

THIS INSTRUMENT PREPARED BY:

Caitlyn DeLoach, Real Property Specialist
Property Acquisition Division
On behalf of: Joy Leggett-Murphy, Property Acquisition Division
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205



PROJECT NAME: Magnolia Ranch
PID NO: 547101550

SPACE ABOVE THIS LINE FOR RECORDING DATA

CONSERVATION EASEMENT

In consideration of the premises and mutual covenants, terms, conditions, and restrictions contained herein and other good and valuable considerations the receipt of which is hereby acknowledged, **PULTE HOME COMPANY, LLC**, a Michigan limited liability company, whose mailing address is 24311 Walden Center Drive, Suite 300, Bonita Springs, Florida 34134 (Grantor), certify ownership by said corporation of the property described as follows:

See legal description identified as Exhibit "A" attached hereto.

On behalf of itself and its successors, heirs and assigns, grants and gives unto **MANATEE COUNTY**, a political subdivision of the State of Florida, whose mailing address is Post Office Box 1000, Bradenton, Florida 34206 (Grantee), a Conservation Easement pursuant to Florida Statutes 704.06 over the above-described property of the Grantor.

Unless permitted by the Manatee County Land Development Code, the following acts and activities are expressly prohibited within the boundaries of this Conservation Easement without the prior consent of Grantee and upon the issuance of any applicable local, state, or federal permits and other appropriate authorizations:

- Construction or placing of buildings, roads, signs, billboards or other advertising structures, or other structures on or above the ground.
- Construction or placing of utilities on, below or above the ground.
- Dumping or placing of soil or other substances or material as landfill or dumping or placing trash, waste, unsightly or offensive materials.
- Removal, mowing, or trimming of trees, shrubs or other vegetation.
- Application of herbicides, pesticides, or fertilizers except as part of an integrated pest management program for the control of invasive species.
- Excavation, dredging, or removal of loam, peat, gravel, soil, rock or other material substances in such manners as to affect the surface.

- Surface use except for purposes that permit the land or water areas to remain in its natural condition.
- Any activity detrimental to drainage, flood control, water conservation, erosion control, soil conservation or fish and wildlife habitat preservation.
- Acts or uses detrimental to such retention of land or water areas.

SIGNATURE PAGE AND ACKNOWLEDGEMENT FOLLOW ON NEXT PAGE.

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

[Handwritten Signature]

First Witness Signature

Colin R. Pember

First Witness Printed Name

[Handwritten Signature]

Second Witness Signature

Natale Moore

Second Witness Printed Name

GRANTOR:

PULTE HOME COMPANY, LLC, a Michigan limited liability company

By: *[Handwritten Signature]*

Michael Woolery, Vice President of Land Acquisition of Southwest Florida

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, a Notary Public, the foregoing instrument was acknowledged by means of

physical presence or

online notarization

this 9th day of AUGUST, 2021, by Michael Woolery, as Vice President of Land Acquisition of Southwest Florida of Pulte Home Company, LLC, a Michigan limited liability company, on behalf of the company, who

is personally known to me or

has produced _____ as

identification.

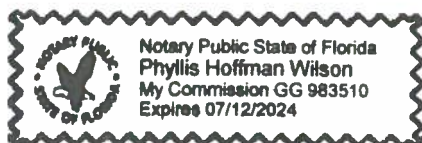
[CHECK APPLICABLE BOXES TO SATISFY IDENTIFICATION REQUIREMENT OF SECTION 117.05, FLORIDA STATUTES]

[Handwritten Signature]

Signature of Notary Public

(Legibly print, type, or stamp commissioned name of Notary Public and affix official notary seal below.)

My Commission Expires: 7/12/24



DESCRIPTION (MITIGATION AREA):

A PARCEL OF LAND BEING A PORTION OF SECTION 20, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA. BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF TRACT 818 OF GREYHAWK LANDING, PHASE 3 AS RECORDED IN PLAT BOOK 40, PAGE 162 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N45°35'07"E, A DISTANCE OF 42.44 FEET TO THE POINT OF BEGINNING; THENCE N00°36'36"E, A DISTANCE OF 195.69 FEET; THENCE S89°23'27"E, A DISTANCE OF 165.73 FEET; THENCE S00°36'33"W, A DISTANCE OF 61.48 FEET; THENCE S57°04'44"W, A DISTANCE OF 76.23 FEET; THENCE S72°25'21"W, A DISTANCE OF 33.99 FEET; THENCE S25°15'36"W, A DISTANCE OF 89.64 FEET; THENCE N89°26'22"W, A DISTANCE OF 32.52 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.49 ACRES, MORE OR LESS.

**NOT A BOUNDARY SURVEY
DESCRIPTION & SKETCH
OF A
MITIGATION AREA
LOCATED IN
SECTION 20, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA**

DATED: 2021.07.20

2021.08.05 BRL UPDATE AREA

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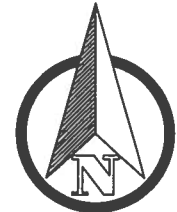
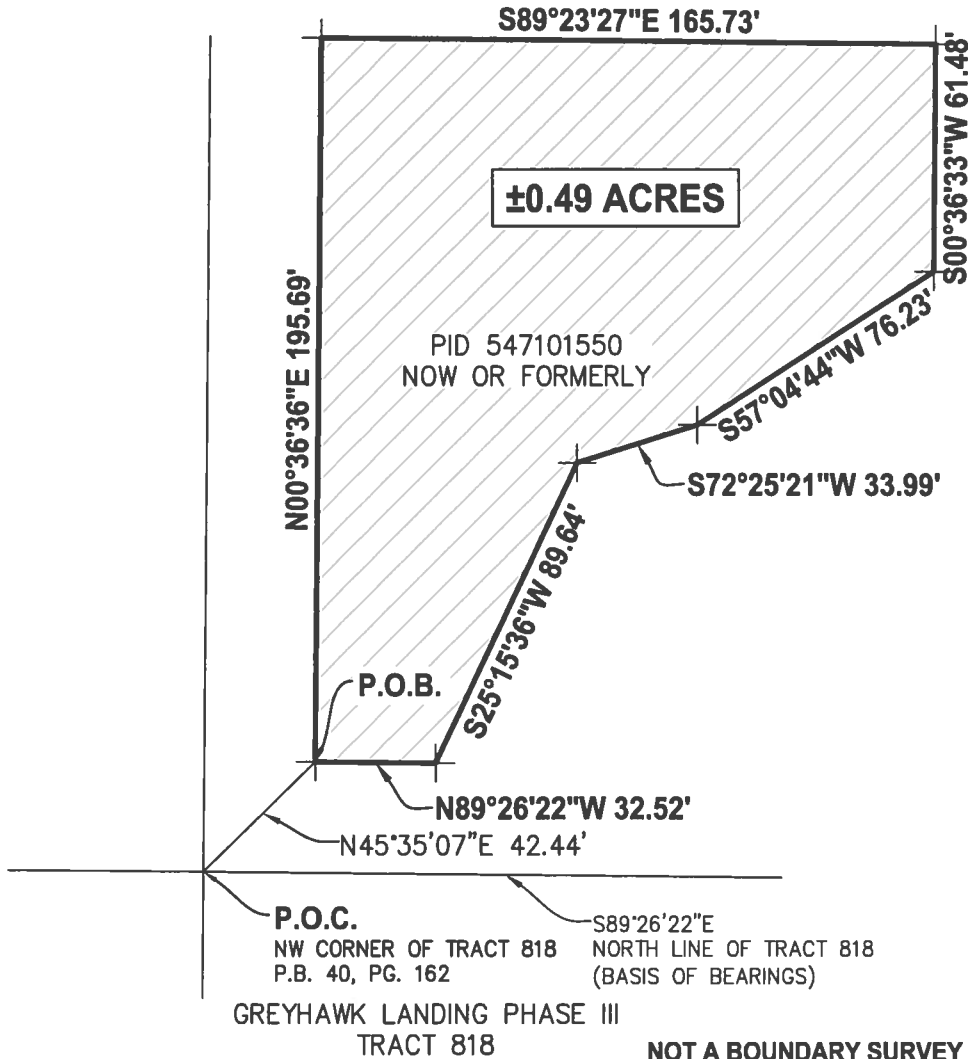
**Brandon R
Lauster**

Digitally signed by
Brandon R Lauster
Date: 2021.08.05 13:20:00
-04'00'

BY: BRANDON LAUSTER, P.S.M.
FLORIDA CERTIFICATE No. PLS 7219
DATE OF CERTIFICATION 07-20-2021

**MITIGATION AREA
PARCEL ID NO. 547101550
NOW OR FORMERLY**

SHEET 1 OF 2



SCALE 1"=50'

LEGEND:

- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- PID - PARCEL IDENTIFICATION
- P.B. - PLAT BOOK
- PG. - PAGE
- SQ. FT. - SQUARE FEET
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2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY. (MONUMENTS HAVE NOT BEEN FIELD LOCATED OR SET).

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Caitlyn DeLoach, Real Property Specialist
Property Acquisition Division
On behalf of: Joy Leggett-Murphy, Property Acquisition Division
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205



PROJECT NAME: Magnolia Ranch
PID NO: 547101550

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AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES

BEFORE ME, the undersigned notary public, personally appeared **MICHAEL WOOLERY**, 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. Pulte Home Company, LLC, a Michigan 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 of Land Acquisition of Southwest Florida of Grantor and I make this affidavit with the authority of and on behalf of Grantor.
4. Grantor has sole and exclusive possession of the Property.
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:

A. Easement (Business) recorded in Official Records as Instrument No. 202141020808 of the Public Records of Manatee County, Florida.

B. Easement (Business) recorded in Official Records as Instrument No. 202141021384 of the Public Records of Manatee County, Florida.

16. The Grantor's Taxpayer Identification Number is 38-1545089.

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

MICHAEL WOOLERY

Michael Woolery
Signature

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, a Notary Public, the foregoing instrument was acknowledged by means of

- physical presence or
- online notarization

this 9th day of AUGUST, 2021, by Michael Woolery, who

- is personally known to me or
- has produced _____ as identification.

[CHECK APPLICABLE BOXES TO SATISFY IDENTIFICATION REQUIREMENT OF SECTION 117.05, FLORIDA STATUTES]

[Signature]
Signature of Notary Public

My Commission Expires: 7/12/24

(Legibly print, type, or stamp commissioned name of Notary Public and affix official notary seal below.)



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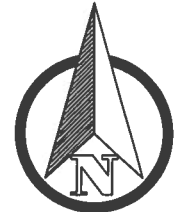
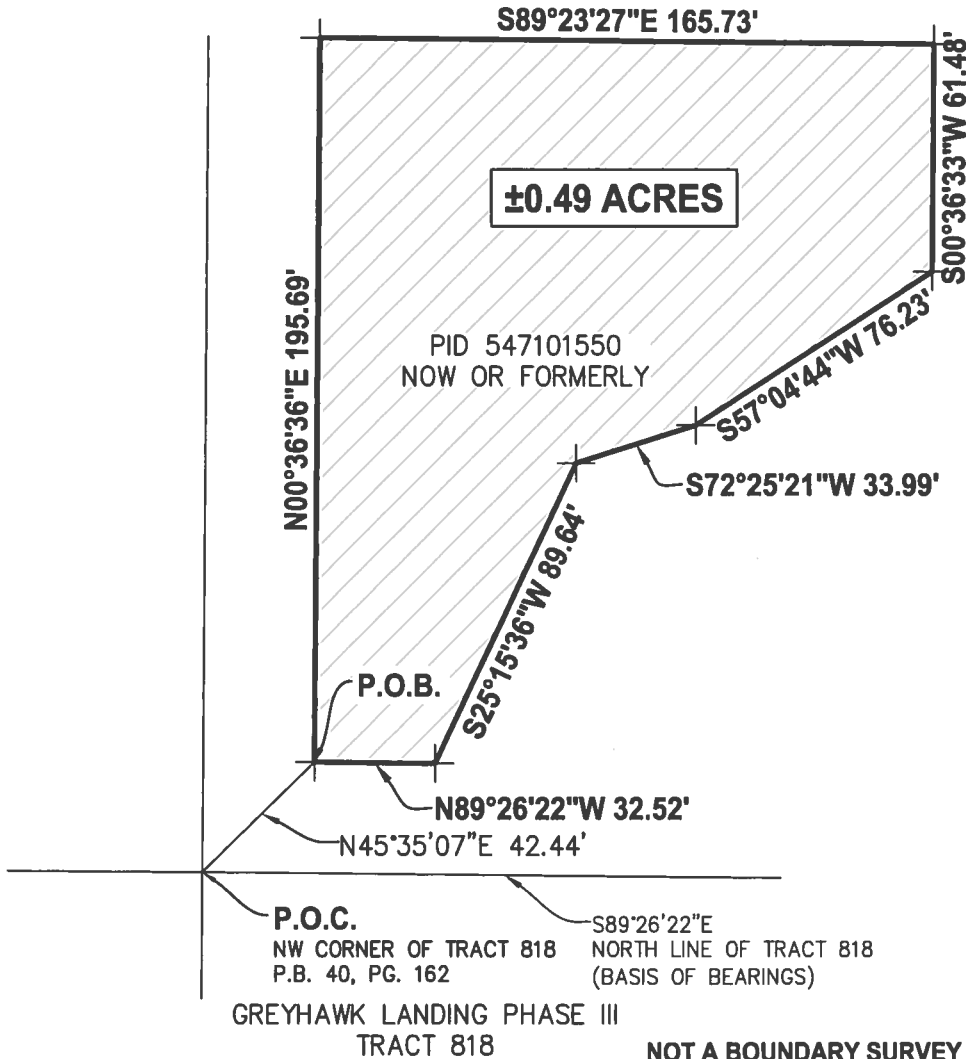
**Brandon R
Lauster**

Digitally signed by
Brandon R Lauster
Date: 2021.08.05 13:20:00
-04'00'

BY: **BRANDON LAUSTER, P.S.M.**
FLORIDA CERTIFICATE No. PLS 7219
DATE OF CERTIFICATION 07-20-2021

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SHEET 1 OF 2



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**MITIGATION AREA
 PARCEL ID NO. 547101550
 NOW OR FORMERLY**

Angelina "Angel" Colonnese

Clerk of the Circuit Court

Manatee County

P.O. Box 25400
Bradenton, FL 34206

Official Records Receipt Recording

Username: hhooy

Changed By: SKEE

Receipt#: 900416792 Payee Name: PULTE GROUP
Receipt Date: 09/15/2021

Instrument: 202141122580 EASEMENT

001000000341100	RECORDING FEE \$5/\$4	\$21.00
199000000341150	PRMTF \$1/\$.50	\$3.00
001000000208911	PRMTF FACC \$.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
001000000229552	E-CERTIFICATION FEE	\$0.00
001000000341400	E-COPIES	\$0.00
001000000341400	E-CERTIFICATION	\$0.00

Instrument Total: \$44.00

Instrument: 202141122581 AFFIDAVIT

001000000341100	RECORDING FEE \$5/\$4	\$25.00
199000000341150	PRMTF \$1/\$.50	\$3.50
001000000208911	PRMTF FACC \$.10	\$0.60
199000000341160	PRMTF CLERK \$1.90	\$11.40
001000000208912	PRMTF BCC \$2	\$12.00
001000000341400	INDEXING NAMES	\$0.00
001000000229552	E-CERTIFICATION FEE	\$0.00
001000000341400	E-COPIES	\$0.00
001000000341400	E-CERTIFICATION	\$0.00

Instrument Total: \$52.50

Receipt Total: \$96.50

Amount Tendered: \$96.50

Overage: \$0.00

Check \$96.50 0090244556

Amount Paid:



Board of County Commissioners September 14, 2021 - Regular Meeting

SUBJECT

ACCEPTANCE AND RECORDING OF A CONSERVATION EASEMENT FROM PULTE HOME COMPANY, LLC FOR PROPERTY LOCATED AT 808 GADWALL COURT, BRADENTON FL, 34212, IN DISTRICT 1

Category

CONSENT AGENDA

Briefings

None

Contact and/or Presenter Information

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

Caitlyn DeLoach, Real Property Specialist, Property Acquisition Division, Property Management Department, Extension 3403

Action Requested

- Accept and Record a Conservation Easement from Pulte Home Company, LLC; and
- Record Affidavit of Ownership and Encumbrances from Pulte Home Company, LLC

Enabling/Regulating Authority

- Chapter 125 of the Florida Statutes, County Government
- Manatee County Comprehensive Plan Goal

Background Discussion

- The Conservation Easement is located in District 1.
- Pulte Home Company, LLC, a Michigan limited liability company, owns property located at 808 Gadwall Court, Bradenton FL, 34212.
- Pulte Home Company, LLC is required to convey a Conservation Easement to Manatee County in accordance with their Final Site Plan requirements for a residential development.
- The Conservation Easement encompasses approximately 21,344 square feet and is located on the southwest corner of the property, east of Greyhawk Boulevard.

Attorney Review

Not Reviewed (No apparent legal issues)

Instructions to Board Records

Please email a copy of the approved agenda item to the following:

- Caitlyn DeLoach at Caitlyn.deloach@mymanatee.org
- Shaara Johnson at shaaraj@znseng.com
- Colin Pember at colin.pember@pultegroup.com

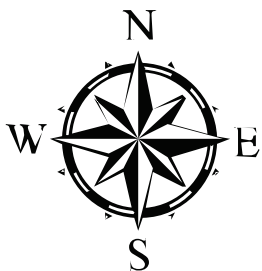
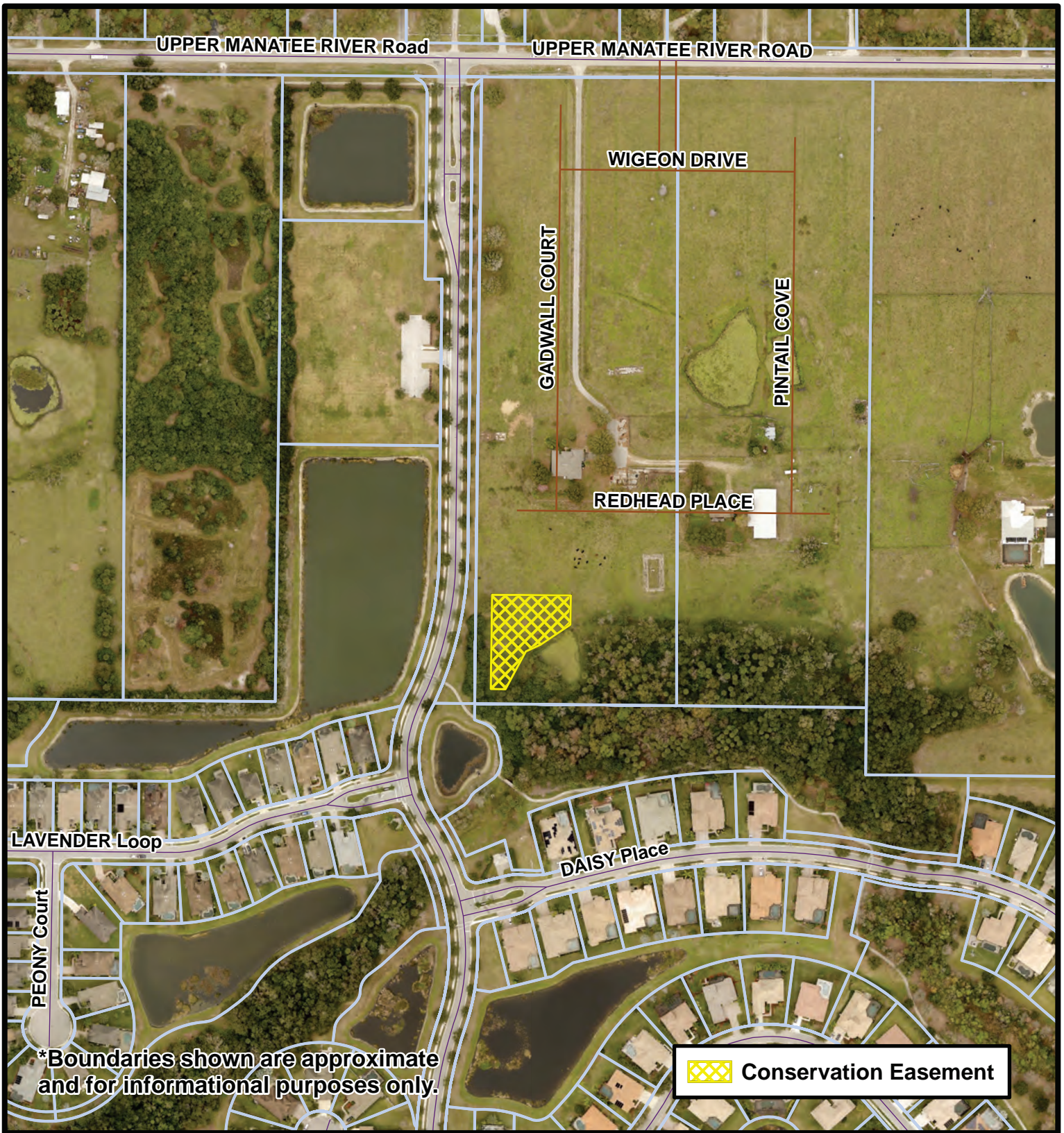
Distributed 9/16/21, RT

Cost and Funds Source Account Number and Name

Fees to be paid by Grantor

Amount and Frequency of Recurring Costs

N/A



CONSERVATION EASEMENT

**PULTE HOME COMPANY, LLC
 808 GADWALL COURT
 BRADENTON, FL 34212
 PID 547101550**

DISTRICT 1 - JAMES SATCHER

