

Number of Copies*			Exhibit Number	SUBMITTAL ITEMS
Var.	Conv. Rez. or Spe. Exc.	PDs		
1	✓ 1 ✓	3	PH-3.G.1	List of Surrounding Property Owners [34-202(a)(6)]
1	✓ 1 ✓	3	PH-3.G.2	Map of Surrounding Property Owners [34-202(a)(7)]
2	✓ 2 ✓	2	PH-3.G.3	Mailing labels [34-202(a)(6)]
1	✓ 1 ✓	3	PH-3.I.2.	Affidavit Regarding Proposed Use (if applicable) [34-202(b)(3)]
1	NA 1 /	3	PH-3.I.3.	Affidavit entitled "Agricultural Uses at Time of Zoning Application" (if applicable) [34-202(b)(7)]
1	NA 1 /	3	PH-3.L.2	Deed Restrictions\Covenants (if applicable) [34-202(b)(2)]
1	NA 1 /	3	PH-3.L.3	Narrative addressing effect of Deed Restrictions (if applicable) [34-202(b)(2)]
1	✓ 1 ✓	15		Completed Supplement Form appropriate to the action requested (see Supplemental Forms above)
1	NA 1	15	PH-4.B	Information Regarding Proposed Blasting (if applicable). [34-202(b)(6)]
0	0	4	PH-4.C	Bonus Density units (if applicable) [34-202(b)(5)]
1	NA 1	4	PH-4.D	Hazardous materials emergency plan (if applicable) [34-202(b)(4)]
0	NA 1	4	PH-4.E	Mobile Home Park Information (if applicable) [34-203(d)]
1	NA 1	4	PH-4.F	Aviation Hazard (if applicable) [34-1001 et seq.]
0	0	4	PH-4.G	Summary of Public Informational Session for Planned Development Applications located within Estero Planning Community [34-373-(a)(10); Lee Plan Policy 19.5.3]
1	NA 1	4	PH-4.H	Summary of Public Informational Session for rezoning, special exception and variance applications located within Captiva Planning Community [Lee Plan Policy 13.1.7)
0	0	4	PH-4.I	Summary of Public Informational Session for Planned Development Applications located within Caloosahatchee Shores Planning Community [Lee Plan Policy 21.6.3]
1	NA 1	15	PH-4.J	Approved Waivers.(if applicable) [34-202(a)]
0	0	4	PH-4.K	Potable Water & Central Sewer. If the answer to Item 6.D was NO, an explanation must be attached providing the reason(s) why connection to potable water and central sewer system is not proposed as part of any development of the parcel subject to the rezoning request. [BOCC POLICY]

* At least one copy must be an original.

**EXHIBIT PH-1.C.2
ADDITIONAL AGENTS**

Company Name: Avalon Engineering

Contact Person: Brendan Sloan

Address: **Street :** 2503 Del Prado Blvd., South, Suite 200

City: Cape Coral

State: FL

Zip: 33904

Phone: **Area Code:** 239

Number: 573-2077

Ext: _____

Fax: **Area Code:** 239

Number: 573-2076

E-mail address: brendan@avaloneng.com

Company Name: _____

Contact Person: _____

Address: **Street :** _____

City: _____

State: _____

Zip: _____

Phone: **Area Code:** _____

Number: _____

Ext: _____

Fax: **Area Code:** _____

Number: _____

E-mail address: _____

Company Name: _____

Contact Person: _____

Address: **Street :** _____

City: _____

State: _____

Zip: _____

Phone: **Area Code:** _____

Number: _____

Ext: _____

Fax: **Area Code:** _____

Number: _____

E-mail address: _____

Company Name: _____

Contact Person: _____

Address: **Street :** _____

City: _____

State: _____

Zip: _____

Phone: **Area Code:** _____

Number: _____

Ext: _____

Fax: **Area Code:** _____

Number: _____

E-mail address: _____

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Spatial District Query Report

STRAP Number: 06-43-23-07-0000A.0000

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District Name	District Value	Pct of Parcel in District (if fractional)	COMMUNITY DEVELOPMENT Notes
Airport Noise Zone			NOT FOUND
Airspace Notification			NOT FOUND
Census Tract	Tract ID	101.01	100.02%
Coastal Building Zone			NOT FOUND
Coastal High Hazard Area	Coastal High Hazard Zone	High hazard	
Fire District	Fire District Taxing Authority	Burnt Store 011	
Flood Insurance Zone	Flood Zone	A10-EL9	
FIRM Floodway			NOT FOUND
Flood Insurance Panel	Community Panel Version Date	125124 0045 B 092001	
DNR Flood Zones			NOT FOUND
Flood Insurance Coastal Barrier			NOT FOUND
Lighting District			NOT FOUND
Planning Community	ID Plan Community	5 Burnt Store	
Planning Land Use 2010	Landuse	Rural	
Sanibel/County Agreement			NOT FOUND
School Board District	District School Board Member	1 Robert Chilmonik	
School Choice Zone	Choice Zones	West Zone 2	
	Choice Zones	West Zone	
Solid Waste District	District Area	Area 5	
Storm Surge	Category	T S	
Subdivisions	Subdivision No. Subdivision Name Book Page 1 Book Page 2 Book Page 3	06432307 VILLAGE AT BURNT STORE CONDO 1002	
Traffic Analysis Zone			
Archaeological Sensitivity	Sensitivity Level	2	
Sea Turtle Lighting Zone			NOT FOUND
Watersheds	Shed ID	Northwest Cape Coral	
FLUCCS1999			
Vegetation Permit Required			NOT FOUND
Soil	Map Symbol Soil Name	69 MATLACHA GRAVELLY FINE SAND	99.65%

	Map Symbol Soil Name	43 SMYRNA FINE SAND	0.35%	1
Panther Habitat	NOT FOUND			
Eagle Nesting Site Buffer	NOT FOUND			
Commissioner District	District Commissioner	1 Robert Janes		
Unincorporated Lee County Zoning	Zoning Designation	RM-10	99.56%	Zoning Notes
	Zoning Designation	RM-2	0.43%	1
Development Orders	Development Order Status Wet Season Water Table	86-09-011-00D		
	Development Order Status Wet Season Water Table	85-12-010-00D		
	Development Order Status Wet Season Water Table	LDO2003-00013	8.96%	
Road Impact Fee Districts	District Tidemark ID Name	2 52 NORTH		
Water Franchise	NOT FOUND			
Water Treatment Plant Service Area	NOT FOUND			
Wastewater Franchise	Franchise Name	Burnt Store Utilities Inc.		
Wastewater Treatment Plant Service Area	NOT FOUND			
Res. Garbage Collection Day	Hauling Day	Friday		
Res. Recycling Collection Day	Hauling Day	Friday		
Res. Horticulture Collection Day	Hauling Day	Thursday		
Microwave Radio Relay Path	NOT FOUND			

[Modify Report Settings]

Note	Details
1	Small percentages can result from slight variations in the way lines are drawn or imported into our system. Such values may not accurately reflect an overlap with the subject parcel.

Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.
All information subject to change without notice.

AFFIDAVIT

STATE OF FLORIDA)
)
COUNTY OF LEE)

Before me this day appeared Craig A. Dearden, who, being first duly sworn, deposes and says:

1. He is the Vice-President of Burnt Store Amenities, LLC, the owner of the subject property.
2. There are no existing structures located on the subject parcel.

FURTHER, AFFIANT SAYETH NAUGHT.

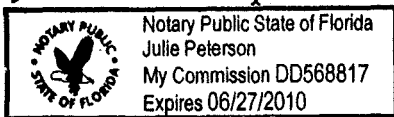
Done and executed this 24 day of July, 2007.

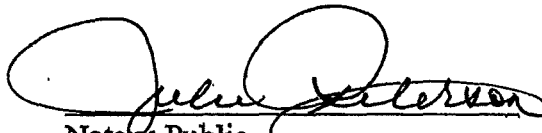


Craig A. Dearden

The foregoing instrument was acknowledged before me this 24 day of July, 2007, by Craig A. Dearden as Vice-President of Burnt Store Amenities, LLC, a Florida Limited Liability Company, on behalf of the company, who is personally known to me ☒, or has produced _____ as identification ☐, and did/did not take an oath.

My Commission Expires:





Notary Public
Julie Peterson

Printed Name

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COMMUNITY DEVELOPMENT

**PART 1 AFFIDAVIT A2
(EXHIBIT PH-1.B.2)**

**AFFIDAVIT FOR PUBLIC HEARING
APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED
COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE**

I, * Craig A. Dearden as Vice-President of Burnt Store Amenities, LLC, a Florida Limited Liability Company, swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I am hereby authorizing the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Burnt Store Amenities, LLC

*Name of Entity (corporation, partnership, LLP, LC, etc)

Craig A. Dearden
Signature

Craig A. Dearden
(Type or printed name)

Vice-President
(title of signatory)

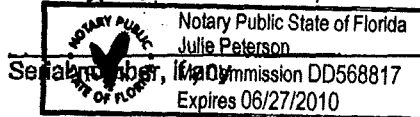
STATE OF FL
COUNTY OF Lee

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 24 day of July 2007 by Craig A. Dearden as Vice-President of Burnt Store Amenities, LLC, a Florida Limited Liability Company (name of person providing oath or affirmation), who is personally known to me or who has produced (type of identification) as identification.

Julie Peterson
Signature of person taking oath or affirmation

Notary Public, State of FL
Title or rank

Julie Peterson
Name typed, printed or stamped



*** Notes:**

- If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
- If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."
- If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
- If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
- If the applicant is a trustee, then they must include their title of "trustee."
- In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

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**EXHIBIT PH-2.B.1
DISCLOSURE OF INTEREST FORM FOR:**

STRAP NO. 06-43-23-07-0000A.0000 **CASE NO.** _____

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership
_____	_____
_____	_____
_____	_____
_____	_____

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name and Address	Percentage of Stock
_____	_____
_____	_____
_____	_____
_____	_____

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest
_____	_____
_____	_____
_____	_____
_____	_____

LIMITED LIABILITY COMPANY

4. If the property is in the name of a ~~GENERAL PARTNERSHIP~~ OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership
Burnt Store Amenities, LLC	100%
5789 Cape Harbour Drive, Suite 201	_____
Cape Coral, FL 33914	_____
_____	_____
_____	_____

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5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name and Address

Percentage of Stock

Date of Contract: _____

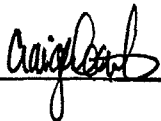
6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: _____



(Applicant)

Craig A. Dearden

(Printed or typed name of applicant)

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STATE OF FL
COUNTY OF Lee

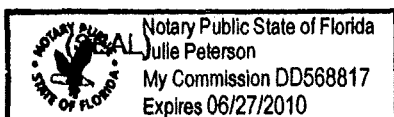
COMMUNITY DEVELOPMENT

REZ 2007-00020

The foregoing instrument was acknowledged before me this 24 day of July 2007

by Craig A. Dearden as Vice-President of who is personally known to me or who has produced
Burnt Store Amenities, LLC, a Florida
Limited Liability Company

as Identification. .




Signature of Notary Public

Julie Peterson
Printed Name of Notary Public

Page 2 of 2



**PUBLIC HEARING
SUPPLEMENT C**

**ADDITIONAL REQUIRED INFORMATION FOR
A CONVENTIONAL REZONING APPLICATION
UNINCORPORATED LEE COUNTY**

Case Number: _____

Project Name: Burnt Store Marina

Applicant's Name: Burnt Store Amenities, LLC

STRAP Number(s): 06-43-23-07-0000A.0000

☒ Rezoning from RM-10 to CM

NA Variances included?(check one) ☒ NO ☐ YES* for _____

NA Special Exception included? (check one) ☒ NO ☐ YES** for _____

* If YES, Supplement B must also be submitted.

** If YES, Supplement A must also be submitted.

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (239) 479-8585

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PART 1. SPECIFIC SUBMITTAL INFORMATION REQUIRED

A. REASON(S) FOR REQUEST. Requests for rezonings, other than Planned Developments and those determined to be Development of Regional Impact, must include a statement of the basis or reason for the rezoning. The statement must be directed to the guidelines for decision-making embodied in Lee County Land Development Code Sections 34-145(c)(2)a., e., i., and j.; 34-145(d)(2) a. and b.; and 34-145(d)(3). This statement may be utilized by the Board of County Commissioners, Hearing Examiner and County Staff in establishing a factual basis for the granting or denial of the rezoning (use additional paper if needed, label as **Exhibit C-1.A.**). [34-203(c)]

The principal reason for the request is to provide additional parking for the existing marina facility during the period in which applications to redevelop the site to create a more state-of-the art facility are pending. It is also possible, however, that dry storage racks similar to those already in use at BSM may be located within the subject property during this interim period.

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Petition to Vacate
 Petition No: VAC2003-00072
 Description: All roads & rights of way
 Date of Approval: 04-13-2004
 Resolution No: 04-04-23
 CCMB: 2004R Page: 256
 Recorded on: 05/10/04 OR Book: 04287
 Pages: 1793-1799

CERTIFICATE OF DEDICATION:

STATE OF FLORIDA - COUNTY OF CHARLOTTE

PUNTA GORDA ISLES, INC., a corporation existing under the laws of the State of Florida, the owners of the lands herein platted, as dedicators, DOES HEREBY dedicate to the public and the purchasers of any lands shown in this plat, all streets and other public places shown in this plat and hereby request that this plat be recorded in the Public Records of Lee County, Florida. Tract B is not to be dedicated to the public.

IN WITNESS WHEREOF, the said PUNTA GORDA ISLES, INC. has caused its name and the corporate seal to be affixed hereto by its President, James A. Kell, duly authorized by its Board of Directors on this 27th day of June, 1973.

(Corporate Seal)
 By James A. Kell
 Vice-President
 Attest By William B. Woodbury
 Secretary
 1st Witness Pauline O. McConnell
 2nd Witness Catherine O. McConnell

STATE OF FLORIDA
 COUNTY OF CHARLOTTE

BEFORE ME, the undersigned, an officer duly authorized and acting, personally appeared James A. Kell and William B. Woodbury, to me known to be the individuals who executed the foregoing Dedication as the Vice-President and Secretary of PUNTA GORDA ISLES INC. a corporation under the laws of the STATE OF FLORIDA and being duly sworn, acknowledged then and there before me that they executed the same as such officers of such corporation, heretofore duly authorized by the Board of Directors of such corporation, as the act and deed of such corporation.

WITNESS my hand and official seal this 5th day of June, 1973, in the County and State last aforesaid.

My Commission Expires:

May 10, 1975

EASEMENT RESERVATION

There are hereby expressly reserved easements of 10 feet along the front and rear lot lines and a 12 foot (8.0 feet each side of and parallel to each lot line) for drainage and utilities but limited if more than one lot is intended as a single building site, in which case the outside boundaries of said site shall carry said easements. All other easements shown on this plat are hereby reserved in perpetuity for the purposes noted. All streets R/W's are 60 feet unless otherwise shown.

Common areas designated (A) are reserved for the Perpetual use of all property owners. Each property owner shall have an undivided interest in said areas. Portions of the said areas shall also be utilized for drainage purposes and may be publicly maintained as such. A strip of land a minimum of 25 feet in width parallel with and adjacent to the rear lot line of residential lots abutting any common area having lakes therein is reserved for drainage purposes only and said minimum 25 foot strip within a common area shall be used to preserve the natural ecology between lake area and residential lots.

JOINDER AND CONSENT TO DEDICATION

The undersigned hereby certifies that they are the holders of a mortgage upon a portion of the above described property, and that the undersigned hereby joins in and consents to the dedication of the public places described in this plat by the owner thereof, and agrees that their mortgage which is recorded in Official Record Book 625, Page 247 of the Public Records of Lee County, Florida, shall be subordinated to the above dedication.

Signed, Sealed & Delivered
 In the presence of:

James A. Kell
 1st Witness
Catherine O. McConnell
 2nd Witness

James A. Kell
 JAMES A. KELL
Shirley M. Kell
 SHIRLEY M. KELL

STATE OF FLORIDA
 COUNTY OF LEE

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments JAMES A. KELL and SHIRLEY M. KELL, his wife, to me well known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Fort Myers, said County and State, this 6th day of June, 1973.

My Commission Expires:

September 15, 1973

JOINDER AND CONSENT TO DEDICATION

The undersigned hereby certifies that they are the holders of a mortgage upon a portion of the above described property, and that the undersigned hereby joins in and consents to the dedication of the public places described in this plat by the owner thereof, and agrees that their mortgage which is recorded in Official Record Book 508, Page 352 of the Public Records of Lee County, Florida, shall be subordinated to the above dedication.

Signed, Sealed and Delivered
 In the presence of:

Pauline O. McConnell
 1st Witness
Catherine O. McConnell
 2nd Witness

Richard M. McConnell
 RICHARD M. McCONNELL
Robert C. McConnell
 ROBERT C. McCONNELL

STATE OF FLORIDA
 COUNTY OF LEE

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, RICHARD M. McCONNELL and ROBERT C. McCONNELL, his wife, to me well known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Fort Myers, said County and State, this 6th day of June, 1973.

My Commission Expires:

September 15, 1973

PUNTA GORDA ISLES
 SECTION TWENTY TWO
 A PORTION OF SECTION 1, T43S, R22E &
 A PORTION OF SECTION 6, T43S, R23E
 LEE COUNTY, FLORIDA

JOINDER AND CONSENT TO DEDICATION

The undersigned hereby certifies that it is the holder of a mortgage upon a portion of the above described property, and that the undersigned hereby joins in and consents to the dedication of the public places described in this plat by the owner thereof, and agrees that its mortgage which is recorded in Official Record Book 735, Page 247 of the Public Records of Lee County, Florida, shall be subordinated to the above dedication.

James A. Kell
 1st Witness
Catherine O. McConnell
 2nd Witness

James A. Kell
 JAMES A. KELL
Shirley M. Kell
 SHIRLEY M. KELL

STATE OF FLORIDA
 COUNTY OF LEE

This is to certify that on June 6, 1973, before me, an officer duly authorized to take acknowledgments in the State and County aforesaid, personally appeared James A. Kell and Shirley M. Kell, his wife, to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same for the purposes therein expressed, and they further acknowledged that the corporate seal affixed to said instrument is the common seal of the corporation and was affixed by due corporate authority.

I WITNESS WHEREOF, I have hereunto set my hand and official seal at Fort Myers, said County and State, the date and year last aforesaid.

My Commission Expires:

September 15, 1973

JOINDER AND CONSENT TO DEDICATION

The undersigned hereby certifies that it is the holder of a mortgage upon the above described property and that the undersigned hereby joins in and consents to the dedication of the public places described in this plat by the owner thereof, and agrees that its mortgage which is recorded in Official Record Book 678, Page 388 of the Public Records of Lee County, Florida, shall be subordinated to the above dedication.

Richard M. McConnell
 1st Witness
Robert C. McConnell
 2nd Witness

Richard M. McConnell
 RICHARD M. McCONNELL
Robert C. McConnell
 ROBERT C. McCONNELL

STATE OF FLORIDA
 COUNTY OF HILLSBOROUGH

This is to certify that on June 8, 1973, before me, an officer duly authorized to take acknowledgments in the State and County aforesaid, personally appeared John H. Boyer and John H. Boyer, to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same for, on behalf of, and as the act and deed of said corporation for the uses and purposes therein expressed; and they further acknowledged that the corporate seal affixed to said instrument is the common seal of the corporation and was affixed by due corporate authority.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Tampa, said County and State, the date and year last aforesaid.

My Commission Expires:

June 23, 1974

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2007-00020

REZ

EXHIBIT PH-3.D.2

COMMUNITY DEVELOPMENT

PUNTA GORDA ISLES

SECTION TWENTY TWO

A PORTION OF SECTION 1, T43S, R22E 4
A PORTION OF SECTION 6, T43S, R23E

LEE COUNTY, FLORIDA

RESOLUTION

WHEREAS, this Plat was on the 27th day of JUNE, 1973, submitted to the BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA for approval for record and has been approved by said commission;

BE IT RESOLVED by the BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA that the said Plat is hereby approved and shall be recorded in the Public Records of this County.

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By [Signature]
Chairman

734157

ATTEST:
Clerk

[Signature]

SURVEYOR'S NOTES:

- ⊙ Denotes Permanent Reference Monuments on Section Lines and Boundary.
- ⊖ Denotes Permanent Control Points to be set after Construction.

All distances shown without decimals have been computed as even feet to the nearest one hundredth of a foot.

All bearings shown as even degrees have been computed to the nearest one-second of a degree.

Bearings shown are based on an assumed meridian.

CURVILINEAR LOTS:

1. Side boundary lines of all curvilinear lots designated as "RADIAL" have been computed as "RADIAL" lines with the bearing and distance shown.
2. Side lot lines which are "NOT RADIAL" have been designated by the bearing and distance of the line.

CERTIFICATE OF APPROVAL BY
COUNTY ATTORNEY

EXAMINED AND APPROVED:

[Signature]
COUNTY ATTORNEY

DATE: JUNE 27, 1973

STATE OF FLORIDA
COUNTY OF LEE

Sworn to and submitted before me
this _____ day of 1973.

NOTARY PUBLIC
STATE OF FLORIDA

My commission expires: _____

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY that the boundary of this plat PUNTA GORDA ISLES SECTION 22 is true and correct according to a recent survey made under my direction.

[Signature]
LESTER L. BULSON
Registered Land Surveyor
Number 2903
STATE OF FLORIDA



CLERK'S CERTIFICATE

I, Sal Geraci, Clerk of the Circuit Court of Lee County, Florida, hereby certify that I have examined this Plat, that it complies in form with all the provisions of Chapter 71-300, Florida Statutes, that it was filed and recorded on the 28th day of JUNE, 1973, file no. 734157, and recorded in Plat Book 28, Pages 118 through 138, at 4:28 P.M.

[Signature]
Clerk of the Circuit Court, Lee
County, Florida

CERTIFICATE OF APPROVAL BY
COUNTY ENGINEER

EXAMINED AND APPROVED:

[Signature]
County Engineer

DATE: 6/20/73

I HEREBY CERTIFY: That the attached plat entitled "Punta Gorda Isles, Section 22" is a true and correct representation of the land so recently platted under our direction.

CORWELL ASSOCIATES, INC.

By: [Signature]
David H. Bulvin
Registered Land Surveyor
STATE OF FLORIDA



PUNTA GORDA ISLES

SECTION TWENTY TWO

A PORTION OF SECTION 1, T43S, R22E &
A PORTION OF SECTION 6, T43S, R23E

LEE COUNTY, FLORIDA

A PUNTA GORDA ISLES, INC. SUBDIVISION

CONNELL ASSOCIATES

CONSULTING ENGINEERS

MIAMI. - FLORIDA

SEPTEMBER, 1972

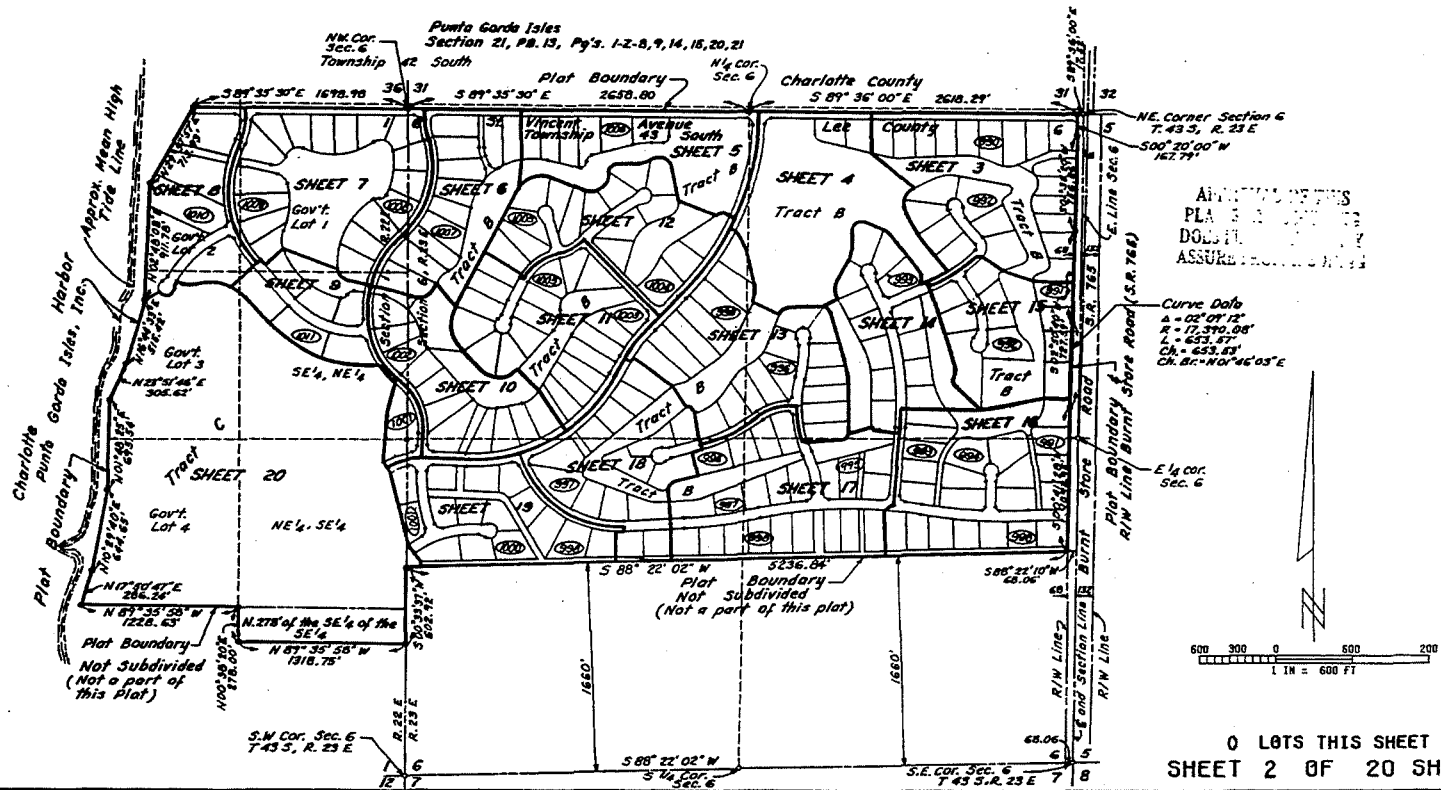
DESCRIPTION:

A parcel of land being all of QUINCY LOT 1 and a portion of QUINCY LOTS 2, 3, and 4, and the Southwest 1/4 of the Northwest 1/4, and the Northeast 1/4 of the Southwest 1/4, and the North 200 feet of the Southwest 1/4 of the Northwest 1/4 of Section 1, Township 20 South, Range 22 East, and all of Section 4, Township 20 South, Range 22 East, less the South 1000 feet thereof and less the Right of Way for STATE STREET, (State Road No. 708) less County, Florida, being more particularly described as follows:

SUBSECTION, at the West corner of Section 6, Township 9S South, Range 2E North, from S 0° 37' 38" W along the South boundary line of Garrettsville County and the North boundary line of said County a distance of 17.85 feet to the Point of Beginning of the Original land heretofore described; said boundary line also being the SE 1/4 of the South 1/2 of Section 28, Indian SS, Mount St., Plat No. 23, page 1-2-3, of the Public Records of Garrettsville County, Florida; thence run N 0° 37' 38" W along the Westerly right of the line of State Road No. 700 (South State Road) a distance of 167.70 feet to a point; thence run S 0° 37' 38" W along the said Westerly right line of State Road No. 700 a distance of 720.00 feet to a point; thence run S 0° 37' 38" W along the said Westerly right line of State Road No. 700 a distance of 720.00 feet to the Point of Beginning of a circular curve to the left having a radius of 17,280.00 feet; said curve being the Westerly 1/4 of the East half of Sec. 28B; thence run substantially along the arc of said curve, by arc distance of 600.00 feet through a central angle of 80° 00' 00" to the Point of Tangency; thence run S 0° 37' 38" W along the said Westerly right line of State Road No. 700 a distance of 688.52 feet to a point of intersection with a line that is 1000 feet North of and parallel to the South line of said Section 6; thence run S 0° 37' 38" W along said line that is 1000 feet North of and parallel to the South line of said Section 6, a distance of 688.52 feet to a point on the section line; the West 1/4 of the South 1/2 of said Section 6; thence run S 0° 37' 38" W along the line of the South 1/2 of said Section 6; thence run S 0° 37' 38" W along the line of the South 1/2 of said Section 6 and the East 1/2 of the NE 1/4 of the said Section 1 a distance of 688.52 feet to a point of intersection with a line that is 200 feet south of and parallel to the North line of the SE 1/4 of the SW 1/4 of said Section 1; thence run S 0° 37' 38" W along said line that is 200 feet

mouth of and parallel to North line of the said Sec 1 1/4, E 1/4 of Section 1 a distance of 1000.75 feet to a point on the east line of the North 200 feet of the said Sec 1 1/4, E 1/4 of Section 1; thence run N 89° 30' 30" along the said East line a distance of 200 feet to the Northwest corner of the said Sec 1 1/4, E 1/4 and said point also being the Northwest corner of Government Lot 1 in said Section 1; thence run N 89° 30' 30" W along the South line of said Section 1 a distance of 1000.75 feet to the Point of Beginning; thence bearing North and a distance in Government Lot 1 of 5, 9 and 9 in said Section 1; S 17° 00' 30" E 200.25 feet; N 89° 30' 30" W 694.00 feet; N 01° 00' 30" E 695.00 feet; S 20° 30' 30" E 200.25 feet; N 16° 00' 30" E 616.00 feet; N 00° 00' 30" E 501.75 feet; thence S 20° 30' 30" E a distance of 715.00 feet to a point of intersection with the North line of said Government Lot 2; said point also being on the South line of Section 20, Township 10 North, Range 22 East, Charlotte County; thence run S 20° 30' 30" E along the North line of Government Lot 1 a distance of 2 in said Section 20, Township 10 North, Range 22 East, Charlotte County to the North line of said Section 20, Township 10 North, Range 22 East, Charlotte County and the South line of the said Point North Lake subdivision, Section 21, a distance of 2000.00 feet, to the N 1/4 corner of said Section 14; thence run S 89° 30' 30" E along the North line of Sec 1 1/4 of Section 1 a distance of 1000.75 feet to the North line of Section 20, Township 10 North, Range 22 East, Charlotte County and the South line of the said Point North Lake subdivision, Section 21, a distance of 2000.00 feet, to the N 1/4 corner of said Section 14; thence run S 89° 30' 30" E along the North line of Section 20, Township 10 North, Range 22 East, Charlotte County and the South line of said Point North Lake subdivision, Section 21, a distance of 2000.00 feet to the Point of Beginning, said point being N 89° 30' 30" W a distance of 17.00 feet from the Northwest corner of said Section 5.

SECTION 20, Township 10 North, Range 22 East, Charlotte County, a distance of 2000.00 feet from the Point of Beginning, said point being N 89° 30' 30" W a distance of 17.00 feet from the Northwest corner of said Section 5.



PUNTA GORDA ISLES

SECTION TWENTY TWO

A PORTION OF SECTION 1, T43S, R22E &
A PORTION OF SECTION 6, T43S, R23E
LEE COUNTY, FLORIDA

Punta Gorda Isles Subdivision

Section 21, P.B. 13, Pg's 1-Z-8, 9, 14, 15, 20, 21.

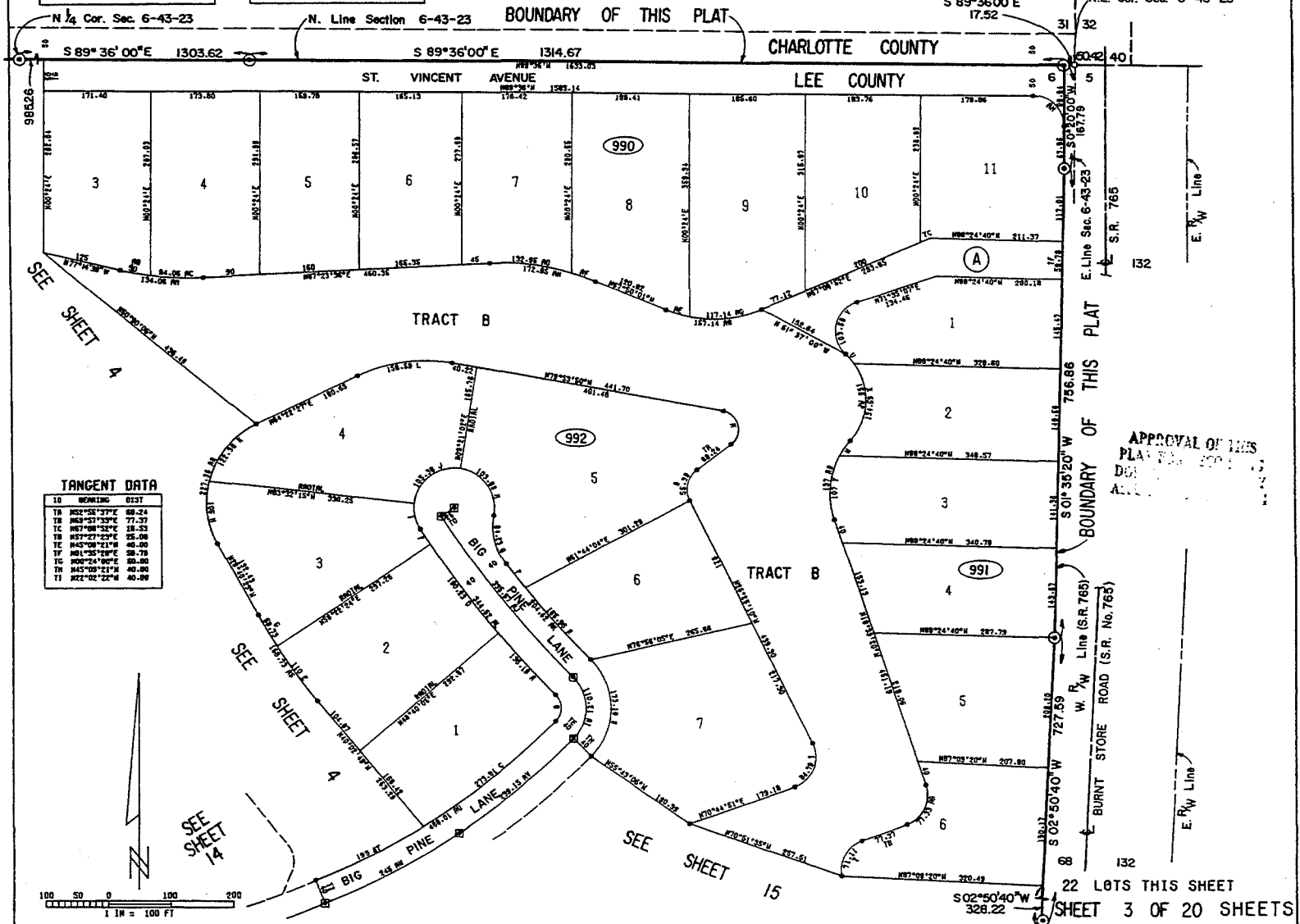
N.E. Cor. Sec. 6-43-23

CURVE DATA				
ID	RANGE	DRIFT	ACC	TIME
A	1540.00	5'01"47"	136.18	67.04
B	30.00	10'02"12"	47.23	30.11
C	1540.00	5'01"47"	136.18	67.04
D	1540.00	6'42"19"	100.23	50.22
E	850.00	7'24"33"	110.00	55.08
F	1540.00	1'04"30"	22.11	14.55
G	850.00	7'24"33"	110.00	55.08
H	140.00	42'30"13"	105.80	55.11
I	85.00	30'00"22"	44.25	20.02
J	65.00	32'33"17"	105.50	60.26
K	850.00	7'24"33"	110.00	55.08
L	250.00	35'33"14"	105.50	60.06
M	65.00	31'34"34"	103.80	60.81
N	30.00	13'37"01"	66.71	30.08
O	850.00	7'24"33"	110.00	55.08
P	1480.00	1'54"35"	49.46	24.73
Q	100.00	48'15"29"	94.23	44.20

CURVE DATA				
IC	APPROX	CRIT	ARC LEN	TANGENT
R	1440.00	0.071173	155.86	78.06
S	110.00	0.071173	173.18	110.40
T	100.00	0.071173	173.18	100.00
U	100.00	0.1141745	29.41	10.24
V	50.00	0.1141745	103.56	84.32
W	130.00	0.1141745	30.00	10.00
X	100.00	0.1141745	103.56	84.32
Y	130.00	0.4783232	107.00	56.74
Z	50.00	0.4783232	71.11	45.07
AA	100.00	0.4783232	57.00	25.70
AB	500.00	0.533748	50.00	25.02
AC	500.00	0.533748	94.06	41.13
AD	400.00	0.1902737	132.85	67.08
AE	100.00	0.1902737	132.85	67.08
AF	50.00	0.433748	40.00	20.02
AG	50.00	0.433748	117.14	60.31
AH	50.00	0.863636	78.49	48.94

CURVE DATA					
10	AMPHI	DELTA	MIN	TGC	LENGTH
RI	70.000	80"12'21.1"	116.121	70.425	
RI	1500.0	11'24'07.8"	735.150	116.438	
RI	1660.0	8'01'48.8"	204.82	102.48	
RI	1540.0	12'43'06.6"	344.82	172.96	
RI	500.0	15'21'41.5"	134.06	67.44	
RI	200.0	24'02'00.0"	100.00	37.00	
RI	200.0	42'01'07.7"	172.14	87.00	
RI	104.0	48'48'30.0"	153.00	87.00	
RI	136.0	80'22'51.1"	271.34	75.69	
RI	1200.0	11'24'07.8"	735.150	116.438	
RI	850.0	11'22'36.2"	169.73	84.64	
RI	1160.0	9'37'58.6"	180.00	57.73	
RI	1160.0	11'40'52.9"	248.01	271.23	
RI	1200.0	11'24'07.8"	735.150	116.438	
RI	1200.0	11'41'52.1"	485.00	122.93	

TANGENT DATA		
10	BEARING	DIST
TA	N52°58'37"E	68.24
TB	N69°51'33"E	77.37
TC	N67°08'32"E	18.53
TD	N57°27'23"E	25.08
TE	N45°08'21"E	40.00
TF	N41°35'28"E	58.78
TG	N40°24'00"E	50.00
TH	N55°03'21"E	40.00
TJ	N22°02'22"E	40.00



PUNTA GORDA ISLES

SECTION TWENTY TWO

A PORTION OF SECTION 1, T43S, R22E &
A PORTION OF SECTION 6, T43S, R23E

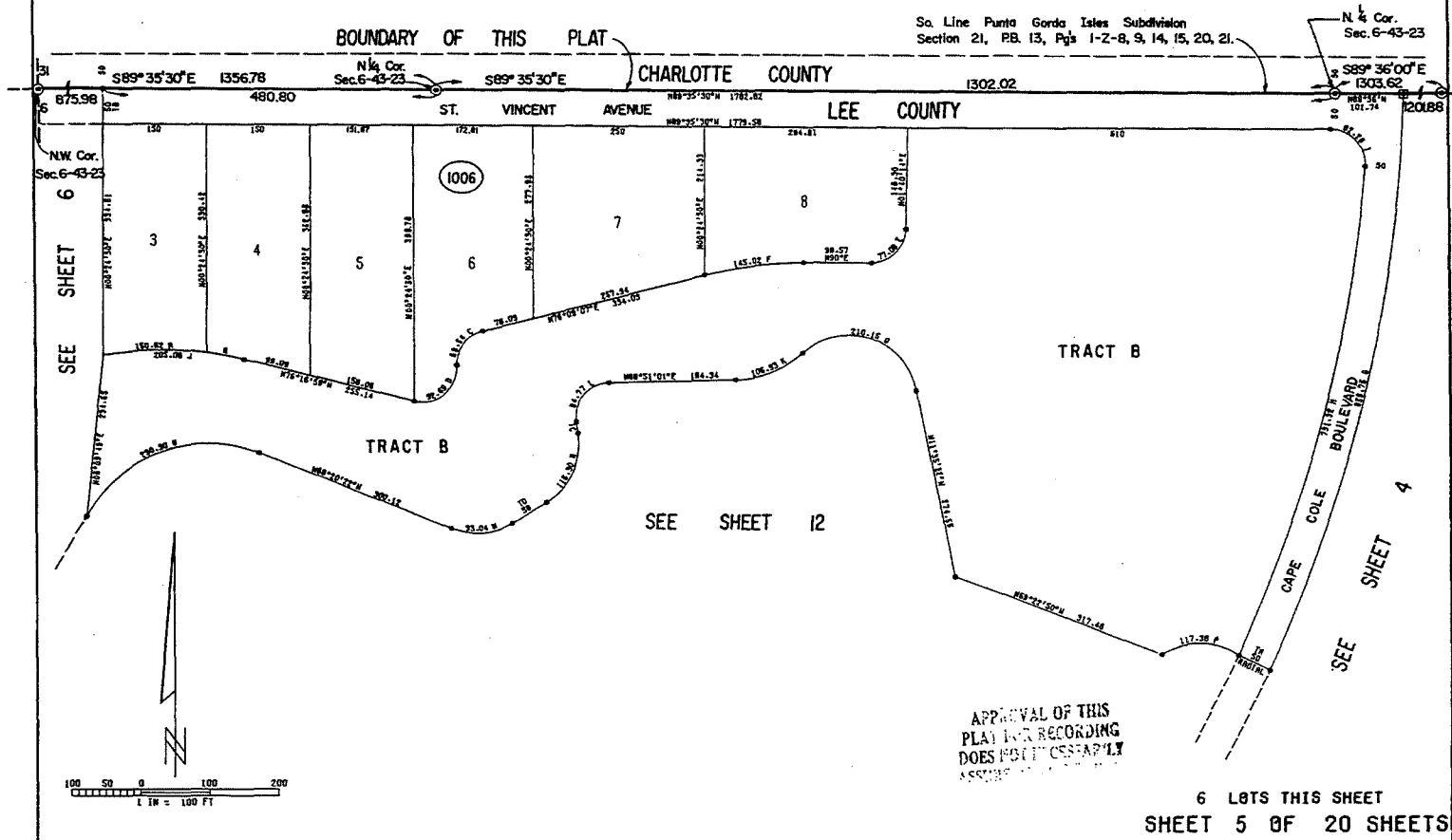
LEE COUNTY, FLORIDA

CURVE DATA

TO	BEARING	DELTA	ARC LCH	TANGENT
A	S89°35'30"E	17°18'37"	150.82	75.89
B	S89°35'30"E	9°14'28"	54.46	27.25
C	S89°35'30"E	70°38'19"	88.54	43.96
D	S89°35'30"E	106°13'12"	52.43	26.62
E	S89°35'30"E	88°19'46"	77.06	48.58
F	S89°35'30"E	13°38'53"	145.52	75.89
G	S89°35'30"E	23°22'31"	858.75	434.42
H	S89°35'30"E	20°28'24"	731.32	369.33
I	S89°35'30"E	34°15'49"	82.26	53.87
J	S89°35'30"E	23°30'49"	205.08	104.00
K	S89°35'30"E	40°20'42"	106.53	53.85
L	S89°35'30"E	57°08'02"	84.77	58.63
M	S89°35'30"E	88°38'09"	118.30	65.72
N	S89°35'30"E	53°18'23"	63.54	30.18
O	S89°35'30"E	83°20'08"	230.90	177.39
P	S89°35'30"E	67°15'21"	117.38	68.51
Q	S89°35'30"E	120°24'19"	210.15	174.83

TANGENT DATA

TO	BEARING	DIST
1A	N64°53'18"E	50.00
1B	N60°24'30"E	50.00
1C	N63°17'00"E	17.00
1D	N58°21'00"E	50.00



PUNTA GORDA ISLES

SECTION TWENTY TWO

A PORTION OF SECTION 1, T43S, R22E &
A PORTION OF SECTION 6, T43S, R23E
LEE COUNTY, FLORIDA

TANGENT DATA

ID	BEARING	DIST
TA	N22°30'37"N	78.50
TB	N63°01'11"N	20.50
TC	N22°30'37"N	82.56
TD	N75°32'44"N	40.08
TE	N00°24'30"E	75.08
TF	N00°24'30"E	50.00

CURVE DATA

IS	TIME	DELTA	ARC	LEN	TRACES
A	500.0	4°29'22"	38.83	18.65	33.4
B	38.00	190°02'27"	87.30	30.61	53.6
C	22.00	181°00'00"	100.00	33.00	53.6
D	500.0	18°17'38"	138.65	65.00	33.4
E	780.0	17°42'05"	244.87	123.68	53.6
F	500.0	18°47'00"	147.00	65.00	33.4
G	1200.0	13°05'17"	274.11	137.00	53.6
H	780.0	15°57'21"	228.80	116.70	53.6
I	500.0	10°47'00"	129.56	65.00	33.4
J	765.0	10°27'00"	129.56	65.00	33.4
K	150.0	56°27'00"	147.00	70.20	53.6
L	500.0	10°10'00"	129.56	65.00	33.4
M	780.0	8°13'01"	123.98	61.20	53.6
N	500.0	10°10'00"	129.56	65.00	33.4
O	500.0	61°32'37"	187.41	58.25	53.6
P	765.0	31°32'27"	107.00	58.25	53.6
Q	500.0	22°47'00"	129.56	65.00	33.4
R	480.0	14°02'23"	128.67	60.30	53.6
S	500.0	8°16'16"	81.36	58.25	53.6
T	765.0	65°00'00"	222.48	116.70	53.6
U	780.0	33°38'25"	144.67	238.80	53.6
V	820.0	33°38'25"	144.67	238.80	53.6
W	500.0	65°00'00"	222.48	116.70	53.6
X	500.0	17°11'48"	180.00	90.00	53.6
Y	500.0	18°54'00"	147.00	65.00	33.4
Z	500.0	67°30'37"	262.05	336.00	53.6

APPROVAL OF THIS
PLAN IS NOT A GUARANTEE
THAT THE PROPERTY WILL
BE USED FOR THE PURPOSES
AS STATED IN THE ZONING

11 LOTS THIS SHEET
SHEET 6 OF 20 SHEETS

PUNTA GORDA ISLES

SECTION TWENTY TWO

A PORTION OF SECTION 1, T43S, R22E &
A PORTION OF SECTION 6, T43S, R23E

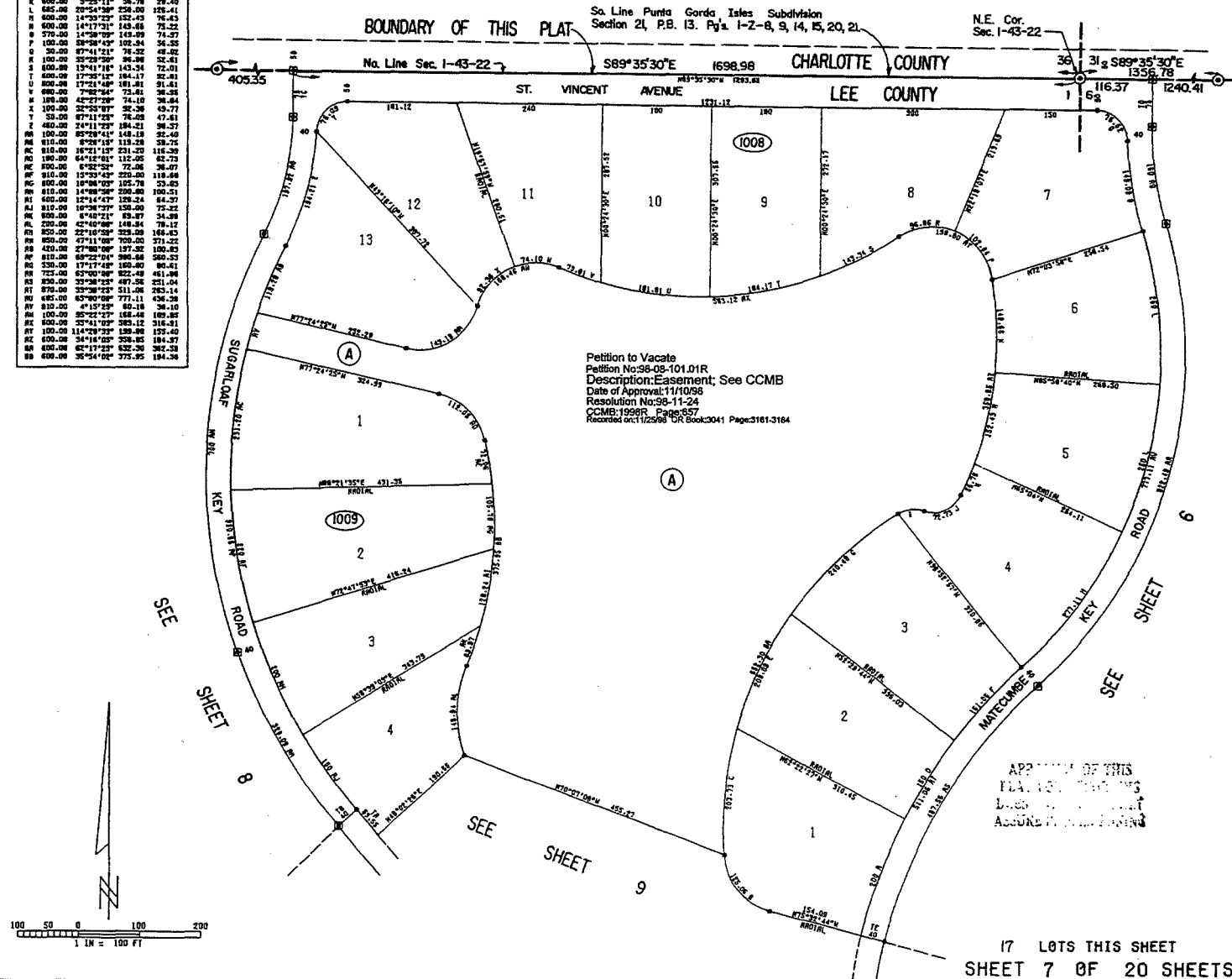
LEE COUNTY, FLORIDA

CURVE DATA

[illegible]

TANGENT DATA

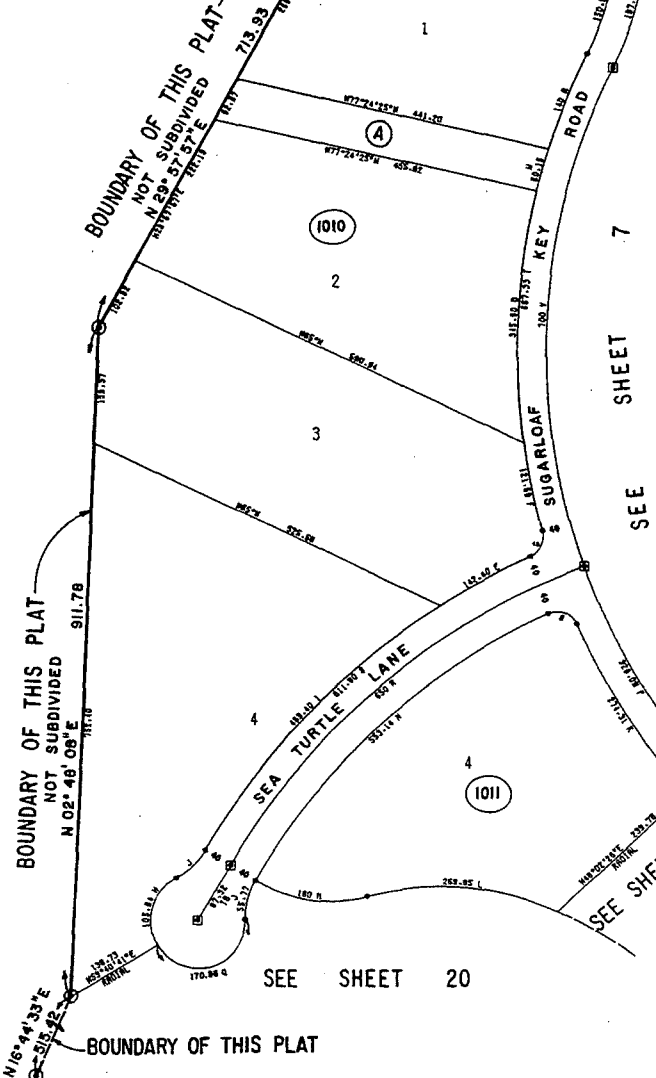
ID	BURNING	GIST
TA	N41°57'34"N	53.85
TB	N46°02'28"E	40.08
TC	W00°24'30"E	75.08
TD	W00°24'30"E	75.00
TE	N75°32'44"N	40.00



PUNTA GORDA ISLES

SECTION TWENTY TWO
A PORTION OF SECTION 1, T43S, R22E &
A PORTION OF SECTION 6, T43S, R23E
LEE COUNTY, FLORIDA

So. Line Punta Gorda Isles Subdivision
Section 21, P.B. 13, Pgs 1-2-8,9,14,15,20,21
N. Line Sec. 1-43-22
BOUNDARY OF THIS PLAT
CHARLOTTE COUNTY
LEE COUNTY
ST. VINCENT AVENUE
KEY ROAD
L.N.E. Cor.
Sec. 1-43-22



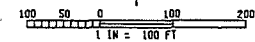
TANGENT DATA

TO	BEARING	DIST
TA	N48°02'20"E	45.00
TO	N51°01'18"E	87.32
TC	S00°24'30"E	75.00

CURVE DATA

TO	RADIUS	DELTA	ARC LGT	TANGENT
A	880.00	8°00'48"	140.00	70.14
B	350.00	24°00'41"	82.33	53.84
C	380.00	22°38'19"	150.28	76.12
D	880.00	22°14'38"	345.80	175.01
E	880.00	8°14'38"	150.40	71.32
F	880.00	7°48'38"	121.38	60.88
G	300.00	81°08'02"	42.83	28.87
H	85.00	83°17'48"	105.84	68.85
I	980.00	27°08'59"	488.40	238.20
J	100.00	31°07'19"	55.77	38.83
K	880.00	17°39'33"	274.31	136.25
L	400.00	38°38'13"	288.86	140.28
M	200.00	45°50'12"	180.00	84.58
N	510.00	34°48'38"	323.14	205.41
O	300.00	68°51'05"	47.05	29.82
P	850.00	22°10'59"	328.08	168.83
Q	85.00	150°36'34"	170.88	247.85
R	880.00	38°12'09"	850.00	398.30
S	980.00	35°14'28"	811.80	316.02
T	980.00	42°27'38"	867.33	360.23
U	425.00	27°00'00"	197.82	100.83
V	850.00	47°11'05"	700.00	371.22
W	880.00	3°52'50"	80.15	30.88

APPROXIMATE
LOCATION OF THIS
PLAT
IN THE
SECTION
AND
TOWNSHIP



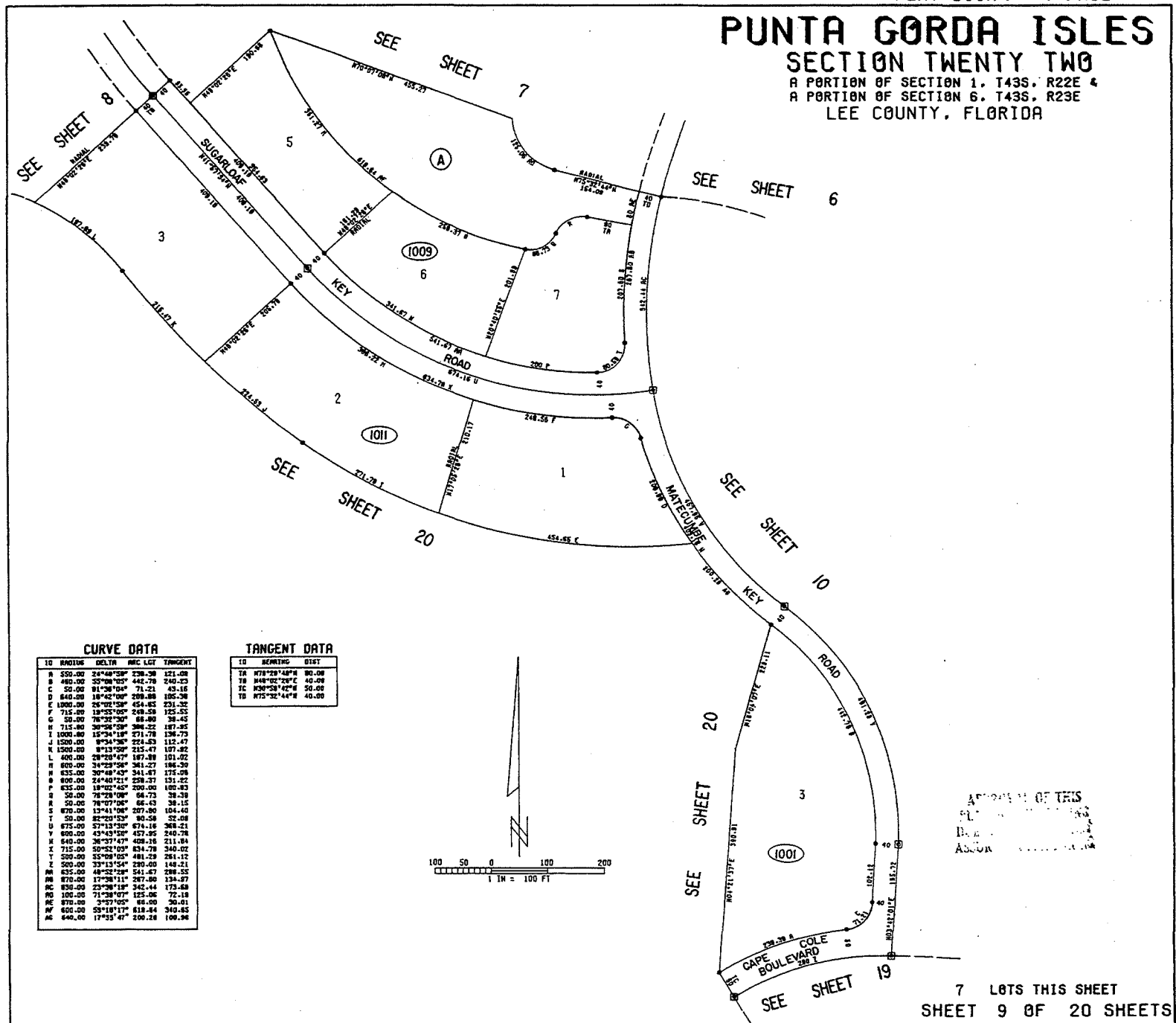
5 LOTS THIS SHEET
SHEET 8 OF 20 SHEETS

PUNTA GORDA ISLES

SECTION TWENTY TWO

A PORTION OF SECTION 1, T43S, R22E &
A PORTION OF SECTION 6, T43S, R23E

LEE COUNTY, FLORIDA



7 LOTS THIS SHEET
SHEET 9 OF 20 SHEETS

PUNTA GORDA ISLES

SECTION TWENTY TWO

A PORTION OF SECTION 1, T43S, R22E 4
A PORTION OF SECTION 6, T43S, R23E
LEE COUNTY, FLORIDA

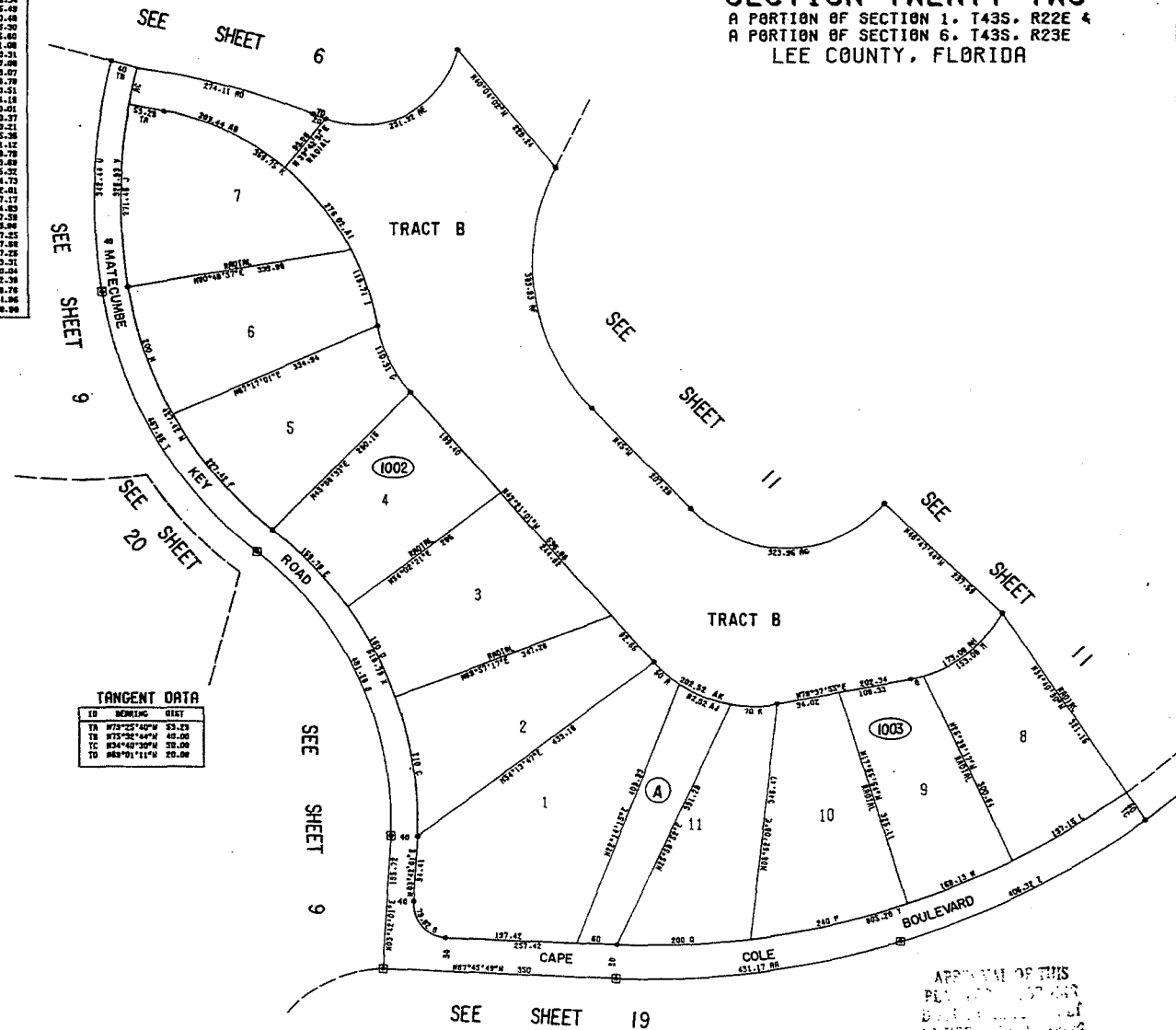
CURVE DATA

ID	BEARING	DELTA	SEC	LET	TANGENT
B	200.00	14°15'20"	60.00	26.13	
C	30.00	81°27'10"	79.02	31.28	
D	540.00	22°16'54"	210.00	106.34	
E	540.00	15°54'58"	130.00	75.49	
F	360.00	23°18'10"	227.42	115.30	
G	200.00	31°56'10"	110.31	56.60	
H	360.00	20°27'40"	290.00	101.00	
I	400.00	17°00'54"	110.71	60.31	
J	750.00	19°41'14"	271.45	137.09	
K	400.00	51°51'14"	209.75	100.57	
L	1250.00	9°02'12"	197.15	96.79	
M	300.00	43°51'13"	153.00	80.51	
N	1250.00	7°42'52"	188.13	81.18	
O	200.00	5°43'46"	70.00	35.36	
P	1250.00	11°00'23"	240.00	120.37	
Q	1250.00	9°10'02"	200.00	100.21	
R	300.00	20°02'13"	70.00	35.36	
S	200.00	8°00'00"	60.00	30.12	
T	800.00	43°43'10"	437.55	218.78	
U	830.00	23°08'18"	342.44	173.89	
V	790.00	23°38'19"	325.85	165.32	
W	360.00	43°43'10"	437.42	224.73	
X	540.00	15°00'23"	210.79	102.41	
Y	1250.00	36°24'41"	805.29	417.17	
Z	1300.00	17°54'20"	406.32	204.83	
AA	1300.00	18°00'15"	431.17	217.38	
AB	400.00	23°08'31"	209.44	103.98	
AC	700.00	3°53'00"	54.40	27.55	
AD	1200.00	13°05'17"	274.11	137.88	
AE	150.00	36°13'37"	231.82	107.25	
AF	300.00	73°18'24"	265.85	133.31	
AG	200.00	82°48'23"	333.88	210.04	
AH	230.00	49°26'01"	173.09	82.36	
AI	400.00	39°32'11"	276.02	143.76	
AJ	200.00	23°38'25"	62.32	41.96	
AK	200.00	34°04'04"	208.32	118.99	

TANGENT DATA

ID	BEARING	DELT
TA	87°3'25"40"W	53.23
TB	87°3'32"44"W	40.00
TC	83°4'40"30"W	30.00
TD	86°0'01"11"W	20.00

1 IN = 100 FT



11 LOTS THIS SHEET
SHEET 10 OF 20 SHEETS

PUNTA GORDA ISLES

SECTION TWENTY TWO

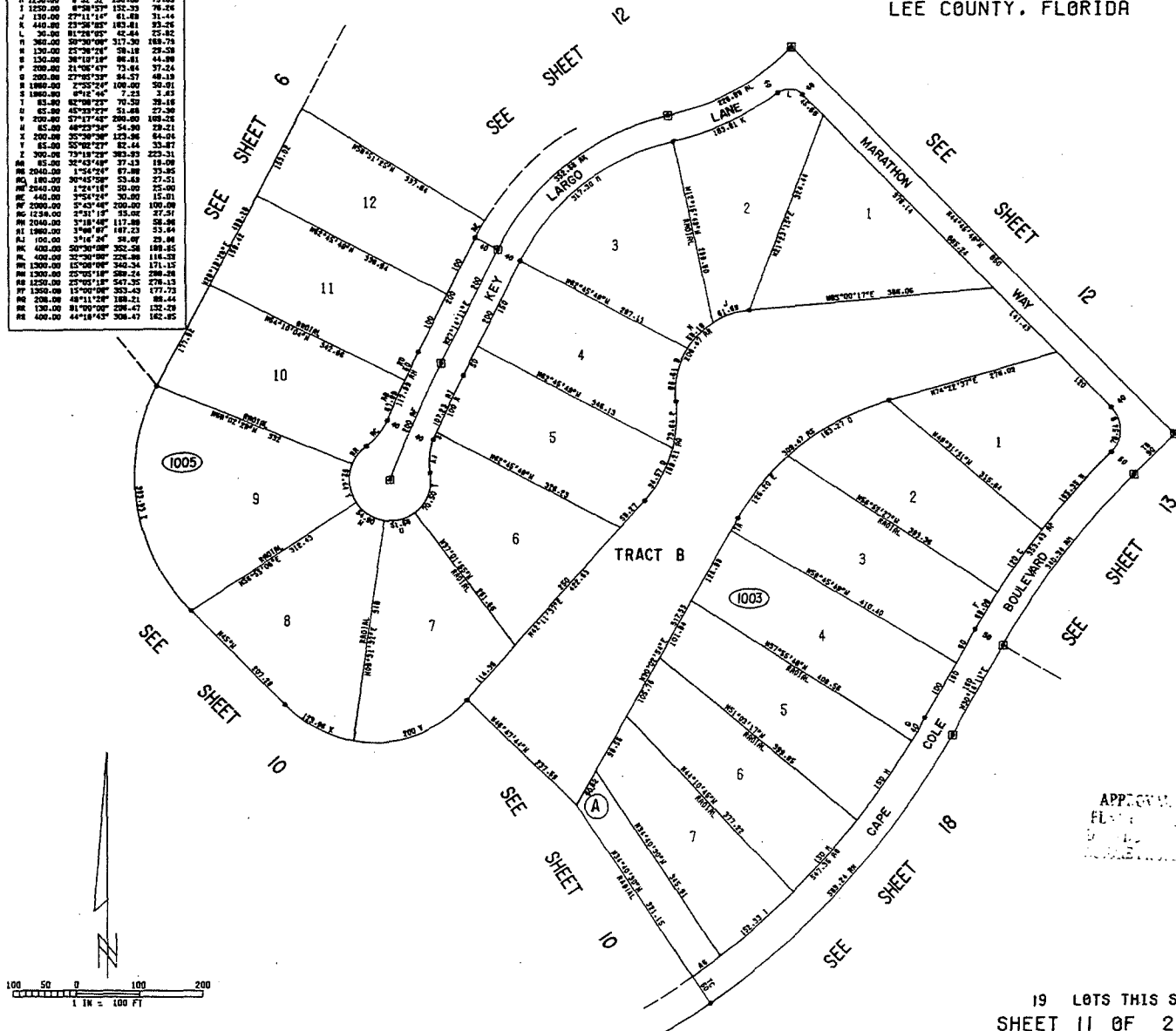
A PORTION OF SECTION 1, T43S, R22E 4
A PORTION OF SECTION 6, T43S, R23E
LEE COUNTY, FLORIDA

CURVE DATA

STATION	CHORD	ARC	LET	TANGENT
A 1300.00	7°01'04"	185.36	82.76	
B 30.00	80°03'08"	78.54	50.00	
C 1200.00	5°05'05"	120.00	60.51	
D 400.00	28°15'04"	183.27	83.27	
E 400.00	18°04'38"	178.20	83.83	
F 1300.00	2°53'22"	68.00	34.00	
G 1200.00	1°50'08"	40.00	20.00	
H 1200.00	8°32'30"	120.00	75.00	
I 1200.00	8°58'53"	135.33	78.54	
J 130.00	27°11'11"	61.89	31.44	
K 440.00	23°56'05"	183.81	93.26	
L 30.00	81°28'05"	42.44	25.82	
M 360.00	50°30'09"	317.30	188.79	
N 130.00	25°38'14"	58.18	29.09	
O 130.00	38°19'19"	86.81	44.89	
P 200.00	21°06'47"	73.44	37.24	
Q 200.00	27°05'33"	94.57	48.19	
R 1860.00	2°55'24"	100.00	50.01	
S 1860.00	89°12'44"	7.23	3.43	
T 83.80	82°08'23"	70.59	29.18	
U 85.80	45°33'27"	51.48	27.99	
V 200.00	57°17'48"	206.80	108.28	
W 85.80	48°23'34"	54.90	29.21	
X 200.00	50°50'08"	125.06	64.01	
Y 85.80	55°02'27"	82.44	33.87	
Z 300.00	73°19'23"	385.93	223.31	
AA 65.00	32°43'48"	37.13	18.08	
AB 2040.00	1°54'24"	87.89	33.85	
AC 180.00	30°45'09"	53.63	25.51	
AD 2040.00	1°24'18"	50.00	25.00	
AE 440.00	3°54'24"	50.00	15.01	
AF 2000.00	3°43'48"	200.00	100.00	
AG 1200.00	2°31'13"	55.02	27.51	
AH 2040.00	3°18'48"	117.88	58.86	
AI 1860.00	3°08'07"	187.23	23.84	
AJ 100.00	3°16'24"	38.09	29.86	
AK 400.00	50°30'09"	302.58	188.85	
AL 400.00	32°30'09"	226.88	116.39	
AM 1300.00	65°08'09"	340.34	171.15	
AN 1300.00	25°05'18"	380.24	208.88	
AO 1200.00	25°05'18"	547.35	276.13	
AP 1300.00	15°02'08"	365.03	177.73	
AQ 200.00	48°11'28"	188.21	88.44	
AR 130.00	81°09'08"	206.47	132.28	
AS 400.00	44°18'43"	306.47	182.85	

TANGENT DATA

STATION	BEARING	DIST
TA	89°02'24"E	23.88
TB	843°14'11"E	95.00
TC	834°40'30"E	50.00



APPROVED THIS
FLYING
DATE
BY

19 LOTS THIS SHEET
SHEET 11 OF 20 SHEETS

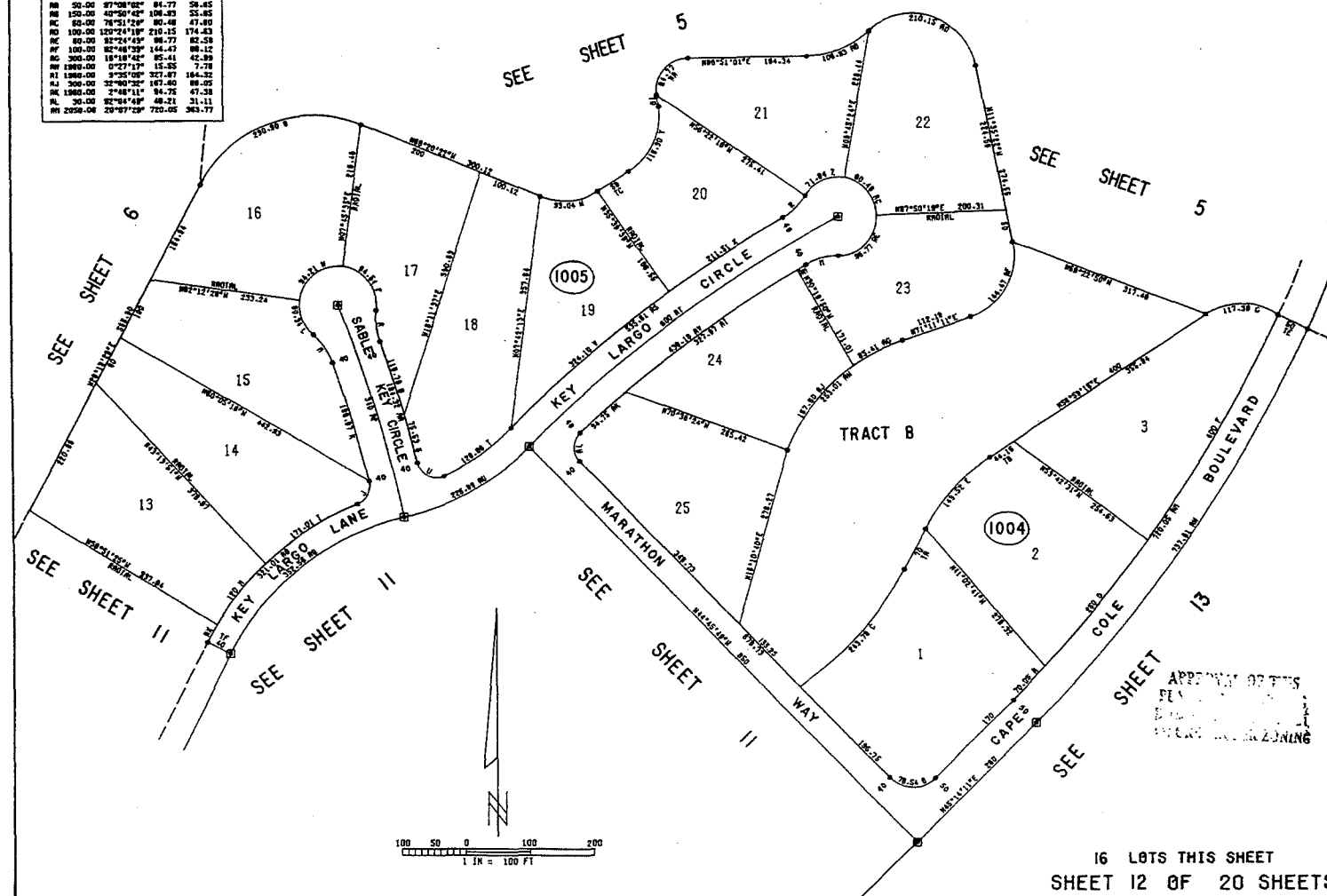
SECTION TWENTY TWO

A PORTION OF SECTION 1, T43S, R22E &
A PORTION OF SECTION 6, T43S, R23E
LEE COUNTY, FLORIDA

[illegible]

CURVE DATA				
ID	KNOTS	DELTA	ARC LGT	TANGENT
RA	2100.00	20°07'29"	737.81	372.84
RB	440.00	41°48'33"	321.01	188.89
RY	2000.00	9°44'23"	340.00	170.41
RA	400.00	50°30'00"	352.58	168.65
AR	2040.00	5°27'27"	184.32	87.23
RT	2040.00	17°02'38"	535.41	268.38
AS	2000.00	15°11'18"	809.00	302.27
RU	400.00	32°30'00"	226.89	118.58
RY	1860.00	12°48'32"	438.18	220.00
RA	300.00	48°19'14"	293.01	134.58
RY	400.00	3°34'24"	30.00	15.01

TANGENT DATA		
LG	BEARING	DIST
TA	N28°28'54"E	70.00
TB	N58°38'18"E	44.18
TC	N58°21'09"E	58.00
TD	N08°17'00"W	17.02
TE	N64°53'18"N	50.00
TF	N62°45'48"W	40.00



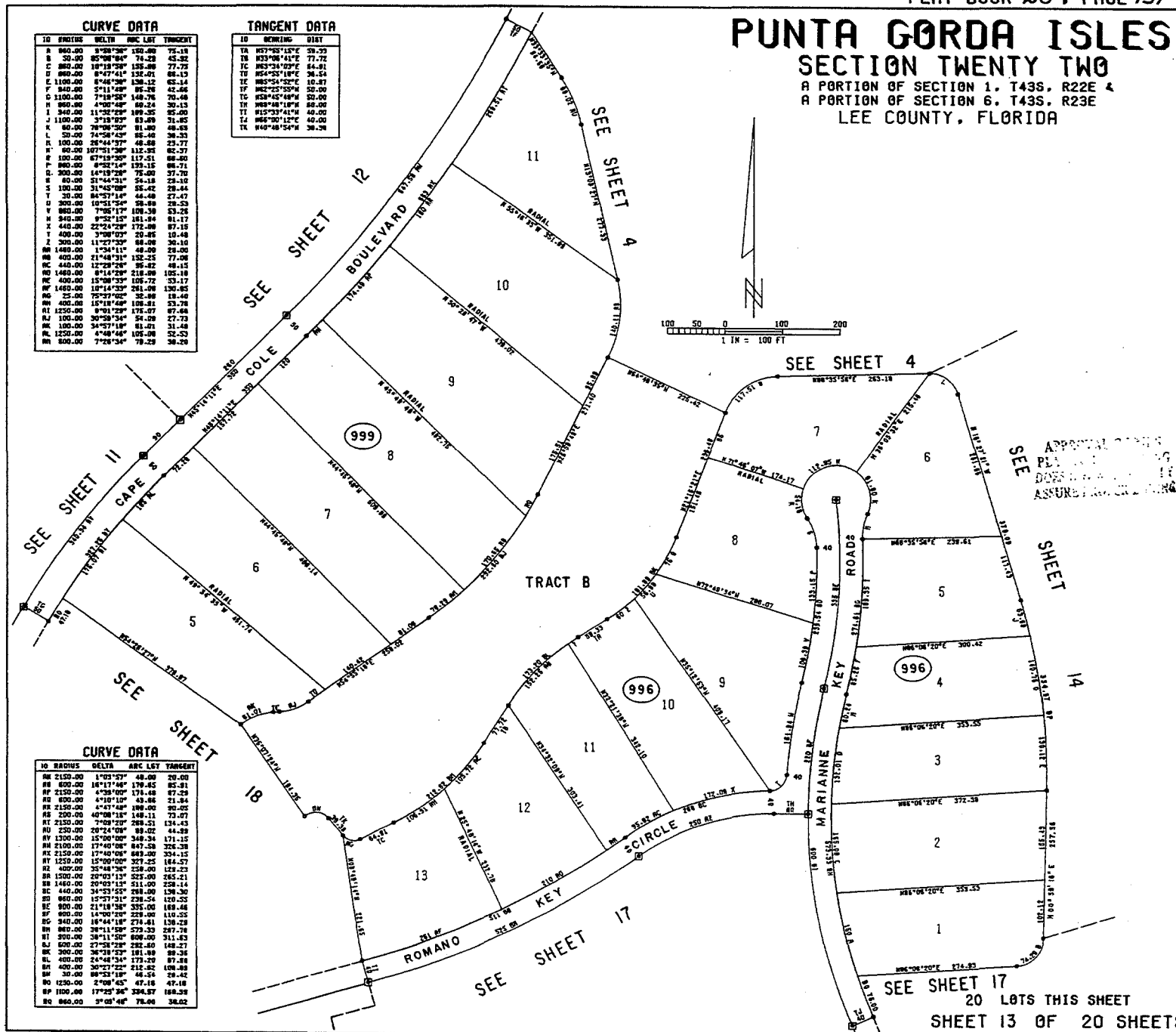
PUNTA GORDA ISLES

SECTION TWENTY TWO

A PORTION OF SECTION 1, T43S, R22E &
A PORTION OF SECTION 6, T43S, R23E
LEE COUNTY, FLORIDA

ID	BEARING	DELTA	ARC	LOT	TANGENT
A	84°00'00"	90°00'00"	150.00	75.18	75.18
B	30°00'00"	85°00'00"	74.28	45.82	45.82
C	88°00'00"	10°00'00"	150.00	77.72	77.72
D	88°00'00"	8°00'00"	150.00	77.72	77.72
E	110°00'00"	8°44'30"	138.12	85.14	85.14
F	84°00'00"	5°11'30"	85.28	42.66	42.66
G	110°00'00"	7°18'30"	148.76	70.48	70.48
H	88°00'00"	4°00'00"	80.24	30.13	30.13
I	84°00'00"	11°00'00"	89.35	45.00	45.00
J	110°00'00"	5°18'30"	85.89	31.85	31.85
K	80°00'00"	78°00'00"	81.80	48.63	48.63
L	30°00'00"	74°00'00"	85.40	38.33	38.33
M	100°00'00"	28°44'30"	48.88	23.77	23.77
N	80°00'00"	107°31'30"	112.35	62.57	62.57
O	100°00'00"	67°18'30"	117.51	68.40	68.40
P	88°00'00"	8°22'14"	139.15	86.71	86.71
Q	300°00'00"	14°18'30"	75.80	37.70	37.70
R	80°00'00"	31°44'31"	55.42	28.44	28.44
S	100°00'00"	31°45'08"	55.42	28.44	28.44
T	30°00'00"	64°07'14"	44.40	27.47	27.47
U	300°00'00"	10°51'54"	58.88	28.23	28.23
V	88°00'00"	7°05'17"	106.39	53.25	53.25
W	84°00'00"	8°02'11"	181.89	91.17	91.17
X	440°00'00"	22°24'29"	172.89	87.15	87.15
Y	400°00'00"	3°08'03"	20.85	10.48	10.48
Z	300°00'00"	11°27'30"	88.00	36.10	36.10
AA	148°00'00"	1°24'11"	40.00	28.00	28.00
AB	400°00'00"	1°14'08"	132.25	77.06	77.06
AC	440°00'00"	12°29'28"	86.82	48.15	48.15
AD	148°00'00"	8°14'28"	218.00	105.18	105.18
AE	400°00'00"	15°08'33"	105.77	53.17	53.17
AF	148°00'00"	10°14'33"	281.06	130.85	130.85
AG	25°00'00"	75°27'02"	32.88	18.40	18.40
AH	400°00'00"	15°18'46"	101.81	53.78	53.78
AI	125°00'00"	8°01'29"	176.07	87.66	87.66
AJ	100°00'00"	30°08'34"	34.09	27.73	27.73
AK	100°00'00"	34°07'18"	61.40	31.48	31.48
AL	125°00'00"	4°48'48"	105.08	52.53	52.53
AM	800°00'00"	7°28'34"	78.29	38.29	38.29

ID	BEARING	DELTA
TA	85°00'00"	38.23
TB	83°00'00"	77.72
TC	83°34'00"	84.81
TD	85°45'00"	38.34
TE	85°24'30"	10.87
TF	82°25'30"	50.00
TF	83°00'00"	50.00
TH	88°00'00"	68.00
TI	85°33'00"	40.00
TJ	86°00'00"	40.00
TK	84°48'54"	38.28



ID	BEARING	DELTA	ARC	LOT	TANGENT
AK	215°00'00"	1°05'30"	48.00	20.00	20.00
AL	600°00'00"	14°17'46"	179.45	85.81	85.81
AM	215°00'00"	4°38'00"	176.68	87.29	87.29
AN	600°00'00"	4°10'10"	45.86	21.84	21.84
AO	215°00'00"	4°47'48"	188.00	90.02	90.02
AP	200°00'00"	40°08'18"	148.11	73.07	73.07
AQ	215°00'00"	7°03'30"	281.51	134.43	134.43
AR	230°00'00"	20°24'08"	89.02	44.89	44.89
AS	130°00'00"	15°00'00"	346.34	171.15	171.15
AT	110°00'00"	17°40'08"	847.58	376.38	376.38
AV	215°00'00"	17°40'08"	847.58	376.38	376.38
AW	125°00'00"	15°00'00"	327.25	164.57	164.57
AX	400°00'00"	35°48'36"	238.00	128.23	128.23
AY	100°00'00"	20°03'13"	325.00	265.21	265.21
AZ	148°00'00"	20°03'13"	51.00	28.44	28.44
BA	440°00'00"	34°23'55"	288.00	136.36	136.36
BB	860°00'00"	15°27'31"	236.54	120.25	120.25
BC	800°00'00"	11°18'30"	335.00	188.46	188.46
BD	800°00'00"	14°00'00"	228.00	110.35	110.35
BE	840°00'00"	16°44'18"	274.41	138.28	138.28
BF	880°00'00"	38°11'58"	579.23	287.78	287.78
BG	900°00'00"	38°11'58"	608.00	311.43	311.43
BH	600°00'00"	27°08'30"	281.80	148.27	148.27
BI	300°00'00"	36°28'53"	181.89	89.36	89.36
BJ	400°00'00"	24°48'34"	173.29	87.88	87.88
BK	400°00'00"	30°27'22"	212.82	106.88	106.88
BL	30°00'00"	88°23'18"	44.54	28.42	28.42
BM	820°00'00"	2°08'45"	47.16	47.16	47.16
BN	100°00'00"	17°29'36"	294.87	168.28	168.28
BO	860°00'00"	5°05'48"	78.00	38.02	38.02

APPROVAL OF THE
PLAT OF THE
DOES NOT CONSTITUTE
ASSURANCE OF ACCURACY

SEE SHEET 17
20 LOTS THIS SHEET
SHEET 13 OF 20 SHEETS

PUNTA GORDA ISLES

SECTION TWENTY TWO

A PORTION OF SECTION 1. T43S. R22E 4

A PORTION OF SECTION 6. T43S. R23E

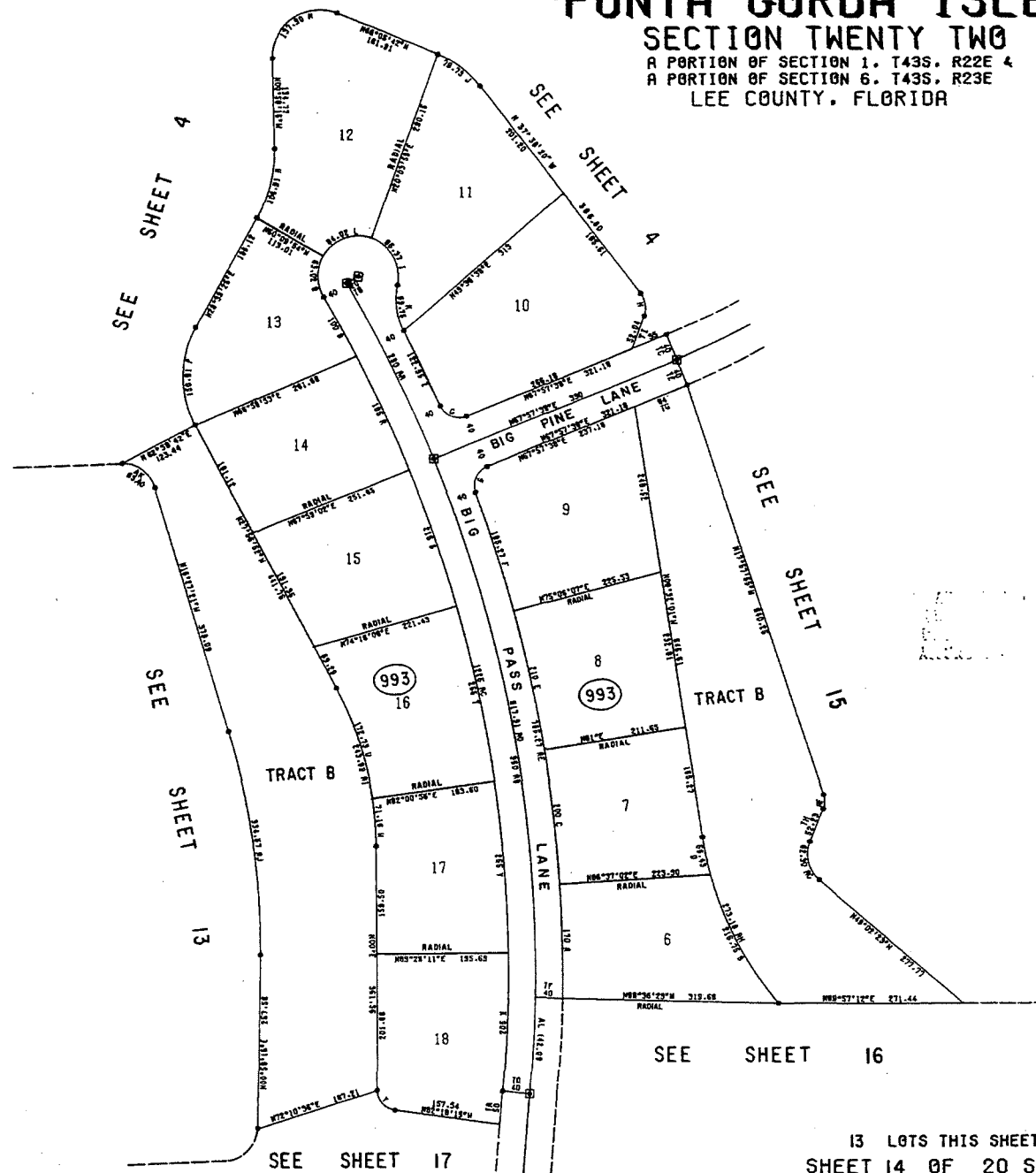
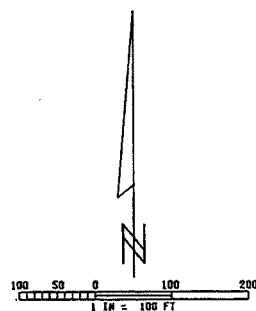
LEE COUNTY, FLORIDA

CURVE DATA

NO	Bearing	Dist	MC	LC	Tangent
1	2049.00	4°44'29"	170.88	63.05	
2	586.00	24°38'17"	216.75	110.11	
3	2049.00	3°27'06"	208.00	100.00	
4	586.00	0°27'57"	56.43	28.24	
5	2040.00	5°31'33"	218.00	103.00	
6	2040.00	3°15'13"	185.27	92.70	
7	30.00	88°03'40"	46.11	23.00	
8	35.00	28°08'38"	35.44	19.41	
9	60.00	82°29'28"	86.57	52.60	
10	150.00	30°2'22"	79.75	40.83	
11	100.00	30°38'10"	83.76	38.37	
12	60.00	80°13'53"	84.02	50.55	
13	208.00	30°37'41"	106.81	54.77	
14	70.00	112°32'34"	137.36	105.51	
15	1860.00	2°53'24"	100.00	50.01	
16	128.00	57°38'17"	166.81	82.47	
17	60.00	60°18'36"	63.02	34.77	
18	1860.00	3°24'22"	185.00	92.57	
19	1860.00	6°17'08"	215.00	107.41	
20	1860.00	7°44'48"	283.00	132.70	
21	200.00	15°47'30"	172.73	87.23	
22	1860.00	7°27'15"	255.00	127.68	
23	100.00	8°00'17"	71.16	35.54	
24	1860.00	5°08'34"	205.00	102.33	
25	36.00	82°18'19"	43.09	24.22	
26	2040.00	3°27'11"	122.05	61.48	
27	2000.00	8°18'28"	230.00	143.25	
28	2000.00	27°36'07"	360.00	483.43	
29	1860.00	33°44'30"	1225.00	603.52	
30	2000.00	23°25'53"	817.31	414.75	
31	2040.00	21°25'37"	765.27	387.13	
32	36.00	40°18'43"	51.11	11.01	
33	36.00	71°23'17"	62.38	35.82	
34	300.00	31°18'13"	273.19	140.08	
35	300.00	27°56'32"	243.89	124.42	
36	1100.00	17°25'38"	334.57	168.58	
37	58.00	74°05'43"	85.49	38.33	
38	2000.00	4°04'16"	142.09	142.06	

TANGENT DATA

TO	Bearing	Dist
TR	802°47'43"E	86.00
TR	854°38'10"E	28.00
TR	822°02'22"W	40.00
TR	894°32'18"W	40.00
TR	827°00'22"W	40.00
TR	898°36'12"W	40.00
TR	887°07'13"W	84.00
TR	822°28'33"E	32.23
TR	820°22'38"E	32.04



PUNTA GORDA ISLES

SECTION TWENTY TWO

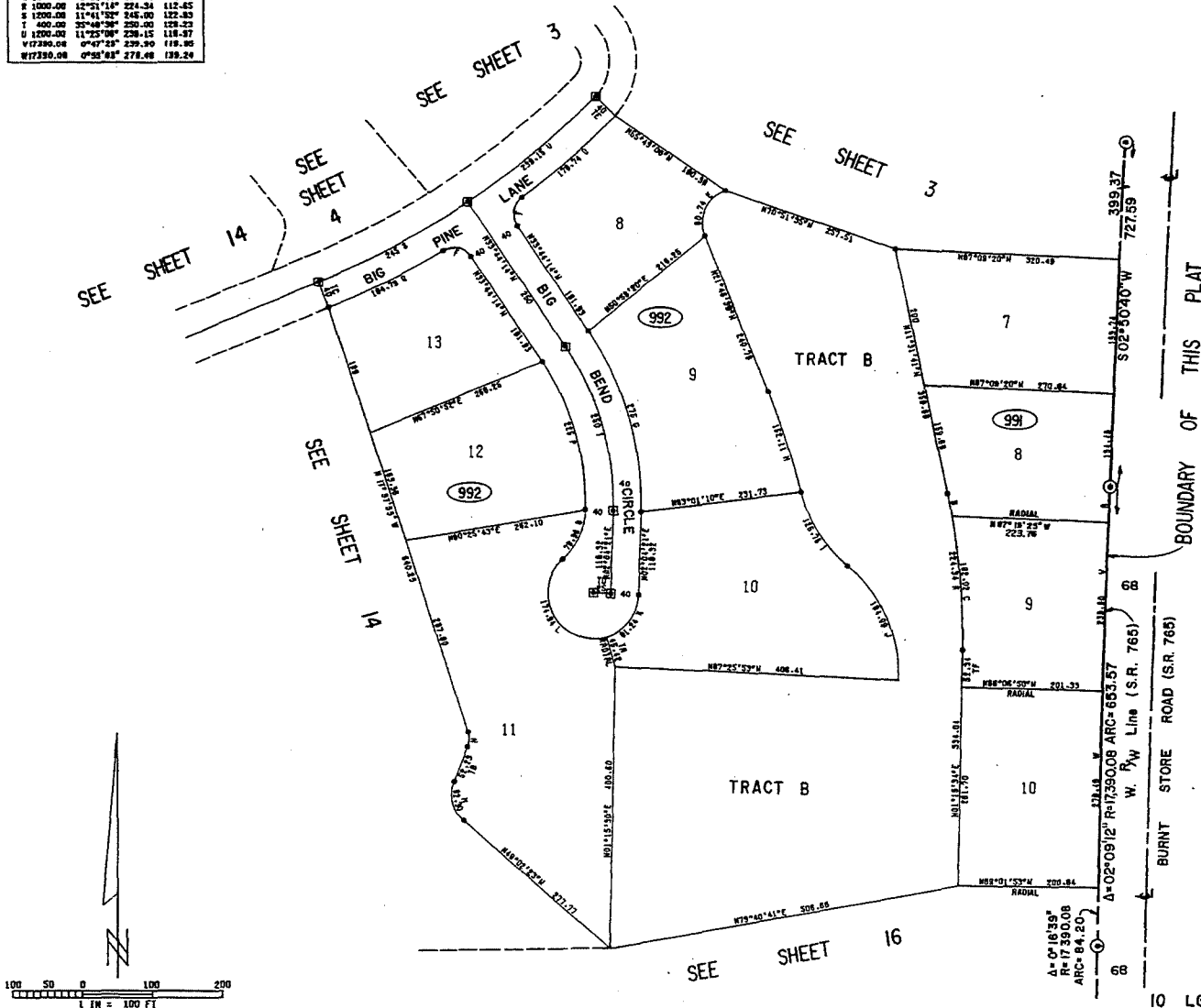
A PORTION OF SECTION 1. T43S. R22E 4

A PORTION OF SECTION 6. T43S. R23E

LEE COUNTY, FLORIDA

TO	FROM	BEARING	ANGLE	LEG	TANGENT
A	17330.00	0°18'00"	50.90	25.43	
B	1000.00	1°31'00"	32.33	18.17	
C	1000.00	11°00'00"	182.02	98.30	
D	1240.00	8°15'00"	178.74	88.82	
E	50.00	82°31'23"	80.74	32.25	
F	30.00	88°30'23"	45.47	29.39	
G	440.00	33°48'58"	675.00	162.18	
H	1100.00	7°35'22"	132.11	78.17	
I	200.00	36°18'59"	128.78	80.30	
J	200.00	32°44'13"	184.09	98.14	
K	85.00	71°36'51"	81.24	46.88	
L	85.00	134°12'08"	174.84	293.82	
M	50.00	71°23'17"	82.30	35.82	
N	30.00	40°18'48"	21.11	11.81	
O	100.00	40°48'08"	78.86	42.08	
P	385.00	36°48'38"	225.00	118.31	
Q	1240.00	8°32'18"	184.78	92.36	
R	1000.00	12°31'16"	224.34	112.65	
S	1200.00	11°41'32"	248.00	122.83	
T	400.00	30°48'38"	230.80	128.23	
U	1200.00	11°23'08"	236.15	118.97	
V	17330.00	0°47'23"	239.90	119.85	
W	17330.00	0°38'43"	278.48	139.24	

TO	FROM	BEARING	DIET
78	W18°18'48"W	46.42	
79	R22°20'33"E	32.23	
80	R22°02'22"W	40.88	
81	R27°33'29"W	25.08	
82	R45°08'21"W	40.00	
77	R01°19'34"E	32.34	



10 LOTS THIS SHEET
SHEET 15 OF 20 SHEETS

PUNTA GORDA ISLES

SECTION TWENTY TWO

A PORTION OF SECTION 1. T43S. R22E &
A PORTION OF SECTION 6. T43S. R23E

LEE COUNTY, FLORIDA

CURVE DATA

ID	BEARING	CHORD	ARC LST	TANGENT
A	100°00'	200.00	62.83	23.99
B	200°00'	400.00	125.66	47.98
C	300°00'	600.00	188.49	71.97
D	400°00'	800.00	251.32	95.96
E	500°00'	1000.00	314.15	119.95
F	600°00'	1200.00	376.98	143.94
G	700°00'	1400.00	439.81	167.93
H	800°00'	1600.00	502.64	191.92
I	900°00'	1800.00	565.47	215.91
J	100°00'	2000.00	628.30	239.90
K	200°00'	4000.00	1256.60	479.80
L	300°00'	6000.00	1884.90	719.70
M	400°00'	8000.00	2513.20	959.60
N	500°00'	10000.00	3141.50	1199.50
O	600°00'	12000.00	3769.80	1439.40
P	700°00'	14000.00	4398.10	1679.30
Q	800°00'	16000.00	5026.40	1919.20
R	900°00'	18000.00	5654.70	2159.10
S	100°00'	20000.00	6283.00	2399.00
T	200°00'	40000.00	12566.00	4798.00
U	300°00'	60000.00	18849.00	7197.00
V	400°00'	80000.00	25132.00	9596.00
W	500°00'	100000.00	31415.00	11995.00
X	600°00'	120000.00	37698.00	14394.00
Y	700°00'	140000.00	43981.00	16793.00
Z	800°00'	160000.00	50264.00	19192.00
AA	900°00'	180000.00	56547.00	21591.00
AB	100°00'	200000.00	62830.00	23990.00
AC	200°00'	400000.00	125660.00	47980.00
AD	300°00'	600000.00	188490.00	71970.00
AE	400°00'	800000.00	251320.00	95960.00
AF	500°00'	1000000.00	314150.00	119950.00
AG	600°00'	1200000.00	376980.00	143940.00
AH	700°00'	1400000.00	439810.00	167930.00
AI	800°00'	1600000.00	502640.00	191920.00
AJ	900°00'	1800000.00	565470.00	215910.00
AK	100°00'	2000000.00	628300.00	239900.00
AL	200°00'	4000000.00	1256600.00	479800.00
AM	300°00'	6000000.00	1884900.00	719700.00
AN	400°00'	8000000.00	2513200.00	959600.00
AO	500°00'	10000000.00	3141500.00	1199500.00
AP	600°00'	12000000.00	3769800.00	1439400.00
AQ	700°00'	14000000.00	4398100.00	1679300.00
AR	800°00'	16000000.00	5026400.00	1919200.00
AS	900°00'	18000000.00	5654700.00	2159100.00
AT	100°00'	20000000.00	6283000.00	2399000.00
AU	200°00'	40000000.00	12566000.00	4798000.00
AV	300°00'	60000000.00	18849000.00	7197000.00
AW	400°00'	80000000.00	25132000.00	9596000.00
AX	500°00'	100000000.00	31415000.00	11995000.00
AY	600°00'	120000000.00	37698000.00	14394000.00
AZ	700°00'	140000000.00	43981000.00	16793000.00
BA	800°00'	160000000.00	50264000.00	19192000.00
BB	900°00'	180000000.00	56547000.00	21591000.00
BC	100°00'	200000000.00	62830000.00	23990000.00
BD	200°00'	400000000.00	125660000.00	47980000.00
BE	300°00'	600000000.00	188490000.00	71970000.00
BF	400°00'	800000000.00	251320000.00	95960000.00
BG	500°00'	1000000000.00	314150000.00	119950000.00
BH	600°00'	1200000000.00	376980000.00	143940000.00
BI	700°00'	1400000000.00	439810000.00	167930000.00
BJ	800°00'	1600000000.00	502640000.00	191920000.00
BK	900°00'	1800000000.00	565470000.00	215910000.00
BL	100°00'	2000000000.00	628300000.00	239900000.00

TANGENT DATA

ID	BEARING	DIST
TA	0°00'00"W	33.30
TB	90°00'00"W	66.60
TC	180°00'00"W	99.90
TD	270°00'00"W	133.20
TE	360°00'00"W	166.50
TF	450°00'00"W	199.80
TF	540°00'00"W	233.10
TF	630°00'00"W	266.40
TF	720°00'00"W	299.70
TF	810°00'00"W	333.00
TF	900°00'00"W	366.30
TF	990°00'00"W	399.60
TF	1080°00'00"W	432.90
TF	1170°00'00"W	466.20
TF	1260°00'00"W	499.50
TF	1350°00'00"W	532.80
TF	1440°00'00"W	566.10
TF	1530°00'00"W	599.40
TF	1620°00'00"W	632.70
TF	1710°00'00"W	666.00
TF	1800°00'00"W	699.30
TF	1890°00'00"W	732.60
TF	1980°00'00"W	765.90
TF	2070°00'00"W	799.20
TF	2160°00'00"W	832.50
TF	2250°00'00"W	865.80
TF	2340°00'00"W	899.10
TF	2430°00'00"W	932.40
TF	2520°00'00"W	965.70
TF	2610°00'00"W	999.00
TF	2700°00'00"W	1032.30
TF	2790°00'00"W	1065.60
TF	2880°00'00"W	1098.90
TF	2970°00'00"W	1132.20
TF	3060°00'00"W	1165.50
TF	3150°00'00"W	1198.80
TF	3240°00'00"W	1232.10
TF	3330°00'00"W	1265.40
TF	3420°00'00"W	1298.70
TF	3510°00'00"W	1332.00
TF	3600°00'00"W	1365.30
TF	3690°00'00"W	1398.60
TF	3780°00'00"W	1431.90
TF	3870°00'00"W	1465.20
TF	3960°00'00"W	1498.50
TF	4050°00'00"W	1531.80
TF	4140°00'00"W	1565.10
TF	4230°00'00"W	1598.40
TF	4320°00'00"W	1631.70
TF	4410°00'00"W	1665.00
TF	4500°00'00"W	1698.30
TF	4590°00'00"W	1731.60
TF	4680°00'00"W	1764.90
TF	4770°00'00"W	1798.20
TF	4860°00'00"W	1831.50
TF	4950°00'00"W	1864.80
TF	5040°00'00"W	1898.10
TF	5130°00'00"W	1931.40
TF	5220°00'00"W	1964.70
TF	5310°00'00"W	1998.00
TF	5400°00'00"W	2031.30
TF	5490°00'00"W	2064.60
TF	5580°00'00"W	2097.90
TF	5670°00'00"W	2131.20
TF	5760°00'00"W	2164.50
TF	5850°00'00"W	2197.80
TF	5940°00'00"W	2231.10
TF	6030°00'00"W	2264.40
TF	6120°00'00"W	2297.70
TF	6210°00'00"W	2331.00
TF	6300°00'00"W	2364.30
TF	6390°00'00"W	2397.60
TF	6480°00'00"W	2430.90
TF	6570°00'00"W	2464.20
TF	6660°00'00"W	2497.50
TF	6750°00'00"W	2530.80
TF	6840°00'00"W	2564.10
TF	6930°00'00"W	2597.40
TF	7020°00'00"W	2630.70
TF	7110°00'00"W	2664.00
TF	7200°00'00"W	2697.30
TF	7290°00'00"W	2730.60
TF	7380°00'00"W	2763.90
TF	7470°00'00"W	2797.20
TF	7560°00'00"W	2830.50
TF	7650°00'00"W	2863.80
TF	7740°00'00"W	2897.10
TF	7830°00'00"W	2930.40
TF	7920°00'00"W	2963.70
TF	8010°00'00"W	2997.00
TF	8100°00'00"W	3030.30
TF	8190°00'00"W	3063.60
TF	8280°00'00"W	3096.90
TF	8370°00'00"W	3130.20
TF	8460°00'00"W	3163.50
TF	8550°00'00"W	3196.80
TF	8640°00'00"W	3230.10
TF	8730°00'00"W	3263.40
TF	8820°00'00"W	3296.70
TF	8910°00'00"W	3330.00
TF	9000°00'00"W	3363.30
TF	9090°00'00"W	3396.60
TF	9180°00'00"W	3429.90
TF	9270°00'00"W	3463.20
TF	9360°00'00"W	3496.50
TF	9450°00'00"W	3529.80
TF	9540°00'00"W	3563.10
TF	9630°00'00"W	3596.40
TF	9720°00'00"W	3629.70
TF	9810°00'00"W	3663.00
TF	9900°00'00"W	3696.30
TF	9990°00'00"W	3729.60

SEE SHEET 17

SEE SHEET 15

TRACT B

BOUNDARY OF THIS PLAT

BOUNDARY OF THIS PLAT

NOT SUBDIVIDED

SO. Line Sec. 6-43-23

22 LOTS THIS SHEET

SHEET 16 OF 20 SHEETS

1 IN = 100 FT

PUNTA GORDA ISLES

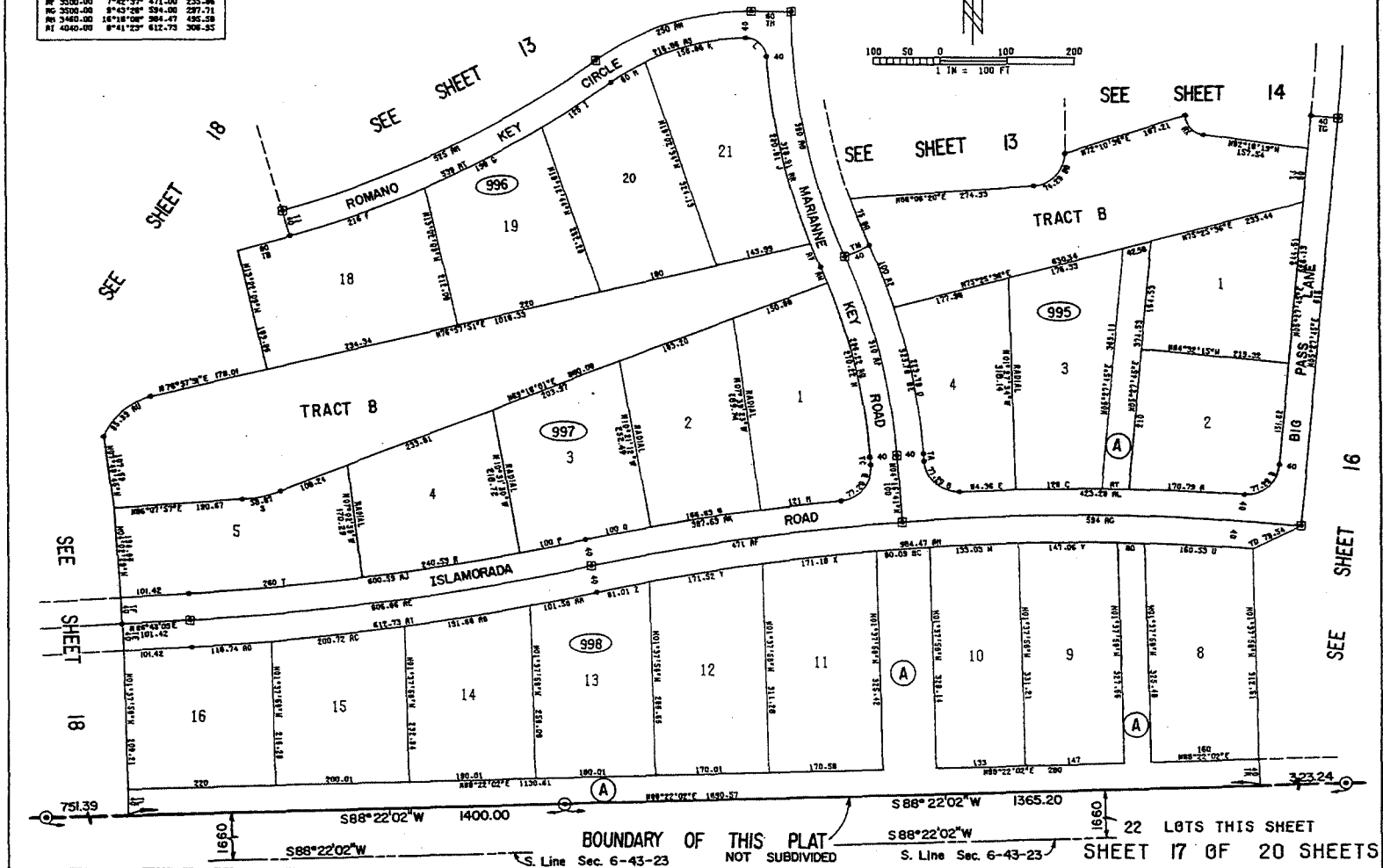
SECTION TWENTY TWO

A PORTION OF SECTION 1, T43S, R22E &
A PORTION OF SECTION 6, T43S, R23E
LEE COUNTY, FLORIDA

CURVE DATA				
TO	FROM	DELTA	ARC	TANGENT
A	3540.00	2°45'25"	170.79	82.41
B	30.00	80°33'48"	77.23	48.76
C	3540.00	2°04'18"	129.00	64.01
D	340.00	13°38'24"	223.78	112.42
E	3540.00	1°21'53"	84.26	42.18
F	1540.00	9°08'11"	218.00	109.18
G	1540.00	7°22'00"	189.00	94.14
H	360.00	3°32'57"	60.00	30.07
I	1540.00	4°28'00"	125.00	62.53
J	340.00	17°43'32"	230.81	146.43
K	360.00	24°07'32"	126.86	78.43
L	30.00	87°08'10"	45.43	28.52
M	3540.00	1°57'30"	121.00	60.51
N	860.00	18°00'10"	278.22	136.23
O	3540.00	2°41'48"	186.63	93.33
P	3980.00	1°28'49"	100.00	50.00
Q	3540.00	1°37'07"	100.00	50.00
R	3980.00	3°28'52"	240.58	120.33
S	200.00	18°31'53"	88.87	29.45
T	3980.00	3°45'40"	780.00	136.65
U	3480.00	2°38'30"	186.33	93.28
V	3480.00	2°28'07"	147.08	73.54
W	3480.00	2°12'10"	137.03	68.52
X	3480.00	2°30'03"	171.18	85.41
Y	3480.00	2°30'23"	171.52	85.78
Z	3480.00	1°20'23"	81.01	40.51
AA	4040.00	1°28'26"	101.58	50.78
AB	4040.00	2°45'07"	131.88	65.86
AC	4040.00	2°30'48"	200.72	100.36
AD	4040.00	1°41'03"	118.74	59.36
AE	4000.00	0°41'22"	608.68	303.31
AF	3500.00	7°45'37"	471.00	235.86
AG	3500.00	8°45'28"	534.00	267.71
AH	3480.00	16°18'08"	384.47	456.58
AI	4040.00	0°41'23"	612.73	306.35

CURVE DATA				
TO	FROM	DELTA	ARC	TANGENT
AJ	3980.00	0°41'23"	600.58	300.47
AK	3540.00	0°18'28"	387.43	194.01
AL	3540.00	0°31'07"	425.28	211.88
AM	1500.00	20°03'13"	323.00	285.51
AN	400.00	33°48'36"	230.00	133.23
AO	900.00	24°11'30"	380.00	195.57
AP	300.00	19°44'07"	210.00	106.53
AQ	860.00	19°44'07"	296.22	143.53
AR	340.00	20°00'54"	208.51	186.14
AS	360.00	34°30'43"	216.86	111.43
AT	1540.00	20°03'13"	323.00	285.51
AU	100.00	33°00'00"	35.89	32.00
AV	340.00	2°18'58"	36.00	19.00
AW	860.00	1°43'50"	28.00	13.00
AX	30.00	82°18'18"	43.00	26.22
AY	3540.00	0°38'58"	40.13	20.08
AZ	340.00	0°03'43"	100.00	50.00
BA	860.00	5°03'48"	76.00	38.02
BB	50.00	85°08'04"	74.29	45.52
BC	3480.00	1°18'34"	80.00	40.00
BD	3480.00	0°33'48"	40.00	20.00
BE	340.00	19°44'07"	323.78	163.51

TANGENT DATA	
TO	BEARING
TA	N04°15'41"W 11.13
TB	N74°28'18"E 80.00
TC	N04°15'41"W 11.13
TD	N04°42'23"E 79.54
TE	N03°18'33"W 40.00
TF	N03°18'33"W 40.00
TG	N04°32'15"W 40.00
TH	N03°48'18"W 40.00
TI	N15°28'41"W 40.00
TJ	N05°27'45"E 80.00
TK	N01°23'07"W 40.00
TL	N01°23'08"W 40.00
TM	N06°00'12"W 40.00

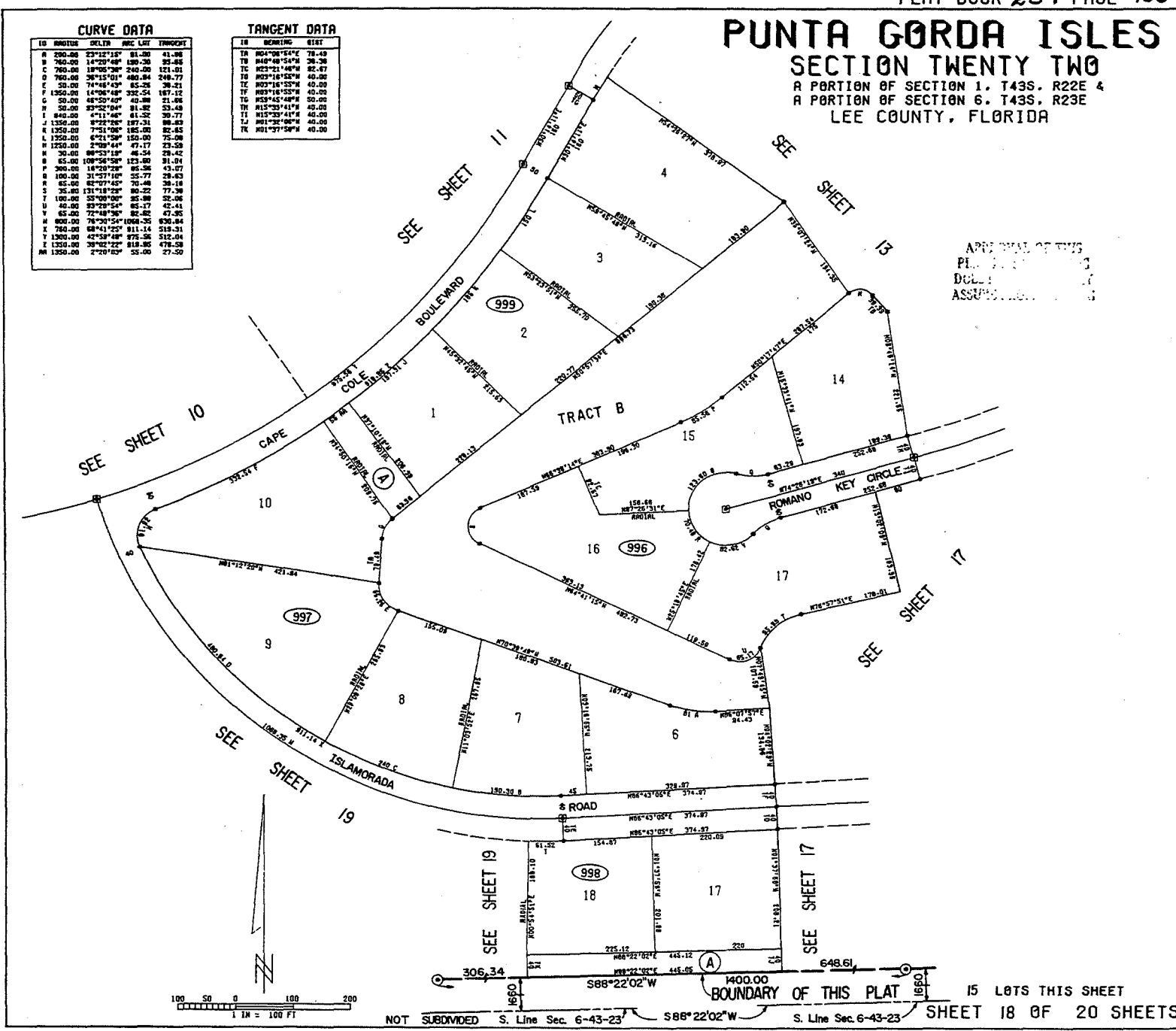


PUNTA GORDA ISLES

SECTION TWENTY TWO
A PORTION OF SECTION 1, T43S, R22E &
A PORTION OF SECTION 6, T43S, R23E
LEE COUNTY, FLORIDA

TO	ANGLE	DELTA	ARC	CHORD	THROUGHT
A	200.00	23°12'15"	81.00	41.98	
B	760.00	14°20'48"	130.20	85.84	
C	760.00	18°05'30"	240.00	121.01	
D	760.00	36°15'01"	480.84	240.77	
E	50.00	74°48'43"	65.26	38.41	
F	1350.00	14°06'48"	332.54	187.12	
G	50.00	48°50'49"	40.88	21.86	
H	50.00	87°52'04"	81.87	32.40	
I	840.00	4°11'46"	61.52	30.77	
J	1350.00	8°22'28"	187.31	88.87	
K	1350.00	7°51'00"	185.00	82.45	
L	1350.00	6°21'59"	150.00	75.06	
M	1350.00	2°39'44"	47.17	23.59	
N	30.00	86°23'19"	48.54	29.42	
O	65.00	109°56'58"	123.80	81.01	
P	300.00	18°20'29"	66.56	43.07	
Q	100.00	31°57'10"	25.77	29.43	
R	85.00	82°07'45"	70.46	36.18	
S	35.00	131°18'29"	40.22	77.38	
T	100.00	53°00'00"	85.88	52.06	
U	40.00	39°29'54"	45.17	42.41	
V	65.00	72°48'36"	82.82	47.85	
W	800.00	78°30'54"	1068.35	630.84	
X	760.00	68°41'25"	911.14	519.31	
Y	1300.00	42°58'48"	876.56	512.04	
Z	1350.00	39°02'22"	818.85	478.58	
AA	1350.00	2°20'02"	55.00	27.50	

TO	BEARING	DIST
TA	N04°06'14"E	78.49
TB	N48°40'54"W	38.28
TC	N23°21'46"W	82.47
TD	N03°16'55"W	40.00
TE	N03°16'55"W	40.00
TF	N03°16'55"W	40.00
TG	N59°45'48"E	50.00
TH	N15°05'41"E	40.00
TI	N15°29'41"E	40.00
TJ	N01°32'46"E	40.00
TK	N01°37'58"E	40.00



APPROVAL OF THIS
PLAT BY THE
DEPUTY
ASSURANCE

NOT SUBDIVIDED S. Line Sec. 6-43-23 S88°22'02"W S. Line Sec. 6-43-23 15 LOTS THIS SHEET SHEET 18 OF 20 SHEETS

PUNTA GORDA ISLES

SECTION TWENTY TWO

A PORTION OF SECTION 1, T43S, R22E &
A PORTION OF SECTION 6, T43S, R23E
LEE COUNTY, FLORIDA

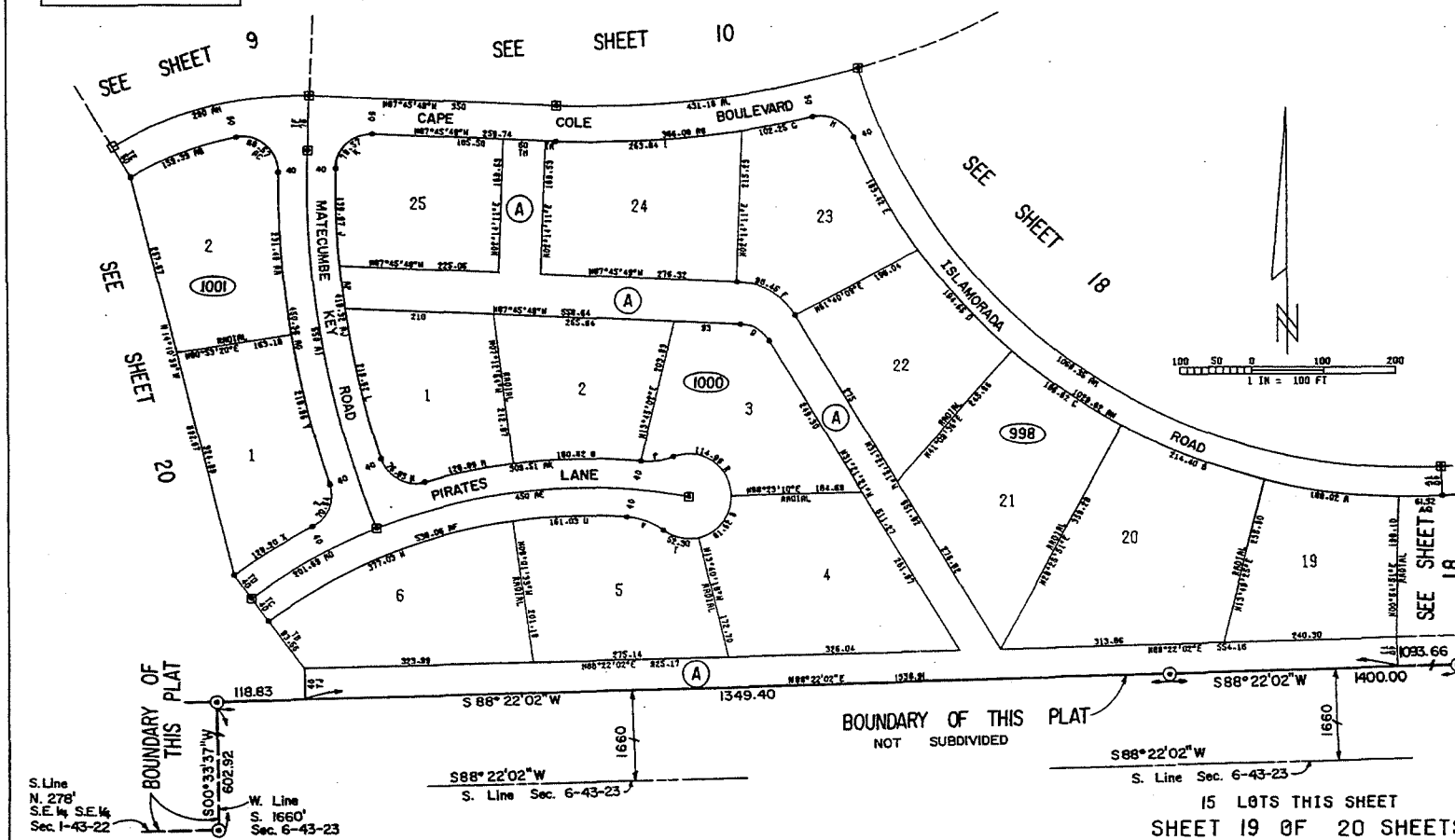
CURVE DATA			
ID	DATE	TIME	LOC
A	9/40	12:23:34	64-71
B	9/40	12:47:28	71-60
C	9/40	12:49:45	68-62
D	9/40	12:50:28	62-68
E	9/40	12:50:38	183-25
F	9/40	12:50:42	25-183
G	13/20	4:20:22	102-25
H	9/40	8:04:53	70-63
I	9/40	8:11:15	63-70
J	12/20	9:13:09	126-97
K	12/20	9:13:10	97-126
L	9/40	8:30:23	102-23
M	9/40	8:47:28	126-98
N	9/40	8:47:29	98-126
O	9/40	12:18:13	180-62
P	9/40	12:18:14	62-180
Q	5/20	5:24:28	48-22
R	5/20	5:28:42	22-48
S	9/40	10:09:43	114-96
T	9/40	10:09:44	96-114
U	9/40	6:09:38	32-30
V	9/40	6:09:39	30-32
W	10/20	3:03:28	38-12
X	9/40	28:25:23	277-63
Y	9/40	28:25:24	63-277
Z	13/20	9:21:29	110-68
AA	13/20	9:21:30	68-110
AB	13/20	9:23:54	131-64
AC	13/20	9:23:55	64-131
AD	9/40	12:48:37	153-29
AE	9/40	12:48:38	29-153
AF	9/40	14:28:43	701-88
AG	9/40	14:28:44	88-701
AH	9/40	40:33:48	200-86
AI	9/40	19:15:29	452-36
AJ	9/40	19:15:30	36-452
AK	13/20	24:14:28	278-18
AL	13/20	24:14:29	18-278
AM	9/40	21:00:41	308-51
AN	9/40	21:00:41	51-308
AO	13/20	18:00:55	431-18
AP	13/20	18:00:56	18-431

CURVE DATA				
ID	RADIUS	DELTA	ARC LGT	TANGENT
AW	840.00	70°13'48"	1078.82	590.88
AW	1350.00	15°32'15"	366.08	164.17
AG	1260.80	2°45'42"	86.73	30.57
AG	848.00	4°11'46"	61.52	38.77

TANGENT DATA		
ID	ORIGIN	DIST
TA	N07°45'48"N	14.16
TB	N36°28'58"N	83.98
TC	N30°28'58"N	40.00
TD	N36°28'58"N	40.00
TE	N30°38'42"N	50.00
TF	N02°14'11"E	75.00
YG	N03°16'35"N	40.00
TH	N07°45'48"N	60.00
TJ	N01°37'58"N	40.00
TI	N01°37'58"W	40.00

Petition to Vacate
Petition No:78-12
Description:Vacation of portion of Pirates Ln
Date of Approval:78-12
CCMB:83 Page:68

APPROVED
PLAN
DOES
ASSURE



PUNTA GORDA ISLES

SECTION TWENTY TWO

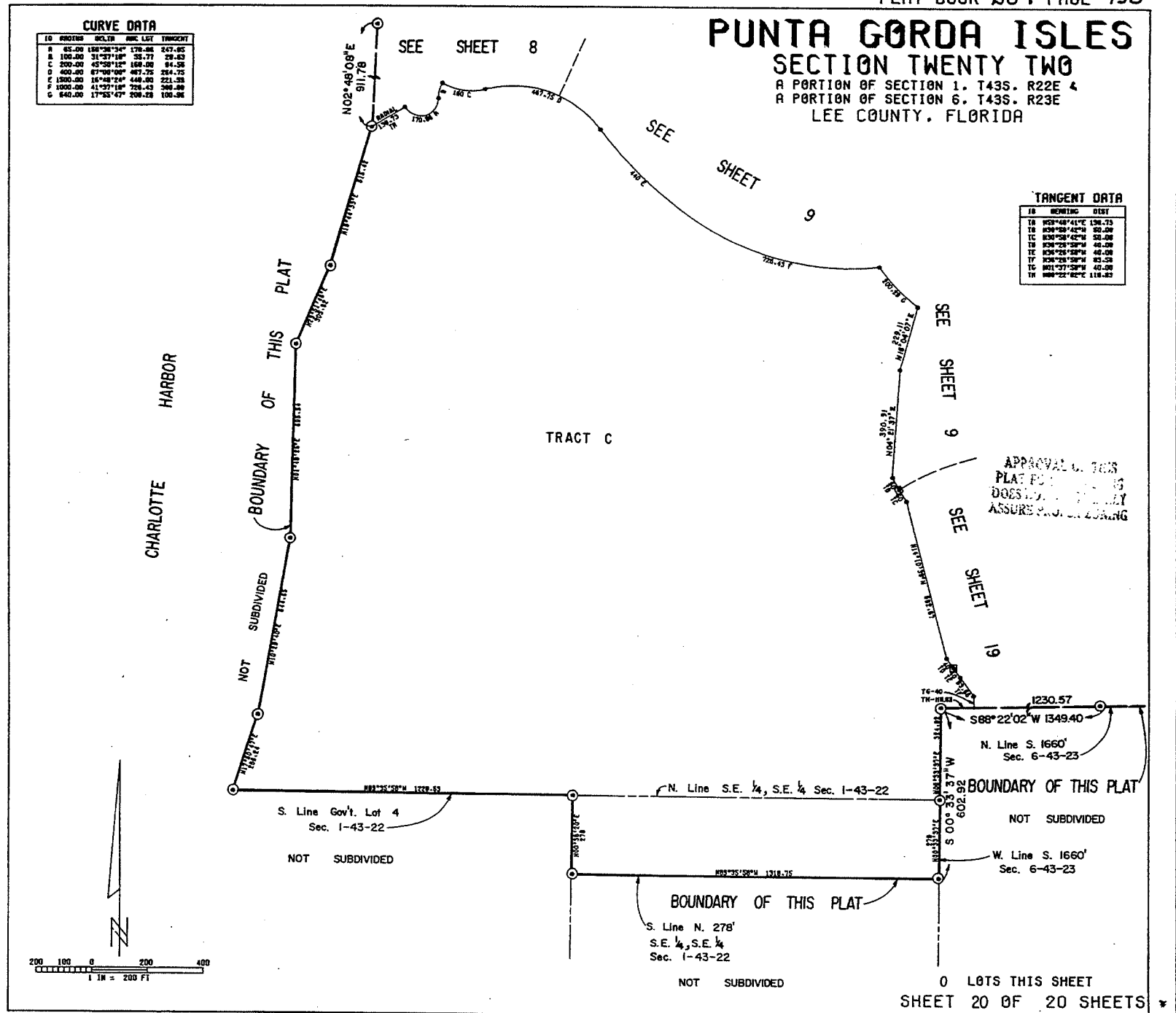
A PORTION OF SECTION 1. T43S. R22E 4

A PORTION OF SECTION 6. T43S. R23E

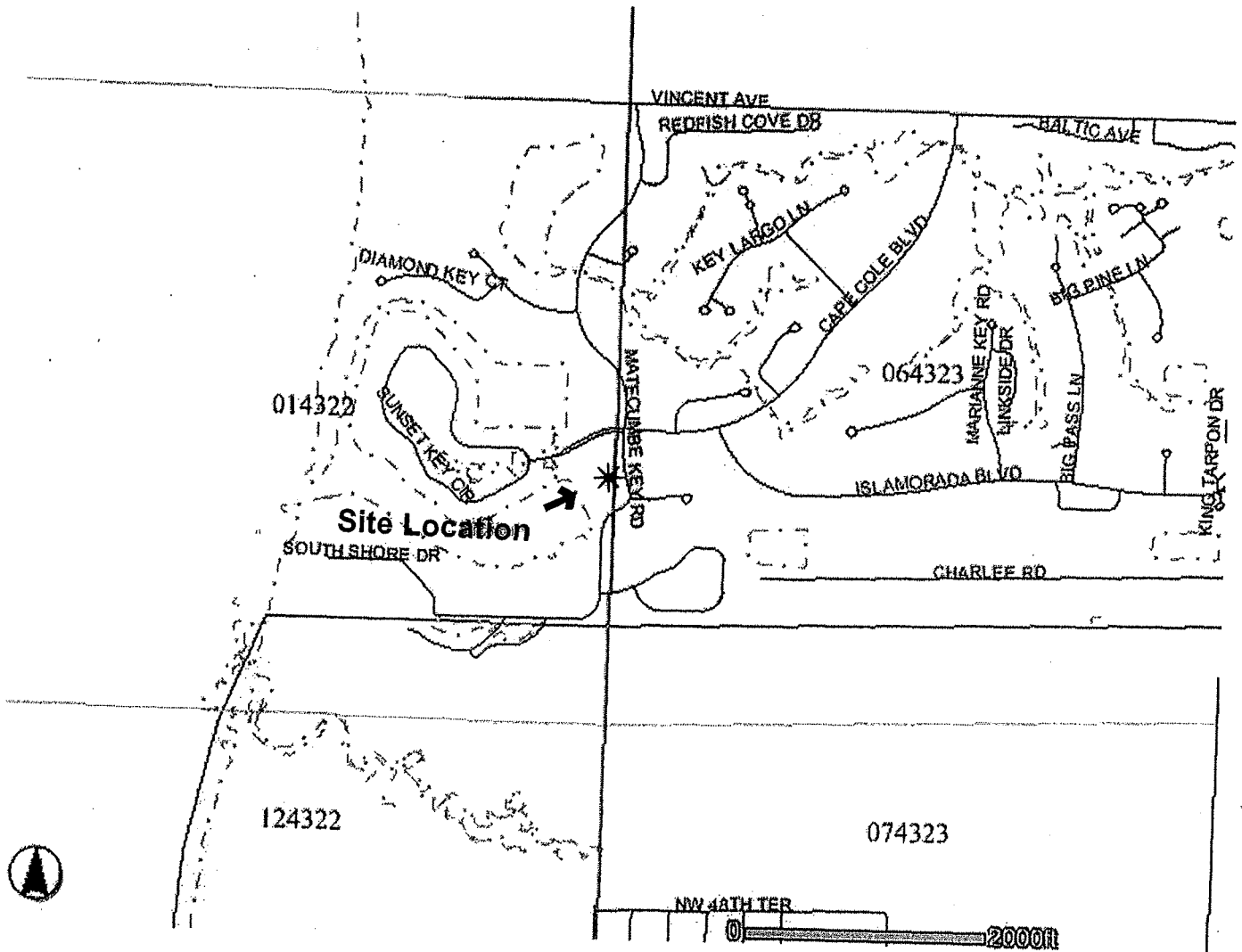
LEE COUNTY, FLORIDA

TO	FROM	DELTA	ARC LEN	TANGENT
A	65.00	180°36'34"	178.86	247.85
B	100.00	31°27'18"	35.77	29.82
C	200.00	45°58'12"	169.30	84.56
D	400.00	87°00'00"	387.75	284.75
E	1000.00	18°48'28"	144.80	221.38
F	1000.00	41°37'18"	728.43	568.88
G	640.00	17°25'47"	208.28	100.36

TO	FROM	DELTA	TANGENT
18	185°48'41"E	136.75	
19	83°28'42"W	53.00	
10	83°28'42"W	53.00	
11	83°28'42"W	53.00	
12	83°28'42"W	53.00	
13	83°28'42"W	53.00	
14	83°28'42"W	53.00	
15	83°28'42"W	53.00	
16	83°28'42"W	53.00	
17	83°28'42"W	53.00	
18	83°28'42"W	53.00	
19	83°28'42"W	53.00	



Area Location Map
EXHIBIT PH-3.F



RECEIVED

OCT 09 2007

COMMUNITY DEVELOPMENT

REZ 2007-00020

8/31/2007

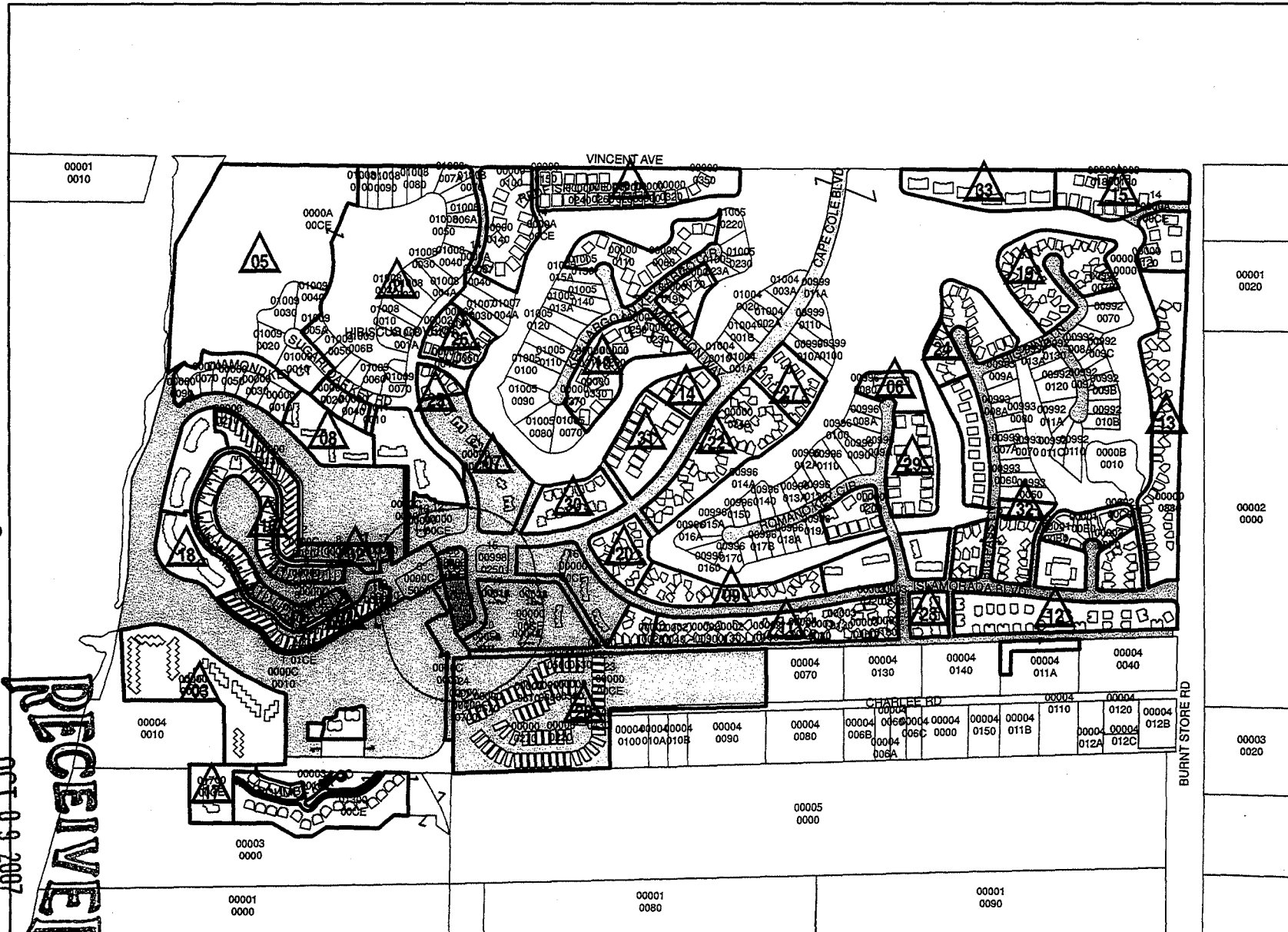
Subject Parcels : 1 Affected Parcels : 105 Buffer Distance : 500 ft

REF 2007-00020

COMMUNITY DEVELOPMENT

~~OCT 09 2007~~

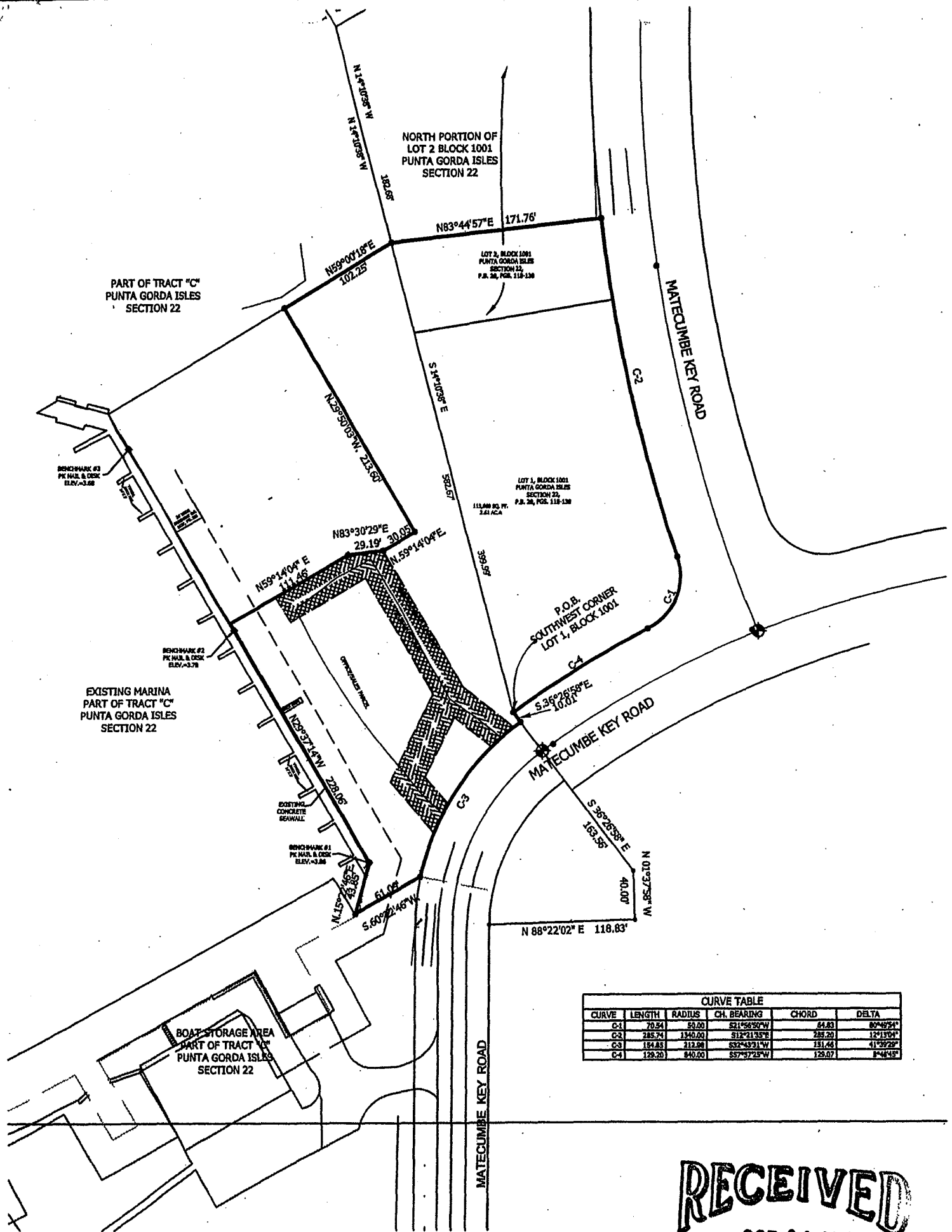
RECEIVED



06-43-23-07-0000A.0000

1,100 550 0

1,100 Feet



CURVE TABLE					
CURVE	LENGTH	RADIUS	CH. BEARING	CHORD	DELTA
C-1	70.54	50.00	S21°56'50"W	54.83	80°48'54"
C-2	285.74	1340.00	S12°21'35"E	285.20	12°13'04"
C-3	184.83	212.00	S32°43'21"W	151.46	41°29'23"
C-4	129.20	840.00	S57°57'25"W	129.07	8°44'45"

RECEIVED
OCT 09 2007

DESCRIPTION

BURNT STORE MARINA DEVELOPMENT PARCEL BEING LOT 1, BLOCK 1001, PART OF LOT 2, BLOCK 1001, PUNTA GORDA ISLES SECTION 22, PLAT BOOK 28, PAGE 118 THROUGH 138 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND A PORTION OF TRACT "C", PUNTA GORDA ISLES SECTION 22, PLAT BOOK 28 PAGES 118 THROUGH 138 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THAT PORTION BEING THE REMAINDER OF OFFICIAL RECORDS BOOK 2285 PAGES 3073 THROUGH 3087 AND LESS OFFICIAL RECORDS BOOK 4575 PAGE 3016.

BURNT STORE MARINA DEVELOPMENT PARCEL BEING LOT 1, BLOCK 1001, PART OF LOT 2, BLOCK 1001, PUNTA GORDA ISLES SECTION 22, PLAT BOOK 28, PAGE 118 THROUGH 138 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND A PORTION OF TRACT "C", PUNTA GORDA ISLES SECTION 22, PLAT BOOK 28 PAGES 118 THROUGH 138 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THAT PORTION BEING THE REMAINDER OF OFFICIAL RECORDS BOOK 2285 PAGES 3073 THROUGH 3087 AND LESS OFFICIAL RECORDS BOOK 4575 PAGE 3016, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST (SW) CORNER OF LOT 1, BLOCK 1001 PUNTA GORDA ISLES, PLAT BOOK 28 PAGES 118 THROUGH 138, SAID POINT LYING ON THE NORTH RIGHT-OF-WAY LINE MATECUMBE KEY ROAD; THENCE RUN S36°26'58"E FOR 10.01 FEET; THENCE RUN ALONG THE ARC OF A 212.98 FOOT RADIUS CURVE TO THE SOUTHWEST, SAID CURVE BEING THE NORTHWESTERLY RIGHT-OF-WAY LINE OF MATECUMBE KEY ROAD, SAID CURVE HAVING A CENTRAL ANGLE OF 41°39'29", A CHORD AND CHORD BEARING OF S32°43'31"W FOR 151.46 FEET, RUN ALONG THE ARC OF SAID CURVE FOR 154.85 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE RUN S60°22'46"W FOR A DISTANCE OF 61.09 FEET; THENCE RUN ALONG THE EAST LINE OF EXISTING MARINA N15°22'46"E FOR 43.85 FEET; THENCE N29°37'14"W FOR 228.06 FEET; THENCE RUN N59°14'04"E FOR 111.46 FEET; THENCE N83°30'29"E FOR 29.19 FEET; THENCE N59°14'04"E FOR 30.05 FEET; THENCE N29°50'03"W FOR 213.60 FEET; THENCE N59°00'18"E FOR 102.25 FEET; THENCE N83°44'57"E FOR 171.76 FEET TO AN INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF MATECUMBE KEY ROAD; THENCE RUN ALONG SAID WEST RIGHT-OF-WAY LINE ALONG THE ARC OF A 1340.00 FOOT RADIUS CURVE TO THE SOUTHEAST (SE), SAID CURVE HAVING A CENTRAL ANGLE OF 12°13'04", A CHORD AND CHORD BEARING OF S12°21'35"E FOR 285.20 FEET, RUN ALONG THE ARC OF SAID CURVE FOR 285.74 FEET TO THE POINT OF A 50.00 FOOT RADIUS REVERSE CURVE TO THE SOUTHWEST, SAID CURVE HAVING A CENTRAL ANGLE OF 80°49'54", A CHORD AND CHORD BEARING OF S21°56'50"W FOR 64.83 FEET, RUN ALONG THE ARC OF SAID CURVE FOR 70.54 FEET TO THE POINT OF A 840.00 FOOT RADIUS REVERSE CURVE TO THE SOUTHEAST, SAID CURVE HAVING A CENTRAL ANGLE OF 08°48'45", A CHORD AND CHORD BEARING OF S57°57'25"W FOR 129.07 FEET, RUN ALONG THE ARC OF SAID CURVE FOR 129.20 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 113,869 SQ. FT, 2.61 ACRES, MORE OR LESS

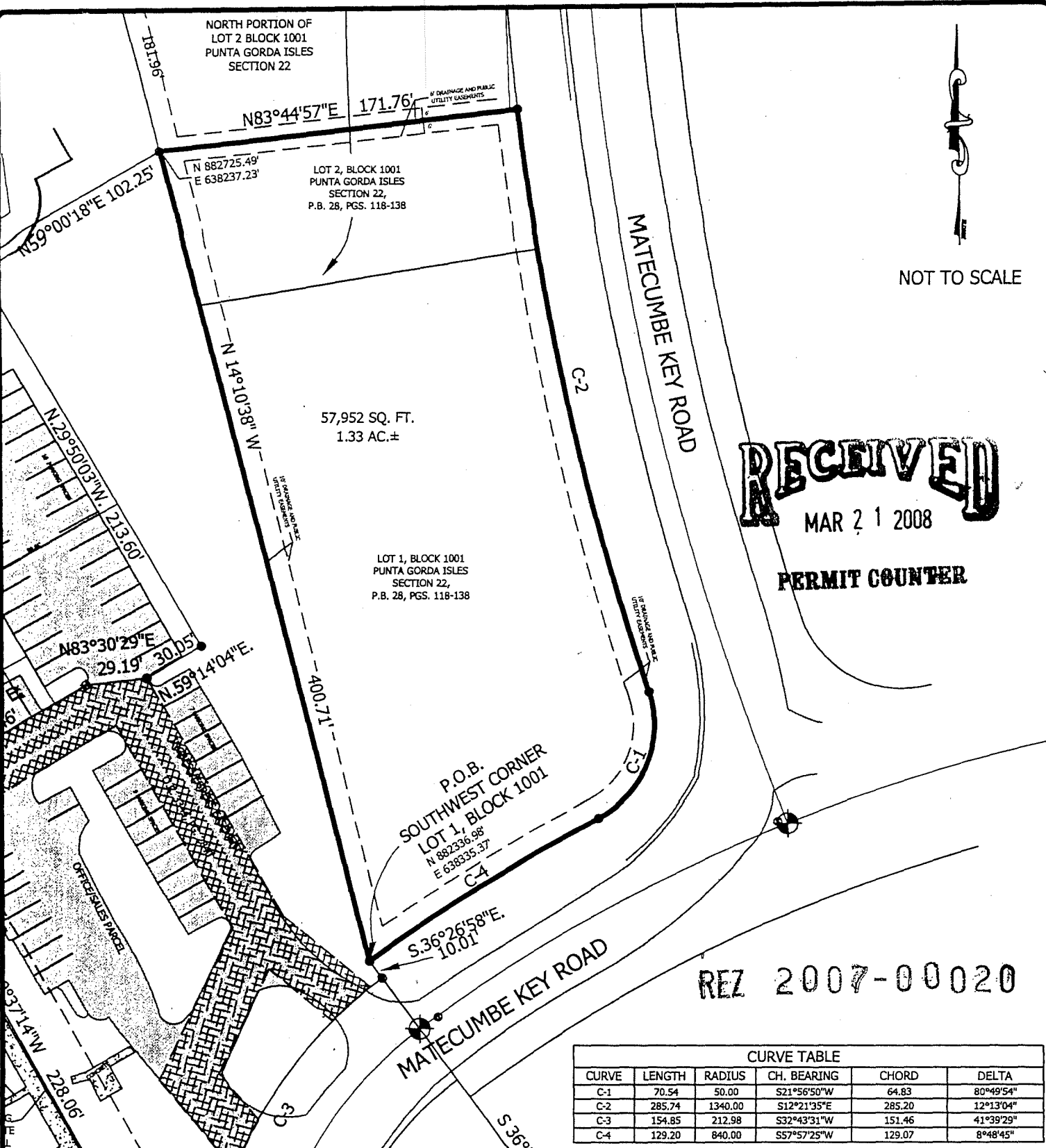
BEARINGS DERIVED FROM THE PLAT OF PUNTA GORDA ISLES SECTION 22.

REZ 2007-00020

RECEIVED

OCT 09 2007

Applicant's Legal Checked
by *MSA*



DESCRIPTION:

LOT 1, BLOCK 1001 AND A PART OF LOT 2, BLOCK 1001, PUNTA GORDA ISLES SECTION 22, PLAT BOOK 28, PAGE 118 THROUGH 138 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST (SW) CORNER OF LOT 1, BLOCK 1001 PUNTA GORDA ISLES, PLAT BOOK 28 PAGES 118 THROUGH 138, SAID POINT LYING ON THE NORTH RIGHT-OF-WAY LINE OF MATECUMBE KEY ROAD; RUN N14°10'38"W FOR 400.71 FEET; THENCE RUN N83°44'57"E FOR 171.76 FEET TO AN INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF MATECUMBE KEY ROAD; THENCE RUN ALONG SAID WEST RIGHT-OF-WAY LINE ALONG THE ARC OF A 1340.00 FOOT RADIUS CURVE TO THE SOUTHEAST (SE), SAID CURVE HAVING A CENTRAL ANGLE OF 12°13'04", A CHORD AND CHORD BEARING OF S12°21'35"E AND 285.20 FEET, RUN ALONG THE ARC OF SAID CURVE FOR 285.74 FEET TO THE POINT OF CURVATURE OF A 50.00 FOOT RADIUS REVERSE CURVE TO THE SOUTHWEST, SAID CURVE HAVING A CENTRAL ANGLE OF 80°49'54", A CHORD AND CHORD BEARING OF S21°56'50"W AND 64.83 FEET, RUN ALONG THE ARC OF SAID CURVE FOR 70.54 FEET TO THE POINT OF CURVATURE OF A 840.00 FOOT RADIUS REVERSE CURVE TO THE SOUTHEAST, SAID CURVE HAVING A CENTRAL ANGLE OF 08°48'45", A CHORD AND CHORD BEARING OF S57°57'25"W AND 129.07 FEET, RUN ALONG THE ARC OF SAID CURVE FOR 129.20 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 57,952 SQ. FT OR 1.33 ACRES, MORE OR LESS.

SKETCH OF
LOT 1 AND A PORTION OF LOT 2, BLOCK 1001, PUNTA GORDA ISLES SECTION 22,
ACCORDING TO PLAT BOOK 28, PAGES 118 THROUGH 138 OF THE PUBLIC
RECORDS OF LEE COUNTY, FLORIDA.

NOTE:
1. BEARINGS DERIVED FROM STATE PLANE COORDINATE FLORIDA
WEST, REFERENCE BEARING BEING THE WEST LINE OF LOT 1 BLOCK
1001 AS N14°10'38"W.

2. THIS CERTIFICATION IS ONLY FOR LAND DESCRIBED HEREON.

JOB # PREPARED FOR: AVALON ENGINEERING
SECTION 1, TOWNSHIP 43S, RANGE 22E

STOUTEN & ASSOCIATES, INC.
SURVEYING & MAPPING

CERTIFICATE OF AUTHORIZATION NUMBER LB3377
324 Nicholas Parkway West, Suite E, Cape Coral, FL 33991
Phone: (239)542-7499 Fax: (239) 945-0244
www.stoutenandassociates.com

I hereby certify that, to the best of my knowledge and belief, the legal
description represented hereon, made under my direction on March 4,
2008 is in accordance with Minimum Technical Standards as set forth by
the Florida Board of Professional Surveyors & Mappers in Chapter
61G17-8, Florida Administrative Code, pursuant to Section 472.027
Florida Statutes.

DONALD D. STOUTEN
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO.3639
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A
FLORIDA LICENSED SURVEYOR AND MAPPER

INSTRUCTIONS

(Section A.2.b, Lee County Administrative Code AC 13.7)

A Planning Division notification sign must be posted on a parcel(s) subject to any comprehensive plan map amendment application for a minimum of 15 calendar days in advance of the Local Planning Agency's Hearing and maintained through the Board of County Commissioner Hearing, if any. This sign will be provided by the Planning Division in the following manner:

- Sign for case number **CPA2007-00054 Burnt Store Marina** must be posted by **September 8, 2008**.
- The sign must be erected in full view of the public, not more than five feet from the nearest street right-of-way or easement.
- The sign must be securely affixed by nails, staples or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
- The applicant must make a good faith effort to maintain the sign in place, and in a readable condition until the requested action has been heard and a final decision rendered.
- If the sign is destroyed, lost or rendered unreadable, the applicant must report the condition to the Planning Division, and obtain duplicate copies of the sign from the Planning Division.

The Division may require the applicant to erect additional signs where large parcels are involved with street frontages extending over considerable distances. If required, such additional signs must be placed not more than three hundred feet apart.

When a parcel abuts more than one street, the applicant must post signs along each street.

When a subject parcel does not front a public road, the applicant must post the sign at a point on a public road which leads to the property and the sign must include a notation which generally indicates the distance and direction to the parcel boundaries and the dimensions of the parcel.

NOTE; AFTER THE SIGN HAS BEEN POSTED, THE AFFIDAVIT OF POSTING NOTICE, BELOW, SHOULD BE RETURNED NO LATER THAN THREE WORKING DAYS BEFORE THE HEARING DATE TO LEE COUNTY PLANNING DIVISION, 1500 Monroe Street, Fort Myers, FL 33901.

(Return the completed Affidavit below to the Planning Division as indicated in previous paragraph)

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED Mike Nation WHO ON
OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 34-236(b) OF THE LEE COUNTY LAND DEVELOPMENT
CODE ON THE PARCEL COVERED IN THE ZONING APPLICATION REFERENCED BELOW:

RECEIVED
SEP 10 2008
COMMUNITY DEVELOPMENT

Chris J. 2:42pm

Mike Nation 9/4/08

Signature of Applicant or Agent

Mike Nation Signs In One Day of Cape Coral

Name (Typed or Printed)

4408 Del Prado Blvd.

Street or P. O. Box

Cape Coral, FL 33904

City, State & Zip

CPA2007-00054 (Return to Janet Miller)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 4th day of Sept., 2008, by
Mike Nation personally known to me or who produced _____ as identification
and who did/did not take an oath.

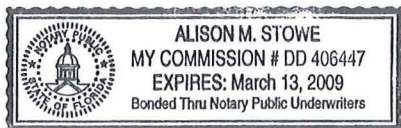
Alison M. Stowe

Signature of Notary Public

Alison M. Stowe

Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)





STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

CHARLIE CRIST
Governor

LEE COUNTY
RECEIVED

08 JUN 16 PM 1:05

COMM. DEV.
OB. WRKS. CNTR.
SECOND FLOOR

THOMAS G. PELHAM
Secretary

June 13, 2008

Ms. Karen A. Brodeen
Fowler White Boggs Banker PA
Post Office Box 11240
Tallahassee, Florida 32302

Re: Binding Letter of Modification to a Development with Vested rights and Binding Letter of Determination of Development of Regional Impact Status for Burnt Store Marina File Nos. BLIM-09-2007-016 and BLID-09-2007-015

Dear Ms. Brodeen:

On May 12, 2008, the Department received your application for a Binding Letter of Interpretation and Modification for the proposed Burnt Store Marina development, Tract C of Punta Gorda Isles-Section 22 in Lee County. On May 27, 2008 the Department notified you that the application was insufficient to issue a binding letter and requested additional information. The additional information was received on May 30, 2008 and the Department has determined the information in your application is sufficient and we will issue a binding letter on or before July 18, 2008

If you have any questions, regarding the matter, please contact Brenda Winningham, Regional Planning Administrator, at (850) 922-1800.

Sincerely,

Mike McDaniel
Chief, Office of Comprehensive Planning

MDM/bp

cc: Ms. Mary Gibbs, Director, Department of Community Development, Lee County
Mr. Dan Trescott, Southwest Florida Regional Planning Council

2555 SHUMARD OAK BOULEVARD ♦ TALLAHASSEE, FL 32399-2100
850-488-8466 (p) ♦ 850-921-0781 (f) ♦ Website: www.dca.state.fl.us

♦ COMMUNITY PLANNING 850-488-2356 (p) 850-488-3309 (f) ♦
♦ HOUSING AND COMMUNITY DEVELOPMENT 850-488-7956 (p) 850-922-5623 (f) ♦

William L and Elaine M Kimber
17731 Courtside Landings Circle
Punta Gorda, FL. 33955

November 16, 2008

Department of Community Affairs
Division of Community Planning
ATTN: Ray Eubanks, Plan Review Administrator
2555 Shumard Oak Blvd
Tallahassee, FL 32399-2100

Reference: CPA2007-54, Lee Plan Future Land Use Amendment,
Burnt Store Marina Village

Dear Mr. Eubanks:

The initiative referenced above was submitted by Realmark Burnt Store Marina, LLC, to the Lee County Division of Planning in early August, presented to the Local Planning Agency (LPA) on 22 September, recommended for transmittal during the September 29 meeting of the LPA, and subsequently approved for transmittal by the Board of County Commissioners (BOCC) during their 23 October Comprehensive Plan Amendment Transmittal Hearing.

As residents of Burnt Store Marina (Courtside Landings Condominium Association), I/we feel that the redevelopment of the marina area is overdue. However, we strongly oppose two portions of the proposed redevelopment plan: the maximum building height of 220 feet, and the construction of a large hotel.

- a. The height of the "towers" was initially capped at 135 feet by the LPA in accordance with the Lee County Comprehensive Plan, but was then revised to match Realmark's requested height of 220 feet. Structures 220 feet high will not "fit" the height and architecture that currently exist in the Burnt Store Marina community. I/we feel that a more reasonable height limit, similar to existing building heights in Burnt Store Marina, should be applied to these and any future buildings in coastal Lee County.
- b. The construction of a hotel in the middle of a largely residential community will introduce a large transient population that is not in keeping with the overall look and feel of a well-established residential community.
- c. Boating in through Boca Grande Pass is a beautiful sight to see until one notices the tall buildings of Burnt Store Marina off in the distance. Nothing else sticks out in beautiful Charlotte Harbor / Pine Island Sound. The addition of one or more buildings 220 feet high (85 feet or 8 stories higher than the current tall buildings) will be a real eye sore.

- d. I wish that I was informed about the new structures before the County Commissioners voted for the Realmark redevelopment of the Marina area. We moved into the community 5/1/2008. I also feel that many or most of my neighbors were not aware of the plan design. One day we did notice some rezoning or ?? notices on fence posts but the next days rain and wind destroyed them. We never got a chance to read them.

While Realmark is justifiably proud of Cape Harbour, one of their developments in Cape Coral, replicating Cape Harbour in Burnt Store Marina presents several problems for the existing residents. The larger buildings in the Cape Harbour development are just off an arterial road; a person wishing to enjoy the restaurant and retail offerings there doesn't drive through a residential area, and the residents are not affected by the transient traffic.

Before moving here, we searched for – and were happily surprised to find in southwest Florida – a place where life isn't as hectic, traffic is reasonable, and time moves a little slower; things that are hard to find in other parts of Florida. If I/we had wanted the "Cape Harbour lifestyle" we would have bypassed Burnt Store Marina and purchased a home in Cape Harbour. I/we feel the same way about Realmark attempting to bring Cape Harbour here; thanks but no.

We need your support in keeping the beautiful community that is Burnt Store Marina. Please help us protect and preserve our residential communities by disapproving the hotel and enforcing the building heights and densities as they currently exist in the Lee County Comprehensive Plan.

Sincerely,

Bill and Elaine Kimber

cc Lee County Florida - Commissioners

Knott, Consoer, Ebelini
Hart & Swett, P.A.
ATTORNEYS - AT - LAW

George H. Knott *+
George L. Consoer, Jr. **
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
Telecopier (239) 334-1446

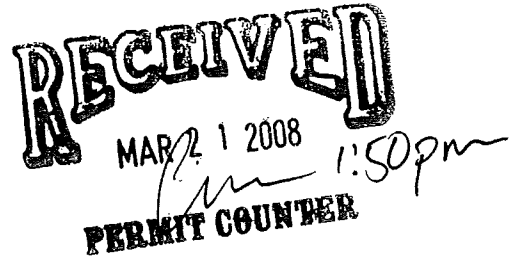
MUhle@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen
Natty Torres-Alvarado
David A. Burt
Madeline Ebelini

Director of Zoning
and Land Use Planning
Michael E. Roeder, AICP

March 21, 2008

Mr. Bryan Kelner, Principal Planner
Department of Community Development
P.O. Box 398
Fort Myers, FL 33902



Re: Burnt Store Marina / REZ2007-00020

Dear Bryan:

We are in receipt of your letter dated February 6, 2008 and would offer the following comments and additional information:

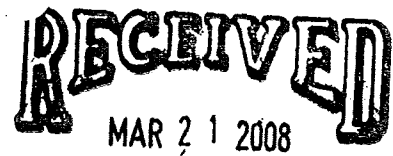
The applicant is changing the request from CM (Marine Commercial) to CP (Commercial Parking) and reducing the size of the subject parcel to 1.33 acres.

LC Zoning Action Legal Requirements Checklist

10c) The survey must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning (POB) and the other an opposing corner.

When mapping the supplied legal with the state plane coordinates on the boundary survey stamped received on Jan. 18, 2008, the point of beginning is approximately 100 feet to the west of where it should be. Please make sure the state plane coordinate system is to the Florida West Zone (North American Datum of 1983/1990 Adjustments). Please correct and resubmit.

RESPONSE: The boundary survey has been revised to reflect your comment and is included in this resubmittal package.



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Staff Comments:

1. Page 6 of 12 of the application, Item K, does not answer the question in the affirmative or negative with regard to potable water and central sewer. Please clarify, if you will or will not be providing potable water and central sewer.

RESPONSE: Page 6 of the application has been revised to reflect your comment and is included in this resubmittal package.

2. Staff has a concern with the rezoning to Commercial Marine (CM) for temporary parking and providing temporary dry storage racks while the dry storage building(s) is being constructed, given the nature of the site and compatibility issues.

RESPONSE: After considering staff's concerns, the applicant has decided to change the request for rezoning to CP (Commercial Parking). The application and supplement documents have been revised accordingly; these documents are included in this resubmittal package, along with a justification for the request.

Comments from County Attorney's Office

1. The stated reason for this rezoning is to provide additional parking for the existing marina and potential "temporary use" for dry boat storage.

This creates a problem, in that the applicant is referring to property not included in the rezoning request, which is owned by another entity, but apparently controlled by the same individuals. [The ownership of the property is in RealMark Burnt Store Marina, LLC. A company with a different name apparently comprised/managed by the same individuals.]

The fact that the rezoning is being requested to support a more intense use, leaves me to believe that this request should be considered a DCI under 34-34©. This is based upon the fact that the more intense use that this proposed rezoning will support may create unreviewed/unmitigated compatibility issues with the neighboring uses; (2) may impact traffic in a manner that will otherwise avoid appropriate review and (3) may potentially impact environmentally critical areas (waterways, etc.).

RESPONSE: The applicant is changing the request to CP and reducing the size of the subject parcel.

2. A portion of this subject parcel is included in the Marina Village part of the Burnt Store Marina development and the balance is included in the "Golf Course subdivision" (Lot 1 and

a portion of Lot 2, Block 1001, PG 1) part of the development. The Marina Village development was approved under Resolution Z-77-63 as RU-3 with special uses in specifically designated tracts, using the PUD concept. The special uses allowed are specifically designated on the plan/map that is part of the 1977 zoning file and include 4.2 acres of commercial, 5.1 acres of motel, 8.3 acres of resort - inn and 14.1 acres of marine industrial. The subject property was not included within any of these designated special use areas.

RESPONSE: That is true, but irrelevant. There is no legal obstacle to rezoning the property, as was done when the County initiated the rezoning on the CM parcel.

A portion of the Marina Village parcel was rezoned to CM under a County initiated action resulting in Resolution SP-87-019. As a basis for approval, the Board and County staff understood that the total number of wet and dry slips that could be constructed within the overall Marina Village parcel would be limited to 525 slips. Given the applicant's statements regarding use of the subject parcel for dry storage purposes, there is some question whether there will be DRI implications [based upon the DCA settlement/vested rights determination, the effect of the additional dry storage slip with respect to the manatee protection provisions, etc.].

RESPONSE: The request has been changed to CP. No additional dry slips will be constructed or installed on the subject property.

Sincerely,

KNOTT, CONSOER, EBELINI,
HART & SWETT, P.A.



Matthew D. Uhle, Esq.

MDU/ams
Attachments

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LEE COUNTY
SOUTHWEST FLORIDA

APPLICATION FOR PUBLIC HEARING FOR ZONING ACTION UNINCORPORATED AREAS ONLY

Applicant's Name: Burnt Store Amenities, LLC

Project Name: Burnt Store Marina

STRAP Number(s): 06-43-23-07-0000A.0000

TYPE OF APPLICATION

- ☐ Special Exception (attach Supplement A)
☐ Variance (attach Supplement B)
☒ Conventional Zoning (attach Supplement C)
☐ Planned Development (not PRFPD) (attach Supplement D)
☐ Amendment to built Planned Development (Supplement D may be required)
☐ Private Recreational Facilities Planned Development (attach Supplement D)
☐ Extension of a Master Concept Plan (attach Supplement E)
☐ Reinstatement of a Master Concept Plan (attach Supplement F)
☐ DRI - with rezoning (submit completed DRI Application Form {do not use this form} and Supplement D)
☐ DRI - without rezoning (submit completed DRI Application Form {do not use this form})

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Is this project located in the Estero Planning Community, or the Captiva Planning Community, or in the Caloosahatchee Shores Planning Community ?

☐ YES* ☒ NO *If YES, please note PARTS 4G, 4.H, and 4.I below for meeting summary document requirements.

STAFF USE ONLY

Case Number: _____ Commission District: _____
Current Zoning: _____ Fee Amount: _____
Land Use Classification: _____ Intake by: _____
Planning Community: _____

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (239) 479-8585

PART 1
APPLICANT\AGENT INFORMATION

A. Name of applicant: Burnt Store Amenities, LLC

Address: Street : 5789 Cape Harbour Drive, Suite 201

City: Cape Coral State: FL Zip: 33914

Phone: Area Code: 239 Number: 541-1372 Ext:

Fax: Area Code: 239 Number: 541-1377

E-mail address:

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B. Relationship of Applicant to owner (check one):

NA Applicant (including an individual or husband & wife) is the sole owner of the property.
[34-201(a)(1)a.1.]

Notarized Affidavit of Authorization form is attached as Exhibit PH-1.B.2.
(See Part 1 Exhibit Form A1 attached hereto for suggested Affidavit Form for an individual.) [34-202(b)(1)c.]

☒ Applicant has been authorized by the owner(s) to represent them for this action.

☒ **Notarized Affidavit of Authorization form is attached as Exhibit PH-1.B.2.**
(Please select the appropriate Affidavit Form from the suggested forms in Part 1 Exhibits attached hereto.) [34-202(b)(1)c.]

NA Applicant is a contract purchaser/vendee. [34-202(b)(1)d.]

Notarized Affidavit of Authorization form is attached as Exhibit PH-1.B.2.
[34-202(b)(1)c.] (Please select the appropriate Affidavit Form from the suggested forms in Part 1 Exhibits attached hereto.)

NA Application is County initiated. BOCC authorization is attached as Exhibit PH-1.B.3

C. Authorized Agent: Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202(b)(1)c.]

C.1. Company Name: Knott, Consoer, Ebelini, Hart & Swett, P.A.

Contact Person: Matthew D. Uhle, Esq.

Address: Street : 1625 Hendry Street, Suite 301

City: Fort Myers State: FL Zip: 33901

Phone: Area Code: 239 Number: 334-2722 Ext:

Fax: Area Code: 239 Number: 334-1446

E-mail address: muhle@knott-law.com

C.2. ☒ Additional Agent(s): The names of other agents that the County may contact concerning this application are attached as Exhibit PH-1.C.2. [34-202(b)(1)c.]

REZ 2007-00020

**PART 2
PROPERTY OWNERSHIP**

A. Property Ownership: Single owner (individual or husband & wife only) [34-201(a)(1)a.1.]

A.1. Name: NA

Mailing Address: Street: _____
City: _____ State: _____ Zip: _____
Phone: Area Code: _____ Number: _____ Ext: _____
Fax: Area Code: _____ Number: _____
E-mail: _____

B. Property Ownership: Multiple owners (Corporation, partnership, trust, association) [34-201(a)(1)].

B.1. ☒ Disclosure of (Ownership) Interests Form is attached as Exhibit PH-2.B.1. [34-201(b)2]

C. Multiple parcels

C.1. NA Property owners list is attached as Exhibit PH-2.C.1. [34-202(a)(5)]

C.2. NA Property owners map is attached as Exhibit PH-2.C.2. [34-202(a)(5)]

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D. Date property was acquired by present owner(s): 12/30/2005

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**PART 3
PROPERTY INFORMATION**

A. STRAP Number(s): 06-43-23-07-0000A.0000

B. Street Address of Property: Reserved area Punta Gorda, FL 33955

C. Legal Description

☒ Legal description (on 8 1/2" by 11" paper) is attached as Exhibit PH-3.C.1. [34-202(a)(1)]

☒ Sealed sketch of the legal description is attached as Exhibit PH-3.C.2. [34-202(a)(1)]

D. Boundary Survey

☒ A Boundary survey, tied to the state plane coordinate system, is attached as Exhibit PH-3.D.1. [34-202(a)(2)]

☒ The property consists of one or more undivided platted lots in a subdivision recorded in the Official County Plat Books. A copy of the applicable plat book page is attached as Exhibit PH-3.D.2. [34-202(a)(2)]

E. Planning Community: Burnt Store

REF 2007-00020

F. General Location of Property:

- F.1. ☒ Area location map (for all applications other than Planned Developments) is attached as **Exhibit PH-3.F.** [34-202(a)(4)] {NOTE: For Planned Development Applications see Supplement D [34-373(a)(4)b.]}

F.2. Directions to property: From downtown Fort Myers:

Take US 41 north over the Caloosahatchee Bridge. Go approximately 3.9 miles and turn left onto Diplomat Pkwy. E. Take Diplomat approximately 8.8 miles and turn right onto Burnt Store Rd.
After approximately 6.4 miles, turn left onto Vincent Avenue. Then, turn left onto Matecumbe Key Road. End at the subject property.

G. Surrounding property owners:

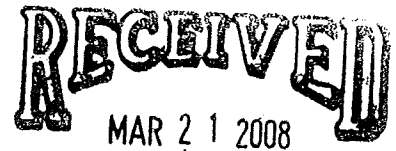
- G.1. ☒ List of surrounding property owners is attached as **Exhibit PH-3.G.1.** [34-202(a)(6)]
G.2. ☒ Map of surrounding property owners is attached as **Exhibit PH-3.G.2.** [34-202(a)(7)]
G.3. ☒ 2 sets of mailing labels are attached as **Exhibit PH-3.G.3.** [34-202(a)(6)]

H. Current Zoning of Property: RM-10

I. Current use of property:

- I.1. ☒ Current use(s) of the property are:

Vacant Residential



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- I.2. ☒ If buildings or structures exist on the property, an affidavit is required stating that buildings & structures will be removed or that the proposed use of buildings, structures and land is or will be in compliance with all requirements of the LCLDC. **Attach as Exhibit PH-3.I.2. and entitle "Affidavit Regarding Proposed Use".** [34-202(b)(3)]
- I.3. NA If the property owner intends to continue an existing agricultural use on the property subsequent to the zoning approval an Existing Agricultural Use Affidavit is attached as **Exhibit PH-3.I.3. and entitled "Agricultural Uses at Time of Zoning Application".** [34-202(b)(7)]

J. Land Use Classification:

<u>Rural</u>	<u>1.33</u>	Acres	<u>100</u>	% of total
		Acres		% of total
		Acres		% of total
		Acres		% of total

K. Flood Hazard (write NA if not applicable) [34-202(a)(8)]

- ☒ The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.

A-10 The minimum elevation required for the first habitable floor is EL-9 NGVD (MSL)

L. Deed Restrictions [34-202(b)(2)]

- L.1. ☒ There are no deed restrictions or other covenants on this property that affect this request. [34-202(b)(2)]
- L.2. NA Deed restrictions\ covenants that may affect this request are attached as **Exhibit PH-3.L.2.** [34-202(b)(2)]
- L.3. NA A narrative explanation as to how the deed restrictions or covenants may affect this request. is attached as **Exhibit PH-3.L.3** [34-202(b)(2)]

M. Property Dimensions [34-202(a)(8)]

1. Width (average if irregular parcel): approx. 168 Feet
2. Depth (average if irregular parcel): approx. 360.50 Feet
3. Total area: 1.33 Acres or square feet
4. Frontage on road or street: _____ Feet on _____ Street
- 2nd Frontage on road or street: _____ Feet on _____ Street

**PART 4
ACTION REQUESTED**

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A. Action Requested: [check applicable action(s)]

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- _____ Special Exception for _____ Attached is Supplement A
- _____ Variance for _____ Attached is Supplement B
- ☒ Conventional Rezoning from: RM-10 to CP Attached is Supplement C
- _____ Planned Development Rezoning from _____ to _____
- _____ DCI - Major: **Attached is Supplement D**
- _____ DCI - Minor: **Attached is Supplement D**
- _____ Request is for PRFPD zoning in the Private Recreational Facilities Overlay Area. **Attached is Supplement D**

_____ **Planned Development Amendment. Attached is Supplement D**

B. Excavations:

- ☒ No blasting will be used in the excavation of lakes or other site elements.
- NA If blasting is proposed, Information Regarding Proposed Blasting (including soil borings, a map indicating the general location of the proposed blasting, and other required information) is attached as **Exhibit PH-4.B** [34-202(b)(6)]

C. Bonus Density: (put NA if not applicable)

NA Bonus density will be used. Attached is **Exhibit PH-4.C** showing calculations. [34-202(b)(5)]

D. Hazardous materials: (put NA if not applicable)

NA A Hazardous materials emergency plan is attached as **Exhibit PH-4.D** [34-202(b)(4)]

E. Mobile Home Park: (put NA if not applicable)

NA Request includes rezoning of a Mobile Home Park. **Attached is Exhibit PH-4.E** [34-203(d)]

F. Aviation Hazard: (put NA if not applicable)

NA Property is subject to Airport Hazard District regulations. **Attached is Exhibit PH-4.F** [34-1001 et seq]

NA A tall structures permit will be required.

NA Property is located within Noise zone:

G. Estero Planning Community (put NA if not applicable)

NA A summary of public informational session. Attached is **Exhibit PH-4.G** [34-373(a)(10); Lee Plan Policy 19.5.3]

H. Captiva Planning Community (put NA if not applicable)

NA A summary of public informational session. Attached is **Exhibit PH-4.H** [Lee Plan Policy 13.1.7]

I. Caloosahatchee Shores Community Plan (put NA if not applicable)

NA A summary of public informational session. Attached is **Exhibit PH-4.I** [Lee Plan Policy 21.6.3]

J. Waivers from Application Submission Requirements: The following waivers, approved by the Director of Zoning Services, are attached as **Exhibit PH-4.J** [Section 34-202(a)]

Section Number	Name of item
NA	

K. Potable Water & Central Sewer. Will the project be connected to potable water and central sewer as part of any development of the property? ✓ YES. NO.

NA **If the answer is NO**, please explain why the connection to potable water and/or central sewer is not planned. Label explanation as **Exhibit PH 4-K**.

NA **If the answer is YES**, please indicate the name of the Utility to which the connection(s) are proposed.
Burnt Store Utilities, Inc. [BOCC POLICY]

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REZ 2007-00020

**PART 6
SUBMITTAL REQUIREMENTS**

THE NUMBER OF COPIES REQUIRED FOR EACH EXHIBIT IS BASED ON THE ACTION REQUESTED AS INDICATED BELOW. TO BE SUBMITTED FOR EACH OF THE FOLLOWING EXHIBITS IS AS FOLLOWS:

Number of Copies*			Exhibit Number	SUBMITTAL ITEMS
Var.	Conv. Rez. or Spe. Exc.	PDs		
1	✓ 1	15		Completed application for Public Hearing [34-201(b)]
1	✓ 1	1		Filing Fee - [34-202(a)(9)]

Var.	Conv. Rez. or Spe. Exc.	PDs	SUP	SUPPLEMENTAL FORMS (select applicable request/form)
0	NA 1	0	SUP A	Special Exception request
1	0	0	SUP B	Variance request
0	✓ 1	0	SUP C	Conventional Rezoning request
0	0	15	SUP D	Planned Development Rezoning request
0	0	15	SUP D	Planned Development Amendment request
0	0	15	SUP D	PRFPD in in Overlay Area Rezoning request
0	0	8	SUP E	Master Concept Plan Extension request
0	0	8	SUP F	Master Concept Plan Reinstatement request

Var.	Conv. Rez. or Spe. Exc.	PDs	Exhibit Number	SUBMITTAL ITEMS
1	✓ 1	3	PH-1.B.2	Notarized Affidavit of Authorization Form [34-202(b)(1)c]
1	NA 1	1	PH-1.B.3	BOCC authorization (if applicable)
1	✓ 1	15	PH-1.C.2	Additional Agents [34-202(b)(1)c.]
1	✓ 1	3	PH-2.B.1	Disclosure of Interest Form [34-201(b)(2)a]
1	NA 1	3	PH-2.C.1	Subject property owners list (if applicable) [34-202(a)(5)]
1	NA 1	3	PH-2.C.2	Subject Property Owners map (if applicable) [34-202(a)(5)]
1	NA 1	15	PH-3.A.1	List of STRAP Numbers (if additional sheet is required) [34-202(a)(1)]
2	✓ 2	5	PH-3.C.1	Legal Description (2 originals required) [34-202(a)(1)]
2	✓ 2	5	PH-3.C.2	Sealed Sketch of the Legal Description (2 originals required) [34-202(a)(1)]
1	✓ 1	5	PH-3.D.1	Boundary Survey (tied to State Plane Coordinate System) (2 originals required) [34-202(a)(2)] {NOTE: This is a required submittal for all Planned Development Applications (see Supplement D for that requirement)} [34-373(a)(4)a.}]
1	✓ 1	N/A	PH-3.D.2	Copy of Plat Book Page (if applicable) [34-202(a)(1)]
1	✓ 1	0	PH-3.F	Area Location Map on 8 by 11 paper pursuant to LCLDC Section 34-202(a)(4). (Non Planned Developments)
0	0	15		Area Location Map for Planned Developments - see Supplement D [34-373(a)(4)b.]

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MAR 21 2008
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Number of Copies*			Exhibit Number	SUBMITTAL ITEMS
Var.	Conv. Rez. or Spe. Exc.	PDs		
1	✓ 1	3	PH-3.G.1	List of Surrounding Property Owners [34-202(a)(6)]
1	✓ 1	3	PH-3.G.2	Map of Surrounding Property Owners [34-202(a)(7)]
2	✓ 2	2	PH-3.G.3	Mailing labels [34-202(a)(6)]
1	✓ 1	3	PH-3.I.2.	Affidavit Regarding Proposed Use (if applicable) [34-202(b)(3)]
1	NA 1	3	PH-3.I.3.	Affidavit entitled " <u>Agricultural Uses at Time of Zoning Application</u> " (if applicable) [34-202(b)(7)]
1	NA 1	3	PH-3.L.2	Deed Restrictions\Covenants (if applicable) [34-202(b)(2)]
1	NA 1	3	PH-3.L.3	Narrative addressing effect of Deed Restrictions (if applicable) [34-202(b)(2)]
1	✓ 1	15		Completed Supplement Form appropriate to the action requested (see Supplemental Forms above)
1	NA 1	15	PH-4.B	Information Regarding Proposed Blasting (if applicable). [34-202(b)(6)]
0	0	4	PH-4.C	Bonus Density units (if applicable) [34-202(b)(5)]
1	NA 1	4	PH-4.D	Hazardous materials emergency plan (if applicable) [34-202(b)(4)]
0	NA 1	4	PH-4.E	Mobile Home Park Information (if applicable) [34-203(d)]
1	NA 1	4	PH-4.F	Aviation Hazard (if applicable) [34-1001 et seq.]
0	0	4	PH-4.G	Summary of Public Informational Session for Planned Development Applications located within Estero Planning Community [34-373-(a)(10); Lee Plan Policy 19.5.3]
1	NA 1	4	PH-4.H	Summary of Public Informational Session for rezoning, special exception and variance applications located within Captiva Planning Community [Lee Plan Policy 13.1.7]
0	0	4	PH-4.I	Summary of Public Informational Session for Planned Development Applications located within Caloosahatchee Shores Planning Community [Lee Plan Policy 21.6.3]
1	NA 1	15	PH-4.J	Approved Waivers.(if applicable) [34-202(a)]
0	0	4	PH-4.K	Potable Water & Central Sewer. If the answer to Item 6.D was NO, an explanation must be attached providing the reason(s) why connection to potable water and central sewer system is not proposed as part of any development of the parcel subject to the rezoning request. [BOCC POLICY]

* At least one copy must be an original.

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EXHIBIT PH-1.C.2
ADDITIONAL AGENTS

Company Name: Avalon Engineering
Contact Person: Brendan Sloan
Address: Street : 2503 Del Prado Blvd., South, Suite 200
City: Cape Coral State: FL Zip: 33904
Phone: Area Code: 239 Number: 573-2077 Ext:
Fax: Area Code: 239 Number: 573-2076
E-mail address: brendan@avaloneng.com

RECEIVED
MAR 21 2008

Company Name:
Contact Person:
Address: Street :
City: State: Zip:
Phone: Area Code: Number: Ext:
Fax: Area Code: Number:
E-mail address:

PERMIT COUNTER

Company Name:
Contact Person:
Address: Street :
City: State: Zip:
Phone: Area Code: Number: Ext:
Fax: Area Code: Number:
E-mail address:

Company Name:
Contact Person:
Address: Street :
City: State: Zip:
Phone: Area Code: Number: Ext:
Fax: Area Code: Number:
E-mail address:

REZ 2007-000000



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**PUBLIC HEARING
SUPPLEMENT C**

**ADDITIONAL REQUIRED INFORMATION FOR
A CONVENTIONAL REZONING APPLICATION
UNINCORPORATED LEE COUNTY**

Case Number: _____
Project Name: Burnt Store Marina
Applicant's Name: Burnt Store Amenities, LLC
STRAP Number(s): 06-43-23-07-0000A.0000

☒ Rezoning from RM-10 to CP
NA Variances included?(check one) ☒ NO ☐ YES* for _____

NA Special Exception included? (check one) ☒ NO ☐ YES** for _____

* If YES, Supplement B must also be submitted.

** If YES, Supplement A must also be submitted.

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (239) 479-8585

PART 1. SPECIFIC SUBMITTAL INFORMATION REQUIRED

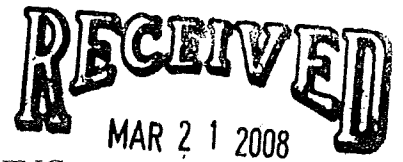
A. REASON(S) FOR REQUEST. Requests for rezonings, other than Planned Developments and those determined to be Development of Regional Impact, must include a statement of the basis or reason for the rezoning. The statement must be directed to the guidelines for decision-making embodied in Lee County Land Development Code Sections 34-145(c)(2)a., e., i., and j.; 34-145(d)(2) a. and b.; and 34-145(d)(3). This statement may be utilized by the Board of County Commissioners, Hearing Examiner and County Staff in establishing a factual basis for the granting or denial of the rezoning (use additional paper if needed, label as **Exhibit C-1.A.**). [34-203(c)]

The purpose of the request is to provide additional parking for an existing marina. The justification for the request is included with the application package.

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REZ 2007-00020



LEE PLAN NARRATIVE/JUSTIFICATION FOR REZONING

PERMIT COUNTER

The requested rezoning to CP is consistent with the Lee Plan in general and the following objectives and policies in particular:

1. Policy 1.4.1: The applicant is seeking to provide additional parking for a marina use that is consistent with both the Rural land use category and the Water-Dependent Overlay. The parking use is consequently permitted in the Rural category.
2. Objective 2.1: The subject property is currently zoned for multi-family uses and abuts a parcel that is zoned CM. The request does not, therefore, constitute urban sprawl.
3. Objective 2.2: The parking lot will not generate any demands for urban services.
4. Policy 5.1.5: The proposed parking lot will be separated from the nearest residential use by a local street and the buffer required by the LDC.
5. Policy 6.1.2: Neither the parking lot nor the marina that it will service must comply with the commercial site location standards.
6. Policy 6.1.4: The parking lot will be compatible with the uses in the neighborhood and will not create any demands for public services.
7. Policy 6.1.7: The parking lot will abut and serve an existing marina use.

The applicant further states the following in accordance with LDC sections 34-145 and 34-203:

1. The rezoning is consistent with the Lee Plan, as noted above.
2. The request will comply in all respects with the requirements in the LDC.
3. The request is compatible with the neighborhood, as noted above.
4. The parking lot use will not create any demands for public services.
5. There are no environmentally sensitive lands on the site.

EXHIBIT C-1

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TWO BINDING LETTERS OF INTERPRETATION OF
VESTED RIGHTS FOR SECTION 22

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ISSUE: Have the rights of Punta Gorda Isles, Inc. (PGI) vested sufficiently under Section 380.06 (12), Florida Statutes, to the extent that their Section 22 project in Lee County is exempt from the DRI process?

- FACTS: 1) PGI's Section 22 project is a predominantly residential development located in 626 acres in Lee County, with 239 homesites. The project also involves a marina complex, with mooring slips for approximately 108 boats and dry storage facilities for over 1,500 boats. The marina plan also indicates a multi family area for 200 units, a fact not further elaborated on in PGI's application.
- 2) The development is located within 2 miles of Charlotte County, making the dwelling unit threshold 500 d.u.'s.
- 3) Final plat approval was granted by the Board of County Commissioners for Lee County on June 20, 1973, and recorded by the Clerk of the Circuit Court on June 28.
- 4) The land is currently zoned industrial. The applicant maintains that a rezoning petition has not been accepted by Lee County due to a moratorium imposed on March 1, 1973, which extends to August 31, 1973.
- 5) Total expenditures on the Section 22 project as of July 1, are as follows:

Surveys	\$4,058
Flahning	3,894
Plat preparation	12,667
Plat recordation	305
	<u>\$20,924</u>

DISCUSSION: The Section 22 project involves two types of DRI's: residential and a port facility (marina). For the purposes of vested rights, however, this project may be treated together.

Although plat recordation was accomplished prior to July 1 (on June 28), no reliance or change of position was demonstrated based on this recordation. Thus, the vested rights issue depends on the zoning status of the development. Although the applicant implies that the only reason for not having obtained rezoning prior to July 1 is the moratorium, we cannot assume that without the moratorium the zoning would automatically have been granted.

RECOMMENDATIONS: That the rights of PGI have not vested for their Section 22 project.

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STATE OF FLORIDA

Jan 10

Department of Administration

Division of State Planning

725 SOUTH BRONOUGH

TALLAHASSEE

32304

(904) 488-2401

Earl M. Starnes
STATE PLANNING DIRECTOR

Reubin O'D. Askew
GOVERNOR

L. K. Ireland, Jr.
SECRETARY OF ADMINISTRATION

October 26, 1973

Mr. Scott G. Stepp
Vice President
Punta Gorda Isles, Inc.
1625 West Marion Avenue
Punta Gorda, Florida 33950

Dear Mr. Stepp:

Based on the information you have provided and the specific factual circumstances regarding your proposed Section 22 residential development in Lee County, the Division of State Planning has evaluated your request for a determination of status dated August 31, 1973, and has determined that your rights have not vested under Section 380.06 (12), Florida Statutes. The Section 22 project will therefore be subject to the provisions of Section 380.06, Florida Statutes, and Chapter 22F-2, Florida Administrative Code, pertaining to this type of development.

You are further advised that if the total number of residential dwelling units in a common scheme of development exceeds the guidelines and standards of Chapter 22F-2.10, F.A.C., any application for development approval submitted under Section 380.06, Florida Statutes, must be completed for the total development area, and not for sections or portions thereof.

This determination does not obviate the need to comply with other applicable state or local permitting procedures.

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2007-00054

Mr. Scott G. Stepp
October 26, 1973
Page Two

I hope this determination will be of assistance to you.

Sincerely,



Earl M. Starnes, FAIA
Director
Division of State Planning

EMS/JMb

cc: Mr. Wade Hopping
Mr. Barry Peterson
Mr. Robert Lulofs
Mr. Joel Kuperburg
Mr. Bruce Johnson
Mr. Don Molloy
Mr. William Carlton
Mr. Al Baker

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2007-00054

BLIVR-974-029
PGI-Section 22
(RECONSIDERATION)

ISSUE:

Is a subdivision plat approved on June 20, 1973 by a formal vote of a local government pursuant to local subdivision plat law, sufficient to vest this development under Section 380.06(12), F.S.?

FACTS:

1. May 4, 1973 - preliminary plat approval
2. June 20, 1973 - final plat approval by the Board of Co. Comm. for Lee Co.
3. June 28, 1973 - final plat was recorded by the clerk of the circuit court of Lee Co.

PRECEDENT:

BLIVR-974-028 - PGI Section 19 - replat

DISCUSSION:

Since the subdivision plat for this development was approved by a formal vote of a county or municipal governmental body after August 1, 1967, and prior to July 1, 1973, pursuant to local subdivision plat law, this project should be exempted from the DRI review.

RECOMMENDATIONS:

Consider the rights of PGI-Section 22 vested under Section 380.06(12), F.S.

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CPH 2007-00054



STATE OF FLORIDA

Department of Administration

Division of State Planning

680 Apalachos Parkway • IBM Building

TALLAHASSEE

32304

(904) 488-4925

July 5, 1974

Earl M. Starnes
STATE PLANNING DIRECTOR

James
LIVR-2
Roubin O'D. Askew
GOVERNOR

L. K. Ireland, Jr.
SECRETARY OF ADMINISTRATION

Mr. Scott G. Stepp, Vice President
Punta Gorda Isles, Incorporated
1625 West Marion Avenue
Punta Gorda, Florida 33950

Dear Mr. Stepp:

Based on the information you have provided and the specific factual circumstances regarding your development, the Division of State Planning has reevaluated your request for a determination of status dated August 31, 1973, and has found that the proposed Punta Gorda Isles - Section 22 residential development in Lee County (Section 1, T43S, R22E and Section 6, T43S, R22E) is a Development of Regional Impact as legally defined in Chapter 22F-2.10, Florida Administrative Code. Furthermore, it has been determined that your rights have vested pursuant to Section 380.06(12), Florida Statutes. You, therefore, will not be required to comply with the provisions of Section 380.06, Florida Statutes, and Chapter 22F, Florida Administrative Code, pertaining to this type of development.

This determination does not obviate the need to comply with other applicable state or local permitting procedures. Any questions regarding this determination may be directed to Mr. Leo Florez, Associate Planner, Bureau of Land and Water Management.

I hope this determination will be of assistance to you.

Sincerely,

Earl M. Starnes
Director
Division of State Planning

EMS/ELLr

cc: Mr. Don Malloy
Mr. Barry Peterson
Mr. Robert Lulofs
Mr. Joel Kuperberg

Mr. Bruce Johnson
Mr. William Carlton
Mr. Al Baker
Mr. Wade Hopping

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2225830

AGREEMENT

Burnt S Improvement Co., Inc.
1 Matecumbe Key Road
Punta Gorda, FL 33955

THIS AGREEMENT is made and entered into this 30th day of January, 1987 by and between the State of Florida Department of Community Affairs, 2571 Executive Center Circle, East, Tallahassee, Florida 32301, (hereinafter "DCA") and Burnt Store Improvement Company, Inc., 1 Matecumbe Key Road, Punta Gorda, Florida 33955, (hereinafter "BSIC"), concerning a parcel of land in Lee County, Florida, more particularly described in Attachment A hereto which constitutes Punta Gorda Isles Section 22, including Tract C as recorded in Plat Book 28, Pages 118 through 138, Public Records of Lee County, Florida (hereinafter "Section 22").

This agreement is intended to resolve a dispute, as to the facts and applicable law, that has arisen between DCA and BSIC concerning the scope of vested rights claimed by BSIC under Chapter 380, Florida Statutes, to develop Punta Gorda Isles (hereinafter "PGI") Section 22, which dispute would necessitate lengthy and costly litigation between the parties unless the parties reach a satisfactory agreement.

WHEREAS, Punta Gorda Isles, Inc., then sole owner of Section 22, sought and received final plat approval for Section 22 on June 20, 1973, from the Board of County Commissioners, Lee County; and

WHEREAS, the Final Plat of Section 22 was recorded in Lee County Public Records on June 28, 1973, Plat Book 28, Pages 118 through 138; and

WHEREAS, in reliance on the 1973 Section 22 Plat, PGI filed in August 1973 an Application for a Binding Letter of Interpretation of Vested Rights (BLIVR) under Florida Statutes 380.06 with the Bureau of Land Planning, Division of State Planning; and

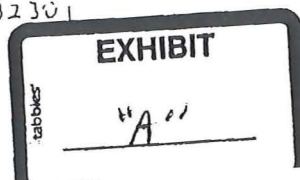
WHEREAS, the application recited that the development contained a marina complex and golf course associated with 239 homesites; and

RECORD VERIFIED - CHARLIE GRIFFIN, CLERK S
BY: J. TURNER, D.C.

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Prepared by:
MICHAEL J. CONIGLIO
526 E PARK AVENUE, SUITE 200
TALLAHASSEE, FL 32301



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determined that your rights have vested pursuant to Section 380.06(12) Florida Statutes." Moreover, the letter stated that PGI would not be required to submit a Development of Regional Impact review of the vested plan for the Section 22 development; and

WHEREAS, a dispute has arisen between the DCA and PGI concerning the number of vested Marina Spaces for boats which dispute would require lengthy and costly litigation to resolve; and

WHEREAS, on January 3, 1975, the U.S. Army Corps of Engineers granted Permit 72-1176 for the marina complex, referencing the Department of Pollution Control Certification Approval 7-22, and containing 323 wet spaces, 2,000 spaces for dry storage, a boatel, boat repair facilities and other related improvements; and;

WHEREAS, on July 18, 1985, Lee County, Florida, granted building permits for the construction of 204 docks in the marina complex; and

WHEREAS, on May 20, 1986, DCA and PGI entered into an Agreement concerning the number of residential units vested in the Section 22 development, in which DCA contended that the marina complex was vested for 108 wet slips and dry storage for over 1,500 boats, which contention was not material to the substance of the Agreement nor agreed to by PGI; and

WHEREAS, on July 18, 1986, PGI sold the Section 22 development to BSIC with all attendant rights, privileges and liabilities; and

WHEREAS, BSIC maintains that PGI represented to BSIC as consideration for the purchase and sale of the Section 22 development that all local, state and federal permits and authorizations were approved and in hand to complete the marina complex with 204 docks for approximately 570 boat slips, upon which representations BSIC materially and in good faith relied; and

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WHEREAS, the application recited that the marina complex would encompass a 125 acre site and would contain dry storage facilities for over 1,500 boats, multi-family dwellings, boat slips handling boats up to 35 feet in length, covered wet slips, a boatel, facilities to space boats in excess of 50 feet in length, and fuel electronic, engine repair and marine facilities; and

WHEREAS, the application contained a conceptual sketch of the marina plan; and

WHEREAS, the application recited that the marina complex required a permit from the Trustees of the Internal Improvement Trust Fund, the State of Florida Department of Pollution Control, and the U.S. Army Corps of Engineers, as well as building permits from Lee County, Florida; and

WHEREAS, the application recited that permit applications were filed for the marina complex on October 10, 1972 with the Trustees of the Internal Improvement Trust Fund, on September 21, 1972 with the State of Florida Department of Pollution Control, and on October 6, 1972 with the U.S. Army Corps of Engineers; and

WHEREAS, the application recited that the State of Florida Department of Pollution Control granted Permit 7-22 and certification to the U.S. Army Corps of Engineers by Permit Agreement dated June 19, 1973 for the marina complex; and

WHEREAS, on October 2, 1973, the Trustees of the Internal Improvement Trust Fund granted a permit for the marina complex in accordance with and pursuant to the commitments made in the June 19, 1973 PGI/DPC Permit Agreement; and

WHEREAS, on June 5, 1974, Earl M. Starnes, Director, Division of State Planning issued a BLIVR to PGI concerning the Section 22 development, stating therein the following: "the proposed Punta Gorda Isles Section 22 residential development in Lee County (Section 1, T43S, R22E and Section 6, T43S, R22E) is a Development of Regional Impact as legally defined in Chapter 22F-2.10, Florida Administrative Code. Furthermore, it has been

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WHEREAS, BSIC maintains that the marina is vested for 323 wet spaces and over 1,500 dry spaces, and that DCA was apprised of this exact number of spaces through receipt of permit applications, diagrams and issued permits and authorization's both prior to, and for the 12 years subsequent to, issuance of the BLIVR for the Section 22 development; and

WHEREAS, there has been much apparent confusion over use of the terms "slips" versus "wet spaces" in relation to the vested status of the marina complex in the Section 22 development; and

WHEREAS, BSIC maintains that in the marina industry the term "wet space" connotes an area in which two boats may be slipped, thus eliminating any inconsistency in the project as depicted in the approved BLIVR application and as planned by BSIC; and

WHEREAS, BSIC has nevertheless agreed to modify the marina complex to meet certain concerns of DCA and to reduce regional impacts associated with the Section 22 development; and

WHEREAS, the parties to this agreement intend to resolve all differences between them as to the exact nature of the marina complex and other improvements vested as part of the Section 22 development.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, the parties agree to resolve their dispute as follows:

1. All of the preceding WHEREAS paragraphs are true and correct and are incorporated herein by reference.

2. DCA hereby recognizes, confirms and agrees that the BSIC Section 22 development in Lee County is a Development of Regional Impact and that BSIC may construct wet slips for 525 water craft in the marina and that this alone will not require BSIC to comply with any applicable provisions of Section 380.06, Florida Statutes, and Chapter 27F, F.A.C. BSIC is hereby authorized to construct the 323 wet spaces or 525 wet slips for water craft without further DCA review, if built and constructed within the area of PGI Section 22 as shown on Attachment B.

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3. BSIC hereby waives and abandons its right to construct 1,044 of the dry spaces authorized in the PGI Section 22 development, and further agrees to waive its right to construct any of the 500 dry spaces authorized in excess of the original 1,500 space amount, up to 2,000 thereby allowing BSIC to develop a maximum of 456 dry spaces in this DRI, and thereby waiving its right to construct the balance of 1,044 dry spaces originally proposed and authorized in the PGI Section 22 Development.

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4. This Agreement inures to the benefit of and is binding on the parties and their successors and assigns including all prior and subsequent purchasers of Section 22 and Burnt Store Marina South real property regardless of the DRI status of the real property as more particularly described in Attachment A; it shall bind the DCA as to the DRI status of PGI Section 22 under Chapter 380.06, Florida Statutes.

5. This Agreement constitutes the entire agreement between the parties and no modification or change to this Agreement shall be valid or binding upon the parties unless it is in writing and executed by the parties to be bound thereby.

6. This Agreement shall be recorded by PGI in the Public Records of Lee County, Florida, in the chain of title for Section 22.

In Witness whereof the parties have caused this Agreement to be executed hereto the day and year as indicated below:

Signed, Sealed and Delivered
in the presence of:

STATE OF FLORIDA, DEPARTMENT
OF COMMUNITY AFFAIRS, "DCA"

Patricia C. Crosby
First Witness

By: [Signature]

Jan Rayburn
Second Witness

DATED: January 22, 1987
(SEAL)

BURNT STORE IMPROVEMENT, INC.

[Signature]
First Witness

BY: [Signature]
Michael V. Coriglio,
Agent

Shirley M. Green
Second Witness

DATED: 1-26-87

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COMMUNITY DEVELOPMENT **CDA** 2007-00054

STATE OF FLORIDA:
COUNTY OF LEON:

I HEREBY CERTIFY that on this 30th day of January, 1987, personally appeared Tom Lewis Jr. as Secretary, State of Florida, Department of Community Affairs, to me known to be the person described in and who executed the foregoing Agreement as such officer and acknowledged before me that he executed the same for the purposes therein expressed as the act and deed of said Department of Community Affairs.

WITNESS my hand and official seal this 30th day of January, 1987, in the State and County last aforesaid.

My Commission Expires:

Notary Public, State of Florida
My Commission Expires Dec. 15, 1987

Jan. Rayburn
Notary Public - State of
Florida

(SEAL)

STATE OF FLORIDA
COUNTY OF LEON:

I HEREBY CERTIFY that on this 30th day of January, 1987, personally appeared Michael J. Coniglio as agent to Junta Gorda Isles, Inc., Burnt Store Improvement, Inc., and Gulf Coast Credit Corp., to me known to be the person described in and who executed the foregoing Agreement as such officer and acknowledged before me that he executed the same for the purposes therein expressed as the act and deed of said corporation.

WITNESS my hand and official seal this 30th day of January, 1987, in the State and County last aforesaid.

My Commission Expires:

Notary Public, State of Florida
My Commission Expires Dec. 15, 1987

Sherry M. Green
Notary Public
State of Florida

(SEAL)

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ATTACHMENT "A"

A parcel of land being all of GOVERNMENT LOT 1 and a portion of GOVERNMENT LOT'S 2, 3, and 4, and the Southeast 1/4 of the Northeast 1/4, and the Northeast 1/4 of the Southeast 1/4, and the North 278 feet of the Southeast 1/4 of the Southeast 1/4 of Section 1, Township 43 South, Range 22 East, and all of Section 6, Township 43 South, Range 23 East less the South 1660 feet thereof and less the Right of Way for BURNT STORE ROAD, (State Road No. 765) Lee County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of Section 6, Township 43 South, Range 23 East; thence run N 89°36'00" W along the South boundary line of Charlotte County and the North boundary line of Lee County a distance of 17.52 feet to the Point of Beginning of the Parcel of Land hereinafter described; said boundary line also being the South line of Punta Gorda Isles, Section 21, Sheet 46, Plat Book 13, Page 1-2-21, of the Public Records of Charlotte County, Florida; thence run S 00°20'00"W along the Westerly Right of Way line of State Road No. 765 (Burnt Store Road) a distance of 167.79 feet to a point; thence run S 01°35'20"W along the said Westerly R/W line of State Road No. 765 a distance of 756.86 feet to a point; thence run S 02°50'40"W along the said Westerly R/W line of State Road No. 765 a distance of 727.59 feet to the Point of Curvature of a circular curve to the left having a radius of 17,390.08 feet; said curve being the Westerly R/W line of State Road No. 765; thence run Southwesterly along the arc of said curve, an arc distance of 653.57 feet through a central angle of 02°09'12" to the Point of Tangency; thence run S 00°41'23" W along the said Westerly R/W line of State Road No. 765 a distance of 1093.95 feet to a point of intersection with a line that is 1660 feet North of and parallel to the South line of said Section 6; thence run S 88°22'02"W along said line that is 1660 feet North of and parallel to the South line of said Section 6, a distance of 5236.84 feet to a point of intersection with the West line of the South 1660 feet of said Section 6; said line also being the East line of the NE 1/4, SE 1/4 of Section 1, Township 43 South, Range 22 East; thence run S 00°33'37" W along the West line of the South 1660 feet of said Section 6 and the East line of the NE 1/4 of the SE 1/4 of the said Section 1 a distance of 602.92 feet to a point of intersection with a line that is 278 feet South of and parallel to the North line of SE 1/4 of the SE 1/4 of said Section 1; thence run N 89°35'58"W along said line that is 278 feet South of and parallel to North line of the said SE 1/4, SE 1/4 of Section 1 a distance of 1318.75 feet to a point on the West line of the North 278 feet of the said SE 1/4, S.E. 1/4 of Section 1; thence run N 00°38'20"E along the said West line a distance of 278 feet to the Northwest corner of the said SE 1/4, SE 1/4; said point also being the Southeast corner of Government Lot 4 in said Section 1; thence run N 89°35'58" W along the South line of said Government Lot 4 a distance of 1228.63 feet to a point; thence run the following bearings and distances in Government Lot's 2, 3, and 4 in said Section 1; N 17°50'47" E 286.24 feet; N 10°29'40"E 644.65 feet; N 01°48'25" E 695.54 feet; N 23°51'46" E 305.62 feet; N 16°44'33"E 515.42 feet; N 02°48'08" E 911.78 feet; thence N 29°57'57" E a distance of 713.93 feet to a point of intersection with the North line of said Government Lot 2; said point also being on the South line of Section 36, Township 42 South, Range 22 East, Charlotte County; thence run S 89°35'30"E along the North line of Government Lot's 1 and 2 in said Section 1; the South line of said Section 36; and the South line of Punta Gorda Isles Subdivision, Section 21, as recorded in Plat Book 13 at Pages 1-2-8, 9, 14, 15, 20 and 21 of the Public Records of Charlotte County, Florida a distance of 1698.98 feet to the Northeast corner of said Section 1; thence run S 89°35'30" E along the North line of the NW 1/4 of said Section 6, the South line of Section 31, Township 42 South, Range 23 East, Charlotte County and the South line of the said Punta Gorda Isles Subdivision, Section 21, a distance of 2658.80 feet to the N 1/4 corner of said Section 6; thence run S 89°36'00"E along the North line of the NE 1/4 of said Section 6; the South line of said Section 31, and the South line of said Punta Gorda Isles Subdivision, Section 21, a distance of 2618.29 feet to the Point of Beginning, said point being 1 89°36'00" W a distance of 17.52 feet from the Northeast corner of said Section 6.

CONTAINING 626.26 acres more or less.

LAW OFFICES
FARR, FARR,
HAYMANS, MOSELEY,
EMERICH
AND SIFRIT, P.A.
ATTORNEYS AT LAW
8410 AMOR STREET
P.O. BOX 8180
FORT CHARLOTTE, FL
33988

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JAN 1987 DCA

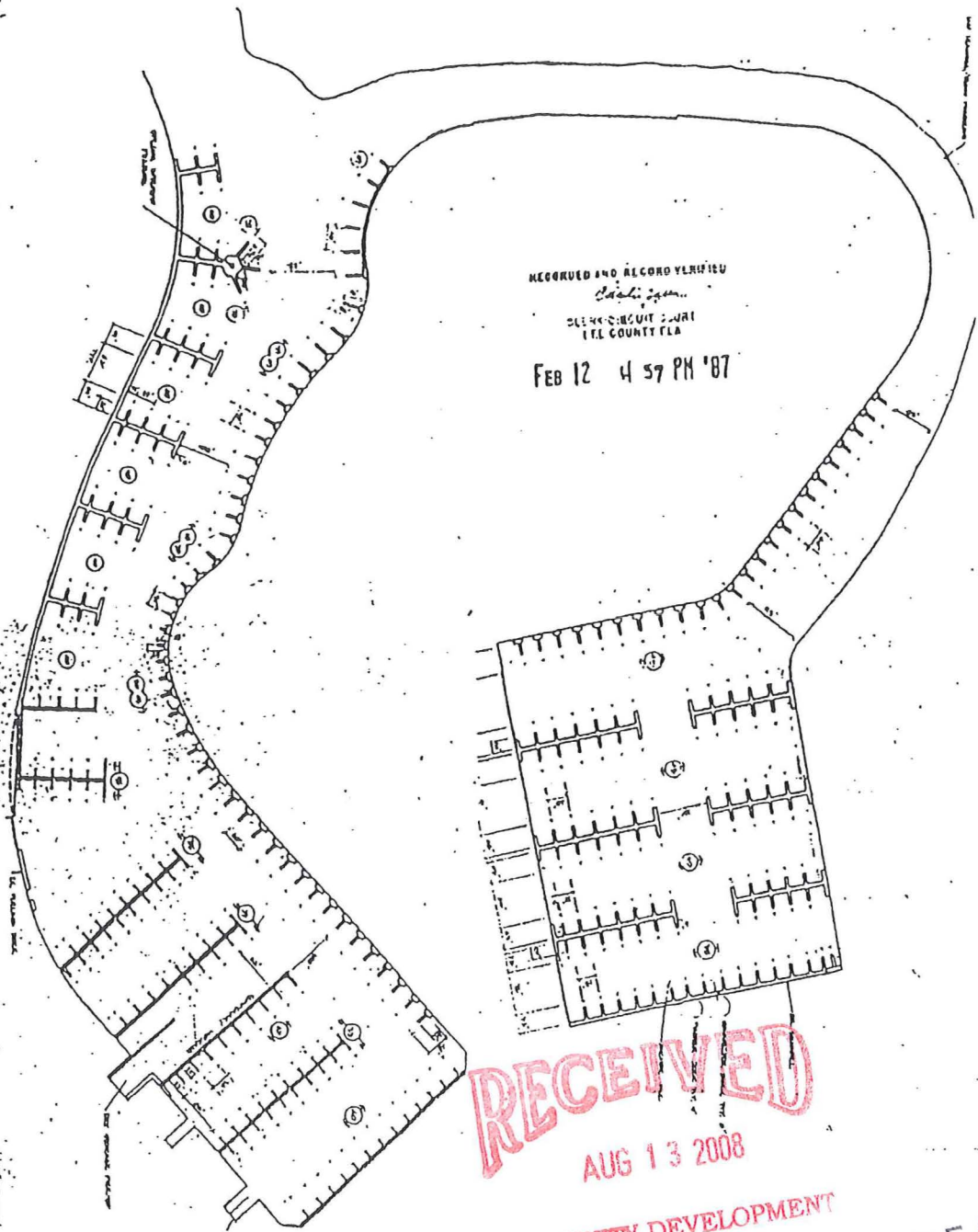
ATTACHMENT B

St. Buckley, Schuh & Jernigan, Inc.

PLANNING DEPARTMENT

Bureau of Planning

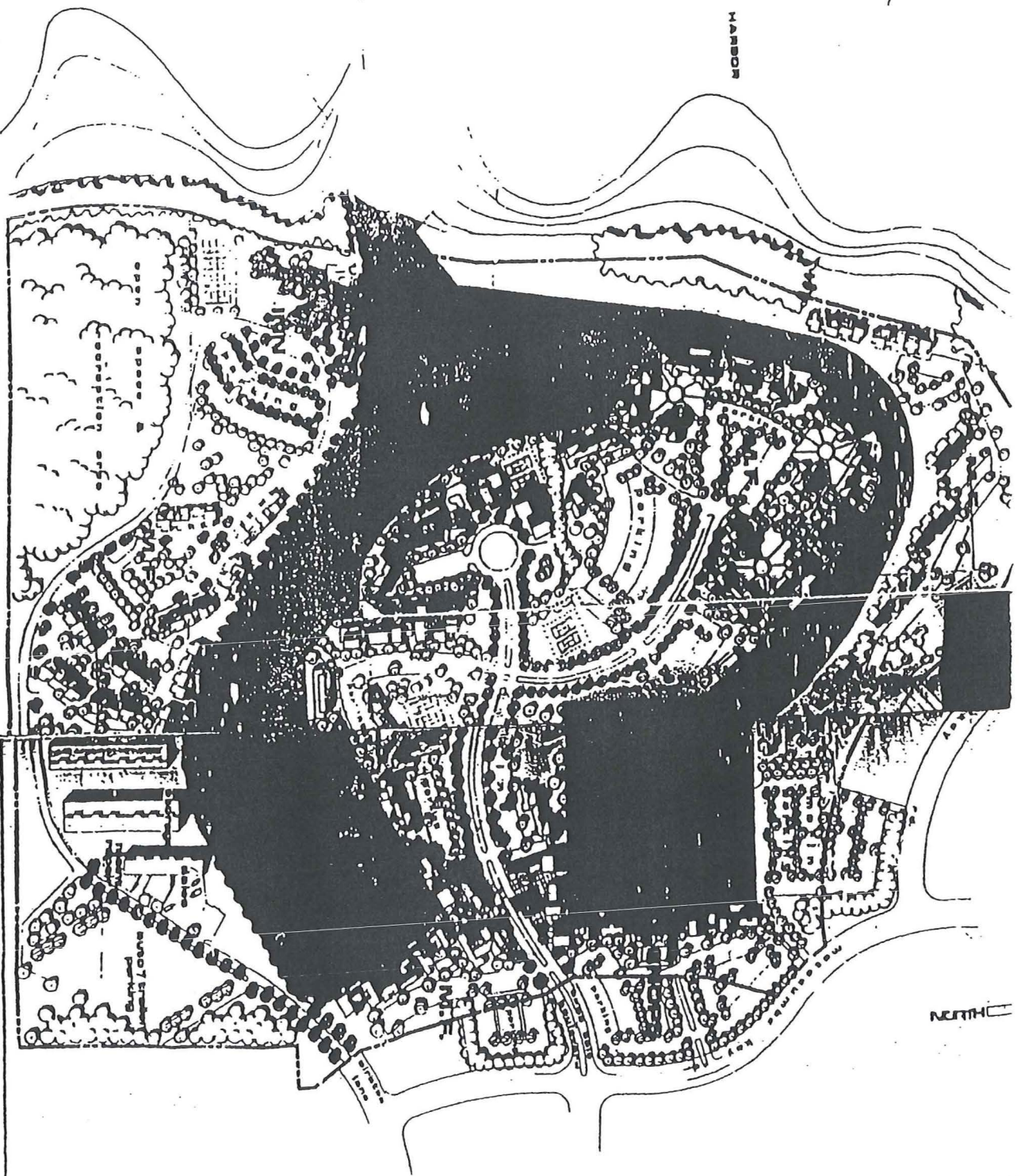
PLANNING DEPARTMENT



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PUNTA GORDA ISLES, Inc.
1886 West Marion Ave.
Punta Gorda, Fla.



allen hixon associates
landscape architects and planners
710 Poppleton Rd.
Birmingham, AL 35216

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SCHEMATIC PLAN

BURNT STORE LANDING
CHARLOTTE HARBOR, FLORIDA

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DCA AGREEMENTS DATED MAY 20, 1986 AND JANUARY 30, 1987
AND PROPOSED ADDENDUM TO 1987 AGREEMENT

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AGREEMENT

THIS AGREEMENT is made and entered into this 20th day of May, 1986 by and between State of Florida, Department of Community Affairs, 2571 Executive Center Circle, East, Tallahassee, Florida 32301, (hereinafter "DCA") and Punta Gorda Isles, Inc., a Florida corporation, 1625 W. Marion Avenue, Punta Gorda, Florida 33950, Burnt Store Marina, Inc., a Florida corporation, 1625 W. Marion Avenue, Punta Gorda, Florida 33950, and Gulf Coast Credit Corp., a Florida corporation, 1625 W. Marion Avenue, Punta Gorda, Florida 33950 (hereinafter collectively "PGI"), concerning a parcel of land in Lee County, Florida more particularly described in Attachment A hereto which constitutes Punta Gorda Isles Section 22 including "Tract C," as recorded in Plat Book 28, Pages 118 through 138, Public Records of Lee County, Florida (hereinafter "Section 22").

This agreement is intended to resolve a dispute, as to the facts and applicable law, that has arisen between the DCA and PGI concerning the scope of vested rights under Chapter 380, Florida Statutes, to develop PGI Section 22, which dispute would necessitate lengthy and costly litigation between the parties unless the parties reach a satisfactory agreement.

This agreement also involves and affects additional property located in the City of Cape Coral, Lee County, Florida, owned and developed by PGI known as Burnt Store Marina South, DRI #5-8081-17, more particularly described in Attachment B, which property is included herein for the purposes of this settlement agreement, as those purposes are more fully described below.

WHEREAS, PGI, then the sole owner of Section 22, sought and received final plat approval for Section 22 on June 20, 1973 from the Board of County Commissioners, Lee County; and

WHEREAS, the Final Plat of Section 22 was recorded in Lee County Public Records on June 28, 1973, Plat Book 28, Pages 118 through 138; and

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WHEREAS, at the time of platting the zoning for Section 22 was Industrial; and

WHEREAS, at the time of platting there was a rezoning moratorium in effect in Lee County for all but rezoning to Single Family Residential; and

WHEREAS, it is PGI's position that at the time of platting PGI communicated to the Board of County Commissioners of Lee County that the master plan of development for Section 22 was Multi-Family Residential with an associated golf course and marina complex; and

WHEREAS, in reliance on the 1973 Section 22 Plat, PGI filed in August, 1973 an Application for a Binding Letter of Interpretation of Vested Rights (BLIVR) under Florida Statutes 380.06 with the Bureau of Land Planning, Division of State Planning; and

WHEREAS, the application recited the fact that the Lee County moratorium prevented a rezoning at the time of platting, recited the moratorium exception for rezoning to single family residential, and explained PGI's intention to rezone to the appropriate land use classification upon the lifting of the moratorium; and

WHEREAS, the application recited that the development contained 239 homesites, but did not define homesites as being either multi-family homesites or single family homesites; and

WHEREAS, on October 26, 1973, Earl M. Starnes, Director, Division of State Planning, issued a letter to PGI concerning Section 22, stating therein that the proposed PGI Section 22 residential development in Lee County was a Development of Regional Impact but that PGI was not vested under 380.06(12); and

WHEREAS, suit was filed in the Circuit Court of the Second Judicial Circuit of Florida in and for Leon County styled Punta Gorda Isles, Inc., a Florida corporation vs. Department of Administration and its Division of State

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Planning, Case No. 74-224, which sought relief concerning the denial of vested rights for PGI Section 22; and

WHEREAS, it is PGI's position that during the discovery proceedings of the said suit, including the deposition of then PGI Vice President, Scott Stepp, the State of Florida was placed on notice of PGI's intent that the 239 homesites in Section 22 were to be a multi-family residential development; and

WHEREAS, as the result of Session Law Chapter 74-326, which clarified Section 380.06(12), Florida Statutes, by providing that activities in reliance on plats recorded after August 1, 1967 and prior to July 1, 1973 are not a condition precedent to vesting under Section 380.06(12), Florida Statutes, the said suit was settled; and

WHEREAS, on June 5, 1974, Earl M. Starnes, Director, Division of State Planning issued a BLIVR to PGI concerning Section 22, stating therein the following: "the proposed Punta Gorda Isles Section 22 residential development in Lee County (Section 1, T43S, R22E and Section 6, T43S, R22E) is a Development of Regional Impact as legally defined in Chapter 22F-2.10, Florida Administrative Code. Furthermore, it has been determined that your rights have vested pursuant to Section 380.06(12) Florida Statutes." Moreover, the letter stated that PGI would not be required to submit to a Development of Regional Impact review of the vested plan for the Section 22 development; and

WHEREAS, a dispute has arisen between the DCA and PGI concerning the number of vested units and the consistency of PGI's development plans in reference to what is or is not actually vested under the said BLIVR, which dispute would require lengthy and costly litigation to resolve; and

WHEREAS, since the dispute has arisen, the DCA's position has been that a multi-family zoning classification did not exist for Section 22 parcels until after July 1, 1973.

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Therefore, according to the DCA, no vested right to develop multi-family dwelling units could have arisen. Furthermore, when requested to advise the DCA as to the number of dwelling units in Section 22 platted parcels, it is DCA's position that the developer's agents responded that there would be 239 homesites, never mentioning or claiming that the claim of vested rights was actually for a maximum of 2,390 dwelling units. The DCA's position also has been that the multi-family residential development proximate to the marina complex was vested for no more than 200 units and that the marina was vested for 108 wet slips and dry storage for over 1,500 boats.

WHEREAS, PGI and DCA desire to finally and forever settle the question that has arisen concerning the number of residential units vested and to avoid litigation concerning the vested rights of PGI for the development of Section 22; and

WHEREAS, PGI has obtained Development of Regional Impact approval for adjoining property to the south of Section 22 which is known as Burnt Store Marina South, DRI #5-8081-17 for a total of 5,095 dwelling units; and

WHEREAS, Burnt Store Marina South, DRI #5-8081-17 was approved for development by the City of Cape Coral by Ordinance No. 84-83 in February 1984; and

WHEREAS, PGI, in consideration for resolving the dispute between the DCA and PGI, is willing to abandon and waive its right to develop certain of the 5,095 Burnt Store Marina South DRI #5-8081-17 residential units without a corresponding reduction of its DRI conditions and obligations, including financial obligations; and

WHEREAS, DCA has the power and authority to enter into Agreement with PGI pursuant to Section 380.032(3), Florida Statutes; and

WHEREAS, this Agreement bears a reasonable relation to the practicalities of the situation and is necessary to effectuate the provisions and purposes of the Florida Environmental Land and Water Management Act;

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NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, the parties agree as follows:

1. All of the preceding WHEREAS paragraphs are true and correct and are incorporated herein by reference.

2. DCA hereby recognizes, confirms and agrees that the PGI Section 22 residential and marina development in Lee County is a Development of Regional Impact and that PGI is vested for the development of Section 22 for a maximum of 2,514 residential units. DCA further recognizes, confirms and agrees that so long as the number of residential units remains fewer than or equal to the maximum residential units set forth in the Agreement, that this change in the number of residential units alone will not require PGI to comply with any applicable provisions of Section 380.06, Florida Statutes, and Chapter 27F, Florida Administrative Code. The DCA retains its authority to review any other further changes in the vested plat for PGI Section 22 under Section 380.06(4), Florida Statutes (1985). However, PGI is hereby authorized to construct the 2,514 residential units without further DCA review, if built and constructed within the vested platted area of PGI Section 22 in accordance with the vested plat.

3. PGI recognizes, confirms and agrees that the said 2,514 residential units include units already built in Section 22 and also include units to be built on homesites, lots or parcels previously sold by PGI to third parties.

4. PGI hereby waives and abandons its right to construct 1,245 of the 5,095 units authorized in Burnt Store Marina South, DRI #5-8081-17, thereby allowing PGI to develop a maximum of 3,850 units in this DRI.

5. PGI recognizes, confirms and agrees that its obligations, including financial obligations, under Burnt Store Marina South, DRI #5-8081-17 are in no way reduced or limited as a result of the said waiver and abandonment and that those obligations shall continue to be based upon development of 5,095 dwelling units within the Burnt Store Marina South DRI.

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6. PGI recognizes, confirms and agrees that it must prepare a hurricane evacuation plan for Section 22 at a cost to PGI not to exceed \$2,500 and develop the plan in coordination with the DCA within one year of the date of execution of this Agreement.

7. This Agreement inures to the benefit of and is binding on the parties and their successors and assigns including all prior and subsequent purchasers of Section 22 and Burnt Store Marina South real property regardless of the DRI status of the real property as more particularly described in Attachments A and B; it shall bind the DCA as to the vested rights of PGI Section 22 under Chapter 380.06, Florida Statutes.

8. This Agreement constitutes the entire agreement between the parties and no modification or change to this Agreement shall be valid or binding upon the parties unless it is in writing and executed by the parties to be bound thereby.

9. This Agreement shall be recorded by PGI in the Public Records of Lee County, Florida, in the chain of title for both Section 22 and the Burnt Store Marina South DRI #5-8091-17, more particularly described in Attachments A and B.

In Witness whereof the parties have caused this Agreement to be executed hereto the day and year as indicated below:

Signed, Sealed and Delivered
in the presence of:

Liana Sawyer-Cane
First Witness

James W. Butler
Second Witness

STATE OF FLORIDA, DEPARTMENT OF
COMMUNITY AFFAIRS, "DCA"

BY: James W. Butler

DATED: 5/20/80
(SEAL)

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PUNTA GORDA ISLES, INC.
BURNT STORE MARINA, INC.
GULF COAST CREDIT CORP.

[Signature]
First Witness

BY: Wade L. Hopping
Wade L. Hopping, Agent

[Signature]
Second Witness

DATED: 5/20/86
(CORPORATE SEAL)

STATE OF FLORIDA:
COUNTY OF LEON:

I HEREBY CERTIFY that on this 20 day of May, 1986, personally appeared James Hurley, as Deputy Director, State of Florida; Department of Community Affairs, to me known to be the person described in and who executed the foregoing Agreement as such officer and acknowledged before me that he executed the same for the purposes therein expressed as the act and deed of said Department of Community Affairs.

WITNESS my hand and official seal this 20 day of May, 1986 in the State and County last aforesaid.

[Signature]
Notary Public - State of Florida.

My Commission Expires:
Notary Public, State of Florida
My Commission Expires Oct. 31, 1988
Bonded by Fidelity Insurance Company of America

(AFFIX SEAL)

STATE OF FLORIDA:
COUNTY OF LEON:

I HEREBY CERTIFY that on this 20th day of May, 1986, personally appeared Wade L. Hopping as Agent to Punta Gorda Isles, Inc., Burnt Store Marina, Inc., and Gulf Coast Credit Corp., to me known to be the person described in and who executed the foregoing Agreement as such officer and acknowledged before me that he executed the same for the purposes therein expressed as the act and deed of said corporation.

WITNESS my hand and official seal this 20th day of May, 1986 in the State and County last aforesaid.

[Signature]
Notary Public - State of Florida

My Commission Expires:
Notary Public, State Of Florida At Large
My Commission Expires April 5, 1987
Bonded by Fidelity Insurance Company of America

(AFFIX SEAL)

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COMMUNITY DEVELOPMENT

2007-00051

ATTACHMENT "A"

A parcel of land being all of GOVERNMENT LOT 1 and a portion of GOVERNMENT LOT'S 2, 3, and 4, and the Southeast 1/4 of the Northeast 1/4, and the Northeast 1/4 of the Southeast 1/4, and the North 278 feet of the Southeast 1/4 of the Southeast 1/4 of Section 1, Township 43 South, Range 22 East, and all of Section 6, Township 43 South, Range 23 East less the South 1660 feet thereof and less the Right of Way for BURNT STORE ROAD, (State Road No. 765) Lee County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of Section 6, Township 43 South, Range 23 East; thence run N 89°36'00" W along the South boundary line of Charlotte County and the North boundary line of Lee County a distance of 17.52 feet to the Point of Beginning of the Parcel of Land hereinafter described; said boundary line also being the South line of Punta Gorda Isles, Section 21, Sheet 46, Plat Book 13, Page 1-2-21, of the Public Records of Charlotte County, Florida; thence run S 00°20'00"W along the Westerly Right of Way line of State Road No. 765 (Burnt Store Road) a distance of 167.79 feet to a point; thence run S 01°35'20"W along the said Westerly R/W line of State Road No. 765 a distance of 756.86 feet to a point; thence run S 02°50'40"W along the said Westerly R/W line of State Road No. 765 a distance of 727.59 feet to the Point of Curvature of a circular curve to the left having a radius of 17,390.08 feet; said curve being the Westerly R/W line of State Road No. 765; thence run Southwesterly along the arc of said curve, an arc distance of 653.57 feet through a central angle of 02°09'12" to the Point of Tangency; thence run S 00°41'23" W along the said Westerly R/W line of State Road No. 765 a distance of 1093.95 feet to a point of intersection with a line that is 1660 feet North of and parallel to the South line of said Section 6; thence run S 88°22'02"W along said line that is 1660 feet North of and parallel to the South line of said Section 6, a distance of 5236.84 feet to a point of intersection with the West line of the South 1660 feet of said Section 6; said line also being the East line of the NE 1/4, SE 1/4 of Section 1, Township 43 South, Range 22 East; thence run S00°33'37" W along the West line of the South 1660 feet of said Section 6 and the East line of the NE 1/4 of the SE 1/4 of the said Section 1 a distance of 602.92 feet to a point of intersection with a line that is 278 feet South of and parallel to the North line of SE 1/4 of the SE 1/4 of said Section 1; thence run N 89°35'58"W along said line that is 278 feet South of and parallel to North line of the said SE 1/4, SE 1/4 of Section 1 a distance of 1318.75 feet to a point on the West line of the North 278 feet of the said SE 1/4, S.E. 1/4 of Section 1; thence run N 00°38'20"E along the said West line a distance of 278 feet to the Northwest corner of the said SE 1/4, SE 1/4; said point also being the Southeast corner of Government Lot 4 in said Section 1; thence run N 89°35'58" W along the South line of said Government Lot 4 a distance of 1228.63 feet to a point; thence run the following bearings and distances in Government Lot's 2, 3, and 4 in said Section 1; N 17°50'47" E 286.24 feet; N 10°29'40"E 644.65 feet; N 01°48'25" E 695.54 feet; N 23°51'46" E 305.62 feet; N 16°44'33"E 515.42 feet; N 02°48'08" E 911.78 feet; thence N 29°57'57" E a distance of 713.93 feet to a point of intersection with the North line of said Government Lot 2; said point also being on the South line of Section 36, Township 42 South, Range 22 East, Charlotte County; thence run S 89°35'30"E along the North line of Government Lot's 1 and 2 in said Section 1; the South line of said Section 36; and the South line of Punta Gorda Isles Subdivision, Section 21, as recorded in Plat Book 13 at Pages 1-2-8, 9, 14, 15, 20 and 21 of the Public Records of Charlotte County, Florida a distance of 1698.98 feet to the Northeast corner of said Section 1; thence run S 89°35'30" E along the North line of the NW 1/4 of said Section 6, the South line of Section 31, Township 42 South, Range 23 East, Charlotte County and the South line of the said Punta Gorda Isles Subdivision, Section 21, a distance of 2658.80 feet to the N 1/4 corner of said Section 6; thence run S 89°36'00"E along the North line of the NE 1/4 of said Section 6; the South line of said Section 31, and the South line of said Punta Gorda Isles Subdivision, Section 21, a distance of 2618.29 feet to the Point of Beginning, said point being N 89°36'00" W a distance of 17.52 feet from the Northeast corner of said Section 6.

CONTAINING 626.26 acres more or less.

LAW OFFICES
FARR, FARR,
YMANS, MOSELEY,
EMERICH
AND SIFRIT, P.A.
ATTORNEYS AT LAW
2305 ALABAMA STREET
P.O. BOX 1166
PORT CHARLOTTE, FL
32682

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SCHEDULE A

All of Section 12, Township 43 South, Range 22 East extending to the shore of Charlotte Harbor, City of Cape Coral, Lee County, Florida

AND

the West Half (W 1/2) of Section 13, Township 43 South, Range 22 East extending to the shore of Charlotte Harbor, City of Cape Coral Lee County, Florida

AND

the West Half (W 1/2) of the Northwest Quarter (N.W. 1/4) of the Northeast Quarter (N.E. 1/4) of Section 13, Township 43 South, Range 22 East, City of Cape Coral, Lee County, Florida

AND

the Northeast Quarter (N.E. 1/4) of the Northwest Quarter (N.W. 1/4) of the Northeast Quarter (N.E. 1/4) of Section 13, Township 43 South, Range 22 East, City of Cape Coral, Lee County, Florida

AND

that part of the West 250 feet of the North one-half (N 1/2) of the Northwest Quarter (N.W. 1/4) of Section 7, Township 43 South, Range 23 East, City of Cape Coral, Lee County, Florida lying north of Yucca Pen Creek.

AND

That part of the following described tract lying south of Yucca Pen Creek:

A tract of land lying in the Northwest Quarter (N.W. 1/4) of the Northwest Quarter (N.W. 1/4) of Section 7, Township 43 South, Range 23 East, City of Cape Coral, Lee County, Florida, being more particularly described as follows:

Beginning at the southwest corner of the Northwest Quarter (N.W. 1/4) of the Northwest Quarter (N.W. 1/4) of said Section 7; thence run N. 88°57'29" E. along the south line of the Northwest Quarter (N.W. 1/4) of the Northwest Quarter (N.W. 1/4) of said Section 7 for 60.03 feet; thence run Northeasterly for 195.78 feet along the arc of a curve concave southeasterly with a radius of 240.00 feet (chord bearing N. 24°16'01" E., chord distance of 190.49 feet) to a point of reverse curvature; thence run northeasterly, northerly and northwesterly for 588.31 feet along the arc of a curve to the left with a radius of 360.0 feet (chord bearing N. 0°49'11" E., chord distance of 525.00 feet) to a point of reverse curvature; thence run northwesterly for 196.43 feet along the arc of a curve to the right with a radius of 240.00 feet (chord bearing N. 22°32'59" W., chord distance of 190.99 feet); thence run S. 88°57'29" W. for 60.03 feet to the west line of the Northwest Quarter (N.W. 1/4) of said Section 7; thence run S. 0°49'11" W. along said west line for 875.00 feet to the point of beginning.

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AND

The south 830 feet of Section 1, Township 43 south, Range 22 east, being more particularly described as follows:

Beginning at the southeast corner of said Section 1, run N 89° 23' 23"W, 2950 Feet more or less to the mean high water line of Charlotte Harbor; thence northeasterly along the meanderings of said mean high water line, 860 feet more or less; thence leaving said mean high water line, run S 89° 35' 23"E along the north line of the hereinbefore mentioned south 830 feet, 2734 feet more or less to the east line of said Section 1; thence S 00° 33' 58"W, along said east line, 830.01 feet to the point of beginning.

The south 830 feet of Section 6, Township 43 south, Range 23 east, being more particularly described as follows:

Beginning at the southwest corner of said Section 6, run N 00° 33' 50"E, along the west line thereof, 830.61 feet; thence N 08° 22' 20"E, 5302.12 feet to the East line of said Section 6; thence S 00° 41' 35"W along said east line 830.69 feet to the southeast corner of said Section 6; thence S 88° 22' 20"W, 5368.34 feet to the point of beginning.

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Burnt S Improvement Co., Inc.
1 Matecumbe Key Road
Punta Gorda, FL 33955

THIS AGREEMENT is made and entered into this 30th day of

January, 1987 by and between the State of Florida Department of Community Affairs, 2571 Executive Center Circle, East, Tallahassee, Florida 32301, (hereinafter "DCA") and Burnt Store Improvement Company, Inc., 1 Matecumbe Key Road, Punta Gorda, Florida 33955, (hereinafter "BSIC"), concerning a parcel of land in Lee County, Florida, more particularly described in Attachment A hereto which constitutes Punta Gorda Isles Section 22, including Tract C as recorded in Plat Book 28, Pages 118 through 138, Public Records of Lee County, Florida (hereinafter "Section 22").

This agreement is intended to resolve a dispute, as to the facts and applicable law, that has arisen between DCA and BSIC concerning the scope of vested rights claimed by BSIC under Chapter 380, Florida Statutes, to develop Punta Gorda Isles (hereinafter "PGI") Section 22, which dispute would necessitate lengthy and costly litigation between the parties unless the parties reach a satisfactory agreement.

WHEREAS, Punta Gorda Isles, Inc., then sole owner of Section 22, sought and received final plat approval for Section 22 on June 20, 1973, from the Board of County Commissioners, Lee County; and

WHEREAS, the Final Plat of Section 22 was recorded in Lee County Public Records on June 28, 1973, Plat Book 28, Pages 118 through 138; and

WHEREAS, in reliance on the 1973 Section 22 Plat, PGI filed in August 1973 an Application for a Binding Letter of Interpretation of Vested Rights (BLIVR) under Florida Statutes 380.06 with the Bureau of Land Planning, Division of State Planning; and

WHEREAS, the application recited that the development contained a marina complex and golf course associated with 239 homesites; and

RECORD VERIFIED - CHARLIE GREEN, CLERK S
BY: J. TURNER, D.C. #

OFF 1897 PG 3644

Prepared by:
MICHAEL J. CONIGLIO
526 E PARK AVENUE, SUITE 200
TALLAHASSEE, FLA 32301

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determined that your rights have vested pursuant to Section 380.06(12) Florida Statutes." Moreover, the letter stated that PGI would not be required to submit a Development of Regional Impact review of the vested plan for the Section 22 development; and

WHEREAS, a dispute has arisen between the DCA and PGI concerning the number of vested Marina Spaces for boats which dispute would require lengthy and costly litigation to resolve; and

WHEREAS, on January 3, 1975, the U.S. Army Corps of Engineers granted Permit 72-1176 for the marina complex, referencing the Department of Pollution Control Certification Approval 7-22, and containing 323 wet spaces, 2,000 spaces for dry storage, a boatel, boat repair facilities and other related improvements; and;

WHEREAS, on July 18, 1985, Lee County, Florida, granted building permits for the construction of 204 docks in the marina complex; and

WHEREAS, on May 20, 1986, DCA and PGI entered into an Agreement concerning the number of residential units vested in the Section 22 development, in which DCA contended that the marina complex was vested for 108 wet slips and dry storage for over 1,500 boats, which contention was not material to the substance of the Agreement nor agreed to by PGI; and

WHEREAS, on July 18, 1986, PGI sold the Section 22 development to BSIC with all attendant rights, privileges and liabilities; and

WHEREAS, BSIC maintains that PGI represented to BSIC as consideration for the purchase and sale of the Section 22 development that all local, state and federal permits and authorizations were approved and in hand to complete the marina complex with 204 docks for approximately 570 boat slips, upon which representations BSIC materially and in good faith relied; and

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WHEREAS, the application recited that the marina complex would encompass a 125 acre site and would contain dry storage facilities for over 1,500 boats, multi-family dwellings, boat slips handling boats up to 35 feet in length, covered wet slips, a boatel, facilities to space boats in excess of 50 feet in length, and fuel electronic, engine repair and marine facilities; and

WHEREAS, the application contained a conceptual sketch of the marina plan; and

WHEREAS, the application recited that the marina complex required a permit from the Trustees of the Internal Improvement Trust Fund, the State of Florida Department of Pollution Control, and the U.S. Army Corps of Engineers, as well as building permits from Lee County, Florida; and

WHEREAS, the application recited that permit applications were filed for the marina complex on October 10, 1972 with the Trustees of the Internal Improvement Trust Fund, on September 21, 1972 with the State of Florida Department of Pollution Control, and on October 6, 1972 with the U.S. Army Corps of Engineers; and

WHEREAS, the application recited that the State of Florida Department of Pollution Control granted Permit 7-22 and certification to the U.S. Army Corps of Engineers by Permit Agreement dated June 19, 1973 for the marina complex; and

WHEREAS, on October 2, 1973, the Trustees of the Internal Improvement Trust Fund granted a permit for the marina complex in accordance with and pursuant to the commitments made in the June 19, 1973 PGI/DPC Permit Agreement; and

WHEREAS, on June 5, 1974, Earl M. Starnes, Director, Division of State Planning issued a BLIVR to PGI concerning the Section 22 development, stating therein the following: "the proposed Punta Gorda Isles Section 22 residential development in Lee County (Section 1, T43S, R22E and Section 6, T43S, R22E) is a Development of Regional Impact as legally defined in Chapter 22F-2.10, Florida Administrative Code. Furthermore, it has been

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WHEREAS, BSIC maintains that the marina is vested for 323 wet spaces and over 1,500 dry spaces, and that DCA was apprised of this exact number of spaces through receipt of permit applications, diagrams and issued permits and authorization's both prior to, and for the 12 years subsequent to, issuance of the BLIVR for the Section 22 development; and

WHEREAS, there has been much apparent confusion over use of the terms "slips" versus "wet spaces" in relation to the vested status of the marina complex in the Section 22 development; and

WHEREAS, BSIC maintains that in the marina industry the term "wet space" connotes an area in which two boats may be slipped, thus eliminating any inconsistency in the project as depicted in the approved BLIVR application and as planned by BSIC; and

WHEREAS, BSIC has nevertheless agreed to modify the marina complex to meet certain concerns of DCA and to reduce regional impacts associated with the Section 22 development; and

WHEREAS, the parties to this agreement intend to resolve all differences between them as to the exact nature of the marina complex and other improvements vested as part of the Section 22 development.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, the parties agree to resolve their dispute as follows:

1. All of the preceding WHEREAS paragraphs are true and correct and are incorporated herein by reference.

2. DCA hereby recognizes, confirms and agrees that the BSIC Section 22 development in Lee County is a Development of Regional Impact and that BSIC may construct wet slips for 525 water craft in the marina and that this alone will not require BSIC to comply with any applicable provisions of Section 380.06, Florida Statutes, and Chapter 27F, F.A.C. BSIC is hereby authorized to construct the 323 wet spaces or 525 wet slips for water craft without further DCA review, if built and constructed within the area of PGI Section 22 as shown on Attachment B.

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3. BSIC hereby waives and abandons its right to construct 1,044 of the dry spaces authorized in the PGI Section 22 development, and further agrees to waive its right to construct any of the 500 dry spaces authorized in excess of the original 1,500 space amount, up to 2,000 thereby allowing BSIC to develop a maximum of 456 dry spaces in this DRI, and thereby waiving its right to construct the balance of 1,044 dry spaces originally proposed and authorized in the PGI Section 22 Development.

REC 1897PG3646

4. This Agreement inures to the benefit of and is binding on the parties and their successors and assigns including all prior and subsequent purchasers of Section 22 and Burnt Store Marina South real property regardless of the DRI status of the real property as more particularly described in Attachment A; it shall bind the DCA as to the DRI status of PGI Section 22 under Chapter 380.06, Florida Statutes.

5. This Agreement constitutes the entire agreement between the parties and no modification or change to this Agreement shall be valid or binding upon the parties unless it is in writing and executed by the parties to be bound thereby.

6. This Agreement shall be recorded by PGI in the Public Records of Lee County, Florida, in the chain of title for Section 22.

In Witness whereof the parties have caused this Agreement to be executed hereto the day and year as indicated below:

Signed, Sealed and Delivered
in the presence of:

STATE OF FLORIDA, DEPARTMENT
OF COMMUNITY AFFAIRS, "DCA"

Patricia C. Crosby
First Witness

By: [Signature]

Jan Rayburn
Second Witness

DATED: January 22, 1987
(SEAL)

BURNT STORE IMPROVEMENT, INC.

[Signature]
First Witness

BY: [Signature]
Michael V. Coriglio,
Agent

Sherry M. Green
Second Witness

DATED: 1-20-87

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COMMUNITY DEVELOPMENT

2007-00054

STATE OF FLORIDA:
COUNTY OF LEON:

I HEREBY CERTIFY that on this 30th day of January, 1987, personally appeared Tom Lewis Jr. as Secretary, State of Florida, Department of Community Affairs, to me known to be the person described in and who executed the foregoing Agreement as such officer and acknowledged before me that he executed the same for the purposes therein expressed as the act and deed of said Department of Community Affairs.

WITNESS my hand and official seal this 30th day of January, 1987, in the State and County last aforesaid.

My Commission Expires:

Notary Public, State of Florida
My Commission Expires Dec. 15, 1997

Jan Rayburn
Notary Public - State of
Florida

(SEAL)

STATE OF FLORIDA
COUNTY OF LEON:

I HEREBY CERTIFY that on this 30th day of January, 1987, personally appeared Michael J. Coniglio as Agent to Junta Gorda Isles, Inc., Burnt Store Improvement, Inc., and Gulf Coast Credit Corp., to me known to be the person described in and who executed the foregoing Agreement as such officer and acknowledged before me that he executed the same for the purposes therein expressed as the act and deed of said corporation.

WITNESS my hand and official seal this 30th day of January, 1987, in the State and County last aforesaid.

My Commission Expires:

Notary Public, State of Florida
My Commission Expires Dec. 15, 1997

Sherry M. Green
Notary Public
State of Florida

(SEAL)

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REC 189 TPC3649

ATTACHMENT "A"

A parcel of land being all of GOVERNMENT LOT 1 and a portion of GOVERNMENT LOT'S 2, 3, and 4, and the Southeast 1/4 of the Northeast 1/4, and the Northeast 1/4 of the Southeast 1/4, and the North 278 feet of the Southeast 1/4 of the Southeast 1/4 of Section 1, Township 43 South, Range 22 East, and all of Section 6, Township 43 South, Range 23 East less the South 1660 feet thereof and less the Right of Way for BURNT STORE ROAD, (State Road No. 765) Lee County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of Section 6, Township 43 South, Range 23 East; thence run N 89°36'00" W along the South boundary line of Charlotte County and the North boundary line of Lee County a distance of 17.52 feet to the Point of Beginning of the Parcel of Land hereinafter described; said boundary line also being the South line of Punta Gorda Isles, Section 21, Sheet 46, Plat Book 13, Page 1-2-21, of the Public Records of Charlotte County, Florida; thence run S 00°20'00"W along the Westerly Right of Way line of State Road No. 765 (Burnt Store Road) a distance of 167.79 feet to a point; thence run S 01°35'20"W along the said Westerly R/W line of State Road No. 765 a distance of 756.86 feet to a point; thence run S 02°50'40"W along the said Westerly R/W line of State Road No. 765 a distance of 727.59 feet to the Point of Curvature of a circular curve to the left having a radius of 17,390.08 feet; said curve being the Westerly R/W line of State Road No. 765; thence run Southwesterly along the arc of said curve, an arc distance of 653.57 feet through a central angle of 02°09'12" to the Point of Tangency; thence run S 00°41'23" W along the said Westerly R/W line of State Road No. 765 a distance of 1093.95 feet to a point of intersection with a line that is 1660 feet North of and parallel to the South line of said Section 6; thence run S 88°22'02"W along said line that is 1660 feet North of and parallel to the South line of said Section 6, a distance of 5236.84 feet to a point of intersection with the West line of the South 1660 feet of said Section 6; said line also being the East line of the NE 1/4, SE 1/4 of Section 1, Township 43 South, Range 22 East; thence run S 00°33'37" W along the West line of the South 1660 feet of said Section 6 and the East line of the NE 1/4 of the SE 1/4 of the said Section 1 a distance of 602.92 feet to a point of intersection with a line that is 278 feet South of and parallel to the North line of SE 1/4 of the SE 1/4 of said Section 1; thence run N 89°35'58"W along said line that is 278 feet South of and parallel to North line of the said SE 1/4, SE 1/4 of Section 1 a distance of 1318.75 feet to a point on the West line of the North 278 feet of the said SE 1/4, S.E. 1/4 of Section 1; thence run N 00°38'20"E along the said West line a distance of 278 feet to the Northwest corner of the said SE 1/4, SE 1/4; said point also being the Southeast corner of Government Lot 4 in said Section 1; thence run N 89°35'58" W along the South line of said Government Lot 4 a distance of 1228.63 feet to a point; thence run the following bearings and distances in Government Lot's 2, 3, and 4 in said Section 1; N 17°50'47" E 286.24 feet; N 10°29'40"E 644.65 feet; N 01°48'25" E 695.54 feet; N 23°51'46" E 305.62 feet; N 16°44'33"E 515.42 feet; N 02°48'08" E 911.78 feet; thence N 29°57'57" E a distance of 713.93 feet to a point of intersection with the North line of said Government Lot 2; said point also being on the South line of Section 36, Township 42 South, Range 22 East, Charlotte County; thence run S 89°35'30"E along the North line of Government Lot's 1 and 2 in said Section 1; the South line of said Section 36; and the South line of Punta Gorda Isles Subdivision, Section 21, as recorded in Plat Book 13 at Pages 1-2-8, 9, 14, 15, 20 and 21 of the Public Records of Charlotte County, Florida a distance of 1698.98 feet to the Northeast corner of said Section 1; thence run S 89°35'30" E along the North line of the NW 1/4 of said Section 6, the South line of Section 31, Township 42 South, Range 23 East, Charlotte County and the South line of the said Punta Gorda Isles Subdivision, Section 21, a distance of 2658.80 feet to the N 1/4 corner of said Section 6; thence run S 89°36'00"E along the North line of the NE 1/4 of said Section 6; the South line of said Section 31, and the South line of said Punta Gorda Isles Subdivision, Section 21, a distance of 2618.29 feet to the Point of Beginning, said point being N 89°36'00" W a distance of 17.52 feet from the Northeast corner of said Section 6.

CONTAINING 626.26 acres more or less.

LAW OFFICES
FARR, FARR, &
HAYMAN, MOSELEY,
EMERICH
AND SIFRIT, P.A.
ATTORNEYS AT LAW
8215 AMMON STREET
P.O. BOX 8189
FORT CHARLOTTE, FL
33984

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JAN 1987 DCA

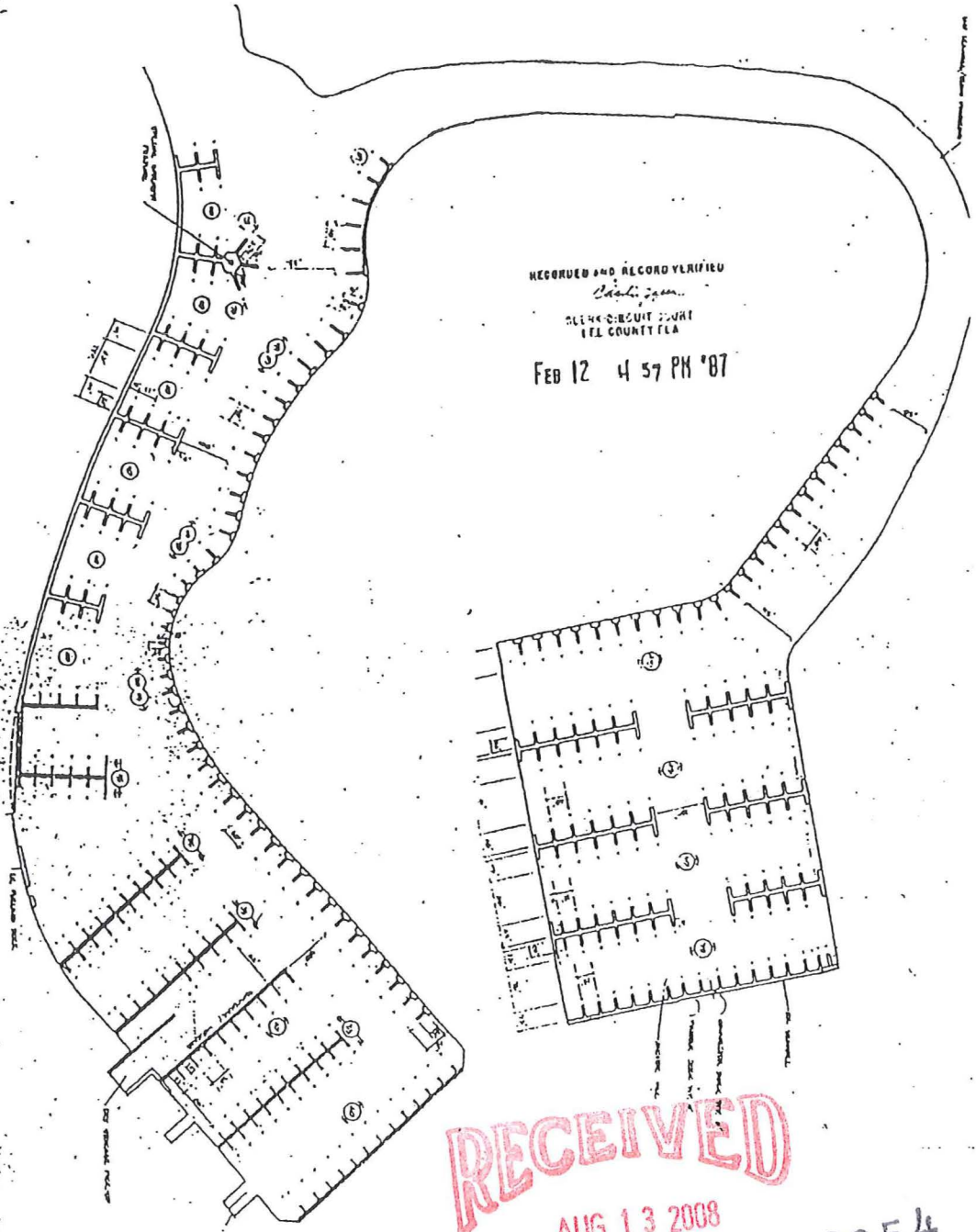
ATTACHMENT B

St. Buckley, Schuh & Jernigan, Inc.

PLANNING DEPARTMENT

PLANNING DEPARTMENT

PLANNING DEPARTMENT

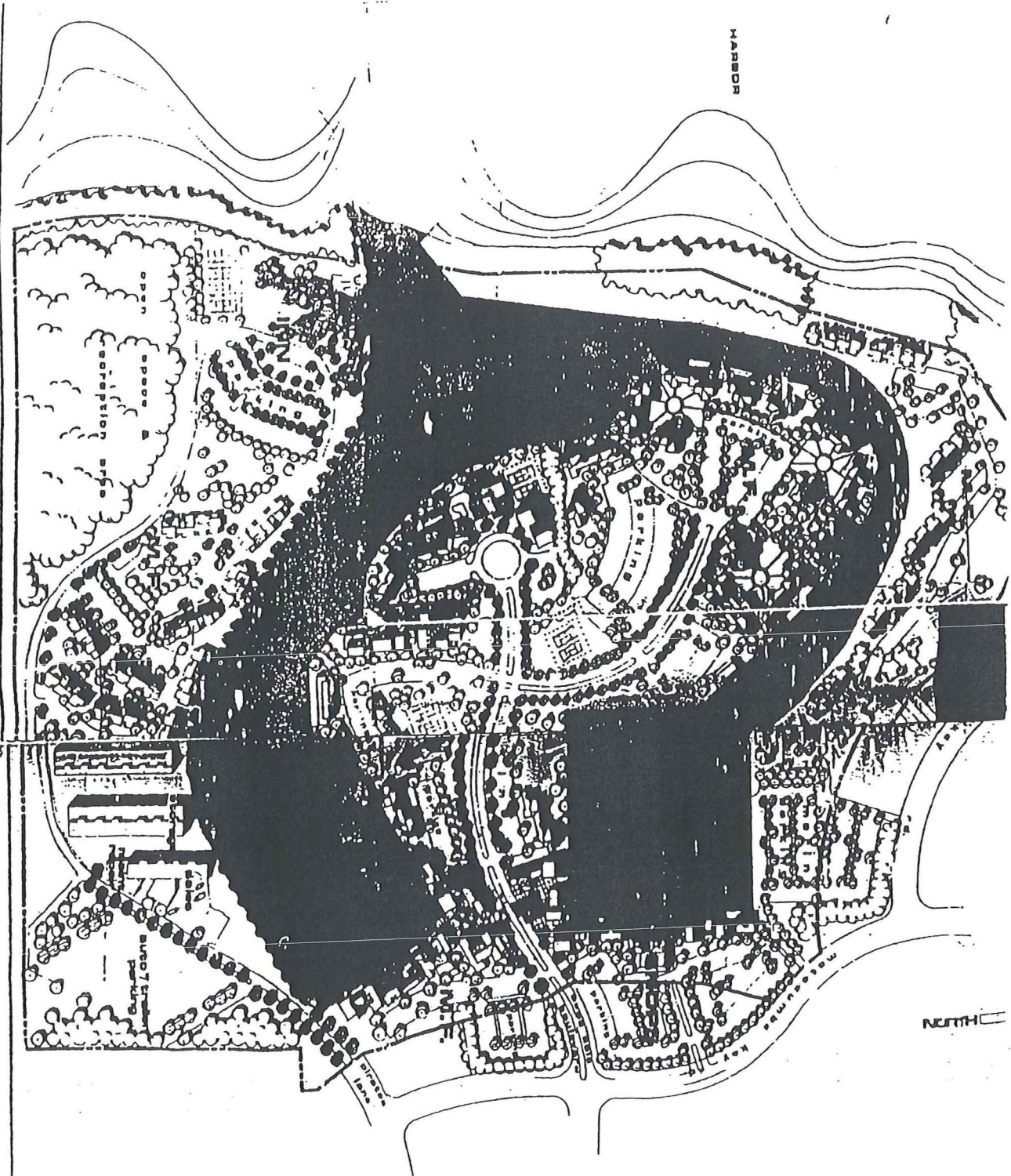


RECORDED AND RECORD VERIFIED
Cecil J. Jones
CLERK OF DISTRICT COURT
1ST FL. COUNTY FLA.

FEB 12 4 57 PM '87

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COMMUNITY DEVELOPMENT
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PUNTA GORDA ISLES, Inc.
1600 West Marion Ave.
Punta Gorda, Fla.



allen hixon associates
landscape architects and planners
1000 Highway 41
Bradenton, FL 34205

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SCHEMATIC PLAN

BURNT STORE LANDING
CHARLOTTE HARBOR, FLORIDA

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COMMUNITY DEVELOPMENT

CDA

2007-00054

ADDENDUM TO AGREEMENT

THIS ADDENDUM TO AGREEMENT (hereinafter "Addendum") is made and entered into this _____ day of _____, 2008 by and between the State of Florida Department of Community Affairs, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399, (hereinafter "DCA") and Realmark Development, LLC (hereinafter "Realmark") to amend a 380.032 agreement executed in 1987 concerning wet and dry boat storage for a parcel of land in Lee County, Florida, which constitutes Punta Gorda Isles-Section 22, including Tract C, as recorded in Plat Book 28, Pages 118 through 138, Public Records of Lee County, Florida.

WHEREAS DCA is authorized under Section 380.032, Florida Statutes, to enter into agreements with any land owner or developer as necessary to effectuate the provisions and purposes of the Florida Environmental Land and Water Management Act of 1972.

WHEREAS DCA issued to Punta Gorda Isles, Inc. (hereinafter "PGI") a binding letter dated July 5, 1974, in which DCA finds that the proposed Punta Gorda Isles-Section 22 project is a development of regional impact (hereinafter "DRI"), but is vested from DRI review requirements pursuant to Section 380.06, Florida Statutes.

WHEREAS the Punta Gorda Isles-Section 22 project continues to develop.

WHEREAS on May 20, 1986, DCA and PGI entered into an agreement pursuant to Section 380.032, Florida Statutes, in which the parties agreed that PGI's proposed Punta Gorda Isles-Section 22 development is vested for a total of 2,514 residential units.

WHEREAS on or about July 18, 1986, PGI sold its Punta Gorda Isles-Section 22 property and all attendant rights, privileges, and liabilities to Burnt Store Improvement Company, Inc. (hereinafter "BSIC").

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WHEREAS on January 30, 1987, DCA and BSIC entered into a second agreement (hereinafter "the 1987 Agreement") pursuant to Section 380.032, Florida Statutes, in order to resolve a dispute as to the number of marina spaces for the Punta Gorda Isles-Section 22 property which have DRI vested rights. A copy of the 1987 Agreement is attached as Exhibit "A" and includes a legal description of the Punta Gorda Isles-Section 22 property.

WHEREAS in the 1987 Agreement the parties stipulated that the Punta Gorda Isles-Section 22 project has vested rights from DRI review for a maximum of 323 wet spaces or 525 wet slips, and 456 dry spaces.

WHEREAS Realmark is a successor in interest of property located in the Punta Gorda Isles-Section 22 project which previously was owned by BSIC.

WHEREAS in 2006 the Florida Legislature, through Chapter 2006-220, Laws of Florida, expressly removed waterport and marina facilities, including wet boat storage, mooring, and dry boat storage, from DRI review guidelines and standards, and provided a DRI exemption for waterport and marina development.

WHEREAS Realmark owns the private basin and adjacent land on which the wet spaces, wet slips and dry spaces that are vested under the 1987 Agreement could be located, and now wishes to construct additional wet and dry boat storage.

WHEREAS Realmark would be subject to a market disadvantage if it were limited to the amount of wet and dry boat storage it could develop without triggering the need to undergo the expensive and lengthy DRI review process while DRI-sized, but DRI-exempt, competitors are not subject to boat storage DRI guidelines and standards under Sections 380.06 and 380.0651, Florida Statutes.

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WHEREAS the purpose of the 1987 Agreement to determine the number of vested wet and dry marine spaces is now moot because of 2006 legislative changes to Sections 380.06 and 380.0651, Florida Statutes.

WHEREAS the parties intend to clarify Realmark's rights to develop marina spaces and boat storage in light of Chapter 2006-220, Laws of Florida.

NOW, THEREFORE, in consideration of Legislative intent to no longer subject marinas to the requirements of the DRI process, the parties agree as follows:

1. The parties agree that this is an Addendum to the 1987 Agreement and this Addendum is hereby approved.

2. DCA recognizes, confirms and agrees that Realmark may construct wet slips, wet spaces, and dry boat storage facilities without regard to the requirements of Sections 380.06 and 380.0651, Florida Statutes, as to which developments must undergo the DRI review process.

3. DCA recognizes, confirms and agrees that Realmark may construct wet slips, wet spaces, and dry boat storage facilities without regard to the thresholds for those development activities stipulated in the 1987 Agreement. The wet slip, wet space, and dry storage limitations in the 1987 Agreement no longer are in legal effect for purposes of determining whether development activities located in Punta Gorda Isles-Section 22 must undergo DRI review.

4. This Addendum is binding on the parties and their successors and assigns, including all prior and subsequent purchasers of property located within the boundaries of the Punta Gorda Isles-Section 22 project.

5. This Addendum and the 1987 Agreement constitute the entire agreement between the parties with respect to marina development.

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6. In accordance with Section 380.06(24), Florida Statutes, if marina development will be part of a larger project that is subject to review as a DRI, the impact of marina development in excess of 323 wet spaces or 525 wet slips, and 456 dry spaces must be included in the review of the DRI project. The impacts of up to 323 wet spaces or 525 wet slips, and 456 dry spaces retain their vested rights with respect to the requirements of Section 380.06(24), Florida Statutes.

7. DCA agrees that under Chapter Law 2006-220 all water ports and marinas, including wet spaces, wet slips, and dry boat storage, do not count in calculations for multi-use DRI thresholds. In the event that some or all of the Punta Gorda Isles-Section 22 property is redeveloped, the wet spaces, wet slips and dry storage stipulated in the 1987 Agreement shall not count towards the calculation of any multi-use DRI threshold.

8. This Addendum effectuates the provisions and purposes of Chapter 2006-220, Laws of Florida and is entered into pursuant to Section 380.032, Florida Statutes.

9. Realmark shall record this Addendum in the public records of Lee County, Florida, in the chain of title for Section 22.

In witness whereof, the parties have caused this Addendum to be executed as indicated below:

Signed, Sealed and Delivered
in the presence of:

STATE OF FLORIDA, DEPARTMENT OF
COMMUNITY AFFAIRS

First Witness

BY: _____

Second Witness

DATED: _____

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STATE OF FLORIDA:
COUNTY OF LEON:

I HEREBY CERTIFY that on this _____ day of _____, 2008, personally appeared _____, as _____, State of Florida, Department of Community Affairs, to me known to be the person described in and who executed the foregoing Addendum and acknowledged before me that he executed the same for purposes therein expressed as the act and deed of said Department of Community Affairs.

WITNESS my hand and official seal this _____ day of _____, 2008 in the State and County last aforesaid.

Notary Public - State of Florida

My Commission Expires:

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REALMARK DEVELOPMENT, LLC

By: _____

First Witness

DATED: _____

Second Witness

(CORPORATE SEAL)

STATE OF FLORIDA:
COUNTY OF LEE:

I HEREBY CERTIFY that on this _____ day of _____, 2008, personally appeared _____, to me known to be the person described in and who executed the foregoing Addendum and acknowledged before me that he executed the same for purposes therein expressed as the act and deed of said Realmark Development, LLC.

WITNESS my hand and official seal this _____ day of _____, 2008 in the State and County last aforesaid.

Notary Public - State of Florida

My Commission Expires:

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EXHIBIT D

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Punta Gorda Isles

SECTION TWENTY TWO REPLAT

PLAT BOOK 34 PAGE 92

DESCRIPTION

A parcel of land lying in section 1, township 43 south, range 22 east, Lee County, Florida, being lots 11, 12 and 13 of block 1008; lots 1 thru 4 inclusive of block 1009; all of block 1010; lots 3 and 4 of block 1011 and a portion of an area designated "A" as shown on the plat of PUNTA GORDA ISLES SECTION TWENTY TWO as recorded in plat book 28 at page 118 of the public records of Lee County, Florida; the east line of said area designated "A" is more particularly described as follows: COMMENCING at the southeast corner of lot 11 of block 1008 run NORTH 71°02'26" WEST, 73.76 feet to a point of reverse curvature on the south line of said lot 11 and the POINT OF BEGINNING; thence SOUTH 23°36'39" WEST, 304.85 feet to a point of compound curvature on the east line of lot 1 of block 1009 and the point of termination.

TOGETHER WITH the rights of way of Sea Turtle Lane and that part of Sugarloaf Key Road lying immediately adjacent to the abovementioned lots and blocks, CONTAINING 33.45 acres more or less.

APPROVALS

Whereas, this plat was on the 17th day of February, 1982, submitted to the Board of County Commissioners of Lee County Florida, for approval for record and has been approved by said commission:

Now, therefore be it resolved by the county commissioners of Lee County Florida, that the said plat is hereby approved and shall be recorded in the public records of this county.

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY FLORIDA

By: Ernest C. Trotter
Chairman of the Board

By: Michael C. Smith
County Engineer

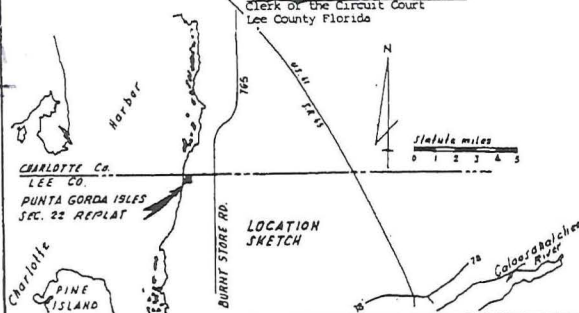
Attest: John A. Hester
Clerk of Court

By: James W. Smith
County Attorney

CLERK'S CERTIFICATE

I, John A. Hester, Clerk of the Circuit Court of Lee County Florida, hereby certify that I have examined this plat, that it complies in form with all the provisions of Chapter 177 Florida Statutes, that it was filed and recorded on the 3rd day of March, 1982, recorded in Plat Book 34, Pages 92 through 93.

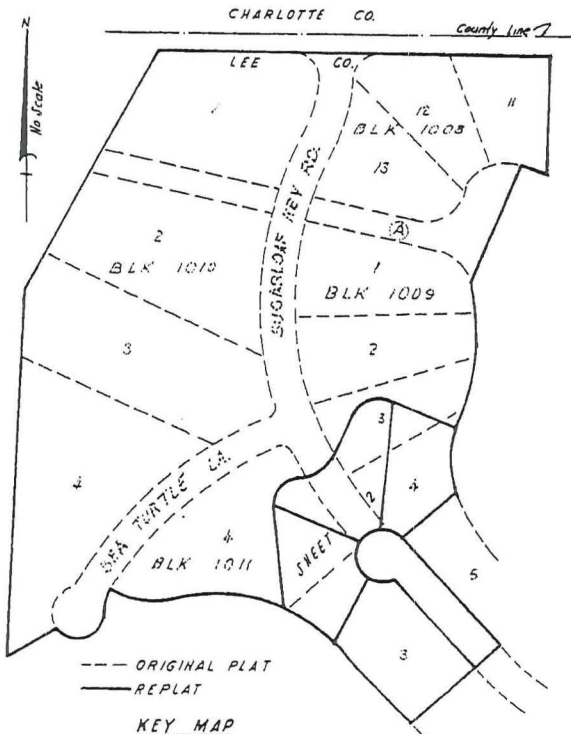
John A. Hester
Clerk of the Circuit Court
Lee County Florida



A Portion of Section 1, Township 43 South, Range 22 East

Being

A Replat of a part of PUNTA GORDA ISLES SECTION TWENTY TWO as recorded in Plat Book 28 at Page 118 of the Public Records of Lee County, Florida.



DEDICATION

STATE OF FLORIDA
COUNTY OF CHARLOTTE

PUNTA GORDA ISLES, INC. a corporation existing under the laws of the State of Florida, the owners of the lands herein platted, as dedicators, does hereby dedicate to the public, all streets, rights-of-way, and easements shown herein. The express purpose of this plat is to close, revoke, vacate and abrogate that portion of PUNTA GORDA ISLES SECTION TWENTY TWO as recorded in plat book 28 at page 118 of the public records of Lee County, Florida, as described herein and to replot same into lots, blocks, tracts, rights-of-way, and streets as shown herein. Unless otherwise shown by dashed line, a strip of land 10 feet in width along the front and rear lot lines and 6 feet each side of a parallel with each side lot line is reserved for the construction and maintenance of utility and drainage facilities. Where more than one lot is intended for a building site, said side lot line easement shall be along the outside lines of said site.

IN WITNESS WHEREOF, the said PUNTA GORDA ISLES, INC. has caused its name and the corporate seal to be affixed hereto by its President, heretofore duly authorized by its Board of Directors on this 4th day of JAN., 1982.

PUNTA GORDA ISLES, INC.

CORPORATE
SEAL

By: Paul A. McQueen

Attest By: Paul A. McQueen

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF CHARLOTTE

Before me, the undersigned, an officer duly authorized and acting personally appeared Paul A. McQueen to me known to be the individuals who executed the foregoing dedication as the President and Secretary of Punta Gorda Isles, Inc., a corporation under the laws of the State of Florida and being duly sworn, acknowledged then and there before me that they executed the same as such officers of such corporation heretofore duly authorized by the Board of Directors of such corporation as the act and deed of such corporation.

Witness my hand and official seal this 4th day of JAN., 1982 in the county and state last aforesaid.

James W. Smith
Notary Public State of Florida

My Commission Expires: May 10, 1988

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY that this plat of PUNTA GORDA ISLES SECTION TWENTY TWO REPLAT is a true and correct representation of the hereindescribed land according to a recent survey made and platted under my direction and supervision and that the survey complies with the requirements of Chapter 177 of the Florida Statutes.

Ernest C. Trotter Dec. 14, 1981
Ernest C. Trotter, P.L.S.
Florida Certificate No. 2257

Punta Gorda Isles, Inc. 1625 W. Marion Ave. Punta Gorda, Fl.

SHEET 1 of 2

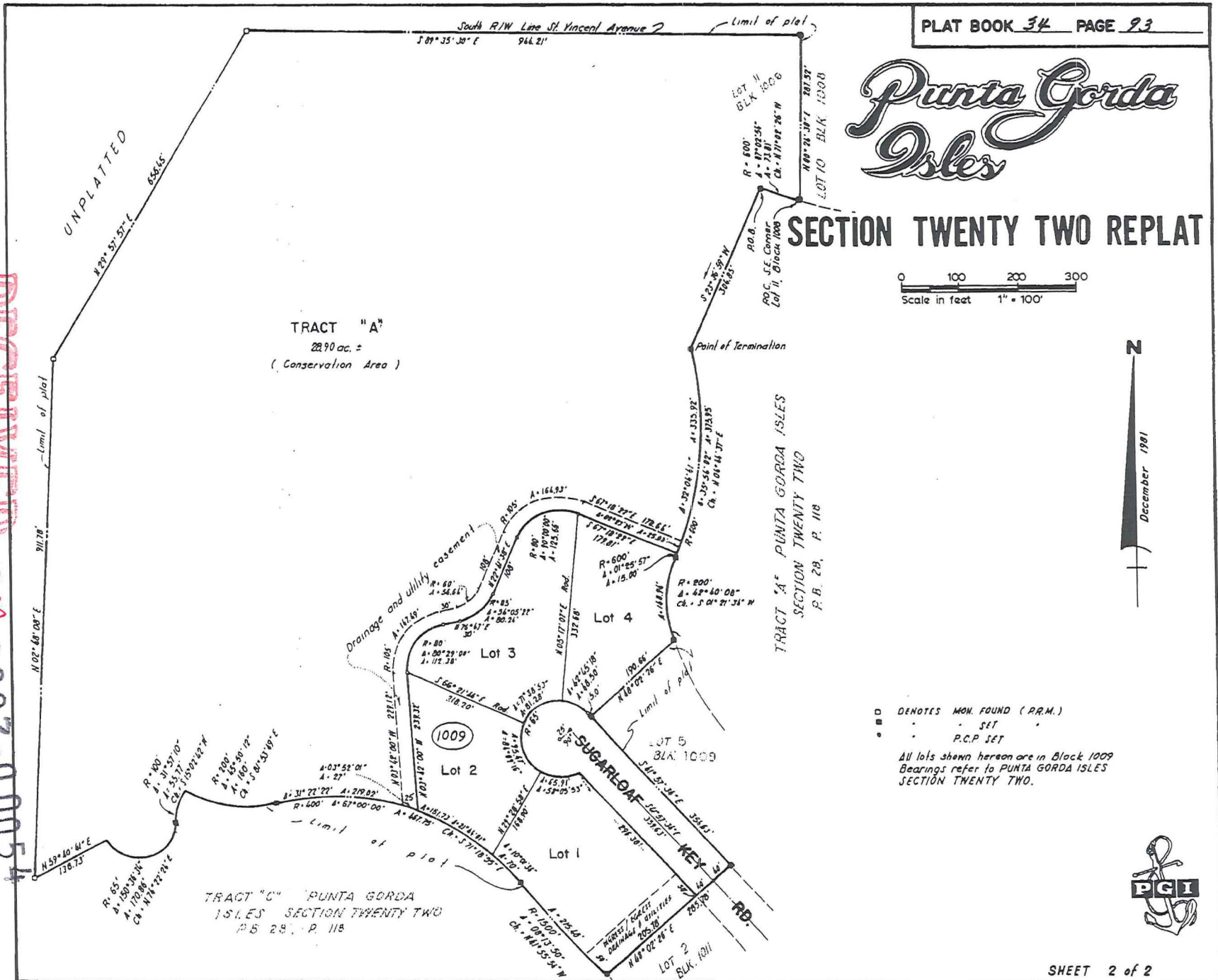
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This instrument prepared by and
After recording return to:

John D. Humphreville, Esq.
Quarles & Brady LLP
4501 Tamiami Trail North, Suite 300
Naples, Florida 34103

INSTR # 6285414
OR BK 04307 Pgs 1374 - 1381; (8pgs)
RECORDED 05/22/2004 11:32:54 AM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 37.50
DEPUTY CLERK K Cartwright

ACCESS EASEMENT

THIS EASEMENT, is made and entered into this 18 ^{August} day of ~~July~~, 2003, by and between **PUNTA GORDA ISLES, SECTION 22 HOMEOWNERS ASSOCIATION, INC.**, a Florida not-for-profit corporation, Grantor, and **REALMARK BURNT STORE MARINA, L.L.C.**, a Florida limited liability company, the owner of the property described in Exhibit "A" attached hereto, Grantee. (Whenever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, whenever the context so admits or requires.)

WHEREAS, the roads described herein provide the exclusive manner of ingress and egress to Grantee to the property described in Exhibit "A" from public roads and highways into and across the property known as Punta Gorda Isles, Section 22, as recorded in Plat Book 28, at page 118, of the public records of Lee County, Florida, and replatted in Plat Book 34, at page 92, of the public records of Lee County, Florida ("Punta Gorda Isles Section 22"), and any amendments and supplements thereto;

WHEREAS, Grantor intends to privatize the roads described below; and

WHEREAS, if the roads described below are privatized, Grantor and Grantee desire that Grantee and its lessees, and their contractors, customers, employees, guests, invitees and licensees, have perpetual, non-exclusive access over and across said roads for ingress and egress, in a manner consistent with the access that would be afforded to such persons over and across a public road.

WITNESSETH:

Grantor, for and in consideration of the premises described herein and other valuable considerations to it in hand paid by the said Grantee, the receipt of which is hereby acknowledged, does hereby grant and convey unto the Grantee and its successors and assigns, and its lessees, their contractors, customers, employees, guests, invitees and licensees, a perpetual, non-exclusive easement for ingress and egress only over and across the roads lying and being in the County of Lee, State of Florida, and more particularly described as follows:

Big Pine Lane, Cape Cole Boulevard, Matecumbe Key Road, Sugarloaf Key Road, Marathon Way, Key Largo Lane, Key Largo Circle, Sable Key Circle, Marianne Key Road, Romano Key Circle, Big Pass Lane, Big Bend Circle, Islamorada Road a/k/a Islamorada Boulevard and Little Pine Circle, according to the Plat

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of Punta Gorda Isles, Section 22, recorded in Plat Book 28, at page 118, of the public records of Lee County, Florida, and replatted in Plat Book 34, at page 92, of the public records of Lee County, Florida, and any amendments and supplements thereto.

THIS EASEMENT IS RESTRICTED BY AND SUBJECT TO THE RULES AND REGULATIONS OF THE PUNTA GORDA ISLES, SECTION 22 HOMEOWNERS ASSOCIATION, INC., THAT MAY BE ADOPTED AND AMENDED FROM TIME TO TIME, PROVIDED, HOWEVER THAT SUCH RULES AND REGULATIONS SHALL NOT INTERFERE WITH, HINDER OR IMPEDE IN ANY WAY GRANTEE'S RIGHTS AS SET FORTH HEREIN. THIS EASEMENT MAY NOT BE AMENDED OR TERMINATED WITHOUT THE WRITTEN JOINDER AND CONSENT OF THE GRANTEE, ITS SUCCESSORS AND ASSIGNS.

With regards to this Easement, the parties hereby agree as follows:

1. The rights and privileges afforded hereunder are intended to allow Grantee to fully and successfully promote and continue its residential and commercial activities and real estate development within Punta Gorda Isles, Section 22.

2. Grantee, and its lessees, contractors, customers, employees, guests, invitees and licensees shall abide by and comply with all Rules and Regulations of the Grantor that may be adopted from time to time in the exercise of rights under this Access Easement, provided, however, that such Rules and Regulations shall not interfere with, hinder or impede in any way Grantee's rights as set forth herein.

3. Grantor shall not interfere with the access of members of the public to and from the residential and commercial activities and real estate development of Grantee, including but not limited to its store, marina and restaurant.

4. Grantor shall provide Grantee and its lessees, and their contractors, customers, potential customers, employees, guests, invitees and licensees with at least one point of access, at the primary entrance to Punta Gorda Isles fronting Burnt Store Road, at all times.

5. Grantee shall hold Grantor harmless and indemnify Grantor against all claims, losses and damage as a result of the willful or negligent acts of Grantee, its employees or agents, with respect to the Easement Property.

TO HAVE AND TO HOLD, the same onto said Grantee for the purposes and duration aforesaid.

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IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

(Corporate Seal)
PUNTA GORDA ISLES, SECTION 22
HOMEOWNERS ASSOCIATION, INC.
a Florida not-for-profit corporation

By: Carl R. Winger
Carl R. Winger, as President

Kent E. Benson
Witness #1
KENT E. BENSON

Print Name

Dianne M. Racine
Witness #2

DIANNE M. RACINE
Print Name

REALMARK BURNT STORE MARINA,
L.L.C., a Florida limited liability company

By: William J. Stout, Jr.
William J. Stout, Jr., as Manager

Charlotte B. Ford
Witness #1
Charlotte B. Ford

Print Name

Craig A. DeArden
Witness #2

Print Name

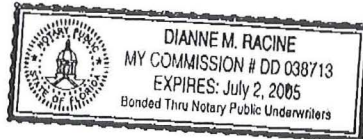
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STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 18 day of ~~April~~ ^{August}, 2003, by Carl R. Winger, as President of PUNTA GORDA ISLES, SECTION 22 HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation, who ~~(X)~~ is personally known to me or who () produced _____ as identification.

(SEAL)



Dianne M. Racine

Signature of Notary Public

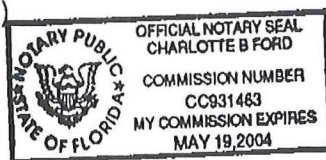
Print Name: DIANNE M. RACINE

My commission expires: 7-2-05

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 22nd day of ~~April~~ ^{July}, 2003, by William J. Stout, Jr., as Manager of REALMARK BURNT STORE MARINA, L.L.C., a Florida limited liability company, who (☒) is personally known to me or who () produced _____ as identification.

(SEAL)



Charlotte B Ford

Signature of Notary Public

Print Name: Charlotte B Ford

My commission expires: 5/19/04

L:\Realmark Group (828)\Burnt Store Marina (09)\PGI Sec 22 Access Easement Final 5-20-03.doc

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COMMUNITY DEVELOPMENT

4 CPA 2007-00054

DESCRIPTION OF A PARCEL
LYING IN SECTION 1, T-43-S, R-22-E,
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 22 EAST, BEING A PORTION OF TRACT "C", PUNTA GORDA ISLES, SECTION TWENTY TWO ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGES 118 THROUGH 138, AND ALSO BEING A PORTION OF TRACT "H" AS RECORDED IN OFFICIAL RECORDS BOOK 2285, PAGE 3073 ALL OF THE PUBLIC RECORDS OF SAID LEE COUNTY, AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 22 EAST, LEE COUNTY, FLORIDA, THENCE N.00°33'37"E. ALONG THE EAST LINE OF SAID SECTION 1 FOR 880.00 FEET TO THE SOUTHEAST CORNER OF TRACT "I", RECORDED IN OFFICIAL RECORDS BOOK 2285, PAGE 3073, PUBLIC RECORDS OF SAID LEE COUNTY; THENCE N.89°35'44"W., ALONG THE SOUTH LINE OF SAID TRACT "I" FOR 1208.39 FEET; THENCE N.00°24'02"E., FOR 110.08 FEET TO THE NORTHWEST CORNER OF THE EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 1554, PAGE 942, OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE S.89°35'58"E., ALONG THE NORTH LINE OF SAID EASEMENT, FOR 260.82 FEET; THENCE N.00°24'02"E., FOR 112.24 FEET; THENCE N.89°33'59"W., FOR 101.51 FEET; THENCE N.00°26'01"E., FOR 128.93 FEET; THENCE S.89°33'59"E., FOR 117.82 FEET TO A POINT ON THE WESTERLY LINE OF "KEEL CLUB CONDOMINIUM" AS RECORDED IN OFFICIAL RECORDS BOOK 1690, PAGE 2613, OF SAID PUBLIC RECORDS; THENCE, ALONG THE WESTERLY AND NORTHERLY LINES OF SAID CONDOMINIUM, THE FOLLOWING COURSES, N.01°28'31"E., FOR 22.53 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 16.48 FEET; A CENTRAL ANGLE OF 84°36'37", A CHORD BEARING OF N.43°46'50"E. AND A CHORD LENGTH OF 22.18 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 24.34 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.86°05'08"E., FOR 52.67 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 23.62 FEET, A CENTRAL ANGLE OF 80°31'28", A CHORD BEARING OF N.45°49'24"E. AND A CHORD LENGTH OF 30.53 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 33.20 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.05°33'40"E., FOR 25.23 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 15.95 FEET, A CENTRAL ANGLE OF 86°29'24", A CHORD BEARING OF N.48°48'22"E. AND A CHORD LENGTH OF 21.86 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 24.08 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.87°56'56"E., FOR 16.07 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 350.09 FEET, A CENTRAL ANGLE OF 21°02'11", A CHORD BEARING OF N.81°31'58"E. AND A CHORD LENGTH OF 127.82 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 128.54 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.71°00'53"E., FOR 18.18 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 17.71 FEET, A CENTRAL ANGLE OF 109°23'09", A CHORD BEARING OF S.54°17'32"E. AND A CHORD LENGTH OF 28.91 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 33.81 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE, ALONG THE EAST LINE OF SAID CONDOMINIUM, S.00°24'02"W. FOR 225.02 FEET TO THE SOUTHEAST CORNER OF SAID CONDOMINIUM; THENCE, DEPARTING FROM SAID CONDOMINIUM, S.00°24'02"W., FOR 128.38 FEET TO A POINT ON THE NORTH LINE OF SAID EASEMENT; THENCE, ALONG THE NORTH AND WEST LINE OF SAID EASEMENT, THE FOLLOWING COURSES, S.89°35'58"E. FOR 410.34 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 170.00 FEET, A CENTRAL ANGLE OF 89°50'25", A CHORD BEARING OF N.45°28'50"E. AND A CHORD LENGTH OF 240.08 FEET; THENCE ALONG THE ARC OF

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EXHIBIT "A"

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SAID CURVE, AN ARC LENGTH OF 266.56 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.00°33'26"E., FOR 548.77 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 212.98 FEET, A CENTRAL ANGLE OF 11°07'09", A CHORD BEARING OF N.06°07'07"E. AND A CHORD LENGTH OF 41.27 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 41.33 FEET TO THE END OF SAID CURVE; THENCE, DEPARTING FROM SAID EASEMENT, S.60°41'17"W. FOR 61.47 FEET TO A POINT LYING 1 FOOT, MORE OR LESS, EASTERLY OF AN EXISTING SEAWALL; THENCE ALONG A LINE PARALLEL TO AND LYING 1 FOOT, MORE OR LESS, EASTERLY OF SAID SEAWALL THE FOLLOWING COURSES, N.15°22'46"E. FOR 43.85 FEET; THENCE N.29°37'14"W., FOR 228.06 FEET; THENCE, DEPARTING FROM SAID SEAWALL, N.59°14'04"E., FOR 111.46 FEET; THENCE N.83°30'29"E., FOR 29.19 FEET; THENCE N.59°14'04"E., FOR 30.05 FEET; THENCE N.29°50'03"W., FOR 213.65 FEET TO A POINT ON THE SOUTHERLY LINE OF "PLATINUM POINT YACHT CLUB" RECORDED IN OFFICIAL RECORDS BOOK 2530, PAGE 4055; THENCE S.59°01'27"W., ALONG SAID SOUTHERLY LINE FOR 167.63 FEET TO A POINT LYING 1 FOOT, MORE OR LESS, NORTHERLY OF AN EXISTING SEAWALL; THENCE ALONG A LINE PARALLEL TO AND LYING 1 FOOT, MORE OR LESS, NORTHERLY, EASTERLY, SOUTHERLY, WESTERLY AND SOUTHERLY OF SAID SEAWALL AND ALONG THE SOUTHERLY, WESTERLY, NORTHERLY AND EASTERLY LINES OF "PLATINUM POINT" RECORDED IN OFFICIAL RECORDS BOOK 2285, PAGE 3073, OF SAID PUBLIC RECORDS THE FOLLOWING COURSES, N.74°24'52"W., FOR 43.06 FEET; THENCE S.60°23'18"W., FOR 670.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 567.29 FEET, A CENTRAL ANGLE OF 25°47'39", A CHORD BEARING OF S.73°17'07"W. AND A CHORD LENGTH OF 253.24 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 255.39 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 201.66 FEET, A CENTRAL ANGLE OF 68°15'43", A CHORD BEARING OF N.59°41'11"W. AND A CHORD LENGTH OF 226.30 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 240.26 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 150.88 FEET, A CENTRAL ANGLE OF 40°34'00", A CHORD BEARING OF N.45°50'20"W. AND A CHORD LENGTH OF 104.61 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 106.82 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 705.31 FEET, A CENTRAL ANGLE OF 32°47'52", A CHORD BEARING OF N.49°43'24"W. AND A CHORD LENGTH OF 398.25 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 403.74 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 193.85 FEET, A CENTRAL ANGLE OF 51°50'51", A CHORD BEARING OF N.59°14'53"W. AND A CHORD LENGTH OF 169.49 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 175.41 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 261.77 FEET, A CENTRAL ANGLE OF 91°27'30", A CHORD BEARING OF N.39°26'34"W. AND A CHORD LENGTH OF 374.87 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 417.84 FEET TO THE END OF SAID CURVE; THENCE N.08°31'27"E., FOR 218.67 FEET; THENCE N.11°26'16"E., FOR 180.68 FEET; THENCE N.15°16'05"E., FOR 415.80 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 169.21 FEET, A CENTRAL ANGLE OF 26°39'01", A CHORD BEARING OF N.28°35'36"E. AND A CHORD LENGTH OF 78.00 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 78.71 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 290.79 FEET, A CENTRAL ANGLE OF 74°47'26", A CHORD BEARING OF N.79°18'50"E. AND A CHORD LENGTH OF 353.20 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 379.59 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 321.96 FEET, A CENTRAL ANGLE OF 21°28'47", A CHORD BEARING OF S.52°33'04"E. AND A CHORD LENGTH OF 120.00 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 120.70

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FEET TO THE END OF SAID CURVE; THENCE S.41°49'58"E., FOR 531.66 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 130.24 FEET, A CENTRAL ANGLE OF 41°39'39", A CHORD BEARING OF S.21°00'09"E. AND A CHORD LENGTH OF 92.63 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 94.70 FEET TO THE END OF SAID CURVE; THENCE S.00°25'38"W., FOR 390.84 FEET; THENCE S.89°37'03"E., FOR 671.06 FEET; THENCE, DEPARTING FROM SAID SEAWALL AND SAID "PLATINUM POINT", S.00°22'56"W., FOR 153.40 FEET; THENCE N.59°00'18"E., FOR 93.70 FEET; THENCE N.00°22'56"E., FOR 104.61 FEET TO A POINT ON THE WESTERLY LINE OF "THE TIDES CONDOMINIUM" AS RECORDED IN OFFICIAL RECORDS BOOK 2163, PAGE 170, OF SAID PUBLIC RECORDS AND A POINT LYING 1 FOOT MORE OR LESS, EASTERLY OF AN EXISTING SEAWALL; THENCE ALONG THE WEST LINE OF SAID CONDOMINIUM AND THE WEST LINE OF "MARINA TOWERS CONDOMINIUM" AS RECORDED IN OFFICIAL RECORDS BOOK 1948, PAGE 145 OF SAID PUBLIC RECORDS AND ALONG A LINE PARALLEL TO AND LYING 1 FOOT EASTERLY AND NORTHERLY OF SAID SEAWALL THE FOLLOWING COURSES, N.00°37'38"E., FOR 561.62 FEET; THENCE N.89°35'57"W., ALONG THE SOUTH LINE OF SAID "MARINA TOWERS CONDOMINIUM" AND THE SOUTH LINE OF "MARINA NORTH SHORE CONDOMINIUM" AS RECORDED IN CONDOMINIUM BOOK 8, PAGE 257 OF SAID PUBLIC RECORDS FOR 578.17 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 88.76 FEET, A CENTRAL ANGLE OF 50°52'35", A CHORD BEARING OF N.64°09'40"W. AND A CHORD LENGTH OF 76.25 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 78.81 FEET TO THE END OF SAID CURVE; THENCE N.38°52'47"W., FOR 112.30 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 872.33 FEET, A CENTRAL ANGLE OF 11°48'00", A CHORD BEARING OF N.44°46'47"W. AND A CHORD LENGTH OF 179.34 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 179.65 FEET TO THE END OF SAID CURVE; THENCE N.50°56'21"W., ALONG THE SOUTHERLY LINE OF "DIAMOND PARK" AS RECORDED IN PLAT BOOK 54, PAGES 80 AND 81 OF SAID PUBLIC RECORDS THE FOLLOWING COURSES FOR 135.77 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 835.62 FEET, A CENTRAL ANGLE OF 12°19'51", A CHORD BEARING OF N.57°06'16"W. AND A CHORD LENGTH OF 179.49 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 179.84 FEET TO THE END OF SAID CURVE; THENCE N.63°21'27"W., FOR 102.89 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 388.19 FEET, A CENTRAL ANGLE OF 50°54'54", A CHORD BEARING OF N.88°48'54"W. AND A CHORD LENGTH OF 333.72 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 344.96 FEET TO THE END OF SAID CURVE; THENCE S.66°15'19"W., ALONG THE SOUTH LINE OF THE PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2957 PAGE 2746, SAID PUBLIC RECORDS FOR 33.62 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL AND THE SOUTHEAST CORNER OF THE PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 3245, PAGE 3175 OF SAID PUBLIC RECORDS AND BEING A POINT ON A CURVE TO THE LEFT, HAVING: A RADIUS OF 387.54 FEET, A CENTRAL ANGLE OF 04°08'10", A CHORD BEARING OF S.58°28'57"W. AND A CHORD LENGTH OF 27.97 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 27.98 FEET TO THE END OF SAID CURVE; THENCE S.49°03'29"W., FOR 58.31 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE DEPARTING FROM SAID SEAWALL N.41°50'54"W., FOR 17.65 FEET TO THE NORTHWEST CORNER OF SAID PARCEL AND THE SOUTHWEST CORNER OF LOT 9 OF SAID "DIAMOND PARK"; THENCE ALONG THE WESTERLY LINE OF SAID LOT 9, THE FOLLOWING COURSES, N.39°21'06"W., FOR 38.60 FEET; THENCE N.01°20'27"W., FOR 193.86 FEET; THENCE N.37°47'30"E., FOR 110.00 FEET; THENCE DEPARTING FROM SAID LOT 9 S.59°53'43"W., FOR 137.28 FEET TO A POINT ON THE WESTERLY LINE OF SAID TRACT "C"; THENCE ALONG SAID WESTERLY LINE THE FOLLOWING COURSES S.16°44'33"W., FOR 515.42 FEET; THENCE S.23°51'46"W., FOR 305.62 FEET; THENCE S.01°48'25"W., FOR 695.54 FEET; THENCE S.10°29'40"W.,

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FOR 418.58 FEET TO A POINT LYING 1 FOOT, MORE OR LESS, SOUTHERLY OF AN EXISTING SEAWALL; THENCE DEPARTING FROM SAID WESTERLY LINE AND ALONG THE NORTHERLY LINE OF "MARINA SOUTH SHORE CONDOMINIUM" RECORDED IN OFFICIAL RECORDS BOOK 1432 PAGE 0278 AND THE WESTERLY EXTENSION THEREOF, AND ALONG A LINE LYING 1 FOOT, MORE OR LESS, SOUTHERLY OF AND PARALLEL TO AN EXISTING SEAWALL, THE FOLLOWING COURSES N.76°24'19"E., FOR 201.49 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 253.73 FEET, A CENTRAL ANGLE OF 16°47'37", A CHORD BEARING OF N.84°48'08"E. AND A CHORD LENGTH OF 74.10 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 74.37 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 453.03 FEET, A CENTRAL ANGLE OF 11°02'37", A CHORD BEARING OF S.81°16'45"E. AND A CHORD LENGTH OF 87.19 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 87.32 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 570.11 FEET, A CENTRAL ANGLE OF 20°59'54", A CHORD BEARING OF S.65°15'29"E. AND A CHORD LENGTH OF 207.77 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 208.94 FEET TO THE END OF SAID CURVE; THENCE S.53°54'52"E., FOR 271.10 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 1927.30 FEET, A CENTRAL ANGLE OF 09°54'41", A CHORD BEARING OF S.58°52'12"E. AND A CHORD LENGTH OF 332.98 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 333.39 FEET TO THE POINT OF COMPOUND CURVE OF A CURVE TO THE LEFT HAVING A RADIUS OF 2250.36 FEET, A CENTRAL ANGLE OF 01°39'50", A CHORD BEARING OF S.64°39'28"E., AND A CHORD LENGTH OF 65.35 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 65.35 FEET TO THE END OF SAID CURVE; THENCE S.65°42'09"E., FOR 105.15 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 134.05 FEET, A CENTRAL ANGLE OF 02°25'45", A CHORD BEARING OF S.64°29'17"E. AND A CHORD LENGTH OF 5.68 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 5.68 FEET TO THE END OF SAID CURVE AND THE NORTHEAST CORNER OF SAID CONDOMINIUM; THENCE S.00°24'02"W., ALONG THE EAST LINE OF SAID CONDOMINIUM FOR 448.64 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE EAST LINE OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 22 EAST, AS RECORDED ON THE PLAT OF PUNTA GORDA ISLES, SECTION 22, HAVING AN ASSUMED BEARING OF N.00°33'26"E.

TOGETHER WITH THAT SIXTY (60') FOOT WIDE EASEMENT FOR INGRESS AND EGRESS AS RECORDED IN OFFICIAL RECORD BOOK 1554, AT PAGE 942, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

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COMMUNITY DEVELOPMENT

AMERICAN LAND TITLE ASSOCIATION
OWNER'S POLICY (10-17-92)
(WITH FLORIDA MODIFICATIONS)

10 2252 106 00001195

CHICAGO TITLE INSURANCE COMPANY

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

In Witness Whereof, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed as of the Date of Policy shown in Schedule A, the policy to become valid when countersigned by an authorized signatory.

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Issued by:
FIRST FIDELITY TITLE, INC.
24201 WALDEN CENTER DRIVE
SUITE 204
BONITA SPRINGS, FL 34134
(941) 498-8400

CHICAGO TITLE INSURANCE COMPANY

By:

John R. ...
President

By:



Thomas J. Adams
Secretary

O W N E R S

SCHEDULE A

OFFICE FILE NUMBER	POLICY NUMBER	DATE OF POLICY	AMOUNT OF INSURANCE
1 00-1333	2 10 2252 106 00001195	3 December 29, 2000 12:09:00 PM	4 \$ 12,000,000.00

1. Name of Insured:
REALMARK BURNT STORE MARINA, LLC,, a Florida limited liability company
2. The estate or interest in the land which is covered by this Policy is:

Fee Simple
3. Title to the estate or interest in the land is vested in the Insured.
4. The land herein described is encumbered by the following mortgage or trust deed, and assignments:

Mortgage, Security Agreement, and Assignment of Rents executed by REALMARK BURNT STORE MARINA, LLC,, a Florida limited liability company to AMSOUTH BANK, an Alabama banking corporation, dated December 28, 2000, and recorded December 29, 2000 in Official Record Book 3344, Page 2891, Public Records of Lee County, Florida, given to secure the principal sum of \$8,500,000.00.

and the mortgages or trust deeds, if any, shown in Schedule B hereof.

5. The land referred to in this Policy is described as follows:

See Attached Owners Schedule A Continuation

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SCHEDULE A

Owners Form

Reorder Form No. 3529 (Rev. 1/89)

This Policy valid only if Schedule B is attached.

(Schedule A continued)

Policy Number 10 2252 106 00001195
Owners

Policy Number _____
Loan

Parcel One:

See Exhibit "A" attached

Parcel Two:

A non-exclusive easment for the benefit of the property described in Exhibit "A" created by grant of easement dated December 28, 2000 and recorded in Official Records Book 3344, Page 2874, for ingress and egress over, across and through the property described in Exhibit "B". *V Matcumbe Rd. Access #12*

Parcel Three:

A non-exclusive easement for the benefit of the property described in Exhibit "A" created by grant of easement dated December 28, 2000 and recorded in Official Records Book 3344, Page 2840, for ingress and egress over, across and through the property described in Exhibit "C". *@ E end of S Marina Basin*

Parcel Four:

A non-exclusive easement for the benefit of the property described in Exhibit "A" created by grant of easement dated December 28, 2000 and recorded in Official Records Book 3344, Page 2863, for ingress and egress over, across and through the property described in Exhibit "D". *Cape Cole Blvd access*

Parcel Five:

A non-exclusive easement for the benefit of the property described in Exhibit "A" created by Access Easement Agreement dated December 28, 2000 and recorded in Official Records Book 3344, Page 2851, for ingress and egress over, across and through the property described in Exhibit "E". *given access from Matcumbe Rd to W side of property #10*

Parcel Six:

A non-exclusive easement for the benefit of the property described in Exhibit "A" over a twenty four foot (24 foot) strip

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(Schedule A continued)

Policy Number 10 2252 106 00001195
Owners

Policy Number _____
Loan

of property lying adjacent and contiguous to all of the seawall located on TRACT C OF PUNTA GORDA ISLES SECTION TWENTY TWO, according to the plat thereof recorded in Plat Book 28, pages 118 through 138 inclusive, public records of Lee County, Florida, as contained in Official Records Book 1537, page 226, as amended by Official Records Book 1683, page 204 and Partial Assignment of Easement Rights as recorded in Official Records Book 3344, page 2887 and in Declaration of Restrictions recorded in Official Records Book 1432, page 249, as amended by Official Records Book 1683, page 206, of the public records of Lee County, Florida.

around edge of Marina

Parcel Seven:

A non-exclusive easement for the benefit of the property described in Exhibit "A" created by Declaration and Grant of Easements dated May 21, 1998 and recorded in Official Records Book 2964, page 1811 and Partial Assignment of Easement Rights as recorded in Official Records Book 3344, Page 2884, public records of Lee County, Florida, for ingress and egress over, across and through the property described in Exhibit "F".

North Beach Access

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COMMUNITY DEVELOPMENT

CPT 2007-00054

DESCRIPTION OF A PARCEL
LYING IN SECTION 1, T-43-S, R-22-E,
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 22 EAST, BEING A PORTION OF TRACT "C", PUNTA GORDA ISLES, SECTION TWENTY TWO ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGES 118 THROUGH 138, AND ALSO BEING A PORTION OF TRACT "H" AS RECORDED IN OFFICIAL RECORDS BOOK 2285, PAGE 3073 ALL OF THE PUBLIC RECORDS OF SAID LEE COUNTY, AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 22 EAST, LEE COUNTY, FLORIDA, THENCE N.00°33'37"E. ALONG THE EAST LINE OF SAID SECTION 1 FOR 880.00 FEET TO THE SOUTHEAST CORNER OF TRACT "I", RECORDED IN OFFICIAL RECORDS BOOK 2285, PAGE 3073, PUBLIC RECORDS OF SAID LEE COUNTY; THENCE N.89°35'44"W., ALONG THE SOUTH LINE OF SAID TRACT "I" FOR 1208.39 FEET; THENCE N.00°24'02"E., FOR 110.08 FEET TO THE NORTHWEST CORNER OF THE EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 1554, PAGE 942, OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE S.89°35'58"E., ALONG THE NORTH LINE OF SAID EASEMENT, FOR 260.82 FEET; THENCE N.00°24'02"E., FOR 112.24 FEET; THENCE N.89°33'59"W., FOR 101.51 FEET; THENCE N.00°26'01"E., FOR 128.93 FEET; THENCE S.89°33'59"E., FOR 117.82 FEET TO A POINT ON THE WESTERLY LINE OF "KEEL CLUB CONDOMINIUM" AS RECORDED IN OFFICIAL RECORDS BOOK 1690, PAGE 2613, OF SAID PUBLIC RECORDS; THENCE, ALONG THE WESTERLY AND NORTHERLY LINES OF SAID CONDOMINIUM, THE FOLLOWING COURSES, N.01°28'31"E., FOR 22.53 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 16.48 FEET; A CENTRAL ANGLE OF 84°36'37", A CHORD BEARING OF N.43°46'50"E. AND A CHORD LENGTH OF 22.18 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 24.34 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.86°05'08"E., FOR 52.67 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 23.62 FEET, A CENTRAL ANGLE OF 80°31'28", A CHORD BEARING OF N.45°49'24"E. AND A CHORD LENGTH OF 30.53 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 33.20 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.05°33'40"E., FOR 25.23 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 15.95 FEET, A CENTRAL ANGLE OF 86°29'24", A CHORD BEARING OF N.48°48'22"E. AND A CHORD LENGTH OF 21.86 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 24.08 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.87°56'56"E., FOR 16.07 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 350.09 FEET, A CENTRAL ANGLE OF 21°02'11", A CHORD BEARING OF N.81°31'58"E. AND A CHORD LENGTH OF 127.82 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 128.54 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.71°00'53"E., FOR 18.18 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 17.71 FEET, A CENTRAL ANGLE OF 109°23'09", A CHORD BEARING OF S.54°17'32"E. AND A CHORD LENGTH OF 28.91 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 33.81 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE, ALONG THE EAST LINE OF SAID CONDOMINIUM, S.00°24'02"W. FOR 225.02 FEET TO THE SOUTHEAST CORNER OF SAID CONDOMINIUM; THENCE, DEPARTING FROM SAID CONDOMINIUM, S.00°24'02"W., FOR 128.38 FEET TO A POINT ON THE NORTH LINE OF SAID EASEMENT; THENCE, ALONG THE NORTH AND WEST LINE OF SAID EASEMENT, THE FOLLOWING COURSES, S.89°35'58"E. FOR 410.34 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 170.00 FEET, A CENTRAL ANGLE OF 89°50'25", A CHORD BEARING OF N.45°28'50"E. AND A CHORD LENGTH OF 240.08 FEET; THENCE ALONG THE ARC OF

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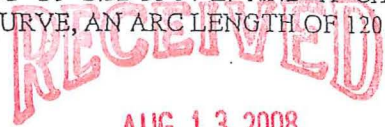
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SAID CURVE, AN ARC LENGTH OF 266.56 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.00°33'26"E., FOR 548.77 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 212.98 FEET, A CENTRAL ANGLE OF 11°07'09", A CHORD BEARING OF N.06°07'07"E. AND A CHORD LENGTH OF 41.27 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 41.33 FEET TO THE END OF SAID CURVE; THENCE, DEPARTING FROM SAID EASEMENT, S.60°41'17"W. FOR 61.47 FEET TO A POINT LYING 1 FOOT, MORE OR LESS, EASTERLY OF AN EXISTING SEAWALL; THENCE ALONG A LINE PARALLEL TO AND LYING 1 FOOT, MORE OR LESS, EASTERLY OF SAID SEAWALL THE FOLLOWING COURSES, N.15°22'46"E. FOR 43.85 FEET; THENCE N.29°37'14"W., FOR 228.06 FEET; THENCE, DEPARTING FROM SAID SEAWALL, N.59°14'04"E., FOR 111.46 FEET; THENCE N.83°30'29"E., FOR 29.19 FEET; THENCE N.59°14'04"E., FOR 30.05 FEET; THENCE N.29°50'03"W., FOR 213.65 FEET TO A POINT ON THE SOUTHERLY LINE OF "PLATINUM POINT YACHT CLUB" RECORDED IN OFFICIAL RECORDS BOOK 2530, PAGE 4055; THENCE S.59°01'27"W., ALONG SAID SOUTHERLY LINE FOR 167.63 FEET TO A POINT LYING 1 FOOT, MORE OR LESS, NORTHERLY OF AN EXISTING SEAWALL; THENCE ALONG A LINE PARALLEL TO AND LYING 1 FOOT, MORE OR LESS, NORTHERLY, EASTERLY, SOUTHERLY, WESTERLY AND SOUTHERLY OF SAID SEAWALL AND ALONG THE SOUTHERLY, WESTERLY, NORTHERLY AND EASTERLY LINES OF "PLATINUM POINT" RECORDED IN OFFICIAL RECORDS BOOK 2285, PAGE 3073, OF SAID PUBLIC RECORDS THE FOLLOWING COURSES, N.74°24'52"W., FOR 43.06 FEET; THENCE S.60°23'18"W., FOR 670.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 567.29 FEET, A CENTRAL ANGLE OF 25°47'39", A CHORD BEARING OF S.73°17'07"W. AND A CHORD LENGTH OF 253.24 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 255.39 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 201.66 FEET, A CENTRAL ANGLE OF 68°15'43", A CHORD BEARING OF N.59°41'11"W. AND A CHORD LENGTH OF 226.30 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 240.26 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 150.88 FEET, A CENTRAL ANGLE OF 40°34'00", A CHORD BEARING OF N.45°50'20"W. AND A CHORD LENGTH OF 104.61 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 106.82 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 705.31 FEET, A CENTRAL ANGLE OF 32°47'52", A CHORD BEARING OF N.49°43'24"W. AND A CHORD LENGTH OF 398.25 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 403.74 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 193.85 FEET, A CENTRAL ANGLE OF 51°50'51", A CHORD BEARING OF N.59°14'53"W. AND A CHORD LENGTH OF 169.49 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 175.41 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 261.77 FEET, A CENTRAL ANGLE OF 91°27'30", A CHORD BEARING OF N.39°26'34"W. AND A CHORD LENGTH OF 374.87 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 417.84 FEET TO THE END OF SAID CURVE; THENCE N.08°31'27"E., FOR 218.67 FEET; THENCE N.11°26'16"E., FOR 180.68 FEET; THENCE N.15°16'05"E., FOR 415.80 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 169.21 FEET, A CENTRAL ANGLE OF 26°39'01", A CHORD BEARING OF N.28°35'36"E. AND A CHORD LENGTH OF 78.00 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 78.71 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 290.79 FEET, A CENTRAL ANGLE OF 74°47'26", A CHORD BEARING OF N.79°18'50"E. AND A CHORD LENGTH OF 353.20 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 379.59 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 321.96 FEET, A CENTRAL ANGLE OF 21°28'47", A CHORD BEARING OF S.52°33'04"E. AND A CHORD LENGTH OF 120.00 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 120.70

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FEET TO THE END OF SAID CURVE; THENCE S.41°49'58"E., FOR 531.66 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 130.24 FEET, A CENTRAL ANGLE OF 41°39'39", A CHORD BEARING OF S.21°00'09"E. AND A CHORD LENGTH OF 92.63 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 94.70 FEET TO THE END OF SAID CURVE; THENCE S.00°25'38"W., FOR 390.84 FEET; THENCE S.89°37'03"E., FOR 671.06 FEET; THENCE, DEPARTING FROM SAID SEAWALL AND SAID "PLATINUM POINT", S.00°22'56"W., FOR 153.40 FEET; THENCE N.59°00'18"E., FOR 93.70 FEET; THENCE N.00°22'56"E., FOR 104.61 FEET TO A POINT ON THE WESTERLY LINE OF "THE TIDES CONDOMINIUM" AS RECORDED IN OFFICIAL RECORDS BOOK 2163, PAGE 170, OF SAID PUBLIC RECORDS AND A POINT LYING 1 FOOT MORE OR LESS, EASTERLY OF AN EXISTING SEAWALL; THENCE ALONG THE WEST LINE OF SAID CONDOMINIUM AND THE WEST LINE OF "MARINA TOWERS CONDOMINIUM" AS RECORDED IN OFFICIAL RECORDS BOOK 1948, PAGE 145 OF SAID PUBLIC RECORDS AND ALONG A LINE PARALLEL TO AND LYING 1 FOOT EASTERLY AND NORTHERLY OF SAID SEAWALL THE FOLLOWING COURSES, N.00°37'38"E., FOR 561.62 FEET; THENCE N.89°35'57"W., ALONG THE SOUTH LINE OF SAID "MARINA TOWERS CONDOMINIUM" AND THE SOUTH LINE OF "MARINA NORTH SHORE CONDOMINIUM" AS RECORDED IN CONDOMINIUM BOOK 8, PAGE 257 OF SAID PUBLIC RECORDS FOR 578.17 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 88.76 FEET, A CENTRAL ANGLE OF 50°52'35", A CHORD BEARING OF N.64°09'40"W. AND A CHORD LENGTH OF 76.25 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 78.81 FEET TO THE END OF SAID CURVE; THENCE N.38°52'47"W., FOR 112.30 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 872.33 FEET, A CENTRAL ANGLE OF 11°48'00", A CHORD BEARING OF N.44°46'47"W. AND A CHORD LENGTH OF 179.34 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 179.65 FEET TO THE END OF SAID CURVE; THENCE N.50°56'21"W., ALONG THE SOUTHERLY LINE OF "DIAMOND PARK" AS RECORDED IN PLAT BOOK 54, PAGES 80 AND 81 OF SAID PUBLIC RECORDS THE FOLLOWING COURSES FOR 135.77 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 835.62 FEET, A CENTRAL ANGLE OF 12°19'51", A CHORD BEARING OF N.57°06'16"W. AND A CHORD LENGTH OF 179.49 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 179.84 FEET TO THE END OF SAID CURVE; THENCE N.63°21'27"W., FOR 102.89 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 388.19 FEET, A CENTRAL ANGLE OF 50°54'54", A CHORD BEARING OF N.88°48'54"W. AND A CHORD LENGTH OF 333.72 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 344.96 FEET TO THE END OF SAID CURVE; THENCE S.66°15'19"W., ALONG THE SOUTH LINE OF THE PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2957 PAGE 2746, SAID PUBLIC RECORDS FOR 33.62 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL AND THE SOUTHEAST CORNER OF THE PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 3245, PAGE 3175 OF SAID PUBLIC RECORDS AND BEING A POINT ON A CURVE TO THE LEFT, HAVING: A RADIUS OF 387.54 FEET, A CENTRAL ANGLE OF 04°08'10", A CHORD BEARING OF S.58°28'57"W. AND A CHORD LENGTH OF 27.97 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 27.98 FEET TO THE END OF SAID CURVE; THENCE S.49°03'29"W., FOR 58.31 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE DEPARTING FROM SAID SEAWALL N.41°50'54"W., FOR 17.65 FEET TO THE NORTHWEST CORNER OF SAID PARCEL AND THE SOUTHWEST CORNER OF LOT 9 OF SAID "DIAMOND PARK"; THENCE ALONG THE WESTERLY LINE OF SAID LOT 9, THE FOLLOWING COURSES, N.39°21'06"W., FOR 38.60 FEET; THENCE N.01°20'27"W., FOR 193.86 FEET; THENCE N.37°47'30"E., FOR 110.00 FEET; THENCE DEPARTING FROM SAID LOT 9 S.59°53'43"W., FOR 137.28 FEET TO A POINT ON THE WESTERLY LINE OF SAID TRACT "C"; THENCE ALONG SAID WESTERLY LINE THE FOLLOWING COURSES S.16°44'33"W., FOR 515.42 FEET; THENCE S.23°51'46"W., FOR 305.62 FEET; THENCE S.01°48'25"W., FOR 695.54 FEET; THENCE S.10°29'40"W.,

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FOR 418.58 FEET TO A POINT LYING 1 FOOT, MORE OR LESS, SOUTHERLY OF AN EXISTING SEAWALL; THENCE DEPARTING FROM SAID WESTERLY LINE AND ALONG THE NORTHERLY LINE OF "MARINA SOUTH SHORE CONDOMINIUM" RECORDED IN OFFICIAL RECORDS BOOK 1432 PAGE 0278 AND THE WESTERLY EXTENSION THEREOF, AND ALONG A LINE LYING 1 FOOT, MORE OR LESS, SOUTHERLY OF AND PARALLEL TO AN EXISTING SEAWALL, THE FOLLOWING COURSES N.76°24'19"E., FOR 201.49 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 253.73 FEET, A CENTRAL ANGLE OF 16°47'37", A CHORD BEARING OF N.84°48'08"E. AND A CHORD LENGTH OF 74.10 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 74.37 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 453.03 FEET, A CENTRAL ANGLE OF 11°02'37", A CHORD BEARING OF S.81°16'45"E. AND A CHORD LENGTH OF 87.19 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 87.32 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 570.11 FEET, A CENTRAL ANGLE OF 20°59'54", A CHORD BEARING OF S.65°15'29"E. AND A CHORD LENGTH OF 207.77 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 208.94 FEET TO THE END OF SAID CURVE; THENCE S.53°54'52"E., FOR 271.10 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 1927.30 FEET, A CENTRAL ANGLE OF 09°54'41", A CHORD BEARING OF S.58°52'12"E. AND A CHORD LENGTH OF 332.98 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 333.39 FEET TO THE POINT OF COMPOUND CURVE OF A CURVE TO THE LEFT HAVING A RADIUS OF 2250.36 FEET, A CENTRAL ANGLE OF 01°39'50", A CHORD BEARING OF S.64°39'28"E., AND A CHORD LENGTH OF 65.35 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 65.35 FEET TO THE END OF SAID CURVE; THENCE S.65°42'09"E., FOR 105.15 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 134.05 FEET, A CENTRAL ANGLE OF 02°25'45", A CHORD BEARING OF S.64°29'17"E. AND A CHORD LENGTH OF 5.68 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 5.68 FEET TO THE END OF SAID CURVE AND THE NORTHEAST CORNER OF SAID CONDOMINIUM; THENCE S.00°24'02"W., ALONG THE EAST LINE OF SAID CONDOMINIUM FOR 448.64 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE EAST LINE OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 22 EAST, AS RECORDED ON THE PLAT OF PUNTA GORDA ISLES, SECTION 22, HAVING AN ASSUMED BEARING OF N.00°33'26"E.

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DESCRIPTION OF
A TRACT OR PARCEL OF LAND
LYING IN
SECTION 6, TOWNSHIP 43 SOUTH, RANGE 23 EAST, AND
SECTION 1, TOWNSHIP 43 SOUTH, RANGE 22 EAST,
LEE COUNTY, FLORIDA

THE FOLLOWING DESCRIBED STRIP OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 6, TOWNSHIP 43 SOUTH, RANGE 23 EAST AND SECTION 1, TOWNSHIP 43 SOUTH, RANGE 22 EAST BEING A PORTION OF TRACT "C" OF THE PLAT OF PUNTA GORDA ISLES SECTION TWENTY TWO AS RECORDED IN PLAT BOOK 28, PAGES 118 THROUGH 138 OF THE PUBLIC RECORDS OF SAID LEE COUNTY, AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

A 60.00 FOOT WIDE STRIP OF LAND LYING 30.00 FEET TO EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTH 1660 FEET OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 23 EAST (AS SHOWN ON THE ABOVE SAID PLAT OF PUNTA GORDA ISLES SECTION TWENTY TWO); THENCE RUN N. 88°22'02"E. ALONG THE NORTHERLY LINE OF SAID SOUTH 1660 FEET OF SECTION 6, A DISTANCE OF 118.83 FEET TO A POINT; THENCE RUN N.01°37'58"W., A DISTANCE OF 40.00 FEET TO A POINT; THENCE RUN N.36°26'58"W., A DISTANCE OF 123.56 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED CENTERLINE, SAID POINT LYING ON THE BOUNDARY OF SAID TRACT "C" AND ON THE CENTERLINE OF A DEDICATED PUBLIC RIGHT OF WAY KNOWN AS MATECUMBE KEY ROAD (FORMERLY PIRATES LANE) AS SHOWN ON SAID PLAT OF PUNTA GORDA ISLES SECTION TWENTY TWO, SAID POINT OF BEGINNING ALSO BEING THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 182.98 FEET, A CENTRAL ANGLE OF 52°59'25" AND A CHORD BEARING OF S.27°03'20"W.; THENCE RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 169.23 FEET TO THE END OF SAID CURVE; THENCE RUN S.00°33'37"W., 30.00 FEET WESTERLY OF AND PARALLEL TO THE WEST LINE OF SAID SOUTH 1660 FEET OF SECTION 6, A DISTANCE OF 548.76 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 89°50'25", AND A CHORD BEARING OF S.45°28'49"W.; THENCE RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 313.60 FEET TO THE POINT OF TANGENCY THEREOF; THENCE RUN N.89°35'58"W., A DISTANCE OF 978.35 FEET TO A POINT LYING ON THE EASTERLY BOUNDARY OF THE TRACT KNOWN AS MARINA SOUTH SHORE CONDOMINIUMS PHASE I, SAID POINT BEING THE POINT OF TERMINUS OF THE DESCRIBED CENTERLINE.

BEARINGS ARE BASED ON THE WESTERLY LINE OF THE SOUTH 1660 FEET OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 23 EAST, AS RECORDED ON THE PLAT OF PUNTA GORDA ISLES SECTION TWENTY TWO, HAVING AN ASSUMED BEARING OF N.00°33'37"E.

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EXHIBIT " B "

DESCRIPTION OF AN EASEMENT
LYING IN SECTION 1, T- 43- S, R-22-E,
LEE COUNTY, FLORIDA

AN EASEMENT OVER AND ACROSS A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 22 EAST, BEING A PORTION OF TRACTS "H" AS RECORDED IN OFFICIAL RECORDS BOOK 2285, PAGE 3075 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 22 EAST, LEE COUNTY, FLORIDA, THENCE N.00°33'37"E. ALONG THE EASTERLY LINE OF SAID SECTION 1 FOR 880.00 FEET TO THE SOUTHEAST CORNER OF TRACT "I", AS RECORDED IN OFFICIAL RECORDS BOOK 2285, PAGE 3075, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°33'26"E., ALONG SAID EASTERLY LINE FOR 880.80 FEET; THENCE N.88°09'42"E., FOR 118.89 FEET; THENCE N.01°37'58"W., FOR 40.00 FEET; THENCE N.36°26'58"W., FOR 153.75 FEET TO A POINT ON A CURVE TO THE LEFT, HAVING: A RADIUS OF 219.98 FEET, A CENTRAL ANGLE OF 02°06'36", A CHORD BEARING OF S.51°56'32"W. AND A CHORD LENGTH OF 8.10 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 8.10 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE N.50°27'45"W., A DISTANCE OF 51.68 FEET; THENCE N.29°48'32"W., A DISTANCE OF 131.95 FEET; THENCE S.83°30'29"W., A DISTANCE OF 29.19 FEET; THENCE S.59°14'04"W., A DISTANCE OF 68.70 FEET; THENCE S.30°45'56"E., A DISTANCE OF 24.00 FEET; THENCE N.59°14'04"E., A DISTANCE OF 71.11 FEET; THENCE S.29°48'32"E., A DISTANCE OF 110.89 FEET; THENCE S.25°52'01"W., A DISTANCE OF 80.92 FEET; THENCE S.39°45'08"E., A DISTANCE OF 55.64 FEET TO A POINT ON A CURVE TO THE RIGHT, HAVING: A RADIUS OF 219.98 FEET, A CENTRAL ANGLE OF 06°52'22", A CHORD BEARING OF N.25°45'58"E. AND A CHORD LENGTH OF 26.37 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 26.39 FEET; THENCE N.39°45'08"W., A DISTANCE OF 29.24 FEET; THENCE N.25°52'01"E., A DISTANCE OF 54.88 FEET; THENCE S.50°27'45"E., A DISTANCE OF 38.98 FEET TO A POINT ON A CURVE TO THE RIGHT, HAVING: A RADIUS OF 219.98 FEET, A CENTRAL ANGLE OF 06°19'07", A CHORD BEARING OF N.47°43'40"E. AND A CHORD LENGTH OF 24.25 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 24.26 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE EASTERLY LINE OF SAID SECTION 1 AS PER THE RECORD PLAT OF PUNTA GORDA ISLES SECTION 22, RECORDED IN PLAT BOOK 28, PAGES 118 THROUGH 138, HAVING AN ASSUMED BEARING N. 00°33'37"E."

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EXHIBIT "C"

DESCRIPTION OF AN EASEMENT
LYING IN SECTION 1, T-43-S, R-22-E,
LEE COUNTY, FLORIDA

AN INGRESS, EGRESS AND ACCESS EASEMENT OVER AND ACROSS A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 22 EAST, BEING A PORTION OF TRACT "C", PUNTA GORDA ISLES, SECTION TWENTY TWO ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGES 118 THROUGH 138, ALSO BEING A PORTION OF THE ROADWAY EASEMENT AREA (AKA SUNSET KEY CIRCLE) AS DESCRIBED IN EXHIBIT "B" OF OFFICIAL RECORDS BOOK 2772, PAGE 2889 ALL OF THE PUBLIC RECORDS OF SAID LEE COUNTY, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 3, BLOCK 1001, OF SAID PUNTA GORDA ISLES SECTION 22; THENCE S.59°00'18"W. ALONG THE SOUTHERLY LINE OF THE "TIDES CONDOMINIUM" AS RECORDED IN OFFICIAL RECORDS BOOK 2163, PAGE 170 OF SAID PUBLIC RECORDS AND THE NORTHERLY LINE OF SAID ROADWAY EASEMENT, FOR 289.59 FEET TO A POINT ON THE EASTERLY LINE OF "PROSPERITY POINT" AS RECORDED IN OFFICIAL RECORDS BOOK 2285, PAGE 3154, OF SAID PUBLIC RECORDS; THENCE S.30°59'42"E., ALONG SAID EASTERLY LINE, FOR 100.00 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID ROADWAY EASEMENT; THENCE N.59°00'18"E. ALONG SAID SOUTHERLY LINE FOR 289.33 FEET TO A POINT ON THE EASTERLY LINE OF SAID TRACT "C" ALSO BEING THE WESTERLY LINE OF CAPE COLE BOULEVARD AS RECORDED IN SAID PLAT OF PUNTA GORDA ISLES, SECTION 22; THENCE N.30°59'42"W. ALONG SAID EASTERLY AND WESTERLY LINES, FOR 100.00 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE SOUTHERLY LINE OF THE "TIDES CONDOMINIUM", AS RECORDED IN OFFICIAL RECORDS BOOK 2163, PAGE 170, LEE COUNTY PUBLIC RECORDS AS HAVING AN ASSUMED BEARING OF S.59°00'18"W.

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All of that portion of ingress and egress easement area described in that certain Non-Exclusive Ingress and Egress Easement recorded in Official Records Book 1690, Page 2654, Public Records of Lee County, Florida located within the following property:

DESCRIPTION OF A PARCEL
LYING IN SECTION 1, T- 43- S, R-22-E,
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 22 EAST, BEING A PORTION OF TRACTS "H" AND "I" AS RECORDED IN OFFICIAL RECORDS BOOK 2285, PAGE 3075 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 22 EAST, LEE COUNTY, FLORIDA, THENCE N.00°33'37"E. ALONG THE EASTERLY LINE OF SAID SECTION 1 FOR 880.00 FEET TO THE SOUTHEAST CORNER OF TRACT "I", AS RECORDED IN OFFICIAL RECORDS BOOK 2285, PAGE 3075, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°35'58"W. ALONG THE SOUTH LINE OF SAID TRACT "I", FOR 947.57 FEET; THENCE N.00°24'02"E., FOR 222.34 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE N.89°33'59"W., FOR 101.51 FEET; THENCE N.00°26'01"E., FOR 128.93 FEET; THENCE S.89°33'59"E., FOR 117.82 FEET TO A POINT ON THE WESTERLY LINE OF THE KEEL CLUB CONDOMINIUM AS RECORDED IN OFFICIAL RECORDS BOOK 1690, PAGE 2613 OF SAID PUBLIC RECORDS; THENCE, ALONG SAID WESTERLY LINE THE FOLLOWING THREE COURSES, S.01°28'31"W., FOR 14.10 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 133.42 FEET, A CENTRAL ANGLE OF 17°03'03", A CHORD BEARING OF S.10°00'02"W. AND A CHORD LENGTH OF 39.56 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 39.70 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 191.85 FEET, A CENTRAL ANGLE OF 18°07'32", A CHORD BEARING OF S.09°27'48"W. AND A CHORD LENGTH OF 60.44 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 60.69 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.00°24'02"W., FOR 16.13 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE EASTERLY LINE OF SAID SECTION 1 AS PER THE RECORD PLAT OF PUNTA GORDA ISLES SECTION 22, RECORDED IN PLAT BOOK 28, PAGES 118 THROUGH 138, HAVING AN ASSUMED BEARING N. 00°33'37"E.

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EXHIBIT "E"

2007-00054

Marina Parking Easement Area

AN EASEMENT SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 01, TOWNSHIP 43 SOUTH, RANGE 22 EAST AND SECTION 06, TOWNSHIP 43 SOUTH, RANGE 23 EAST, BEING A PART OF LOT 1, BLOCK 1011 AND A PART OF TRACT "C", PUNTA GORDA ISLES, SECTION TWENTY TWO, AS RECORDED IN PLAT BOOK 28, PAGES 118-138, AND BEING A PART OF THE PROPERTY AS DESCRIBED IN OFFICIAL RECORD BOOK 2285, PAGE 3101 LEE COUNTY PUBLIC RECORDS, AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 1011; ON THE SOUTHERLY RIGHT OF WAY LINE OF SUGARLOAF KEY ROAD (80' WIDE) AS SHOWN ON SAID RECORD PLAT OF PUNTA GORDA ISLES, SECTION TWENTY TWO, BEING A CURVE CONCAVE TO THE NORTH, HAVING: A RADIUS OF 715.00 FEET, A CENTRAL ANGLE OF 04°00'36", A CHORD BEARING OF S.74°54'50"E. AND A CHORD LENGTH OF 50.03 FEET; THENCE ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY RIGHT OF WAY LINE, AN ARC LENGTH OF 50.04 FEET TO THE EASTERLY LINE OF A 50 FOOT WIDE NON-EXCLUSIVE EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 1808, PAGE 1431 SAID LEE COUNTY PUBLIC RECORDS; THENCE S.17°05'28"W. ALONG SAID EASTERLY LINE, FOR 72.36 FEET TO THE POINT OF BEGINNING; THENCE S.72°54'32"E., FOR 44.63 FEET; THENCE S.17°05'28"W., FOR 5.63 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 176.00 FEET, A CENTRAL ANGLE OF 16°41'05", A CHORD BEARING OF S.08°44'55"W. AND A CHORD LENGTH OF 51.07 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 51.25 FEET TO THE END OF SAID CURVE; THENCE S.00°29'39"W., FOR 104.46 FEET; THENCE S.28°58'17"W., FOR 26.53 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 30°07'02", A CHORD BEARING OF S.13°54'46"W. AND A CHORD LENGTH OF 12.99 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 13.14 FEET TO THE END OF SAID CURVE; THENCE S.01°08'45"E., FOR 149.00 FEET; THENCE N.89°30'21"W., FOR 30.02 FEET TO THE EAST LINE OF AMENDED MARINA NORTH SHORE CONDOMINIUM AS RECORDED IN OFFICIAL RECORD BOOK 1774, PAGE 2027 SAID LEE COUNTY PUBLIC RECORDS; THENCE N.01°08'45"W., ALONG SAID EAST LINE, FOR 215.89 FEET TO AN INTERSECTION WITH THE SOUTHERLY LOT LINE OF SAID LOT 1, BLOCK 1011, BEING A CURVE CONCAVE TO THE NORTH, HAVING: A RADIUS OF 1000.00 FEET, A CENTRAL ANGLE OF 01°34'19", A CHORD BEARING OF N.73°50'47"W. AND A CHORD LENGTH OF 27.44 FEET; THENCE ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY LOT LINE, AN ARC LENGTH OF 27.44 FEET TO THE EASTERLY LINE OF A 50 FOOT WIDE NON-EXCLUSIVE EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 1808, PAGE 1431 SAID LEE COUNTY PUBLIC RECORDS; THENCE N.17°05'28"E., ALONG SAID EASTERLY LINE, PARALLEL WITH AND 50.00 FEET EAST OF (AS MEASURED ON A PERPENDICULAR) THE WEST LINE OF SAID LOT 1, BLOCK 1011, FOR 149.68 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 23 EAST AS BEARING S.89°36'00"E. AS PER SAID RECORD PLAT OF PUNTA GORDA ISLES, SECTION TWENTY TWO.

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EXHIBIT 2007-00054

POLICY FORM

SCHEDULE B

File Number: 00-1333

Policy Number: 10 2252 106 00001195

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of

General Exceptions:

- (1) Rights or claims of parties in possession not shown by the public records.
- (2) Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
- (3) Easements or claims of easements not shown by the public records.
- (4) Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
- (5) Taxes or special assessments which are not shown as existing liens by the public records.

Special Exceptions: The mortgage, if any, referred to in Item 4 of Schedule A., if this schedule is attached to an Owner's Policy.

- (6) Any claim that any portion of said lands are sovereignty lands of the State of Florida, including submerged, filled or artificially exposed lands and lands accreted to such lands.
- (7) Taxes and assessments for the year 2001 and subsequent years.

NOTE: Taxes for the year 2001 became a lien on January 1, 2001, however they are not due and payable until November 1, 2001. Taxes for the year 2000 are paid.

Note: Exceptions 1 through 5 are hereby deleted.

Note: Special Exception 6 is hereby deleted.


8. Terms, covenants, conditions, restrictions, easements, assessments and possible liens created by and set forth in the Declaration recorded in Official Records Book 1233, Page 975 and Amendments recorded in Official Records Book 1333, Page 115; Official Records Book 1644, Page 1159 and Official Records Book 1809, Page 2339 and Assignment of Developers Rights recorded in Official Records Book 2259, Page 1641 and Official Records Book 2285, Page 3137, of the Public Records of Lee County, Florida.
(pertains to Parcel Seven)

See Attached Owners Schedule B Continuation

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Countersigned


Authorized Signature

Note: If this schedule is attached to a Loan Policy, junior and subordinate matters, if any, are not reflected herein.

Note: This Policy consists of insert pages labeled Schedules A and B. This Policy is of no force and effect unless both pages are included along with any added pages incorporated by reference.

E

Owners

Loan

- See Attached Owners Schedule B Continuation

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Owners

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Loan

18. Easement granted to Lee County Electric Cooperative by instrument recorded in Official Records Book 2008, Page 2591, Public Records of Lee County, Florida.
19. Easement granted to Lee County Electric Cooperative by instrument recorded in Official Records Book 2014, Page 3418, Public Records of Lee County, Florida.
20. Easement granted to United Telephone by instrument recorded in Official Records Book 2049, Page 3147, Public Records of Lee County, Florida.
21. Easement Agreement between Sun City Center Corp. and Marina Towers Company, Inc. and Marina Towers Condominium Association, Inc. recorded in Official Records Book 2355, Page 3777 and Amendments recorded in Official Records Book 2971, Page 346 and Official Records Book 2984, Page 1765, Public Records of Lee County, Florida. (as to that portion of Parcels 1, 6 & 7 that are contiguous and adjacent to Parcel 10 and the Tides Condominium as shown on that certain survey prepared by BCI, under Job No. 8365, dated 12/28/00)
22. Declaration and Grant of Easements recorded in Official Records Book 2772, Page 2889 and Amendments recorded in Official Records Book 3231, Page 1682, Public Records of Lee County, Florida. (pertains to Parcels 4 and 6 only)
23. Declaration of Covenants, Conditions and Restrictions for Prosperity Point recorded in Official Records Book 2772, Page 2934, Public Records of Lee County, Florida.
24. Water and Sewer Service Agreement between Southern States Utilities, Inc. and Florida Design Communities recorded in Official Records Book 2781, Page 2098, Public Records of Lee County, Florida.
25. Declaration and Grant of Easements recorded in Official Records Book 2964, Page 1811, Public Records of Lee County, Florida.
26. Easement granted to Florida Water Services Corp., recorded in Official Records Book 3018, Page 3552, Public Records of Lee County, Florida.
27. Agreement to Grant and Convey Perpetual Easement recorded in Official Records 3030, Page 4071, Public Records of Lee County, Florida.
28. Right of tenants, lessees and other parties in possession.
29. This Policy does not insure the nature or extent of riparian or littoral rights.

See Attached Owners Schedule B Continuation

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30. Rights of the State of Florida and/or The United States of America, to regulate the use of navigable waters.
31. Rights and easements for commerce, navigation, recreation and fisheries in and to any portion of subject land lying below the mean high water mark line of the marinas, canals or other bodies of water thereon.
32. Terms and conditions contained in that certain 24 Foot Access Easement Agreement recorded in Official Records Book 3344, Page 2840, of the public records of Lee County, Florida.
33. Terms and conditions contained in that certain Cape Cole Boulevard Access Easement Agreement recorded in Official Records Book 3344, Page 2863, of the public recorded of Lee County, Florida.
34. Matecumbe Key Access Easement Agreement recorded in Official Records 3344, Page 2874, of the public records of Lee County, Florida (Pertains to Exhibit "B")
35. Terms and conditions contained in that certain Twenty Foot (20') Access and Utility Easement Agreement recorded December 29, 2000 in Official Records Book 3344, Page 2817, of the public records of Lee County, Florida.
36. Terms, covenants, conditions, restrictions and easements as set forth in that certain Declaration of Covenants and Standards recorded December 29, 2000 in Official Records Books 3344, Page 2804, of the public records of Lee County, Florida.
37. Terms and conditions contained in that certain Access Easement Agreement recorded December 29, 2000 in Official Records Book 3344, Page 2851, public records of Lee County, Florida.
38. Right of First Offer recorded in Official Records Book 3344, Page 2793, public records of Lee County, Florida.
39. Memorandum of Agreement between WCI Communities, Inc. and Thomas W. Tiedemann and Carol Tiedemann, Husband and Wife recorded in Official Records Book 3320, page 3329, of the public records of Lee County, Florida.
40. Terms and conditions of Easement recorded in Official Records Book 1432, Page 249, which was amended by Official Records Book 1683, page 206 and Official Records Book 1665, page 4512 and Assignment of Developers Rights thereunder recorded in Official Records Book 2259, page 1641, of the public records of Lee County, Florida. (pertain to Parcel Six)

See Attached Owners Schedule B Continuation

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41. Terms and conditions of Easement recorded in Official Records Book 1537, page 226, amended by Official Records Book 1683, page 204 and Assignment of Interest therein recorded in Official Records Book 2285, page 3068 and Official Records Book 2285, page 3113, of the public records of Lee County, Florida. (pertains to Parcel Six)
42. Drainage and Utility Easement along the South line of Lot 1, Block 1011 as shown at plat of Punta Gorda Isles, Section Twenty Two in Plat Book 28, pages 118 through 138, inclusive, of the public records of Lee County, Florida. (pertains to Parcel Seven)
43. Easement recorded in Official Records Book 2034, page 1966, of the public records of Lee County, Florida (pertains to Parcel Seven)
44. Easement recorded in Official Records Book 2014, page 3422, of the public records of Lee County, Florida (pertains to Parcel Seven)
45. Easement recorded in Official Records Book 2034, Page 1960, of the public records of Lee County, Florida (pertains to Parcel Seven)
46. Liability under this policy is presently limited to the value of the land, but will increase to include the actual cost of improvements erected thereon and fully paid for, but liability under this policy shall never exceed the face amount of this policy.
47. Terms and conditions of Partial Assignment of Easement Rights recorded in Official Records Book 3344, page 2884, public records of Lee County, Florida.
48. Terms and conditions of Partial Assignment of Easement Rights recorded in Official Records Book 3344, page 2887, public records of Lee County, Florida.
49. Survey prepared by BCI, RLS #5626, under Job No. 8365, dated December 28, 2000, reflects the following:
 - a. Encroachment of asphalt pavement into the Keel Club Condominium along the northerly and northwesterly boundaries of the condominium.
 - b. Encroachment of asphalt pavement over the Utility Easement recorded in Official Records Book 2049, page 3148, public records of Lee County, Florida.
 - c. Surface, subsurface and aerial improvements, unless depicted hereon have not been located.
 - d. Encroachment of wood fence, wood walkway & concrete walkway into South Shore Condominiums as shown on sheet 5 of the survey.

See Attached Owners Schedule B Continuation

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2007-00054

Policy Number 10 2252 106 00001195
Owners

Policy Number _____
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50. Parking and Access Easement Agreement between WCI COMMUNITIES, INC. and REALMARK BURNT STORE MARINA, LLC, dated December 28, 2000 and recorded December 29, 2000 in Official Records Book 3344, Page 2827, Public Records of Lee County, Florida.

51. Dock Access and Use Lease Agreements recorded in Official Records Book 3320, Page 817, Official Records Book 3328, Page 227, Official Records Book 3328, Page 230, Official Records Book 3314, Page 1477, Official Records Book 3328, Page 233, Official Records Book 3328, Page 236, Official Records Book 3328, Page 239, Official Records Book 3255, Page 668 and Official Records Book 3072, Page 1300, public records of Lee County, Florida.

52. Encroachments, boundary line disputes or adverse matters which would be disclosed by an accurate survey and inspection of the premises. (as to Parcels 3 through 7)

53. Rights or claims of parties in possession as shown on the Rent Roll attached as Exhibit "R".

54. Assignment of Rents, Leases, Profits and Contracts, executed by REALMARK BURNT STORE MARINA, L.L.C., a Florida limited liability company to AMSOUTH BANK, dated December 28, 2000 and recorded December 29, 2000 in Official Records Book 3344, Page 2917, public records of Lee County, Florida.

55. UCC-1 Financing Statement, executed by REALMARK BURNT STORE MARINA, L.L.C., a Florida limited liability company to AMSOUTH BANK, dated December 28, 2000 and recorded December 29, 2000 in Official Records Book 3344, Page 2937, public records of Lee County, Florida.

NOTE: Notice of Development Order Approval recorded in Official Records Book 2508, Page 2603, Public Records of Lee County, Florida.

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EXHIBIT "R"

BSM - Slip Lease Summary.xls

Burnt Store Dry Storage Summary As of 11/27/00							
	111	Dry Storage Slips					
		- Storage areas x1 & x55 & x56			\$32,932.50	Total Monthly Revenue	
	75	Outdoor Wooden Craddles			\$34,908.45	Total Monthly Revenue w/ Tax	
	18	Outdoor Metal Racks					
	Legend						
	X	INSIDE BUILDING					
	Y	OUTSIDE WOOD					
	M	OUTSIDE MEDAL					
No. of Slips	Slip #	Name	Annual Contract	Length of Boat	Rate	Monthly Revenue	Tax Included
1	X02	KOMAREK, ARTHUR	Dec-96	20	7.50	150.00	159.00
2	X03	STOUT, TED	May-00	21	7.50	157.50	166.95
3	X04	WRIGHT, DR. BALLARD		21	7.50	157.50	166.95
4	X05	TROUTMAN, MARCIE	May-98	21	7.50	157.50	166.95
5	X06	SMITH, RICHARD	May-00	21	7.50	157.50	166.95
6	X07	YURKANIN, JOE	Dec-00	23	7.50	172.50	182.85
7	X08	SNYDER, ERNIE	Jan-99	20	7.50	150.00	159.00
8	X09	YOUMATZO, PAUL		22	7.00	154.00	163.24
9	X10	HILL, JACK	Nov-99	22	7.50	165.00	174.90
10	X11	GREENWAY, CHUCK	Feb-97	22	7.50	165.00	174.90
11	X12	HALL, KENNETH	Nov-93	22	7.50	165.00	174.90
12	X13	MULINOS, STEPHEN	Dec-99	22	7.00	154.00	163.24
13	X14	VANDENBROECK, FRED	Oct-96	20	7.50	150.00	159.00
14	X15	ANDERSON, VINCE	Dec-00	20	7.50	150.00	159.00
15	X16	THORSEN, MATTHEW	May-97	20	7.50	150.00	159.00
16	X17	WENZLAFF, EDWARD	Nov-97	20	7.50	150.00	159.00
17	X18	FOLIO, GEORGE	Jan-96	20	7.50	150.00	159.00
18	X19	ALSOBROOK, ROBERT	Aug-92	21	7.50	157.50	166.95
19	X20	ZEEMAN, LARRY non-res	May-00	27	7.50	202.50	214.65
20	X21	SIMPSON, TOM	Mar-94	25	7.50	187.50	198.75
21	X22	STEITZ, WILLIAM	Nov-92	25	7.50	187.50	198.75
22	X23	LLAMOSI, VINCENT	Dec-00	20	7.50	150.00	159.00
23	X24	ANDRESEN, DICK	Nov-90	24	7.50	180.00	190.80
24	X25	MERRICK, RICHARD	Dec-97	20	7.50	150.00	159.00
25	X26	SOUTO, JOSEPH	Nov-95	21	7.50	157.50	166.95
26	X27	GRANGER, CAROL V.	Feb-99	24	7.50	180.00	190.80
27	X28	SZCZEPANIAK, KAZ	Oct-99	20	7.50	150.00	159.00
28	X29	NASH, HENRY	Nov-90	20	7.50	150.00	159.00
29	X30	MARSHALL, HOWARD	Aug-92	22	7.50	165.00	174.90
30	X31	SKLAR, HERB & SHEILA	Jul-99	20	7.50	150.00	159.00
31	X32	BUCCI, ROBERT C.	May-00	20	7.50	150.00	159.00
32	X33	POTWIN, JOHN & LOUISE	Mar-00	23	7.50	172.50	182.85
33	X34	CLAUSEN, ROGER H.	Dec-98	22	7.50	165.00	174.90
34	X35	KING, CLARK	Jun-97	21	7.50	157.50	166.95
35	X36	HEENEKE, RICHARD	Oct-96	20	7.50	150.00	159.00
36	X37	PEQUES, TOM non-res	Jun-94	24	7.50	180.00	190.80
37	X38	COLDIRON, HAYWARD	Nov-99	24	7.50	180.00	190.80
38	X39	WEIDEMOYER, GENE	Dec-00	22	7.50	165.00	174.90
39	X40	PAPORELLO, RONALD	Nov-00	23	7.50	172.50	182.85
40	X41	SCHEUREN, JOHN	Nov-90	22	7.50	165.00	174.90
41	X42	RODGERS, BERT	Apr-99	22	7.50	165.00	174.90
42	X43	MCFADDEN, BRAD	Oct-00	24	7.50	180.00	190.80
43	X44	PFAU, GORDEN	Feb-92	24	7.50	180.00	190.80
44	X45	LEMON, MICHAEL		22	7.50	165.00	174.90
45	X46	HOST, RON		22	7.50	165.00	174.90

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Dryslips

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BSM - Slip Lease Summary.xls

46	X47	SANSONE, PETER	Nov-89	25	7.50	187.50	198.75
47	X48	LANGE, PAUL R.	Oct-90	25	7.50	187.50	198.75
48	X49	BARBER, CHUCK	Nov-94	21	7.50	157.50	166.95
49	X50	BRENK, VICTOR	Nov-90	23	7.50	172.50	182.85
50	X51	MCCARTHY, JACK	Jan-93	23	7.50	172.50	182.85
51	X52	THAMS, RICHARD	Apr-98	21	7.50	157.50	166.95
52	X53	ROHN, JAMES	Jan-97	22	7.50	165.00	174.90
53	X54	JARDEN, CARROLL	Aug-91	25	7.50	187.50	198.75
54	X57	SHAW, ROBERT	Jan-98	20	7.50	150.00	159.00
55	X58	MATTAS, TODD	May-99	20	7.50	150.00	159.00
56	X59	KLEIN, BOB	May-98	20	7.50	150.00	159.00
57	X60	AXEL, MARTIN S.	Dec-99	20	7.50	150.00	159.00
58	X61	STIDHAM, JOE	Jan-00	20	7.50	150.00	159.00
59	X62	HANSEN, BRIAN	Oct-96	20	7.50	150.00	159.00
60	X63	KENYON, EDWARD	May-92	20	7.50	150.00	159.00
61	X64	LOPEZ, JOSE non-res	Apr-97	20	7.50	150.00	159.00
62	X65	WHELEN, BILL	Aug-94	20	7.50	150.00	159.00
63	X66	MacINTOSH, DAVID & SUE	Nov-98	20	7.50	150.00	159.00
64	X67	BOSS, ERNEST	May-00	20	7.50	150.00	159.00
65	X68	ROY, PAUL	Nov-98	20	7.50	150.00	159.00
66	X69	PARR, KEN	Jun-99	20	7.50	150.00	159.00
67	X70	OAK, TIM	free	0	7.50	0.00	0.00
68	X71	GODINA, JOHN	Jan-99	20	7.50	150.00	159.00
69	X72	THOMPSON, ROBERT	Dec-00	20	7.50	150.00	159.00
70	X73	EMPTY UNTIL 01		0	7.50	0.00	0.00
71	X74	GAUT, GREG	Jan-99	20	7.50	150.00	159.00
72	X75	CUNNINGHAM, RICHARD	May-00	20	7.50	150.00	159.00
73	X76	PATTON, DONALD B.	May-98	20	7.50	150.00	159.00
74	X77	PFEFFERKORN, GORDON	Jan-99	20	7.50	150.00	159.00
75	X78	MILES, FRANK	Jan-92	23	7.50	172.50	182.85
76	X79	PECK, CARSON JR	Mar-93	21	7.50	157.50	166.95
77	X80	SWIENTON, ANDREW	May-94	20	7.50	150.00	159.00
78	X81	WALKER, RAY	Nov-93	20	7.50	150.00	159.00
79	X82	KRENMULLER, FRANK		20	7.50	150.00	159.00
80	X83	LIMBACH, THOMAS	Sep-99	20	7.50	150.00	159.00
81	X84	BERGER, DENNIS		22	7.50	165.00	174.90
82	X85	HOOD, THOMAS	Dec-96	21	7.50	157.50	166.95
83	X86	NIEMELA, DON	Mar-99	20	7.50	150.00	159.00
84	X87	HENDERSON, LLOYD	Sep-96	20	7.50	150.00	159.00
85	X88	LEONARD, BARBARA	Jul-97	20	7.50	150.00	159.00
86	X89	MC CARTAN, MIKE	Oct-98	20	7.50	150.00	159.00
87	X90	HERING, ALAN	Nov-90	20	7.50	150.00	159.00
88	X91	TELGENHOF, MIKE	Apr-97	20	7.50	150.00	159.00
89	X92	EVANS, RICHARD	Dec-92	20	7.50	150.00	159.00
90	X93	CARROLL, DONALD	Nov-90	20	7.50	150.00	159.00
91	X94	ANDERSON, JEFF non-res	Jun-95	20	7.50	150.00	159.00
92	X95	FITCH, DAVID	Nov-90	22	7.50	165.00	174.90
93	X96	ANDERSON, ALLAN DR.		21	7.50	157.50	166.95
94	X97	ZIMBICKI, ANTHONY	Sep-99	20	7.50	150.00	159.00
95	X98	SHEA, ROBERT	Oct-94	25	7.50	187.50	198.75
96	X99	TOLLEY, EARL	Oct-97	23	7.50	172.50	182.85
97	X100	ALLTON, PAULA & VANCE		22	7.50	165.00	174.90
98	X101	DOMMERMUTH, BILL	Nov-90	22	7.50	165.00	174.90
99	X102	BUNDOCK, JOHN	May-98	21	7.50	157.50	166.95
100	X103	FIELD, JOHN	Nov-00	20	7.50	150.00	159.00
101	X104	MAEDER, JEROME	Jan-99	20	7.50	150.00	159.00
102	X105	KILEY, ROBERT		22	7.50	165.00	174.90
103	X106	FRENCH, BAYARD	Oct-96	22	7.50	165.00	174.90
104	X107	KJELLOVIST, MATS	Oct-98	21	7.50	157.50	166.95

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105	X108	SEXTON, BILL	Jul-98	21	7.50	157.50	166.95
106	X109	SHERMAN, JOHN	Feb-99	21	7.50	157.50	166.95
107	X110	BARNES, KAREN	Jul-96	21	7.50	157.50	166.95
108	X111	ROLLINS, BILL	Sep-96	21	7.50	157.50	166.95
109	X112	CLARK, RON	Jan-99	25	7.50	187.50	198.75
110	X113	CARLSON, KEN	Oct-90	20	7.50	150.00	159.00
111	X114	BECKWORTH, HANCEL	Jun-99	20	7.50	150.00	159.00
						\$17,400.50	\$18,444.53
	ROLL	THOMPSON, DON	free	0	7.50	0.00	0.00
1	Y04	WESHLER, MIKE(SALES)	SALES	24	7.00	168.00	178.08
2	Y05	KURGAN, FRANK	Mar-95	27	7.00	189.00	200.34
3	Y06	WHITE, WALTER	Mar-00	25	7.00	175.00	185.50
4	Y07	STEWART, GREG	May-93	29	7.00	203.00	215.18
5	Y08	DUREI, THOMAS	Dec-98	27	7.00	189.00	200.34
6	Y09	EDER, ALOIS	Mar-96	24	7.00	168.00	178.08
7	Y10	STONE, GEORGE	Sep-95	29	7.00	203.00	215.18
8	Y11	STEFFKE, JAMES	Mar-97	31	7.00	217.00	230.02
9	Y12	DRUMMOND, CHARLES	Jan-97	22	7.00	154.00	163.24
10	Y13	THOMPSON, J ROBERT	Dec-99	27	7.00	189.00	200.34
11	Y14	HINCH, JIM & CAROL	Nov-00	30	7.00	210.00	222.60
12	Y15	WALKLEY, JOHN&CAROL	Apr-00	28	7.00	196.00	207.76
13	Y16	LAMBIRTH, RONDAL	Aug-99	26	7.00	182.00	192.92
14	Y17	HEMPHILL, LOUIE	Aug-97	24	7.00	168.00	178.08
15	Y18	DAVENPORT, FRED	Dec-00	23	7.00	161.00	170.66
16	Y19	WIEK, DONALD	Nov-98	25	7.00	175.00	185.50
17	Y20	HAHN, JERRY	Apr-99	27	7.00	189.00	200.34
18	Y21	McGREAL, PATRICK	Sep-94	27	7.00	189.00	200.34
19	Y22	SHANNON, GERALD	Dec-96	26	7.00	182.00	192.92
20	Y23	LIPSCOMB, JOHN	Dec-99	27	7.00	189.00	200.34
21	Y24	GRAVES, RON	Feb-97	26	7.00	182.00	192.92
22	Y25	GEAR MAN INC.(JIM WEST)	Mar-94	29	7.00	203.00	215.18
23	Y26	TOPORSKI, BILL & JAN	Jan-99	21	7.00	147.00	155.82
24	Y27	METZ, JERALD	Nov-00	24	7.00	168.00	178.08
25	Y28	JOHNSON, JERRY	Oct-94	20	7.00	140.00	148.40
26	Y29	COMITE, CARMAN	Nov-99	26	7.00	182.00	192.92
27	Y30	MADISON, JAMES	Apr-95	25	7.00	175.00	185.50
28	Y31	SPEAKS, HOWARD	Apr-97	25	7.00	175.00	185.50
29	Y32	BEYERLE, JOEL	May-98	25	7.00	175.00	185.50
30	Y33	WOOD, CHUCK	Dec-97	30	7.00	210.00	222.60
31	Y34	MC CABE, PETE	Jan-00	26	7.00	182.00	192.92
32	Y35	CASEY, RICHARD	Sep-99	23	7.00	161.00	170.66
33	Y36	KLUG, JACK	Sep-96	26	7.00	182.00	192.92
34	Y37	YERKES, JOHN		21	7.00	147.00	155.82
35	Y38	SHANNON, TOMMY	May-97	23	7.00	161.00	170.66
36	Y39	GONZALEZ, JUAN	Jan-98	26	7.00	182.00	192.92
37	Y40	TILLY, EDWARD		20	7.75	155.00	164.30
38	Y41	MCGRAW, JOHN	May-97	26	7.00	182.00	192.92
39	Y42	HAPNER, HAROLD	Feb-00	20	7.00	140.00	148.40
40	Y43	KUSEK, THOMAS&CAROL	May-99	25	7.00	175.00	185.50
41	Y44	EMPTY UNTIL 01		0	7.00	0.00	0.00
42	Y45	CLAYTON, GENE	May-99	21	7.00	147.00	155.82
43	Y46	NELSON, RICHARD	Oct-97	26	7.00	182.00	192.92
44	Y47	WHITE, BARRIE	Aug-99	25	7.00	175.00	185.50
45	Y48	LINDBERG, JOHN F.	Jun-98	24	7.00	168.00	178.08
46	Y49	TRAUTSCHOLD, WILLIAM	Sep-00	21	7.00	147.00	155.82
47	Y50	REYNOLDS, DAVID	Jan-99	23	7.00	161.00	170.66

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2007-00054

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48	Y51	FLACK, BILL		26	7.00	182.00	192.92
49	Y52	KOEPPER, DAVID	Jun-00	24	7.00	168.00	178.08
50	Y53	BARRON, BOB	Sep-99	27	7.00	189.00	200.34
51	Y54	ROSENBLUM, JAMES	Nov-99	24	7.00	168.00	178.08
52	Y55	RAMSEY, RICHARD L.	Nov-98	23	7.00	161.00	170.66
53	Y56	CASTEEL, ED	Aug-00	20	7.00	140.00	148.40
54	Y57	MC LEAN, JAMES	Apr-00	27	7.00	189.00	200.34
55	Y58	TEETER, TOM	Apr-97	30	7.00	210.00	222.60
56	Y59	BONDAR, ROLAND	Nov-00	28	7.00	196.00	207.76
57	Y60	ENDRES, PHILLIP	Nov-00	21	7.00	147.00	155.82
58	Y61	WALSH, FRANK	Feb-00	27	7.00	189.00	200.34
59	Y62	KUTIL, JOHN J.	Feb-97	24	7.00	168.00	178.08
60	Y63	GOLDMAN, BRUCE	Jun-00	24	7.00	168.00	178.08
61	Y64	COYKENDALL, WM	Feb-98	27	7.00	189.00	200.34
62	Y65	NELSON, RICHARD	Oct-97	25	7.00	175.00	185.50
63	Y66	WALTON, TIMOTHY	Oct-97	28	7.00	196.00	207.76
64	Y67	PETERKIN, PETE	Jan-00	21	7.00	147.00	155.82
65	Y68	FLEISCHER, ED	Jan-00	21	7.00	147.00	155.82
66	Y69	KUTOK, DAVE non-res	Nov-97	24	7.00	168.00	178.08
67	Y70	ROBINSON, BILL	Nov-00	25	7.00	175.00	185.50
68	Y71	MCCORMACK, JOHN	May-00	23	7.00	161.00	170.66
69	Y72	BARRATT, DONALD	Nov-00	20	7.00	140.00	148.40
70	Y73	GOLOMB, GERALD	Feb-99	26	7.00	182.00	192.92
71	Y74	MYERS, DAVID	Dec-00	20	7.00	140.00	148.40
72	Y75	DWENS, BRUCE	Feb-00	24	7.00	168.00	178.08
73	Y76	TRAWEK, JACK	Nov-99	26	7.00	182.00	192.92
74	Y77	WEISNER, BUD	trailer	1	75.00	75.00	79.50
75	Y78	BLOOM, MARVIN	Jul-00	21	7.00	147.00	155.82
						\$12,767.00	\$13,533.02
1	M-1	OWEN, WILLIAM	Jul-97	22	7.00	154.00	163.24
2	M-2	GRAHAM, CHARLES E.	Nov-98	23	7.00	161.00	170.66
3	M-3	JAQUINTA, SAM	Oct-98	24	7.00	168.00	178.08
4	M-4	REECE, MICHAEL	Mar-99	24	7.00	168.00	178.08
5	M-5	HENEKEE & NUCKOLS		20	7.00	140.00	148.40
6	M-6	LOVE, RAY	Dec-00	20	7.00	140.00	148.40
7	M-7	JULIAN, ROBERT	Feb-99	22	7.00	154.00	163.24
8	M-8	LEVENSON, MYRON	Nov-00	23	7.00	161.00	170.66
9	M-9	FESKORN, ROBERT	Aug-99	24	7.00	168.00	178.08
10	M-10	HAVLOCK & BEAUREGARD	May-98	22	7.00	154.00	163.24
11	M-11	HYATT, TERRY	Jun-98	21	7.00	147.00	155.82
12	M-12	SWERT, ROBERT	Nov-99	22	7.00	154.00	163.24
13	M-13	BILLECI, ANDRE	Jan-97	20	7.00	140.00	148.40
14	M-14	BARR, RON	Jan-00	26	7.00	182.00	192.92
15	M-15	KARROL, JOSEPH	Oct-99	21	7.00	147.00	155.82
16	M-16	SMITH, JIM & NANCY	May-00	21	7.00	147.00	155.82
17	M-17	JAEGER, LAURENCE	Apr-99	20	7.00	140.00	148.40
18	M-18	DUETEMEYER, PAUL	Jul-99	20	7.00	140.00	148.40
						\$12,765.00	\$12,930.90

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COMMUNITY DEVELOPMENT

CPH 2007-00054

Burnt Store Wet Slip Summary As of 12/27/00							
	402	Contracted Slips					
	21	Reserved Slips		\$ 108,069.25	Total Monthly Revenue		
	9	Promotion slips		\$ 112,321.81	Total Monthly Revenue w/ Tax		
	4	Slips for dry storage hauling					
	6	Marina Yacht Brokers					
	3	Platinum Point Yacht Club					
	1	Empty slip					
	22	F Dock - Transient slips					
	6	Empty catamaran slip					
	474	Total Number of Wet Slips					
No. of Slips	Slip #	Name	Annual Contract	Length of Boat	Rate	Monthly Revenue	Tax Included
1	A1	INGWERSON, DEL	Feb-97	52	7.75	403.00	427.18
2	A2	LOLLIS, EDWARD	Mar-97	39	7.75	302.25	320.39
3	A3	KIRKPATRICK, DARWIN	Nov-97	36	7.75	279.00	295.74
4	A4	STEFFKE, JAMES	Nov-98	31	7.75	240.25	254.67
5	A5	GORDON, JEREMIAH	Sep-00	30	7.75	232.50	246.45
6	A6	KILDUFF, JAMES	Dec-96	32	7.75	248.00	262.88
7	A7	SIMSTAD, DAVE	Jul-00	30	7.75	232.50	246.45
8	A8	NUTILE	Oct-00	37	7.75	286.75	303.96
9	A9	GALPIN, RAY	Apr-97	42	7.75	325.50	345.03
10	A10	BOTTEL	HAVE 550	0	7.75	0.00	0.00
11	A11	CLAGGETT, JIM	Apr-99	45	7.75	348.75	369.68
12	A12	CRAVENS, JOHN	Sep-00	40	7.75	310.00	328.60
13	A13	IAFRATE, ALLESIO	Nov-90	45	7.75	348.75	369.68
14	A14	BLAIR, JERRY	Feb-98	40	7.75	310.00	328.60
15	A15	MELLEN, ROBERT	Dec-98	30	7.75	232.50	246.45
16	A16	RAWLS, RICHARD	Oct-97	32	7.75	248.00	262.88
17	A17	HARPER, JOHN	Nov-99	32	7.75	248.00	262.88
18	A18	ESPICH, JAMES	Nov-00	38	7.75	294.50	312.17
19	A19	STRANDBERG	Oct-99	36	7.75	279.00	295.74
20	A20	STUCK, RAY	Apr-00	40	7.75	310.00	328.60
21	A21	ABBOTT, WILLIAM	Dec-99	36	7.75	279.00	295.74
22	A22	ENGLE, MORTON	Sep-98	40	7.75	310.00	328.60
23	A23	MCGEE, RICHARD	Jun-99	34	7.75	263.50	279.31
24	A24	YACHT CLUB	PER LEASE		0.00	0.00	0.00
25	A25	YACHT CLUB	" "		0.00	0.00	0.00
26	A26	YACHT CLUB	" "		0.00	0.00	0.00
27	B1	BUCHBINDER, DALE	Oct-99	21	7.00	147.00	155.82
28	B2	MEZQUITA, RICHARD	Feb-00	30	7.75	232.50	246.45
29	B3	SCHWALM, ROBERT	Jul-95	36	7.75	279.00	295.74
30	B4	RAYMOND, RICHARD	Oct-99	32	7.75	248.00	262.88
31	B5	PHILLIPS, JOHN	Apr-95	30	7.75	232.50	246.45
32	B6	FRENCH, HUGH	Jun-98	30	7.75	232.50	246.45
33	B7	HILT, DONALD	Jan-98	30	7.75	232.50	246.45
34	B8	MANN, GERALD	Dec-98	33	7.75	255.75	271.10
35	B9	FRY, DENNIS	Jul-99	34	7.75	263.50	279.31
36	B10	MISENER, GERALD	Jun-00	34	7.75	263.50	279.31
37	B11	KUSHNER, LOUIS	Jan-96	35	7.75	271.25	287.53
38	B12	POOLE, RICHARD	Nov-90	45	7.75	348.75	369.68
39	B13	MAHONEY, DON	Jan-99	41	7.75	317.75	336.82
40	B14	KALLWEIT, GUENTER	Mar-99	38	7.75	294.50	312.17
41	B15	HALPERN, JOHN	Dec-98	30	7.75	232.50	246.45
42	B16	HILL, JACK	Dec-95	31	7.75	240.25	254.67
43	B17	CANTRELL, WC	Nov-90	36	7.75	279.00	295.74
44	B18	VANDERSLICE, JOHN	Oct-99	34	7.75	263.50	279.31
45	B19	WALTERS, LEWIS	Apr-00	30	7.75	232.50	246.45
46	B20	BROCK, JIM	Mar-00	37	7.75	286.75	303.96
47	B21	BROCK, JIM	B20 & B21 ONE BOAT		0.00	0.00	0.00
48	B22	DAVIS, ROBERT	Jul-97	30	7.75	232.50	246.45
49	B23	ULRICH, DONALD	Jul-97	42	7.75	325.50	345.03
50	B24	ZIMMERMAN, JOHN	Dec-99	39	7.75	302.25	320.39
51	B25	TADD, BRUCE	Sep-93	32	7.75	248.00	262.88
52	B26	SMITH, JACK	Jul-99	20	7.75	155.00	164.30
53	B27	HARTKOPT, DIETER	Aug-97	35	7.75	271.25	287.53
54	B28	BRENNAN, MIKE	Apr-98	34	7.75	263.50	279.31
55	B29	SWERT, LLOYD	Apr-96	32	7.75	248.00	262.88
56	B30	MARINA SHIP & GROC	Jul-93	36	7.75	279.00	295.74
57	B31	DEUTSCH, GEORGE	Sep-98	31	7.75	240.25	254.67
58	B32	RENTSCH, HANS	Feb-95	32	7.75	248.00	262.88

59	B33	FLOSS, WALTER	May-99	30	7.75	232.50	246.45
60	B34	MOORE, TOM	Aug-99	30	7.75	232.50	246.45
61	B35	CARBERRY, DON	Apr-97	30	7.75	232.50	246.45
62	B36	MORELLO, RONALD	Jul-99	30	7.75	232.50	246.45
63	B37	DORKEN, RICHARD	Jun-99	32	7.75	248.00	262.88
64	B38	HOXTELL, EUGENE	Aug-99	33	7.75	255.75	271.10
65	B39	MYB	PER LEASE		0.00	0.00	0.00
66	B40	MYB			0.00	0.00	0.00
67	C01	MYB	PER LEASE		0.00	0.00	0.00
68	C02	MYB		40	0.00	0.00	0.00
69	C03	MAC INTOSH, DAVID	Dec-99	30	7.75	232.50	246.45
70	C04	MUSSELMAN, JAMES	Nov-99	31	7.75	240.25	254.67
71	C05	HODSOLL, LEROY	Dec-98	32	7.75	248.00	262.88
72	C06	BECK, ROBERT	Dec-98	36	7.75	279.00	295.74
73	C07	WALKER, JOE	Nov-00	33	7.75	255.75	271.10
74	C08	REYNOLDS, DAVID	May-96	30	7.75	232.50	246.45
75	C09	GRAY, ANTHONY	Feb-00	34	7.75	263.50	279.31
76	C10	MERGLER, JERRY	Mar-00	30	7.75	232.50	246.45
77	C11	MOSSMAN, DAVID	Mar-99	37	7.75	286.75	303.96
78	C12	VLEER, FREDERICK	Dec-00	42	7.75	325.50	345.03
79	C13	WILLHOITE, JIM	Jun-98	30	7.75	232.50	246.45
80	C14	KENNY, DON & ANNE	Jan-00	36	7.75	279.00	295.74
81	C15	NELSON, CLAYTON	Jun-92	25	7.75	193.75	205.38
82	C16	MACNEIL, DONALD	Apr-00	37	7.75	286.75	303.96
83	C17	GUZAL, RICHARD	Mar-00	36	7.75	279.00	295.74
84	C18	COLLINS, BARBARA	May-97	32	7.75	248.00	262.88
85	C19	DIETRICH, CANDICE	Jan-99	45	7.75	348.75	369.68
86	C20	BEUTLER, BRUCE	May-00	54	7.75	418.50	443.61
87	C21	BEUTLER, BRUCE	C20 & C21 ONE BOAT		7.75	0.00	0.00
88	C22		C22 & C23 ONE BOAT		7.75	0.00	0.00
89	C23	WASKEY, WILLIAM J.	May-00	55	7.75	426.25	451.83
90	C24	HARRELL, DAVID	Jul-00	40	7.75	310.00	328.60
91	C25		C24 & C25 ONE BOAT		7.75	0.00	0.00
92	C26		TO CLOSE TO DRY		7.75	0.00	0.00
93	C27		STORAGE		7.75	0.00	0.00
94	D01	DRY STORAGE	DRY STORAGE SPACE		0.00	0.00	0.00
95	D02		" "		0.00	0.00	0.00
96	D03	NANCE, IVAN	Nov-99	38	7.75	294.50	312.17
97	D04	HENDRIE, JIM & SEON	Oct-00	32	7.75	248.00	262.88
98	D05	SMITH, MARVIN	Nov-90	38	7.75	294.50	312.17
99	D06	VLACK, VERNE	Nov-95	38	7.75	294.50	312.17
100	D07	MOSIOR, JOHN & DOROTHY	Aug-99	38	7.75	294.50	312.17
101	D08	ABBOTT, PETER	Aug-00	25	7.75	193.75	205.38
102	D09	BYRON, CHRISTOPHER	Aug-97	34	7.75	263.50	279.31
103	D10	DANIELS, ROLAND	Aug-00	35	7.75	271.25	287.53
104	D11	SPITZER, SAM	Jul-91	34	7.75	263.50	279.31
105	D12	GRESCH, JAMES T.	May-00	46	7.75	356.50	377.89
106	D13	PURYEAR, GUS	Dec-98	53	7.75	410.75	435.40
107	D14	PURYEAR, GUS	D13 & D14 ONE BOAT		0.00	0.00	0.00
108	D15	BLANTON, NEIL	Jun-99	45	7.75	348.75	369.68
109	D16	KENNY, DON	May-00	46	7.75	356.50	377.89
110	D17	GALLAGHER, RICHARD	Oct-97	38	7.75	294.50	312.17
111	D18	TATUM, DAVID	Oct-00	46	7.75	356.50	377.89
112	D19	CHAMBERLAIN, MARY	Dec-95	32	6.75	216.00	228.96
113	D20	RYBAK	Sep-00	30	7.75	232.50	246.45
114	D21	FLANARY, JOHN	Nov-90	43	7.75	333.25	353.25
115	D22	COX, WALTER	Dec-99	41	7.75	317.75	336.82
116	D23	FENIMORE, RALPH	Mar-00	34	7.75	263.50	279.31
117	D24	VALE, RICHARD	May-00	30	7.75	232.50	246.45
118	D25	ROGERS, CHRIS	Dec-98	36	7.75	279.00	295.74
119	D26	BASINGER, DAVID & SUE 27	Dec-97	30	7.75	232.50	246.45
120	D27	HEDGE, CLAYTON 29	Jan-00	30	7.75	232.50	246.45
121	D28	BRESEE, MARC	Nov-98	36	7.75	279.00	295.74
122	D29	FORDON	Sep-00	32	7.75	248.00	262.88
123	D30	MC KEE, RICHARD	Nov-99	33	7.75	255.75	271.10
124	D31	GASSNER, STUART 26	Mar-00	30	7.75	232.50	246.45
125	D32	JONES, HOWARD	Nov-94	0	7.75	0.00	0.00
126	E01	DOUGLAS, PETER A.	Jan-00	36	7.75	279.00	295.74
127	E02	WRIGHT, HOLLIS c/o Westwind	Feb-00	30	7.75	232.50	246.45
128	E03	ORR, JOHN	Jan-98	30	7.75	232.50	246.45
129	E04	MCKINNEY, JIM & MAGGIE	Jul-99	32	7.75	248.00	262.88
130	E05	TINLEY, S. HERBERT	Oct-99	38	7.75	294.50	312.17
131	E06	BELK, JIM & JULIA	Apr-98	32	7.75	248.00	262.88
132	E07	MARSTERS, A	Jul-98	32	7.75	248.00	262.88

133	E08	BORTNEM, JAMES&SHARON		Dec-98	35	7.75	271.25	287.53
134	E09	CARNICK, PAUL BREEZE		Dec-99	34	7.75	263.50	279.31
135	E10	CROW, THOMAS		Aug-99	38	7.75	294.50	312.17
136	E11	CHURCHILL, JERRY		Mar-99	44	7.75	341.00	361.46
137	E12	SCHERSCHLIGT, DENIS		Oct-98	35	7.75	271.25	287.53
138	E13	SHERBROOKE, BILL		Feb-97	30	7.75	232.50	246.45
139	E14	MCKELLEY, JIM		Oct-00	35	7.75	271.25	287.53
140	E15	HARTMAN, DENNIS		Dec-99	38	7.75	294.50	312.17
141	E16	POQUETTE, GERALD&KAREN		Nov-99	39	7.75	302.25	320.39
142	E17	DUETEMEYER, PAUL		Jul-97	40	7.75	310.00	328.60
143	E18	COOK, JIM		May-00	63	7.75	488.25	517.55
144	E19	COOK, JIM	E18 & E19 ONE BOAT			7.75	0.00	0.00
145	E20	LINDBLOM, EUGENE		Feb-00	37	7.75	286.75	303.96
146	E21	MURPHY, JIM		Nov-92	37	7.75	286.75	303.96
147	E22	BARBEE, TOM		Aug-00	35	7.75	271.25	287.53
148	E23	CROWELL, CARL		Sep-95	35	7.75	271.25	287.53
149	E24	MASON, TOM		Nov-99	42	7.75	325.50	345.03
150	E25	DAVIS, M. PAUL JR.		May-00	38	7.75	294.50	312.17
151	E26	KING, RON & VANESSA		Apr-00	42	7.75	325.50	345.03
152	E27	HORWITZ, FRED		Mar-97	35	7.75	271.25	287.53
153	E28	KRONBERG C. JOHN		Apr-99	42	7.75	325.50	345.03
154	E29	TAYLOR, RICHARD		May-94	35	7.75	271.25	287.53
155	E30	SKARRA, LESLIE		Mar-97	32	7.75	248.00	262.88
156	E31	STEARNS, WAYNE&PRISCILLA		Feb-00	34	7.75	283.50	279.31
157	E32	STEWART, CHRISTOPHER		Jun-98	36	7.75	279.00	295.74
158	E33	ORTMAYER, DAVID		Nov-90	37	7.75	286.75	303.96
159	E34	MCGREAL, PATRICK		Aug-96	38	7.75	294.50	312.17
160	E35	GROTON, RICHARD 27		Mar-93	30	7.75	232.50	246.45
161	E36	WHITE, CHESTER		May-00	36	7.75	279.00	295.74
162	F01					0.00		
163	F02	BARNOSKY, JOHN 26		Jul-98	30	7.75	232.50	246.45
164	F03					0.00	0.00	0.00
165	F04		TRANSIENT			0.00	0.00	0.00
166	F05		DOCK			0.00	0.00	0.00
167	F06		FOR			0.00	0.00	0.00
168	F07		DAILY'S			0.00	0.00	0.00
169	F08					0.00	0.00	0.00
170	F09	HERBERT, FRANK		Dec-00	47	9.25	434.75	460.84
171	F10					0.00	0.00	0.00
172	F11		F11 & F12 ONE BOAT			0.00	0.00	0.00
173	F12	ORMISTON, MIKE		Oct-00	65	7.75	503.75	533.98
174	F13		TRANSIENT			0.00	0.00	0.00
175	F14		DOCK			0.00	0.00	0.00
176	F15		FOR			0.00	0.00	0.00
177	F16		DAILY'S			0.00	0.00	0.00
178	F17					0.00	0.00	0.00
179	F18		TRANSIENT			0.00	0.00	0.00
180	F19		DOCK			0.00	0.00	0.00
181	F20		FOR			0.00	0.00	0.00
182	F21		DAILY'S			0.00	0.00	0.00
183	F22					0.00	0.00	0.00
184	G01		IN FRONT OF SALTY'S			0.00	0.00	0.00
185	G02		TO SMALL FOR BOAT			0.00	0.00	0.00
186	G03					0.00	0.00	0.00
187	G04	JAMES, RICHARD		Apr-00	102	7.75	790.50	837.93
188	G05	JAMES, RICHARD	G4 - G7 ONE BOAT			0.00	0.00	0.00
189	G06	JAMES, RICHARD				0.00	0.00	0.00
190	G07	JAMES, RICHARD				0.00	0.00	0.00
191	G08	DESSERICH, DENNIS		Jan-99	54	7.75	418.50	443.61
192	G09	DESSERICH, DENNIS	G8 & G9 ONE BOAT			0.00	0.00	0.00
193	G10	MCGREEVY, STEPHEN		Nov-90	43	7.75	333.25	353.25
194	G11	KARRER, ENOCH		Apr-97	45	7.75	348.75	369.68
195	G12	BINZENHOFER, ALFRED		Jun-98	38	7.75	294.50	312.17
196	G13	CARTER, PAT & DEBBIE		Nov-98	44	7.75	341.00	361.46
197	G14	BISHOP, JILL + LYNN		Dec-99	42	7.75	325.50	345.03
198	G15	PRESTON, CRAIG		Nov-96	42	7.75	325.50	345.03
199	G16	STEWART, RICK		Aug-98	42	10.00	420.00	445.20
200	G17	STEWART, RICK	G16 & G17 ONE BOAT			0.00	0.00	0.00
201	H01	BARNES, RALPH		Nov-96	34	7.75	263.50	279.31
202	H02	AARTS, JOOP		Jan-98	35	7.75	271.25	287.53
203	H03	LEVENDOSKY, LISA 28		Aug-97	30	7.75	232.50	246.45
204	H04	HALLBERG, HARVEY		Apr-97	45	7.75	348.75	369.68
205	H05	ASCHENBRENNER, BURT		Sep-98	36	7.75	279.00	295.74
206	H06	MACARTNEY, FRANK		May-98	38	7.75	294.50	312.17

207	H07	PARKER, FRANK		Nov-93	49	7.75	379.75	402.54
208	H08	PARKER, FRANK	H7 & H8 ONE BOAT			0.00	0.00	0.00
209	H09	RISER, CHARLES		Jun-95	34	7.75	263.50	279.31
210	H10	OTTENS, RICHARD		Sep-94	39	7.75	302.25	320.39
211	H11	NICHOLAS, BILL		Oct-99	39	7.75	302.25	320.39
212	H12	LEDFORD, KEN		Jun-99	35	7.75	271.25	287.53
213	H13	REILLY, GERALD & DONNA		Jun-00	49	7.75	379.75	402.54
214	H14	REILLY, GERALD & DONNA	H13 & H14 ONE BOAT			0.00	0.00	0.00
215	N01	KAPOLNEK, PAUL 24		Jul-99	30	7.75	232.50	246.45
216	N02	S.W. FLA. YACHTS	PER LEASE		1	232.50	232.50	232.50
217	N03	S.W. FLA. YACHTS			1	232.50	232.50	232.50
218	N04	S.W. FLA. YACHTS			1	232.50	232.50	232.50
219	N05	S.W. FLA. YACHTS			1	232.50	232.50	232.50
220	N06	S.W. FLA. YACHTS			1	232.50	232.50	232.50
221	N07	S.W. FLA. YACHTS			1	232.50	232.50	232.50
222	N08	GIPSTEIN, BARRY		Jan-00	34	7.75	263.50	279.31
223	N09	S.W. FLA YACHTS	PER LEASE		1	232.50	232.50	232.50
224	N10	S.W. FLA YACHTS			1	232.50	232.50	232.50
225	N11	NEWING, ANTHONY		Dec-98	40	7.75	310.00	328.60
226	N12	FABER, ALAN		Sep-99	37	7.75	286.75	303.96
227	N13	PETERSON	HOLDING		0	7.75	0.00	0.00
228	N14	PETTY, ROBERT		Dec-98	34	7.75	263.50	279.31
229	N15	GATES, THOMAS 28		Oct-99	30	7.75	232.50	246.45
230	N16	GARRETT, PAUL 26		Dec-98	30	7.75	232.50	246.45
231	N17	SCHAEFER, MERLIN		Feb-98	48	8.75	420.00	445.20
232	N18	COX, JOSEPH C.		Dec-98	40	7.75	310.00	328.60
233	N19	MOON, ROBERT		Aug-98	20	7.75	155.00	164.30
234	N20	KNOX, KEITH		Nov-00	30	7.75	232.50	246.45
235	N21	KOSIEWICZ, EDWARD 26		Dec-98	30	7.75	232.50	246.45
236	N22	MAHLER, FRANK		Apr-00	30	7.75	232.50	246.45
237	N23	WADDELL, JAMES ALLEN		Dec-98	34	7.75	263.50	279.31
238	N24	GODINA, JOHN & NANCY		Apr-99	30	7.75	232.50	246.45
239	N25	SAULNIER, R.J.		Jun-99	36	7.75	279.00	295.74
240	N26	FURTON, DENNIS		Jan-00	36	7.75	279.00	295.74
241	N27	GRAFF, DONALD		Feb-00	33	7.75	255.75	271.10
242	N28	AVERY, ROBIN & LYNDA		Nov-00	40	7.75	310.00	328.60
243	N29	BAZEMORE, JIM 28		Dec-98	30	6.75	202.50	214.85
244	N30	SMITH, RICHARD	SALES		42	7.75	325.50	345.03
245	N31	GRIMM, PAUL		Nov-99	33	7.75	255.75	271.10
246	N32	HENDRICKSON, TOM&LINDA		May-00	33	7.75	255.75	271.10
247	N33	CURRY	HOLDING		0	7.75	0.00	0.00
248	N34	YOUENS, H. TOM		Dec-99	35	7.75	271.25	287.53
249	N35	CLARK, TOM		Oct-00	40	7.75	310.00	328.60
250	N36	MASTERS, RUSSELL		Mar-00	33	7.75	255.75	271.10
251	N37	NIXON, JERROLD		Dec-98	30	7.75	232.50	246.45
252	N38	WATERBURY, WILLIAM		Nov-99	33	7.75	255.75	271.10
253	N39	NIXON, JERROLD 20		Dec-99	24	7.75	186.00	197.16
254	N40	FRAIZIER	HOLDING / SALES		0	7.75	0.00	0.00
255	N41	HIGLEY, HUGH C. JR.		Nov-00	30	7.75	232.50	246.45
256	N42	MAC LEAN, BILL		Nov-00	30	7.75	232.50	246.45
257	N43	CALLAHAN, JON M. 19		Mar-00	30	7.75	232.50	246.45
258	N44	DEUTSCH, G.J.		Dec-98	33	7.75	255.75	271.10
259	N45	WRIGHT, BALLARD M.D.		Jul-00	30	7.75	232.50	246.45
260	N46	CHRISTENSEN, PALLE		Aug-00	35	7.75	271.25	287.53
261	N47	FENDERBOSCH, ERIC		Oct-00	30	7.75	232.50	246.45
262	N48	BUSSE, SHELDON		Mar-00	34	7.75	263.50	279.31
263	N49	ELLIOT, JANET & TOM 26		Oct-00	30	7.75	232.50	246.45
264	N50	READ, PETER		Nov-00	36	7.75	279.00	295.74
265	N51	FORTUNATO, DONALD		Nov-00	30	7.75	232.50	246.45
266	N52	LEVENSON, DR MYRON		Jan-00	30	7.75	232.50	246.45
267	N53	NITZ, KENNETH 27		Nov-00	30	7.75	232.50	246.45
268	N54	DISSER, THOMAS		Sep-00	30	7.75	232.50	246.45
269	N55	ROBERTS	HOLDING		0	7.75	0.00	0.00
270	N56	PRICE, DUDLEY		Jul-00	32	7.75	248.00	262.88
271	N57	BUZARD, RODGER R.		Jun-00	30	7.75	232.50	246.45
272	N58	SILVER LINING CORP.		Dec-98	40	7.75	310.00	328.60
273	N59	GARSDIE, ART		Nov-00	32	7.75	248.00	262.88
274	N60	KOSMALSKI	HAVE 550		0	7.75	0.00	0.00
275	N61	SHOEMAKER, DANIEL		Nov-00	35	7.75	271.25	287.53
276	N62	PETERSON, WILLIAM M.		Nov-99	30	7.75	232.50	246.45
277	N63	RUHBERG, DEAN		Nov-00	34	7.75	263.50	279.31
278	N64	MARELLA, MICHAEL 28		Jan-00	37	7.75	286.75	303.96
279	N65	EDWARDS, WALT		Dec-00	31	7.75	240.25	254.67
280	N66	DHEIN, JERE	SALES		33	7.75	255.75	271.10