

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: July 7, 2015

Consent [X] Regular []
Public Hearing []

Department: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Partial Release of a Utility Easement over property owned by SAC-Military, LLC (Property Owner).

Summary: On September 27, 2000, Oregon Partners No. 18, LTD, the predecessor in interest to SAC-Military, LLC, granted the County a utility easement (ORB 12118 PG 541) over County-owned facilities serving the commercial site located on the northwest corner of Military Trail and Summit Blvd. A review of the building location on the property revealed a minor encroachment into the easement. No utility facilities are affected by the encroachment. Water Utilities Department staff recommends the partial release of the portion of the utility easement that contains the encroachment. The remaining easement provides for adequate access to County utility facilities. District 2 (MJ)

Background and Justification: Utility easements are required over County-owned facilities to provide access for operation and maintenance purposes. During a review of a petition to modify the existing use within a retail building on the subject property, it was discovered that a corner of the building encroaches into the current utility easement. The area of encroachment does not affect the County's ability to access and maintain its utility facilities. The Property Owner is requesting to release a portion of the utility easement.

Attachments:

- 1. Location Maps
- 2. Two (2) Original Partial Release of utility Easement
- 3. One (1) Copy of Utility Easement (ORB 12118 PG 541)
- 4. One (1) Copy of Deed to SAC-Military, LLC (ORB 27389 PG 0008)

Recommended By: Jim Stebbins
Department Director

6-18-15
Date

Approved By: Shannon R. Bell
County Administrator

6-29-15
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	<u>0</u> *	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
No. ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Is Item Included in Current Budget? Yes ____ No ____

Reporting Category N/A

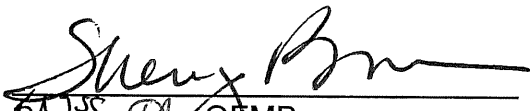
B. Recommended Sources of Funds/Summary of Fiscal Impact:

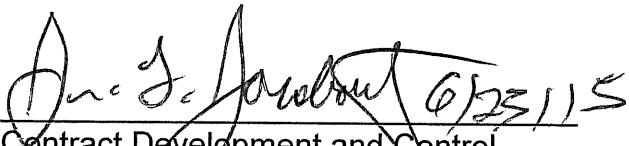
* No Fiscal Impact

C. Department Fiscal Review: Silvera M. West


III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:


Sherry Brown
5/19/15
6/19
OFMB
6/22


Anne J. Jordan 6/23/15
Contract Development and Control
6-23-15
B. Sheeler

B. Legal Sufficiency:


Assistant County Attorney
6/26/15

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment

ATTACHMENT 1



ATTACHMENT 2

Charge # 1023 Return via WILL CALL #133
Att: Plan Review
Palm Beach County Water Utilities Department
8100 Forest Hill Blvd
West Palm Beach, Florida 33416

PARTIAL RELEASE OF UTILITY EASEMENT

THIS PARTIAL RELEASE OF UTILITY EASEMENT, executed this ____ day of _____, _____, by Palm Beach County, a political subdivision of the State of Florida, first party, c/o Water Utilities Department, 8100 Forest Hill Blvd, West Palm Beach, Florida 33413, to SAC Military, LLC, whose address is 100 Main Street #302, Safety Harbor, FL 34695, second party:

WITNESSETH:

THAT the first party, for and in consideration of the sum of \$10.00 (Ten Dollars) in hand paid by the second party, the receipt of which is hereby acknowledged, wishes to terminate, renounce, and release a portion of that UTILITY EASEMENT recorded in Official Records Book 12118, Page 541, Public Records of Palm Beach County, Florida.

THEREBY, the first party hereby releases any and all of its rights, title, and interest in that portion of the UTILITY EASEMENT as shown in the sketch and legal description attached hereto and incorporated herein as Exhibit "A."

IN WITNESS WHEREOF the first party has caused this PARTIAL RELEASE OF UTILITY EASEMENT to be executed as of the day and year first written above.

ATTEST:

_____, Clerk & Comptroller

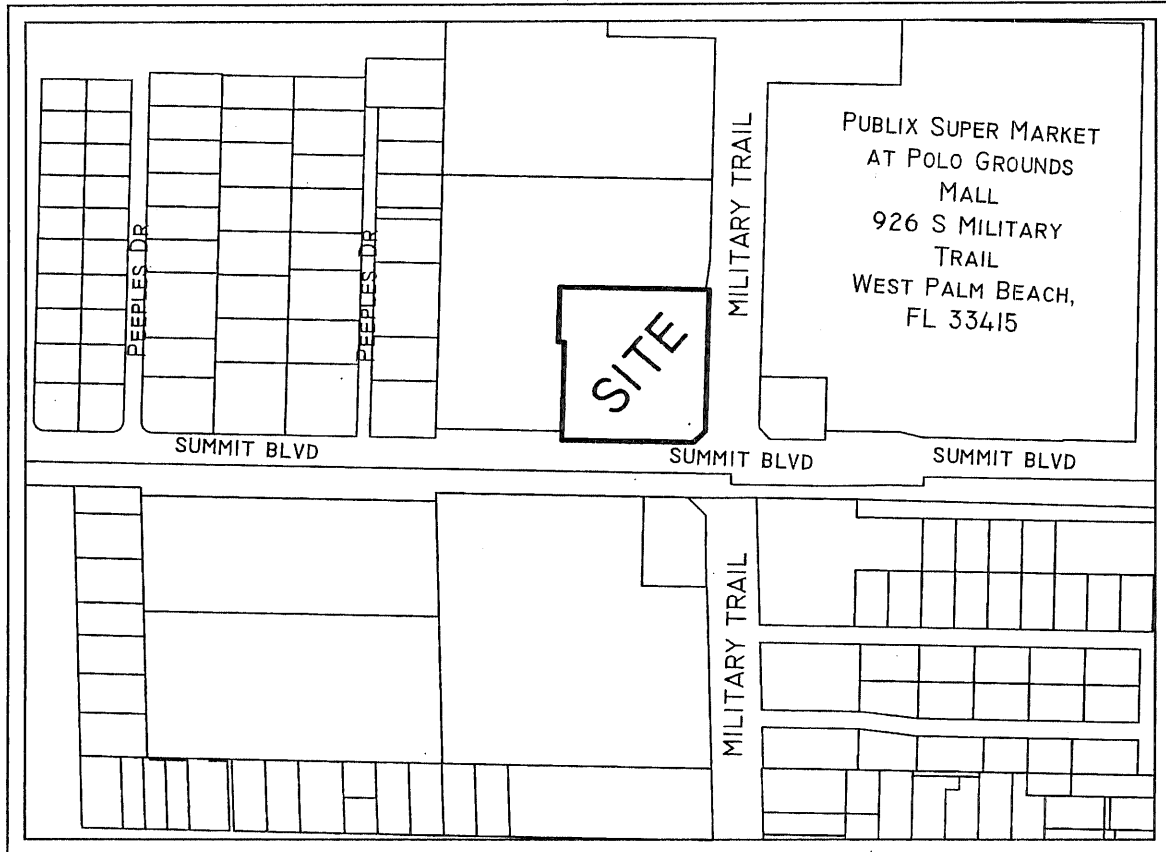
PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY
COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Shelley Vana, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney



LOCATION MAP

NOT TO SCALE

**NOTES
COORDINATES, BEARINGS AND DISTANCES**

COORDINATES SHOWN ARE GRID
 DATUM = NAD 83 1990 ADJUSTMENT
 ZONE = FLORIDA EAST
 LINEAR UNIT = US SURVEY FEET
 COORDINATE SYSTEM 1983 STATE PLANE
 TRANSVERSE MERCATOR PROJECTION
 ALL DISTANCES ARE GROUND
 SCALE FACTOR = 1.0000375
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
 BEARINGS AS SHOWN HEREON ARE GRID DATUM,
 NAD 83 1990 ADJUSTMENT, FLORIDA EAST ZONE.

SHEET 1 OF 3

CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452

**WALGREENS AT SUMMIT & MILITARY
 EASEMENT RELEASE
 SKETCH OF DESCRIPTION**

D.L.S.
 DAVID P. LINDLEY
 REGISTERED LAND
 SURVEYOR NO. 5005
 STATE OF FLORIDA
 L.B. 3591

DATE	05/07/15
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	6849-SDUER

DESCRIPTION:

A PORTION OF THE SOUTHWEST (1/4) OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST (1/4) OF SAID SECTION 1; THENCE NORTH 88°57'16" WEST ALONG THE SOUTH LINE OF SAID SECTION 1 FOR A DISTANCE OF 337.67 FEET; THENCE, DEPARTING SAID SOUTH LINE, NORTH 00°23'59" EAST FOR A DISTANCE OF 135.23 FEET TO THE POINT OF BEGINNING;

THENCE, NORTH 01°06'07" EAST, A DISTANCE OF 5.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF THE UTILITY EASEMENT, AS RECORDED IN OFFICIAL RECORDS BOOK 12118 AT PAGE 541 OF THE PUBLIC RECORD OF PALM BEACH COUNTY, FLORIDA; THENCE, ALONG SAID NORTH LINE, SOUTH 88°53'53" EAST, A DISTANCE OF 3.00 FEET; THENCE, CONTINUING ALONG SAID NORTH LINE, SOUTH 01°06'07" WEST, A DISTANCE OF 5.00 FEET; THENCE, DEPARTING SAID NORTH LINE, NORTH 88°53'53" WEST, A DISTANCE OF 3.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.
CONTAINING 15 SQUARE FEET, MORE OR LESS.


NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS ARE RELATIVE TO A GRID BEARING OF N88°57'16"W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SUMMIT BLVD., AS RECORDED IN OFFICIAL RECORD BOOK 4895, PAGE 197 THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (90/98 ADJUSTMENT).
4. COORDINATES SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (90/98 ADJUSTMENT) IN U.S. SURVEY FEET.
5. UNLESS OTHERWISE NOTED ALL DISTANCES SHOWN ARE GROUND MEASUREMENTS.
4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
5. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENT OF RECORD AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.

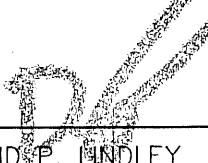
CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON MAY 7, 2015. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

SHEET 2 OF 3



CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452



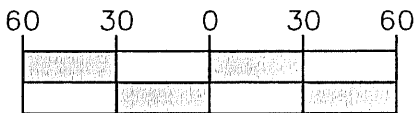
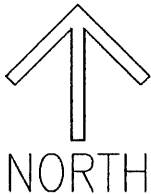
DAVID P. LINDLEY
 REGISTERED LAND
 SURVEYOR NO. 5005
 STATE OF FLORIDA
 L.B. 3591

DATE	05/07/15
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	6849-SDUER

**WALGREENS AT SUMMIT & MILITARY
EASEMENT RELEASE
SKETCH OF DESCRIPTION**

SUMMIT PINES OFFICE/WAREHOUSE CONDOMINIUM
(O.R.B. 19458, PAGE 616)

SUMMIT PINES OFFICE/WAREHOUSE CONDOMINIUM
(O.R.B. 19458, PAGE 616)



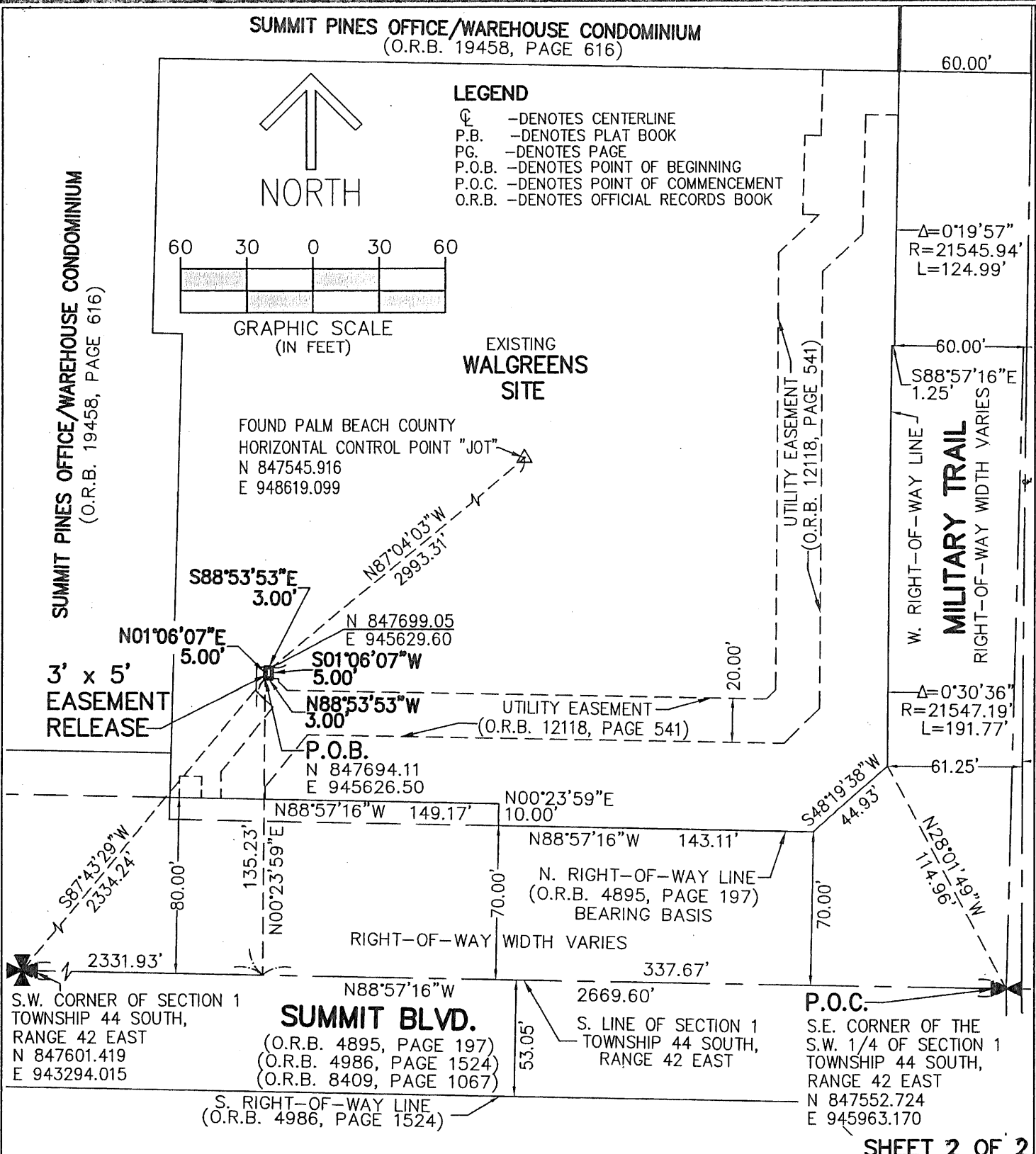
GRAPHIC SCALE
(IN FEET)

LEGEND

- ⊕ -DENOTES CENTERLINE
- P.B. -DENOTES PLAT BOOK
- PG. -DENOTES PAGE
- P.O.B. -DENOTES POINT OF BEGINNING
- P.O.C. -DENOTES POINT OF COMMENCEMENT
- O.R.B. -DENOTES OFFICIAL RECORDS BOOK

EXISTING
WALGREENS
SITE

FOUND PALM BEACH COUNTY
HORIZONTAL CONTROL POINT "JOT"
N 847545.916
E 948619.099



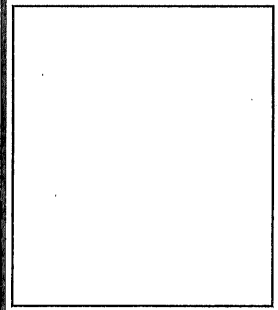
S.W. CORNER OF SECTION 1
TOWNSHIP 44 SOUTH,
RANGE 42 EAST
N 847601.419
E 943294.015

SUMMIT BLVD.
(O.R.B. 4895, PAGE 197)
(O.R.B. 4986, PAGE 1524)
(O.R.B. 8409, PAGE 1067)

P.O.C.
S.E. CORNER OF THE
S.W. 1/4 OF SECTION 1
TOWNSHIP 44 SOUTH,
RANGE 42 EAST
N 847552.724
E 945963.170

SHEET 2 OF 2

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE - SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452



DATE	05/07/15
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	6849-SDUER

**WALGREENS AT SUMMIT & MILITARY
EASEMENT RELEASE
SKETCH OF DESCRIPTION**

SDA #
Prepared by and Return to:
Palm Beach County Water Utilities Department
P.O. Box 16097
West Palm Beach, Florida 33416-6097

WALGREENS MILITARY/SUMMIT UTILITY EASEMENT
WUD 99-158

THIS EASEMENT is made, granted and entered into this 27th day of SEPTEMBER, 2000 by Oregon Partners No. 18, Ltd. (hereinafter referred to as "Grantor"), whose address is 1123 Overcash Dr., Dunedin, FL 34698, to Palm Beach County (hereinafter referred to as "Grantee"), c/o Water Utilities Department, P.O. Box 16097, West Palm Beach, Florida 33416-6097.

WITNESSETH

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by the Grantee and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to the Grantee, its successors and assigns, a perpetual utility easement which shall permit Grantee authority to enter upon the property of the Grantor at any time to install, operate, maintain, service, construct, reconstruct, remove, relocate, repair, replace, improve, expand, tie into, and inspect potable water, reclaimed water and/or wastewater lines and appurtenant facilities and equipment in, on, over, under and across the easement premises. This utility easement or portion thereof can also be utilized for a wastewater pump station and may be fenced in for access control purposes. The easement hereby granted covers a strip of land lying, situate and being in Palm Beach County, Florida, and being more particularly described as follows:

SEE EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF

Grantor hereby covenants with Grantee that it is lawfully seized and in possession of the real property herein described and that it has good and lawful right to grant the aforesaid easement free and clear of mortgages and other encumbrances unless specifically stated to the contrary.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and affixed its seal as of the date first above written.
Oregon Partners No. 18, Ltd. a Florida Limited Partnership
By: Oregon Properties, Inc. a Florida Corp., General Partner."

WITNESSES:
Signed, sealed and delivered
in the presence of:

GRANTOR:

Alana Cupler
Witness Signature
Alana Cupler
Print Name

[Signature]
Signature
Daniel L. Vietto, Vice President
Print Name

CAROL E. SOBKIWIAK
Witness Signature
Carol E. Sobkiwiatek
Print Name

[Signature]
Signature
[Print Name]
Print Name

(SEAL)

NOTARY CERTIFICATE

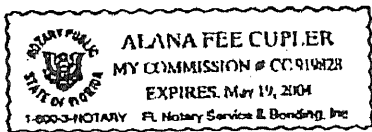
STATE OF FLORIDA
COUNTY OF PALM BEACH
Pinellas

The foregoing instrument was acknowledged before me this 27 day of September, 2000 by Daniel L. Vietto and [Name] who is/are personally known to me or who has produced [ID] as identification.

My Commission Expires: 5-19-04

Alana Fee Cupler
Notary Signature

Alana Fee Cupler
Typed, Printed or Stamped Name of Notary



RECEIVED

OCT 26 2000
P.B.C. WATER UTILITIES
TECH SERVICE

SDA #
Prepared by and Return to:
Palm Beach County Water Utilities Department
P.O. Box 16097
West Palm Beach, Florida 33416-6097

ORB 12118 Pg 542

CONSENT AND JOINDER OF MORTGAGEE FOR UTILITY EASEMENT

The undersigned mortgagee does hereby join in and consent to the granting of this Utility Easement, across the lands here n described, and agrees that its mortgage, which is recorded in Official Record Book 11197, Page 137: of the Public Records of Palm Beach County, Florida, shall be subordinated to this Utility Easement.

In WITNESS WHEREOF, the Grantor/Mortgagee has hereunto set its hand and affixed its seal as of the date first above written.

WITNESSES:
Signed, sealed and delivered
in the presence of:

[Signature]
Witness Signature

Kent Harrell
Print Name

[Signature]
Witness Signature

Vicki Young
Print Name

GRANTOR/MORTGAGEE:

WACHOVIA BANK, N.A.

by [Signature]
Signature

Robert D. Kramer
Print Name Senior Vice Pres.

Signature

Print Name

(SEAL)

NOTARY CERTIFICATE

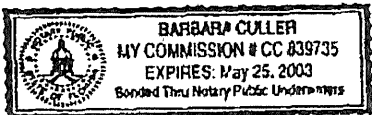
STATE OF FLORIDA
COUNTY OF PALM BEACH Hinsberry

The foregoing instrument was acknowledged before me this 26th day of September, 2000, by Robert D. Kramer and _____ who (s)are both personally known to me or who have produced _____ as identification.

My Commission
Expires:

[Signature]
Notary Signature

Typed, Printed or Stamped Name of Notary



COPY

RECEIVED
OCT 26 2000
P.B.C. WATER UTILITIES
TECH SERVICE

LEGAL DESCRIPTION:

ORB 12118 Pg 543

A Utility Easement for water purposes, lying in a portion of the Southwest one-quarter (SW 1/4) of Section 1, Township 44 South, Range 42 East, Palm Beach County, Florida, being more particularly described as follows:

Commencing at a Southeast corner of the Southwest one-quarter (SW1/4) of Section 1, Township 44 South, Range 42 East, Palm Beach County, Florida; thence North 88°57'16" West, along the South line of the Southwest one-quarter (SW1/4) of said Section 1, a distance of 231.20 feet; thence North 00°23'59" East, a distance of 70.00 feet to a point on the North right-of-way line of Summit Boulevard; thence continue North 00°23'59" East, a distance of 10.00 feet; thence North 88°57'16" West, a distance of 165.99 feet to the POINT OF BEGINNING; thence continue North 88°57'16" West, a distance of 20.00 feet; thence North 00°10'23" West, a distance of 12.29 feet; thence North 38°39'26" East, a distance of 37.66 feet; thence North 45°33'41" West, a distance of 10.68 feet; thence North 01°06'07" East, a distance of 10.77 feet; thence South 88°53'53" East, a distance of 6.93 feet; thence South 01°06'07" West, a distance of 5.00 feet; thence South 88°53'53" East, a distance of 3.07 feet; thence South 01°06'07" West, a distance of 1.46 feet; thence South 45°33'41" East, a distance of 5.46 feet; thence South 88°59'08" East, a distance of 217.81 feet; thence North 45°36'15" East, a distance of 5.78 feet; thence North 00°17'23" East, a distance of 199.54 feet; thence North 46°33'23" East, a distance of 25.21 feet; thence North 88°28'38" West, a distance of 7.35 feet; thence North 01°31'22" East, a distance of 35.85 feet; thence South 88°28'38" East, a distance of 7.35 feet; thence North 01°31'22" East, a distance of 29.95 feet; thence South 88°55'47" East, a distance of 34.61 feet to a point on the West right-of-way line of Military Trail (State Road # 809), said point being the beginning of curve of a non-tangent curve to the left, of which the radius point lies South 88°55'24" East, having a radius of 21,545.94 feet and a central angle of 00°03'11"; thence southerly along the arc of said curve, a distance of 20.00 feet; thence North 88°55'47" West, a distance of 14.77 feet; thence South 01°31'22" West, a distance of 54.26 feet; thence South 46°33'23" West, a distance of 24.95 feet; thence South 00°17'23" West, a distance of 199.34 feet; thence South 45°36'15" West, a distance of 22.50 feet; thence North 88°59'08" West, a distance of 216.48 feet; thence South 38°39'26" West, a distance of 30.74 feet; thence South 00°10'23" East, a distance of 5.67 feet to the POINT OF BEGINNING.

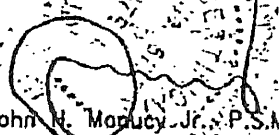
OK
11/06/2000

SURVEYOR'S CERTIFICATE:


I hereby certify to the best of my knowledge and belief that this drawing is a true and correct representation of the LEGAL DESCRIPTION AND SKETCH of the real property described hereon. I further certify that this legal description and sketch was prepared in accordance with the applicable provisions of Chapter 61G17-6 Florida Administrative Code.

Ford, Armenteros & Manucy, Inc.

Date: 10/25/00
Revision 1:
Revision 2:



John N. Manucy, Jr., P.S.M.
Professional Surveyor & Mapper 5158
State of Florida

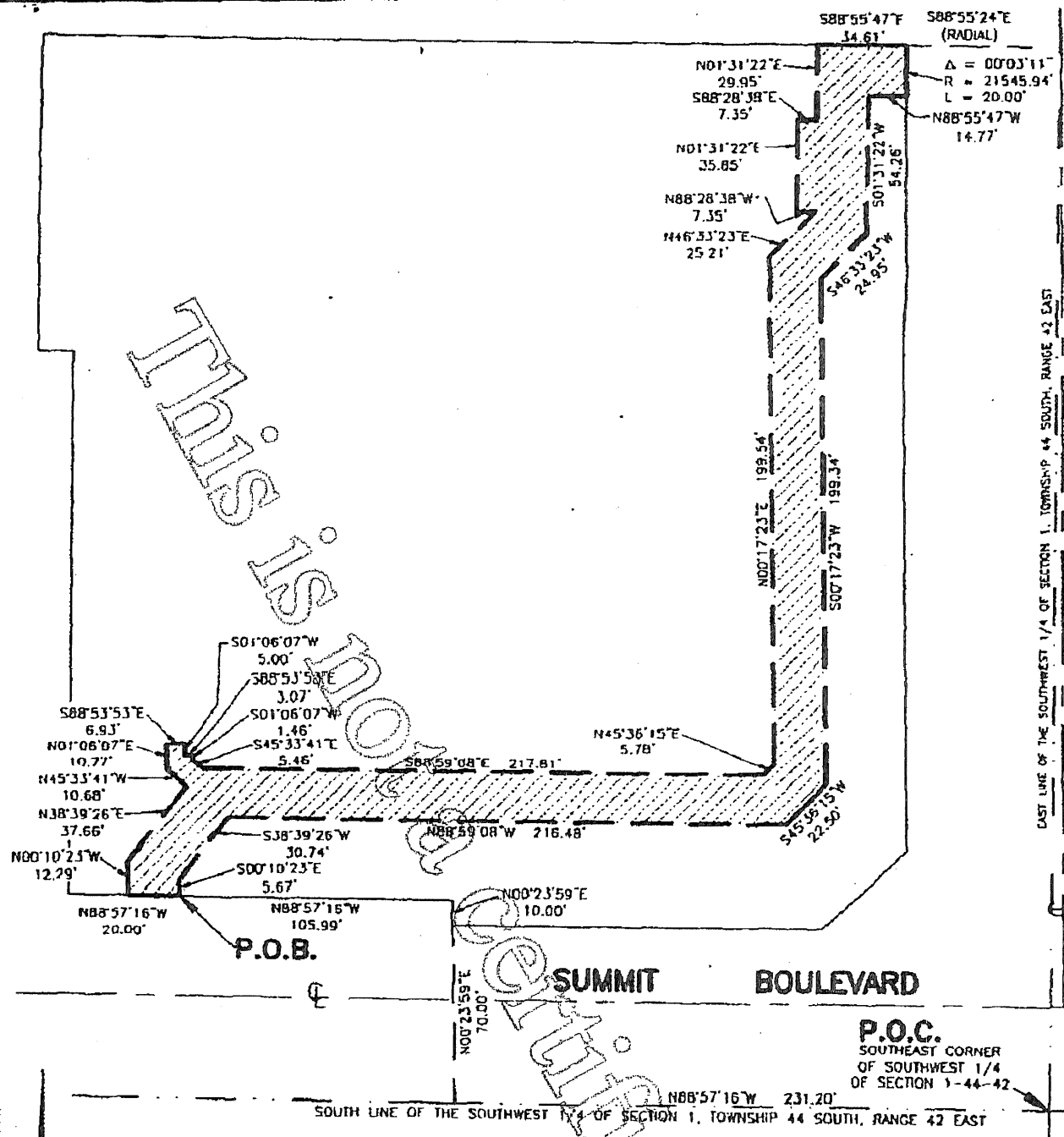
 FORD, ARMENTEROS & MANUCY, INC. 1695 W. INDIANTOWN ROAD, SUITE 14 JUPITER, FLORIDA 33458 PHONE: (561) 743-2210 LB 6557			
SCALE: N/A	DRAWN BY: JIM ZEIS	FIELD BOOK: N/A	ORDER NO. 000000
DATE: 10/25/00			
SKETCH AND LEGAL DESCRIPTION OF UTILITY EASEMENT FOR THE WATER SYSTEM FOR WALGREENS			
PREPARED FOR: L.C.I. CONSTRUCTION			

THIS IS NOT A SURVEY
SHEET 1 OF 2

EXHIBIT "A" 1 of 4

MILITARY TRAIL

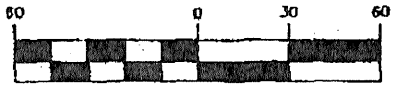
EAST LINE OF THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 42 EAST



LEGEND:

- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT

GRAPHIC SCALE



(IN FEET)
1 inch = 60 ft.

SHEET 2 OF 2

THIS IS NOT A SURVEY

FORD, ARMENTEROS & MANUCY, INC. 1695 W. INDIANTOWN ROAD, SUITE 14 JUPITER, FLORIDA 33458 PHONE: (561) 743-2210 LB 6557			
SCALE: 1" = 60'	DRAWN BY: JIM ZEIS	FIELD BOOK: N/A	ORDER NO. 000000
SKETCH AND LEGAL DESCRIPTION OF UTILITY EASEMENT FOR THE WATER SYSTEM FOR WALGREENS			
PREPARED FOR: <i>[Signature]</i> L.C.I. CONSTRUCTION			

EXHIBIT "A" 2 of 4

LEGAL DESCRIPTION:

ORB 12118 Pg 545

A Utility Easement for water purposes, lying in a portion of the Southwest one-quarter (SW 1/4) of Section 1, Township 44 South, Range 42 East, Palm Beach County, Florida, being more particularly described as follows:

Commencing at a Southeast corner of the Southwest one-quarter (SW1/4) of Section 1, Township 44 South, Range 42 East, Palm Beach County, Florida; thence North 88°57'16" West, along the South line of the Southwest one-quarter (SW1/4) of said Section 1, a distance of 231.20 feet; thence North 00°23'59" East, a distance of 70.00 feet to a point on the North right-of-way line of Summit Boulevard; thence continue North 00°23'59" East, a distance of 10.00 feet; thence North 88°57'16" West, a distance of 131.92 feet to the POINT OF BEGINNING; thence continue North 88°57'16" West, a distance of 10.00 feet; thence North 00°10'23" West, a distance of 10.00 feet; thence South 88°57'16" East, a distance of 10.00 feet; thence South 00°10'23" East, a distance of 10.00 feet to the POINT OF BEGINNING.

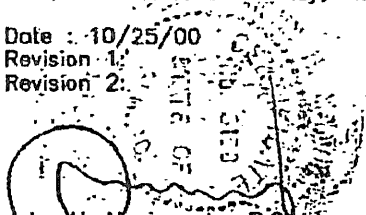
OK
11/06/2000

SURVEYOR'S CERTIFICATE:

I hereby certify to the best of my knowledge and belief that this drawing is a true and correct representation of the LEGAL DESCRIPTION AND SKETCH of the real property described hereon. I further certify that this legal description and sketch was prepared in accordance with the applicable provisions of Chapter 61G17-6 Florida Administrative Code.

Ford, Armenteros & Manucy, Inc.

Date : 10/25/00
Revision 1:
Revision 2:



John H. Manucy, Jr., P.S.M.
Professional Surveyor & Mapper 5158
State of Florida

FORD, ARMENTEROS & MANUCY, INC.			
1695 W. INDIANTOWN ROAD, SUITE 14			
JUPITER, FLORIDA 33458			
PHONE: (561) 743-2210			LB 6557
SCALE: N/A	DRAWN BY: JIM ZEIS	FIELD BOOK: N/A	ORDER NO. 000000
DATE: 10/25/00			
SKETCH AND LEGAL DESCRIPTION OF UTILITY EASEMENT FOR THE WATER SYSTEM FOR WALGREENS			
PREPARED FOR:			L.C.I. CONSTRUCTION

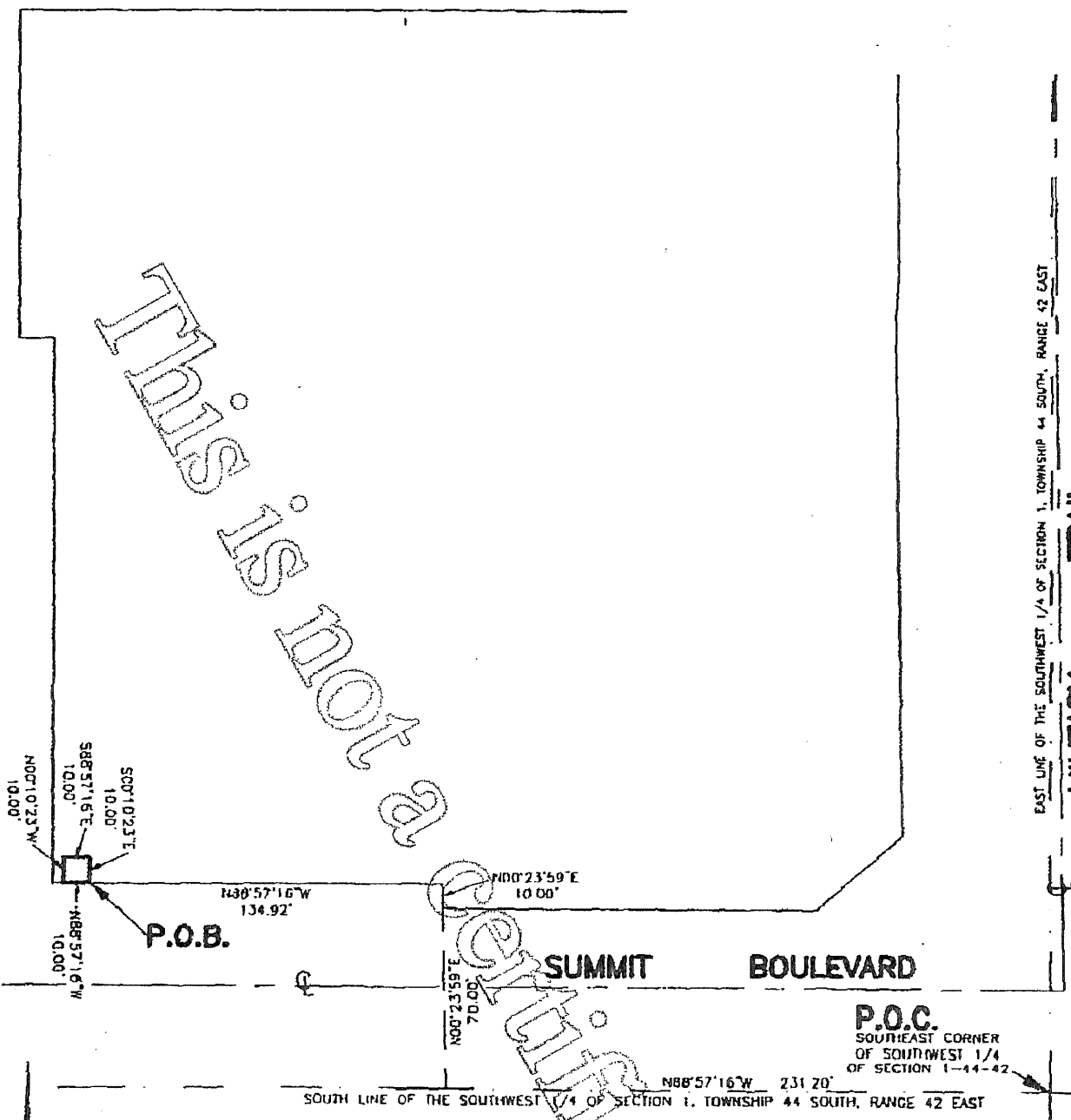
THIS IS NOT A SURVEY
SHEET 1 OF 2

EXHIBIT "A" 3 of 4

This is not a

EAST LINE OF THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 42 EAST

MILITARY TRAIL



LEGEND:

- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT

GRAPHIC SCALE





(IN FEET)
 1 inch = 60 ft.

SHEET 2 OF 2

EXHIBIT "A" 4 of 4

THIS IS NOT A SURVEY

 FORD, ARMENTEROS & MANUCY, INC. 1695 W. INDIANTOWN ROAD, SUITE 14 JUPITER, FLORIDA 33458 PHONE: (561) 743-2210 LB 6557			
SCALE: 1" = 60'	DRAWN BY: JIM ZEIS	FIELD BOOK: N/A	ORDER NO. 000000
SKETCH AND LEGAL DESCRIPTION OF UTILITY EASEMENT FOR THE WATER SYSTEM FOR WALGREENS			
PREPARED FOR:  E.C.I. CONSTRUCTION			



CFN 20150085504
 OR BK 27389 PG 0008
 RECORDED 03/10/2015 10:05:32
 Palm Beach County, Florida
 AMT 6,000,000.00
 Doc Stamp 42,000.00
 Sharon R. Beck, CLERK & COMPTROLLER
 Pgs 0008 - 11; (4pgs)

Prepared by (and return to):

Abbye M. Dalton, Esq.
 Hartman Simons & Wood LLP
 6400 Powers Ferry Road, NW
 Suite 400
 Atlanta, GA 30339

Parcel Identification Number(s): 00-42-44-01-00-000-7870

SPECIAL WARRANTY DEED

THIS INDENTURE is made and entered into as of the ^{25th} day of February, 2015, by and between REGIS INN, L.L.C., an Oklahoma limited liability company ("Grantor"), whose mailing address is 5118 W. Neptune Way, Tampa, Florida 33609, Attn: Mr. Reginald Parsons, and SAC-MILITARY, LLC, a Florida limited liability company ("Grantee"), whose mailing address is 100 Main Street, Suite 302, Safety Harbor, Florida 34695;

WITNESSETH, that Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold, alienated, remised, released, conveyed and confirmed, and by these presents does hereby grant, bargain, sell, alienate, remise, release, convey and confirm unto Grantee, and Grantee's heirs, successors and assigns forever, the following described real property in the County of Palm Beach, State of Florida, to-wit:

SEE EXHIBIT A ATTACHED HERETO
 AND INCORPORATED HEREIN BY REFERENCE THERETO,

TOGETHER with all the tenements, hereditaments and appurtenances, and every privilege, right, title, interest and estate, reversion, remainder and easement thereto belonging or in anywise appertaining (collectively, the "Property").

SUBJECT TO the encumbrances and exceptions described on Exhibit B attached hereto and incorporated herein by reference thereto (collectively, "Permitted Exceptions"); provided, however, that neither Grantor nor Grantee intend to reimpose any Permitted Exceptions nor shall this conveyance operate to reimpose or extend any Permitted Exceptions.

TO HAVE AND TO HOLD the same in fee simple forever.

And Grantor does hereby warrant the title to the Property, subject to and except for the Permitted Exceptions, and will defend the same, subject to and except for the Permitted Exceptions, against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

[SIGNATURE CONTAINED ON FOLLOWING PAGE]

Record and Return to:
 Zimmerman, Kiser & Sutcliffe, P.A.
 Post Office Box 3000
 Orlando, Florida 32802-3000


Special Warranty Deed - Military Trail
 2850671-1 12420,0017000

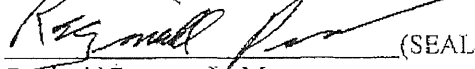
SIGNATURE PAGE TO SPECIAL WARRANTY DEED
BY REGIS INN, L.L.C.
TO AND IN FAVOR OF SAC-MILITARY, LLC

IN WITNESS WHEREOF, Grantor has caused these presents to be signed and sealed the day and year above written.

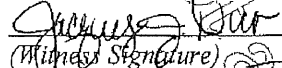
Signed, sealed and delivered
in the presence of:

REGIS INN, L.L.C.,
an Oklahoma limited liability company



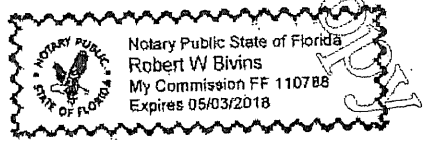
By:  (SEAL)
Reginald Parsons, Its Manager

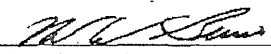
(Witness Signature)
Print Witness Name: Jaw M. HEMEDWAY


(Witness Signature)
Print Witness Name: Jaquelyn J. Dixon

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 19th day of February, 2015, by Reginald Parsons, the Manager of REGIS INN, L.L.C., an Oklahoma limited liability company, on behalf of the company. He/She is () personally known to me, or () produced a valid driver's license as identification.





Notary Public - (Signature)
Print Name: Robert W Bivins
My Commission Expires: 5/3/18

EXHIBIT "A"

LEGAL DESCRIPTION

A portion of the Southwest ¼ of Section 1, Township 44 South, Range 42 East, Palm Beach County, Florida, being more particularly described as follows:

Commence at the Southeast corner of the Southwest ¼ of said Section 1; thence run North 88° 57' 16" West along the South line of said Section 1 for a distance of 231.19 feet to a point; thence run North 00° 23' 59" East for a distance of 70.00 feet to the Point of Beginning; thence continue North 00° 23' 59" East for a distance of 10.00 feet to a point; thence run North 88° 57' 16" West along the North Right of Way line of Summit Boulevard for a distance of 149.17 feet to a point; thence run North 01° 25' 13" East for a distance of 212.23 feet to a point; thence run North 88° 57' 16" West for a distance of 13.58 feet to a point; thence run North 01° 25' 13" East for a distance of 125.14 feet to a point; thence run South 88° 55' 47" East for a distance of 335.86 feet to a point on the arc of a circular curve, concave to the East, the center of which bears South 88° 55' 23" East from said point; thence run Southerly along the arc of said curve (also being the West Right of Way line of Military Trail) having a radius of 21,545.94 feet, thru a central angle of 00° 19' 57" for an arc distance of 124.99 feet to a point of non-tangency; thence run North 88° 57' 16" West for a distance of 1.25 feet to a point on the arc of circular curve concave to the East, the center of which bears South 89° 15' 20" East from said point; thence run Southerly along the arc of said curve (also being the West Right of Way line of Military Trail) having a radius of 21,547.19 feet thru a central angle of 00° 30' 36" for an arc distance of 191.77 feet to a point; thence run South 48° 19' 38" West for a distance of 44.91 feet to a point; thence run North 88° 57' 16" West along the North Right of Way line of Summit Boulevard for a distance of 143.11 feet to the Point of Beginning.

The following information is included for reference only and shall not affect the terms of the Deed, including without limitation, the warranty of title set forth therein:

Containing 2.5718 acres, more or less, which property is also described on that certain ALTA/ACSM Survey prepared by Caulfield & Wheeler, Inc., David P. Lindley, Registered Land Surveyor No. 5005, prepared for Encore Real Estate Development, LLC, a Florida limited liability company, First American National Title Insurance Company, USAmeribank, a Florida banking corporation, its successors and assigns, and SAC-Military, LLC, a Florida limited liability company, dated September 11, 2014, which survey is incorporated herein by this reference.

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Taxes and assessments for the year of 2015 and subsequent years, which are not yet due and payable.
2. Provisions of the Plat of PLAT NO. 1 PALM BEACH PLANTATIONS, recorded April 26, 1924 in Plat Book 10, Page 20, Public Records of Palm Beach County, Florida.
3. Developer's Agreement by and between Summit Associates, a Florida partnership, and Palm Beach County recorded September 26, 1985 in Book 4661, Page 839, aforesaid records.
4. Easement Deed in favor of Palm Beach County recorded September 26, 1985 in Book 4661, Page 856, aforesaid records.
5. Reservations contained in Special Warranty Deed recorded April 24, 1985 in Book 8715, Page 256, aforesaid records.
6. Memorandum of Lease between Oregon Partners No. 18, Ltd., a Florida limited partnership, as Landlord, and Walgreen Co., an Illinois corporation, as Tenant, recorded June 28, 1999 Book 11197, Page 1363, aforesaid records.
7. Standard Potable Water and Wastewater Development Agreement (SDA) by and between Palm Beach County and Oregon Partners No. 18, Ltd. recorded April 14, 2000 in Book 11718, Page 1622, aforesaid records, re-recorded June 30, 2000 in Book 11869, Page 1022, and re-filed June 30, 2000 in Book 11869, Page 1033 and Book 11869, Page 1043, aforesaid records.
8. Utility Easement in favor of Palm Beach County recorded November 6, 2000 in Book 12118, Page 541, aforesaid records.