

**STATE OF FLORIDA UNIFORM COMMERCIAL CODE  
FINANCING STATEMENT FORM**

A. NAME & DAYTIME PHONE NUMBER OF CONTACT PERSON

DAVID R. SINGLETON 813-227-8500

B. SEND ACKNOWLEDGEMENT TO:

Name DAVID R. SINGLETON

Address HOLLAND & KNIGHT LLP

Address 100 NORTH TAMPA STREET, SUITE 4100

City/State/Zip TAMPA, FLORIDA 33602

INSTR # 2010000135687, Pages 6

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Charlie Green, Lee County Clerk of Circuit Court

Rec. Fee \$52.50

Deputy Clerk J MILLER

#7

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

**1. DEBTOR'S EXACT FULL LEGAL NAME – INSERT ONLY ONE DEBTOR NAME (1a OR 1b) – Do Not Abbreviate or Combine Names**

1a. ORGANIZATION'S NAME

1b. INDIVIDUAL'S LAST NAME

Watt-Biggs

FIRST NAME

Barbara

MIDDLE NAME

M

SUFFIX

1c. MAILING ADDRESS

725 Cape Coral Parkway West

CITY

Cape Coral

STATE

FL

POSTAL CODE

33914

COUNTRY

USA

1d. TAX ID#

REQUIRED ADD'L INFO  
RE: ORGANIZATION  
DEBTOR

1e. TYPE OF ORGANIZATION

1f. JURISDICTION OF  
ORGANIZATION

1g. ORGANIZATIONAL ID#

☐ NONE

**2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME – INSERT ONLY ONE DEBTOR NAME (1a OR 1b) – Do Not Abbreviate or Combine Names**

2a. ORGANIZATION'S NAME

2b. INDIVIDUAL'S LAST NAME

See Exhibit C for Additional Debtors

FIRST NAME

MIDDLE NAME

SUFFIX

2c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

2d. TAX ID#

REQUIRED ADD'L INFO  
RE: ORGANIZATION  
DEBTOR

2e. TYPE OF ORGANIZATION

2f. JURISDICTION OF  
ORGANIZATION

2g. ORGANIZATIONAL ID#

☐ NONE

**3. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNEE of ASSIGNOR S/P) – INSERT ONLY ONE SECURED PARTY NAME (3a OR 3b)**

3a. ORGANIZATION'S NAME

BANK OF AMERICA, N.A.

3b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

3c. MAILING ADDRESS

101 East Kennedy Blvd., 7th Floor

CITY

Tampa

STATE

Florida

POSTAL CODE

33602

COUNTRY

USA

**4. This FINANCING STATEMENT covers the following collateral:**

All now owned or hereafter acquired personal property, fixtures, contract rights, rents, leases and profits as described in the attached Exhibit "B", located on, arising from, or used in connection with the real property described in the attached Exhibit "A" (the "Land")

**RECORDED: CLERK, CIRCUIT COURT, LEE COUNTY, FLORIDA**

5. ALTERNATE DESIGNATION (if applicable)

LESSEE/LESSOR

CONSIGNEE/CONSIGNOR

BAILEE/BAILOR

AG. LIEN

NON-UCC FILING

SELLER/BUYER

**6. Florida DOCUMENTARY STAMP TAX – YOU ARE REQUIRED TO CHECK EXACTLY ONE BOX**

☒ All documentary stamps due and payable or to become due and payable pursuant to s. 201.22 F.S., have been paid.

☐ Florida Documentary Stamp Tax is not required.

**7. OPTIONAL FILER REFERENCE DATA** BOA Additional Debtor Biggs (County)

STANDARD FORM – FORM UCC-1 (REV.12/2001) Filing Office Copy

Approved by the Secretary of State, State of Florida

# 9491177\_v1

Note: This document is being re-recorded to correct a  
typographical error.

**STATE OF FLORIDA UNIFORM COMMERCIAL CODE  
FINANCING STATEMENT FORM – ADDENDUM**
**8. NAME OF FIRST DEBTOR (1a OR 1b) ON RELATED FINANCING STATEMENT**

8a. ORGANIZATION'S NAME

IDAHO DEVELOPMENT COMPANY OF FLORIDA, LLC

8b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

**9. MISCELLANEOUS:**

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**10. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - INSERT ONLY ONE DEBTOR NAME (10a OR 10b) – Do Not Abbreviate or Combine Names**

10a. ORGANIZATION'S NAME

10b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

10c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

10d. TAX ID#

REQUIRED ADD'L INFO  
RE: ORGANIZATION  
DEBTOR

10e. TYPE OF ORGANIZATION

10f. JURISDICTION OF  
ORGANIZATION

10g. ORGANIZATIONAL ID#

☐ NONE
**11. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNEE of ASSIGNOR S/P) – INSERT ONLY ONE SECURED PARTY NAME (11a OR 11b)**

11a. ORGANIZATION'S NAME

11b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

11c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

12. This FINANCING STATEMENT covers ☐ timber to be cut or  
☐ as-extracted collateral, or is filed as a ☒ fixture filing.

13. Description of real estate:

SEE EXHIBIT "A" ATTACHED

14. Name and address of a RECORD OWNER of above-described real  
 estate (if Debtor does not have a record interest):

15. Additional collateral description:

16. Check only if applicable and check only one box.

Debtor is a ☐ Trust or ☒ Trustee acting with respect to property held in trust or  
☐ Decedent's Estate

17. Check only if applicable and check only one box.

☐ Debtor is a TRANSMITTING UTILITY  
☐ Filed in connection with a Manufactured-Home Transaction – effective 30 years  
☐ Filed in connection with a Public-Finance Transaction – effective 30 years

**Exhibit A**

Tract A:

The North 126 feet of the South 504 feet of the following described parcel:

The Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) and the North Half (N 1/2) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 28, Township 44 South, Range 22 East, lying West of Pine Island Road on Pine Island in Lee County, Florida.

And

Tract B:

The North one-half (N 1/2) of the following described property:

The North 126 feet of the South 378 feet of a parcel of land being described as the Northwest 1/4 of the Southwest 1/4 of the Southeast 1/4 and the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 28, Township 44 South, Range 22 East, lying West of Pine Island Road, Pine Island, Lee County, Florida.

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**EXHIBIT "B"**

All of Debtor's right, title and interest now or hereafter acquired in and to following property and personality (the "Property"):

- (a) All buildings, structures, improvements, fixtures and appurtenances now or hereafter placed on the Land, and all apparatus and equipment now or hereafter attached in any manner to the Land or any building on the Land, including all pumping plants, engines, pipes, ditches and flumes, and also all gas, electric, cooking, heating, cooling, air conditioning, lighting, refrigeration and plumbing fixtures and equipment (collectively, the "Improvements");
- (b) All easements and rights of way appurtenant to the Land; all development rights or credits and air rights; all water and water rights (whether riparian, appropriative, or otherwise, and whether or not appurtenant to the Land) and shares of stock pertaining to such water or water rights, ownership of which affect the Land; all minerals, oil, gas, and other hydrocarbon substances and rights thereto in, on, under, or upon the Land;
- (c) All existing and future leases, subleases, subtenancies, licenses, occupancy agreements and concessions relating to the use and enjoyment of all or any part of the Land or the Improvements, and any and all guaranties and other agreements relating to or made in connection with any of the foregoing;
- (d) All proceeds, including all claims to and demands for them, of the voluntary or involuntary conversion of any of the Land, Improvements, or the other property described above into cash or liquidated claims, including proceeds of all present and future fire, hazard or casualty insurance policies, whether or not such policies are required by Secured Party, and all condemnation awards or payments now or later to be made by any public body or decree by any court of competent jurisdiction for any taking or in connection with any condemnation or eminent domain proceeding, and all causes of action and their proceeds for any breach of warranty, misrepresentation, damage or injury to, or defect in, the Land, Improvements, or the other property described above or any part of them; and
- (e) All proceeds of, additions and accretions to, substitutions and replacements for, and changes in any of the property described above.

TOGETHER WITH all rents, royalties, issues, profits, revenue, income and proceeds of the Property, whether now due, past due or to become due, including all prepaid rents and security deposits.

TOGETHER WITH THE FOLLOWING PERSONALTY:

- (a) All tangible personal property of every kind and description, whether stored on the Land or elsewhere, including, without limitation, all goods, materials, supplies, tools, books, records, chattels, furniture, fixtures, equipment, and machinery, and which in all cases is (i) used or useful or acquired in connection with any construction undertaken on the Land or the maintenance of the Land and the Improvements, or (ii) affixed or installed, or to be affixed or installed, in any manner on the Land or the Improvements;
- (b) All water and water rights (whether riparian, appropriative, or otherwise, and whether or not appurtenant to the Land) and shares of stock pertaining to such water or water rights, ownership of which affect the Land; and all architectural and engineering plans, specifications and drawings, and as-built drawings which arise from or relate to the Land or the Improvements;

- (c) All general intangibles and rights relating to the Property, including, without limitation, all permits, licenses and claims to or demands for the voluntary or involuntary conversion of any of the Land, Improvements, or other Property into cash or liquidated claims, proceeds of all present and future fire, hazard or casualty insurance policies, whether or not such policies are required by Secured Party, and all condemnation awards or payments now or later to be made by any public body or decree by any court of competent jurisdiction for any taking or in connection with any condemnation or eminent domain proceeding, and all causes of action and their proceeds for any breach of warranty, misrepresentation, damage or injury to, or defect in, the Land, Improvements, or other Property or any part of them;
- (d) All deposit accounts from which Debtor may from time to time authorize Secured Party to debit payments due Secured Party; all rights and interests under all swap contracts, including all rights to the payment of money from Secured Party (or its affiliate) under any such swap contracts; and all accounts, deposit accounts, and general intangibles, including payment intangibles, described in any such swap contracts;
- (e) All substitutions, replacements, additions, accessions and proceeds for or to any of the foregoing, and all books, records and files relating to any of the foregoing, including, without limitation, computer readable memory and data and any computer software or hardware reasonably necessary to access and process such memory and data.

**EXHIBIT C**

1. Biggs, Jr., Robert W., and having an address of 725 Cape Coral Parkway West, Cape Coral, Florida 33914.
2. Robert W. Biggs, Jr., as Trustee of the Robert W. Biggs, Jr. Declaration of Trust dated December 19, 1991, and having an address of 725 Cape Coral Parkway West, Cape Coral, Florida 33914.
3. Barbara M. Watt-Biggs, as Trustee of the Barbara M. Watt Trust dated November 8, 1996, and having an address of 725 Cape Coral Parkway West, Cape Coral, Florida 33914..

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