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OFF. REC. 100 PAGE 427

This Indenture.

Made this 27th day of December, A. D. 19 61.

Between ESTERO RIVER HEIGHTS, INC.

a corporation existing under the laws of the State of Florida
party of the first part, and ESTERO HEIGHTS IMPROVEMENT ASSOCIATION, INC.,
a non-profit corporation

Lee and State of Florida, party of the County of
of the second part,

Witnesseth, That the said party of the first part, for and in consideration of
the sum of one dollar
in hand paid by the said party Y of the second part, the receipt whereof is hereby
acknowledged, hath remised, released and quit-claimed, and by these presents
doth remise, release and quitclaim unto the said party Y of the second part, and
its heirs and assigns forever, all the right, title, interest, claim
and demand which the said party of the first part hath in and to the following
described lot, piece or parcel of land, situate lying and being in the County of
Lee State of Florida, to wit:

TRACT A and TRACT B, and PARK AREA, as shown by ESTERO
RIVER HEIGHTS SUBDIVISION, a map or plat thereof filed
and recorded in the office of the Clerk of the Circuit
Court of Lee County, Florida, in Plat Book 10, at Page 15.

Subject to the agreement that any future lot owners from Estero
River Heights, Inc. are entitled to membership in Estero Heights
Improvement Association, Inc., a non-profit association.

1. Upon said purchase of a lot, said new lot owners are not liable for any back dues or assessments at the time they purchase a lot.
2. Grantor deeds aforesaid property to Estero Heights Improvement Association, Inc., a non-profit corporation, for use as recreational park purposes only. Should they fail to use said property for park purposes and try to, and do, use it for any other purpose, it will automatically revert to, and become, the property of said Estero River Heights, Inc., its successors, trustees and assigns, and any improvements thereon or to said premises shall be the property of Estero River Heights, Inc., its successors, trustees and assigns.

(Continued on Page 2)

To Have and to Hold the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part, its heirs and assigns forever.

In Witness Whereof, the said party of the first part has caused these presents to be signed in its name by its President, and its corporate seal to be affixed, attested by its Secretary the day and year above written.

(Corporate Seal)

ESTERO RIVER HEIGHTS, INC.

By Thomas H. Atkinson
President.

Attest: Frank H. Oliver
Secretary

Signed, Sealed and Delivered in Our Presence:

Donita R. Coleman
Marguerite D. Graham

EE: 100 not 425

State of Florida,

County of Lee

I HEREBY CERTIFY, That on this 27th day of December A. D. 1961, before me personally appeared THOMAS H. ATKINSON and FRANK A. PAVESE, respectively President and Secretary of Estero River Heights, Inc., a corporation under the laws of the State of Florida, to me known to be the persons described in and who executed the foregoing conveyance to

ESTERO HEIGHTS IMPROVEMENT ASSOCIATION, INC., a non-profit organization under the laws of the State of Florida, and severally acknowledged the execution thereof to be their free act and deed as such officers, for the uses and purposes therein mentioned; and that they affixed thereto the official seal of said corporation, and the said instrument is the act and deed of said corporation.

WITNESS my signature and official seal at Fort Myers in the County of Lee and State of Florida, the day and year last aforesaid.

My Commission Expires Nov. 18, 1962
My Commission Expires

Mari L. ...
Notary Public

Continuation from page 1:

3. Families living in Estero River Heights Subdivision, and subsequent units, and bona fide guests accompanied by members of said families have rights and privileges to use Tract A, Tract B and Park Area of said subdivision. Every lot owner is automatically a member of Estero River Heights Improvement Association, Inc., and as such, is entitled to one vote per lot in said non-profit corporation. Said subdivision and said subsequent units shall not consist of more than 600 acres and each lot shall be a minimum size of 10,000 square feet.

Said non-profit corporation shall make reasonable rules and regulations for dues and assessments for the maintenance, improvement and upkeep of said property.

Passes & records

On this 27th day of December, 1961, at Fort Myers, Florida, this instrument was filed for record, and being duly acknowledged and proven, I have recorded the same on pages 427 of Book 100 in the public records of said County. In Witness Whereof, I have hereunto set my hand and affixed the seal of the Circuit Court of the Judicial Circuit of said State, in and for said County.

D. C. Clerk.

Quit-Claim Deed
FROM CORPORATION
TO

STATE OF FLORIDA, COUNTY OF LEE
FILED FOR RECORD
This 28th Day of Dec 1961 Record in 100
Book 100 Page 427 and Record Verified.
O. T. FARABEE Deputy Clerk

