

THE FULL TEXT OF THE RULE IS AS FOLLOWS:

LELY COMMUNITY DEVELOPMENT DISTRICT

42K-1.001 Creation. Lely Community Development District is hereby created.

Specific Authority: Section 120.53(1) and 190.005, Florida Statutes (F.S.)

Law Implemented: Section 190.005, F.S.

History-New _____

42K-1.002 Boundary. The boundaries of the District are as follows:

DESCRIPTION: All that part of Sections 21, 27, 28, 33 and 34, Township 50 South, Range 26 East and part of Section 3, Township 51 South, Range 26 East, Collier County, Florida, and being more particularly described as follows:

Begin at the southwest corner of said Section 28; thence along the west line of said Section 28, North $02^{\circ}47'55''$ East 1226.36 feet to a point on the boundary of that land described in O.R. Book 542, page 765; thence along the boundary of said land in the following three (3) described courses; 1) South $87^{\circ}12'05''$ East 969.84 feet; 2) North $02^{\circ}47'40''$ East 1702.00 feet; 3) North $38^{\circ}47'47''$ West 1456.15 feet to a point on the west line of said Section 28; thence along the west line of said Section 28, North $02^{\circ}55'16''$ East 1177.76 feet to the northwest corner of said Section 28 and the southerlymost corner of that land described in

O. R. Book 1244, page 983; thence along the easterly line of said land in the following two (2) described courses; 1) North $26^{\circ}13'32''$ East 345.51 feet; 2) North $32^{\circ}20'11''$ West 236.05 feet to a point on the west line of said Section 21; thence along said west line North $02^{\circ}58'09''$ East 181.54 feet; thence leaving said line South $33^{\circ}13'52''$ East 243.49 feet; thence southeasterly 291.20 feet along the arc of a circular curve concave northeasterly having a radius of 690.00 feet through a central angle of $24^{\circ}10'50''$ and being subtended by a chord which bears South $45^{\circ}19'17''$ East 289.04 feet; thence South $57^{\circ}24'42''$ East 1289.45 feet; thence easterly 563.65 feet along the arc of a circular curve concave northerly having a radius of 1230.00 feet through a central angle of $26^{\circ}15'22''$ and being subtended by a chord which bears South $70^{\circ}32'23''$ East 558.74 feet; thence South $83^{\circ}40'04''$ East 1300.00 feet; thence southeasterly 1187.52 feet along the arc of a circular curve concave southwesterly having a radius of 1260.00 feet through a central angle of $54^{\circ}00'00''$ and being subtended by a chord which bears South $56^{\circ}40'04''$ East 1144.06 feet; thence South $29^{\circ}40'04''$ East 1073.38 feet; thence southeasterly 415.41 feet along the arc of a circular curve concave northeasterly having a radius of 1940.00 feet through a central angle of $12^{\circ}16'07''$ and being subtended by a chord which bears South $35^{\circ}48'08''$ East 414.62 feet; thence South $41^{\circ}56'11''$ East 47.84 feet; thence North $48^{\circ}03'49''$ East 90.00 feet; thence northerly 122.72 feet along the arc of a circular curve concave westerly having a radius of 125.00 feet through a central angle of $56^{\circ}15'00''$ and being subtended by a chord which bears North $19^{\circ}56'19''$ East 117.85 feet; thence North $08^{\circ}11'11''$ West 70.00 feet; thence North $53^{\circ}11'11''$ West 70.71 feet thence North

08°11'11" West 200.00 feet; thence North 81°48'49" East 170.00 feet; thence South 08°11'11" East 100.00 feet; thence South 81°48'49" West 35.00 feet; thence South 08°11'11" East 220.00 feet; thence southerly 206.17 feet along the arc of a circular curve concave westerly having a radius of 210.00 feet through a central angle of 56°15'00" and being subtended by a chord which bears South 19°56'19" West 197.99 feet; thence South 48°03'49" West 90.00 feet; thence South 41°56'11" East 581.34 feet; thence southeasterly, easterly and northeasterly 35.94 feet along the arc of a circular curve concave northerly having a radius of 25.00 feet through a central angle of 82°22'19" and being subtended by a chord which bears South 83°07'21" East 32.93 feet; thence North 55°41'30" East 518.58 feet; thence northeasterly 439.82 feet along the arc of a circular curve concave northwesterly having a radius of 560.00 feet through a central angle of 45°00'00" and being subtended by a chord which bears North 33°11'30" East 428.61 feet; thence North 10°41'30" East 208.40 feet; thence northeasterly 393.40 feet along the arc of a circular curve concave southeasterly having a radius of 715.00 feet through a central angle of 31°31'30" and being subtended by a chord which bears North 26°27'15" East 388.46 feet; thence North 42°13'00" East 136.91 feet; thence northeasterly, northerly and northwesterly 37.43 feet along the arc of a circular curve concave westerly having a radius of 25.00 feet through a central angle of 85°47'21" and being subtended by a chord which bears North 00°40'41" West 34.03 feet to a point of reverse curvature; thence northwesterly 88.85 feet along the arc of a circular curve concave northeasterly having a radius of 1405.00 feet through a central angle of 03°37'24" and being subtended by a chord which

bears North $41^{\circ}45'39''$ West 88.84 feet; thence along a non-tangential line North $50^{\circ}03'03''$ East 160.00 feet; thence South $39^{\circ}56'57''$ East 86.63 feet; thence southeasterly 484.36 feet along the arc of a circular curve concave northeasterly having a radius of 1067.38 feet through a central angle of $26^{\circ}00'00''$ and being subtended by a chord which bears South $52^{\circ}56'57''$ East 480.22 feet; thence South $65^{\circ}56'57''$ East 1470.00 feet; thence easterly 309.59 feet along the arc of a circular curve concave northerly having a radius of 765.00 feet through a central angle of $23^{\circ}11'13''$ and being subtended by a chord which bears South $77^{\circ}32'34''$ East 307.48 feet; thence South $89^{\circ}08'10''$ East 616.58 feet; thence easterly 170.84 feet along the arc of a circular curve concave northerly having a radius of 779.00 feet through a central angle of $12^{\circ}33'54''$ and being subtended by a chord which bears North $84^{\circ}34'53''$ East 170.49 feet to a point of reverse curvature; thence easterly 163.38 feet along the arc of a circular curve concave southerly having a radius of 745.00 feet through a central angle of $12^{\circ}33'54''$ and being subtended by a chord which bears North $84^{\circ}34'53''$ East 163.05 feet; thence South $89^{\circ}08'10''$ East 16.92 feet; thence easterly 163.38 feet along the arc of a circular curve concave southerly having a radius of 745.00 feet through a central angle of $12^{\circ}33'54''$ and being subtended by a chord which bears South $82^{\circ}51'13''$ East 163.05 feet to a point of reverse curvature; thence easterly 170.84 feet along the arc of a circular curve concave northerly having a radius of 779.00 feet through a central angle of $12^{\circ}33'54''$ and being subtended by a chord which bears South $82^{\circ}51'13''$ East 170.49 feet; thence South $89^{\circ}08'10''$ East 235.00 feet to a point on the proposed westerly right-of-way line of C.R. 951, Isle of

Capri Road; thence run along said proposed right-of-way line in the following three (3) described courses being parallel with and 25 feet westerly of the existing right-of-way of C.R. 951;

1) South $00^{\circ}51'41''$ West 2434.47 feet; 2) southerly 1695.32 feet along the arc of a circular curve concave westerly having a radius of 2789.93 feet through a central angle of $34^{\circ}48'58''$ and being subtended by a chord which bears South $18^{\circ}16'10''$ West 1669.36 feet; 3) South $35^{\circ}40'39''$ West 5513.54 feet to a point on the northwesterly line of that land described in O. R. Book 124, page 459; thence leaving said right-of-way line and along the northeasterly line of said land, North $54^{\circ}20'24''$ West 194.98 feet; thence along the northwesterly line of said land, South $35^{\circ}40'39''$ West 219.95 feet to a point on the northeasterly right-of-way line of U.S. 41, Tamiami Trail; thence along said right-of-way line North $54^{\circ}20'24''$ West 325.00 feet to the southerlymost corner of that land described in O. R. Book 1173, page 789; thence along the southeasterly line of said land, North $35^{\circ}40'39''$ East 275.00 feet; thence along the northeasterly line of said land, North $54^{\circ}20'24''$ West 170.00 feet; thence along the northwesterly line of said land, South $35^{\circ}40'39''$ West 275.00 feet to a point on the northeasterly right-of-way line of U.S. 41, Tamiami Trail; thence along said right-of-way line, North $54^{\circ}20'24''$ West 959.12 feet; thence continue along said right-of-way line North $54^{\circ}25'09''$ West 3328.63 feet to a point on the north and south 1/4 section line of said Section 33; thence along said north and south 1/4 section line North $02^{\circ}43'23''$ East 3282.44 feet to the north 1/4 corner of said Section 33; thence along the south line of said Section 28, North $89^{\circ}33'01''$ West 2626.87 feet to the Point of Beginning; containing 1538.77 acres

more or less; subject to easements and restrictions of record; bearings are based on the west line of said Section 21, being North 2°58'09" East.

Specific Authority: Section 120.53(1), F.S. and 190.005, F.S.

Law Implemented: Section 190.004 and 190.005, F.S.

History-New _____

42K-1.003 Supervisors. The following five persons are designated as the initial members of the Board of Supervisors: C. William Norman, David N. Blank, Lee L. Katz, Fred Gartz, Evelyn M. Cryder.

Specific Authority: Section 120.53(1) and 190.005, F.S.

Law Implemented: Section 190.006(1), F.S.

History-New _____

State of Florida



Department of State Division of Elections

I, JIM SMITH, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of Chapter 42K-1, Florida Administrative Code, rules and regulations of the Land and Water Adjudicatory Commission, Lely Community Development District, filed pursuant to Chapter 120, Florida Statutes, and became effective on January 10, 1991, as shown by the records of this office.



CER 101
4-89

Given under my hand and the
Great Seal of the State of Florida,
at Tallahassee, the Capital, this the
11th day of January,
A.D. 1991.

A handwritten signature in cursive script that reads "Jim Smith".

Jim Smith
Secretary of State

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LELY COMMUNITY DEVELOPMENT DISTRICT

42K-1.001 Creation. Lely Community Development District is hereby created.

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Law Implemented: Section 190.005, F.S.

History-New _____

42K-1.002 Boundary. The boundaries of the District are as follows:

DESCRIPTION: All that part of Sections 21, 27, 28, 33 and 34, Township 50 South, Range 26 East and part of Section 3, Township 51 South, Range 26 East, Collier County, Florida, and being more particularly described as follows:

Begin at the southwest corner of said Section 28; thence along the west line of said Section 28, North $02^{\circ}47'55''$ East 1226.36 feet to a point on the boundary of that land described in O.R. Book 542, page 765; thence along the boundary of said land in the following three (3) described courses; 1) South $87^{\circ}12'05''$ East 969.84 feet; 2) North $02^{\circ}47'40''$ East 1702.00 feet; 3) North $38^{\circ}47'47''$ West 1456.15 feet to a point on the west line of said Section 28; thence along the west line of said Section 28, North $02^{\circ}55'16''$ East 1177.76 feet to the northwest corner of said Section 28 and the southerlymost corner of that land described in

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more or less; subject to easements and restrictions of record; bearings are based on the west line of said Section 21, being North 2°58'09" East.

Specific Authority: Section 120.53(1), F.S. and 190.005, F.S.

Law Implemented: Section 190.004 and 190.005, F.S.

History-New _____

42K-1.003 Supervisors. The following five persons are designated as the initial members of the Board of Supervisors: C. William Norman, David N. Blank, Lee L. Katz, Fred Gartz, Evelyn M. Cryder.

Specific Authority: Section 120.53(1) and 190.005, F.S.

Law Implemented: Section 190.006(1), F.S.

History-New _____

AFFIRMATION OF CONSENT

TO ESTABLISHMENT OF LELY COMMUNITY DEVELOPMENT DISTRICT

The undersigned, SOUTHERN MANAGEMENT CORPORATION, as owner of that certain property located in Collier County, Florida, more particularly described in Exhibit "A" attached hereto and made a part hereof, hereby affirms its consent to establishment by rulemaking of the LELY COMMUNITY DEVELOPMENT DISTRICT which was established by Rule 42K-1, Florida Administrative Code, Rules and Regulations of the Land and Water Adjudicatory Commission with an effective date of January 10, 1991.

The undersigned further acknowledges that the BOARD OF SUPERVISORS FOR THE LELY COMMUNITY DEVELOPMENT DISTRICT has caused the undersigned to be informed by way of resolution and otherwise that the BOARD OF SUPERVISORS shall not be delivering community development services nor facilities to the Exhibit "A" lands, and that as a Board of Equalization, it found no assessment to be attributable to the Exhibit "A" lands, also described as Tract 16 of Lely Resort Phase One, Plat Book 16, Pages 87 through 99, inclusive, of the Public Records of Collier County, Florida, nor any benefit to the Exhibit "A" lands derived therefrom, nor shall any ad valorem and/or non-ad valorem assessments be made against the Exhibit "A" lands.

The undersigned by the execution hereof confirms and acknowledges the ^{Limited} jurisdiction of the BOARD OF SUPERVISORS to effect solely ~~the~~ the exclusion of the Exhibit "A" lands from the aforesaid District, to which it consents as evidenced by the "IRREVOCABLE CONSENT TO HAVE LANDS EXCLUDED FROM THE JURISDICTION AND BOUNDARIES OF THE LELY COMMUNITY DEVELOPMENT DISTRICT" of even date herewith executed by the undersigned.

IN WITNESS WHEREOF, the undersigned executes this Affirmation of Consent to Establishment of the Lely Community Development District on this 23 day of May 1991.

WITNESSES:

SOUTHERN MANAGEMENT CORPORATION

Shawn B. Fung
Daranda Kistiel

By: George K. Royal
Its _____ President

STATE OF FLORIDA)

COUNTY OF Palm Beach

BEFORE ME, personally appeared GEORGE K. ROYAL, as President ^M of SOUTHERN MANAGEMENT CORPORATION to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he, as President of SOUTHERN MANAGEMENT CORPORATION, executed said instrument for the purposes therein expressed, and in behalf of SOUTHERN MANAGEMENT CORPORATION.

WITNESS my hand and official seal this 23 day of May, 1991.

Sue D. Kennedy
NOTARY PUBLIC (Seal)

My Commission Expires
MY COMMISSION EXPIRES MARCH 19, 1994
BONDED THRU ASHTON AGENCY, INC.

EXHIBIT "A"

Description of part of the northwest 1/4 of
Section 3, Township 51 South, Range 26 East,
Parcel "A" (Globe Oil Parcel)
Collier County, Florida

All that part of the northwest 1/4 of Section 3, Township 51 South, Range 26 East, Collier County, Florida being more particularly described as follows:
Commencing at the northwest corner of said Section 3;
thence along the north line of said Section 3, South 89°-30'-11" East 2241.89 feet to the westerly right-of-way line of State Road 951, (Isle of Capri Road);
thence along said right-of-way line, South 35°-40'-39" West 998.50 feet to the northeast corner of that land described in O.R. Book 124, page 459, Collier County Public Records, Collier County, Florida;
thence leaving said right-of-way line, and along the north line of said land, North 54°-20'-24" West 220.00 feet to the northwest corner of said land;
thence leaving said corner, North 54°-20'-24" West 45.00 feet to the POINT OF BEGINNING of the Parcel "A" herein described;
thence South 35°-40'-39" West 220.00 feet to the northerly right-of-way line of U.S. 41 (Tamiami Trail);
thence along said right-of-way line, North 54°-20'-24" West 200.00 feet;
thence leaving said right-of-way line, North 35°-40'-39" East 275.00 feet;
thence South 54°-20'-24" East 200.00 feet;
thence South 35°-40'-39" West 55.00 feet to the Point of Beginning of the Parcel "A" herein described;
being a part of the northwest 1/4 of Section 3, Township 51 South, Range 26 East, Collier County, Florida;
subject to easements and restrictions of record;
containing 1.26 acres of land more or less.

**IRREVOCABLE CONSENT TO HAVE LANDS EXCLUDED FROM THE JURISDICTION
AND BOUNDARIES OF THE LELY COMMUNITY DEVELOPMENT DISTRICT"**

WHEREAS, the LELY COMMUNITY DEVELOPMENT DISTRICT is a local unit of special purpose government, organized and existing in accordance with the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, as amended, created by a rule of the Florida Land and Water Adjudicatory Commission (Rule Chapter 42K-1, Florida Administrative Code, Rules and Regulations of the Land and Water Adjudication Commission) which became effective January 10, 1991; and

WHEREAS, SOUTHERN MANAGEMENT CORPORATION is the present fee owner of the lands described in Exhibit "A", attached hereto and made a part hereof, of approximately 1.26 acres, more or less and located within the boundaries of the aforesaid LELY COMMUNITY DEVELOPMENT DISTRICT as described in Rule Chapter 42K-1, Florida Administrative Code; and

WHEREAS, the LELY COMMUNITY DEVELOPMENT DISTRICT was created for the specific purpose of delivering certain community development services and facilities within its jurisdiction and boundary, none of which development services and facilities will be provided by the LELY COMMUNITY DEVELOPMENT DISTRICT to and for the lands described in Exhibit "A"; and

WHEREAS, the BOARD OF SUPERVISORS OF THE LELY COMMUNITY DEVELOPMENT DISTRICT acting as a board of equalization did on the 8th day of May 1991 in recognition that the Exhibit "A" lands, also described as Tract 16 of Lely Resort Phase One, Plat Book 16, Pages 87 through 99, inclusive, of the Public Records of Collier County, Florida, would receive no benefit from the development services and facilities to be provided by the LELY COMMUNITY DEVELOPMENT DISTRICT, found that no assessment for benefits was attributable to the Exhibit "A" lands; and

WHEREAS, the BOARD OF SUPERVISORS OF THE LELY COMMUNITY DEVELOPMENT DISTRICT did further on the 8th day of May 1991, make a determination to effect the exclusion of the Exhibit "A" lands from the jurisdiction and boundaries of said LELY COMMUNITY DEVELOPMENT DISTRICT as established.

NOW THEREFORE: The undersigned, SOUTHERN MANAGEMENT CORPORATION, as Consenter, acknowledges that it is the present fee owner of that certain parcel of land located in Collier County, Florida, described in Exhibit "A" attached hereto and made a part hereof, which are within the boundaries of the LELY COMMUNITY DEVELOPMENT DISTRICT as established in Rule Chapter 42K-1, Florida Administrative Code, Rules and Regulations of the Land and Water Adjudication Commission.

That the BOARD OF SUPERVISORS OF THE LELY COMMUNITY DEVELOPMENT DISTRICT has ^{Limited} legal jurisdiction over the Exhibit "A" MK lands and as such is authorized by this Consenter to appear in its behalf for the ^{Sole} purpose of excluding the Exhibit "A" lands from its NK District boundaries in such proceeding for amendment of the Rule (Rule Chapter 42K-1, Florida Administrative Code, Rules and Regulations of the Land and Water Adjudicatory Commission) before the Florida Land and Water Adjudication Commission and before such other forums and/or at such other proceedings and/or hearings before the appropriate agencies and/or units of government to achieve the aforesaid stated purpose.

The undersigned in accordance with the foregoing does hereby irrevocably consent to the exclusion of the Exhibit "A" lands from the boundaries and jurisdiction of the LELY COMMUNITY DEVELOPMENT DISTRICT as established in Rule Chapter 42K-1, Florida Administrative Code, Rules and Regulations of the Land and Water Adjudication Commission. It being the intent of this Consent that

a Consent be irrevocable and ongoing until such time as the Exhibit "A" lands are excluded from the LELY COMMUNITY DEVELOPMENT DISTRICT boundaries.

IN WITNESS WHEREOF, the undersigned executes this Irrevocable Consent on this 23 day of May 1991.

WITNESSES:

SOUTHERN MANAGEMENT CORPORATION

George K. Royal

Dorenda Redish

By: George K. Royal
Its President

STATE OF FLORIDA)

COUNTY OF Palm Beach

BEFORE ME, personally appeared ^MGEORGE K. ROYAL, as President of SOUTHERN MANAGEMENT CORPORATION to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he, as President of SOUTHERN MANAGEMENT CORPORATION, executed said instrument for the purposes therein expressed, and in behalf of SOUTHERN MANAGEMENT CORPORATION. ^{MC}

WITNESS my hand and official seal this 23 day of May, 1991.

David D. Kennedy
NOTARY PUBLIC (Seal)

My Commission Expires:

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES MARCH 19, 1994
BONDED THRU ASHTON AGENCY, INC.

EXHIBIT "A"

Description of part of the northwest 1/4 of
Section 3, Township 51 South, Range 26 East,
Parcel "A" (Globe Oil Parcel)
Collier County, Florida

All that part of the northwest 1/4 of Section 3, Township 51 South, Range 26 East, Collier County, Florida being more particularly described as follows;
Commencing at the northwest corner of said Section 3;
thence along the north line of said Section 3, South 89°-30'-11" East 2241.89 feet to the westerly right-of-way line of State Road 951, (Isle of Capri Road);
thence along said right-of-way line, South 35°-40'-39" West 998.50 feet to the northeast corner of that land described in O.R. Book 124, page 459, Collier County Public Records, Collier County, Florida;
thence leaving said right-of-way line, and along the north line of said land, North 54°-20'-24" West 220.00 feet to the northwest corner of said land;
thence leaving said corner, North 54°-20'-24" West 45.00 feet to the POINT OF BEGINNING of the Parcel "A" herein described;
thence South 35°-40'-39" West 220.00 feet to the northerly right-of-way line of U.S. 41 (Tamiami Trail);
thence along said right-of-way line, North 54°-20'-24" West 200.00 feet;
thence leaving said right-of-way line, North 35°-40'-39" East 275.00 feet;
thence South 54°-20'-24" East 200.00 feet;
thence South 35°-40'-39" West 55.00 feet to the Point of Beginning of the Parcel "A" herein described;
being a part of the northwest 1/4 of Section 3, Township 51 South, Range 26 East, Collier County, Florida;
subject to easements and restrictions of record;
containing 1.26 acres of land more or less.

AFFIDAVIT AND HOLD HARMLESS AGREEMENT

STATE OF FLORIDA
COUNTY OF COLLIER

BEFORE ME, the undersigned authority, personally appeared John J. Agnelli, as President of Lely Development Corporation, who being by me first duly sworn on oath states:

1. That Affiant was the petitioner for the creation of the LELY COMMUNITY DEVELOPMENT DISTRICT which was established by Rule 42K-1, Florida Administrative Code, Rules and Regulations of the Land and Water Adjudicatory Commission, with an effective date of January 10, 1991.

2. That this Affidavit and Hold Harmless Agreement is given for the express purpose of inducing and in consideration of SOUTHERN MANAGEMENT CORPORATION executing certain documents effecting said District boundaries, to wit: an IRREVOCABLE CONSENT TO HAVE LANDS EXCLUDED FROM THE JURISDICTION AND BOUNDARIES OF THE LELY COMMUNITY DEVELOPMENT DISTRICT and AFFIRMATION OF CONSENT TO ESTABLISHMENT OF LELY COMMUNITY DEVELOPMENT DISTRICT; the Affiant well knowing that this AFFIDAVIT AND HOLD HARMLESS AGREEMENT is being relied upon by SOUTHERN MANAGEMENT CORPORATION.

3. The undersigned in behalf of LELY DEVELOPMENT CORPORATION does hereby further agree to indemnify and hold harmless SOUTHERN MANAGEMENT CORPORATION from any and all costs including but not limited to, costs and assessments, operation and maintenance, Community Development District assessments etc. occasioned by the inclusion of real property owned by SOUTHERN MANAGEMENT CORPORATION within the District boundaries, and the costs to remove the same therefrom, including petitioning costs, filing fees, hearing costs, and any other costs associated with and/or attributable either directly and/or indirectly to the real property of said SOUTHERN MANAGEMENT CORPORATION, being removed from the above-referenced District boundaries.

4. The undersigned hereby further agrees to indemnify and hold harmless SOUTHERN MANAGEMENT CORPORATION from any and all liabilities and expenses resulting from the reliance of SOUTHERN MANAGEMENT CORPORATION on the representations made in this instrument.

IN WITNESS WHEREOF, the undersigned executes this Affirmation of Consent to Establishment of the Lely Community Development District on this 15 day of May 1991.

WITNESSES:

[Signature]
Beverly J. Burton

LELY DEVELOPMENT CORPORATION

By: [Signature]
John J. Agnelli, President

STATE OF FLORIDA)
COUNTY OF COLLIER)

BEFORE ME, personally appeared JOHN J. AGNELLI, as President of LELY DEVELOPMENT CORPORATION to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he, as President of LELY DEVELOPMENT CORPORATION executed said instrument for the purposes therein expressed, and in behalf of LELY DEVELOPMENT CORPORATION.

WITNESS my hand and official seal this 15 day of May, 1991.

[Signature]
NOTARY PUBLIC (Seal)

My Commission Expires:

Notary Public, State of Florida

My Commission Expires Sept 28, 1994

Bonded thru The Fidelity Insurance Co.

c:\agreement\aff&hold.sou