

CHARLIE GREEN, CLERK OF COURT, LEE COUNTY

DEPUTY CLERK L Parent

ADMINISTRATIVE AMENDMENT (SSRMDP) ADD2003-00077A

**AMENDED**

**ADMINISTRATIVE AMENDMENT  
LEE COUNTY, FLORIDA**

WHEREAS, the Beach Homesite area of the South Seas Resort Master Development Plan has been platted and recorded as the SOUTH SEAS PLANTATION BEACH HOMESITES SUBDIVISION, PLAT BOOK 29, PAGE 106, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.; and

WHEREAS, the Department of Community Development has previously indicated by letter dated August 20, 1999 from Mary Gibbs to Richard J. Butz that a single-family home would be in compliance with the density requirements of the Lee County Comprehensive Plan, if constructed on a certain lot in the Beach Homesite area, said property described more particularly as:

**LEGAL DESCRIPTION:** LOT 26, SOUTH SEAS PLANTATION BEACH HOMESITES SUBDIVISION, PLAT BOOK 29, PAGE 106, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

WHEREAS, the Department of Community Development and the Lee County Attorney's Office have previously indicated by Determination of the Application of the Minimum Use Provision and Administrative Interpretation of the Single Family Residence Provisions of the Lee Plan (Case No. MUD2001-00067) dated July 2, 2001, that the single-family residence provisions of Chapter XIII, Section b.B.4.a.(1), (2), and (3) of the Lee Plan apply to the property and it qualifies for no more than one single-family residence under the Administrative Interpretation provisions; and

WHEREAS, the Department of Community Development has previously indicated by letters dated May 24 and October 4, 2001, from Bryan Kelner to Frank Pavese that the construction of single-family residences on undeveloped lots in the Beach Homesite area would not affect the status of the ability to reconstruct lots 10, 11, and 12, as originally platted; and

WHEREAS, Administrative Interpretation ADD2002-00098, reconfirmed the establishment of the South Seas Resort District (SSRD), described more particularly as:

**LEGAL DESCRIPTION:** In Sections 15,22,23,26,and 27, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida:

See **Exhibit "A"**

WHEREAS, Administrative Interpretation ADD2002-00098 recognizes that certain changes to the SSRMDP may be approved administratively; and

WHEREAS, Plantation Development, Ltd. confirmed that it had no objection to Lee County allowing one (1) additional dwelling unit of the seven (7) remaining unallocated, unbuilt dwelling

units from the total of 912 dwelling units permissible by the South Seas Resort Master Development Plan to be allocated to the Beach Homesite area; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the SSRD and the Land Development Code; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval to amend the SSRMDP is **APPROVED**.

**Approval is subject to the following conditions:**

1. **The following Tabulation of Dwelling Units, amended to include the allocation of the Harbourview Villas dwelling units within the SSRMDP and to allocate an additional dwelling unit to Beach Homesites, as described above, is approved:**

<u>Area Name</u>	<u>Number of Units</u>
1. Bayside Villas	102
2. Tennis Villas	60
3. Employee Housing	140
4. Beach Villas	160
5. Beach Cottages	26
6. Beach Homes	33
7. Beach Homesites	27 <sup>1</sup>
8. Sandrift (aka Plantation Beach Villas)	4
9. Plantation Beach Club	48
10. Plantation Bay Villas	4
11. Marina Villas	40
12. Harbourside Villas	107
13. The South Seas Club	24

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<sup>1</sup> Of the 27 units allocated to the Beach Homesites area, only 24 units have been constructed to date.

14. Cottages at South Seas Plantation	14
15. Plantation House Phase I	12
16. Seabreeze (aka Plantation House Phase II)	8
17. Land's End Village (aka Golf Villas)	68
18. Estate Residence	1
19. Harbour Pointe	18
20. Harbourview Villas	10
<b>TOTAL APPROVED ALLOCATED DWELLING UNITS</b>	<b>906</b>
<b>TOTAL APPROVED DWELLING UNITS</b>	<b>912</b>
<b>TOTAL DEVELOPED DWELLING UNITS</b>	<b>888<sup>2</sup></b>
<b>TOTAL UNDEVELOPED DWELLING UNITS</b>	<b>24</b>

3. The terms and conditions of the original zoning resolutions, as confirmed in Administrative Determination ADD2002-00098, remain in full force and effect. All prior indications as to the zoning of this property by the Department of Community Development and the Lee County Attorney's Office referenced in this Amendment, in the letters, determinations, and interpretations

DULY SIGNED this 15<sup>th</sup> day of Sept., A.D., 2003.

BY: Pam Houck  
Pam Houck, Director  
Division of Zoning  
Department of Community Development

<sup>2</sup> Of the 888 developed units, to date only 875 have been constructed. Supra, note 1.



April 12, 2002

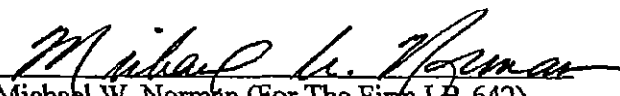
Ray Pavelka, President  
Mariner Properties Development, Inc.  
13451 McGregor Boulevard, Suite 31  
Fort Myers, Florida 33919

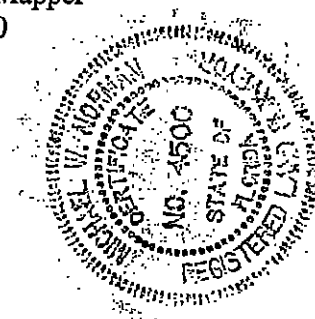
RE: South Seas Plantation, Captiva Island  
October 23, 1973 Legal Description Certification

Dear Mr. Pavelka:

This letter is to certify that Johnson Engineering, Inc. prepared a transcribed copy of a legal description entitled South Seas Plantation, Captiva Island, Schedule "A" dated October 23, 1973 as obtained from Lee County and attached hereto which is a twelve (12) page transcription of the same description with corrections added for clarity. I hereby certify that we have prepared this transcribed copy from the original description into a legible and correct form and it is attached as a twelve (12) page document.

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

  
Michael W. Norman (For The Firm LB-642)  
Professional Surveyor and Mapper  
Florida Certificate No. 4500



20012664/Certification Letter 041202

LEGAL DESCRIPTION  
SOUTH SEAS PLANTATION - CAPTIVA ISLAND  
SCHEDULE "A"

October 23, 1973

PARCEL 1: Hunt

A lot or parcel of land lying in Government Lot 1, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows:

From a concrete post on the South line of said Lot 1 near the West shore of Bryant Bayou run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 57.4 feet; thence run along a road North 23° 54' 30" West for 39.1 feet and North 8° 50' 00" West for 673.6 feet to a point from which an artesian well bears South 43° 42' East distant 49.8 feet; thence run North 7° 40' 00" West for 886.2 feet passing over an iron pipe at 799.2 feet; thence run North 77° 03' 30" East for 395.5 feet to an iron pin set in concrete; thence run North 89° 52' East for 96.4 feet; South 38° 52' West for 33.6 feet; South 0° 08' East for 62.92 feet; South 51° 08' East for 109.4 feet; thence North 38° 52' East for 175 feet to the point of beginning of the lands hereby conveyed.

From said point of beginning run South 38° 52' West for 175 feet; South 51° 08' East for 91 feet North 38° 52' East for 122.2 feet; and North 54° 42' East for 84 feet more or less to the waters of Pine Island Sound; thence run Northwesterly along said waters to an intersection with a line through the point of beginning bearing North 80° 52' East; thence run South 80° 52' West for 51 feet more or less to the point of beginning; together with all riparian rights appurtenant thereto; being Parcel No. 4 shown on the plat attached to instrument recorded in the Public Records of Lee County, Florida, in Miscellaneous Book 31 at page 225. All bearings hereinabove mentioned are plane coordinate for the Florida West Zone.

PARCEL 2: Kincaid

A lot or parcel of land lying in Government Lot 1, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows:

From a concrete post on the South line of said Lot 1 near the West shore of Bryant Bayou run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 57.4 feet; thence run along a road North 23° 54' 30" West for 39.1 feet and North 8° 50' 00" West 673.6 feet to a point from which an artesian well bears South 43° 42' East distant 49.8 feet; thence run North 7° 40' 00" West for 886.2 feet, passing over an iron pipe at 799.2 feet; thence run North 77° 03' 30" East for 395.5 feet to an iron pin set in concrete; thence run North 89° 52' East for 96.4 feet; South 38° 52' West for 33.6 feet, South 0° 08' East for 62.92 feet; South 51° 08' East for 34.4 feet and North 38° 52' East for 175 feet to the point of beginning of the lands hereby conveyed.

From said point of beginning run South 38° 52' West for 175 feet, South 51° 08' East for 75 feet, North 38° 52' East for 175 feet and

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North 80° 52' East for 51 feet more or less to the waters of Pine Island Sound; thence run Northwesterly along said waters to an intersection with a line through the point of beginning bearing North 80° 52' East; thence run South 80° 52' West along said line for 65 feet more or less to the point of beginning; together with all riparian rights appurtenant thereto; being Parcel No. 3 shown on the plat attached to instrument recorded in the Public Records of Lee County, Florida, in Miscellaneous Book 31, at page 215. All bearings hereinabove mentioned are plane coordinate for the Florida West Zone.

PARCEL 3: Captiva Island Company

Government Lot 1, Section 22, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida, excepting therefrom the following described parcels:

From a concrete post on the South line of Government Lot 1 near the West shore of Bryant Bayou, run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 57.4 feet; thence run North 23° 54' 30" West along the West side of a public road for 39.1 feet; thence run North 08° 50' 00" West for 673.6 feet to a point from which an artesian well bears South 43° 42' 00" East a distance of 49.3 feet; thence run North 07° 40' 00" West for 886.2 feet passing through an iron pipe at 799.2 feet; thence run North 77° 03' 30" East for 395.5 feet to an iron pin set in concrete; thence run South 00° 08' 00" East for 63.1 feet; thence run North 89° 52' 00" East for 75.25 feet; thence run South 00° 08' 00" East for 25.92 feet; thence run South 51° 08' 00" East for 34.4 feet; thence run North 38° 52' 00" East for 175.00 feet to the point of beginning of the herein described exception. From said point of beginning run South 38° 52' 00" West for 175.00 feet; thence run South 51° 08' 00" East for 166 feet; thence run North 38° 52' 00" East for 122.2 feet; thence run North 54° 42' 00" East for 84 feet, more or less, to the waters of Pine Island Sound, passing through an iron pin at 76.3 feet; thence run Northwesterly along said waters to an intersection with a line bearing North 80° 52' 00" East passing through the point of beginning; thence run South 80° 52' 00" West for 65 feet more or less, to the point of beginning passing through an iron pin at 55 feet from said point of beginning.

ALSO excepting therefrom the following described parcel:

From said concrete post on the South line of said Lot 1 near the West shore of Bryant Bayou, run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 32.57 feet to the Easterly side of a public road by user 30 feet wide; thence run North 22° 04' 40" West along said public road for 6.38 feet; thence run North 12° 19' West along said Easterly side for 386.16 feet to the point of beginning of the herein described exception. From said point of beginning run North 8° 50' West along said Easterly line for 136.24 feet; thence run North 89° 27' East for 227 feet, more or less, to the waters of a bayou; thence run Southeasterly along said waters to an inter-

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section with a line bearing North 89° 27' East passing through the point of beginning; thence run South 89° 27' West for 243 feet, more or less to the point of beginning.

ALSO excepting therefrom the following described parcel:

Beginning at a concrete post on the South line of Government Lot 1, near the West shore of Bryant Bayou run North 81° 30' 10" West along said South line for 220.4 feet to a concrete post; thence continue on the same course for 32.57 feet to said Easterly side of said public road 30 feet wide; thence run North 22° 04' 40" West along said Easterly side for 6.38 feet; thence run North 12° 19' West along said Easterly side for 284.01 feet; thence run North 89° 27' East for 288 feet, more or less, to the waters of Bryant Bayou; thence run Southerly along said waters to an intersection with the said South line of Government Lot 1; thence run North 81° 30' 10" West for 20 feet, more or less, to the point of beginning.

NOTE: shore shown on original as short

ALSO excepting therefrom the following described parcel:

From said concrete post on the South line of said Lot 1 near the West shore of Bryant Bayou, run North 81° 30' 10" West along said lot line for 220.40 feet to a concrete post; thence continue on the same course for 57.4 feet; thence run North 23° 54' 30" West for 39.1 feet to a point on the Westerly side of said road and the point of beginning of the herein described exception. From said point of beginning run North 12° 19' West for 346.27 feet; thence run North 08° 50' West along said West line for 251.50 feet to the Southeast corner of a pedestrian easement 30 feet wide as described in Official Record Book 22 at page 486 of said Public Records; thence run South 89° 27' West along said South line of said easement for 390 feet more or less to the waters of the Gulf of Mexico; thence run Southerly along said waters to an intersection with the South line of Government Lot 1; thence run Easterly along said South line of Government Lot 1 to the Westerly line of said public road; thence run Northerly along said Westerly line to the point of beginning.

ALSO:

A parcel of land lying in Government Lot 3, Section 22, Township 45 South, Range 21 East which lot or parcel is described as follows:

From a concrete post on the North line of said Government Lot 3 near the West shore of Bryant Bayou, run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 57.4 feet; thence run North 23° 54' 30" West for 39.1 feet to an iron pin on the West side of a public road; thence run South 12° 19' 00" East along said West line of said public road for 43.40 feet; thence run South 22° 04' 40" East along said West line for 444.34 feet to the point of beginning of the lands herein described. From said point of beginning continue South 22° 04' 40" East along said West line for 146.79 feet; thence run South 00° 27' 00" East along said West line for 165.64 feet; thence run South 89° 27' 00" West along the North line of the lands conveyed by deed recorded in Official Record

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Book 49 at page 422, of said Public Records, parallel with and 800.00 feet North of the South boundary of the lands conveyed by Deed recorded in Deed Book 209 at pages 71 and 72 of said Public Records for 290 feet, more or less, to the waters of the Gulf of Mexico, passing through an iron pin at 200.17 feet; thence run Northwesterly along said waters to an intersection with a line bearing South 89° 27' 00" West passing through the point of beginning; thence run North 89° 27' 00" East along said line along the South line of the lands conveyed by deed recorded in Deed Book 260 at page 76 of said Public Records for 402 feet, more or less, to the point of beginning passing through an iron pin at 365.25 feet from the point of beginning.

ALSO:

A parcel of land lying in Government Lot 3, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows:

From a concrete post on the North line of said Government Lot 3 near the West shore of Bryant Bayou, run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 57.4 feet; thence run North 23° 54' 30" West for 39.1 feet to an iron pin on the West side of a public road; thence run South 12° 19' 00" East along said West line of said public road for 43.40 feet; thence run South 22° 04' 40" East along said West line for 591.13 feet; thence run South 0° 27' 00" East along said West line for 265.64 feet to the point of beginning of the lands herein described. From said point of beginning continue South 0° 27' 00" East along said West line for 100 feet; thence run South 89° 27' West for 223 feet, more or less, to the waters of the Gulf of Mexico; thence run Northwesterly along said waters to an intersection with a line bearing South 89° 27' West along said line along the South line of the lands conveyed by deed recorded in Official Record Book 49 at page 422 of said Public Records for 260 feet, more or less, to the point of beginning.

ALSO:

A parcel of land lying in Governments Lots 3 and 4, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows:

From a concrete post on the North line of said Lot 1 near the West shore of Bryant Bayou, run North 81° 30' 10" West along said lot line for 220.4 feet to a concrete post; thence continue on the same course for 32.57 feet to the Easterly side of a public road; thence run South 22° 04' 40" East along said Easterly line for 447.23 feet to the point of beginning of the lands herein described. From said point of beginning continue Southeasterly and Southerly along said Easterly line of said public road to an intersection with the South line of the lands conveyed by deed recorded in Deed Book 209 at pages 71 and 72 of said Public Records; thence run North 89° 27' East along said South line and an Easterly prolongation to the East line of said Section 22; thence run North along said East line to the Northeast corner of Government Lot 4; thence run North 81° 30' 10" West to the Westerly shore of Bryant Bayou; thence run Southerly along said West shore to an intersection with a line bearing North 89° 27' East passing through the point of beginning; thence run



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South 89° 27' West along said line for 182 feet, more or less, to the point of beginning.

ALSO:

All that part of said Government Lot 4 and Government Lot 5 of said Section 22 lying Southerly of said South line of the lands described in Deed Book 209 at pages 71 and 72 of said Public Records and lying Easterly of a Northerly arm of Chadwick Bayou.

ALSO:

All of Government Lot 1, Section 23, Township 45 South, Range 21 East.

ALSO:

All of the submerged lands of Pine Island Sound and Chadwick Bayou lying between the Mean High Water Line and the bulkhead line approved by the Board of Lee County Commissioners of Lee County, Florida, on May 22, 1968, which bulkhead line is more particularly described as follows:

From the unsurveyed corner common to Sections 22, 23, 26 and 27, Township 45 South, Range 21 East, run North 8° 29' 50" East along the line common to Sections 22 and 23 for 1435.7 feet to an intersection with an Easterly prolongation of the lands conveyed by deed recorded in Deed Book 209 at pages 71 and 72 of the Public Records of Lee County; thence run South 89° 27' West along said prolongation for 710.82 feet to an intersection with the bulkhead line as recorded in County Commission Minute Book 23 at pages 54 A-D of said Public Records and the point of beginning of the herein described bulkhead line. From said point of beginning run Northerly and Northwesterly along the arc of a curve to the left of radius 100.94 feet (chord bearing North 45° 34' 40" West) for 179.11 feet to a point of reverse curvature; thence run Northwesterly along the arc of a curve to the right of radius 73 feet (chord bearing North 53° 28' 50" West) for 109.39 feet to a point of tangency; thence run North 10° 33' West for 126.80 feet to a point of curvature; thence run Northwesterly, Northerly, Northeasterly, Easterly and Southeasterly along the arc of a curve to the right of radius 35 feet (chord bearing North 66° 57' 00" East) for 94.68 feet to a point of reverse curvature; thence run Southeasterly along the arc of a curve to the left of radius 191.45 feet (chord bearing South 54° 18' East) for 125.30 feet to a point of tangency; thence run South 73° 03' 00" East for 163.07 feet to a point of curvature; thence run Southeasterly along the arc of a curve to the right of radius 150 feet (chord bearing South 45° 25' 30" East) for 144.64 feet to a point of tangency; thence run South 17° 48' East for 130 feet; thence run Southeasterly, Southerly and Southwesterly along the arc of a curve to the right of radius 150 feet (chord bearing South 9° 57' West) for 145.30 feet to a point of reverse curvature; thence run Southwesterly, Southerly and Southeasterly along the arc of a curve to the left of radius 150 feet (chord bearing South 0° 31' 20" East) for 200.13 feet to a point of tangency; thence run South 38° 44' 40" East for 145.60 feet to a point of curvature; thence run Southeasterly along the arc of a curve to the right of radius 680 feet (chord bearing South 20° 09' 40" East) for 441.10 feet to a point of reverse curvature; thence run Southeasterly and Easterly along the arc of

a curve to the left of radius 241.48 feet (chord bearing South 39° 41' 20" East) for 321.25 feet to a point of tangency; thence run South 77° 48' 00" East for 425.21 feet to a point of curvature; thence run Southeasterly, Easterly and Northeasterly along the arc of a curve to the left of radius 250 feet (chord bearing North 58° 27' East) for 381.79 feet to a point of tangency; thence run North 14° 42' 00" East for 244 feet to a point of curvature; thence run Northeasterly along the arc of a curve to the left of radius 200 feet (chord bearing North 5° 12' East) for 66.52 feet to a point of tangency; thence run North 4° 18' West for 286 feet to a point of curvature; thence run Northwesterly along the arc of a curve to the left of radius 200 feet (chord bearing North 13° 53' 30" West) for 66.96 feet to a point of reverse curvature; thence run Northwesterly along the arc of a curve to the right of radius 397.28 feet (chord bearing North 4° 04' 00" West) for 269.26 feet to a point of reverse curvature; thence run Northwesterly along the arc of a curve to the left of radius 175.97 feet (chord bearing North 10° 34' 30" West) for 159.24 feet to a point of reverse curvature; thence run Northwesterly along the arc of a curve to the right of radius 540 feet (chord bearing North 16° 37' 30" West) for 374.63 feet to a point of reverse curvature; thence run Northwesterly along the arc of a curve to the left of radius 220 feet (chord bearing North 4° 22' 30" West) for 58.56 feet to a point of tangency; thence run North 12° West for 638 feet to a point of curvature; thence run Northwesterly along the arc of a curve to the left of radius 150 feet (chord bearing North 23° West) for 57.60 feet to a point of tangency; thence run North 34° West for 290.84 feet to an intersection with said line common to Sections 22 and 23 at a point 122.0 feet North of the Southeast corner of Government Lot 1 of said Section 22; thence continue North 34° West for 690.39 feet to a point of curvature; thence run Northwesterly along the arc of a curve to the right of radius 500 feet (chord bearing North 32° 53' 55" West) for 19.22 feet to a point of tangency; thence run North 31° 47' 50" West for 591.34 feet to a point of curvature; thence run Northwesterly along the arc of a curve to the left of radius 1400 feet (chord bearing North 35° 16' West) for 169.55 feet to a point of tangency; thence run North 38° 44' 10" West for 497.24 feet to a point of curvature; thence run Northwesterly, Westerly and Southwesterly along the arc of a curve to the left of radius 25 feet (chord bearing North 89° 56' 05" West) for 44.68 feet more or less to an intersection with the Mean High Tide Line on the Easterly shore of Captiva Island and the end of the herein described bulkhead line.

ALSO:

The following described real estate, situate, lying and being in Lee County, Florida, to-wit:

All of Government Lot 3, Section 15, Township 45 South, Range 21 East.

ALSO:

A tract or parcel of land lying in Sections 22, 26 and 27, Township 45 South, Range 21 East, Lee County, Florida, more particularly described as follows:

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From the corner common to Sections 22, 23, 26 and 27, of said township and range, run North  $81^{\circ} 30' 10''$  West along the North line of said Section 27 for 230.95 feet to the point of beginning of the lands herein described. From said point of beginning run South  $18^{\circ} 15' 20''$  West along the bulkhead line as approved by the Lee County Board of Commissioners on May 8, 1963 and approved by the Trustees of the Internal Improvement Fund on June 18, 1963 for 466.75 feet; thence run South  $10^{\circ} 42' 40''$  East along said bulkhead line for 942.39 feet to a point on the East line of said Section 27, which point bears South  $08^{\circ} 29' 50''$  West and is 1349.83 feet South of the Northeast corner of said Section 27; thence continue South  $10^{\circ} 42' 40''$  East along said bulkhead line in said Section 26 for 938.72 feet to a point of curvature; thence run Southeasterly, Easterly, and Northeasterly along said bulkhead line along the arc of a curve to the left of radius 430 feet (chord bearing South  $66^{\circ} 09' 00''$  East) for 832.11 feet to a point of tangency; thence run North  $58^{\circ} 24' 50''$  East along said bulkhead line for 205.81 feet to a point of curvature; thence run Northeasterly Northerly and Northwesterly along said bulkhead line along the arc of a curve to the left of radius 185 feet (chord bearing North  $13^{\circ} 24' 50''$  East) for 290.60 feet to a point of compound curvature; thence run Northwesterly along said bulkhead line, along the arc of a curve to the left of radius 325 feet (chord bearing North  $51^{\circ} 29' 50''$  West) for 225.88 feet to a point of reverse curvature; thence run Northwesterly, Northerly and Northeasterly along said bulkhead line along the arc of a curve to the right of radius 185 feet (chord bearing North  $28^{\circ} 07' 10''$  West) for 279.54 feet to a point of reverse curvature; thence run Northeasterly, Northerly and Northwesterly along said bulkhead line along the arc of a curve to the left of radius 225 feet (chord bearing North  $01^{\circ} 56' 10''$  West) for 134.34 feet to a point of reverse curvature; thence run Northwesterly, Northerly, Northeasterly, Easterly and Southeasterly along said bulkhead line along the arc of a curve to the right of radius 227.37 feet (chord bearing North  $57^{\circ} 27' 20''$  East) for 607.13 feet to a point of compound curvature; thence run Southeasterly, Southerly and Southwesterly along said bulkhead line along the arc of a curve to the right of radius 1485 feet (chord bearing South  $21^{\circ} 34' 00''$  East) for 1269.01 feet; thence run South  $02^{\circ} 54' 50''$  West along said bulkhead line for 695 feet to a point of curvature; thence run Southwesterly, Southerly and Southeasterly along said bulkhead line along the arc of a curve to the left of radius 135 feet (chord bearing South  $22^{\circ} 05' 10''$  East) for 117.81 feet to a point of reverse curvature; thence run Southeasterly, Southerly and Southwesterly along said bulkhead line along the arc of a curve to the right of radius 80 feet (chord bearing South  $00^{\circ} 24' 50''$  West) for 132.65 feet to a point of reverse curvature; thence run Southwesterly and Southerly along said bulkhead line along the arc of a curve to the left of radius 180 feet (chord bearing South  $30^{\circ} 58' 30''$  West - chord distance 104.85 feet) for 106.39 feet to an intersection with an Easterly prolongation of the Northerly boundary of the lands conveyed by deed recorded in Deed Book 130 at page 21 of the Public Records of Lee County; thence run North  $88^{\circ} 35' 50''$  West along said Northerly boundary for 502.64 feet; thence run South  $2^{\circ} 37' 50''$  West along the Westerly boundary

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of the lands conveyed by said Deed Book 130 at page 21 for 450.40 feet; thence run South  $83^{\circ} 13' 30''$  East along the Southerly boundary of the lands conveyed by said Deed Book 130 at page 21 for 41.54 feet to an intersection with the West right of way of a 30 foot easement for roadway purposes as recorded in Official Record Book 1216 at pages 1789 and 1790 of the Public Records of Lee County; thence run South  $2^{\circ} 51' 50''$  West along said West right of way for 226.03 feet to an intersection with the Northerly right of way of a 30 foot public road dedicated by deed recorded in Deed Book 54 at page 540, Public Records of Lee County; thence run along said Northerly right of way for 808.13

- NOTE:
1. 450.40 shown on original as 250.40
  2. easement for roadway purposes as recorded in Official Record Book 1216 at pages 1789 and 1790 shown on original as public road dedicated by deed recorded in Deed Book 5 at page 70
  3. 808.13 shown on original as 608

feet to an intersection with the East boundary of G.W. Bryant's Addition to Gulf View Captiva Island as recorded in Plat Book 3 at page 21, Public Records of Lee County; thence run North  $12^{\circ} 48' 10''$  East along said East boundary for 8.41 feet to the Northerly right of way of Binder Avenue as recorded in said G. W. Bryant's Addition to Gulf View Captiva Island; thence run North  $77^{\circ} 11' 50''$  West along said Northerly right of way of Binder Avenue for 358.28 feet to an intersection with the Easterly right of way of a 30 foot public road, also being the East boundary of Gulf View Subdivision as recorded in Plat Book 3 at page 8, Public Records of Lee County; thence run North  $16^{\circ} 51' 30''$  West along said Easterly right of way of a 30 foot public road for 650 feet, more or less, to the waters of the Gulf of Mexico; thence run Northwesterly along said waters of the Gulf of Mexico for 4550 feet, more or less, to an intersection with the South line of the lands described in Deed Book 209 at pages 71 and 72; thence run North  $89^{\circ} 27' 00''$  East along said South line for 680 feet, more or less, to an intersection with the aforementioned approved bulkhead line; thence run Southwesterly along said bulkhead line along the arc of a curve the right of radius 100.94 feet (chord bearing South  $0^{\circ} 24' 50''$  West - chord distance 17.04 feet) for 17.06 feet to a point of tangency; thence run South  $5^{\circ} 15' 20''$  West along said bulkhead line for 94.28 feet to a point of curvature; thence run Southeasterly along said bulkhead line along the arc of a curve to the left of radius 135.00 feet (chord bearing South  $16^{\circ} 44' 40''$  East - chord distance 101.14 feet) for 103.67 feet to a point of tangency; thence run South  $38^{\circ} 44' 40''$  East along said bulkhead line for 390.00 feet to a point of curvature; thence run Southeasterly along said bulkhead line along the arc of a curve to the right of radius 620.00 feet (chord bearing South  $10^{\circ} 14' 40''$  East - chord distance 591.68 feet) for 638.44 feet to a point of tangency; thence run South  $18^{\circ} 15' 20''$  West along said bulkhead line for 317.84 feet to the point of beginning.

ALSO:

A tract of submerged land lying offshore in Sections 22, 26 and 27, Township 45 South, Range 21 East, Lee County, Florida, more particularly described as follows:

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From the corner common to Sections 22, 23, 26 and 27, said Township and Range, run North  $81^{\circ} 30' 10''$  West along the North line of said Section 27 for 230.95 feet to the point of beginning of the lands herein described. From said point of beginning run South  $18^{\circ} 15' 20''$  West along the bulkhead line as approved by the Lee County Board of County Commissioners on May 8, 1963 and approved by the Trustees of the Internal Improvement Fund on June 18, 1963 for 466.75 feet; thence run South  $10^{\circ} 42' 40''$  East along said bulkhead line for 942.39 feet to a point on the East line of said Section 27, which point bears South  $08^{\circ} 29' 50''$  West and is 1,349.83 feet South of the Northeast corner of said Section 27; thence continue South  $10^{\circ} 42' 40''$  East along said bulkhead line in said Section 26 for 938.72 feet to a point of curvature; thence run Southeasterly, Easterly and Northeasterly along said bulkhead line along the arc of a curve to the left of radius 430 feet (chord bearing South  $66^{\circ} 09' 00''$  East) for 832.11 feet to a point of tangency; thence run North  $58^{\circ} 24' 50''$  East along said bulkhead line for 205.81 feet to a point of curvature; thence run Northeasterly, Northerly and Northwesterly along said bulkhead line along the arc of a curve to the left of radius 185 feet (chord bearing North  $13^{\circ} 24' 50''$  East) for 290.60 feet to a point of compound curvature; thence run Northwesterly along said bulkhead line, along the arc of a curve to the left of radius 325 feet (chord bearing North  $51^{\circ} 29' 50''$  West) for 225.88 feet to a point of reverse curvature; thence run Northwesterly, Northerly and Northeasterly along said bulkhead line along the arc of a curve to the right of radius 185 feet (chord bearing North  $28^{\circ} 07' 10''$  West) for 279.54 feet to a point of reverse curvature; thence run Northeasterly, Northerly and Northwesterly along said bulkhead line along the arc of a curve to the left of radius 225 feet (chord bearing North  $01^{\circ} 56' 10''$  West) for 134.34 feet to a point of reverse curvature; thence run Northwesterly, Northerly, North-easterly, Easterly and Southeasterly along said bulkhead line along the arc of a curve to the right of radius 227.37 feet (chord bearing North  $57^{\circ} 27' 20''$  East) for 607.13 feet to a point of compound curvature; thence run Southeasterly, Southerly and Southwesterly along said bulkhead line along the arc of a curve to the right of radius 1,485 feet (chord bearing South  $21^{\circ} 34' 00''$  East) for 1,269.01 feet; thence run South  $02^{\circ} 54' 50''$  West along said bulkhead line for 695 feet to a point of curvature; thence run Southwesterly, Southerly and Southeasterly along said bulkhead line along the arc of a curve to the left of radius 135 feet (chord bearing South  $22^{\circ} 05' 10''$  East) for 117.81 feet to a point of reverse curvature; thence run Southeasterly, Southerly and Southwesterly along said bulkhead line along the arc of a curve to the right of radius 80 feet (chord bearing South  $00^{\circ} 24' 50''$  West) for 132.65 feet to a point of reverse curvature; thence run Southwesterly and Southerly along said bulkhead line along the arc of a curve to the left of radius 180 feet to the intersection with an Easterly prolongation of the Northerly boundary of the lands conveyed by deed recorded in Deed Book 130 at page 21, of the Public Records of Lee County; thence run Westerly along said Easterly prolongation to the point of mean high tide on the West shore of Pine Island Sound; thence run Northwesterly, Westerly, Southwesterly, Southerly, Southeasterly, Southerly, Southwesterly, Westerly, Northwesterly, Northeasterly and Northerly along said mean high tide line to an intersection with the North line of said Section 27; thence run South  $81^{\circ} 30' 10''$  East along said North line of Section 27 to the point of beginning.

ALSO:

From said corner common to said Sections 22, 23, 26 and 27, run North 81° 30' 10" West along the South line of said Section 22 for 230.95 feet to the point of beginning of the herein described lands. From said point of beginning run North 18° 15' 20" East along said bulkhead line for 317.84 feet to a point of curvature; thence run Northeasterly, Northerly and Northwesterly along said bulkhead line along the arc of a curve to the left of radius 620 feet (chord bearing North 10° 14' 40" West) for 638.44 feet to a point of tangency; thence run North 38° 44' 40" West along said bulkhead line for 390 feet to a point of curvature; thence run Northwesterly and Northerly along said bulkhead line along the arc of a curve to the right of radius 135 feet (chord bearing North 16° 44' 40" West) for 103.67 feet to a point of tangency; thence run North 05° 15' 20" East along said bulkhead line to an intersection with an Easterly prolongation of a Southerly boundary of the lands described in deed recorded in Deed Book 209 at pages 71 and 72 of said Public Records; thence run Westerly along said Westerly prolongation to the point of mean high tide line on the Westerly shore of an arm of Chadwick Bayou; thence run Southeasterly, Southerly and Southwesterly along said high tide line to an intersection with the South line of said Section 22; thence run South 81° 30' 10" East along said South line of Section 22 to the point of beginning.

PARCEL 4: Watts

A lot or parcel of land lying in Government Lot 3, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows: From a concrete post on the South line of the lands conveyed by deed recorded in Deed Book 209 at pages 71 and 72 of the Public Records of Lee County, which concrete post is 24 feet, more or less, Westerly from the Westerly shore of the waterway connecting Bryant Bayou with Pine Island Sound, run South 89° 27' West, along said South line and the line of the centerline of a ditch between rows of coconut palms, for 390.0 feet to a concrete post on the West side of a public road; thence continue South 89° 27' West along said South line for 2.4 feet; thence run North 4° 57' West along the Westerly side of said public road for 377.0 feet; thence run North 0° 27' West for 124.14 feet to a concrete monument and the point of beginning of the lands hereby conveyed. From said point of beginning run North 0° 27' West along the Westerly side of said public road (15 feet from the center line) for 100.00 feet to a concrete monument; thence run South 89° 27' West 600 feet North of and parallel to said South line of the lands conveyed by said deed recorded in Deed Book 209 at pages 71 and 72 for 355 feet, more or less, to the waters of the Gulf of Mexico, passing through a steel pin at 240 feet; thence run Southeasterly along said waters to an intersection with a line bearing South 89° 27' West through the point of beginning; thence run North 89° 27' East along said line for 325 feet, more or less, to the point of beginning; together with all riparian rights appurtenant thereto; being Parcel No. 6 as shown on unrecorded plat.

PARCEL 5: Holtz

A lot or parcel of land lying in Government Lot 3, Section 22, Township 45 South, Range 21 East, which lot or parcel of land is described

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as follows: From a concrete post on the south line of the lands conveyed by deed recorded in Deed Book 209 at pages 71 and 72 of the public records of Lee County, which concrete post is 24 feet more or less westerly from the westerly shore of the waterway connecting Bryant Bayou with Pine Island Sound, run South 89° 27' West along said south line and the line of the center line of a ditch between rows of coconut palms for 390.0 feet to a concrete post on the west side of a public road; thence continue south 89°27' west along said south line for 2.4 feet ~~thence run north 4°57' west along the westerly side of said public road~~ for 377.0 feet; thence north 0°27' west for 24.14 feet to a concrete monument and the p.o.b. of the land herein described. From said p.o.b. run north 0°27' west along the westerly side of said public road (15 feet from center line) 100.00 feet to a concrete monument; thence run south 89°27' west 500 feet north of and parallel to said south line of the lands conveyed by said deed recorded in Deed Book 209, at pages 71 and 72, for 325 feet, more or less, to the waters of the Gulf of Mexico, passing through a steel pin at 230 feet; thence run southeasterly along said waters to an intersection with the line through the p.o.b. bearing south 89°27' west; thence run north 89°27' east along said line for 310 feet more or less, to the p.o.b.;

PARCEL 6: Jay

A lot or parcel of land lying in Government Lot 3, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows:

From a concrete post on the South line of the lands conveyed by deed recorded in Deed Book 209 at pages 71 and 72 of the public records of Lee County, which concrete post is 24 feet, more or less, Westerly from the Westerly shore of the waterway connecting Bryant Bayou with Pine Island Sound, run South 89°27' West along said South line and the line of the center line of a ditch between rows of coconut palm for 390 feet to a concrete post on the West side of a public road; thence continue South 89° 27' West along said South line for 2.4 feet; thence run North 4° 57' West along the Westerly side of said public road for 300.9 feet to a concrete monument and the point of beginning of the lands herein described.

From said point of beginning run North 4° 57' West for 76.1 feet and North 0° 27' West for 24.14 feet along the Westerly side of said public road (15 feet from the center line) to a concrete monument; thence run South 89° 27' West, 400 feet North of and parallel to said South line of the lands conveyed by said deed recorded in Deed Book 209 at pages 71 and 72, for 310 feet, more or less, to the waters of the Gulf of Mexico, passing through a palm tree at 40 feet and a steel pin at 229.8 feet; thence run Southeasterly along said waters to an intersection with a line through the point of beginning bearing South 89° 27' West; thence run North 89° 27' East along said line for 305 feet, more or less, to the point of beginning.

ALSO:

A lot or parcel of land lying in Government Lot 3, Section 22, Township 45 South, Range 21 East, which lot or parcel is described as follows:

From a concrete post on the South line of the lands conveyed by deed recorded in Deed Book 209, at pages 71 and 72 of the public records of Lee County, which concrete post is 24 feet, more or less, Westerly from the Westerly shore of the waterway connecting Bryant Bayou with

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Pine Island Sound, run South 89° 27' West, along said South line and the line of the center line of a ditch between rows of coconut palms, for 390.0 feet to a concrete post on the West side of a public road; thence continue South 89° 27' West along said South line for 2.4 feet; thence run North 4° 57' West along the Westerly side of said public road for 200.6 feet to a concrete monument and the point of beginning of the lands hereby described.

From said point of beginning run North 4° 57' West along the Westerly side of said public road (15 feet from the center line) for 100.2 feet to a concrete monument; thence run South 89° 27' West 300 feet North of and parallel to said South line of the lands conveyed by said deed recorded in Deed Book 209 pages 71 and 72 for 305 feet, more or less, to the waters of the Gulf of Mexico, passing through a steel pin at 200 feet; thence run Southeasterly along said waters to an intersection with a line bearing South 89° 27' West through the point of beginning; thence run North 89° 27' East along said line for 297 feet to the point of beginning.

NOTE: coconut shown on original as cocoanut