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 Fee \$27.00 Deputy Clerk J MILLER

Prepared by and return to:

Joseph M. Madden, Jr., Attorney at Law  
 LAW OFFICE OF JOSEPH M. MADDEN, JR., LLC  
 2222 Second Street  
 Fort Myers, FL 33901-3026  
 239-332-2100  
 File Number: 1288.000  
 Will Call No.: 941

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## Warranty Deed

**This Warranty Deed** made this 25<sup>th</sup> day of April, 2006 between **Airport Crossings, LLC, a Florida Limited Liability Company** whose post office address is **6700-1 Daniels Parkway, Fort Myers, FL 33912**, grantor, and **MIDWAY PROMENADE, LLC, a Florida limited liability company** (Document Number 20-4746156), whose post office address is **5133 Castello Drive, Suite 1, Naples, FL 34103**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Lee County, Florida** to-wit:

See Exhibit "A" and subject to matters set forth on Exhibit "B", both attached hereto and made a part hereof as if fully set forth herein.

Parcel Identification Number: 02-46-25-00-00001.0090

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anyway appertaining.

**Subject to** covenants, conditions, restrictions, easements, reservations and limitations of record, if any, and taxes accruing subsequent to **December 31, 2005**.

**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2005**.

**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: LORIE S. BROWN  
 Witness Name: JOSEPH M. MADDEN, JR.

Airport Crossings, LLC, a Florida Limited Liability Company

By: [Signature]  
 Dan I. Kraft, Managing Member

(Corporate Seal)

State of Florida  
 County of Lee

The foregoing instrument was acknowledged before me this 24 day of April, 2006 by Dan I. Kraft, Manager and Member of Airport Crossings, LLC, a Florida Limited Liability Company, on behalf of the limited liability company. He/she ☐ is personally known to me or ☒ has produced a driver's license as identification.

[Notary Seal]



Notary Public [Signature]  
 Printed Name: LORIE S. BROWN  
 My Commission Expires: 11/13/07

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File #: 05086056

Agent File Number: 1288.000

**Exhibit "A" Attachment****DESCRIPTION: (CREATED BY THE SURVEYOR)**

A PARCEL OF LAND BEING A PART OF SECTION 2, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 2; THENCE NORTH 01°02'30" WEST ALONG THE WEST LINE OF SAID SECTION 2, A DISTANCE OF 50.00 FEET TO A POINT AT THE NORTH RIGHT OF WAY LINE OF ALICO ROAD (BEING 50 FEET FROM THE CENTERLINE); THENCE SOUTH 89°42'18" EAST ALONG SAID NORTH LINE, A DISTANCE OF 2009.62 FEET TO A POINT AT THE EASTERLY RIGHT OF WAY LINE OF BEN HILL GRIFFIN PARKWAY EXTENDED SOUTH; THENCE NORTH 00°17'32" EAST ALONG SAID EASTERLY RIGHT OF WAY LINE (BEING 89 FEET FROM THE CENTERLINE), A DISTANCE OF 650.00 FEET; THENCE NORTH 89°42'28" WEST ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 14.00 FEET; THENCE NORTH 00°17'32" EAST ALONG SAID EASTERLY RIGHT OF WAY LINE (BEING 75 FEET FROM THE CENTERLINE), A DISTANCE OF 232.03 FEET TO A POINT OF A CURVE; THENCE NORTHERLY ALONG SAID CURVE TO THE LEFT AND ALONG SAID EASTERLY RIGHT OF WAY LINE, HAVING A RADIUS OF 6074.11 FEET, A DELTA OF 17°51'00", A CHORD BEARING OF NORTH 08°37'58" WEST, A CHORD DISTANCE OF 1884.69 FEET, AN ARC DISTANCE OF 1892.34 FEET TO THE POINT OF TANGENCY; THENCE NORTH 17°33'28" WEST ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 215.06 FEET TO A POINT OF A CURVE; THENCE NORTHERLY ALONG SAID CURVE TO THE RIGHT AND ALONG SAID EASTERLY RIGHT OF WAY LINE, HAVING A RADIUS OF 5921.30 FEET, A DELTA OF 14°19'53", A CHORD BEARING OF NORTH 10°23'31" WEST, A CHORD DISTANCE OF 1477.25 FEET, AN ARC DISTANCE OF 1481.10 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTHERLY ALONG SAID CURVE TO THE RIGHT AND ALONG SAID EASTERLY RIGHT OF WAY LINE, HAVING A RADIUS OF 5921.30 FEET, A DELTA OF 03°09'29", A CHORD BEARING OF NORTH 01°38'50" WEST, A CHORD DISTANCE OF 326.32 FEET, AN ARC DISTANCE OF 326.36 FEET TO A POINT OF TANGENCY; THENCE NORTH 00°04'06" WEST ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 1796.42 FEET TO A POINT AT THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE NORTH 89°21'01" EAST ALONG SAID NORTH LINE, A DISTANCE OF 1147.37 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 2; THENCE NORTH 89°20'54" EAST ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 2, A DISTANCE OF 528.62 FEET TO A POINT ON A LINE THAT IS PERPENDICULAR TO THE SOUTH LINE OF SAID SECTION 2; THENCE SOUTH 00°17'42" WEST ALONG SAID PERPENDICULAR LINE, A DISTANCE OF 2471.39 FEET; THENCE NORTH 21°57'19" WEST, A DISTANCE OF 31.98 FEET; THENCE NORTH 27°27'05" WEST, A DISTANCE OF 36.70 FEET; THENCE NORTH 34°02'32" WEST, A DISTANCE OF 51.14 FEET; THENCE NORTH 24°48'03" WEST, A DISTANCE OF 28.87 FEET; THENCE NORTH 58°31'25" WEST, A DISTANCE OF 41.25 FEET; THENCE NORTH 63°09'23" WEST, A DISTANCE OF 47.90 FEET; THENCE NORTH 54°46'55" WEST, A DISTANCE OF 58.27 FEET; THENCE NORTH 66°58'27" WEST, A DISTANCE OF 53.76 FEET; THENCE NORTH 59°59'03" WEST, A DISTANCE OF 48.88 FEET; THENCE NORTH 42°19'00" WEST, A DISTANCE OF 53.14 FEET; THENCE NORTH 47°42'24" WEST, A DISTANCE OF 43.29 FEET; THENCE NORTH 47°47'28" WEST, A DISTANCE OF 117.34 FEET TO A POINT OF A CURVE; THENCE NORTHWESTERLY ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 150.00 FEET, A DELTA OF 42°55'56", A CHORD BEARING OF NORTH 69°15'28" WEST, A CHORD DISTANCE OF 109.79 FEET, AN ARC DISTANCE OF 112.40 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 89°16'33" WEST, A DISTANCE OF 485.00 FEET TO A POINT OF A CURVE; THENCE WESTERLY ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 500.00 FEET, A DELTA OF 29°22'52", A CHORD BEARING OF SOUTH 74°35'07" WEST, A CHORD DISTANCE OF 253.60 FEET, AN ARC DISTANCE OF 256.40 FEET TO A POINT OF A REVERSE CURVE; THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 200.00 FEET, A DELTA OF 28°16'48", A CHORD BEARING OF SOUTH 74°02'05" WEST, A CHORD DISTANCE OF 97.72 FEET, AN ARC DISTANCE OF 98.72 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 88°10'29" WEST, A DISTANCE OF 284.09 FEET TO THE POINT OF BEGINNING.

**EXHIBIT "B"****PERMITTED EXCEPTIONS**

1. Taxes for the year of the effective date of this policy and taxes or special assessments which are not shown as existing liens by the public records.
2. 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.
3. Covenants of Unified Control recorded July 10, 2002, in O.R. Book 3682, Page 4774 and O.R. Book 3682, Page 4776, Public Records of Lee County, Florida.
4. Memorandum of Understanding by and between Alico, Inc., a Florida corporation and the Lee County Port Authority, a special district and political subdivision of the State of Florida, recorded in O.R. Book 3625, Page 4194, Public Records of Lee County, Florida.
5. Deed of Conservation Easement in favor of South Florida Water Management District recorded in O.R. Book 4614, Pages 0965-0974, of the Public Records of Lee County, Florida.
6. Drainage Easement Reserved to Southwest Florida Equities Corporation in the deed recorded March 4, 2005, in O.R. Book 4614, Page(s) 0975, of the Public Records of Lee County, Florida.
7. Ben Hill Griffin Parkway Utility Joint Venture Agreement, by and between Airport Crossings, LLC and Southwest Florida Equities Corporation (together with any other participating land owner, if any). Such Agreement to be administered by Chris Bundschu and or his assigns.
8. Airport Technology Center Permit Agreement by and between Airport Crossings, LLC and Southwest Florida Equities Corporation dated April 13, 2005. (Unrecorded)
9. Lee County Zoning Resolution: Z-04070.
10. Lee County Development Order Application No.: DOS 2004-00093.
11. South Florida Water Management District Permit No.: 3604749-P and 3604413-W as amended.
12. Army Corps of Engineers Individual Permit No. SAJ-1999-5571 (IP-MN).