

**DUNCAN &
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July 11, 2022

Board of County Commissioners, Lee County, Florida
P.O. Box 398
Fort Myers, FL 33902-0398

Re: Title Opinion Letter for 1227 Holdings, LLC

Dear Chairperson:

The undersigned is counsel for 1227 Holdings, LLC ("Applicant") for the purpose of furnishing the following opinion, consistent with the provision of Florida Statutes, Section 177.041(2) for land as described in Exhibit A submitted with the application package of which this letter is a required part. The opinions below apply through 11:00 p.m. as of July 1, 2022.

The undersigned states:

1. **ATTORNEY:** That he is an attorney duly licensed by the Supreme Court of the State of Florida, License #258563 and that he is in good standing with the Florida Supreme Court and The Florida Bar as of the date of this letter opinion.
2. **TITLE:** The record title to the subject land legally described in Exhibit A is in the name of **1227 Holdings, LLC**, a Florida limited liability company pursuant to the deed from Lee County recorded on May 3, 2022 as Instrument #2022000148695, Public Records of Lee County, Florida. The undersigned has searched Lee County records through the date set forth in the first paragraph of this letter and is of the opinion that no subsequent conveyance of the land described in Exhibit A is of record.
3. **MORTGAGE(S):** Mortgage(s) not satisfied or released of record nor otherwise terminated by law and encumbering the land described on the subject plat consist only of the following mortgages and none other:

Mortgage to FineMark National Bank & Trust, recorded on May 3, 2022 as Instrument #2022000148697, Public Records, Lee County, Florida.

4. **EASEMENTS/ENCUMBRANCES:** The land described in Exhibit A is encumbered or benefitted by the following easements and agreements:

- a. Notice of Adoption Southwest Florida Regional Airport Development of Regional Impact Development Order Amendments recorded in O.R. Book 2169, Page 737, O.R. Book 2271, Page 2064, O.R. Book 2749, Page 431 and O.R. Book 3344, Page 2141, Public Records of Lee County, Florida.
- b. Lee County Ordinance No. 86-14 recorded November 30, 1990, in O.R. Book 2189, Page 3281; and amended by Ordinance No. 86-38 in O.R. Book 2189, Page 3334, Public Records of Lee County, Florida.
- c. Notice of Development Order Approvals recorded in O.R. Book 3453, Page 4096, O.R. Book 3453, Page 4105, Instrument Number 2012000157997, Instrument Number 2016000109700, Instrument Number 2019000152639, Public Records of Lee County, Florida.
- d. Any lien provided by County Ordinance or by Chapter 159, F.S., in favor of any city, town, village or port authority, for unpaid service charges for services by any water systems, sewer systems or gas systems serving the land described herein; and any lien for waste fees in favor of any county or municipality.
- e. Right-of-Way Agreements in favor of Florida Power and Light Company recorded in O.R. Book 258, Page 378; O.R. Book 728, Page 113, Public Records of Lee County, Florida.
- f. Notice of Development Order recorded in O.R. Book 2014, Page 4526, Public Records of Lee County, Florida.
- g. Conservation Easement Deed recorded in O.R. Book 2420, Page 3770 and Partial Assignment recorded in O.R. Book 3460, Page 4165, Public Records of Lee County, Florida.
- h. Permanent Access Easement Grant recorded in O.R. Book 3029, Page 1890, Public Records of Lee County, Florida.
- i. UCC-1 recorded on May 3, 2022, as Instrument #2022000148698, Public Records, Lee County, Florida.
- j. Subject to automatic phosphate, metals, minerals and petroleum reservations by virtue of Sec. 270.11(1), F.S., under deed recorded as Instrument Number 2022000148695 Public Records of Lee County, Florida,

5. LEGAL DESCRIPTION: The legal description, by metes and bounds, of the subject land is as shown on the attached Exhibit A and made a part hereof as if fully rewritten in this letter.

Respectfully,

Duncan & Associates, P.A.

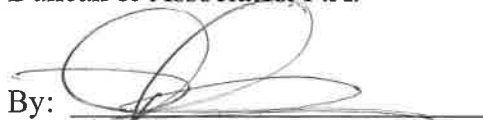
By: 
Gordon R. Duncan, Esquire

Exhibit A

PARCEL B

A PARCEL OF LAND IN SECTIONS 17 AND 18, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING A PORTION OF "PARCEL 35" AS DESCRIBED IN OFFICIAL RECORDS BOOK 1399, PAGE 1901, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND BEING DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTH 1/4 CORNER OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN N 01° 00' 01" W, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 17, ALSO BEING THE EAST LINE OF "PARCEL 35" AS DESCRIBED IN OFFICIAL RECORDS BOOK 1399, PAGE 1901, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, 2663.67 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST 1/4; THENCE S 89° 30' 41" W, ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4, AND THE NORTH LINE OF SAID "PARCEL 35", A DISTANCE OF 808.27 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF "PARCEL 6" OF THAT CERTAIN RELEASE GRANTED TO THE LEE COUNTY PORT AUTHORITY BY THE FEDERAL AVIATION ADMINISTRATION DATED JULY 12, 1990 AND THE POINT OF BEGINNING; THENCE CONTINUE S 89° 30' 41" W, ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4, AND THE NORTH LINE OF SAID "PARCEL 35", A DISTANCE OF 1302.29 FEET; THENCE S 53° 57' 54" W, ALONG THE NORTHWESTERLY LINE OF SAID "PARCEL 35", A DISTANCE OF 1025.93 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF A NORTHWESTERLY PROTRUSION OF AFORESAID "PARCEL 6"; THENCE S 36° 01' 14" E, ALONG SAID EASTERLY LINE, 62.78 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 300.00 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 23° 31' 07", A DISTANCE OF 123.14 FEET TO THE POINT OF TANGENCY; THENCE S 12° 30' 05" E, A DISTANCE OF 80.71 FEET TO AFORESAID NORTHERLY LINE OF "PARCEL 6"; THENCE N 77° 59' 42" E, ALONG SAID NORTHERLY LINE, 566.16 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 3114.04 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 24° 00' 00", A DISTANCE OF 1304.41 FEET TO A POINT OF TANGENCY; THENCE N 53° 59' 42" E, A DISTANCE OF 359.18 FEET TO THE POINT OF BEGINNING.

PARCEL C

A PARCEL OF LAND IN SECTION 18, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING A PORTION OF "PARCEL 35" AS DESCRIBED IN OFFICIAL RECORDS BOOK 1399, PAGE 1901, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND BEING DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTH 1/4 CORNER OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN N 01° 00' 01" W, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 17, ALSO BEING THE EAST LINE OF "PARCEL 35" AS DESCRIBED IN OFFICIAL RECORDS BOOK 1399, PAGE 1901, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, 2663.67 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST 1/4; THENCE S 89° 30' 41" W, ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4, AND THE NORTH LINE OF SAID "PARCEL 35", A DISTANCE OF 2110.56 FEET; THENCE S 53° 57' 54" W, ALONG THE NORTHWESTERLY LINE OF SAID "PARCEL 35", A DISTANCE OF 1145.94 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 53° 57' 54" W, ALONG THE NORTHWESTERLY LINE OF SAID "PARCEL 35", A DISTANCE OF 654.96 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF "PARCEL 6" OF THAT CERTAIN RELEASE GRANTED TO THE LEE COUNTY PORT AUTHORITY BY THE FEDERAL AVIATION ADMINISTRATION DATED JULY 12, 1990 AND A POINT ON A NON-TANGENT CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 4743.66 FEET, THROUGH WHICH A RADIAL LINE PASSES BEARING N 20° 58' 38" W; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 07° 45' 57", A DISTANCE OF 642.96 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF A NORTHWESTERLY PROTRUSION OF AFORESAID "PARCEL 6"; THENCE N 12° 30' 05" W, ALONG SAID WESTERLY LINE, 80.87 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 180.00 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 23° 31' 09", A DISTANCE OF 73.89 FEET TO A POINT OF TANGENCY; THENCE N 36° 01' 14" W, 62.57 FEET TO THE POINT OF BEGINNING.

Parcel Identification Number: 19-45-26-00-00002.0000