

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

Parcel I.D. No.(s): 02-45-25-P3-0200D.0140

DRAINAGE EASEMENT
(Pelican Preserve)

THIS DRAINAGE EASEMENT made and executed this 10th day of JANUARY, 2008, by and between BAY COLONY-GATEWAY, INC., a Delaware corporation, whose post office address is 24301 Walden Center Drive, Bonita Springs, Florida 34134, (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");

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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 and to maintain, operate, construct, reconstruct, replace and install water management and drainage facilities, structures and improvements (collectively the "Facilities") in, on, over, under and through the following described property located in Lee County, Florida, as described on Exhibit "A" ("Easement Property") attached hereto and made a part hereof.

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 reasonably necessary to access, operate, maintain, construct and reconstruct the Facilities located within the Easement Property to ensure the proper operation of the 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 Easement Property or to any properties abutting the Easement Property and agrees to restore the surface of the aforesaid land immediately following the installation or repair of any lines, facilities or other works.

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:

BAY COLONY-GATEWAY, INC.,
a Delaware corporation

David W. Caldwell
Witness #1
DAVID W. CALDWELL
Printed Name

By: [Signature]
Name: Ernest J. Scheidemann
Title: Vice President

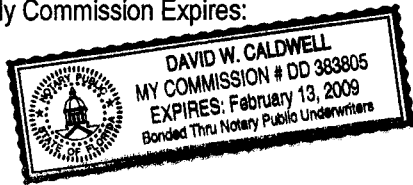
Ruth Marianetti
Witness #2
RUTH MARIANETTI
Printed Name

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me on this 10th day of January, 2008, by Ernest J. Scheidemann, as Vice President of BAY COLONY-GATEWAY, INC., a Delaware corporation, on behalf of the corporation. He is personally known to me or has produced his N/A as identification.

David W. Caldwell
Notary Public
DAVID W CALDWELL
Printed Name
DD 383805
Commission Number, if any

My Commission Expires:



CONSENT OF MORTGAGEE
Regarding recordation of DRAINAGE EASEMENT

BANK OF AMERICA, N.A., a National Banking Association, as Collateral Agent (the "Mortgagee"), the holder of that certain Multistate Mortgage, Assignment of Leases and Rents, Security Agreement, and Fixture Filing executed by WCI COMMUNITIES, INC., COMMUNITIES FINANCE COMPANY, LLC, BAY COLONY- GATEWAY, INC., JYC HOLDINGS, INC., RENAISSANCE CENTRO COLUMBIA, LLC, RENAISSANCE AT OAK CREEK CLUB, LLC, HOPEWELL CROSSING HOME & LAND COMPANY, LLC, RENAISSANCE CENTRO ARLINGTON LLC, MHI-RUGBY ROAD, L.L.C., POPLAR TREE LLC, RENAISSANCE AT RIVER CREEK TOWNS, LLC, RENAISSANCE AT OCCOQUAN WALK LLC, and WCI MID-ATLANTIC U.S. REGION, INC. (collectively, "Mortgagor") in favor of Mortgagee, dated October 16, 2007 and recorded on October 22, 2007 as Instrument #2007000319211, in the Official Records of Lee County, Florida (as amended, restated or modified from time to time, the "Mortgage"), which Mortgage constitutes a lien and encumbrance upon the real property described in Exhibit "A" of that certain Drainage Easement (Pelican Preserve) dated as of even date herewith (the "Drainage Easement"), hereby consents to BAY COLONY-GATEWAY, INC. (the "Grantor") subjecting the real property described in Exhibit "A" of the Drainage Easement to the provisions of the Drainage Easement and agrees that the Drainage Easement shall be binding upon the present and future owners of the real property covered by the Drainage Easement. Notwithstanding the execution of this consent, nothing herein shall be construed to render the Mortgagee responsible or liable for the performance of any of the covenants or undertakings of the Grantor under the Drainage Easement nor shall this consent affect the priority of lien of the Mortgage or the interest of the Mortgagee.

Dated this 10 day of Jan, 2008.

Witnessed by:

BANK OF AMERICA, N.A., a National Banking Association, as Collateral Agent

[Signature]
Name: Michael Kauffman

By: [Signature]
Name: Mark A. Molske
Title: Vice President

[Signature]
Name: ASAD A RAHMO

Address: 901 Main Street, 64th Floor
Dallas, Texas 75202

STATE OF IL)
COUNTY OF COOK)

The foregoing instrument was acknowledged before me this 10 day of January, 2008, by [Signature], as Vice President of Bank of America, N.A., a National Banking Association. (S)he is personally known to me or has produced _____ as identification.

(Notarial Seal) [Official Seal] Name: [Signature]
Commission No.: _____
Notary Public, State of _____
My Commission Expires: 4/7/11

BCLS
SURVEYORS & MAPPERS INC.
1502-A RAILHEAD BLVD.
NAPLES, FLORIDA 34110
TELEPHONE: 239-597-1315
FAX: (239) 597-5207

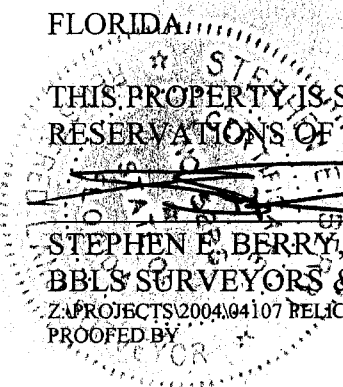
LEGAL DESCRIPTION
DRAINAGE EASEMENT

A PORTION OF LOT 14, BLOCK D, VILLA CAPRI AT PELICAN PRESERVE TRACT "T", ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT #2006000126026 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE EASTERLY MOST CORNER OF SAID LOT 14, THENCE RUN S.43°19'35"W. ALONG THE SOUTHERLY LINE OF SAID LOT 14, A DISTANCE OF 30.78 FEET; THENCE RUN N.03°28'16"E., A DISTANCE OF 33.42 FEET TO THE NORTHERLY LINE OF SAID LOT 14; THENCE RUN S.60°07'20"E. ALONG SAID NORTHERLY LINE, A DISTANCE OF 22.02 FEET TO THE **POINT OF BEGINNING**.

BEARINGS SHOWN HEREON REFER TO VILLA CAPRI AT PELICAN PRESERVE TRACT "T", ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT #2006000126026 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

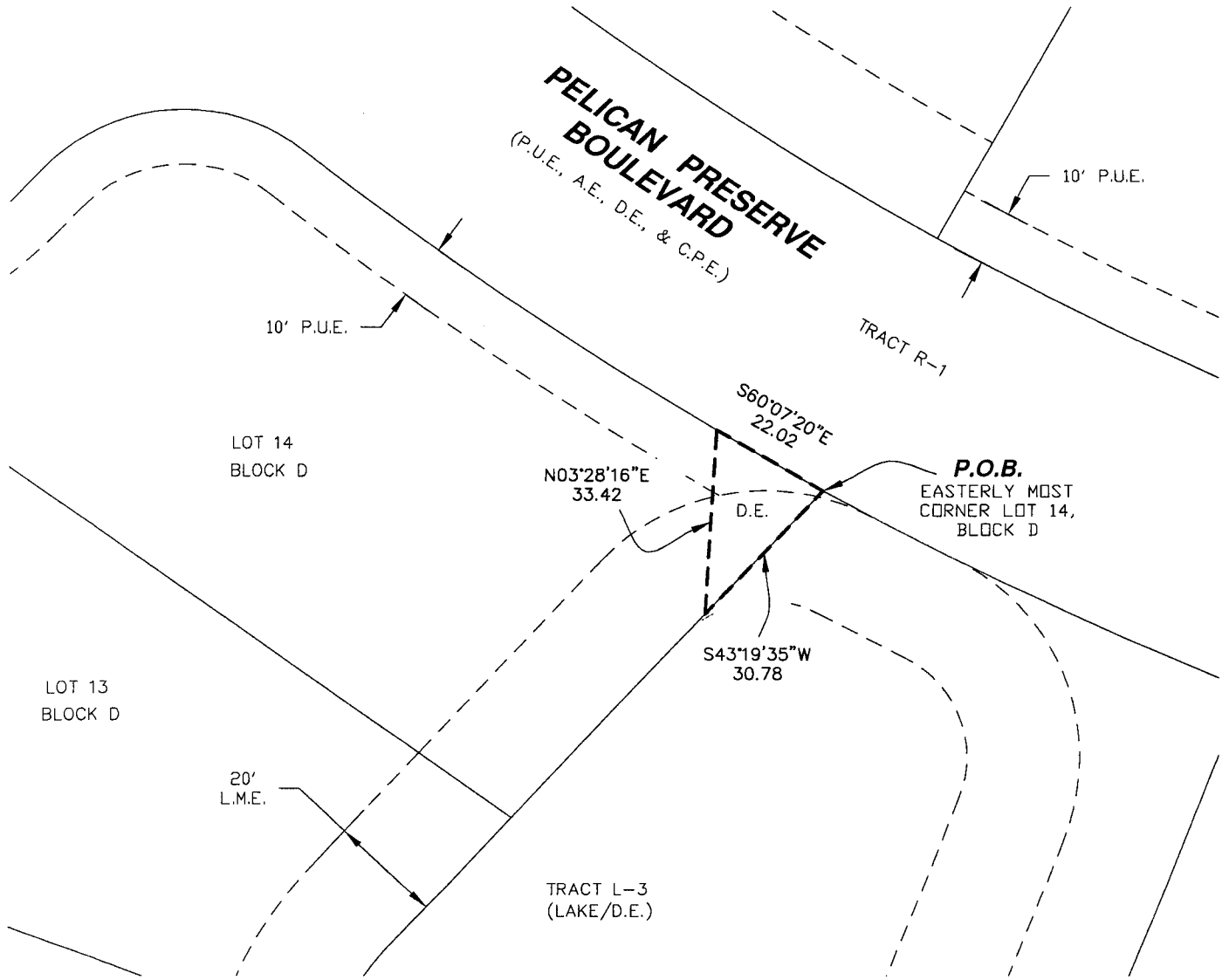
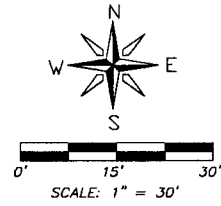
THIS PROPERTY IS SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.


12/13/07
STEPHEN E. BERRY, STATE OF FLORIDA, (L.S. #5296)
BCLS SURVEYORS & MAPPERS INC., (L.B. #6753)
Z:\PROJECTS\2004\04107 PELICAN PRESERVE\survey\L&S EASE2.doc
PROOFED BY

(SEE ATTACHED SKETCH – SHEET 2 OF 2)

LEGEND

- P.O.B.** POINT OF BEGINNING
- D.E.** DRAINAGE EASEMENT
- P.U.E.** PUBLIC UTILITY EASEMENT
- A.E.** ACCESS EASEMENT
- C.P.E.** CART PATH EASEMENT
- D.E.** DRAINAGE EASEMENT



NOTES:

- 1.) BEARINGS SHOWN HEREON REFER TO VILLA CAPRI AT PELICAN PRESERVE TRACT "T", ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT #2006000126026 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
- 2.) THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.
- 3.) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

EXHIBIT "A"
Page 2 of 2

SHEET 2 OF 2
THIS IS NOT A SURVEY

SCALE: 1" = 30' APPROVED BY: SEB DRAWN BY: GJK FIELD BOOK AND PAGE: N/A DATE: 12/13/07	SKETCH TO ACCOMPANY LEGAL DESCRIPTION DRAINAGE EASEMENT VILLA CAPRI AT PELICAN PRESERVE TRACT "T" INSTRUMENT #2006000126026 LEE COUNTY, FLORIDA	BBL SURVEYORS & MAPPERS INC. 1502-A RAILHEAD BLVD. NAPLES, FLORIDA 34110 (239) 597-1315

SUBJECTS: VILLA CAPRI AT PELICAN PRESERVE, TRACT "T", ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT #2006000126026 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.