

THIS INSTRUMENT PREPARED BY:
Charles Meador, 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: Universal Spa Training Academy
PROJECT#: N/A
PARCEL#: N/A
PID#: 6511000058

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

PERMANENT UTILITIES EASEMENT

THIS INDENTURE made this 27th day of June, 2018 between **6815 14TH ST W, LLC**, a Florida limited liability company, whose mailing address is 6201 Osage Avenue, Downers Grove, Illinois 60516 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:

6815 14TH ST W, LLC, a Florida limited liability company

TERRI TALMADGE
Witness

By: Christian Tyler
Christian Tyler

TERRI TALMADGE
Printed Name

Its: Sole Manager

M. Garcia
Witness

M. Garcia
Printed Name

(Signature of two witnesses required by law.)

STATE OF Illinois
COUNTY OF Kane

ACCEPTED IN OPEN SESSION 7/24/18
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

The foregoing instrument was acknowledged before me this 27th day of June, 2018, by Christian Tyler, as Sole Manager of **6815 14TH ST W, LLC**, a Florida limited liability company, for and on behalf of the company, who is (X) personally known to me or (X) who has produced STATE ID as identification.

Notary Public Seal:

My Commission Expires: July 30th 2020

Michael Thomas
NOTARY PUBLIC, State of Illinois
Printed Name



SKETCH OF DESCRIPTION

EXHIBIT "A"

Section 23 , Township 35 South, Range 17 East
Manatee County, Florida

DESCRIPTION: UTILITY EASEMENT

COMMENCE AT THE NORTHWEST CORNER OF SOUTHLAND CONDOMINIUM (AS-BUILT SURVEY OF AMENDED), AS RECORDED IN CONDOMINIUM BOOK 13, PAGE 27, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S.00°01'25"E., ALONG THE WEST LINE OF SAID SOUTHLAND CONDOMINIUM AND THE EAST LINE OF THAT CERTAIN PARCEL OF LAND, AS DESCRIBED AND RECORDED IN O.R. BOOK 2699, PAGE 2933, SAID PUBLIC RECORDS, A DISTANCE OF 173.57 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.00°01'25"E ALONG SAID EAST LINE, A DISTANCE OF 10.00 FEET TO THE INTERSECTION WITH THE NORTH LINE OF THAT CERTAIN UTILITY EASEMENT AS DESCRIBED AND RECORDED IN O.R. BOOK 1003, PAGE 840, SAID PUBLIC RECORDS; THENCE S.89°57'15"W., ALONG SAID NORTH LINE, A DISTANCE OF 10.00 FEET; THENCE N.00°01'25"W., PARALLEL TO SAID EAST LINE OF CERTAIN PARCEL AND 10.0 FEET WESTERLY THEREFROM, A DISTANCE OF 10.00 FEET; THENCE S.89°58'06"E., PARALLEL TO SAID NORTH LINE OF CERTAIN UTILITY EASEMENT AND 10.0 FEET NORTHERLY THEREFROM, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. BEING AND LYING IN SECTION 23, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA

CONTAINING 100 SQUARE FEET, MORE OR LESS.

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

NOTES:

1. BEARINGS ARE BASED ON THE WEST LINE OF SOUTHLAND CONDOMINIUM BEING S 00°01'25" E (ASSUMED).
2. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THIS DESCRIPTION IS NOT COMPLETE WITHOUT THE SKETCH.
4. THIS SKETCH IS NOT A SURVEY.

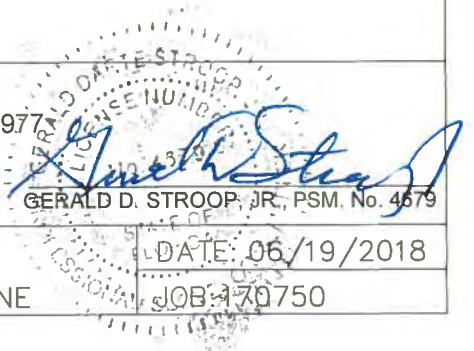
PREPARED FOR:

CHRISTIAN TYLER AND FELICIA TYLER

REVISED: 6/29/2018
SOUTH LINE REVISED



CROSS SURVEYING, L.L.C
CERTIFICATE OF AUTHORIZATION LB 0007977
5265 OFFICE PARK BLVD. SUITE 101
BRADENTON, FLORIDA 34203
(941) 748-8340 (941) 896-9938 FAX



SHEET
1 OF 2

Scale: 1" = NONE

Drawn by: GDS

FB/PG: NONE

DATE: 06/19/2018

JOB: 170750

Drawing name: \\2012SRV\ESS\CadServ\Land_Proj\Sec 23 TWP 35S RNG 17E - 0.79 ACRES 170750\dwg\EASEMENT R3.dwg 8.5X11 (1) Jun 29, 2018 11:53am by: dstroop

Drawing name: \\2012SRV\SS\CadServ\Land_Proj\23 TWP 35S R17E - 0.79 ACRES 170750\dwg\EASEMENT R3.dwg 8.5X11 (2) Jun 29, 2018 11:53am by: dsfroof

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Section 23 , Township 35 South, Range 17 East
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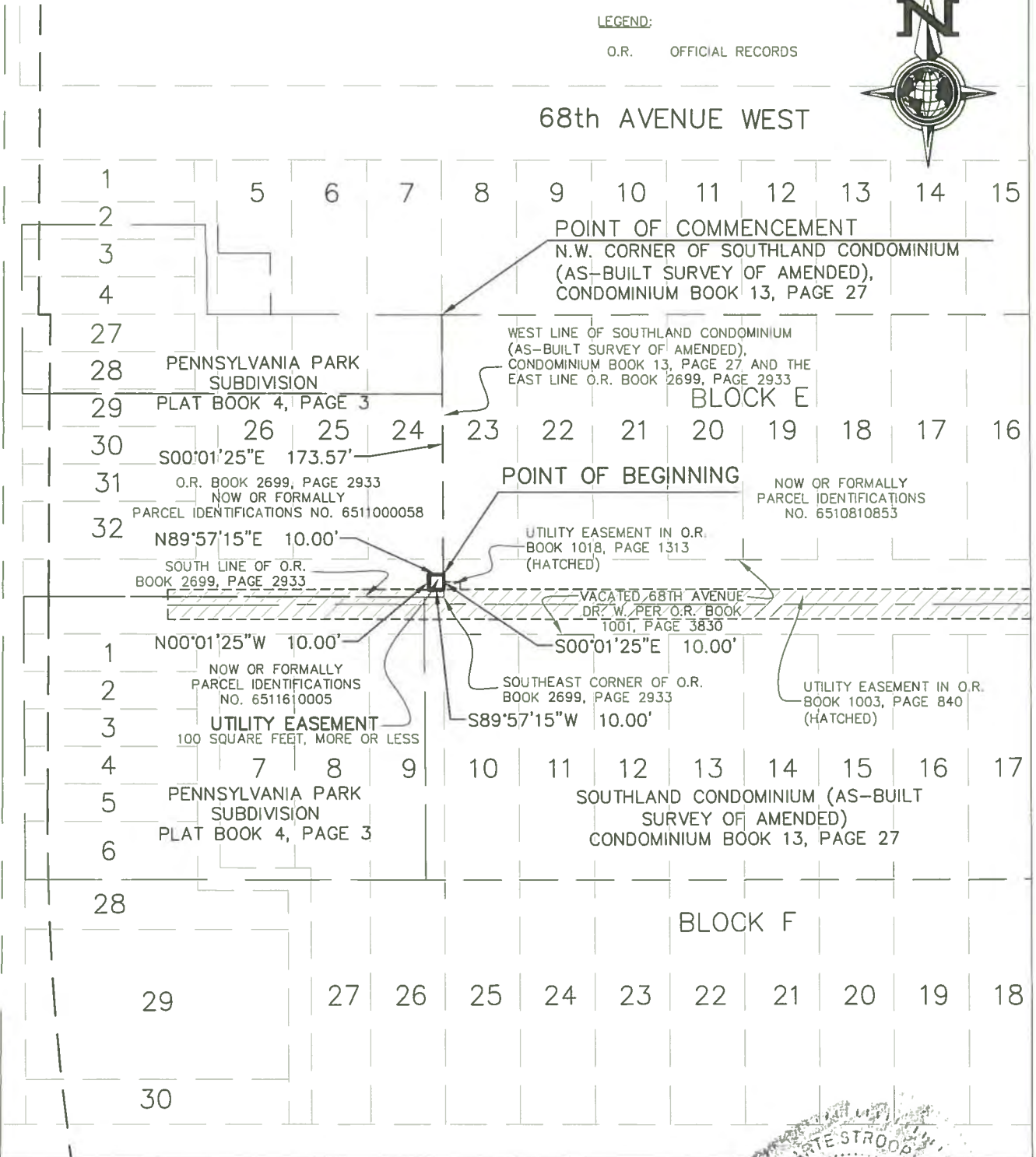
ASSUMED



LEGEND:

O.R. OFFICIAL RECORDS

14TH STREET WEST (US HIGHWAY NO. 41) (STATE ROAD NO. 45)
 100.0' WIDE PUBLIC RIGHT OF WAY PER STATE ROAD MAP SECTION NO. 1301-(117)-(201) 119 2502



REVISED: 6/29/2018
 SOUTH LINE REVISED



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Professional seal and signature of Gerald D. Stroop, Jr., PSM, No. 4679.

SHEET
 2 OF 2

Scale: 1" = 100'

Drawn by: GDS

FB/PG: NONE

DATE: 06/19/2018
 JOB: 170750

CONSENT AND JOINDER

THIS CONSENT AND JOINDER, made and given this 22 day of June, 2018, by Cadence Bank, NA, a national banking association, whose mailing address is 3500 Colonnade Parkway Suite 600, Birmingham, Alabama 35243 (hereinafter the **Mortgagee**), being the owner and holder of a mortgage dated October 27, 2017, made by 6815 14TH ST W, LLC, a Florida limited liability company, whose mailing address is 6201 Osage Avenue, Downers Grove, Illinois 60516 (hereinafter the **Mortgagor**), in favor of Mortgagee, which Mortgage has been recorded in Official Records Book 2699, Page 2937, 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 Utility 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:

CADENCE BANK, NA, a national banking association

[Signature]
First Witness Signature

DEBORAH E. CONKLIN
First Witness Printed Name

[Signature]
Second Witness Signature

Jane N. Eggert
Second Witness Printed Name

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 22nd day of June, 2018, by Fermin C. Miranda, as SVP Business Banking of Cadence Bank, NA, a national banking association, on behalf of the bank, who is personally known to me or who has produced as identification.

Affix seal below:



By: [Signature]
Signature

As: SVP Business Banking
Title

Fermin C. Miranda
Printed Name

Affix corporate seal below:

Attest:
Secretary Signature

[Signature]
Notary Public Signature

DEBORAH E. CONKLIN
Printed Name

#FF 195739
Commission Number

February 28, 2019
Expiration Date

THIS INSTRUMENT PREPARED BY:
Charles Meador, 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: Universal Spa Training Academy
PROJECT#: N/A
PARCEL#: N/A
PID#: 6511000058

=====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 Christian Tyler, 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. 6815 14TH ST W, 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 Sole Manager of Grantor and I make this affidavit with the authority of and on behalf of 6815 14TH ST W, 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.
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, except the following:

Mortgage to Cadence Bank, N.A. dated October 27, 2017 and recorded in O.R. Book 2699, Page 2937, of the Public Records of Manatee County, Florida

16. The Grantor's Taxpayer Identification Number is 82-3017815.

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.

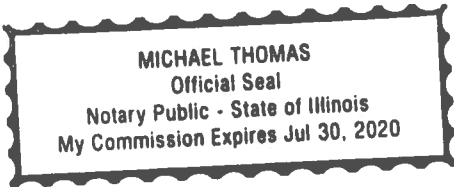
SIGNATURE PAGE AND ACKNOWLEDGEMENT FOLLOW ON NEXT PAGE.

Christian Tyler

Christian Tyler
Signature

Sworn to (or affirmed), acknowledged and subscribed before me this 2nd day of June, 2018, by Christian Tyler, who X is personally known to me or _____ who has produced _____ as identification.

Affix seal below:



Michael Thomas
Notary Public Signature

Michael Thomas
Printed Name

Commission Number

July 30th 2020
Expiration Date

SKETCH OF DESCRIPTION

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Manatee County, Florida

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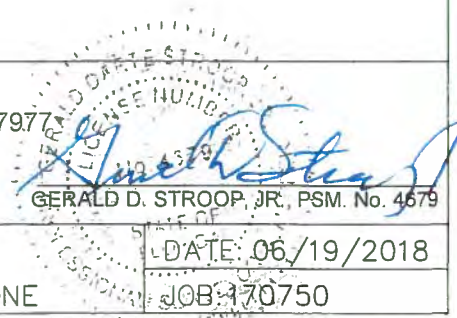
PREPARED FOR:

CHRISTIAN TYLER AND FELICIA TYLER

REVISED: 6/29/2018
SOUTH LINE REVISED



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(941) 748-8340 (941) 896-9938 FAX



SHEET
1 OF 2

Scale: 1" = NONE

Drawn by: GDS

FB/PG: NONE

DATE: 06/19/2018
JOB: 170750

Drawing name: \\2012SRVESS\CadServ\Land_Projcts\SEC 23 TWP 35S RNG 17E - 0.79 ACRES 170750\dwg\EASEMENT R3.dwg 8.5X11 (1) Jun 29, 2018 11:53am by: dstroop

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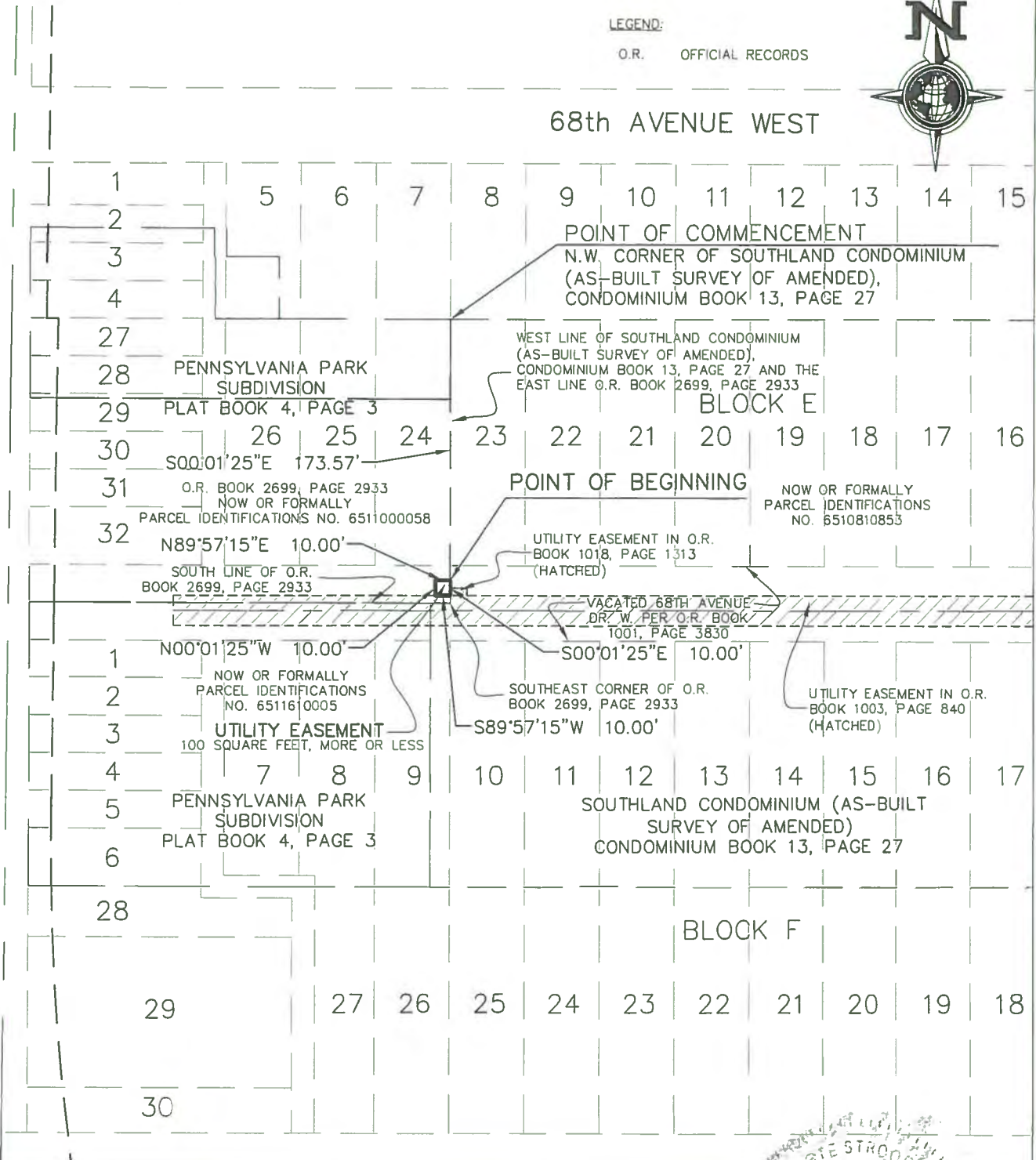
ASSUMED



LEGEND:

O.R. OFFICIAL RECORDS

14TH STREET WEST (US HIGHWAY NO. 41) (STATE ROAD NO. 45)
100.0' WIDE PUBLIC RIGHT OF WAY PER STATE ROAD MAP SECTION NO. 1301-(117)-(201) 119 2502



REVISED: 6/29/2018
SOUTH LINE REVISED



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BRADENTON, FLORIDA 34203
(941) 748-8340 (941) 896-9938 FAX

Signature of Gerald D. Stroop, Jr. with official seal and text: GERALD D. STROOP, JR., PSM. No. 4679

SHEET
2 OF 2

Scale: 1" = 100'

Drawn by: GDS

FB/PG: NONE

DATE: 06/19/2018

JOB: 170750

Angelina "Angel" Colonnese

Clerk of the Circuit Court

Manatee County

P.O. Box 25400
Bradenton, FL 34206

Official Records Receipt Recording

Username: AStevens

Changed By: AStevens

Receipt#: 900146035 **Payee Name:** MANATEE COUNTY PROPERTY MGMT DEPT AR700003
Receipt Date: 07/25/2018 1112 MANATEE AVE WEST 8TH FL
BRADENTON, FL 34205
Escrow Balance:
Escrow Customer:

Instrument: 201841075932 - BK2739/PG6098 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

Instrument: 201841075933 - BK2739/PG6103 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: \$96.50

Amount Tendered: \$0.00

Overage: \$0.00

Amount Paid:

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - July 24, 2018

July 24, 2018 - Regular Meeting
Agenda Item #39

Approved in Open Session 7/24/18,
Manatee County
Board of County Commissioners

Subject

Permanent Utilities Easement between 6815 14TH ST W, LLC, and Manatee County for property located at 6815 14th Street West, Bradenton, Florida; PID 6511000058

Briefings

None

Contact and/or Presenter Information

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

Charles Meador, Real Property Specialist, Property Acquisition Division, Property Management Department, Extension 6284

Action Requested

- Accept and Record Permanent Utilities Easement from 6815 14TH ST W, LLC (includes consent and joinder from Cadence Bank); and,
- Record Affidavit of Ownership and Encumbrances from Christian Tyler.

Enabling/Regulating Authority

Chapter 125, Florida Statutes, County Government.

Manatee County Comprehensive Plan Goal 9.5 addresses potable water systems.

Background Discussion

- Universal Spa Training Academy is a new business located on 14th Street West (Tamiami Trail) in Bradenton.
- An easement is needed for maintenance of the backflow preventer.
- The easement area is 100 square feet.
- The easement coincides with FSP-17-82-20170568.

County Attorney Review

Not Reviewed (No apparent legal issues)

Explanation of Other

Reviewing Attorney
N/A

Instructions to Board Records

Please email a copy of the approved agenda to Charles.meador@mymanatee.org and gthomas@barneswalker.com and paul.haas@mymanatee.org.

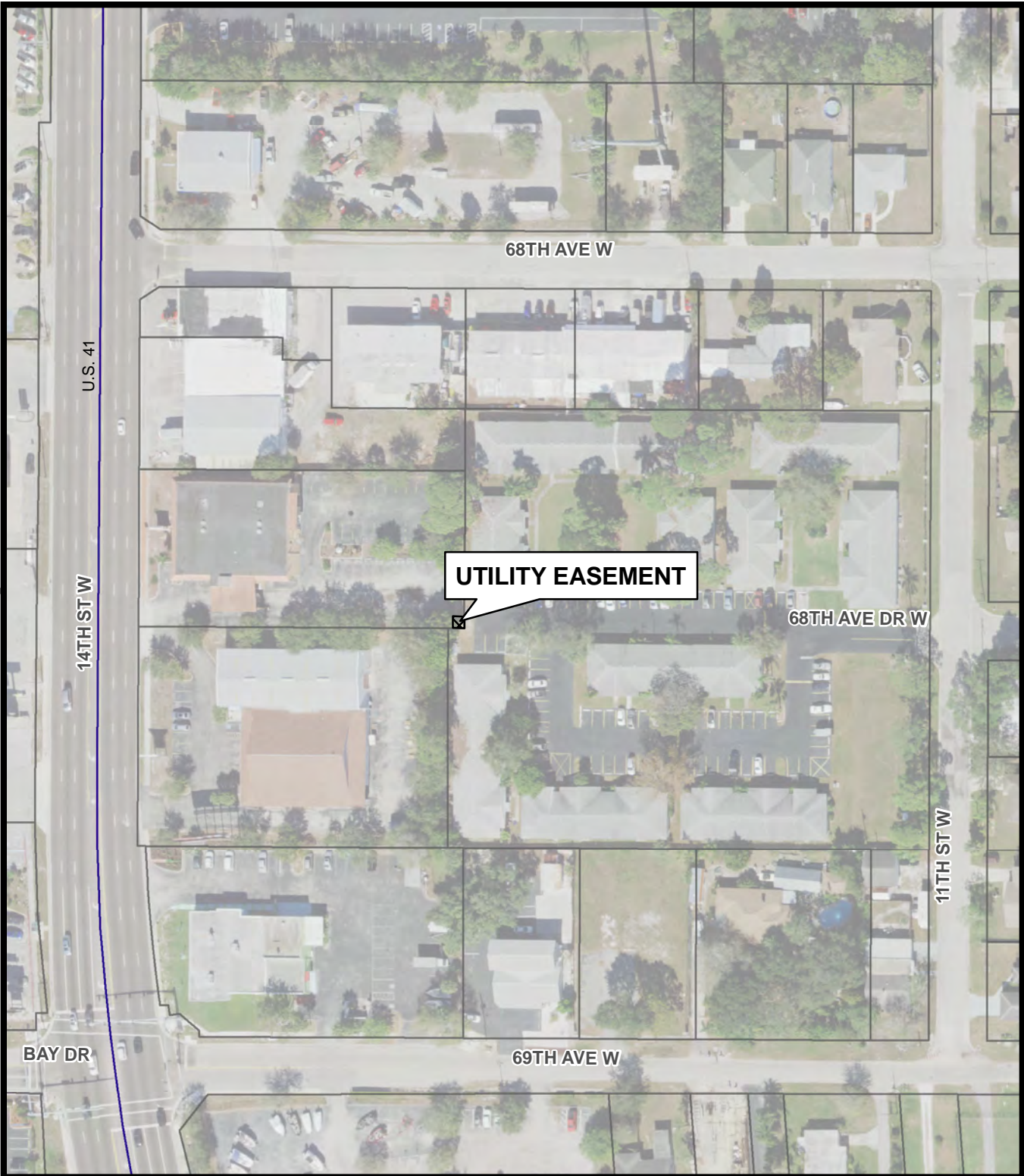
CCC: AR 700003

Distributed 7/27/18, RT

Cost and Funds Source Account Number and Name
\$96.50 Recording Fee. 001-0020505 Property Acquisition Core Fund

Amount and Frequency of Recurring Costs
N/A

Attachment: [Permanent Utilites Easement.pdf](#)
Attachment: [Affidavit of Ownership and Encumbrances.pdf](#)
Attachment: [Location Map.pdf](#)



**6815 14TH STREET WEST
BRADENTON 34207**

DISTRICT 4 - ROBIN DISABATINO

