



Madden Law Firm^{LLC}

March 14, 2019

City of Fort Myers
2200 Second Street
Fort Myers, FL 33901

RE: Title Certification
Applicant: Colonial Gateway Commerce Park / Colonial Extension 322, LLC

Dear Department of Community Development:

Please be advised that our firm represents Colonial Extension 322, LLC, as it relates to the proposed plat for Colonial Gateway Commerce Park.

I am an attorney licensed and eligible to practice law in the State of Florida (Bar No. 848557) and I have examined the title to the real property more particularly described in Exhibit "A" attached to this letter and incorporated herein by reference.

I have made a careful examination of the Public Records of Lee County, Florida, with respect to the real property described in the attached Exhibit "A", and provide the following opinions:

1. The name of the owner of the fee title is Colonial Extension 322, LLC, under that certain Warranty Deed recorded in Official Records Instrument Number 2014000224006, as corrected in Official Records Instrument Numbers 2015000149342, and 2017000010143.
2. There is the following mortgage(s) secured by this property that the author is aware of:
 - a. None.
3. There is the following encumbrance(s) on the property:
 - a. Easements, dedications, restrictions, reservations, setback(s) and other matters as stated and shown on the Plat of McDonalds at Crossroads recorded in Official Records Instrument No. 2013000121110.
 - b. Reciprocal Easement Agreement and Restrictive Covenant recorded in Official Records Book 4181, Page 670.

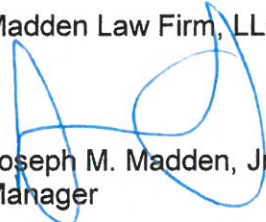
March 14, 2019

- c. Easement to Florida Power and Light Company recorded in Official Records Instrument No. 2006000034426.
 - d. Covenant and Reservation for Driveway Easements for Access to State Road 82 recorded in official Records Instrument No. 2010000042740 (to be released upon plat approval).
 - e. Easement Agreement between W. Kirk Beck, individually and as Trustee, and McDonald's USA, LLC, recorded in Official Records Instrument No. 2013000167464; as affected by Easement Modification recorded in Official Records Instrument No. 2016000238586, and re-recorded in Official Records Instrument No. 2017000258693.
 - f. Restrictive Covenant Agreement recorded in Official Records Instrument No. 2015000173569.
 - g. Roadway Maintenance Agreement recorded in Official Records Instrument No. 2017000118059.
4. All references herein to Official Records are to the Public Records of Lee County, Florida.
5. The title documentation provided herein is certified unequivocally.

Upon receipt, should you have any questions or comments, please advise. Thank you.

Sincerely,

Madden Law Firm, LLC


Joseph M. Madden, Jr.
Manager

JMM:ng
Enclosures
cc: Client(s)

EXHIBIT "A"

Page 1 of 2

A PLOT OR PORTION OF LAND SITUATE IN PART OF PARCEL 'B', McDONALDS AT CROSSROADS SUBDIVISION AS DESCRIBED IN INSTRUMENT #2013000121110, PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND DEPICTED IN COLONIAL RETAIL-82 SUBDIVISION IN INSTRUMENT #2017000055557, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, ALSO LYING IN PORTIONS OF SECTION 25 AND SECTION 26, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, FURTHER DESCRIBED AND SHOWN HEREON AS FOLLOWS:

(PARCEL A)

COMMENCING AT THE NORTH CORNER OF PARCEL 'B', McDONALDS AT CROSSROADS, AS RECORDED IN INSTRUMENT No. 2013000121110, PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF IMMOKALEE ROAD, (S.R. 82) (200 FEET WIDE) FOR A POINT OF BEGINNING; THENCE RUN S.46°08'00"E. ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE TO AN INTERSECTION WITH THE NORTHERLY LINE OF TRACT 'A' WAWA AT CROSSROADS AS DESCRIBED IN INSTRUMENT NUMBER 201500016829, PUBLIC RECORDS OF LEE COUNTY, FLORIDA FOR 686.81 FEET; THENCE RUN S.43°51'58"W. ALONG THE NORTHERLY LINE SAID TRACT 'A' TO A POINT OF CURVATURE FOR 314.77 FEET; THENCE RUN ALONG THE ARC OF A CURVE TO LEFT FOR 12.56 FEET, SAID CURVE HAVING THE FOLLOWING ELEMENTS A RADIUS OF 8.00 FEET, A CENTRAL DELTA ANGLE OF 89°57'45", A CHORD THAT BEARS S.01°08'02"E. AND A CHORD DISTANCE OF 11.31 FEET; THENCE RUN S.46°08'02"E. TO A POINT OF CURVATURE FOR 180.19 FEET; THENCE RUN ALONG THE ARC OF A CURVE TO THE RIGHT FOR 39.26 FEET, SAID CURVE HAVING THE FOLLOWING ELEMENTS, A RADIUS OF 25.00 FEET, A CENTRAL DELTA ANGLE OF 89°58'58", A CHORD THAT BEARS S.01°08'10"E., A CHORD DISTANCE OF 35.35 FEET; THENCE RUN S.43°51'42"W. TO A POINT OF CURVATURE FOR 77.33 FEET; THENCE RUN ALONG THE ARC OF A CURVE TO THE RIGHT FOR 44.35 FEET, SAID CURVE HAVING THE FOLLOWING ELEMENTS, A RADIUS OF 55.00 FEET, A CENTRAL DELTA ANGLE OF 46°12'12", A CHORD THAT BEARS S.66°57'39"W. AND A CHORD DISTANCE OF 43.16 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN ALONG THE ARC OF A CURVE TO LEFT FOR 84.66 FEET, SAID CURVE HAVING THE FOLLOWING ELEMENTS, A RADIUS OF 105.00 FEET A CENTRAL DELTA ANGLE OF 46°12'12", A CHORD THAT BEARS S.66°57'39"W. AND A CHORD DISTANCE OF 82.39 FEET THENCE RUN S.43°52'00"W. TO A POINT OF CURVATURE FOR 679.42 FEET; THENCE RUN N.46°08'00"W. FOR 850.75 FEET; THENCE RUN N.43°52'00"E. FOR 220.00 FEET; THENCE RUN N.46°08'00"W. FOR 1160.00 FEET; THENCE RUN N.43°52'00"E. TO A POINT ALONG THE AFORESAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF IMMOKALEE ROAD (S.R. 82) (200 FEET WIDE) FOR 1000.00 FEET; THENCE RUN S.46°08'00"E. ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY FOR 1160.00 FEET TO THE POINT OF BEGINNING.

EXHIBIT "A"

Page 2 of 2

AND (PARCEL B)

COMMENCING AT THE INTERSECTION OF THE SOUTHWESTERLY LINE OF S.R. 82 (ALSO KNOWN AS IMMOKALEE ROAD; 200 FEET WIDE) AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF COLONIAL BOULEVARD (250 FEET WIDE); THENCE RUN S.43°52'00"W. ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE COLONIAL BOULEVARD (250 FEET WIDE) FOR 787.27 FEET TO THE POINT OF BEGINNING; THENCE RUN S.43°52'00"W. ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE FOR 401.23 FEET; THENCE RUN N.46°08'00"W. FOR 349.25 FEET; THENCE RUN N.43°52'00"E. FOR 401.23 FEET; THENCE RUN S.46°08'00"E. TO A POINT ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE COLONIAL BOULEVARD (250 FEET WIDE) FOR 349.25 FEET TO THE POINT OF BEGINNING.

AND (PARCEL C)

COMMENCING AT THE INTERSECTION OF THE SOUTHWESTERLY LINE OF S.R. 82 (ALSO KNOWN AS IMMOKALEE ROAD; 200 FEET WIDE) AND THE NORTHWESTERLY RIGHT-OF-WAY OF COLONIAL BOULEVARD (250 FEET WIDE); THENCE RUN N.46°08'02"W. ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE S.R. 82 (200 FEET WIDE) FOR 274.00 FEET TO THE POINT OF BEGINNING; THENCE RUN S.43°51'58"W. FOR 278.00 FEET; THENCE RUN N.46°08'02"W. FOR 26.00 FEET; THENCE RUN S.43°51'58"W. TO A POINT ON THE CUSP OF A CURVE FOR 49.76 FEET; THENCE RUN ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST FOR 83.19 FEET, SAID CURVE HAVING THE FOLLOWING ELEMENTS, A RADIUS OF 65.94 FEET, A CENTRAL DELTA ANGLE OF 72°17'15", A CHORD THAT BEARS N.01°08'22"W., AND A CHORD DISTANCE OF 77.78 FEET; THENCE RUN N.46°08'02"W. TO A POINT OF CURVATURE FOR 133.17 FEET; THENCE RUN ALONG THE ARC OF A CURVE TO THE RIGHT FOR 39.27 FEET, SAID CURVE HAVING THE FOLLOWING ELEMENTS, A RADIUS OF 25.00 FEET, A CENTRAL DELTA ANGLE OF 90°00'00", A CHORD THAT BEARS N.01°08'02"W., A CHORD DISTANCE OF 35.36 FEET; THENCE RUN N.43°51'58"E. FOR 161.05 FEET; THENCE RUN S.46°08'02"E. FOR 30.45 FEET; THENCE RUN N.43°51'58"E. FOR 50.00 FEET; THENCE RUN N.46°08'02"W. TO POINT OF CURVATURE FOR 6.45 FEET; THENCE RUN ALONG THE ARC OF A CURVE TO THE RIGHT FOR 37.70 FEET, SAID CURVE HAVING THE FOLLOWING ELEMENTS, A RADIUS OF 24.00 FEET, A CENTRAL DELTA ANGLE OF 90°00'00", A CHORD THAT BEARS N.01°08'02"W., A CHORD DISTANCE OF 33.94 FEET; THENCE RUN N.43°51'58"E. TO A POINT ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE S.R. 82 (ALSO KNOWN AS IMMOKALEE ROAD; 200 FEET WIDE) FOR 12.72 FEET; THENCE RUN S.46°08'00"E. ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE FOR 239.18 FEET TO THE POINT OF BEGINNING. CONTAINING 2,216,868.85 SQUARE FEET, OR 50.89 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF COLONIAL BOULEVARD AS BEING S.43°52'00"W.