

THIS INSTRUMENT PREPARED BY:

Chris Pickens, Senior Real Property Specialist
Property Acquisition Division
On behalf of Joy Leggett-Murphy, Property Acquisition Manager
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205



PROJECT NAME: Del Webb at Bayview – Amenity Center
PID NOS: 606201209

SPACE ABOVE THIS LINE FOR RECORDING DATA

PERMANENT UTILITIES EASEMENT

THIS INDENTURE made this 11th day of August, 2021, between **PULTE HOME COMPANY, LLC**, a Michigan limited liability company, whose mailing address is 24311 Walden Center Drive, Suite 300, Bonita Springs, Florida 34134, 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 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.

SIGNATURE PAGE AND ACKNOWLEDGEMENT FOLLOW ON NEXT PAGE.

ACCEPTED IN OPEN SESSION 9/14/21
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

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

[Signature]
First Witness Signature

Jacob Carter
First Witness Printed Name

[Signature]
Second Witness Signature

Katarina Diggs
Second Witness Printed Name

GRANTOR:

PULTE HOME COMPANY, LLC, a Michigan limited liability company

By: [Signature]
Signature

As: Vice President
Title

Jeffrey Deason
Printed Name

Affix corporate seal below:

Attest: N/A
Secretary Signature

STATE OF Florida
COUNTY OF Hillsborough

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

- physical presence or
- online notarization

this 11 day of August, 2021, Jeffrey Deason, as vice president 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]

[Signature]
Signature of Notary Public

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

My Commission Expires: 4/6/2025



Katarina Diggs
Notary Public
State of Florida
Comm# HH114248
Expires 4/6/2025

EXHIBIT "A"

Description Sketch

(Not A Survey)

DESCRIPTION: A parcel of land lying in Tract "F-1" of DEL WEBB AT BAYVIEW PHASE 1, SUBPHASE A, B, & C, according to the plat thereof, as recorded in Plat Book 70, Pages 35 through 66 of the public records of Manatee County, Florida, and being more particularly described as follows:

COMMENCE at the Southeast corner of said Tract "F-1", run thence along the Southerly boundary of said Tract "F-1" the following two (2) courses: (1) S.70°03'35"W., a distance of 76.29 feet; (2) Westerly, 17.13 feet along the arc of a tangent curve to the right having a radius of 770.00 feet and a central angle of 01°16'29" (chord bearing S.70°41'49"W., 17.13 feet); thence departing said Southerly boundary, N.17°46'22"W., a distance of 10.00 feet to the Northerly limits of a 10.00' Public Utility Easement of said DEL WEBB AT BAYVIEW PHASE 1, SUBPHASE A, B, & C, said point also being the **POINT OF BEGINNING**; thence Westerly along said Northerly Limits, 14.75 feet along the arc of a non-tangent curve to the right having a radius of 760.00 feet and a central angle of 01°06'44" (chord bearing S.71°52'43"W., 14.75 feet); thence N.17°46'22"W., a distance of 18.09 feet; thence N.72°13'38"E., a distance of 14.75 feet; thence S.17°46'22"E., a distance of 18.00 feet to the **POINT OF BEGINNING**.

Containing 267 square feet, more or less.

SURVEYOR'S NOTES:

- 1) BEARINGS SHOWN HEREON ARE BASED ON A PORTION OF THE SOUTHERLY BOUNDARY OF TRACT "F-1" OF DEL WEBB AT BAYVIEW PHASE 1, SUBPHASE A, B, & C, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 70, PAGES 35 THROUGH 66, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, HAVING A GRID BEARING OF S.70°03'35"W. THE GRID BEARING AS SHOWN HEREON REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN HORIZONTAL DATUM OF 1983 (NAD83-2011 ADJUSTMENT) FOR THE WEST ZONE OF FLORIDA.
- 2) I DO HEREBY CERTIFY THAT THIS SKETCH & DESCRIPTION WAS MADE UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS STATED IN RULES 5J-17.051, 5J-17.052, AND 5J-17-053, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
- 3) THIS DESCRIPTION SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER UNLESS DIGITALLY SIGNED BY A FLORIDA LICENSED SURVEYOR AND MAPPER
- 4) SEE SHEET TWO FOR SKETCH & LINE TABLE.

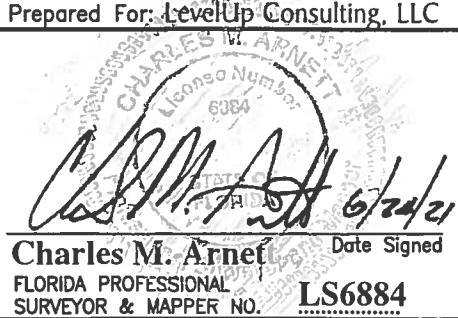

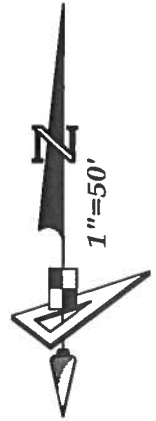
PROJECT: Eagle Point		Prepared For: LevelUp Consulting, LLC	
PHASE: Utility Easement Amenity Center			
DRAWN: CMA	DATE: 6/22/21		
REVISIONS			
DATE	DESCRIPTION	DRAWN BY	
06/24/21	Revise per County Surveyor Comments	CMA	
Charles M. Arnett FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. LS6884		213 Hobbs Street Tampa, Florida 33619 Phone: (813) 248-8888 Licensed Business No.: LB 7768  GeoPoint Surveying, Inc.	

EXHIBIT "A"

Description Sketch

(Not A Survey)



DEL WEBB AT BAYVIEW PHASE 1,
SUBPHASE A, B, & C
PLAT BOOK 70, PAGES 35-66

TRACT "F-1"
FUTURE AMENITY SITE
PULTE HOME COMPANY, LLC
NOW OR FORMERLY
PARCEL ID 606201209

UTILITY EASEMENT
(267 SQFT.±)

POINT OF
BEGINNING

POINT OF
COMMENCEMENT
Southeast corner of Tract
"F-1" of Del Webb at Bayview
Phase I, Subphase A, B, & C

Northerly Limits

10.00'
P.U.E.

Southerly Boundary
(BASIS OF BEARINGS)

UNPLATTED

TRACT "R-1"
PRIVATE RIGHT-OF-WAY, PRIVATE
DRAINAGE EASEMENT & PUBLIC
UTILITY EASEMENT

BARRIER COAST TRAIL

TRACT "D-11"
LANDSCAPE, IRRIGATION, LAKE &
PRIVATE DRAINAGE EASEMENT

10.00'
P.U.E.

LINE DATA TABLE

NO.	BEARING	LENGTH
L1	N17°46'22"W	10.00'
L2	N17°46'22"W	18.09'
L3	N72°13'38"E	14.75'
L4	S17°46'22"E	18.00'

CURVE DATA TABLE

NO.	RADIUS	CENTRAL ANGLE	ARC	CHORD	CHORD BEARING
C1	770.00'	1°16'29"	17.13'	17.13'	S70°41'49"W
C2	760.00'	1°06'44"	14.75'	14.75'	S71°52'43"W

SEE SHEET FOR DESCRIPTION

LEGEND

SQFT ----- Square Foot
+/- ----- More or Less

213 Hobbs Street
Tampa, Florida 33619
Phone: (813) 248-8888
Licensed Business No.: LB 7768



GeoPoint

Surveying, Inc.

THIS INSTRUMENT PREPARED BY:

Chris Pickens, Senior Real Property Specialist
Property Acquisition Division
On behalf of Joy Leggett-Murphy, Property Acquisition Manager
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205

PROJECT NAME: Del Webb at Bayview – Amenity Center
PID NOS: 606201209

SPACE ABOVE THIS LINE FOR RECORDING DATA

CONSENT AND JOINDER

THIS CONSENT AND JOINDER, made and given this 4th day of August, 2021, by **KL EAGLE POINT LLC**, a Delaware limited liability company, whose mailing address is 14025 Riveredge Drive, Suite 175, Tampa, Florida 33637, (hereinafter the **Mortgagee**), being the owner and holder of a mortgage dated December 16, 2019, made by **PULTE HOME COMPANY, LLC**, a Michigan limited liability company, whose mailing address is 2662 South Falkenburg Road, Riverview, FL 33578, (hereinafter the **Mortgagor**), in favor of Mortgagee, which Mortgagee has been recorded in Official Records Book 2818, Page 3666, 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 agent 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.

Matthew Afonso

First Witness Signature

MATTHEW AFONSO

First Witness Printed Name

Bryon T. LoPreste

Second Witness Signature

BRYON T. LOPRESTE

Second Witness Printed Name

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

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

- physical presence or
- online notarization

this 4th day of AUGUST, 2021, by James P. Harvey, as AUTHORIZED SIGNATORY of KL Eagle Point LLC, a Delaware 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]

Bryon T. LoPreste

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



MORTGAGEE:

KL Eagle Point LLC, a Delaware limited liability company

By: *James P. Harvey*
Signature

As: AUTHORIZED SIGNATORY
Title

JAMES P. HARVEY
Printed Name

My Commission Expires: 01.27.24

THIS INSTRUMENT PREPARED BY:

Chris Pickens, Senior Real Property Specialist
Property Acquisition Division
On behalf of Joy Leggett-Murphy, Property Acquisition Manager
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205



PROJECT NAME: Del Webb at Bayview – Amenity Center
PID NOS: 606201209

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AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES

BEFORE ME, the undersigned notary public, personally appeared Jeff Deason, 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 – Land Development of Grantor and I make this affidavit with the authority of and on behalf of PULTE HOME COMPANY, 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:

A. Mortgage dated December 16, 2019, and recorded in Official Records Book 2818, Page 3666, 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 Permanent Utilities 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.

JEFF DEASON

[Handwritten Signature]
Signature

STATE OF Florida
COUNTY OF Hillsborough

Before me, a Notary Public, the foregoing instrument was acknowledged by means of
 physical presence or
 online notarization
this 11 day of August, 2021, by **Jeff Deason**, who
 is personally known to me or
 has produced _____ as identification.

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

K. Diggs

My Commission Expires: 4/6/2025

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

 **Katarina Diggs**
Notary Public
State of Florida
Comm# HH114248
Expires 4/6/2025

EXHIBIT "A"

Description Sketch

(Not A Survey)

DESCRIPTION: A parcel of land lying in Tract "F-1" of DEL WEBB AT BAYVIEW PHASE 1, SUBPHASE A, B, & C, according to the plat thereof, as recorded in Plat Book 70, Pages 35 through 66 of the public records of Manatee County, Florida, and being more particularly described as follows:

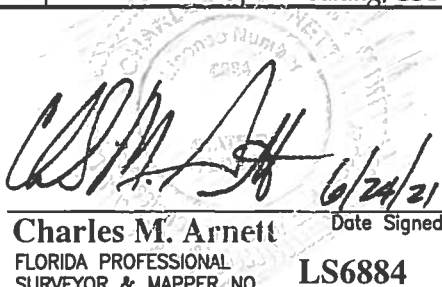
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Containing 267 square feet, more or less.

SURVEYOR'S NOTES:


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- 4) SEE SHEET TWO FOR SKETCH & LINE TABLE.

PROJECT: Eagle Point		Prepared For: LevelUp Consulting, LLC	
PHASE: Utility Easement Amenity Center			
DRAWN: CMA		DATE: 6/22/21	
		CHECKED BY: CMA	
REVISIONS			
DATE	DESCRIPTION	DRAWN BY	
06/24/21	Revise per County Surveyor Comments	CMA	



Charles M. Arnett
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. **LS6884**

213 Hobbs Street
Tampa, Florida 33619
Phone: (813) 248-8888
Licensed Business No.: LB 7768



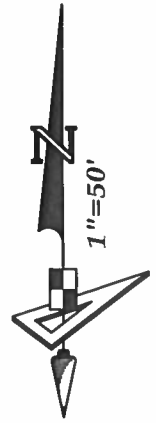
GeoPoint

Surveying, Inc.

EXHIBIT "A"

Description Sketch

(Not A Survey)



DEL WEBB AT BAYVIEW PHASE 1,
SUBPHASE A, B, & C
PLAT BOOK 70, PAGES 35-66

TRACT "F-1"
FUTURE AMENITY SITE
PULTE HOME COMPANY, LLC
NOW OR FORMERLY
PARCEL ID 606201209

POINT OF
COMMENCEMENT
Southeast corner of Tract
"F-1" of Del Webb at Bayview
Phase I, Subphase A, B, & C

UTILITY EASEMENT
(267 SQFT.±)

POINT OF
BEGINNING

Northerly Limits

10.00'
P.U.E.

Southerly Boundary
(BASIS OF BEARINGS)

UNPLATTED

BARRIER COAST TRAIL

TRACT "R-1"
PRIVATE RIGHT-OF-WAY, PRIVATE
DRAINAGE EASEMENT & PUBLIC
UTILITY EASEMENT

10.00'
P.U.E.

TRACT "D-11"
LANDSCAPE, IRRIGATION, LAKE &
PRIVATE DRAINAGE EASEMENT

LINE DATA TABLE

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L2	N17°46'22"W	18.09'
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CURVE DATA TABLE

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LEGEND

SQFT ----- Square Foot
+/- ----- More or Less

SEE SHEET FOR DESCRIPTION

213 Hobbs Street
Tampa, Florida 33619
Phone: (813) 248-8888
Licensed Business No.: LB 7768



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: SKEE

Receipt#: 900416791 Payee Name: PULTE GROUP

Receipt Date: 09/15/2021

Instrument: 202141122578 EASEMENT

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
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: \$52.50

Instrument: 202141122579 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: \$105.00

Amount Tendered: \$105.00

Overage: \$0.00

Check \$105.00 0090339796

Amount Paid:



Approved in Open Session 9/14/21
Manatee County
Board of County Commissioners

Board of County Commissioners September 14, 2021 - Regular Meeting

SUBJECT

ACCEPTANCE AND RECORDING OF A PERMANENT UTILITIES EASEMENT BETWEEN PULTE HOME COMPANY, LLC AND MANATEE COUNTY FOR DEL WEBB AT BAYVIEW - AMENITY CENTER, LOCATED 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

Chris Pickens, Senior Real Property Specialist, Property Management Department, Extension 6285

Action Requested

- Accept and Record a Permanent Utilities Easement from Pulte Home Company, LLC (includes Consent and Joinder from KL Eagle Point, LLC); and
- Record Affidavit of Ownership and Encumbrances from Pulte Home Company, LLC

Enabling/Regulating Authority

- Florida Statutes, Chapter 125, County Government

Background Discussion

- Del Webb at Bayview Phase I Subphase A, B & C (PLN1912-0009) is a 239 single family residential subdivision located in Parrish.
- The Amenity Center site lies within the project limits of Del Webb at Bayview Phase I Subphase A, B & C (PLN1912-0009).
- A Permanent Utilities Easement is required as part of the Final Site Plan requirements.
- The Permanent Utilities Easement contains approximately 267 square feet and is located on the North side of Barrier Coast Trail.

Attorney Review

Not Reviewed (No apparent legal issues)

Instructions to Board Records

Please notify the following of recording information:

- Chris Pickens at chris.pickens@mymanatee.org
- Paul Haas at paul.haas@mymanatee.org
- Ryan McChesney at ryan@levelupflorida.com

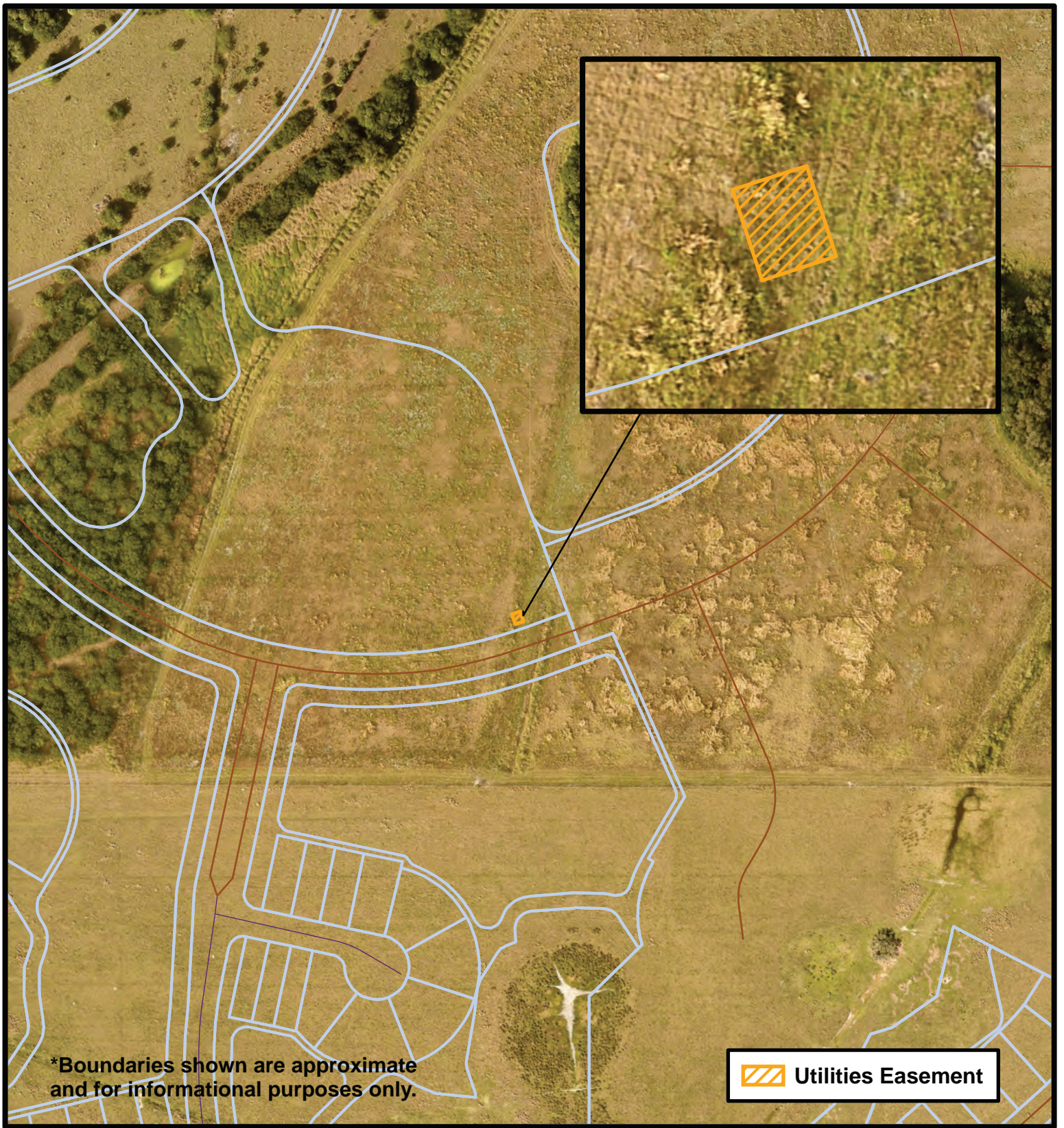
Distributed 9/16/21, RT

Cost and Funds Source Account Number and Name

\$105.00 recording fee paid by Grantor

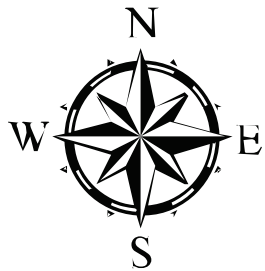
Amount and Frequency of Recurring Costs

N/A



*Boundaries shown are approximate and for informational purposes only.

 Utilities Easement



PERMANENT UTILITIES EASEMENT

**PULTE HOME COMPANY, LLC
8855 BARRIER COAST TRAIL
PARRISH, FL 34219
PID 606201309**

DISTRICT 1 - JAMES SATCHER

