURE;
 THENCE NORTHWESTERLY 37.56 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 28.00 FEET THROUGH A CENTRAL ANGLE OF 76°51'24" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.51°34'18"W. FOR 34.81 FEET;
 THENCE S.90°00'00"W., FOR 124.64 FEET TO A POINT OF CURVATURE;
 THENCE WESTERLY 15.27 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 27.00 FEET THROUGH A CENTRAL ANGLE OF 32°24'13" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.73°47'54"W. FOR 15.07 FEET;
 THENCE S.57°35'47"W., FOR 1.78 FEET TO A POINT OF CURVATURE;
 THENCE WESTERLY 46.94 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 83.00 FEET THROUGH A CENTRAL ANGLE OF 32°24'13" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.73°47'54"W. FOR 46.32 FEET;
 THENCE S.90°00'00"W., FOR 91.75 FEET TO A POINT OF CURVATURE;
 THENCE WESTERLY 28.36 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 172.00 FEET THROUGH A CENTRAL ANGLE OF 09°26'50" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.85°16'35"W. FOR 28.33 FEET;
 THENCE S.80°33'10"W., FOR 20.89 FEET TO A POINT OF CURVATURE;
 THENCE WESTERLY 6.67 FEET ALONG THE ARC OF A NON-TANGENTIAL CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 71.74 FEET THROUGH A CENTRAL ANGLE OF 05°19'23" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.77°54'02"W. FOR 6.66 FEET TO A POINT OF COMPOUND CURVATURE;
 THENCE SOUTHWESTERLY 11.25 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 15.00 FEET THROUGH A CENTRAL ANGLE OF 42°59'02" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.53°44'49"W. FOR 10.99 FEET TO A POINT OF COMPOUND CURVATURE;
 THENCE SOUTHERLY 20.86 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF 47°47'51" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.08°21'22"W. FOR 20.26 FEET TO A POINT OF COMPOUND CURVATURE;
 THENCE SOUTHEASTERLY 55.06 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 60.00 FEET THROUGH A CENTRAL ANGLE OF 52°34'30" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.41°49'48"E. FOR 53.14 FEET TO THE NORTH LINE OF A CONSERVATION EASEMENT, RECORDED IN OFFICIAL RECORD BOOK 3617, PAGE 2877, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND A POINT ON A CURVE;
 THENCE WESTERLY 49.21 FEET ALONG SAID NORTH LINE AND THE ARC OF A NON-TANGENTIAL CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 380.00 FEET THROUGH A CENTRAL ANGLE OF 07°25'11" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.71°49'38"W. FOR 49.18 FEET TO A POINT OF A CURVE;

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THENCE NORTHWESTERLY 20.58 FEET ALONG THE ARC OF A NON-TANGENTIAL CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 80.00 FEET THROUGH A CENTRAL ANGLE OF 14°44'21" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.22°54'44"W. FOR 20.52 FEET TO A POINT OF COMPOUND CURVATURE;
 THENCE NORTHERLY 37.54 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 45.00 FEET THROUGH A CENTRAL ANGLE OF 47°47'51" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.08°21'23"E. FOR 36.46 FEET TO A POINT OF COMPOUND CURVATURE;
 THENCE NORTHEASTERLY 26.26 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 35.00 FEET THROUGH A CENTRAL ANGLE OF 42°59'45" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.53°45'11"E. FOR 25.65 FEET TO A POINT OF COMPOUND CURVATURE;
 THENCE EASTERLY 8.51 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 92.00 FEET THROUGH A CENTRAL ANGLE OF 05°18'06" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.77°54'07"E. FOR 8.51 FEET;
 THENCE N.80°33'10"E., FOR 20.89 FEET TO A POINT OF CURVATURE;
 THENCE EASTERLY 31.66 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 192.00 FEET THROUGH A CENTRAL ANGLE OF 09°26'50" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.85°16'35"E. FOR 31.62 FEET;
 THENCE N.90°00'00"E., FOR 91.75 FEET TO A POINT OF CURVATURE;
 THENCE EASTERLY 35.63 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 63.00 FEET THROUGH A CENTRAL ANGLE OF 32°24'13" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.73°47'54"E. FOR 35.16 FEET;
 THENCE N.57°35'47"E., FOR 2.90 FEET TO A POINT ON OF CURVATURE;
 THENCE EASTERLY 25.43 FEET ALONG THE ARC OF A NON-TANGENTIAL CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 47.00 FEET THROUGH A CENTRAL ANGLE OF 31°00'17" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.74°29'51"E. FOR 25.12 FEET;
 THENCE N.90°00'00"E., FOR 124.66 FEET TO A POINT OF CURVATURE;
 THENCE SOUTHEASTERLY 64.39 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 48.00 FEET THROUGH A CENTRAL ANGLE OF 76°51'24" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.51°34'18"E. FOR 59.67 FEET TO A POINT OF REVERSE CURVATURE;
 THENCE SOUTHEASTERLY 116.75 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 87.04 FEET THROUGH A CENTRAL ANGLE OF 76°51'24" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.51°34'18"E. FOR 108.19 FEET;
 THENCE N.90°00'00"E., FOR 148.52 FEET TO A POINT OF CURVATURE;
 THENCE SOUTHEASTERLY 44.18 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 45.00 FEET THROUGH A CENTRAL ANGLE OF 56°15'04" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.61°52'28"E. FOR 42.43 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 15,474 SQUARE FEET OR 0.36 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 NORTH LINE OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AS BEING N.89°38'27" W.

RWA, INC.
 LAND SURVEYORS AND MAPPERS
 1542 CARSON STREET
 FORT MYERS, FLORIDA 33901
 (239) 278-5224
 FLORIDA CERTIFICATE OF AUTHORIZATION #6952

BY: 

DATE: 3/20/06

RICHARD V. NESTLER, PROFESSIONAL LAND SURVEYOR LS# 4786
 NOT VALID UNLESS EMBOSSED WITH THE PROFESSIONAL'S SEAL.

Ref. 99-0165-12-SK4
 03-14-06

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

LEGEND

- L1 = SEE LINE TABLE
- C1 = SEE CURVE TABLE
- OR = OFFICAL RECORD BOOK
- PG = PAGE
- (35) = SECTION NUMBER

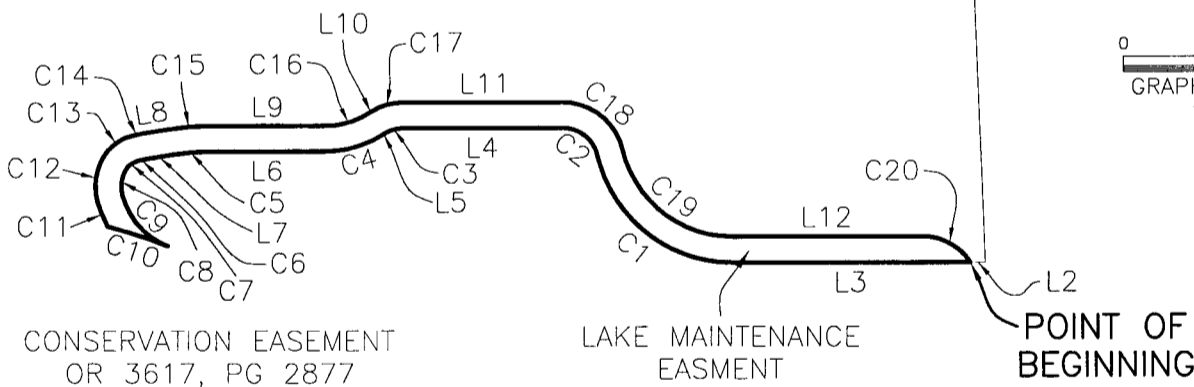
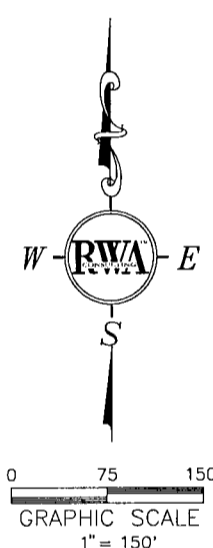
POINT OF COMMENCEMENT
NORTHEAST CORNER OF SECTION 35

BEARING BASIS N89°38'27"W
1295.48'

COLONIAL BOULEVARD
(250' RIGHT-OF-WAY)

NORTH LINE OF SECTION 35
N89°38'27"W BEARING BASIS

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BRG.
C1	143.58'	107.04'	76°51'24"	133.05'	N51°34'18"W
C2	37.56'	28.00'	76°51'24"	34.81'	N51°34'18"W
C3	15.27'	27.00'	32°24'13"	15.07'	S73°47'54"W
C4	46.94'	83.00'	32°24'13"	46.32'	S73°47'54"W
C5	28.36'	172.00'	9°26'50"	28.33'	S85°16'35"W
C6	6.67'	71.74'	5°19'23"	6.66'	S77°54'02"W
C7	11.25'	15.00'	42°59'02"	10.99'	S53°44'49"W
C8	20.86'	25.00'	47°47'51"	20.26'	S08°21'22"W
C9	55.06'	60.00'	52°34'30"	53.14'	S41°49'48"E
C10	49.21'	380.00'	7°25'11"	49.18'	N71°49'38"W
C11	20.58'	80.00'	14°44'21"	20.52'	N22°54'44"W
C12	37.54'	45.00'	47°47'51"	36.46'	N08°21'23"E
C13	26.26'	35.00'	42°59'45"	25.65'	N53°45'11"E
C14	8.51'	92.00'	5°18'06"	8.51'	N77°54'07"E
C15	31.66'	192.00'	9°26'50"	31.62'	N85°16'35"E
C16	35.63'	63.00'	32°24'13"	35.16'	N73°47'54"E
C17	25.43'	47.00'	31°00'17"	25.12'	N74°29'51"E
C18	64.39'	48.00'	76°51'24"	59.67'	S51°34'18"E
C19	116.75'	87.04'	76°51'24"	108.19'	S51°34'18"E
C20	44.18'	45.00'	56°15'04"	42.43'	S61°52'28"E



LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°21'33"W	125.00'
L2	S90°00'00"W	11.63'
L3	S90°00'00"W	185.94'
L4	S90°00'00"W	124.64'
L5	S57°35'47"W	1.78'
L6	S90°00'00"W	91.75'
L7	S80°33'10"W	20.89'
L8	N80°33'10"E	20.89'
L9	N90°00'00"E	91.75'
L10	N57°35'47"E	2.90'
L11	N90°00'00"E	124.66'
L12	N90°00'00"E	148.52'

SEE SHEET 1 OF 2 FOR DESCRIPTION

RWA INC.
CONSULTING
1542 Carson Street
Fort Myers, Florida 33901
Phone: (239) 278-5224
FAX: (239) 278-5419

**Planning
Visualization
Civil Engineering
Surveying & Mapping**

DATE: 3-17-06
SCALE: 1" = 150'
DRAWN BY: PTN
CHECKED BY: RVN
SEC: 35 TWP: 44S RGE: 25E

CLIENT: HIW DEVELOPMENT
TITLE: SKETCH TO ACCOMPANY DESCRIPTION
PROJECT NUMBER: 99-0165 SHEET NUMBER: 3 OF 3 FILE NUMBER: 12-SK4