

To: Terri Mattson, President  
 Kyle Huber, Manager  
 Riverbend Homeowner's Association of Lee County, Inc.

From: James Morey, Esq.

RE: Title Search

Objective:

We were tasked with researching the title to the roadways and bridges within the Riverbend HOA ("Riverbend"). We researched the Lee County Clerk records and the Lee County Appraiser Records. Covenants, plats and agreements were also researched and reviewed. We also took a look at the use and responsibility for maintenance of each roadway regardless of ownership. Based on the foregoing we believe the following table to represent our findings:

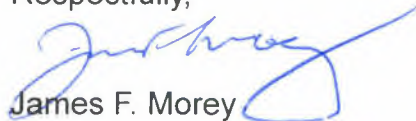
Summary of Findings:

<b>Name:</b>	<b>Use:</b>	<b>Maintenance:</b>	<b>Ownership:</b>
PGA Drive	Ingress and Egress	Riverbend	Dedicated on Plat to use by all lot owners
Sam Sneed Ln	Ingress and Egress	Riverbend	Dedicated on Plat to use by all lot owners
River Club Court	Ingress and Egress	Riverwatch I	Seago
River Shore Court	Ingress and Egress	Riverwatch II	Seago
Riverbend Blvd and Bridges	Ingress and Egress	Riverbend	Dedicated by Seago in Deed Restrictions
Eagle Watch Court	Ingress and Egress	Marsh Point I and II	Marsh Point
Moonraker Court	Ingress and Egress	Yachtsman Cove	Dedicated in Plat/Declaration
Rivervista Drive	Ingress and Egress	Village at Indian Creek	Dedicated in Plat
Ben Hogan Circle	Ingress and Egress	Riverbend	Dedicated on Plat to use by all lot owners
Marsh Point Lane	Ingress and Egress	Marsh Point I and II	Marsh Point

Opinion; The Bridges:

The dedication in recorded deed restrictions along with the concept of implied easements confirms in our opinion that the two bridges, concrete and covered, are the maintenance responsibility of Riverbend. The restrictions recorded in O.R. Book 1751, Page 3637, Lee County Public Records states: " Seago Group, Inc., desires to provide for a means of maintaining private roads, bridges, drainage systems, entrance landscaping, street lighting and other facility as may be determined in the future..... Now, therefore, there has been created, and established, the Riverbend Homeowners Association of Lee County, Inc." The restrictions specifically mention bridges as part of the contemplated maintenance responsibilities. An implied easement exists where land is owned in common ownership and is then transferred. Where the transferee can only have access by land of the original owner and implied easement is created. The use of the bridges constitutes and implied easement if not a direct easement dedicated from the Plat. The dominant estate (the land which benefits from the easement) ordinarily is responsible for the maintenance of the easement. For the foregoing reasons, the bridges are the maintenance responsibility of Riverbend.

Respectfully,

  
James F. Morey