

This instrument prepared by:
Tim Cristello, Real Property Specialist
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205



PROJECT NAME: Covenant Way
PROJECT NO: N/A
PARCEL NO: N/A
PID NO: 588600959

SPACE ABOVE THIS LINE FOR RECORDING DATA

FLOWAGE EASEMENT

THIS INDENTURE, made this 14th day of MAY, 2018, between **NAP LR5 LLC**, a Florida limited liability company organized and existing under the laws of the State of Florida, its heirs, successors or assigns, whose mailing address is 1412 Jackson Street, Suite 1, Fort Myers, Florida 33901 as Grantor, and **MANATEE COUNTY**, a Political Subdivision of the State of Florida, with its mailing address being 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 permanent, non-exclusive flowage easement** across the following described property situate in the Manatee County, State of Florida, more particularly described in **Exhibit "A"** attached hereto and incorporated herein by this reference.

This is a nonexclusive easement with the Grantor reserving 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, the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year above written.

Signed, sealed, and delivered in the presence of:

NAP LR5 LLC, a Florida limited liability company

[Signature]
Witness

By: **NAP II Investments Management Company, Inc.**,
an Ohio corporation, as its Manager

Trevor McMillin
Printed Name

By: [Signature]
Dale G. Hafele,
Vice President - Southeast Operations

Carmen Rodriguez-Vissek
Witness

Carmen Rodriguez-Vissek
Printed Name



(Signature of two witnesses required by law.)

STATE OF Florida
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 14th day of MAY, 2018, by Dale G. Hafele, as Vice President - Southeast Operations of **NAP II Investments Management Company, Inc.**, an Ohio corporation, the Manager of **NAP LR5 LLC**, a Florida limited liability company on behalf of said corporation, who is personally known to me or who has produced personally known as identification.

Notary Public Seal:



Kari M Edwards
NOTARY PUBLIC, State of Florida

My Commission Expires: 10/13/19

Kari M. Edwards
Printed Name



DESCRIPTION:

A 20-FOOT WIDE FLOWAGE EASEMENT LOCATED IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, LYING 10 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE S 89°58'24" E ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 1,808.14 FEET; THENCE N 00°01'36" E, A DISTANCE OF 682.86 FEET TO THE POINT OF BEGINNING; THENCE N 56°16'19" W, A DISTANCE OF 397.06 FEET; THENCE N 89°59'59" W, A DISTANCE OF 320.76 FEET; THENCE N 58°55'53" W, A DISTANCE OF 53.82 FEET TO A POINT ON A WETLAND PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 2696, PAGE 158 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA AND THE POINT OF TERMINUS.

THE SIDE LINES OF SAID EASEMENT ARE TO BE EXTENDED OR SHORTENED TO THEIR POINTS OF INTERSECTION AND THEIR POINTS OF INTERSECTION WITH AFORESAID WETLAND PARCEL.

(SEE SHEET 2 FOR SKETCH)
 NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH

OF

**UNIVERSITY CORNER
 UNIVERSITY PARKWAY & LORRAINE ROAD
 20-FOOT WIDE FLOWAGE EASEMENT**

LOCATED IN

SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST
 MANATEE COUNTY, FLORIDA

REVISIONS:

1. PER COMMENTS 05/08/18 GB
2. PER COMMENTS 05/16/18 GB


05/07/2018

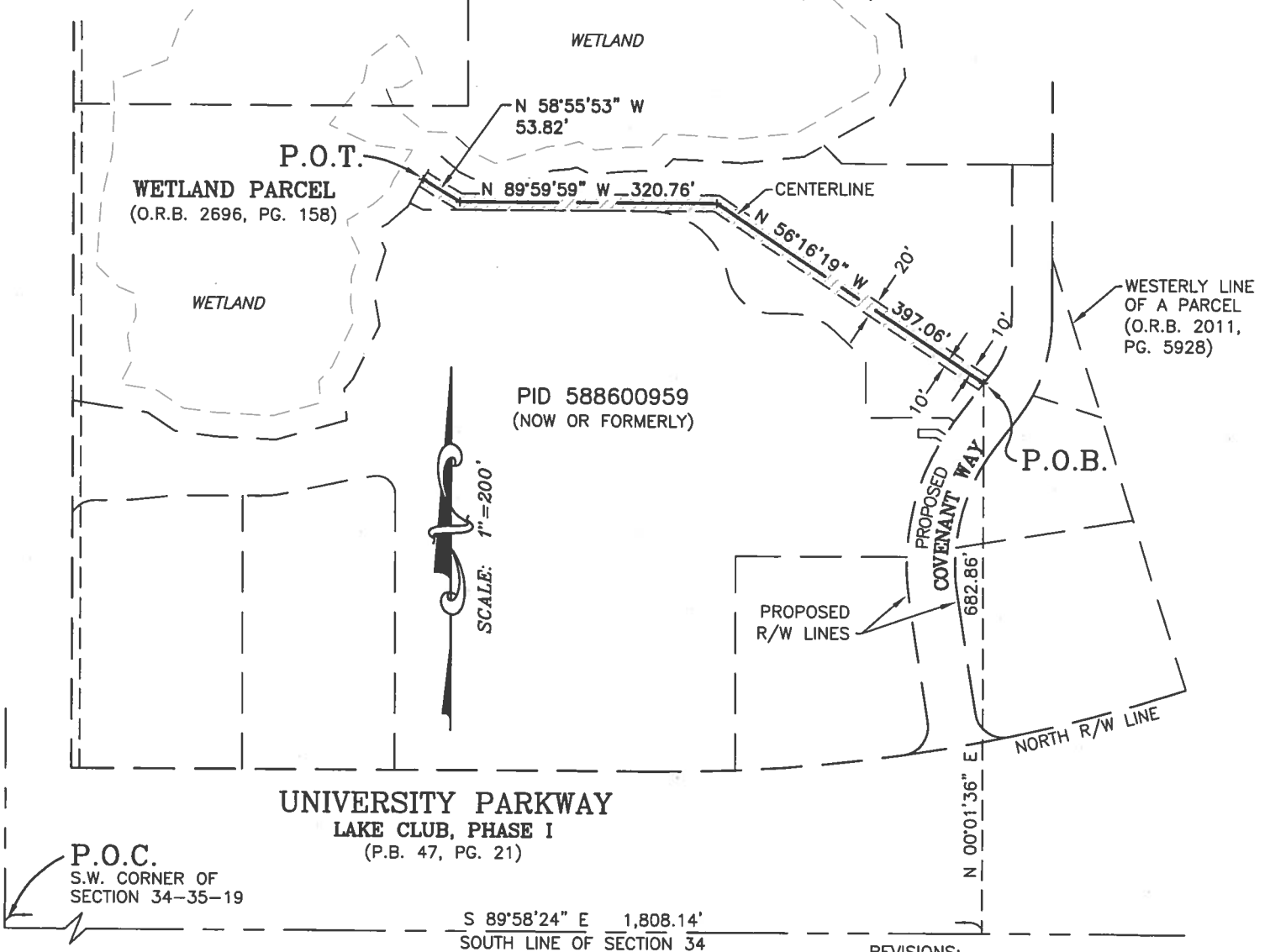
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NOTE: NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

WE HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAS BEEN PREPARED UNDER OUR DIRECT SUPERVISION, THAT IT IS A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT IT IS CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, AND THAT IT MEETS THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA" CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

BY: 
 JAMES N. GATCH, JR., P.S.M.
 FLORIDA CERTIFICATE NO. LS 4295
 DATE OF CERTIFICATION : 05/07/18



LEGEND:

- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- P.O.T. - POINT OF TERMINUS
- R/W - RIGHT-OF-WAY
- P.B. - PLAT BOOK
- O.R.B. - OFFICIAL RECORDS BOOK
- PG. - PAGE
- PID - PARCEL IDENTIFICATION
- SQ.FT. - SQUARE FEET (AREA)
- SITE

REVISIONS:

1. PER COMMENTS 05/08/18 GB
2. PER COMMENTS 05/16/18 GB

(SEE SHEET 1 FOR DESCRIPTION)

**NOT A BOUNDARY SURVEY
 DESCRIPTION SKETCH**

OF

**UNIVERSITY CORNER
 UNIVERSITY PARKWAY & LORRAINE ROAD
 20-FOOT WIDE FLOWAGE EASEMENT**

LOCATED IN

**SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST
 MANATEE COUNTY, FLORIDA**

05/07/2018

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NOTES:

1. BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING S 89°58'24" E.
2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY. (MONUMENTS HAVE NOT BEEN FIELD LOCATED OR SET)

CONSENT AND JOINDER

THIS CONSENT AND JOINDER, made and given this 15th day of May, 2018, by **VALLEY NATIONAL BANK**, a national banking association, as successor in interest to **USAMERIBANK**, a Florida banking corporation, whose mailing address is 4790 140th Avenue North, Clearwater, Florida 33762 (hereinafter the **Mortgagee**), being the owner and holder of a mortgage and security agreement dated October 11, 2017, made by **NAP LR5 LLC**, a Florida limited liability company, whose mailing address is 1412 Jackson Street, Suite 1, Fort Myers, Florida, 33901 hereinafter the **Mortgagor**), in favor of Mortgagee, which Mortgage has been recorded October 12, 2017, in Official Records Book 2696, Page 4035, 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 **Flowage 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 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:

VALLEY NATIONAL BANK, a national banking association, as successor in interest to USAMERIBANK, a Florida banking corporation

Gaylene R. Stephens
First Witness Signature

Gaylene R. Stephens
First Witness Printed Name

Helen M. Dion
Second Witness Signature

Helen M. Dion
Second Witness Printed Name

By: [Signature]
Joseph E. Taggart, as Senior Vice President

Joseph E. Taggart
Printed Name

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 15th day of May, 2018, by Joseph E. Taggart, as Senior Vice President of Valley National Bank, a national banking association, as successor in interest to USAMERIBANK, a Florida banking corporation, on behalf of the bank, who is personally known to me or who has produced _____ as identification.

Affix seal below:

Helen M. Dion
Notary Public Signature

Helen M. Dion
Printed Name

GG 047853
Commission Number

November 15, 2020
Expiration Date



Angelina "Angel" Colonnese

Clerk of the Circuit Court

Manatee County

P.O. Box 25400
Bradenton, FL 34206

Official Records Receipt Recording

Username: hhoey

Changed By: hhoey

Receipt#: 900137000 **Payee Name:** MANATEE COUNTY PROPERTY MGMT DEPT AR700003
Receipt Date: 06/14/2018 1112 MANATEE AVE WEST 8TH FL
BRADENTON, FL 34205
Escrow Balance:
Escrow Customer:

Instrument: 201841060712 - BK2733/PG1556 EASEMENT

001000000341100	RECORDING FEE \$5/\$4	\$21.00
199000000341150	PRMTF \$1/\$.50	\$3.00
001000000208911	PRMTF FACCC \$.10	\$0.50
199000000341160	PRMTF CLERK \$1.90	\$9.50
001000000208912	PRMTF BCC \$2	\$10.00
001000000208901	DEED DOC STAMPS \$.70	\$0.00
001000000341400	INDEXING NAMES	\$0.00

Instrument Total: \$44.00

Receipt Total: \$44.00

Amount Tendered: \$0.00

Overage: \$0.00

Amount Paid:

THIS INSTRUMENT PREPARED BY:
Tim Cristello, Real Property Specialist
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205

PROJECT NAME: Covenant Way
PROJECT NO: N/A
PARCEL NO: N/A
PID NO: 588600959



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

AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES

STATE OF FLORIDA
COUNTY OF MANATEE

BEFORE ME, the undersigned notary public, personally appeared Dale G. Hafele, 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. **NAP LR5 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 **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-Southeast Operations of NAP II Investments Management Company, Inc., an Ohio corporation, the Manager of NAP LR5 LLC, and I make this affidavit with the authority of and on behalf of NAP LR5 LLC.
4. Grantor has sole and exclusive possession of the Property.
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 those of record.
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. 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, leases, contracts for sale, judgments, easements or rights-of-way for users, conveyances, mortgages or adverse interests affecting title to the Property, other than those of record including the following:

Mortgage and Security Agreement by NAP LR5 LLC, a Florida limited liability company and USAMERIBANK, a Florida banking corporation dated October 11, 2017, recorded October 12, 2017, in Official Records Book 2696, at Page 4035, of the Public Records of Manatee County, Florida.

Assignment of Rents and Leases recorded in Official Records Book 2696, at Page 4064, of the Public Records of Manatee County, Florida.

UCC-1 Financing Statement recorded in Official Records Book 2696, at Page 4073, of the Public Records of Manatee County, Florida.

16. The Grantor's Taxpayer Identification Number is 81-3902403.

17. The representations embraced herein are made to induce Manatee County, a political subdivision of the State of Florida, to accept a Flowage Easement.

18. 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.

NAP LR5 LLC, a Florida limited liability
By: NAP II Investments Management Company, Inc.,
an Ohio corporation, its Manager

Signature *Dale G. Hafele*
Dale G. Hafele, Vice President-Southeast Operations

Sworn to (or affirmed), acknowledged and subscribed before me this 15th day of May, 2018, by Dale G. Hafele, as Vice President-Southeast Operations of NAP II Investments Management Company, Inc., an Ohio corporation, the Manager of NAP LR5 LLC, a Florida limited liability company, on behalf of said company, who () is personally known to me or () who has produced personally known as identification.

Affix seal below:



Karl M. Edwards
Notary Public Signature

Karl M. Edwards
Printed Name

FF958848
Commission Number

10/13/19
Expiration Date



DESCRIPTION:

A 20-FOOT WIDE FLOWAGE EASEMENT LOCATED IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, LYING 10 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE S 89°58'24" E ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 1,808.14 FEET; THENCE N 00°01'36" E, A DISTANCE OF 682.86 FEET TO THE POINT OF BEGINNING; THENCE N 56°16'19" W, A DISTANCE OF 397.06 FEET; THENCE N 89°59'59" W, A DISTANCE OF 320.76 FEET; THENCE N 58°55'53" W, A DISTANCE OF 53.82 FEET TO A POINT ON A WETLAND PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 2696, PAGE 158 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA AND THE POINT OF TERMINUS.

THE SIDE LINES OF SAID EASEMENT ARE TO BE EXTENDED OR SHORTENED TO THEIR POINTS OF INTERSECTION AND THEIR POINTS OF INTERSECTION WITH AFORESAID WETLAND PARCEL.

(SEE SHEET 2 FOR SKETCH)
 NOT A BOUNDARY SURVEY
 DESCRIPTION SKETCH

OF

UNIVERSITY CORNER
 UNIVERSITY PARKWAY & LORRAINE ROAD
 20-FOOT WIDE FLOWAGE EASEMENT

LOCATED IN

SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST
 MANATEE COUNTY, FLORIDA

REVISIONS:

1. PER COMMENTS 05/08/18 GB
2. PER COMMENTS 05/16/18 GB

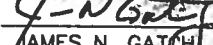
05/07/2018

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BY: 
 JAMES N. GATCH, JR., P.S.M.
 FLORIDA CERTIFICATE NO. LS 4295
 DATE OF CERTIFICATION : 05/07/18

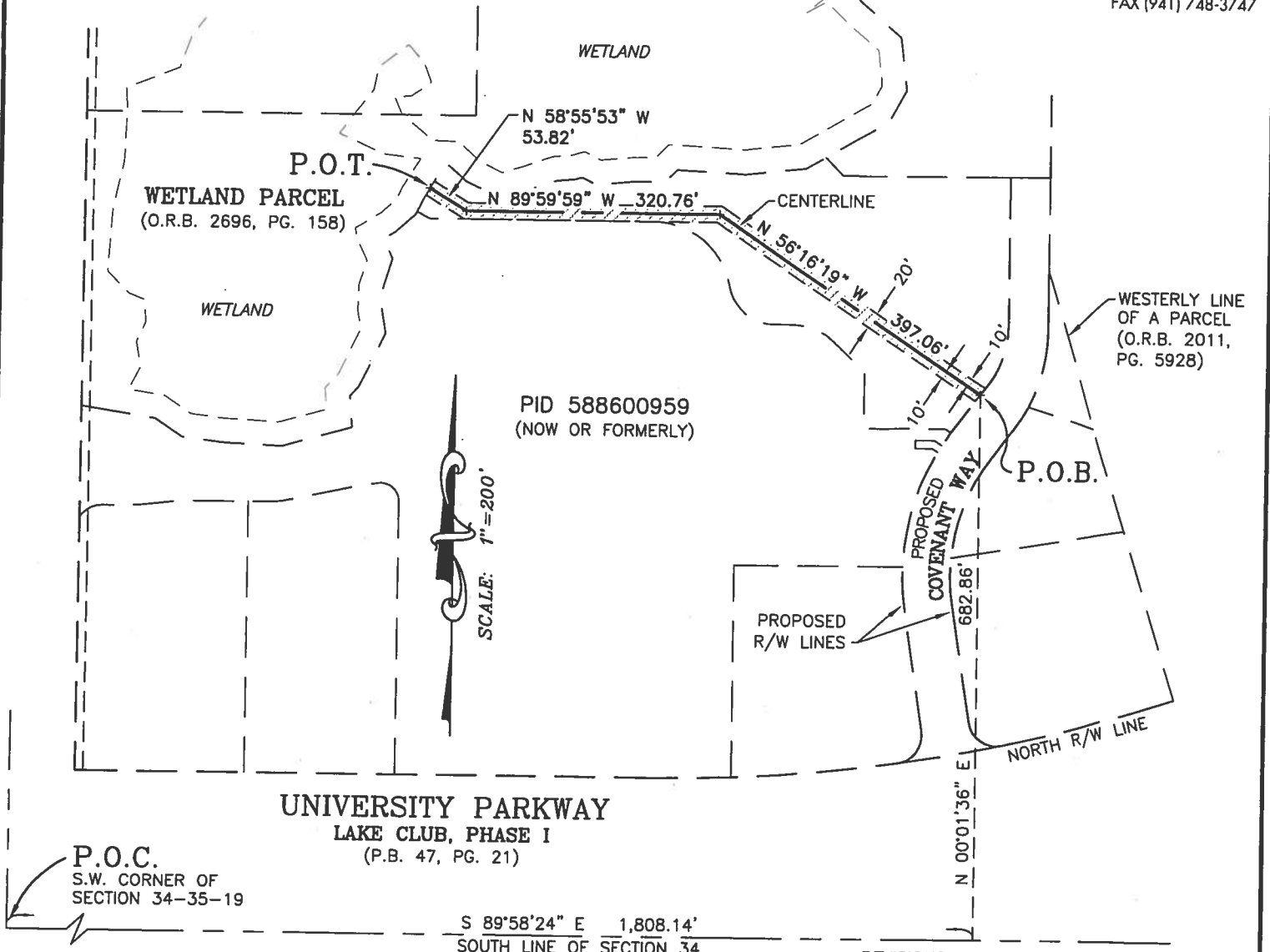


ZNS ENGINEERING

LAND PLANNERS | ENGINEERS | SURVEYORS | LANDSCAPE ARCHITECTS
EB 0027476 LB 0006982 LC 0000365

"EXHIBIT A"

CERTIFICATE OF AUTHORIZATION # LB 6982
201 5th AVENUE DRIVE EAST
BRADENTON, FLORIDA 34208
(941) 748-8080
FAX (941) 748-3747



- REVISIONS:
1. PER COMMENTS 05/08/18 GB
 2. PER COMMENTS 05/16/18 GB

- LEGEND:**
- P.O.B. - POINT OF BEGINNING
 - P.O.C. - POINT OF COMMENCEMENT
 - P.O.T. - POINT OF TERMINUS
 - R/W - RIGHT-OF-WAY
 - P.B. - PLAT BOOK
 - O.R.B. - OFFICIAL RECORDS BOOK
 - PG. - PAGE
 - PID - PARCEL IDENTIFICATION
 - SQ.FT. - SQUARE FEET (AREA)
 - SITE

(SEE SHEET 1 FOR DESCRIPTION)
NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH
 OF
UNIVERSITY CORNER
UNIVERSITY PARKWAY & LORRAINE ROAD
20-FOOT WIDE FLOWAGE EASEMENT
 LOCATED IN
SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

- NOTES:**
1. BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING $S 89^{\circ}58'24'' E$.
 2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY. (MONUMENTS HAVE NOT BEEN FIELD LOCATED OR SET)

05/07/2018

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Angelina "Angel" Colonnese

Clerk of the Circuit Court

Manatee County

P.O. Box 25400
Bradenton, FL 34206

Official Records Receipt Recording

Username: hhoey

Changed By: hhoey

Receipt#: 900137003 **Payee Name:** MANATEE COUNTY PROPERTY MGMT DEPT AR700003

Receipt Date: 06/14/2018 1112 MANATEE AVE WEST 8TH FL
BRADENTON, FL 34205

Escrow Balance:
Escrow Customer:

Instrument: 201841060715 - BK2733/PG1568 EASEMENT

001000000341100	RECORDING FEE \$5/\$4	\$21.00
199000000341150	PRMTF \$1/\$.50	\$3.00
001000000208911	PRMTF FACD \$.10	\$0.50
199000000341160	PRMTF CLERK \$1.90	\$9.50
001000000208912	PRMTF BCC \$2	\$10.00
001000000208901	DEED DOC STAMPS \$.70	\$0.00
001000000341400	INDEXING NAMES	\$0.00

Instrument Total: \$44.00

Receipt Total: \$44.00

Amount Tendered: \$0.00

Overage: \$0.00

Amount Paid:

Angelina "Angel" Colonnese

Clerk of the Circuit Court

Manatee County

P.O. Box 25400
Bradenton, FL 34206

Official Records Receipt Recording

Username: hhoey

Changed By: hhoey

Receipt#: 900137002 **Payee Name:** MANATEE COUNTY PROPERTY MGMT DEPT AR700003
Receipt Date: 06/14/2018 1112 MANATEE AVE WEST 8TH FL
BRADENTON, FL 34205
Escrow Balance:
Escrow Customer:

Instrument: 201841060714 - BK2733/PG1562 AFFIDAVIT

001000000341100	RECORDING FEE \$5/\$4	\$25.00
199000000341150	PRMTF \$1/\$.50	\$3.50
001000000208911	PRMTF FACCC \$.10	\$0.60
199000000341160	PRMTF CLERK \$1.90	\$11.40
001000000208912	PRMTF BCC \$2	\$12.00
001000000341400	INDEXING NAMES	\$0.00

Instrument Total: \$52.50

Receipt Total: \$52.50
Amount Tendered: \$0.00
Overage: \$0.00

Amount Paid:

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



PROJECT NAME: Covenant Way-Liftstation
PROJECT NO: N/A
PARCEL NO: N/A
PID NO: 588600959

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

PERMANENT UTILITIES EASEMENT

THIS INDENTURE made this 10th day of MAY, 2018 between NAP LR5 LLC, a Florida limited liability company, whose mailing address is 1412 Jackson Street, Suite 1, Fort Myers, Florida 33901 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 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:

NAP LR5 LLC, a Florida limited liability company

Carmen Rodriguez-Visek
Witness
Carmen Rodriguez-Visek
Printed Name

By: NAP II Investments Management Company, Inc.,
an Ohio corporation, Its Manager

Trevor McMillin
Witness
Trevor McMillin
Printed Name

By: Dale G. Hafele
Vice President-Southeast Operations



(Signature of two witnesses required by law.)

STATE OF Florida
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 10th day of May, 2018, by Dale G. Hafele, as Vice President-Southeast Operations of NAP II Investments Management Company, Inc., an Ohio corporation, the Manager of NAP LR5 LLC, a Florida limited liability company, on behalf of said corporation, who is () personally known to me or () who has produced personally known as identification.

Notary Public Seal:
My Commission Expires: 10/13/19

Karl M. Edwards
NOTARY PUBLIC, State of FLORIDA
Karl M. Edwards
Printed Name



DESCRIPTION:

A PORTION OF A PARCEL OF LAND AS RECORDED IN OFFICIAL RECORDS BOOK 2696, PAGE 117 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LOCATED IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE S 89°58'24" E ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 2,062.44 FEET; THENCE N 00°01'36" E, A DISTANCE OF 304.36 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF UNIVERSITY PARKWAY, AS SHOWN ON THE PLAT OF LAKE CLUB, PHASE I, AS RECORDED IN PLAT BOOK 47, PAGE 21 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND THE EASTERLY LINE OF SAID PARCEL; THENCE N 17°38'43" W ALONG SAID EASTERLY LINE, A DISTANCE OF 353.42 FEET TO THE POINT OF BEGINNING; THENCE N 72°33'30" W, A DISTANCE OF 90.19 FEET TO A POINT ON THE ARC OF A NON-TANGENTIAL CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS N 61°51'28" W, A DISTANCE OF 200.00 FEET; THENCE NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 28°08'27", A DISTANCE OF 98.23 FEET TO A POINT OF TANGENCY; THENCE N 00°00'05" E, A DISTANCE OF 74.80 FEET TO A POINT ON AFORESAID EASTERLY LINE; THENCE S 17°38'43" E, A DISTANCE OF 205.85 FEET TO THE POINT OF BEGINNING.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS OF RECORD.

CONTAINING 6,321 SQUARE FEET OR 0.15 ACRE, MORE OR LESS.

(SEE SHEET 2 FOR SKETCH)
 NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH

OF

**UNIVERSITY CORNER
 UNIVERSITY PARKWAY & LORRAINE ROAD
 LIFT STATION UTILITY EASEMENT**

LOCATED IN

**SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST
 MANATEE COUNTY, FLORIDA**

1. CORR. SEC. DIM. 08/25/17 GB
2. UPDATE DESCRIPTION 04/24/18 GB


06/13/2017

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

I HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAS BEEN PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT IT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT IT MEETS THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA", CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

BY: 
 JAMES N. GATCH, JR. F.S.M.
 FLORIDA CERTIFICATE NO. LS 4295
 DATE OF CERTIFICATION: 06/15/17



LINE DATA

LINE	CHORD BEARING	LENGTH
L1	N 72° 33' 30" W	90.19'
L2	N 00° 00' 05" E	74.80'

CURVE DATA

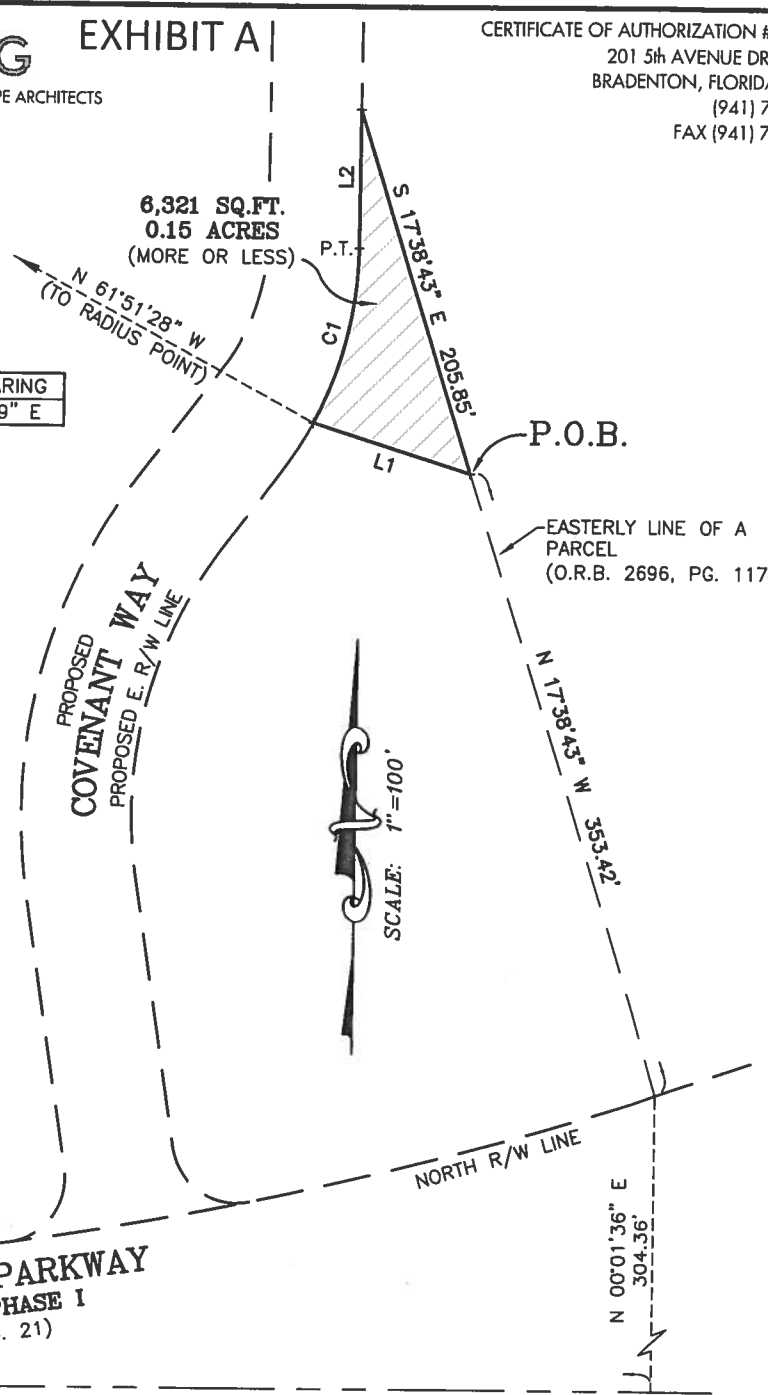
CURVE	DELTA	RADIUS	ARC	CHORD BEARING
C1	28° 08' 27"	200.00'	98.23'	N 14° 04' 19" E

(SEE SHEET 1 FOR DESCRIPTION)
 NOT A BOUNDARY SURVEY

PID 588600959
 (NOW OR FORMERLY)
 (O.R.B. 2696, PG. 117)

LEGEND:

- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- R/W - RIGHT-OF-WAY
- P.C. - POINT OF CURVATURE
- P.T. - POINT OF TANGENCY
- P.R.C. - POINT OF REVERSE CURVATURE
- P.B. - PLAT BOOK
- O.R.B. - OFFICIAL RECORDS BOOK
- PG. - PAGE
- PID - PARCEL IDENTIFICATION
- SQ.FT. - SQUARE FEET (AREA)
- SITE



DESCRIPTION SKETCH
 OF

UNIVERSITY CORNER
 UNIVERSITY PARKWAY & LORRAINE ROAD
 LIFT STATION UTILITY EASEMENT

LOCATED IN
 SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST
 MANATEE COUNTY, FLORIDA

REVISIONS:

1. CORR. SEC. DIM. 08/25/17 GB
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NOTES:

1. BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING S 89° 58' 24" E.
2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY. (MONUMENTS HAVE NOT BEEN FIELD LOCATED OR SET)

CONSENT AND JOINDER

THIS CONSENT AND JOINDER, made and given this 15th day of May, 2018, by **VALLEY NATIONAL BANK**, a national banking association, as successor in interest to **USAMERIBANK**, a Florida banking corporation, whose mailing address is 4790 140th Avenue North, Clearwater, Florida 33762 (hereinafter the **Mortgagee**), being the owner and holder of a mortgage and security agreement dated October 11, 2017, made by **NAP LR5 LLC**, a Florida limited liability company, whose mailing address is 1412 Jackson Street, Suite 1, Fort Myers, Florida, 33901 hereinafter the **Mortgagor**), in favor of Mortgagee, which Mortgage has been recorded October 12, 2017, in Official Records Book 2696, Page 4035, 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 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:

VALLEY NATIONAL BANK, a national banking association, as successor in interest to USAMERIBANK, a Florida banking corporation

Gaylene R. Stephens
First Witness Signature

Gaylene R. Stephens
First Witness Printed Name

Helen M. Dion
Second Witness Signature

Helen M. Dion
Second Witness Printed Name

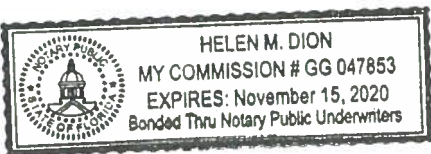
By: [Signature]
Joseph E. Taggart, as Senior Vice President

Joseph E. Taggart
Printed Name

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 15th day of May, 2018, by Joseph E. Taggart, as Senior Vice President of Valley National Bank, a national banking association, as successor in interest to USAMERIBANK, a Florida banking corporation, on behalf of the bank, who is personally known to me or who has produced _____ as identification.

Affix seal below:



Helen M. Dion
Notary Public Signature

Helen M. Dion
Printed Name

GG 047853
Commission Number

November 15, 2020
Expiration Date

Angelina "Angel" Colonnese

Clerk of the Circuit Court

Manatee County

P.O. Box 25400
Bradenton, FL 34206

Official Records Receipt Recording

Username: hhoey

Changed By: hhoey

Receipt#: 900137004 **Payee Name:** MANATEE COUNTY PROPERTY MGMT DEPT AR700003
Receipt Date: 06/14/2018 1112 MANATEE AVE WEST 8TH FL
BRADENTON, FL 34205
Escrow Balance:
Escrow Customer:

Instrument: 201841060716 - BK2733/PG1573 AFFIDAVIT

001000000341100	RECORDING FEE \$5/\$4	\$25.00
199000000341150	PRMTF \$1/\$.50	\$3.50
001000000208911	PRMTF FACD \$.10	\$0.60
199000000341160	PRMTF CLERK \$1.90	\$11.40
001000000208912	PRMTF BCC \$2	\$12.00
001000000341400	INDEXING NAMES	\$0.00

Instrument Total: \$52.50

Receipt Total: \$52.50
Amount Tendered: \$0.00
Overage: \$0.00

Amount Paid:

THIS INSTRUMENT PREPARED BY:
Tim Cristello, Real Property Specialist
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205



PROJECT NAME: Covenant Way-Liftstation
PROJECT NO: N/A
PARCEL NO: N/A
PID NO: 588600959

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

AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES

STATE OF FLORIDA
COUNTY OF MANATEE

BEFORE ME, the undersigned notary public, personally appeared Dale G. Hafele, 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. **NAP LR5 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 **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-Southeast Operations of NAP II Investments Management Company, Inc., an Ohio corporation, the Manager of NAP LR5 LLC, and I make this affidavit with the authority of and on behalf of NAP LR5, LLC.
4. Grantor has sole and exclusive possession of the Property.
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 those of record.
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. 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, leases, contracts for sale, judgments, easements or rights-of-way for users, conveyances, mortgages or adverse interests affecting title to the Property, other than those of record including the following:

Mortgage and Security Agreement by NAP LR5 LLC, a Florida limited liability company and USAMERIBANK, a Florida banking corporation dated October 11, 2017, recorded October 12, 2017, in Official Records Book 2696, at Page 4035, of the Public Records of Manatee County, Florida.

Assignment of Rents and Leases recorded in Official Records Book 2696, at Page 4064, of the Public Records of Manatee County, Florida.

UCC-1 Financing Statement recorded in Official Records Book 2696, at Page 4073, of the Public Records of Manatee County, Florida.

16. The Grantor's Taxpayer Identification Number is 81-3902403.

17. The representations embraced herein are made to induce Manatee County, a political subdivision of the State of Florida, to accept a Utility Easement.

18. 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.

NAP LR5 LLC, a Florida limited liability
By: NAP II Investments Management Company, Inc.,
an Ohio corporation, its Manager

Signature 
Dale G. Hafele, Vice President-Southeast Operations

Sworn to (or affirmed), acknowledged and subscribed before me this 15th day of May, 2018, by Dale G. Hafele, as Vice President-Southeast Operations of NAP II Investments Management Company, Inc., an Ohio corporation, the Manager of NAP LR5 LLC, a Florida limited liability company, on behalf of said company, who () is personally known to me or () who has produced personally known as identification.

Affix seal below:




Notary Public Signature

Kari M. Edwards
Printed Name

FF956848
Commission Number

10/13/19
Expiration Date



DESCRIPTION:

A PORTION OF A PARCEL OF LAND AS RECORDED IN OFFICIAL RECORDS BOOK 2696, PAGE 117 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LOCATED IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE S 89°58'24" E ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 2,062.44 FEET; THENCE N 00°01'36" E, A DISTANCE OF 304.36 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF UNIVERSITY PARKWAY, AS SHOWN ON THE PLAT OF LAKE CLUB, PHASE I, AS RECORDED IN PLAT BOOK 47, PAGE 21 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND THE EASTERLY LINE OF SAID PARCEL; THENCE N 17°38'43" W ALONG SAID EASTERLY LINE, A DISTANCE OF 353.42 FEET TO THE POINT OF BEGINNING; THENCE N 72°33'30" W, A DISTANCE OF 90.19 FEET TO A POINT ON THE ARC OF A NON-TANGENTIAL CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS N 61°51'28" W, A DISTANCE OF 200.00 FEET; THENCE NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 28°08'27", A DISTANCE OF 98.23 FEET TO A POINT OF TANGENCY; THENCE N 00°00'05" E, A DISTANCE OF 74.80 FEET TO A POINT ON AFORESAID EASTERLY LINE; THENCE S 17°38'43" E, A DISTANCE OF 205.85 FEET TO THE POINT OF BEGINNING.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS OF RECORD.

CONTAINING 6,321 SQUARE FEET OR 0.15 ACRE, MORE OR LESS.

(SEE SHEET 2 FOR SKETCH)

NOT A BOUNDARY SURVEY

DESCRIPTION SKETCH

OF

UNIVERSITY CORNER

UNIVERSITY PARKWAY & LORRAINE ROAD

LIFT STATION UTILITY EASEMENT

LOCATED IN

SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST

MANATEE COUNTY, FLORIDA

1. CORR. SEC. DIM. 08/25/17 GB
2. UPDATE DESCRIPTION 04/24/18 GB


06/13/2017

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BY: 
 JAMES N. GATCH, JR. F.S.M.
 FLORIDA CERTIFICATE NO. LS 4295
 DATE OF CERTIFICATION: 06/15/17



LINE DATA

LINE	CHORD BEARING	LENGTH
L1	N 72° 33' 30" W	90.19'
L2	N 00° 00' 05" E	74.80'

CURVE DATA

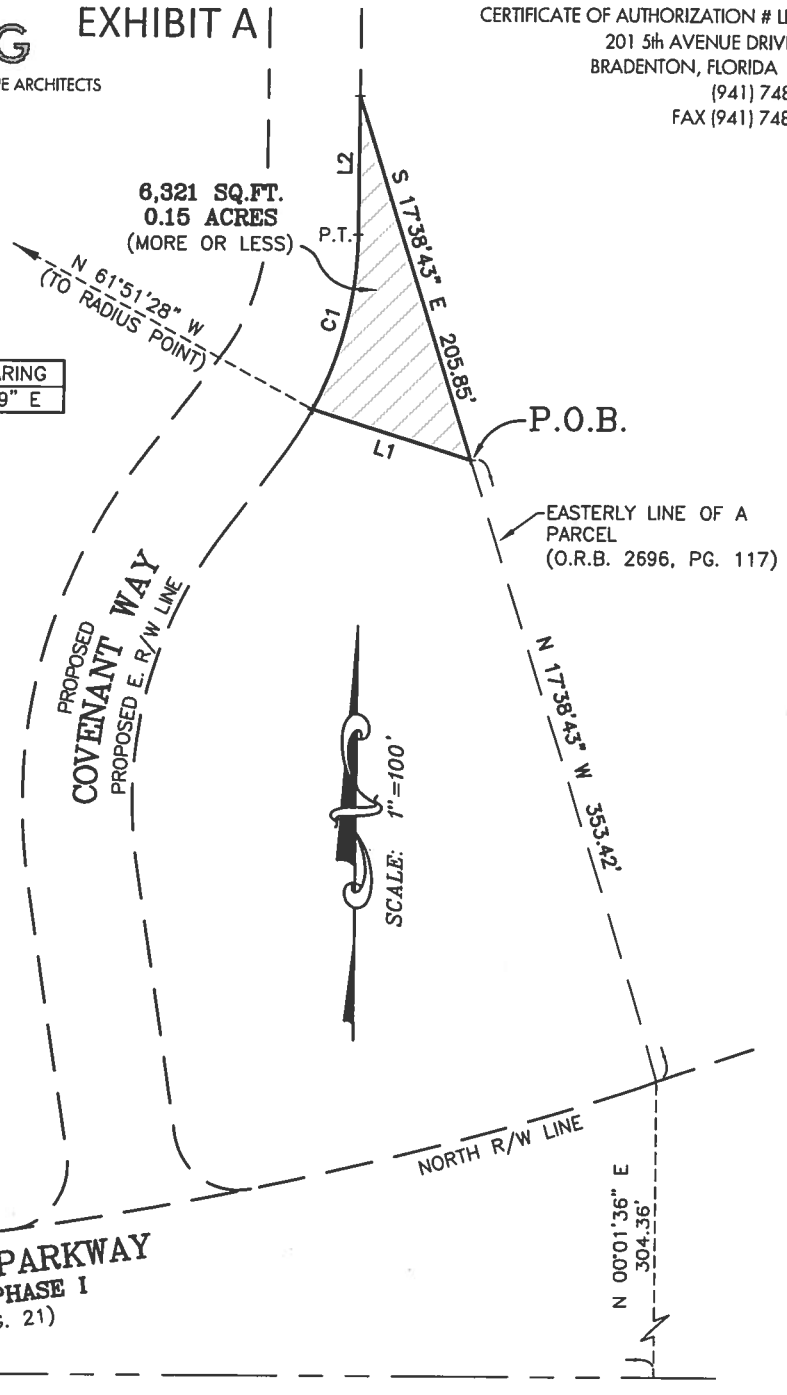
CURVE	DELTA	RADIUS	ARC	CHORD BEARING
C1	28° 08' 27"	200.00'	98.23'	N 14° 04' 19" E

(SEE SHEET 1 FOR DESCRIPTION)
 NOT A BOUNDARY SURVEY

PID 588600959
 (NOW OR FORMERLY)
 (O.R.B. 2696, PG. 117)

LEGEND:

- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- R/W - RIGHT-OF-WAY
- P.C. - POINT OF CURVATURE
- P.T. - POINT OF TANGENCY
- P.R.C. - POINT OF REVERSE CURVATURE
- P.B. - PLAT BOOK
- O.R.B. - OFFICIAL RECORDS BOOK
- PG. - PAGE
- PID - PARCEL IDENTIFICATION
- SQ.FT. - SQUARE FEET (AREA)
- SITE



DESCRIPTION SKETCH
 OF

**UNIVERSITY CORNER
 UNIVERSITY PARKWAY & LORRAINE ROAD
 LIFT STATION UTILITY EASEMENT**

LOCATED IN

**SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST
 MANATEE COUNTY, FLORIDA**

REVISIONS:

1. CORR. SEC. DIM. 08/25/17 GB
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NOTES:

1. BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING S 89° 58' 24" E.
2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY. (MONUMENTS HAVE NOT BEEN FIELD LOCATED OR SET)

This instrument prepared by:
Tim Cristello, Real Property Specialist
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205

PROJECT NAME: Covenant Way
PROJECT NO: N/A
PARCEL NO: N/A
PID NO: 588600959

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

FLOWAGE EASEMENT

THIS INDENTURE, made this 14th day of MAY, 2018, between **NAP LR5 LLC**, a Florida limited liability company organized and existing under the laws of the State of Florida, its heirs, successors or assigns, whose mailing address is 1412 Jackson Street, Suite 1, Fort Myers, Florida 33901 as Grantor and **MANATEE COUNTY**, a Political Subdivision of the State of Florida, with its mailing address being 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 permanent, non-exclusive flowage easement** across the following described property situate in the Manatee County, State of Florida, more particularly described in **Exhibit "A"** attached hereto and incorporated herein by this reference.

This is a nonexclusive easement with the Grantor reserving 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, the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year above written.

Signed, sealed, and delivered in the presence of:

NAP LR5 LLC, a Florida limited liability company

[Signature]
Witness

By: NAP II Investments Management Company, Inc.,
an Ohio corporation, as its Manager

Trevor McMillin
Printed Name

By: [Signature]
Dale G. Hafele,
Vice President - Southeast Operations

Carmen Rodriguez-Visel
Witness
Carmen Rodriguez-Visel
Printed Name



(Signature of two witnesses required by law.)

STATE OF Florida
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 14th day of May, 2018, by Dale G. Hafele, as Vice President - Southeast Operations of NAP II Investments Management Company, Inc., an Ohio corporation, the Manager of NAP LR5 LLC, a Florida limited liability company on behalf of said corporation, who is () personally known to me or () who has produced personally known as identification.

Notary Public Seal:

Kari M. Edwards
NOTARY PUBLIC, State of Florida

My Commission Expires: 10/13/19

Kari M. Edwards
Printed Name



DESCRIPTION:

A 20-FOOT WIDE FLOWAGE EASEMENT LOCATED IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, LYING 10 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE S 89°58'24" E ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 1,808.14 FEET; THENCE N 00°01'36" E, A DISTANCE OF 682.86 FEET TO THE POINT OF BEGINNING; THENCE N 56°16'19" W, A DISTANCE OF 397.06 FEET; THENCE N 89°59'59" W, A DISTANCE OF 320.76 FEET; THENCE N 58°55'53" W, A DISTANCE OF 53.82 FEET TO A POINT ON A WETLAND PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 2696, PAGE 158 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA AND THE POINT OF TERMINUS.

THE SIDE LINES OF SAID EASEMENT ARE TO BE EXTENDED OR SHORTENED TO THEIR POINTS OF INTERSECTION AND THEIR POINTS OF INTERSECTION WITH AFORESAID WETLAND PARCEL.

(SEE SHEET 2 FOR SKETCH)
 NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH

OF

**UNIVERSITY CORNER
 UNIVERSITY PARKWAY & LORRAINE ROAD
 20-FOOT WIDE FLOWAGE EASEMENT**

LOCATED IN

SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST
 MANATEE COUNTY, FLORIDA

REVISIONS:

1. PER COMMENTS 05/08/18 GB
2. PER COMMENTS 05/16/18 GB

05/07/2018

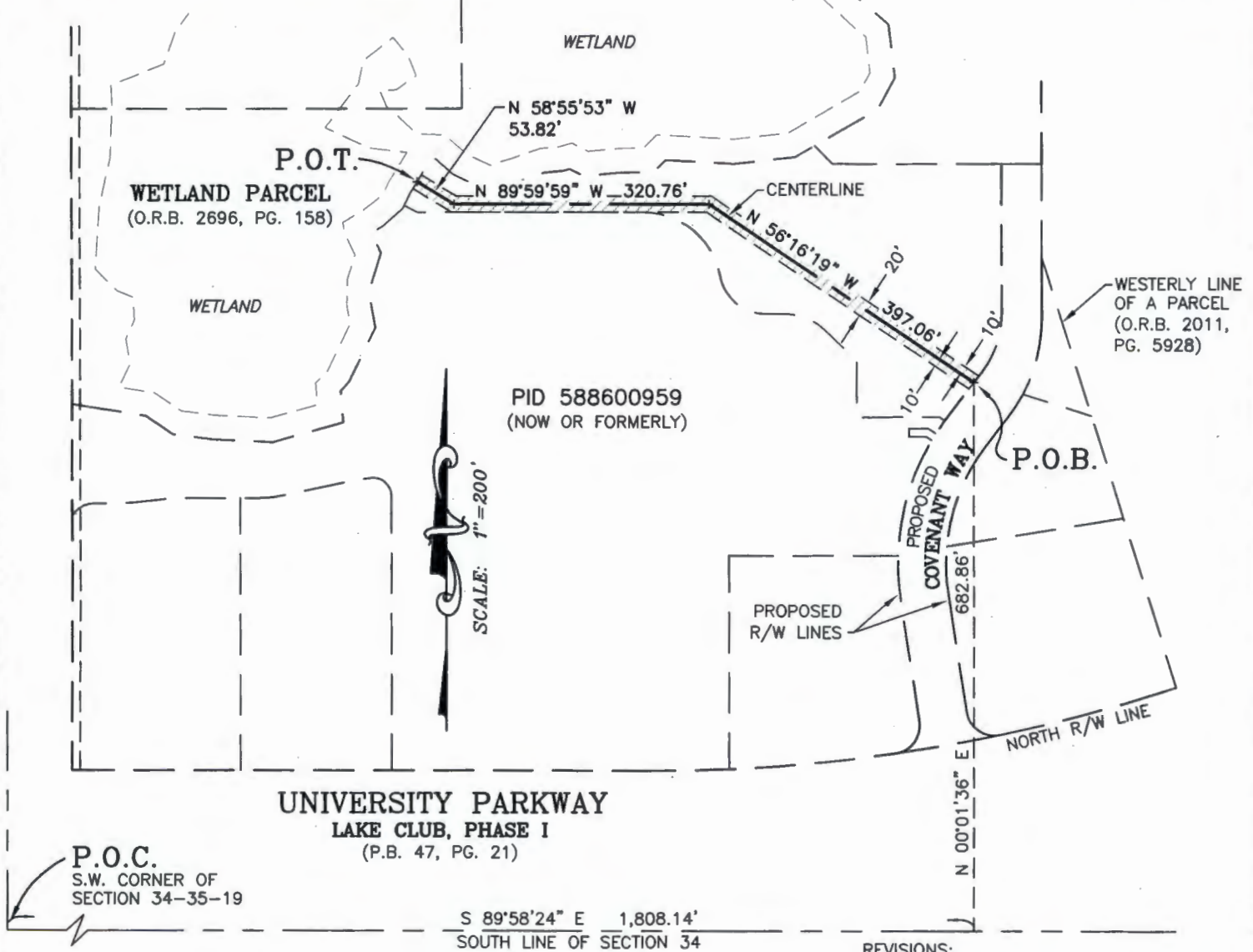
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BY: J. N. Gatch, Jr.
 JAMES N. GATCH, JR., P.S.M.
 FLORIDA CERTIFICATE NO. LS 4295
 DATE OF CERTIFICATION : 05/07/18



LEGEND:

- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- P.O.T. - POINT OF TERMINUS
- R/W - RIGHT-OF-WAY
- P.B. - PLAT BOOK
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- PG. - PAGE
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REVISIONS:

- 1. PER COMMENTS 05/08/18 GB
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(SEE SHEET 1 FOR DESCRIPTION)
 NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH
 OF

UNIVERSITY CORNER
UNIVERSITY PARKWAY & LORRAINE ROAD
20-FOOT WIDE FLOWAGE EASEMENT
 LOCATED IN

SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST
 MANATEE COUNTY, FLORIDA

NOTES:

- 1. BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING S 89°58'24" E.
- 2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY. (MONUMENTS HAVE NOT BEEN FIELD LOCATED OR SET)

05/07/2018

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CONSENT AND JOINDER

THIS CONSENT AND JOINDER, made and given this 15th day of May, 2018, by **VALLEY NATIONAL BANK**, a national banking association, as successor in interest to **USAMERIBANK**, a Florida banking corporation, whose mailing address is 4790 140th Avenue North, Clearwater, Florida 33762 (hereinafter the **Mortgagee**), being the owner and holder of a mortgage and security agreement dated October 11, 2017, made by **NAP LRS LLC**, a Florida limited liability company, whose mailing address is 1412 Jackson Street, Suite 1, Fort Myers, Florida, 33901 hereinafter the **Mortgagor**), in favor of Mortgagee, which Mortgage has been recorded October 12, 2017, in Official Records Book 2696, Page 4035, 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 **Flowage 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 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:

VALLEY NATIONAL BANK, a national banking association, as successor in interest to USAMERIBANK, a Florida banking corporation

Gaylene R. Stephens
First Witness Signature

Gaylene R. Stephens
First Witness Printed Name

Helen M. Dion
Second Witness Signature

Helen M. Dion
Second Witness Printed Name

By: [Signature]
Joseph E. Taggart, as Senior Vice President

Joseph E. Taggart
Printed Name

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 15th day of May, 2018, by Joseph E. Taggart, as Senior Vice President of Valley National Bank, a national banking association, as successor in interest to USAMERIBANK, a Florida banking corporation, on behalf of the bank, who is personally known to me or who has produced _____ as identification.

Affix seal below:



Helen M. Dion
Notary Public Signature

Helen M. Dion
Printed Name

GG 047853
Commission Number

November 15, 2020
Expiration Date

THIS INSTRUMENT PREPARED BY:
Tim Cristello, Real Property Specialist
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205

PROJECT NAME: Covenant Way
PROJECT NO: N/A
PARCEL NO: N/A
PID NO: 588600959

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

AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES

STATE OF FLORIDA
COUNTY OF MANATEE

BEFORE ME, the undersigned notary public, personally appeared Dale G. Hafele, 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. **NAP LR5 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 **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-Southeast Operations of NAP II Investments Management Company, Inc., an Ohio corporation, the Manager of NAP LR5 LLC, and I make this affidavit with the authority of and on behalf of NAP LR5 LLC.
4. Grantor has sole and exclusive possession of the Property.
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 those of record.
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. 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, leases, contracts for sale, judgments, easements or rights-of-way for users, conveyances, mortgages or adverse interests affecting title to the Property, other than those of record including the following:

Mortgage and Security Agreement by NAP LR5 LLC, a Florida limited liability company and USAMERIBANK, a Florida banking corporation dated October 11, 2017, recorded October 12, 2017, in Official Records Book 2696, at Page 4035, of the Public Records of Manatee County, Florida.

Assignment of Rents and Leases recorded in Official Records Book 2696, at Page 4064, of the Public Records of Manatee County, Florida.

UCC-1 Financing Statement recorded in Official Records Book 2696, at Page 4073, of the Public Records of Manatee County, Florida.

16. The Grantor's Taxpayer Identification Number is 81-3902403.

17. The representations embraced herein are made to induce Manatee County, a political subdivision of the State of Florida, to accept a Flowage Easement.

18. 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.

NAP LR5 LLC, a Florida limited liability

By: NAP II Investments Management Company, Inc.,
an Ohio corporation, its Manager

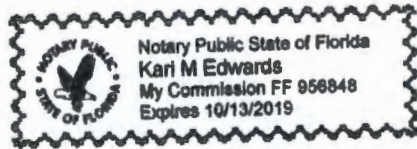
Signature

Dale G. Hafele

Dale G. Hafele, Vice President-Southeast Operations

Sworn to (or affirmed), acknowledged and subscribed before me this 15th day of May, 2018, by Dale G. Hafele, as Vice President-Southeast Operations of NAP II Investments Management Company, Inc., an Ohio corporation, the Manager of NAP LR5 LLC, a Florida limited liability company, on behalf of said company, who () is personally known to me or () who has produced personally known as identification.

Affix seal below:



Kari M. Edwards

Notary Public Signature

Kari M. Edwards

Printed Name

FF956848

Commission Number

10/13/19

Expiration Date



DESCRIPTION:

A 20-FOOT WIDE FLOWAGE EASEMENT LOCATED IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, LYING 10 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE S 89°58'24" E ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 1,808.14 FEET; THENCE N 00°01'36" E, A DISTANCE OF 682.86 FEET TO THE POINT OF BEGINNING; THENCE N 56°16'19" W, A DISTANCE OF 397.06 FEET; THENCE N 89°59'59" W, A DISTANCE OF 320.76 FEET; THENCE N 58°55'53" W, A DISTANCE OF 53.82 FEET TO A POINT ON A WETLAND PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 2696, PAGE 158 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA AND THE POINT OF TERMINUS.

THE SIDE LINES OF SAID EASEMENT ARE TO BE EXTENDED OR SHORTENED TO THEIR POINTS OF INTERSECTION AND THEIR POINTS OF INTERSECTION WITH AFORESAID WETLAND PARCEL.

(SEE SHEET 2 FOR SKETCH)
 NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH

OF

**UNIVERSITY CORNER
 UNIVERSITY PARKWAY & LORRAINE ROAD
 20-FOOT WIDE FLOWAGE EASEMENT**

LOCATED IN

**SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST
 MANATEE COUNTY, FLORIDA**

REVISIONS:

- 1. PER COMMENTS 05/08/18 GB
- 2. PER COMMENTS 05/16/18 GB

05/07/2018

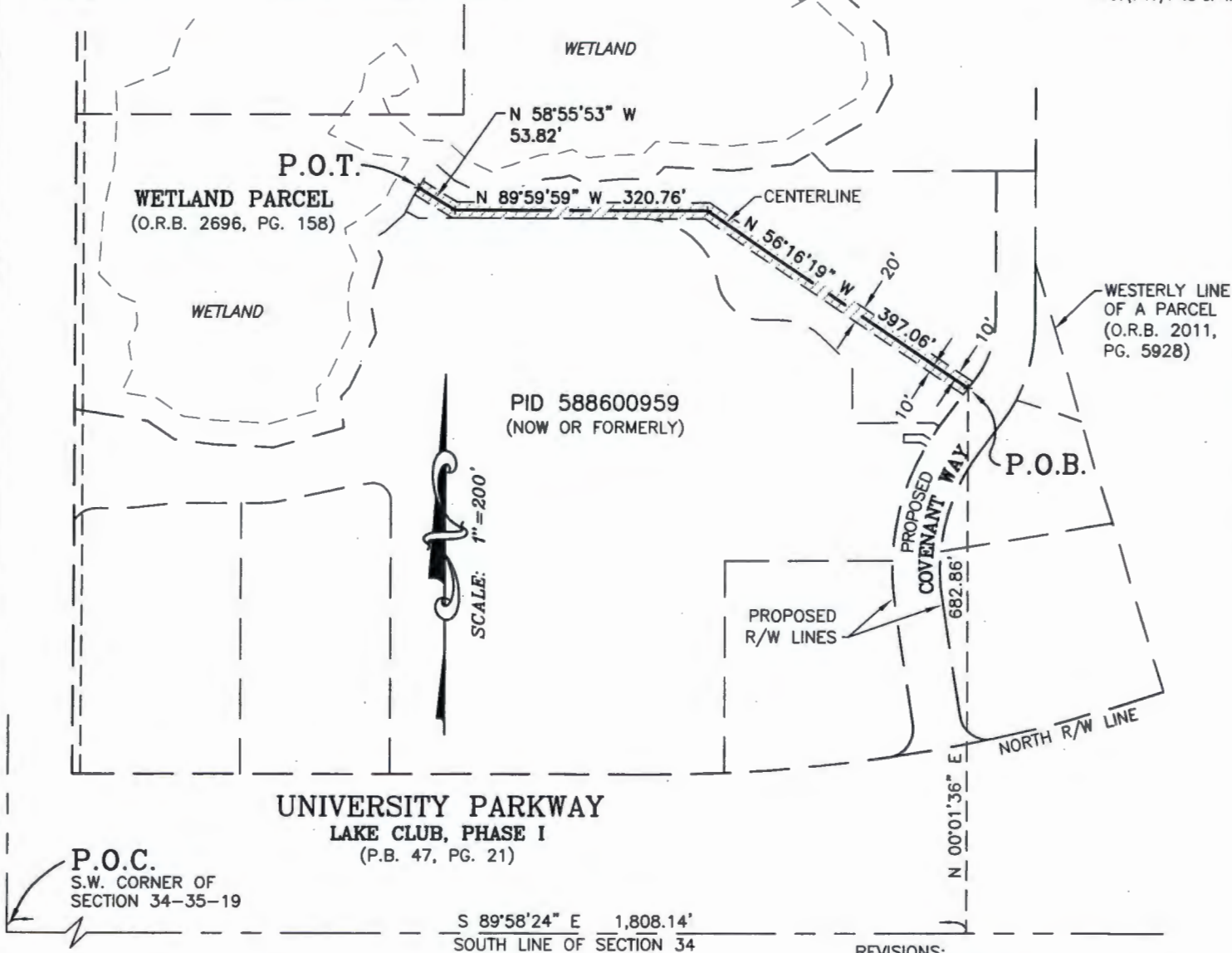
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NOTE: NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

WE HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAS BEEN PREPARED UNDER OUR DIRECT SUPERVISION, THAT IT IS A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT IT IS CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF AND THAT IT MEETS THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA", CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

BY: James N. Gatch Jr.
 JAMES N. GATCH JR., P.S.M.
 FLORIDA CERTIFICATE NO. LS 4295
 DATE OF CERTIFICATION : 05/07/18



LEGEND:

- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- P.O.T. - POINT OF TERMINUS
- R/W - RIGHT-OF-WAY
- P.B. - PLAT BOOK
- O.R.B. - OFFICIAL RECORDS BOOK
- PG. - PAGE
- PID - PARCEL IDENTIFICATION
- SQ.FT. - SQUARE FEET (AREA)
- SITE

REVISIONS:

1. PER COMMENTS 05/08/18 GB
2. PER COMMENTS 05/16/18 GB

(SEE SHEET 1 FOR DESCRIPTION)

NOT A BOUNDARY SURVEY

DESCRIPTION SKETCH

OF

**UNIVERSITY CORNER
 UNIVERSITY PARKWAY & LORRAINE ROAD
 20-FOOT WIDE FLOWAGE EASEMENT**

LOCATED IN

**SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST
 MANATEE COUNTY, FLORIDA**

05/07/2018

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NOTES:

1. BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING S 89°58'24" E.
2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY. (MONUMENTS HAVE NOT BEEN FIELD LOCATED OR SET)

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

PROJECT NAME: Covenant Way-Liftstation
PROJECT NO: N/A
PARCEL NO: N/A
PID NO: 588600959

-----SPACE ABOVE THIS LINE FOR RECORDING DATA-----

PERMANENT UTILITIES EASEMENT

THIS INDENTURE made this 10th day of MAY, 2018 between **NAP LR5 LLC**, a Florida limited liability company, whose mailing address is 1412 Jackson Street, Suite 1, Fort Myers, Florida 33901 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 **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:

NAP LR5 LLC, a Florida limited liability company

Carmen Rodriguez-Visek
Witness
Carmen Rodriguez-Visek
Printed Name

By: NAP II Investments Management Company, Inc.,
an Ohio corporation, Its Manager

Trevor McMillin
Witness
Trevor McMillin
Printed Name

By: Dale G. Hafele
Vice President-Southeast Operations



(Signature of two witnesses required by law.)

STATE OF Florida
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 10th day of May, 2018, by Dale G. Hafele, as Vice President-Southeast Operations of NAP II Investments Management Company, Inc., an Ohio corporation, the Manager of NAP LR5 LLC, a Florida limited liability company, on behalf of said corporation, who is () personally known to me or () who has produced personally known as identification.

Notary Public Seal:



My Commission Expires: 10/13/19

Karl M. Edwards
NOTARY PUBLIC, State of FLORIDA
Karl M. Edwards
Printed Name



DESCRIPTION:

A PORTION OF A PARCEL OF LAND AS RECORDED IN OFFICIAL RECORDS BOOK 2696, PAGE 117 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LOCATED IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE S 89°58'24" E ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 2,062.44 FEET; THENCE N 00°01'36" E, A DISTANCE OF 304.36 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF UNIVERSITY PARKWAY, AS SHOWN ON THE PLAT OF LAKE CLUB, PHASE I, AS RECORDED IN PLAT BOOK 47, PAGE 21 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND THE EASTERLY LINE OF SAID PARCEL; THENCE N 17°38'43" W ALONG SAID EASTERLY LINE, A DISTANCE OF 353.42 FEET TO THE POINT OF BEGINNING; THENCE N 72°33'30" W, A DISTANCE OF 90.19 FEET TO A POINT ON THE ARC OF A NON-TANGENTIAL CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS N 61°51'28" W, A DISTANCE OF 200.00 FEET; THENCE NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 28°08'27", A DISTANCE OF 98.23 FEET TO A POINT OF TANGENCY; THENCE N 00°00'05" E, A DISTANCE OF 74.80 FEET TO A POINT ON AFORESAID EASTERLY LINE; THENCE S 17°38'43" E, A DISTANCE OF 205.85 FEET TO THE POINT OF BEGINNING.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS OF RECORD.

CONTAINING 6,321 SQUARE FEET OR 0.15 ACRE, MORE OR LESS.

(SEE SHEET 2 FOR SKETCH)
 NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH

OF

**UNIVERSITY CORNER
 UNIVERSITY PARKWAY & LORRAINE ROAD
 LIFT STATION UTILITY EASEMENT**

LOCATED IN

SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST
 MANATEE COUNTY, FLORIDA

1. CORR. SEC. DIM. 08/25/17 GB
2. UPDATE DESCRIPTION 04/24/18 GB


06/13/2017

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

I HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAS BEEN PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT IT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT IT MEETS THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA", CHAPTER 35-17, FLORIDA ADMINISTRATIVE CODE.

BY: 
 JAMES N. GATCH, JR. F.S.M.
 FLORIDA CERTIFICATE NO. LS 4295
 DATE OF CERTIFICATION: 06/15/17



ZNS ENGINEERING

LAND PLANNERS | ENGINEERS | SURVEYORS | LANDSCAPE ARCHITECTS
EB 0027476 LB 0006982 LC 0000365

EXHIBIT A

CERTIFICATE OF AUTHORIZATION # LB 6982
201 5th AVENUE DRIVE EAST
BRADENTON, FLORIDA 34208
(941) 748-8080
FAX (941) 748-3747

LINE DATA

LINE	CHORD BEARING	LENGTH
L1	N 72° 33' 30" W	90.19'
L2	N 00° 00' 05" E	74.80'

CURVE DATA

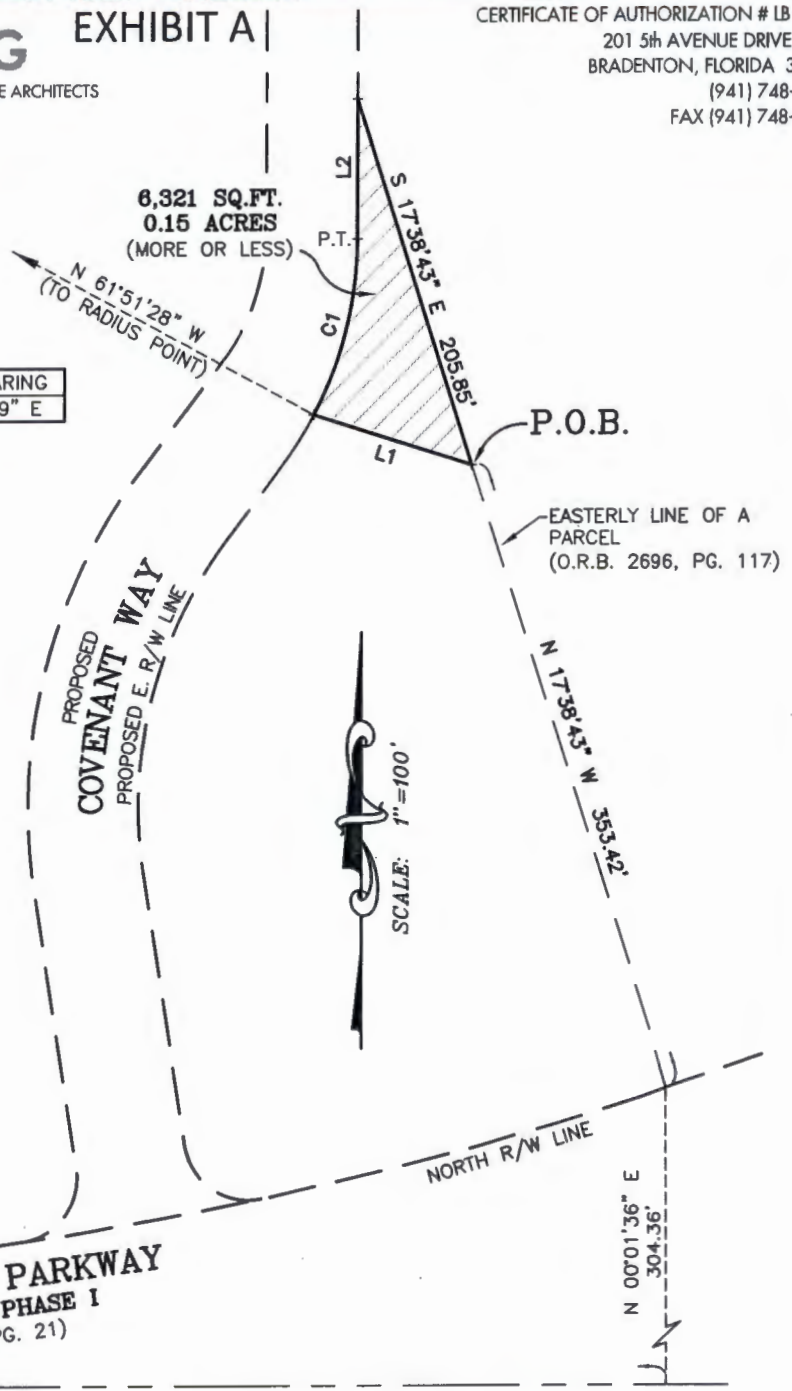
CURVE	DELTA	RADIUS	ARC	CHORD BEARING
C1	28° 08' 27"	200.00'	98.23'	N 14° 04' 19" E

(SEE SHEET 1 FOR DESCRIPTION)
NOT A BOUNDARY SURVEY

PID 588600959
(NOW OR FORMERLY)
(O.R.B. 2696, PG. 117)

LEGEND:

- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- R/W - RIGHT-OF-WAY
- P.C. - POINT OF CURVATURE
- P.T. - POINT OF TANGENCY
- P.R.C. - POINT OF REVERSE CURVATURE
- P.B. - PLAT BOOK
- O.R.B. - OFFICIAL RECORDS BOOK
- PG. - PAGE
- PID - PARCEL IDENTIFICATION
- SQ.FT. - SQUARE FEET (AREA)
- SITE



UNIVERSITY PARKWAY
LAKE CLUB, PHASE I
(P.B. 47, PG. 21)

S 89° 58' 24" E 2,062.44'
SOUTH LINE OF SECTION 34

P.O.C.
S.W. CORNER OF
SECTION 34-35-19

DESCRIPTION SKETCH

OF UNIVERSITY CORNER UNIVERSITY PARKWAY & LORRAINE ROAD LIFT STATION UTILITY EASEMENT

LOCATED IN

SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

REVISIONS:

1. CORR. SEC. DIM. 08/25/17 GB
2. UPDATE DESCRIPTION 04/24/18 GB

06/13/2017

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SHEET 2 OF 2

CONSENT AND JOINDER

THIS CONSENT AND JOINDER, made and given this 15th day of May, 2018, by **VALLEY NATIONAL BANK**, a national banking association, as successor in interest to USAMERIBANK, a Florida banking corporation, whose mailing address is 4790 140th Avenue North, Clearwater, Florida 33762 (hereinafter the **Mortgagee**), being the owner and holder of a mortgage and security agreement dated October 11, 2017, made by **NAP LR5 LLC**, a Florida limited liability company, whose mailing address is 1412 Jackson Street, Suite 1, Fort Myers, Florida, 33901 hereinafter the **Mortgagor**), in favor of Mortgagee, which Mortgagee has been recorded October 12, 2017, in Official Records Book 2696, Page 4035, 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 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:

VALLEY NATIONAL BANK, a national banking association, as successor in interest to USAMERIBANK, a Florida banking corporation

Gaylene R. Stephens
First Witness Signature

Gaylene R. Stephens
First Witness Printed Name

Helen M. Dion
Second Witness Signature

Helen M. Dion
Second Witness Printed Name

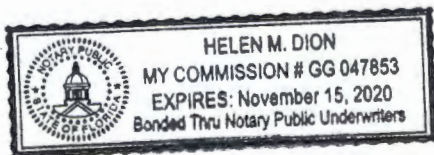
By: [Signature]
Joseph E. Taggart, as Senior Vice President

Joseph E. Taggart
Printed Name

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 15th day of May, 2018, by Joseph E. Taggart, as Senior Vice President of Valley National Bank, a national banking association, as successor in interest to USAMERIBANK, a Florida banking corporation, on behalf of the bank, who is personally known to me or who has produced _____ as identification.

Affix seal below:



Helen M. Dion
Notary Public Signature

Helen M. Dion
Printed Name

GG 047853
Commission Number

November 15, 2020
Expiration Date

THIS INSTRUMENT PREPARED BY:
Tim Cristello, Real Property Specialist
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205

PROJECT NAME: Covenant Way-Liftstation
PROJECT NO: N/A
PARCEL NO: N/A
PID NO: 588600959

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

AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES

STATE OF FLORIDA
COUNTY OF MANATEE

BEFORE ME, the undersigned notary public, personally appeared Dale G. Hafele, 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. **NAP LR5 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 **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-Southeast Operations of NAP II Investments Management Company, Inc., an Ohio corporation, the Manager of NAP LR5 LLC, and I make this affidavit with the authority of and on behalf of NAP LR5, LLC.
4. Grantor has sole and exclusive possession of the Property.
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 those of record.
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. 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, leases, contracts for sale, judgments, easements or rights-of-way for users, conveyances, mortgages or adverse interests affecting title to the Property, other than those of record including the following:

Mortgage and Security Agreement by NAP LR5 LLC, a Florida limited liability company and USAMERIBANK, a Florida banking corporation dated October 11, 2017, recorded October 12, 2017, in Official Records Book 2696, at Page 4035, of the Public Records of Manatee County, Florida.

Assignment of Rents and Leases recorded in Official Records Book 2696, at Page 4064, of the Public Records of Manatee County, Florida.

UCC-1 Financing Statement recorded in Official Records Book 2696, at Page 4073, of the Public Records of Manatee County, Florida.

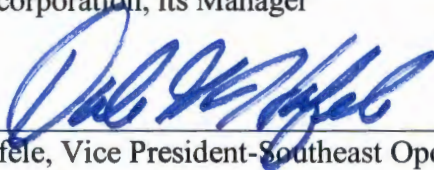
16. The Grantor's Taxpayer Identification Number is 81-3902403.

17. The representations embraced herein are made to induce Manatee County, a political subdivision of the State of Florida, to accept a Utility Easement.

18. 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.

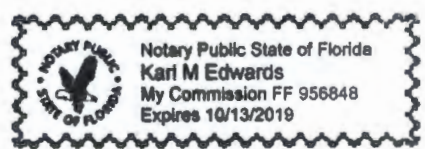
SIGNATURE PAGE AND ACKNOWLEDGEMENT FOLLOW ON NEXT PAGE.

NAP LR5 LLC, a Florida limited liability
By: NAP II Investments Management Company, Inc.,
an Ohio corporation, its Manager

Signature 
Dale G. Hafele, Vice President-Southeast Operations

Sworn to (or affirmed), acknowledged and subscribed before me this 15th day of May, 2018, by Dale G. Hafele, as Vice President-Southeast Operations of NAP II Investments Management Company, Inc., an Ohio corporation, the Manager of NAP LR5 LLC, a Florida limited liability company, on behalf of said company, who () is personally known to me or () who has produced personally known as identification.

Affix seal below:




Notary Public Signature

Kari M. Edwards
Printed Name

FF956848
Commission Number

10/13/19
Expiration Date



DESCRIPTION:

A PORTION OF A PARCEL OF LAND AS RECORDED IN OFFICIAL RECORDS BOOK 2696, PAGE 117 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LOCATED IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE S 89°58'24" E ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 2,062.44 FEET; THENCE N 00°01'36" E, A DISTANCE OF 304.36 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF UNIVERSITY PARKWAY, AS SHOWN ON THE PLAT OF LAKE CLUB, PHASE I, AS RECORDED IN PLAT BOOK 47, PAGE 21 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND THE EASTERLY LINE OF SAID PARCEL; THENCE N 17°38'43" W ALONG SAID EASTERLY LINE, A DISTANCE OF 353.42 FEET TO THE POINT OF BEGINNING; THENCE N 72°33'30" W, A DISTANCE OF 90.19 FEET TO A POINT ON THE ARC OF A NON-TANGENTIAL CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS N 61°51'28" W, A DISTANCE OF 200.00 FEET; THENCE NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 28°08'27", A DISTANCE OF 98.23 FEET TO A POINT OF TANGENCY; THENCE N 00°00'05" E, A DISTANCE OF 74.80 FEET TO A POINT ON AFORESAID EASTERLY LINE; THENCE S 17°38'43" E, A DISTANCE OF 205.85 FEET TO THE POINT OF BEGINNING.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS OF RECORD.

CONTAINING 6,321 SQUARE FEET OR 0.15 ACRE, MORE OR LESS.

(SEE SHEET 2 FOR SKETCH)
 NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH

OF

**UNIVERSITY CORNER
 UNIVERSITY PARKWAY & LORRAINE ROAD
 LIFT STATION UTILITY EASEMENT**

LOCATED IN

SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST
 MANATEE COUNTY, FLORIDA


1. CORR. SEC. DIM. 08/25/17 GB
2. UPDATE DESCRIPTION 04/24/18 GB

06/13/2017

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

I HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAS BEEN PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT IT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT IT MEETS THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA", CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

BY: 
 JAMES N. GATCH, JR. F.S.M.
 FLORIDA CERTIFICATE NO. LS 4295
 DATE OF CERTIFICATION 06/15/17



LINE DATA

LINE	CHORD BEARING	LENGTH
L1	N 72° 33' 30" W	90.19'
L2	N 00° 00' 05" E	74.80'

CURVE DATA

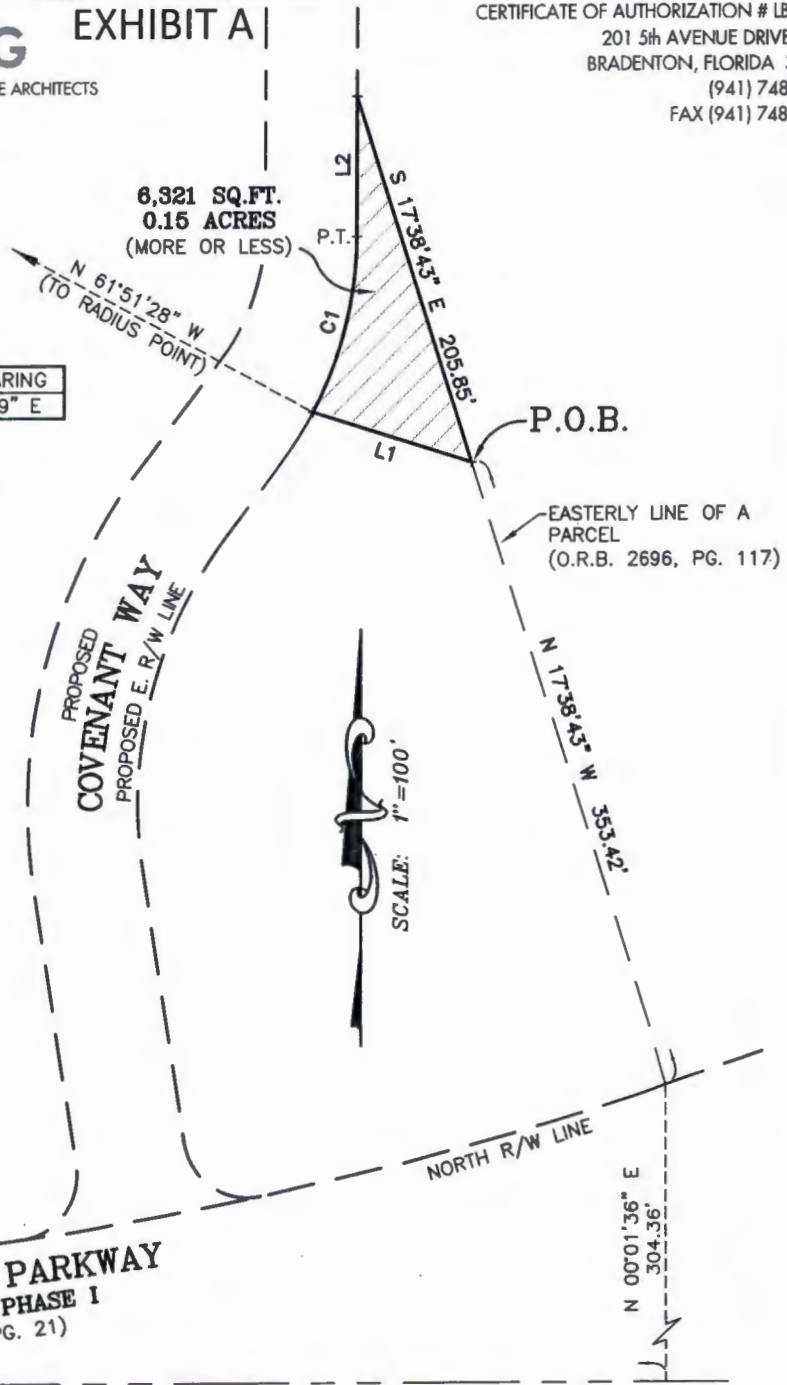
CURVE	DELTA	RADIUS	ARC	CHORD BEARING
C1	28° 08' 27"	200.00'	98.23'	N 14° 04' 19" E

(SEE SHEET 1 FOR DESCRIPTION)
 NOT A BOUNDARY SURVEY

PID 588600959
 (NOW OR FORMERLY)
 (O.R.B. 2696, PG. 117)

LEGEND:

- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- R/W - RIGHT-OF-WAY
- P.C. - POINT OF CURVATURE
- P.T. - POINT OF TANGENCY
- P.R.C. - POINT OF REVERSE CURVATURE
- P.B. - PLAT BOOK
- O.R.B. - OFFICIAL RECORDS BOOK
- PG. - PAGE
- PID - PARCEL IDENTIFICATION
- SQ.FT. - SQUARE FEET (AREA)
- SITE



P.O.C.
 S.W. CORNER OF
 SECTION 34-35-19

DESCRIPTION SKETCH

OF
 UNIVERSITY CORNER
 UNIVERSITY PARKWAY & LORRAINE ROAD
 LIFT STATION UTILITY EASEMENT

LOCATED IN
 SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST
 MANATEE COUNTY, FLORIDA

REVISIONS:

1. CORR. SEC. DIM. 08/25/17 GB
2. UPDATE DESCRIPTION 04/24/18 GB

06/13/2017

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NOTES:

1. BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING S 89° 58' 24" E.
2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY. (MONUMENTS HAVE NOT BEEN FIELD LOCATED OR SET)

APPROVED in Open Session
06/12/2018
Manatee County Board of County Commissioners

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - June 12, 2018

June 12, 2018 - Regular Meeting
Agenda Item #43

Subject

Flowage Easement and Permanent Utilities Easement between NAP LR5 LLC and Manatee County for property located in Bradenton, Florida, PID 588600959

Briefings

None

Contact and/or Presenter Information

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

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

Action Requested

- Accept and Record Flowage Easement (Includes Consent and Joinder) from NAP LR5 LLC; and
- Record Affidavit of Ownership and Encumbrances from Dale G. Hafele, as Vice President-Southeast Operations of NAP Investments Management Company, Inc., as the Manager of NAP LR5 LLC; and
- Accept and Record Permanent Utilities Easement (Includes Consent and Joinder) from NAP LR5 LLC; and
- Record Affidavit of Ownership and Encumbrances from Dale G. Hafele, as Vice President-Southeast Operations of NAP Investments Management Company, Inc., as the Manager of NAP LR5 LLC.

Enabling/Regulating Authority

Florida Statutes, Chapter 125, County Government.

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

Manatee County Comprehensive Plan Goal 9.1 addresses sanitary sewer systems.

Background Discussion

- NAP LR5 LLC is required to dedicate a 20-foot-wide flowage easement for stormwater and drainage. This easement is needed because the stormwater system is privately owned and accepts drainage and

stormwater from Covenant Way, the public roadway.

- Also, a 6,321 square foot permanent utilities easement located at 14604 Covenant Way is necessary for the maintenance of the lift station facility.
- These easements are required by the Final Site Plan for the Publix Shopping Center DTS number 20160596.

County Attorney Review

Not Reviewed (No apparent legal issues)

Explanation of Other

Reviewing Attorney

N/A

Documents sent 06/14/2018

Instructions to Board Records

Please email recording information to Tim Cristello at Tim.Cristello@mymanatee.org, Jane Oliver at Jane.Oliver@mymanatee.org, Ken Labarr at Ken.Labarr@mymanatee.org, Darendia Marvin at dmarvin@grimesgoebel.com, and Dale Hafele at Dale.Hafele@naproperties.com

CCC: AR700003

Cost and Funds Source Account Number and Name

\$193.00 Recording Fee. 001-0020505 Property Acquisition Core Fund.

Amount and Frequency of Recurring Costs

N/A

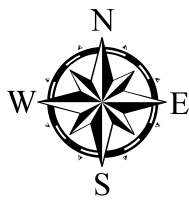
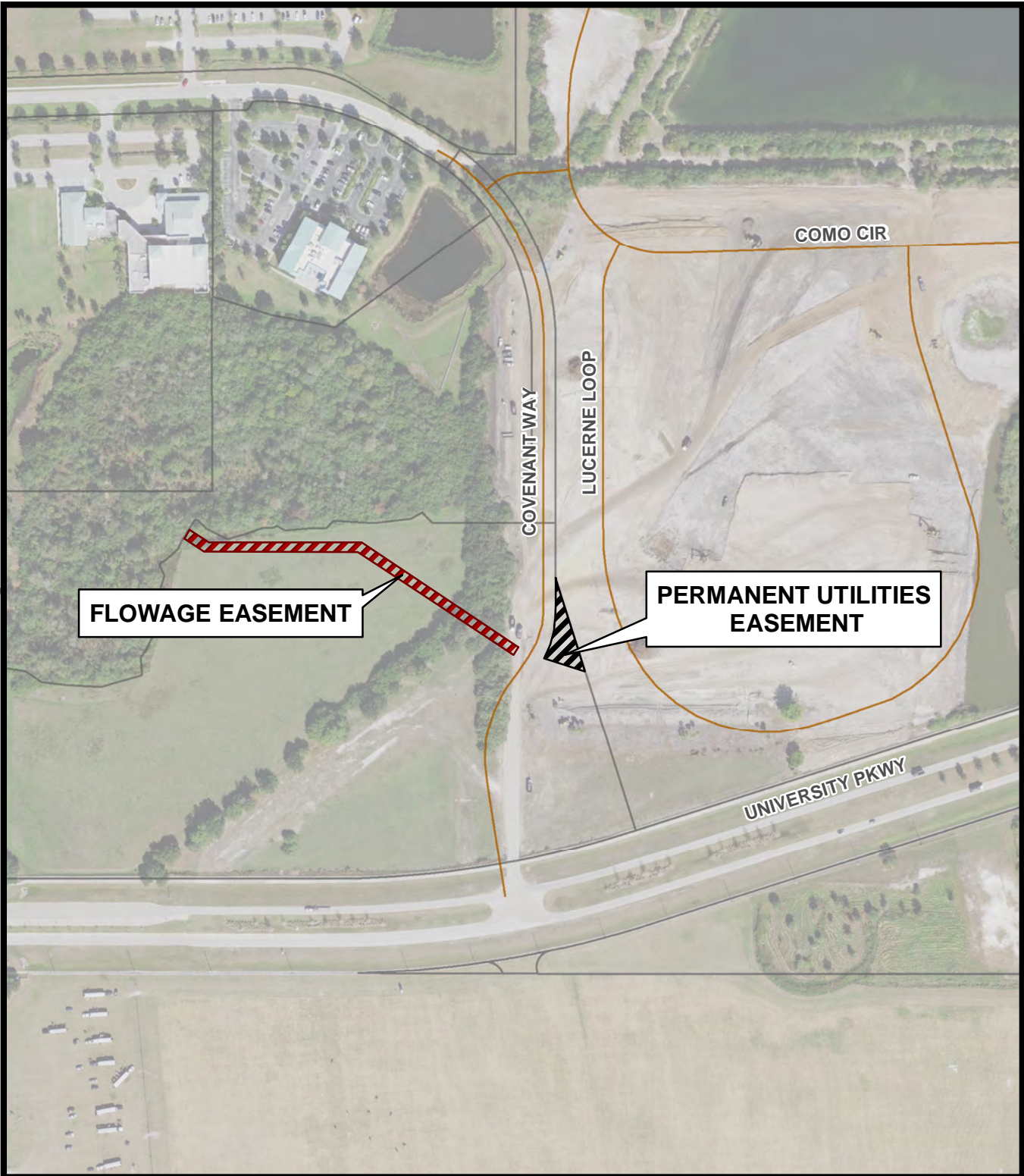
Attachment: [Flowage Easement NAP LR5 LLC.pdf](#)

Attachment: [Affidavit of Ownership and Encumbrances NAP LR5 LLC.pdf](#)

Attachment: [Permanent Utilities Easement NAP LR5 LLC.pdf](#)

Attachment: [Affidavit of Ownership of Encumbrances NAP LR5 LLC.pdf](#)

Attachment: [Location Map.pdf](#)



**PERMANENT UTILITIES AND
FLOWAGE EASEMENTS**

**COVENANT WAY
NAP LR 5, LLC**

DISTRICT 5 - VANESSA BAUGH

