

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
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><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Budget Account No.:	Fund _____	Dept _____	Unit _____	Object _____	

Is Item Included in Current Budget? Yes ___ No ___

Reporting Category N/A

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

N/A

C. Department Fiscal Review: Selma Moxest

III. REVIEW COMMENTS

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

<p><u>[Signature]</u> 12/15/16 OFMB ET 12/12 [Signature] 12/12</p>	<p><u>[Signature]</u> for [Signature] Contract Development and Control 12/29/16 [Signature]</p>
--	---

B. Legal Sufficiency:

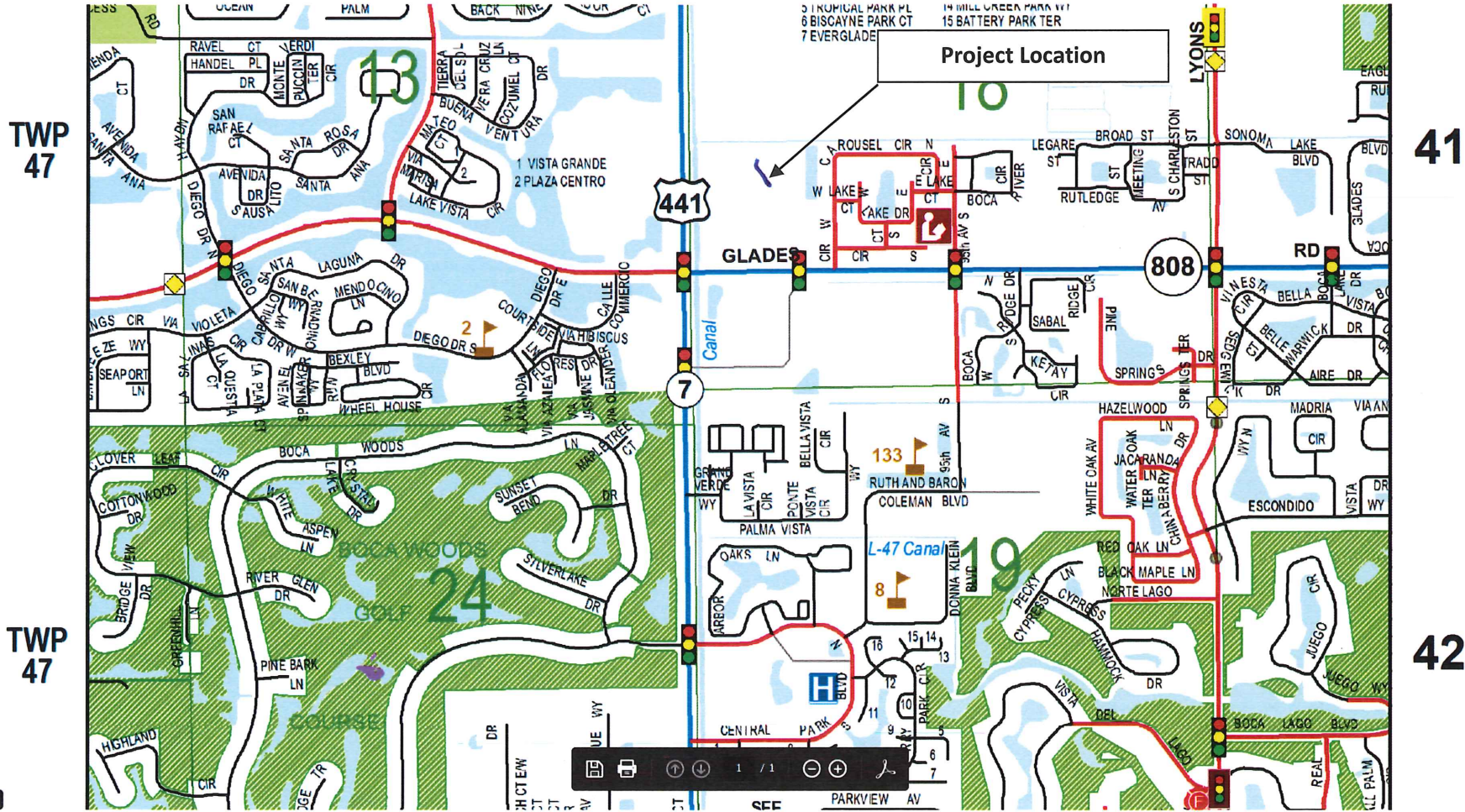
[Signature] 1/3/17
Assistant County Attorney

C. Other Department Review:

Department Director

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

ATTACHMENT 1
Location Map



41

42

Prepared by and return to:
Palm Beach County Water Utilities Department
Attn: Plan Review
8100 Forest Hill Blvd
West Palm Beach, Florida 33413

PARTIAL RELEASE OF UTILITY EASEMENT

THIS PARTIAL RELEASE OF UTILITY EASEMENT, executed this ___ day of _____, 2017, 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 RREEF America REIT II Corp. J, whose address is 222 South Riverside, Floor 26 Chicago, Illinois 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 7724, Page 706, 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:

Sharon R. Bock, Clerk

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

By: _____
Deputy Clerk

By: _____

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

SKETCH AND LEGAL DESCRIPTION

BY

PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870

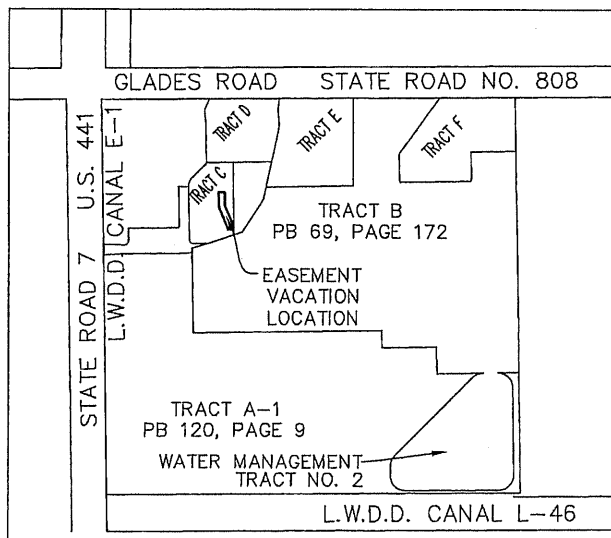


LEGAL DESCRIPTION:

A PORTION OF THE 20 FOOT WIDE WATERLINE EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 7724, PAGE 706, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF TRACT C, "FESTIVAL SHOPPES OF BOCA RATON", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 69, PAGE 172, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT C; THENCE SOUTH 89°09'02" WEST ON THE NORTH LINE OF SAID TRACT C 148.09 FEET; THENCE SOUTH 00°50'58" EAST 93.53 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°50'58" EAST 41.06 FEET; THENCE SOUTH 22°50'58" EAST 60.77 FEET; THENCE SOUTH 00°00'35" WEST 12.75 FEET; THENCE SOUTH 66°00'47" WEST 15.05 FEET TO A POINT ON A WESTERLY LINE OF THE AFOREMENTIONED WATERLINE EASEMENT; THENCE ON THE BOUNDARY OF SAID WATERLINE EASEMENT THE FOLLOWING 3 COURSES AND DISTANCES: 1) NORTH 22°50'58" WEST 76.70 FEET; 2) NORTH 00°50'58" WEST 44.94 FEET; 3) NORTH 89°09'02" EAST 20.00 FEET TO THE POINT OF BEGINNING.

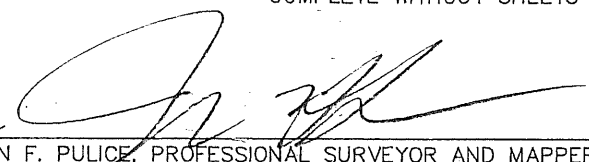
SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA AND CONTAINING 2,322 SQUARE FEET, MORE OR LESS.



LOCATION MAP
NOT TO SCALE

FILE: JONES LANG LASALLE	
SCALE: N/A	DRAWN: B.E.
ORDER NO.: 61488	
DATE: 08/01/16	
WATERLINE EASEMENT VACATION	
PALM BEACH COUNTY, FLORIDA	
FOR: BENIHANA	

SHEET 1 OF 2 THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2



JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
 BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
 VICTOR R. GILBERT, PROFESSIONAL SURVEYOR AND MAPPER LS6274
 STATE OF FLORIDA

SKETCH AND LEGAL DESCRIPTION

BY

PULICE LAND SURVEYORS, INC.

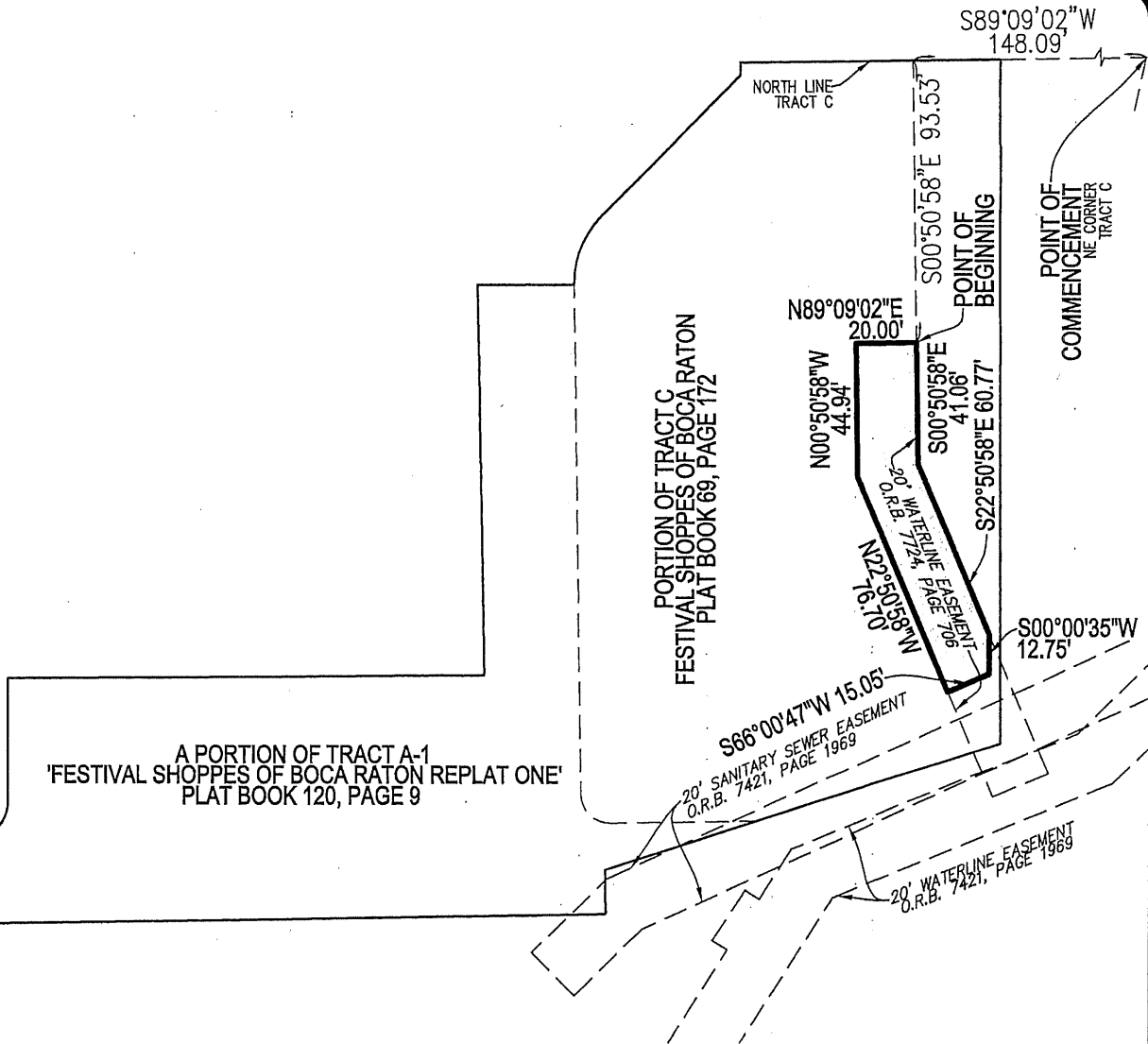
5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



U.S. HIGHWAY NO. 441 (STATE ROAD NO. 7)



NOTES:

- 1) BEARINGS ARE BASED ON THE NORTH LINE OF TRACT "C", BEING S89°09'02"W.
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

FILE: JONES LANG LASALLE	
SCALE: 1"=60'	DRAWN: B.E.
ORDER NO.: 61488	
DATE: 08/01/16	
WATERLINE EASEMENT VACATION	
PALM BEACH COUNTY, FLORIDA	
FOR: BENIHANA	

SHEET 2 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2

LEGEND:

O.R.B. OFFICIAL RECORDS BOOK

Attachment 3

MAY-26-1993 9:30am 93-161561
ORB 7724 Pg 706

Property Appraisers Parcel Identification (Folio) Number(s):

001-366-4240-4921 ORIGINAL

GRANT OF EASEMENT

Corporate

J.G. I.F. Festival Shoppes

THIS INDENTURE, made this 28th day of October, 19 92, between Ezon Investment Company, a Tennessee Corporation party of the first part, and PALM BEACH COUNTY, a political subdivision of the State of Florida, whose address is 2030 South Congress Avenue, West Palm Beach, FL 33406, party of the second part;

WITNESSETH:

THAT, the party of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable considerations, the receipt of which is hereby acknowledged by the party of the first part, has granted and does hereby grant, to the party of the second part, its successors and assigns, forever, the right, privilege and easement to construct, reconstruct, lay, install, operate, maintain, relocate, repair, replace, improve, remove and inspect water transmission and distribution facilities and all appurtenances thereto, and/or sewage transmission and collection facilities and all appurtenant equipment, with full right to ingress thereto and egress therefrom, the property of the party of the first part, described as follows, to wit:

Sketch and Legal Description, attached.

ACCEPTED BY
BOARD OF COUNTY COMMISSIONERS

5-21-93

WEST PALM BEACH FL 33416

MK

The party of the first part does hereby fully warrant that it has good title to the above described property and that it has full power and authority to grant this easement.

Signed and Sealed in the Presence of:

ORB 7724 Pg 707

Beth Turner

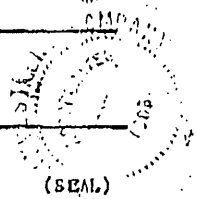
Sandra Johnson

EZON INVESTMENT COMPANY
Corporation

ATTEST:

By: _____
Secretary

Jack O. Tackett
President



NOTARY CERTIFICATE

STATE OF ~~KENTUCKY~~ TENNESSEE
COUNTY ~~KENTUCKY~~ SHELBY

The foregoing instrument was acknowledged before me this 29th day of Oct., 19 92 by Jack O. Tackett, of Ezon Investment Company a Tennessee corporation, on behalf of the corporation. He/she is personally known to me ~~XXXXXX~~ and ~~did~~ (did not) take an oath.

Signature of Notary

Linda L. Neal

Linda L. Neal

Typed, Printed, or Stamped
Name of Notary

Notary Public

Serial Number

My Commission Expires 2-13-96

This instrument prepared by: LAWSON, NOBLE, Assoc., INC.

Address 420 COLUMBIA DRIVE
West Palm Beach, FL 33409

ORB 7724 Pg 708

DESCRIPTION 20.00 FEET UTILITY EASEMENT (WATERLINE)

A STRIP OF LAND LYING WITHIN LOTS 111 AND 112, BLOCK 77 OF PALM BEACH FARMS COMPANY PLAT NO.3 AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54 INCLUSIVE OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A 20.00 FEET STRIP OF LAND LYING 10.00 FEET EACH SIDE OF AND PARALLEL WITH THE FOLLOWING DESCRIBED CENTERLINE OF SAID STRIP;

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 18, TOWNSHIP 47 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; THENCE NORTH $00^{\circ}50'58''$ WEST, ALONG THE WEST LINE OF SAID SECTION 18, A DISTANCE OF 1126.02 FEET TO AN INTERSECTION WITH A LINE 92.00 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE CENTERLINE OF S.R. 808 (GLADES ROAD) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS FOR SECTION 93004-2509; THENCE NORTH $89^{\circ}38'00''$ EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 406.01 FEET; THENCE SOUTH $00^{\circ}50'58''$ EAST, A DISTANCE OF 207.07 FEET; THENCE SOUTH $44^{\circ}09'02''$ WEST, A DISTANCE OF 65.51 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 32.00 FEET AND A CENTRAL ANGLE OF $45^{\circ}00'00''$; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 25.13 FEET; THENCE SOUTH $00^{\circ}50'58''$ EAST, A DISTANCE OF 55.04 FEET; THENCE NORTH $89^{\circ}09'02''$ EAST, A DISTANCE OF 48.70 FEET; THENCE NORTH $03^{\circ}37'33''$ WEST, A DISTANCE OF 23.69 FEET; THENCE NORTH $88^{\circ}03'49''$ EAST, A DISTANCE OF 54.94 FEET; TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED CENTERLINE; THENCE SOUTH $00^{\circ}50'58''$ EAST, A DISTANCE OF 33.00 FEET; THENCE SOUTH $22^{\circ}50'58''$ EAST, A DISTANCE OF 113.09 FEET TO THE POINT OF TERMINATION, SAID POINT OF TERMINATION LYING ALONG A LINE BEARING NORTH $67^{\circ}46'45''$ EAST.

THE SIDELINES OF THE ABOVE DESCRIBED STRIP OF LAND SHALL BE LENGTHENED OR SHORTENED TO MEET THE PARAMETERS AS DESCRIBED.

BEARINGS BASED ON THE WEST LINE OF SECTION 18/47/42 HAVING A BEARING OF NORTH $00^{\circ}50'58''$ WEST.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

SHEET 1 OF 2
PROJECT NO.90-102H
12/02/92

Return to: (enclose self-addressed stamped envelope)

Name

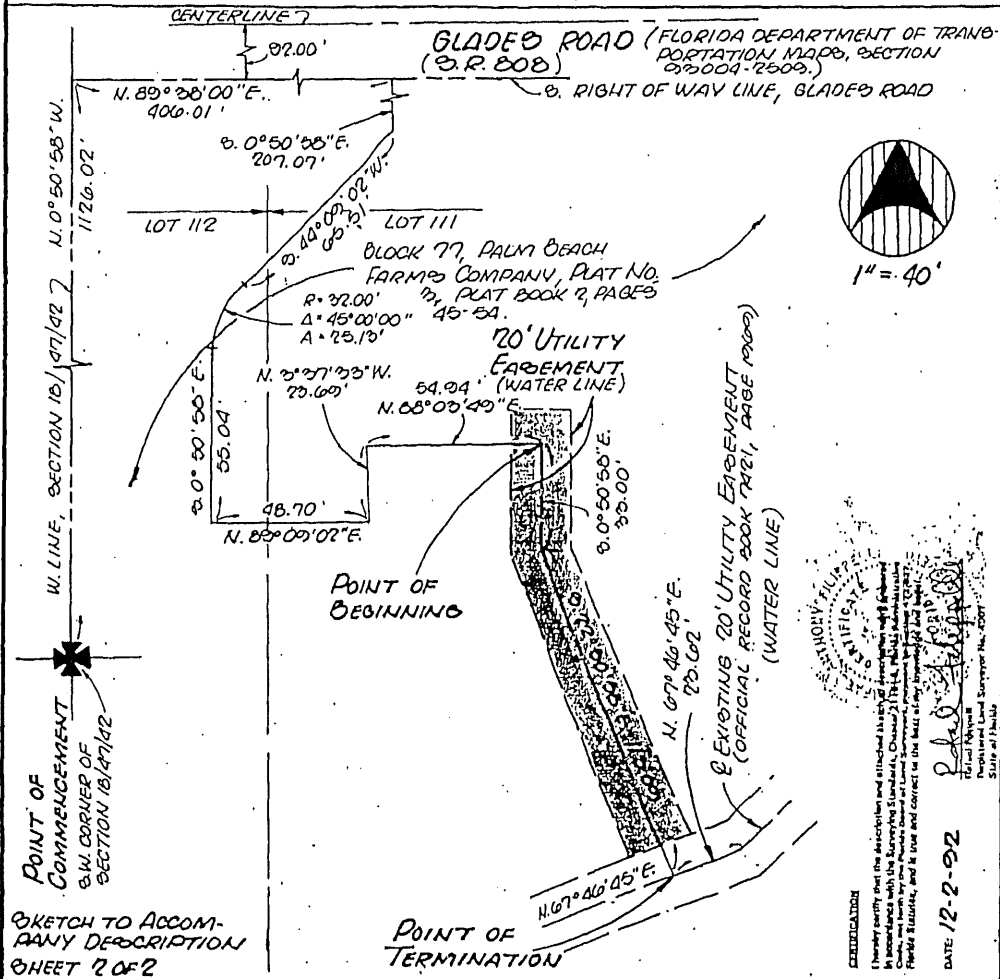
Address

Property Appraisers Parcel Identification (Folio) Number(s):

ORB 7724 Pg 709
RECORD VERIFIED DOROTHY H WILKIN
CLERK OF THE COURT - PB COUNTY, FL

LAWSON, NOBLE & ASSOCIATES, INC.

CONSULTING ENGINEERS, LAND PLANNERS, SURVEYORS
420 COLUMBIA DRIVE WEST PALM BEACH, FL 33409 PH: (407) 684-6686
590 N.W. PEACOCK LOOP SUITE 10 PORT ST. LUCIE, FL 34986 PH: (407) 878-1700



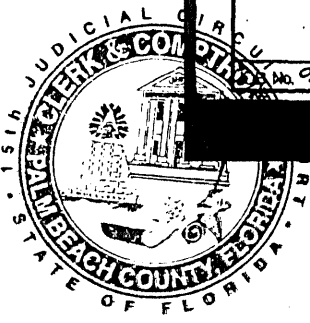
SKETCH TO ACCOMPANY DESCRIPTION SHEET 2 OF 2

REVISIONS - UPDATES	DATE	BY	CKD	NOTE
REVISED UTILITY EASEMENT	12-2-02	SM	RAF	NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THIS INFORMATION SHOWN HEREON.
" " "	12-2-02	SM	RAF	

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY AND/OR EASEMENTS OR RECORD.

DATE: 12-2-02

BY: SM CHECKED: RAF



I hereby certify the foregoing is a true copy of the record in my office with redactions, if any as required by law as of this day, Oct 18, 2016.
 Sharon R. Bock, Clerk and Comptroller, Palm Beach County, Florida
 BY Erika Cruz Deputy Clerk

JAN-10-1997 9:54am 97-011535
ORB 7409 Pg 391
Con 18:146:871.16 Doc 127:028.30

This Instrument prepared by
and return to:
Ellen R. Itzler, Esq.
Osborne, Osborne & deClaire P.A.
798 S. Federal Highway, Ste. 100
Boca Raton, Florida 33432

20.10
127,028.30

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made the 30th day of December 1996,
by EZON, INC., a Tennessee corporation, formerly known as Ezon Products, Inc., a Tennessee
corporation as successor by merger of Ezon Investment, Inc., a Tennessee corporation, as
GRANTOR, and AP PROPERTIES, L.P., a Tennessee limited partnership, 1900 Exeter Road,
Germantown, TN 38183, as Grantee.

WITNESS that Grantor, for good and valuable consideration, receipt of which is
acknowledged, grants, bargains and sells to Grantee all the real property located in Palm Beach
County, Florida, more particularly described as follows:

SEE LEGAL DESCRIPTION ON EXHIBIT "A" ATTACHED HERETO AND
MADE A PART HEREOF BY REFERENCE.

SUBJECT TO: Zoning, restrictions, prohibitions and other requirements imposed by
governmental authority; restrictions, easements and matters appearing on the plat or
otherwise common to the subdivision; assessments and taxes for the year 1997 and
all subsequent years.

together with all tenements, hereditaments and appurtenances thereto;

GRANTOR hereby covenants with Grantee that Grantor will forever defend Grantee against
claims of all persons claiming by, through or under Grantor. No other covenants or warranties,
expressed or implied, are given by this Special Warranty Deed.

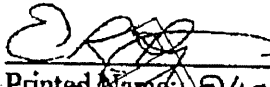
IN WITNESS WHEREOF, Grantor has set its hand and seal the day and year first above
written.

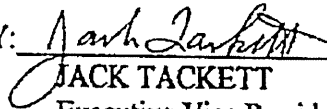
COPIES


jt

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

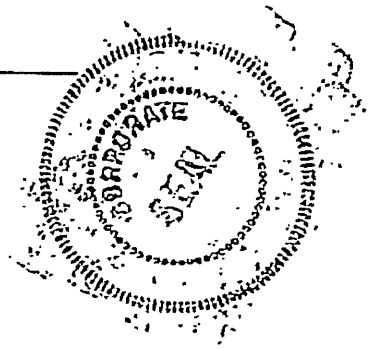
EZON, INC., a Tennessee corporation, formerly known
as Ezon Products, Inc., a Tennessee corporation as
successor by merger of Ezon Investment, Inc., a
Tennessee corporation


Printed Name: Ellen R. Itzler

BY: 
JACK TACKETT
Executive Vice President


Printed Name: JERRENE BERGHMANS

(corporate seal)

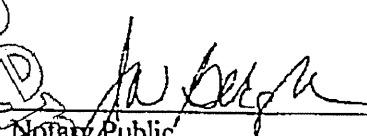


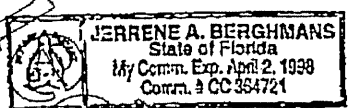
STATE OF FLORIDA)
COUNTY OF PAV. Ber.) ss.

The foregoing was acknowledged before me this 17th day of December, 1996, by Jack Tackett as Executive Vice President of Ezon, Inc., a Tennessee corporation, formerly known as Ezon Products, Inc., a Tennessee corporation as successor by merger of Ezon Investment, Inc., a Tennessee corporation, freely and voluntarily under authority duly vested in him by said corporation and that seal affixed thereto is the true corporate seal of said corporation:

- who is personally known to me;
- who produced _____ as identification;

on the 17th day of December, 1996.


Notary Public
Notary Commission No. _____
My Commission Expires: _____)


JERRENE A. BERGHMANS
State of Florida
My Comm. Exp. April 2, 1998
Comm. # CC 354721
 PERSONALLY KNOWN BY ME
 PRODUCED

7010

EXHIBIT "A"
Legal Description

309606742 (Revised)

Parcel No. 1

Being a portion of Lots 109, 110, 111, 112, and 116, and all of Lots 113, 114 and 115 Block 77 of Palm Beach Farms Company Plat No. 3 as recorded in Plat Book 2, Pages 45 thru 54, Public Records of Palm Beach County, Florida and being more particularly described as follows:

Commence at the Southwest corner of Section 18, Township 47 South, Range 42 East, Palm Beach County, Florida, thence North $00^{\circ}50'58''$ West, along the West line of said Section 18, a distance of 1158.02 feet; to an intersection with the Westerly prolongation of the proposed Southerly Right-of-Way of S. R. 808 (Glades Road) per Florida Department of Transportation Right-of-Way maps for Section 93004-2409; thence North $89^{\circ}38'00''$ East, along said prolongation, a distance of 82.00 feet to the Point of Beginning; thence continue North $89^{\circ}38'00''$ East, along said proposed Southerly Right-of-Way line, a distance of 1295.00 feet; thence South $00^{\circ}50'58''$ East, a distance of 1275.35 feet to the South line of said Lot 116; thence South $89^{\circ}38'00''$ West, along the South line of Lots 116, 115, 114 and 113, a distance of 1294.90 feet to the Southwest corner of said Lot 113; thence North $00^{\circ}53'51''$ West, along the West line of said Lot 113, a distance of 110.06 feet; thence North $00^{\circ}50'58''$ West, along the West line of said Lots 113 and 112, a distance of 1157.30 feet to the Point of Beginning;

Less and excepting therefrom any portion which lies within the North 25 feet of said Tracts 109 to 112 inclusive.

Further less and except the following 4 Parcels:

- 1) Right of Way of Glades Road (State Road 808) conveyed by deed recorded in Official Records Book 6956, at Page 280, of the Public Records of Palm Beach County, Florida.
- 2) Parcel conveyed to Home Depot U.S.A., Inc., a Delaware corporation, by Special Warranty Deed recorded in Official Records Book 7028, at Page 721, of the Public Records of Palm Beach County, Florida.
- 3) Parcel conveyed to Halvorsen Investments, Inc. a Florida corporation by Special Warranty Deed recorded in Official Records Book 7457, at Page 1168 of the Public Records of Palm Beach County, Florida.
- 4) Parcel conveyed to First Union National Bank of Florida by Warranty Deed recorded in Official Records Book 7502, Page 1595 of the Public Records of Palm Beach County, Florida.

The above described property is also described as all of the Plat of FESTIVAL SHOPPES OF BOCA RATON, according to the Plat thereof, as recorded in Plat Book 69, at Page 172, of the Public Records of Palm Beach County, Florida, less Tract B of said Plat and less that parcel conveyed to Halvorsen Investments, Inc., a Florida corporation, by Special Warranty Deed recorded in Official Records Book 7457, Page 1168 of the Public Records of Palm Beach County, Florida and less that Parcel conveyed to First Union National Bank of Florida by Warranty Deed recorded in Official Records Book 7502, Page 1595 of the Public Records of Palm Beach County, Florida.

Said lands situate, lying and being in Palm Beach County, Florida.

Parcel No. 2

Non-exclusive easement rights as described in Declaration of Easements, Covenants and Restrictions recorded in Official Records Book 6924, at Page 1790, refiled in Official Records Book 6692, at Page 1459, and amended in Official Records Book 7114, at Page 733 and in Official Records Book 7472, at Page 1583.

This is not a certified copy

✓ Ellen Steyer
Steyer's Steyer, P.A.
Suite 106
(UPS) 1100 S. Federal Hwy
Ft. Lauderdale, FL 33316

Apr-20-2000 12:17pm 00-145786
ORB 11732 Pg 1416
Con 27,188,408.00 Doc 198,318.80

Return to:
RREEF America REIT II Corp. J
c/o Joel Rubin
D'Ancona & Pflaum LLC
111 East Wacker Drive, Suite 2800
Chicago, Illinois 60601-4205

Attachment 5

This Instrument Prepared by:

Joseph L. Stone, Esq.
D'Ancona & Pflaum LLC
111 East Wacker Drive, Suite 2800
Chicago, Illinois 60601-4205

Property Parcel Identification (Folio)
Number(s): 00-42-43-27 05 007-1091

RESERVED FOR RECORDER'S STAMP

THIS SPECIAL WARRANTY DEED Made the 17th day of April A.D. 2000 by AP PROPERTIES, LP, a Tennessee limited partnership, hereinafter called the grantor, to RREEF AMERICA REIT II CORP. J, a Maryland corporation, whose post office address is c/o The RREEF Funds, 55 East 52nd Street, 31st Floor, New York, NY 10055 hereinafter called the grantee:

(Wherever used herein the words "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporation)

WITNESSETH: That the grantor, for and in consideration of the sum of \$ 10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, remises, releases, conveys, and confirms unto the grantee, all that certain land situate in Palm Beach County, Florida, viz:

See Exhibit A, attached hereto and made a part hereto.
Subject to easements, restrictions and reservations of record and to taxes for the year 2000 and thereafter

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said grantor.

IN WITNESS WHEREOF, the said grantor has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of:

AP PROPERTIES, LP, a Tennessee limited partnership

By: J. Gomez, Inc., a Nevada corporation

Darlene M. Lawrence
Printed Name: DARLENE M. LAWRENCE

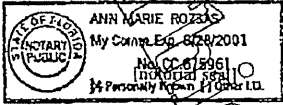
Ann Marie Rozsas
Printed Name: ANN MARIE ROZSAS

By: [Signature]
Name: JACK O. TACKETT
His: Executive Vice President

STATE OF FLORIDA)
) SS. *Maples*
COUNTY OF PALM BEACH)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgements, personally appeared Jack O. Tackett, known to me to be the Executive Vice President of the company who is the corporate general partner of the company in whose name the foregoing instrument was executed, under authority duly vested in them by said company, and that an oath was not taken. (Check one:) Said person(s) is/are personally known to me. Said person(s) provided the following type of identification:

WITNESS my hand official seal in the County and State last aforesaid this 17th day of April A.D. 2000.



Ann Marie Rozas
Notary Public

My Commission expires:

This is not a certified copy

Parcel No. 1

Being a portion of Lots 109, 110, 111, 112, and 116, and all of Lots 113, 114 and 115 Block 77 of Palm Beach Farms Company Plat No. 3 as recorded in Plat Book 2, Pages 45 thru 54, Public Records of Palm Beach County, Florida and being more particularly described as follows:

Commence at the Southwest corner of Section 18, Township 47 South, Range 42 East, Palm Beach County, Florida, thence North 00°50'58" West, along the West line of said Section 18, a distance of 1158.02 feet; to an intersection with the Westerly prolongation of the proposed Southerly Right-of-Way of S. R. 808 (Glades Road) per Florida Department of Transportation Right-of-Way maps for Section 93004-2409; thence North 89°38'00" East, along said prolongation, a distance of 82.00 feet to the Point of Beginning; thence continue North 89°38'00" East, along said proposed Southerly Right-of-Way line, a distance of 1295.00 feet; thence South 00°50'58" East, a distance of 1275.35 feet to the South line of said Lot 116; thence South 89°38'00" West, along the South line of Lots 116, 115, 114 and 113, a distance of 1294.90 feet to the Southwest corner of said Lot 113; thence North 00°53'51" East, along the West line of said Lot 113, a distance of 118.06 feet; thence North 00°50'58" West, along the West line of said Lots 113 and 112, a distance of 1157.30 feet to the Point of Beginning.

Less and excepting therefrom any portion which lies within the North 25 feet of said Tracts 109 to 112 inclusive.

Further less and except the following 4 Parcels:

- 1) Right of Way of Glades Road (State Road 808) conveyed by deed recorded in Official Records Book 6956, at Page 280, of the Public Records of Palm Beach County, Florida.
- 2) Parcel conveyed to Home Depot U.S.A., Inc., a Delaware corporation, by Special Warranty Deed recorded in Official Records Book 7028, at Page 721, of the Public Records of Palm Beach County, Florida.
- 3) Parcel conveyed to Halvorsen Investments, Inc. a Florida corporation by Special Warranty Deed recorded in Official Records Book 7457, at Page 1168 of the Public Records of Palm Beach County, Florida.
- 4) Parcel conveyed to First Union National Bank of Florida by Warranty Deed recorded in Official Records Book 7502, Page 1595 of the Public Records of Palm Beach County, Florida.

The above described property is also described as all of the Plat of FESTIVAL SHOPPES OF BOCA RATON, according to the Plat thereof, as recorded in Plat Book 69, at Page 172, of the Public Records of Palm Beach County, Florida, less Tract B of said Plat and less that parcel conveyed to Halvorsen Investments, Inc. a Florida corporation, by Special Warranty Deed recorded in Official Records Book 7457, Page 1168 of the Public Records of Palm Beach County, Florida, and less that Parcel conveyed to First Union National Bank of Florida by Warranty Deed recorded in Official Records Book 7502, Page 1595 of the Public Records of Palm Beach County, Florida.

Said lands situate, lying and being in Palm Beach County, Florida.

Parcel No. 2

Non-exclusive easement rights as described in Declaration of Easements, Covenants and Restrictions recorded in Official Records Book 6924, at Page 1790, refiled in Official Records Book 6692, at Page 1459, and amended in Official Records Book 7114, at Page 733 and in Official Records Book 7172, at Page 1583.

Further less and except the following parcel:

- 5) Being a portion of Lot 111, Block 77 of Palm Beach Farms Company Plat No. 3 as recorded in Plat Book 2, Pages 45 through 54, Public Records of Palm Beach County, Florida and being more particularly described as follows:

Commence at the Southwest corner of Section 18, Township 47 South, Range 42 East, Palm Beach County, Florida; thence North 00°50'58" West, along the West line of said Section 18, a distance of 1126.02 feet; to an intersection with a line 92.00 feet South of (as measured at right angles to) and parallel with the centerline of S.R. 808 (Glades Road) per Florida Department of Transportation right-of-way maps for Section 93004-2509; thence North 89°38'00" East, along said parallel line, a distance of 406.01 feet; thence South 00°50'58" East, a distance of 202.83 feet; thence North 89°09'02" East, a distance of 85.50 feet to the Point of Beginning; thence South 00°05'58" East, a distance of 227.04 feet; thence North 71°57'54" East, a distance of 30.40 feet; thence North 32°40'29" East a distance of 119.05 feet; thence North 12°10'11" East, a distance of 121.93 feet; thence South 89°09'02" West, a distance of 119.29 feet to the Point of Beginning.