

THIS INSTRUMENT PREPARED BY:
Tim Cristello, Real Property Specialist
On Behalf of: Joy Leggett-Murphy, Property Acquisition Division Manager
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205



PROJECT NAME: Echo Lake Apartments
PROJECT#: NA
PARCEL#: NA
PID#: 579902459

=====SPACE ABOVE THIS LINE FOR RECORDING DATA=====

PERMANENT UTILITIES EASEMENT

THIS INDENTURE made this 5th day of October, 2017 between **TRI OF LAKEWOOD RANCH APARTMENTS, LLC**, a Florida limited liability company, whose mailing address is 710 North Plankinton Avenue, Suite 1200, Milwaukee, Wisconsin 53203, as "**Grantor**," and **MANATEE COUNTY**, a political subdivision of the State of Florida, whose mailing address is Post Office Box 1000, Bradenton, Florida 34206, as "**Grantee**."

WITNESSETH:

THAT said Grantor, for and in consideration of the sum of \$1.00 and other valuable consideration in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and transferred, and by these presents does grant, bargain, sell, and transfer unto Grantee, a *nonexclusive, permanent easement for ingress, egress, construction, and maintenance of surface and/or underground drainage and utility facilities* over, under, and across the property situate in Manatee County, State of Florida, more particularly described in **Composite Exhibit "A"** attached hereto and incorporated herein by this reference.

THAT said Grantor reserves unto itself, its heirs, successors or assigns, the right to the continued free use and enjoyment of the property herein described, for any purposes which are not inconsistent with the rights granted herein unto the Grantee.

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal, the day and year above written.

Signed, sealed, and delivered in the presence of:

TRI OF LAKEWOOD RANCH APARTMENTS, LLC, a Florida limited liability company, by its Managing Member:

TOWNE REALTY, a Wisconsin corporation

By: [Signature]

Printed Name: Mark S. Madigan

Title: Vice President

[Signature]
Witness

Elaine R. Linger
Printed Name

[Signature]
Witness

Dana Cederholm
Printed Name

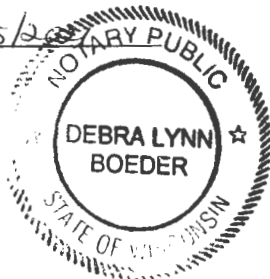
(Signature of two witnesses required by law.)

STATE OF WISCONSIN
COUNTY OF MILWAUKEE

The foregoing instrument was acknowledged before me this 5th day of OCTOBER, 2017, by Mark S. Madigan, as Vice President of Towne Realty, Inc., a Wisconsin corporation, managing member, of TRI of Lakewood Ranch Apartments, LLC, on behalf of said company, who is () personally known to me or () who has produced _____ as identification.

Notary Public Seal:

My Commission Expires: 03/05/2021



[Signature]
NOTARY PUBLIC, State of WISCONSIN

Printed Name: DEBRA LYNN BOEDER

ACCEPTED IN OFFICE DEC 12 2017
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY


Composite Exhibit "A"

DESCRIPTION: UTILITY EASEMENT ACROSS ECHO LAKE APARTMENT SITE

COMMENCE AT THE NORTHWEST CORNER OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE S00°16'06"W, ALONG THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 3511.26 FT.; THENCE S89°43'54"E, PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 1147.32 FT. FOR A POINT OF BEGINNING; THENCE N86°17'47"E, 119.31 FT.; THENCE N66°14'29"E, 348.45 FT.; THENCE N03°27'28"W, 26.31 FT.; THENCE N56°04'36"W, 49.64 FT.; THENCE N33°55'24"E, A DISTANCE OF 53.22 FT. TO THE INTERSECTION WITH THE WESTERLY LINE OF A 10 FT. WIDE PERIMETER UTILITY EASEMENT, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2583, PAGE 3748, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, SAID POINT LYING ON THE ARC OF A CURVE, WHOSE RADIUS POINT LIES S32°16'59"W, A DISTANCE OF 760.00 FT.; THENCE RUN SOUTHEASTERLY, ALONG SAID WESTERLY LINE AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°00'22", A DISTANCE OF 66.40 FT.; THENCE S03°27'28"E, 88.98 FT.; THENCE S66°14'29"W, 387.74 FT.; THENCE S86°17'47"W, 117.80 FT.; THENCE N15°35'15"W, A DISTANCE OF 45.99 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 0.63 ACRES (27,588 SQUARE FEET) MORE OR LESS.

SEPTEMBER 22, 2017
DATE OF CERTIFICATE


KENNETH C. KOLARIK
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 5116

(REFER TO SHEET 2 OF 2 FOR SKETCH)

FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER, LB 2241

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3

SHEET NUMBER 1 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



Composite Exhibit "A"



NOT TO SCALE

SKETCH OF DESCRIPTION

NOT A SURVEY

BEARINGS ARE BASED ON THE WEST LINE OF SECTION 5, BEING S00°16'06"W

POINT OF COMMENCEMENT
NORTHWEST CORNER OF
SECTION 5-35-19

LEGEND	
P.O.B.	= POINT OF BEGINNING
P.I.D.	= PROPERTY IDENTIFICATION NUMBER
SQ.FT.	= SQUARE FEET
O.R.B.	= OFFICIAL RECORDS BOOK
±	= MORE OR LESS
o	= ANGLE POINT ONLY, NO CORNER SET OR FOUND

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	05°00'22"	760.00'	66.40'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N86°17'47"E	119.31'
L2	N66°14'29"E	348.45'
L3	N03°27'28"W	26.31'
L4	N56°04'36"W	49.64'
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L6	S03°27'28"E	88.98'
L7	S66°14'29"W	387.74'
L8	S86°17'47"W	117.80'
L9	N15°35'15"W	45.99'

S00°16'06"W-3511.26'

WEST LINE OF SECTION 5

WESTERLY LINE

LANDS OF SMR NORTHWEST LAND, LLC
(NOW OR FORMERLY P.I.D. 579989009)

P.O.B.

S89°43'54"E-1147.32'

10' PERIMETER UTILITY EASEMENT
(O.R.B. 2583, PAGE 1113)

S32°16'59"W-760.00'
TO RADIUS POINT

WOOD FERN TRAIL
PUBLIC RIGHT-OF-WAY
(O.R.B. 2660, PAGE 1113)

ECHO LAKE APARTMENT SITE
LANDS OF TRI OF LAKEWOOD RANCH APARTMENTS, LLC
(NOW OR FORMERLY P.I.D. 579902459)

UTILITY EASEMENT
0.53 ACRES ±
(27,586 SQ.FT. ±)

REFER TO SHEET 1 OF 2 FOR DESCRIPTION

NOT VALID WITHOUT THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3 DRAWN BY: T.BALL SCALE: NONE SHEET NUMBER 2 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



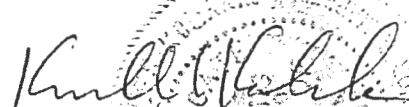

Composite Exhibit "A"

DESCRIPTION: PUBLIC DRAINAGE EASEMENT ACROSS ECHO LAKE APARTMENT SITE

COMMENCE AT THE NORTHWEST CORNER OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE S00°16'06"W ALONG THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 3387.73 FT.; THENCE S89°43'54"E, PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 1112.23 FT. FOR A POINT OF BEGINNING, THENCE N59°27'28"E, 97.51 FT.; THENCE N10°54'29"W, 234.67 FT.; THENCE N24°14'22"E, A DISTANCE OF 36.27 FT. TO THE INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY OF WOOD FERN TRAIL, A PUBLIC RIGHT-OF-WAY AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2660, PAGE 1113, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S65°45'38"E, ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 25.00 FT.; THENCE S24°14'22"W, 28.35 FT.; THENCE S10°54'29"E, 244.37 FT.; THENCE S59°27'28"W, 121.82 FT.; THENCE N15°35'15"W, A DISTANCE OF 25.88 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 0.22 ACRES (9,537 SQUARE FEET) MORE OR LESS.

SEPTEMBER 22, 2017
DATE OF CERTIFICATE


KENNETH C. KOLARIK
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 5116


(REFER TO SHEET 2 OF 2 FOR SKETCH)
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER, LB 2241
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3

SHEET NUMBER 1 OF 2

FOLEY / KOLARIK, INC.
Consulting Engineers, Surveyors and Planners
503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



Composite Exhibit "A"



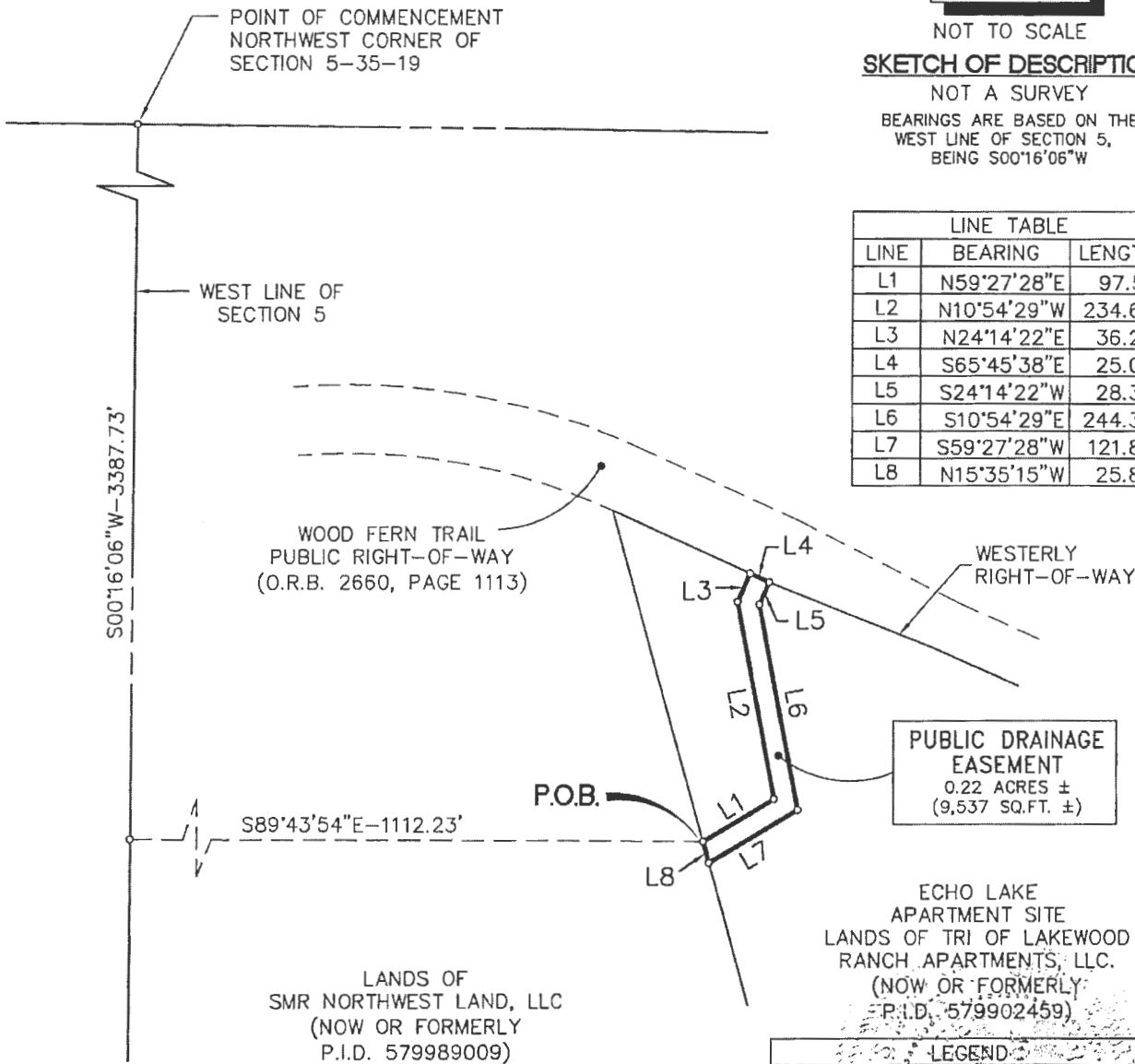
NOT TO SCALE

SKETCH OF DESCRIPTION

NOT A SURVEY

BEARINGS ARE BASED ON THE WEST LINE OF SECTION 5, BEING S00°16'06"W

LINE TABLE		
LINE	BEARING	LENGTH
L1	N59°27'28"E	97.51'
L2	N10°54'29"W	234.67'
L3	N24°14'22"E	36.27'
L4	S65°45'38"E	25.00'
L5	S24°14'22"W	28.35'
L6	S10°54'29"E	244.37'
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L8	N15°35'15"W	25.88'



PUBLIC DRAINAGE EASEMENT
0.22 ACRES ±
(9,537 SQ.FT. ±)

ECHO LAKE APARTMENT SITE
LANDS OF TRI OF LAKEWOOD RANCH APARTMENTS, LLC.
(NOW OR FORMERLY P.I.D. 579902459)

LEGEND	
P.O.B.	POINT OF BEGINNING
P.I.D.	PROPERTY IDENTIFICATION NUMBER
SQ.FT.	SQUARE FEET
O.R.B.	OFFICIAL RECORDS BOOK
±	MORE OR LESS
o	ANGLE POINT ONLY
	NO CORNER SET OR FOUND

REFER TO SHEET 1 OF 2 FOR DESCRIPTION
NOT VALID WITHOUT THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3 DRAWN BY: T.BALL SCALE: NONE SHEET NUMBER 2 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



CONSENT

WHEREAS, LAKEWOOD RANCH STEWARDSHIP DISTRICT, an independent special district created by Local Bill No. 1429, codified at Chapter 2005-338, Laws of Florida, as amended ("District") is the Owner and holder of that certain lien upon the property by virtue of Benefit Special Assessments levied by the District as recorded in Official Record Book 2049, Page 5165; Official Record Book 2319, Pages 3957 and 3962; Official Record Book 2088, Page 4065; Official Record Book 2551, Page 7700; Official Record Book 2556, Page 1815; Official Record Book 2556, Page 1853; and Official Record Book 2559, Page 2502; covering the hereinafter described real property; and

WHEREAS, the District hereby consents to the Permanent Utility Easement given to MANATEE COUNTY, whose mailing address is PO Box 1000, Bradenton, FL 34206, of the following described real property located in Manatee County, Florida, to wit:

SEE COMPOSITE EXHIBIT A ATTACHED HERETO

IN WITNESS WHEREOF, Owner has caused these presents to be executed by its duly authorized officer this 25th day of SEPTEMBER, 2017.

WITNESSES:

[Signature]
Print Name: Suzanne L. Fugate

[Signature]
Print Name: Kathleen J. Horn

LAKEWOOD RANCH STEWARDSHIP DISTRICT,
an independent special district created by Local Bill No. 1429, codified at Chapter 2005-338, Laws of Florida, as amended

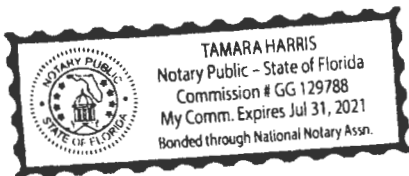
By: [Signature]
Anthony J. Chiofalo, Vice Chairman

Address:

14400 Covenant Way
Lakewood Ranch, Florida 34202

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 25th day of September, 2017, by Anthony J. Chiofalo, as Vice Chairman of Lakewood Ranch Stewardship District, an independent special district created by Local Bill No. 1429, codified at Chapter 2005-338, Laws of Florida, as amended, who is personally known to me or have produced as identification and did (did not) take an oath.



[Signature]
NOTARY PUBLIC - STATE OF FLORIDA
Print Name: Tamara Harris
My Commission Expires: _____
Commission Number: _____

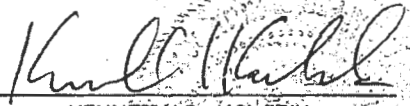
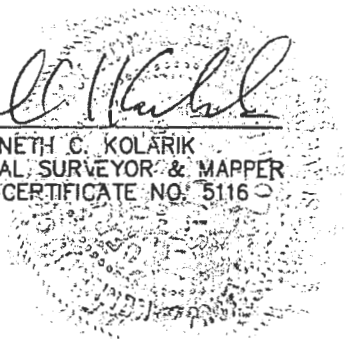
Composite Exhibit "A"

DESCRIPTION: UTILITY EASEMENT ACROSS ECHO LAKE APARTMENT SITE

COMMENCE AT THE NORTHWEST CORNER OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE S00°16'06"W, ALONG THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 3511.26 FT.; THENCE S89°43'54"E, PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 1147.32 FT. FOR A POINT OF BEGINNING; THENCE N86°17'47"E, 119.31 FT.; THENCE N66°14'29"E, 348.45 FT.; THENCE N03°27'28"W, 26.31 FT.; THENCE N56°04'36"W, 49.64 FT.; THENCE N33°55'24"E, A DISTANCE OF 53.22 FT. TO THE INTERSECTION WITH THE WESTERLY LINE OF A 10 FT. WIDE PERIMETER UTILITY EASEMENT, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2583, PAGE 3748, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, SAID POINT LYING ON THE ARC OF A CURVE, WHOSE RADIUS POINT LIES S32°16'59"W, A DISTANCE OF 760.00 FT.; THENCE RUN SOUTHEASTERLY, ALONG SAID WESTERLY LINE AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°00'22", A DISTANCE OF 66.40 FT.; THENCE S03°27'28"E, 88.98 FT.; THENCE S66°14'29"W, 387.74 FT.; THENCE S86°17'47"W, 117.80 FT.; THENCE N15°35'15"W, A DISTANCE OF 45.99 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 0.63 ACRES (27,588 SQUARE FEET) MORE OR LESS.

SEPTEMBER 22, 2017
DATE OF CERTIFICATE


KENNETH C. KOLARIK
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 5116


(REFER TO SHEET 2 OF 2 FOR SKETCH)

FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER, LB 2241

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3

SHEET NUMBER 1 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



Composite Exhibit "A"



NOT TO SCALE

SKETCH OF DESCRIPTION

NOT A SURVEY

BEARINGS ARE BASED ON THE WEST LINE OF SECTION 5, BEING S00°16'06"W

POINT OF COMMENCEMENT
NORTHWEST CORNER OF
SECTION 5-35-19

LEGEND	
P.O.B.	= POINT OF BEGINNING
P.I.D.	= PROPERTY IDENTIFICATION NUMBER
SQ.FT.	= SQUARE FEET
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CURVE TABLE			
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L9	N15°35'15"W	45.99'

S00°16'06"W-3511.26'

WEST LINE OF SECTION 5

WESTERLY LINE

LANDS OF SMR NORTHWEST LAND, LLC
(NOW OR FORMERLY P.I.D. 579989009)

P.O.B.

S89°43'54"E-1147.32'

10' PERIMETER UTILITY EASEMENT
(O.R.B. 2583, PAGE 1113)

S32°16'59"W-760.00'
TO RADIUS POINT

ECHO LAKE APARTMENT SITE
LANDS OF TRI OF LAKEWOOD RANCH APARTMENTS, LLC
(NOW OR FORMERLY P.I.D. 579902459)

WOOD FERN TRAIL PUBLIC RIGHT-OF-WAY
(O.R.B. 2660, PAGE 1113)

UTILITY EASEMENT
0.53 ACRES ±
(27,588 SQ.FT. ±)

REFER TO SHEET 1 OF 2 FOR DESCRIPTION
NOT VALID WITHOUT THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3 DRAWN BY: T.BALL SCALE: NONE SHEET NUMBER: 2 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



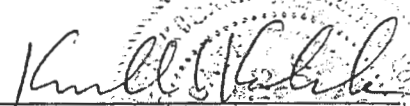

Composite Exhibit "A"

DESCRIPTION: PUBLIC DRAINAGE EASEMENT ACROSS ECHO LAKE APARTMENT SITE

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CONTAINING 0.22 ACRES (9,537 SQUARE FEET) MORE OR LESS.

SEPTEMBER 22, 2017
DATE OF CERTIFICATE


KENNETH C. KOLARIK
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 5116


(REFER TO SHEET 2 OF 2 FOR SKETCH)

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JOB NUMBER: 7905.3

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Composite Exhibit "A"



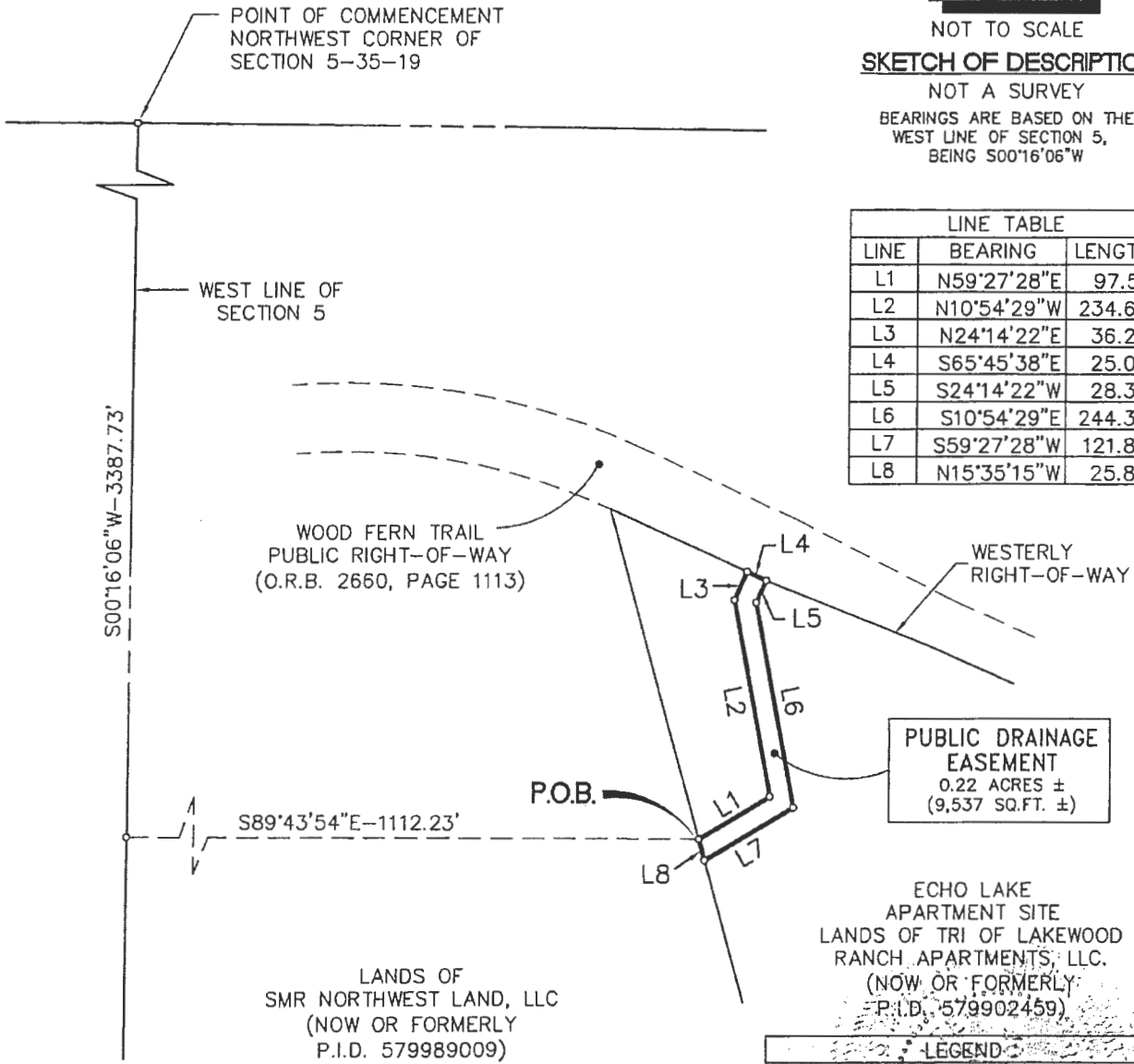
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SKETCH OF DESCRIPTION

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PUBLIC DRAINAGE EASEMENT
0.22 ACRES ±
(9,537 SQ.FT. ±)

ECHO LAKE APARTMENT SITE
LANDS OF TRI OF LAKEWOOD RANCH APARTMENTS, LLC.
(NOW OR FORMERLY P.I.D. 579902459)

LEGEND	
P.O.B.	POINT OF BEGINNING
P.I.D.	PROPERTY IDENTIFICATION NUMBER
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REFER TO SHEET 1 OF 2 FOR DESCRIPTION
NOT VALID WITHOUT THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3 DRAWN BY: T.BALL SCALE: NONE SHEET NUMBER 2 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



CONSENT AND JOINDER

THIS CONSENT AND JOINDER, made and given this 6th day of ~~September~~ ^{October}, 2017 by **U.S. Bank, National Association**, a national banking association, whose mailing address is 777 East Wisconsin Avenue, Milwaukee, Wisconsin 53202, (hereinafter the "Mortgagee"), being the owner and holder of a Mortgage dated October 23, 2015, made by **TRI of Lakewood Ranch Apartments, LLC**, a Florida limited liability company, whose mailing address is 710 North Plankinton Avenue, Suite 1200, Milwaukee, Wisconsin 53203 (hereinafter the "Mortgagor"), in favor of Mortgagee, which Mortgage has been recorded in Official Records Book 2592, Page 2941, of the Public Records of Manatee County, Florida (hereinafter the "Mortgage", and encumbers real property.

WHEREAS, MANATEE COUNTY, a political subdivision of the State of Florida, for good and valuable consideration, has or will obtain from the Mortgagor a Permanent Utilities Easement (hereinafter the "Easement"), encumbering the lands described in the Easement, to which this Consent and Joinder is attached.

WHEREAS, MANATEE COUNTY has requested the Mortgagee consent to and join in the Easement referenced above and incorporated herein by reference, and the Mortgagee hereby consents to and joins in same.

IN WITNESS WHEREOF, the Mortgagee has caused these presents to be executed in its name and its corporate seal to be hereunto affixed, by its proper officer thereunto duly authorized, the day and year first above written.

SIGNATURE PAGE AND ACKNOWLEDGEMENT FOLLOW ON NEXT PAGE.

Signed, sealed and delivered in the presence of two witnesses as required by law:

MORTGAGEE:

U.S. BANK, NATIONAL ASSOCIATION,
a national banking association

Shirley M. Raeder
First Witness Signature

By: [Signature]
Scott C. DeJong

Shirley M. Raeder
First Witness Printed Name

As: _____
Senior Vice-President

Wendy Pimentel
Second Witness Signature

Wendy Pimentel
Second Witness Printed Name

STATE OF WISCONSIN
COUNTY OF MILWAUKEE

The foregoing instrument was acknowledged before me this 4th day of October, 2017, by Scott C. DeJong, as Senior Vice President of U.S. Bank, National Association, a national banking association, on behalf of said corporation, who is personally known to me or _____ who has produced _____ as identification.

Affix seal below:

Lori Miramontes
Notary Public Signature

**My Commission Expires
February 24, 2018**

Lori Miramontes
Printed Name

1164717
Commission Number

2/24/2018
Expiration Date





THIS INSTRUMENT PREPARED BY:
Tim Cristello, Real Property Specialist
On Behalf of: Joy Leggett-Murphy, Property Acquisition Division Manager
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205

PROJECT NAME: Echo Lake Apartments
PROJECT NO: N/A
PARCEL NO: N/A
PID NO: 579902459

=====SPACE ABOVE THIS LINE FOR RECORDING DATA=====

AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES

STATE OF WISCONSIN
COUNTY OF MILWAUKEE

BEFORE ME, the undersigned notary public, personally appeared Mark S. Madigan, who being first duly sworn, deposes and says that, to the best of his knowledge and belief:

1. I have personal knowledge of all matters set forth in this affidavit.
2. TRI of Lakewood Ranch Apartments, LLC, a Florida limited liability company (hereinafter the **Grantor**) is the owner of the fee simple title to certain real property (hereinafter the **Property**) situated in Manatee County, Florida, more particularly described in **Composite Exhibit A** attached to this affidavit and by this reference made a part of this affidavit, and has full authority to sell or encumber the Property.
3. I am the Vice President of Towne Realty, Inc., a Wisconsin corporation which is the managing member of Grantor and I make this affidavit with the authority of and on behalf of Grantor.
4. Grantor has sole and exclusive possession of the Property, subject to the rights of tenants, as tenants only, under unrecorded apartment leases.
5. Neither Grantor's title to nor possession of the Property has ever been disputed or questioned and I am not aware of any facts by reason of which the title to or possession of the Property or any part of it or any personal property located on it might be disputed or questioned or by reason of which any claim to the Property or any portion of it or any personal property located on it might be adversely asserted.
6. No person or entity other than Grantor claims or is presently entitled to the right to possess or is in possession of the Property and there are no tenancies, leases, or other occupancies that affect the Property, other than the rights of tenants, as tenants only, under unrecorded apartment leases.
7. There are no disputes concerning the location of the boundary lines of the Property.
8. Grantor has not violated any of the restrictions, declarations or covenants in connection with the Property, nor know of any prior owner violating said restrictions, declarations or covenants.

ACCEPTED IN _____
DEC 12 2017
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

9. There are no outstanding or unpaid taxes or assessments (pending or certified) due to any governmental agency for improvements to or for the benefit of the Property for which the Grantor is responsible or any unpaid or unsatisfied mortgages, claims of lien, or other matters that constitute or could constitute a lien or encumbrance against the Property or any improvements on it or any part of it or against any personal property located on it. Should any bill be found which relates to the period of the Grantor's possession, the Grantor shall pay such bill upon demand. No notice has been received regarding future pending zoning by any government instrumentality.

10. Except as stated in Paragraph 15 below, there are no security agreements, financing statements, title retention contracts or personal property leases affecting any materials, fixtures, appliances, furnishings or equipment placed on or installed in or on the Property or the improvements located on it.

11. There are no actions, proceedings, judgments, bankruptcies, liens or executions recorded among the Public Records of Manatee County, Florida, or any other county in Florida or pending against the Grantor in the courts of Manatee County, Florida, or any other courts.

12. There are no matters pending against the Grantor that could give rise to a lien that would attach to the Property or cause a loss of title or impair the title between the effective date of the title insurance commitment and the recording of the interest to be insured by the title insurance company, and the Grantor has not and will not execute any instrument that would adversely affect the title or interest to be insured in the Property, including but not limited to mortgaging or conveying the Property or any interest in it or causing any liens to be recorded against the Property or the Owner.

13. There has been no labor performed or materials furnished on or to the Property during the past **NINETY (90)** days, or, if labor has been performed or materials furnished during such **NINETY (90)** days, all persons performing or furnishing the same have been fully paid and there are no unpaid bills for labor or materials for which valid liens could be filed.

14. No notice of commencement concerning the Property has been filed in the past **NINETY (90)** days, nor are there any unsatisfied construction liens of record concerning such Property, nor have any notices to owner been received by the Grantor during the past **NINETY (90)** days.

15. There are no outstanding, unrecorded deeds, unsatisfied liens, judgments, easements or rights-of-way for users, conveyances, mortgages or adverse interests affecting title to the Property, except the following:

- a. Notice of Creation and Establishment of the Lakewood Ranch Stewardship District recorded August 17, 2005 in Book 2049, Page 5165; Amendment recorded November 18, 2009 in Book 2319, Page 3957; and, Final Judgment for the validation

of Lakewood Ranch Stewardship District Special Assessment Revenue Bonds recorded December 22, 2005 in Book 2088, Page 4065.

b. Interlocal Agreement by and between Manatee County, Florida and Lakewood Ranch Stewardship District recorded September 16, 2005 in Book 2059, Page 2854.

c. Lakewood Ranch Stewardship District Notice of Imposition of Special Assessments for Lakewood Centre North recorded January 12, 2015 in Book 2551, Page 7700; Declaration of Consent to the Jurisdiction of Lakewood Ranch Stewardship District and to Imposition of Special Assessments in Book 2556, Page 1815; and, Lakewood Ranch Stewardship District Notice of Series 2015 Special Assessments and Government Lien of record in Book 2556, Page 1853.

d. Disclosure of Public Financing and Maintenance of Improvements to Real Property Undertaken by the Lakewood Ranch Stewardship District (Lakewood Centre North Project) recorded March 10, 2015 in Book 2559, Page 2502.

e. Special Warranty Deed by SMR Northwest Land, LLC, a Florida limited liability company in favor of TRI of Lakewood Ranch Apartments, LLC, a Florida limited liability company recorded August 20, 2015 in Book 2583, Page 3726.

f. Terms, conditions and provisions of that certain Special Warranty Deed from SMR Northwest Land, LLC, a Florida limited liability company to TRI of Lakewood Ranch Apartments, LLC, a Florida limited liability company recorded August 20, 2015 in Book 2583, Page 3726, as affected by Release and Termination of Right of First Refusal recorded February 17, 2016 in Book 2607, Page 3392. Restriction item 7 in said Special Warranty Deed has been subordinated to the lien of the insured mortgage by Agreement dated October 23, 2015 and recorded October 23, 2015 in Book 2592, Page 2967.

g. Utility Easement Agreement by and between TRI of Lakewood Ranch Apartments, LLC, a Florida limited liability company and SMR Northwest Land, LLC, a Florida limited liability company recorded August 20, 2015 in Book 2583, Page 3741.

h. Utility Easement Agreement by and between TRI of Lakewood Ranch Apartments, LLC, a Florida limited liability company and SMR Northwest Land, LLC, a Florida limited liability company recorded August 20, 2015 in Book 2583, Page 3748.

i. Utility Easement Agreement by and among TRI of Lakewood Ranch Apartments, LLC, a Florida limited liability company (Grantee), SMR Northwest Land, LLC, a Florida limited liability company (Grantor) and Braden River Utilities, LLC, a Florida limited liability company recorded August 20, 2015 in Book 2583, Page 3753.

j. Drainage Easement Agreement by and between TRI of Lakewood Ranch Apartments, LLC, a Florida limited liability company, SMR Northwest Land, LLC, a Florida limited liability company and the Lakewood Ranch Stewardship District, an independent special district created by Local Bill No. 1429, codified at Chapter 2005-338, Laws of Florida recorded August 20, 2015 in Book 2583, Page 3761.

k. Notice(s) of Commencement, recorded October 23, 2015 in Book 2592, Page 2974 and, Amended Notice of Commencement recorded January 6, 2016 in Book 2602, Page 2821 extending expiration to December 31, 2017).

l. Current easements of record and that certain Mortgage granted by Grantor in favor of U.S. Bank, National Association, recorded October 23, 2015, in Book 2592, Page 2941 of the Public Records of Manatee County, Florida.

m. Underground Easement in favor of Florida Power & Light Company recorded February 12, 2016 in Book 2607, Page 1156.

n. Easement in favor of Bright House Networks, LLC recorded May 13, 2016 in Book 2620, Page 1626.

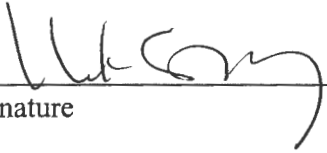
o. Underground Easement in favor of Florida Power & Light Company recorded August 4, 2016 in Book 2632, Page 7178.

16. The Grantor's Taxpayer Identification Number is 81-0993785.

17. This affidavit is made and given by affiant with full knowledge of applicable Florida laws regarding sworn affidavits and the penalties and liabilities resulting from false statements and misrepresentations therein.

SIGNATURE PAGE AND ACKNOWLEDGEMENT FOLLOW ON NEXT PAGE.

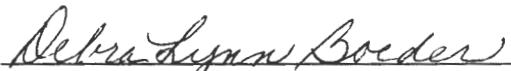
Mark S. Madigan, Vice President


Signature

Mark S. Madigan
Printed Name

Sworn to, acknowledged and subscribed before me this 4 day of ~~September~~^{October}, 2017 by Mark S. Madigan, as Vice President of Towne Realty, Inc., a Wisconsin corporation, managing member, of TRI of Lakewood Ranch Apartments, LLC, a Florida limited liability company, on behalf of said company, who X is personally known to me or who has produced as identification.

Affix seal below:


Signature Notary Public, Milwaukee County
STATE OF WISCONSIN

DEBRA LYNN BOEDER
Printed Name

My Commission expires: 3/5/2021





Composite Exhibit "A"

DESCRIPTION: UTILITY EASEMENT ACROSS ECHO LAKE APARTMENT SITE

COMMENCE AT THE NORTHWEST CORNER OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE S00°16'06"W, ALONG THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 3511.26 FT.; THENCE S89°43'54"E, PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 1147.32 FT. FOR A POINT OF BEGINNING; THENCE N86°17'47"E, 119.31 FT.; THENCE N66°14'29"E, 348.45 FT.; THENCE N03°27'28"W, 26.31 FT.; THENCE N56°04'36"W, 49.64 FT.; THENCE N33°55'24"E, A DISTANCE OF 53.22 FT. TO THE INTERSECTION WITH THE WESTERLY LINE OF A 10 FT. WIDE PERIMETER UTILITY EASEMENT, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2583, PAGE 3748, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, SAID POINT LYING ON THE ARC OF A CURVE, WHOSE RADIUS POINT LIES S32°16'59"W, A DISTANCE OF 760.00 FT.; THENCE RUN SOUTHEASTERLY, ALONG SAID WESTERLY LINE AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°00'22", A DISTANCE OF 66.40 FT.; THENCE S03°27'28"E, 88.98 FT.; THENCE S66°14'29"W, 387.74 FT.; THENCE S86°17'47"W, 117.80 FT.; THENCE N15°35'15"W, A DISTANCE OF 45.99 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 0.63 ACRES (27,588 SQUARE FEET) MORE OR LESS.

SEPTEMBER 22, 2017
DATE OF CERTIFICATE


KENNETH C. KOLARIK
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 5116


(REFER TO SHEET 2 OF 2 FOR SKETCH)
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER, LB 2241
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3

SHEET NUMBER 1 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



Composite Exhibit "A"

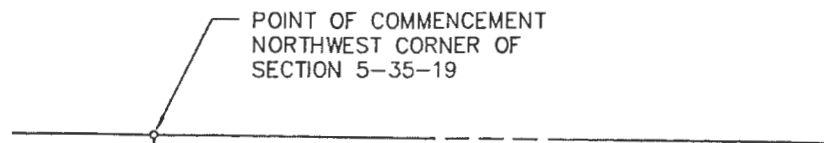


NOT TO SCALE

SKETCH OF DESCRIPTION

NOT A SURVEY

BEARINGS ARE BASED ON THE WEST LINE OF SECTION 5, BEING S00°16'06"W



LEGEND	
P.O.B.	= POINT OF BEGINNING
P.I.D.	= PROPERTY IDENTIFICATION NUMBER
SQ.FT.	= SQUARE FEET
O.R.B.	= OFFICIAL RECORDS BOOK
±	= MORE OR LESS
o	= ANGLE POINT ONLY, NO CORNER SET OR FOUND

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	05°00'22"	760.00'	66.40'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N86°17'47"E	119.31'
L2	N66°14'29"E	348.45'
L3	N03°27'28"W	26.31'
L4	N56°04'36"W	49.64'
L5	N33°55'24"E	53.22'
L6	S03°27'28"E	88.98'
L7	S66°14'29"W	387.74'
L8	S86°17'47"W	117.80'
L9	N15°35'15"W	45.99'

S00°16'06"W-3511.26'

WEST LINE OF SECTION 5

WESTERLY LINE

LANDS OF SMR NORTHWEST LAND, LLC (NOW OR FORMERLY P.I.D. 579989009)

P.O.B.

S89°43'54"E-1147.32'

L9

L1

L8

L2

L7

L4

L5

L6

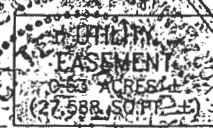
C1

S32°16'59"W-760.00' TO RADIUS POINT

10' PERIMETER UTILITY EASEMENT (O.R.B. 2583, PAGE 1113)

WOOD FERN TRAIL PUBLIC RIGHT-OF-WAY (O.R.B. 2660, PAGE 1113)

ECHO LAKE APARTMENT SITE
LANDS OF TRI OF LAKEWOOD RANCH APARTMENTS, LLC (NOW OR FORMERLY P.I.D. 579902459)



REFER TO SHEET 1 OF 2 FOR DESCRIPTION

NOT VALID WITHOUT THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3 DRAWN BY: T.BALL SCALE: NONE SHEET NUMBER: 2 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



Composite Exhibit "A"

DESCRIPTION: PUBLIC DRAINAGE EASEMENT ACROSS ECHO LAKE APARTMENT SITE

COMMENCE AT THE NORTHWEST CORNER OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE S00°16'06"W ALONG THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 3387.73 FT.; THENCE S89°43'54"E, PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 1112.23 FT. FOR A POINT OF BEGINNING, THENCE N59°27'28"E, 97.51 FT.; THENCE N10°54'29"W, 234.67 FT.; THENCE N24°14'22"E, A DISTANCE OF 36.27 FT. TO THE INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY OF WOOD FERN TRAIL, A PUBLIC RIGHT-OF-WAY AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2660, PAGE 1113, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S65°45'38"E, ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 25.00 FT.; THENCE S24°14'22"W, 28.35 FT.; THENCE S10°54'29"E, 244.37 FT.; THENCE S59°27'28"W, 121.82 FT.; THENCE N15°35'15"W, A DISTANCE OF 25.88 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 0.22 ACRES (9,537 SQUARE FEET) MORE OR LESS.

SEPTEMBER 22, 2017
DATE OF CERTIFICATE


KENNETH C. KOLARIK
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 5118


(REFER TO SHEET 2 OF 2 FOR SKETCH)
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER, LB 2241
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3

SHEET NUMBER 1 OF 2

FOLEY / KOLARIK, INC.
Consulting Engineers, Surveyors and Planners
503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



Composite Exhibit "A"



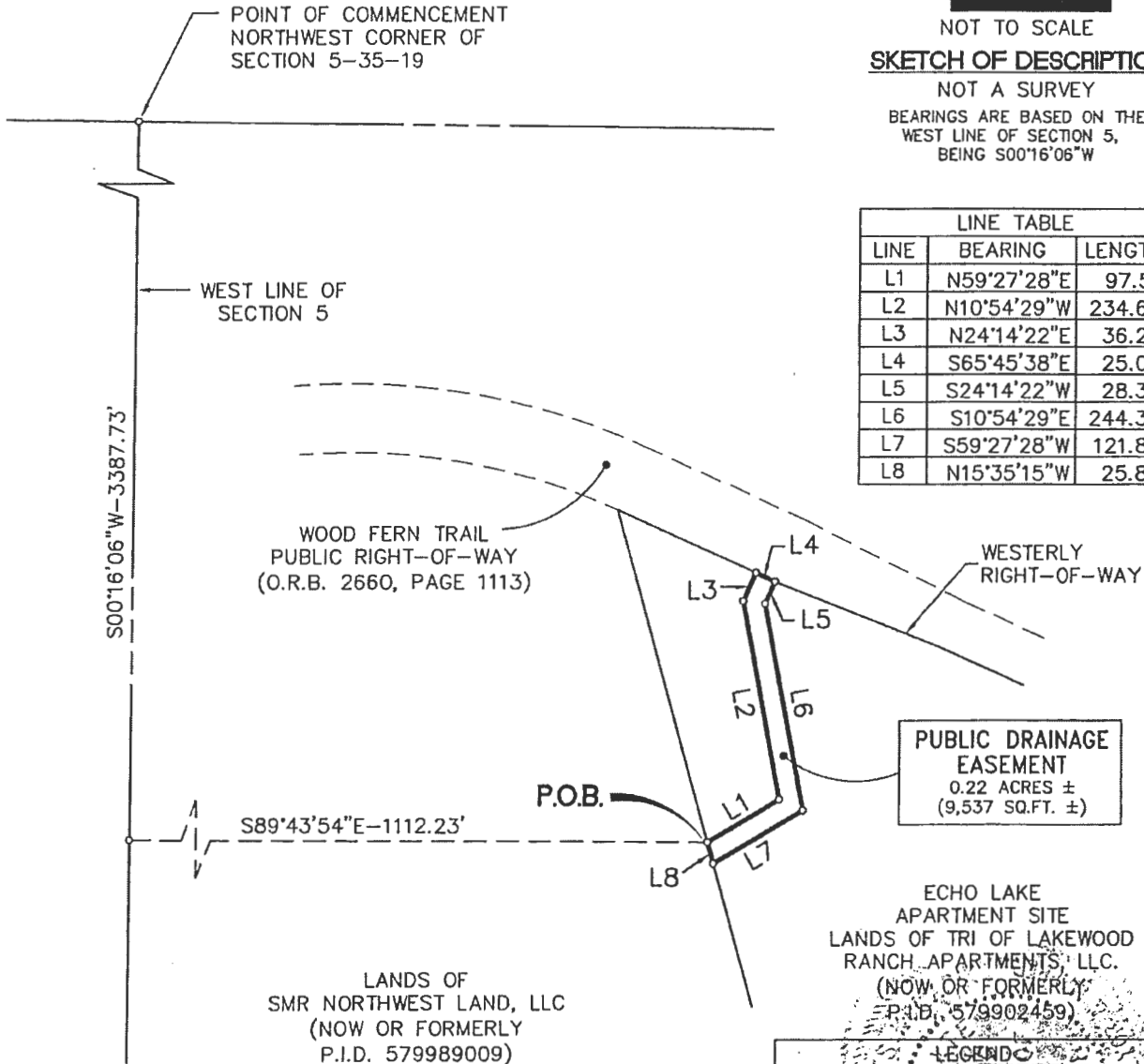
NOT TO SCALE

SKETCH OF DESCRIPTION

NOT A SURVEY

BEARINGS ARE BASED ON THE WEST LINE OF SECTION 5, BEING S00°16'06"W

LINE TABLE		
LINE	BEARING	LENGTH
L1	N59°27'28"E	97.51'
L2	N10°54'29"W	234.67'
L3	N24°14'22"E	36.27'
L4	S65°45'38"E	25.00'
L5	S24°14'22"W	28.35'
L6	S10°54'29"E	244.37'
L7	S59°27'28"W	121.82'
L8	N15°35'15"W	25.88'



PUBLIC DRAINAGE EASEMENT
0.22 ACRES ±
(9,537 SQ.FT. ±)

ECHO LAKE
APARTMENT SITE
LANDS OF TRI OF LAKEWOOD
RANCH APARTMENTS, LLC.
(NOW OR FORMERLY
P.I.D. 579902459)

LANDS OF
SMR NORTHWEST LAND, LLC
(NOW OR FORMERLY
P.I.D. 579989009)

LEGEND	
P.O.B.	POINT OF BEGINNING
P.I.D.	PROPERTY IDENTIFICATION NUMBER
SQ.FT.	SQUARE FEET
O.R.B.	OFFICIAL RECORDS-BOOK
±	MORE OR LESS
o	ANGLE POINT ONLY
	NO CORNER SET OR FOUND

REFER TO SHEET 1 OF 2 FOR DESCRIPTION
NOT VALID WITHOUT THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

JOB NUMBER: 7905.3 DRAWN BY: T.BALL SCALE: NONE SHEET NUMBER 2 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



Z:\Master Drawing Survey\LAKEWOOD RANCH\WOODFERN\WOODFERN2.dwg, 9/22/2017 11:46:22 AM, curtis, 1:200

12/12/17

December 12, 2017 - Regular Meeting
Agenda Item #28

Subject

Permanent Utilities Easement between TRI of Lakewood Ranch Apartments, LLC, and Manatee County for property located at 11520 Echo Lake Circle, Bradenton, Florida; PID 579902459

Briefings

None

Contact and/or Presenter Information

Joy Leggett-Murphy, Property Acquisition Division Manager, Property Management, Extension 3439.

Tim Cristello, Real Property Specialist, Property Acquisition Division, Property Management, Extension 6284.

Action Requested

- Accept Permanent Utilities Easement from TRI of Lakewood Ranch Apartments, LLC (includes a Joinder and Consent from Scott C. DeJong, as Senior Vice President of U.S. Bank, National Association); and
- Accept Consent to Permanent Utilities Easement from the Lakewood Ranch Stewardship District; and
- Accept Affidavit of Ownership and Encumbrances from Mark S. Madigan, as Vice President of Towne Realty, Inc., managing member, of TRI of Lakewood Ranch Apartments, LLC.

Enabling/Regulating Authority

Florida Statutes, Chapter 125. Manatee County Comprehensive Plan- Goal 9.5 addresses the potable water system.

Comprehensive Plan-Goal 9.1-9.2 address sanitary sewer systems.

Comprehensive Plan-Goal 9.4 addresses stormwater, management, flooding, and water quality.

Background Discussion

- TRI of Lakewood Ranch Apartments, LLC, is required to dedicate a Permanent Utilities Easement for the Echo Lake Apartments at 11520 Echo Lake Circle, Bradenton, Florida 34211.
- A 27,588 square foot public utility easement and 9,537 square foot drainage easement are required. The public utility easement will allow access to inspect and maintain the potable water system and sanitary sewer system.
- This agenda item is to accept the Permanent Utilities Easement and record in Board Records only.

County Attorney Review

Not Reviewed (No apparent legal issues)

Explanation of Other

Reviewing Attorney

N/A

emailed 12/15/17

Instructions to Board Records

Please notify Tim Cristello at Tim.Cristello@mymanatee.org, Mark Madigan at Mark.Madigan@Zilber.com, and Jane Oliver at jane.oliver@mymanatee.org

The conveyance documents have been recorded in Official Records. Please record in Board Records only.

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

Attachment: [Permanent Utility Easement TRI of Lakewood Ranch Apartments LLC.pdf](#)

Attachment: [Affidavit of Ownership and Encumbrances TRI of Lakewood Ranch Apartments LLC.pdf](#)

Attachment: [Location Map TRI of Lakewood Ranch Apartments, LLC.pdf](#)

THIS INSTRUMENT PREPARED BY:
Tim Cristello, Real Property Specialist
On Behalf of: Joy Leggett-Murphy, Property Acquisition Division Manager
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205



PROJECT NAME: Echo Lake Apartments
PROJECT#: NA
PARCEL#: NA
PID#: 579902459

=====SPACE ABOVE THIS LINE FOR RECORDING DATA=====

PERMANENT UTILITIES EASEMENT

THIS INDENTURE made this 5th day of October, 2017 between **TRI OF LAKEWOOD RANCH APARTMENTS, LLC**, a Florida limited liability company, whose mailing address is 710 North Plankinton Avenue, Suite 1200, Milwaukee, Wisconsin 853203, as "**Grantor**," and **MANATEE COUNTY**, a political subdivision of the State of Florida, whose mailing address is Post Office Box 1000, Bradenton, Florida 34206, as "**Grantee**,"

WITNESSETH:

THAT said Grantor, for and in consideration of the sum of \$1.00 and other valuable consideration in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and transferred, and by these presents does grant, bargain, sell, and transfer unto Grantee, a *nonexclusive, permanent easement for ingress, egress, construction, and maintenance of surface and/or underground drainage and utility facilities* over, under, and across the property situate in Manatee County, State of Florida, more particularly described in **Composite Exhibit "A"** attached hereto and incorporated herein by this reference.

THAT said Grantor reserves unto itself, its heirs, successors or assigns, the right to the continued free use and enjoyment of the property herein described, for any purposes which are not inconsistent with the rights granted herein unto the Grantee.

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal, the day and year above written.

Signed, sealed, and delivered in the presence of:

TRI OF LAKEWOOD RANCH APARTMENTS, LLC, a Florida limited liability company, by its Managing Member:

TOWNE REALTY, a Wisconsin corporation

By: [Signature]

Printed Name: Mark S. Madigan

Title: Vice President

[Signature]
Witness

Elaine R. Linger
Printed Name

[Signature]
Witness

Dana Cederholm
Printed Name

(Signature of two witnesses required by law.)

STATE OF WISCONSIN
COUNTY OF MILWAUKEE

The foregoing instrument was acknowledged before me this 5th day of OCTOBER, 2017, by Mark S. Madigan, as Vice President of Towne Realty, Inc., a Wisconsin corporation, managing member, of TRI of Lakewood Ranch Apartments, LLC, on behalf of said company, who is () personally known to me or () who has produced _____ as identification.

Notary Public Seal:

My Commission Expires: 03/05/2021



[Signature]
NOTARY PUBLIC, State of WISCONSIN

DEBRA LYNN BOEDER
Printed Name


Composite Exhibit "A"

DESCRIPTION: UTILITY EASEMENT ACROSS ECHO LAKE APARTMENT SITE

COMMENCE AT THE NORTHWEST CORNER OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE S00°16'06"W, ALONG THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 3511.26 FT.; THENCE S89°43'54"E, PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 1147.32 FT. FOR A POINT OF BEGINNING; THENCE N86°17'47"E, 119.31 FT.; THENCE N66°14'29"E, 348.45 FT.; THENCE N03°27'28"W, 26.31 FT.; THENCE N56°04'36"W, 49.64 FT.; THENCE N33°55'24"E, A DISTANCE OF 53.22 FT. TO THE INTERSECTION WITH THE WESTERLY LINE OF A 10 FT. WIDE PERIMETER UTILITY EASEMENT, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2583, PAGE 3748, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, SAID POINT LYING ON THE ARC OF A CURVE, WHOSE RADIUS POINT LIES S32°16'59"W, A DISTANCE OF 760.00 FT.; THENCE RUN SOUTHEASTERLY, ALONG SAID WESTERLY LINE AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°00'22", A DISTANCE OF 66.40 FT.; THENCE S03°27'28"E, 88.98 FT.; THENCE S66°14'29"W, 387.74 FT.; THENCE S86°17'47"W, 117.80 FT.; THENCE N15°35'15"W, A DISTANCE OF 45.99 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 0.63 ACRES (27,588 SQUARE FEET) MORE OR LESS.

SEPTEMBER 22, 2017
DATE OF CERTIFICATE


KENNETH C. KOLARIK
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 5116



(REFER TO SHEET 2 OF 2 FOR SKETCH)

FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER, LB 2241

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3

SHEET NUMBER 1 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



Composite Exhibit "A"



NOT TO SCALE

SKETCH OF DESCRIPTION

NOT A SURVEY

BEARINGS ARE BASED ON THE WEST LINE OF SECTION 5, BEING S00°16'06"W

POINT OF COMMENCEMENT
NORTHWEST CORNER OF
SECTION 5-35-19

LEGEND	
P.O.B.	= POINT OF BEGINNING
P.I.D.	= PROPERTY IDENTIFICATION NUMBER
SQ.FT.	= SQUARE FEET
O.R.B.	= OFFICIAL RECORDS BOOK
±	= MORE OR LESS
o	= ANGLE POINT ONLY, NO CORNER SET OR FOUND

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	05°00'22"	760.00'	66.40'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N86°17'47"E	119.31'
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L4	N56°04'36"W	49.64'
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L6	S03°27'28"E	88.98'
L7	S66°14'29"W	387.74'
L8	S86°17'47"W	117.80'
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S00°16'06"W-3511.26'

WEST LINE OF SECTION 5

WESTERLY LINE

LANDS OF SMR NORTHWEST LAND, LLC (NOW OR FORMERLY P.I.D. 579989009)

P.O.B.

S89°43'54"E-1147.32'

L1
L2
L3
L4
L5
L6
L7
L8
L9

10' PERIMETER UTILITY EASEMENT (O.R.B. 2583, PAGE 1113)

S32°16'59"W-760.00' TO RADIUS POINT

WOOD FERN TRAIL PUBLIC RIGHT-OF-WAY (O.R.B. 2660, PAGE 1113)

ECHO LAKE APARTMENT SITE LANDS OF TRI OF LAKEWOOD RANCH APARTMENTS, L.L.C. (NOW OR FORMERLY P.I.D. 579902459)

UTILITY EASEMENT 0.53 ACRES ± (27,588 SQ.FT. ±)

REFER TO SHEET 1 OF 2 FOR DESCRIPTION
NOT VALID WITHOUT THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3 DRAWN BY: T.BALL SCALE: NONE SHEET NUMBER 2 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



Composite Exhibit "A"

DESCRIPTION: PUBLIC DRAINAGE EASEMENT ACROSS ECHO LAKE APARTMENT SITE

COMMENCE AT THE NORTHWEST CORNER OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE S00°16'06"W ALONG THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 3387.73 FT.; THENCE S89°43'54"E, PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 1112.23 FT. FOR A POINT OF BEGINNING, THENCE N59°27'28"E, 97.51 FT.; THENCE N10°54'29"W, 234.67 FT.; THENCE N24°14'22"E, A DISTANCE OF 36.27 FT. TO THE INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY OF WOOD FERN TRAIL, A PUBLIC RIGHT-OF-WAY AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2660, PAGE 1113, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S65°45'38"E, ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 25.00 FT.; THENCE S24°14'22"W, 28.35 FT.; THENCE S10°54'29"E, 244.37 FT.; THENCE S59°27'28"W, 121.82 FT.; THENCE N15°35'15"W, A DISTANCE OF 25.88 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 0.22 ACRES (9,537 SQUARE FEET) MORE OR LESS.

SEPTEMBER 22, 2017
DATE OF CERTIFICATE


KENNETH C. KOLARIK
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 5116


(REFER TO SHEET 2 OF 2 FOR SKETCH)

FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER, LB 2241

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3

SHEET NUMBER 1 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



Composite Exhibit "A"



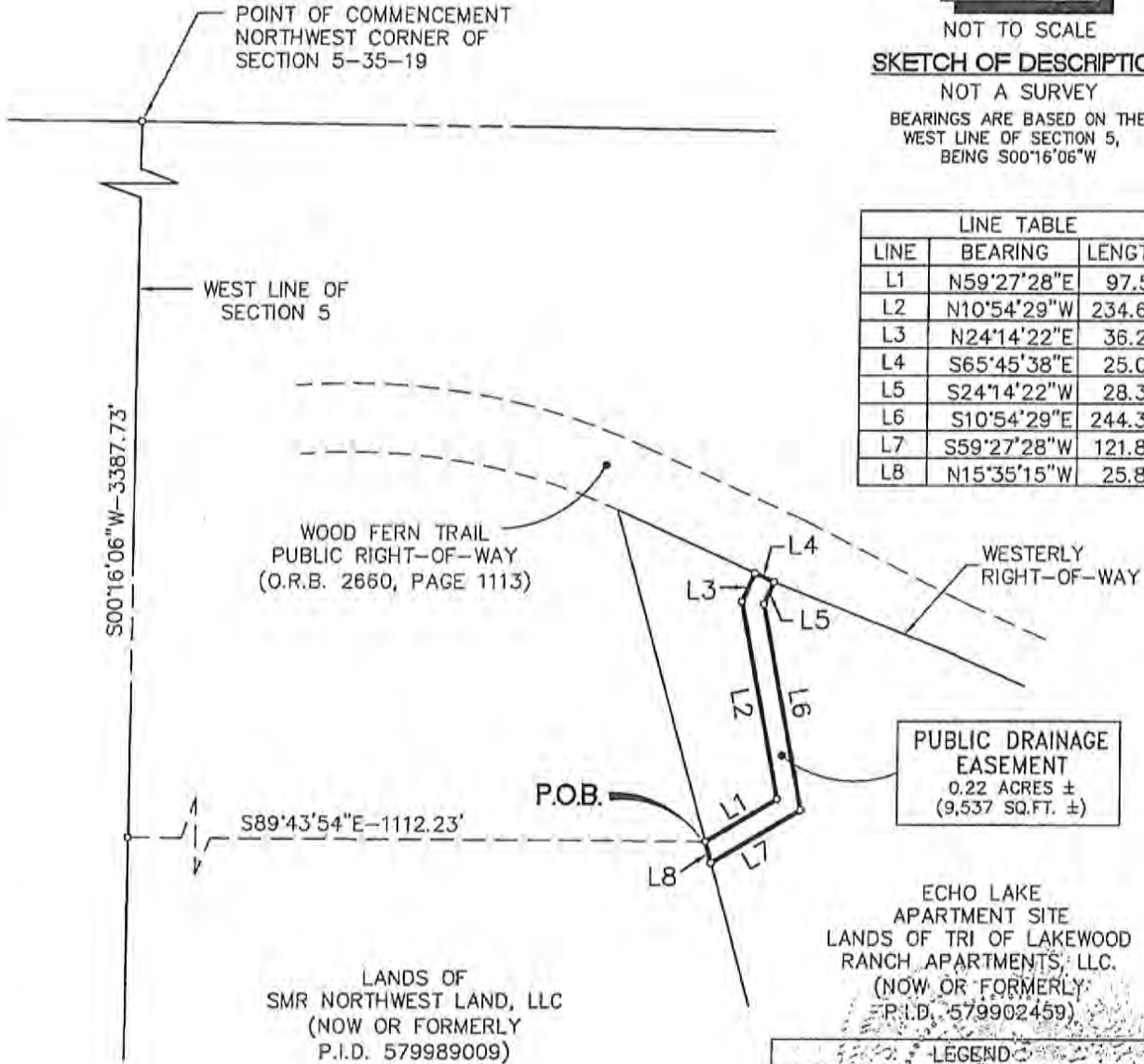
NOT TO SCALE

SKETCH OF DESCRIPTION

NOT A SURVEY

BEARINGS ARE BASED ON THE WEST LINE OF SECTION 5, BEING S00°16'06"W

LINE TABLE		
LINE	BEARING	LENGTH
L1	N59°27'28"E	97.51'
L2	N10°54'29"W	234.67'
L3	N24°14'22"E	36.27'
L4	S65°45'38"E	25.00'
L5	S24°14'22"W	28.35'
L6	S10°54'29"E	244.37'
L7	S59°27'28"W	121.82'
L8	N15°35'15"W	25.88'



PUBLIC DRAINAGE EASEMENT
0.22 ACRES ±
(9,537 SQ.FT. ±)

ECHO LAKE APARTMENT SITE
LANDS OF TRI OF LAKEWOOD RANCH APARTMENTS, LLC.
(NOW OR FORMERLY P.I.D. 579902459)

LEGEND	
P.O.B.	POINT OF BEGINNING
P.I.D.	PROPERTY IDENTIFICATION NUMBER
SQ.FT.	SQUARE FEET
O.R.B.	OFFICIAL RECORDS BOOK
±	MORE OR LESS
o	ANGLE POINT ONLY
	NO CORNER SET OR FOUND

REFER TO SHEET 1 OF 2 FOR DESCRIPTION

NOT VALID WITHOUT THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3 DRAWN BY: T.BALL SCALE: NONE SHEET NUMBER 2 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



CONSENT

WHEREAS, LAKEWOOD RANCH STEWARDSHIP DISTRICT, an independent special district created by Local Bill No. 1429, codified at Chapter 2005-338, Laws of Florida, as amended ("District") is the Owner and holder of that certain lien upon the property by virtue of Benefit Special Assessments levied by the District as recorded in Official Record Book 2049, Page 5165; Official Record Book 2319, Pages 3957 and 3962; Official Record Book 2088, Page 4065; Official Record Book 2551, Page 7700; Official Record Book 2556, Page 1815; Official Record Book 2556, Page 1853; and Official Record Book 2559, Page 2502; covering the hereinafter described real property; and

WHEREAS, the District hereby consents to the Permanent Utility Easement given to MANATEE COUNTY, whose mailing address is PO Box 1000, Bradenton, FL 34206, of the following described real property located in Manatee County, Florida, to wit:

SEE COMPOSITE EXHIBIT A ATTACHED HERETO

IN WITNESS WHEREOF, Owner has caused these presents to be executed by its duly authorized officer this 25th day of SEPTEMBER, 2017.

WITNESSES:

[Signature]
Print Name: Suzanne L. Fugate

[Signature]
Print Name: Kathleen J. Horn

LAKEWOOD RANCH STEWARDSHIP DISTRICT, an independent special district created by Local Bill No. 1429, codified at Chapter 2005-338, Laws of Florida, as amended

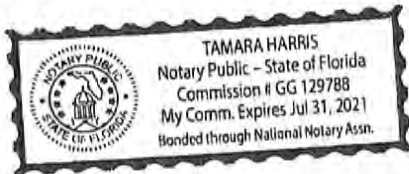
By: [Signature]
Anthony J. Chiofalo, Vice Chairman

Address:

14400 Covenant Way
Lakewood Ranch, Florida 34202

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 25th day of September, 2017, by Anthony J. Chiofalo, as Vice Chairman of Lakewood Ranch Stewardship District, an independent special district created by Local Bill No. 1429, codified at Chapter 2005-338, Laws of Florida, as amended, who is personally known to me or have produced as identification and did (did not) take an oath.



[Signature]
NOTARY PUBLIC - STATE OF FLORIDA
Print Name: Tamara Harris
My Commission Expires: _____
Commission Number: _____



Composite Exhibit "A"

DESCRIPTION: UTILITY EASEMENT ACROSS ECHO LAKE APARTMENT SITE

COMMENCE AT THE NORTHWEST CORNER OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE S00°16'06"W, ALONG THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 3511.26 FT.; THENCE S89°43'54"E, PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 1147.32 FT. FOR A POINT OF BEGINNING; THENCE N86°17'47"E, 119.31 FT.; THENCE N66°14'29"E, 348.45 FT.; THENCE N03°27'28"W, 26.31 FT.; THENCE N56°04'36"W, 49.64 FT.; THENCE N33°55'24"E, A DISTANCE OF 53.22 FT. TO THE INTERSECTION WITH THE WESTERLY LINE OF A 10 FT. WIDE PERIMETER UTILITY EASEMENT, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2583, PAGE 3748, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, SAID POINT LYING ON THE ARC OF A CURVE, WHOSE RADIUS POINT LIES S32°16'59"W, A DISTANCE OF 760.00 FT.; THENCE RUN SOUTHEASTERLY, ALONG SAID WESTERLY LINE AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°00'22", A DISTANCE OF 66.40 FT.; THENCE S03°27'28"E, 88.98 FT.; THENCE S66°14'29"W, 387.74 FT.; THENCE S86°17'47"W, 117.80 FT.; THENCE N15°35'15"W, A DISTANCE OF 45.99 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 0.63 ACRES (27,588 SQUARE FEET) MORE OR LESS.

SEPTEMBER 22, 2017
DATE OF CERTIFICATE


KENNETH C. KOLARIK
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 5116


(REFER TO SHEET 2 OF 2 FOR SKETCH)
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER, LB 2241
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3

SHEET NUMBER 1 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



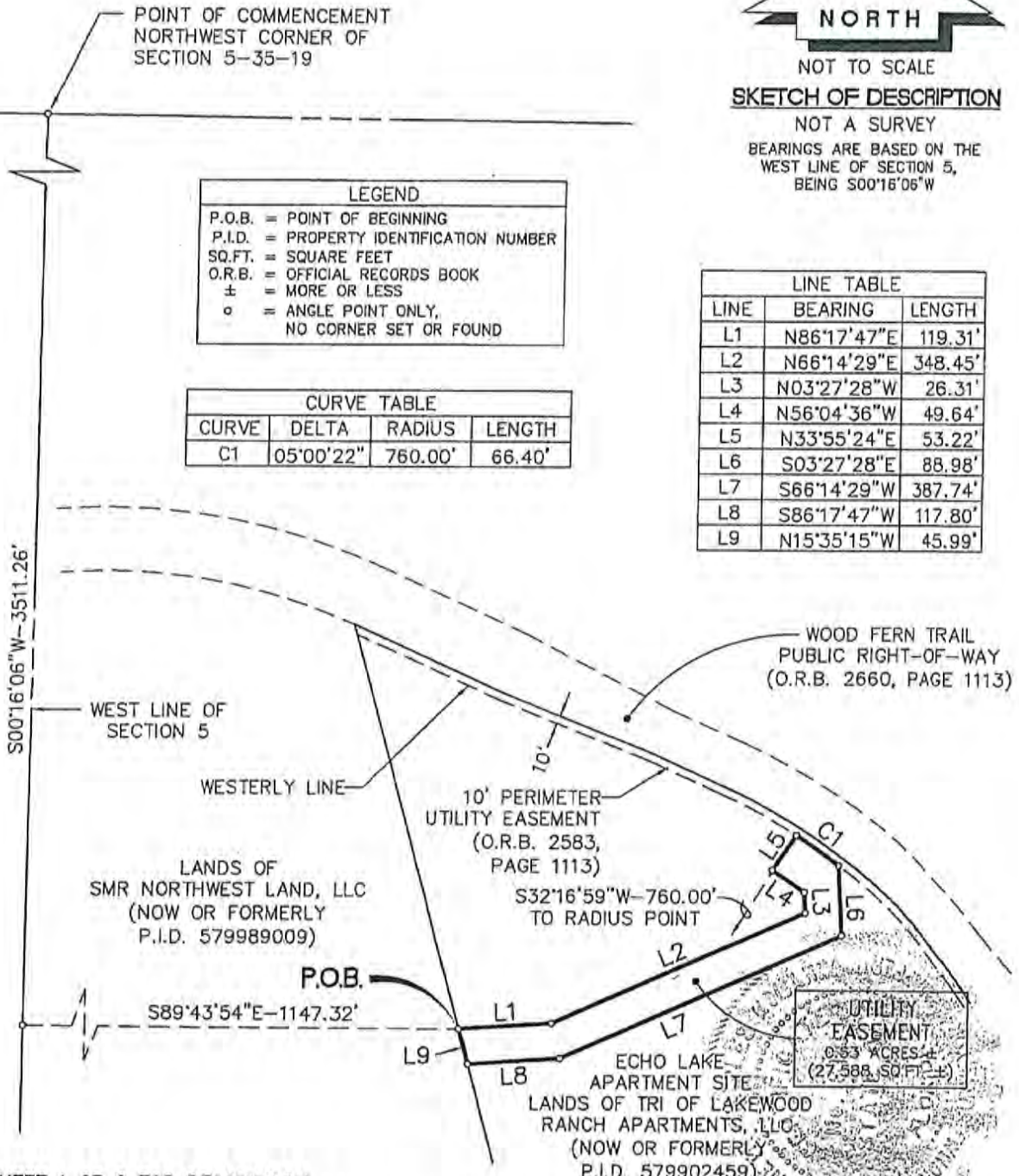
Composite Exhibit "A"


NORTH
 NOT TO SCALE
SKETCH OF DESCRIPTION
 NOT A SURVEY
 BEARINGS ARE BASED ON THE
 WEST LINE OF SECTION 5,
 BEING S00°16'06"W

LEGEND	
P.O.B.	= POINT OF BEGINNING
P.I.D.	= PROPERTY IDENTIFICATION NUMBER
SQ.FT.	= SQUARE FEET
O.R.B.	= OFFICIAL RECORDS BOOK
±	= MORE OR LESS
o	= ANGLE POINT ONLY, NO CORNER SET OR FOUND

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	05°00'22"	760.00'	66.40'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N86°17'47"E	119.31'
L2	N66°14'29"E	348.45'
L3	N03°27'28"W	26.31'
L4	N56°04'36"W	49.64'
L5	N33°55'24"E	53.22'
L6	S03°27'28"E	88.98'
L7	S66°14'29"W	387.74'
L8	S86°17'47"W	117.80'
L9	N15°35'15"W	45.99'



REFER TO SHEET 1 OF 2 FOR DESCRIPTION
 NOT VALID WITHOUT THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3 DRAWN BY: T.BALL SCALE: NONE SHEET NUMBER 2 OF 2

FOLEY / KOLARIK, INC.
 Consulting Engineers, Surveyors and Planners
 503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



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Composite Exhibit "A"

DESCRIPTION: PUBLIC DRAINAGE EASEMENT ACROSS ECHO LAKE APARTMENT SITE

COMMENCE AT THE NORTHWEST CORNER OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE S00°16'06"W ALONG THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 3387.73 FT.; THENCE S89°43'54"E, PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 1112.23 FT. FOR A POINT OF BEGINNING, THENCE N59°27'28"E, 97.51 FT.; THENCE N10°54'29"W, 234.67 FT.; THENCE N24°14'22"E, A DISTANCE OF 36.27 FT. TO THE INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY OF WOOD FERN TRAIL, A PUBLIC RIGHT-OF-WAY AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2660, PAGE 1113, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S65°45'38"E, ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 25.00 FT.; THENCE S24°14'22"W, 28.35 FT.; THENCE S10°54'29"E, 244.37 FT.; THENCE S59°27'28"W, 121.82 FT.; THENCE N15°35'15"W, A DISTANCE OF 25.88 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 0.22 ACRES (9,537 SQUARE FEET) MORE OR LESS.

SEPTEMBER 22, 2017
DATE OF CERTIFICATE


KENNETH C. KOLARIK
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 5118



(REFER TO SHEET 2 OF 2 FOR SKETCH)

FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER, LB 2241

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3

SHEET NUMBER 1 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



Composite Exhibit "A"



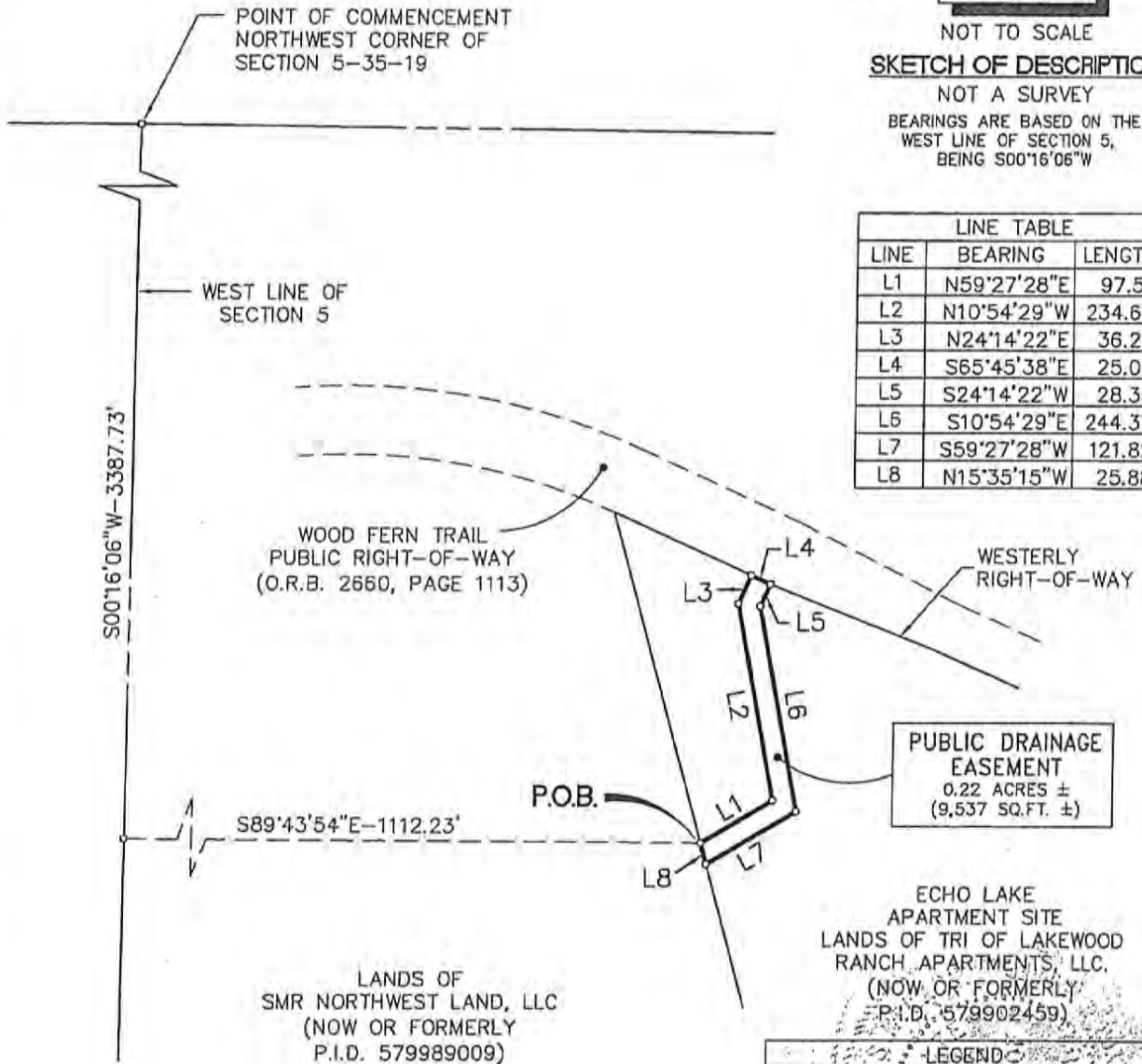
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SKETCH OF DESCRIPTION

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L7	S59°27'28"W	121.82'
L8	N15°35'15"W	25.88'



PUBLIC DRAINAGE EASEMENT
0.22 ACRES ±
(9,537 SQ.FT. ±)

ECHO LAKE APARTMENT SITE
LANDS OF TRI OF LAKEWOOD RANCH APARTMENTS, LLC.
(NOW OR FORMERLY P.I.D. 579902459)

LEGEND	
P.O.B.	POINT OF BEGINNING
P.I.D.	PROPERTY IDENTIFICATION NUMBER
SQ.FT.	SQUARE FEET
O.R.B.	OFFICIAL RECORDS BOOK
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	NO CORNER SET OR FOUND

REFER TO SHEET 1 OF 2 FOR DESCRIPTION
NOT VALID WITHOUT THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3 DRAWN BY: T.BALL SCALE: NONE SHEET NUMBER 2 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



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CONSENT AND JOINDER

THIS CONSENT AND JOINDER, made and given this 6th day of ~~September~~ ^{October}, 2017 by **U.S. Bank, National Association**, a national banking association, whose mailing address is 777 East Wisconsin Avenue, Milwaukee, Wisconsin 53202, (hereinafter the "**Mortgagee**"), being the owner and holder of a Mortgage dated October 23, 2015, made by **TRI of Lakewood Ranch Apartments, LLC**, a Florida limited liability company, whose mailing address is 710 North Plankinton Avenue, Suite 1200, Milwaukee, Wisconsin 53203 (hereinafter the "**Mortgagor**"), in favor of Mortgagee, which Mortgage has been recorded in Official Records Book 2592, Page 2941, of the Public Records of Manatee County, Florida (hereinafter the "**Mortgage**", and encumbers real property.

WHEREAS, MANATEE COUNTY, a political subdivision of the State of Florida, for good and valuable consideration, has or will obtain from the Mortgagor a Permanent Utilities Easement (hereinafter the "**Easement**"), encumbering the lands described in the Easement, to which this Consent and Joinder is attached.

WHEREAS, MANATEE COUNTY has requested the Mortgagee consent to and join in the Easement referenced above and incorporated herein by reference, and the Mortgagee hereby consents to and joins in same.

IN WITNESS WHEREOF, the Mortgagee has caused these presents to be executed in its name and its corporate seal to be hereunto affixed, by its proper officer thereunto duly authorized, the day and year first above written.

SIGNATURE PAGE AND ACKNOWLEDGEMENT FOLLOW ON NEXT PAGE.

Signed, sealed and delivered in the presence of two witnesses as required by law:

MORTGAGEE:

U.S. BANK, NATIONAL ASSOCIATION,
a national banking association

Shirley M. Raeder
First Witness Signature

shirley M. Raeder
First Witness Printed Name

By: [Signature]
Scott C. DeJong

As: _____
Senior Vice-President

[Signature]
Second Witness Signature

Wendy Pimentel
Second Witness Printed Name

STATE OF WISCONSIN
COUNTY OF MILWAUKEE

The foregoing instrument was acknowledged before me this 4th day of October,
2017, by Scott C. DeJong, as Senior Vice President of U.S. Bank, National Association, a
national banking association, on behalf of said corporation, who is personally known to me or
_____ who has produced _____ as identification.

Affix seal below:

My Commission Expires
February 24, 2018

[Signature]
Notary Public Signature

Lori Miramontes
Printed Name

1164717
Commission Number

2/24/2018
Expiration Date





THIS INSTRUMENT PREPARED BY:

Tim Cristello, Real Property Specialist
On Behalf of: Joy Leggett-Murphy, Property Acquisition Division Manager
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205

PROJECT NAME: Echo Lake Apartments
PROJECT NO: N/A
PARCEL NO: N/A
PID NO: 579902459

—————SPACE ABOVE THIS LINE FOR RECORDING DATA—————

AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES

STATE OF WISCONSIN
COUNTY OF MILWAUKEE

BEFORE ME, the undersigned notary public, personally appeared Mark S. Madigan, who being first duly sworn, deposes and says that, to the best of his knowledge and belief:

1. I have personal knowledge of all matters set forth in this affidavit.
2. TRI of Lakewood Ranch Apartments, LLC, a Florida limited liability company (hereinafter the **Grantor**) is the owner of the fee simple title to certain real property (hereinafter the **Property**) situated in Manatee County, Florida, more particularly described in **Composite Exhibit A** attached to this affidavit and by this reference made a part of this affidavit, and has full authority to sell or encumber the Property.
3. I am the Vice President of Towne Realty, Inc., a Wisconsin corporation which is the managing member of Grantor and I make this affidavit with the authority of and on behalf of Grantor.
4. Grantor has sole and exclusive possession of the Property, subject to the rights of tenants, as tenants only, under unrecorded apartment leases.
5. Neither Grantor's title to nor possession of the Property has ever been disputed or questioned and I am not aware of any facts by reason of which the title to or possession of the Property or any part of it or any personal property located on it might be disputed or questioned or by reason of which any claim to the Property or any portion of it or any personal property located on it might be adversely asserted.
6. No person or entity other than Grantor claims or is presently entitled to the right to possess or is in possession of the Property and there are no tenancies, leases, or other occupancies that affect the Property, other than the rights of tenants, as tenants only, under unrecorded apartment leases.
7. There are no disputes concerning the location of the boundary lines of the Property.
8. Grantor has not violated any of the restrictions, declarations or covenants in connection with the Property, nor know of any prior owner violating said restrictions, declarations or covenants.

9. There are no outstanding or unpaid taxes or assessments (pending or certified) due to any governmental agency for improvements to or for the benefit of the Property for which the Grantor is responsible or any unpaid or unsatisfied mortgages, claims of lien, or other matters that constitute or could constitute a lien or encumbrance against the Property or any improvements on it or any part of it or against any personal property located on it. Should any bill be found which relates to the period of the Grantor's possession, the Grantor shall pay such bill upon demand. No notice has been received regarding future pending zoning by any government instrumentality.

10. Except as stated in Paragraph 15 below, there are no security agreements, financing statements, title retention contracts or personal property leases affecting any materials, fixtures, appliances, furnishings or equipment placed on or installed in or on the Property or the improvements located on it.

11. There are no actions, proceedings, judgments, bankruptcies, liens or executions recorded among the Public Records of Manatee County, Florida, or any other county in Florida or pending against the Grantor in the courts of Manatee County, Florida, or any other courts.

12. There are no matters pending against the Grantor that could give rise to a lien that would attach to the Property or cause a loss of title or impair the title between the effective date of the title insurance commitment and the recording of the interest to be insured by the title insurance company, and the Grantor has not and will not execute any instrument that would adversely affect the title or interest to be insured in the Property, including but not limited to mortgaging or conveying the Property or any interest in it or causing any liens to be recorded against the Property or the Owner.

13. There has been no labor performed or materials furnished on or to the Property during the past **NINETY (90)** days, or, if labor has been performed or materials furnished during such **NINETY (90)** days, all persons performing or furnishing the same have been fully paid and there are no unpaid bills for labor or materials for which valid liens could be filed.

14. No notice of commencement concerning the Property has been filed in the past **NINETY (90)** days, nor are there any unsatisfied construction liens of record concerning such Property, nor have any notices to owner been received by the Grantor during the past **NINETY (90)** days.

15. There are no outstanding, unrecorded deeds, unsatisfied liens, judgments, easements or rights-of-way for users, conveyances, mortgages or adverse interests affecting title to the Property, except the following:

- a. Notice of Creation and Establishment of the Lakewood Ranch Stewardship District recorded August 17, 2005 in Book 2049, Page 5165; Amendment recorded November 18, 2009 in Book 2319, Page 3957; and, Final Judgment for the validation

of Lakewood Ranch Stewardship District Special Assessment Revenue Bonds recorded December 22, 2005 in Book 2088, Page 4065.

b. Interlocal Agreement by and between Manatee County, Florida and Lakewood Ranch Stewardship District recorded September 16, 2005 in Book 2059, Page 2854.

c. Lakewood Ranch Stewardship District Notice of Imposition of Special Assessments for Lakewood Centre North recorded January 12, 2015 in Book 2551, Page 7700; Declaration of Consent to the Jurisdiction of Lakewood Ranch Stewardship District and to Imposition of Special Assessments in Book 2556, Page 1815; and, Lakewood Ranch Stewardship District Notice of Series 2015 Special Assessments and Government Lien of record in Book 2556, Page 1853.

d. Disclosure of Public Financing and Maintenance of Improvements to Real Property Undertaken by the Lakewood Ranch Stewardship District (Lakewood Centre North Project) recorded March 10, 2015 in Book 2559, Page 2502.

e. Special Warranty Deed by SMR Northwest Land, LLC, a Florida limited liability company in favor of TRI of Lakewood Ranch Apartments, LLC, a Florida limited liability company recorded August 20, 2015 in Book 2583, Page 3726.

f. Terms, conditions and provisions of that certain Special Warranty Deed from SMR Northwest Land, LLC, a Florida limited liability company to TRI of Lakewood Ranch Apartments, LLC, a Florida limited liability company recorded August 20, 2015 in Book 2583, Page 3726, as affected by Release and Termination of Right of First Refusal recorded February 17, 2016 in Book 2607, Page 3392. Restriction item 7 in said Special Warranty Deed has been subordinated to the lien of the insured mortgage by Agreement dated October 23, 2015 and recorded October 23, 2015 in Book 2592, Page 2967.

g. Utility Easement Agreement by and between TRI of Lakewood Ranch Apartments, LLC, a Florida limited liability company and SMR Northwest Land, LLC, a Florida limited liability company recorded August 20, 2015 in Book 2583, Page 3741.

h. Utility Easement Agreement by and between TRI of Lakewood Ranch Apartments, LLC, a Florida limited liability company and SMR Northwest Land, LLC, a Florida limited liability company recorded August 20, 2015 in Book 2583, Page 3748.

i. Utility Easement Agreement by and among TRI of Lakewood Ranch Apartments, LLC, a Florida limited liability company (Grantee), SMR Northwest Land, LLC, a Florida limited liability company (Grantor) and Braden River Utilities, LLC, a Florida limited liability company recorded August 20, 2015 in Book 2583, Page 3753.

j. Drainage Easement Agreement by and between TRI of Lakewood Ranch Apartments, LLC, a Florida limited liability company, SMR Northwest Land, LLC, a Florida limited liability company and the Lakewood Ranch Stewardship District, an independent special district created by Local Bill No. 1429, codified at Chapter 2005-338, Laws of Florida recorded August 20, 2015 in Book 2583, Page 3761.

k. Notice(s) of Commencement, recorded October 23, 2015 in Book 2592, Page 2974 and, Amended Notice of Commencement recorded January 6, 2016 in Book 2602, Page 2821 extending expiration to December 31, 2017).

l. Current easements of record and that certain Mortgage granted by Grantor in favor of U.S. Bank, National Association, recorded October 23, 2015, in Book 2592, Page 2941 of the Public Records of Manatee County, Florida.

m. Underground Easement in favor of Florida Power & Light Company recorded February 12, 2016 in Book 2607, Page 1156.

n. Easement in favor of Bright House Networks, LLC recorded May 13, 2016 in Book 2620, Page 1626.

o. Underground Easement in favor of Florida Power & Light Company recorded August 4, 2016 in Book 2632, Page 7178.

16. The Grantor's Taxpayer Identification Number is 81-0993785.

17. This affidavit is made and given by affiant with full knowledge of applicable Florida laws regarding sworn affidavits and the penalties and liabilities resulting from false statements and misrepresentations therein.

SIGNATURE PAGE AND ACKNOWLEDGEMENT FOLLOW ON NEXT PAGE.

Mark S. Madigan, Vice President

[Handwritten Signature]
Signature

Mark S. Madigan
Printed Name

Sworn to, acknowledged and subscribed before me this 9th day of ~~September~~ ^{October}, 2017 by Mark S. Madigan, as Vice President of Towne Realty, Inc., a Wisconsin corporation, managing member, of TRI of Lakewood Ranch Apartments, LLC, a Florida limited liability company, on behalf of said company, who X is personally known to me or who has produced as identification.

Affix seal below:

[Handwritten Signature]
Signature Notary Public, Milwaukee County
STATE OF WISCONSIN

DEBRA LYNN BOEDER
Printed Name

My Commission expires: 3/5/2021





Composite Exhibit "A"

DESCRIPTION: UTILITY EASEMENT ACROSS ECHO LAKE APARTMENT SITE

COMMENCE AT THE NORTHWEST CORNER OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE S00°16'06"W, ALONG THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 3511.26 FT.; THENCE S89°43'54"E, PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 1147.32 FT. FOR A POINT OF BEGINNING; THENCE N86°17'47"E, 119.31 FT.; THENCE N66°14'29"E, 348.45 FT.; THENCE N03°27'28"W, 26.31 FT.; THENCE N56°04'36"W, 49.64 FT.; THENCE N33°55'24"E, A DISTANCE OF 53.22 FT. TO THE INTERSECTION WITH THE WESTERLY LINE OF A 10 FT. WIDE PERIMETER UTILITY EASEMENT, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2583, PAGE 3748, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, SAID POINT LYING ON THE ARC OF A CURVE, WHOSE RADIUS POINT LIES S32°16'59"W, A DISTANCE OF 760.00 FT.; THENCE RUN SOUTHEASTERLY, ALONG SAID WESTERLY LINE AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°00'22", A DISTANCE OF 66.40 FT.; THENCE S03°27'28"E, 88.98 FT.; THENCE S66°14'29"W, 387.74 FT.; THENCE S86°17'47"W, 117.80 FT.; THENCE N15°35'15"W, A DISTANCE OF 45.99 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 0.63 ACRES (27,588 SQUARE FEET) MORE OR LESS.

SEPTEMBER 22, 2017
DATE OF CERTIFICATE


KENNETH C. KOLARIK
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 5116


(REFER TO SHEET 2 OF 2 FOR SKETCH)

FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER, LB 2241

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

JOB NUMBER: 7905.3

SHEET NUMBER 1 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



Composite Exhibit "A"



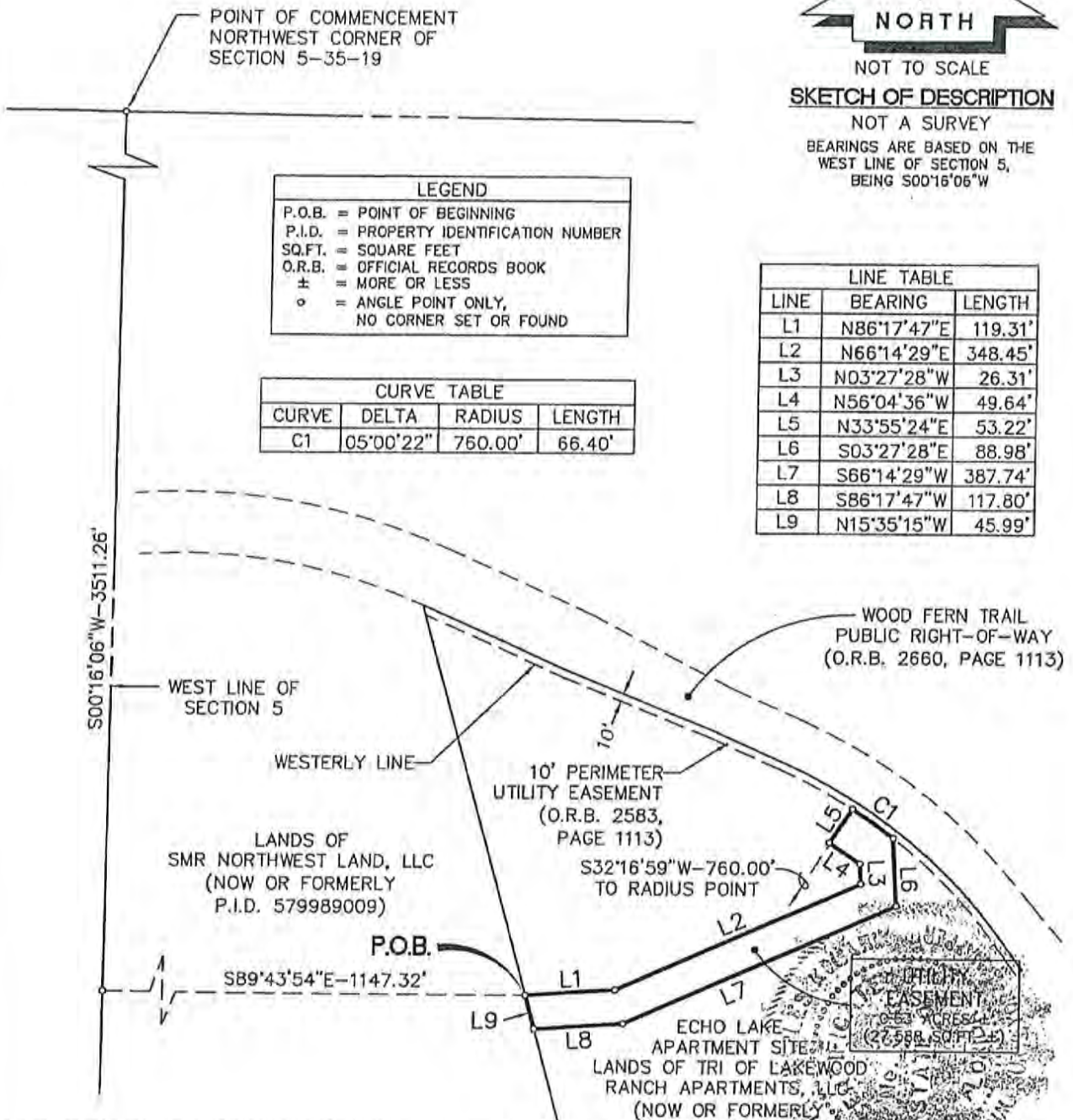
NOT TO SCALE
SKETCH OF DESCRIPTION

NOT A SURVEY
 BEARINGS ARE BASED ON THE
 WEST LINE OF SECTION 5,
 BEING S00°16'06"W

LEGEND	
P.O.B.	= POINT OF BEGINNING
P.I.D.	= PROPERTY IDENTIFICATION NUMBER
SQ.FT.	= SQUARE FEET
O.R.B.	= OFFICIAL RECORDS BOOK
±	= MORE OR LESS
o	= ANGLE POINT ONLY, NO CORNER SET OR FOUND

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	05°00'22"	760.00'	66.40'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N86°17'47"E	119.31'
L2	N66°14'29"E	348.45'
L3	N03°27'28"W	26.31'
L4	N56°04'36"W	49.64'
L5	N33°55'24"E	53.22'
L6	S03°27'28"E	88.98'
L7	S66°14'29"W	387.74'
L8	S86°17'47"W	117.80'
L9	N15°35'15"W	45.99'



REFER TO SHEET 1 OF 2 FOR DESCRIPTION
 NOT VALID WITHOUT THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3 DRAWN BY: T.BALL SCALE: NONE SHEET NUMBER 2 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



Composite Exhibit "A"

DESCRIPTION: PUBLIC DRAINAGE EASEMENT ACROSS ECHO LAKE APARTMENT SITE

COMMENCE AT THE NORTHWEST CORNER OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE S00°16'06"W ALONG THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 3387.73 FT.; THENCE S89°43'54"E, PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 1112.23 FT. FOR A POINT OF BEGINNING, THENCE N59°27'28"E, 97.51 FT.; THENCE N10°54'29"W, 234.67 FT.; THENCE N24°14'22"E, A DISTANCE OF 36.27 FT. TO THE INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY OF WOOD FERN TRAIL, A PUBLIC RIGHT-OF-WAY AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2660, PAGE 1113, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S65°45'38"E, ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 25.00 FT.; THENCE S24°14'22"W, 28.35 FT.; THENCE S10°54'29"E, 244.37 FT.; THENCE S59°27'28"W, 121.82 FT.; THENCE N15°35'15"W, A DISTANCE OF 25.88 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 5, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 0.22 ACRES (9,537 SQUARE FEET) MORE OR LESS.

SEPTEMBER 22, 2017
DATE OF CERTIFICATE



(REFER TO SHEET 2 OF 2 FOR SKETCH)

FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER, LB 2241

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 7905.3

SHEET NUMBER 1 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

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Composite Exhibit "A"



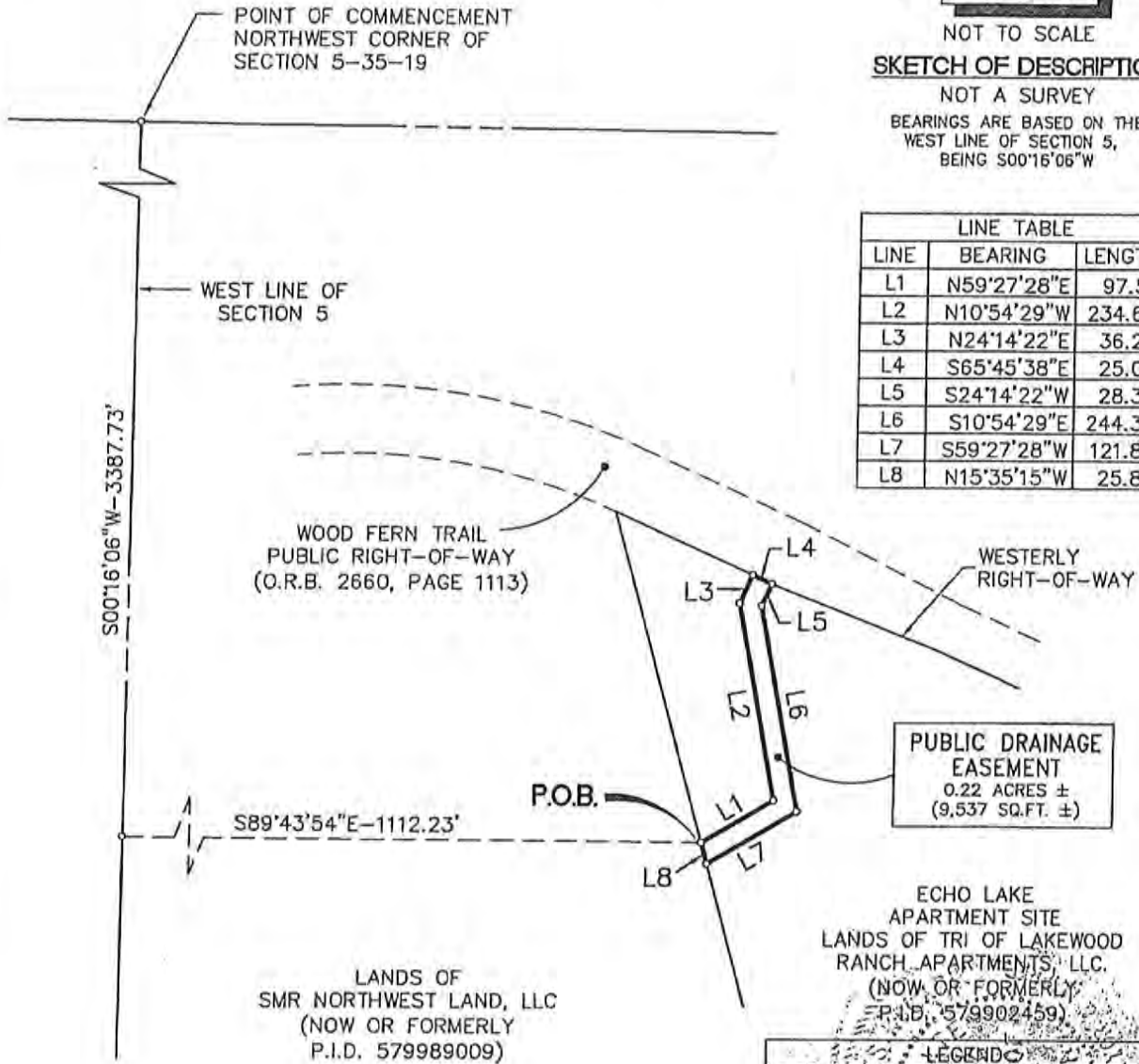
NOT TO SCALE

SKETCH OF DESCRIPTION

NOT A SURVEY

BEARINGS ARE BASED ON THE WEST LINE OF SECTION 5, BEING S00°16'06"W

LINE TABLE		
LINE	BEARING	LENGTH
L1	N59°27'28"E	97.51'
L2	N10°54'29"W	234.67'
L3	N24°14'22"E	36.27'
L4	S65°45'38"E	25.00'
L5	S24°14'22"W	28.35'
L6	S10°54'29"E	244.37'
L7	S59°27'28"W	121.82'
L8	N15°35'15"W	25.88'



PUBLIC DRAINAGE EASEMENT
0.22 ACRES ±
(9,537 SQ.FT. ±)

ECHO LAKE APARTMENT SITE
LANDS OF TRI OF LAKEWOOD RANCH APARTMENTS, LLC.
(NOW OR FORMERLY P.I.D. 579902459)

LEGEND	
P.O.B.	POINT OF BEGINNING
P.I.D.	PROPERTY IDENTIFICATION NUMBER
SQ.FT.	SQUARE FEET
O.R.B.	OFFICIAL RECORDS BOOK
±	MORE OR LESS
o	ANGLE POINT ONLY
	NO CORNER SET OR FOUND

REFER TO SHEET 1 OF 2 FOR DESCRIPTION
NOT VALID WITHOUT THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

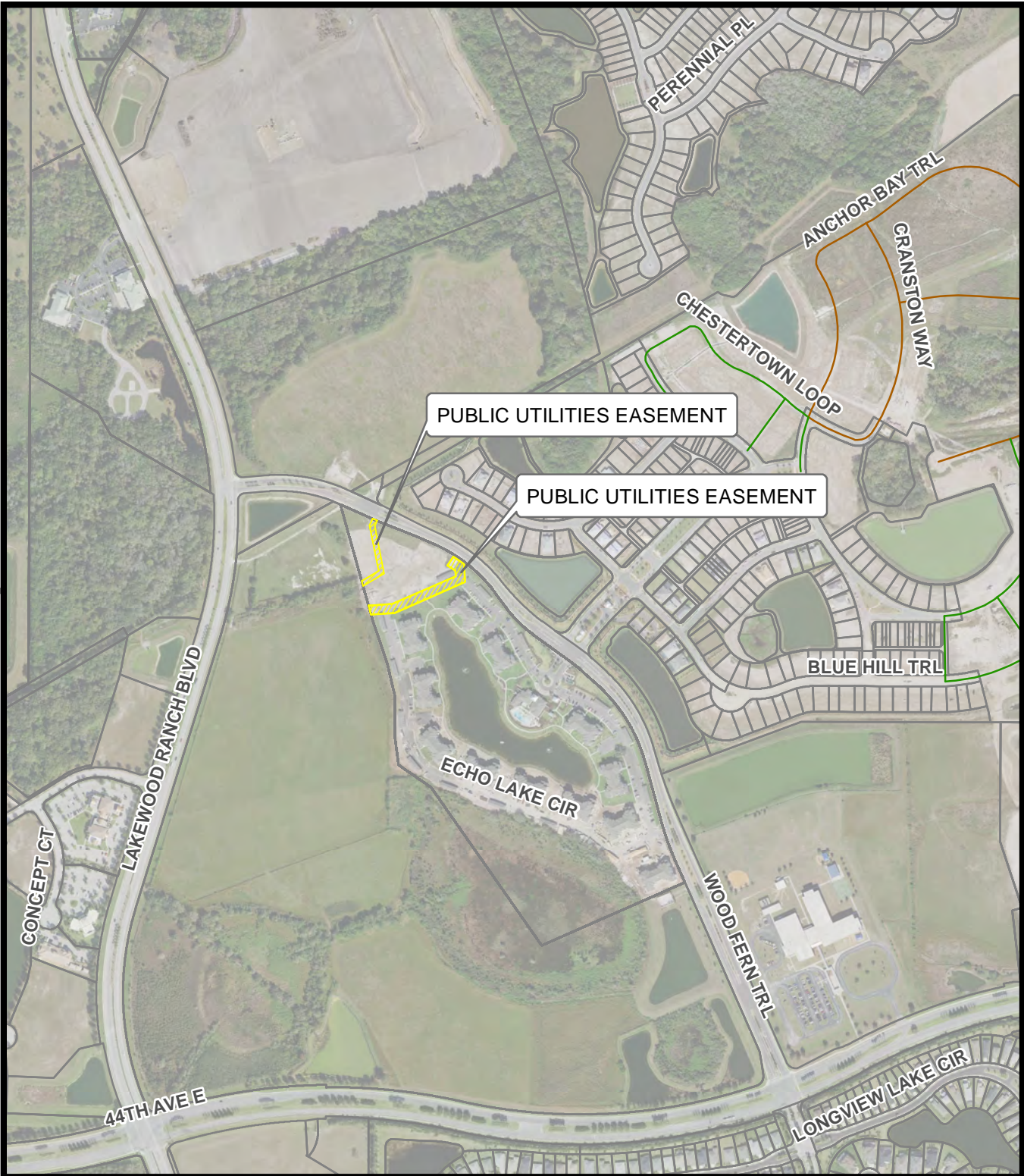
JOB NUMBER: 7905.3 DRAWN BY: T.BALL SCALE: NONE SHEET NUMBER 2 OF 2

FOLEY / KOLARIK, INC.

Consulting Engineers, Surveyors and Planners

503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561





PUBLIC UTILITIES EASEMENTS

TRI OF LAKEWOOD RANCH APARTMENTS LLC

**11520 ECHO LAKE CIRCLE
BRADENTON**

DISTRICT 5 - VANESSA BAUGH

