



**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Operating Costs	<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>
<b>NET FISCAL IMPACT</b>	<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 \_\_\_\_\_

Does this item include the use of federal funds? Yes \_\_\_\_\_ No X

Reporting Category N/A

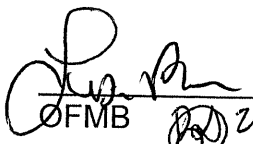
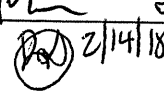
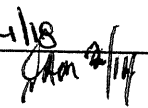
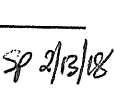
**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

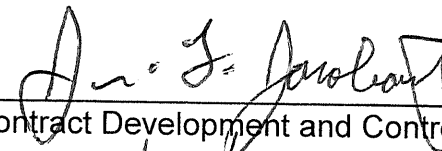
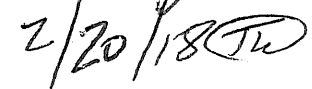
This item has no fiscal impact.

**C. Department Fiscal Review:** \_\_\_\_\_ 

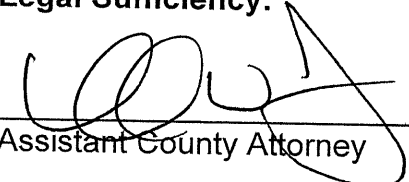
**III. REVIEW COMMENTS**

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

  
OFMB  2/14/18  2/14/18  2/13/18

  
Contract Development and Control  
2/20/18 

**B. Legal Sufficiency:**

  
Assistant County Attorney 2/22/18

**C. Other Department Review:**

\_\_\_\_\_  
Department Director

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



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

**PARTIAL RELEASE OF UTILITY EASEMENT**

**THIS PARTIAL RELEASE OF UTILITY EASEMENT**, executed this \_\_\_ day of \_\_\_\_\_, 2018, 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 CT BTS, LLC, whose address is 1120 S Albert Pike Avenue, Fort Smith, Arkansas 72903:

**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 10726 Page 1894, 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 shown in the sketch and legal description attached hereto and incorporated herein as Exhibit "A" to the second party.

**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: \_\_\_\_\_  
Melissa McKinlay, Mayor *JCS*

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: \_\_\_\_\_  
County Attorney

EXHIBIT "A"

DESCRIPTION SKETCH FOR:  
**CT BTS LLC, an Arkansas limited liability company**

**DESCRIPTION:** Portion of 10' Palm Beach County Utility Easement to be abandoned.

The South 10 feet of the East 4 feet of the following described 10 foot wide Palm Beach County Utility Easement (P.B.C.U.E.) recorded in Official Records Book 10726, Page 1984, Public Records of Palm Beach County, Florida:

A 10 foot wide utility easement lying in Section 5, Township 44 South, Range 43 East, Palm Beach County, Florida, more particularly described as follows:

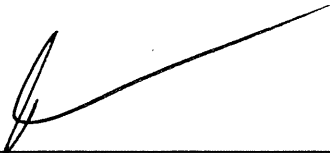
**COMMENCE** at the Southwest corner of said Section 5; thence North 02°31'04" East along the West line of said Section 5 for 40.96 feet; thence at 90° from the previously described line South 87°28'56" East for 47.26 feet to the intersection of the Easterly right-of-way line of Congress Avenue (State Road 807) with the Northerly right-of-way line of the Lake Worth Drainage District L-6 Canal as shown on State Road 807 Right-of-Way Map as recorded in Road Plat Book 3, Page 37 of the Public Records of Palm Beach County, Florida, also being the **POINT OF BEGINNING**; thence North 01°28'25" West along the said Easterly right-of-way line of Congress Avenue (State Road 807) for 6.97 feet to the point of curvature of a curve concave to the East, having a radius of 5679.65 feet; thence Northerly along said curve to the right through a central angle of 3°15'31" for 323.03 feet; thence South 88°12'53" East for 10.00 feet to a non-tangent curve concave to the East and being concentric with the previously described curve, having a radius of 5669.65 feet, where the radial line bears South 88°12'53" East; thence Southerly along said curve to the left through a central angle of 3°15'31" for 322.46 feet to a point of tangency; thence South 01°28'25" East for 7.46 feet to the said Northerly right-of-way line of the Lake Worth Drainage District L-6 Canal; thence North 88°38'02" West along said Northerly right-of-way line for 10.01 feet to the **POINT OF BEGINNING**.

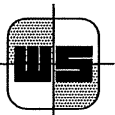
Containing in all 40 square feet, more or less.

**CERTIFICATION:**

**I HEREBY ATTEST** that the description sketch shown hereon conforms to the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers adopted in Rule 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes, effective September 1, 1981.

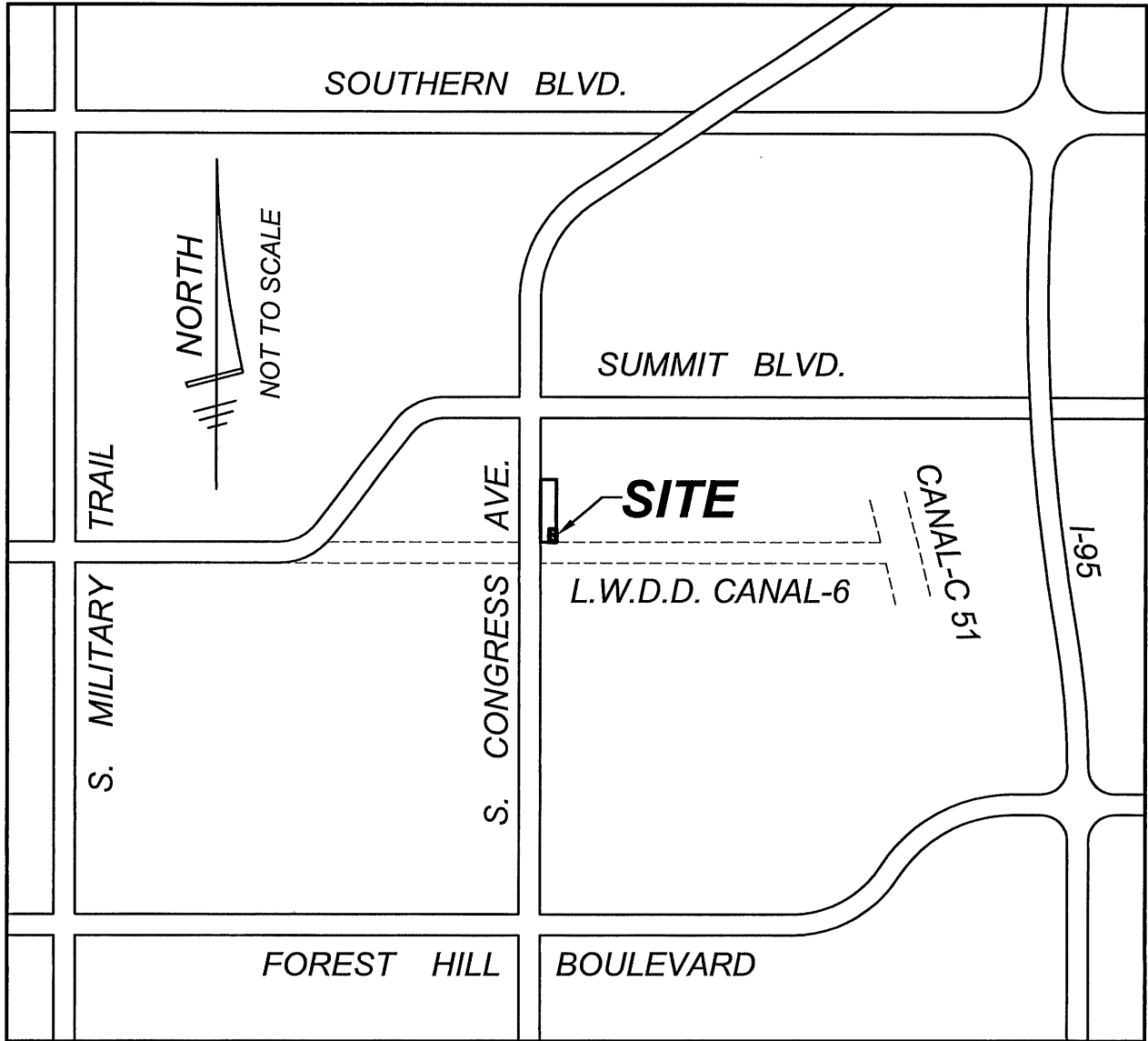
NOTE:  
THIS SKETCH CONSISTS OF 4 SHEETS AND IS NOT VALID WITHOUT ALL 4 SHEETS FORMING A COMPLETE SET. THIS IS NOT A SURVEY.

  
Robert J. Cajal  
Professional Surveyor and Mapper  
Florida Certificate No. 6266



**WALLACE SURVEYING**  
CORP. LICENSED BUSINESS # 4569  
5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 \* (561) 640-4551

DATE: 11/02/17	DWG. No.: 16-1758-9
OFFICE: R.C.	SHEET: 1 OF 4
C'K'D.: R.C.	JOB No.: 16-1758.11

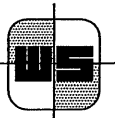


**VICINITY SKETCH**

(NOT TO SCALE)

SECTION 5, TOWNSHIP 44 SOUTH, RANGE 43 EAST

NOTE:  
 THIS SKETCH CONSISTS OF 4 SHEETS AND IS NOT VALID WITHOUT ALL 4 SHEETS FORMING A COMPLETE SET. THIS IS NOT A SURVEY.



**WALLACE SURVEYING**  
 CORP. LICENSED BUSINESS # 4569  
 5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 \* (561) 640-4551

DATE: 11/02/17	DWG. No.: 16-1758-9
OFFICE: R.C.	SHEET: 2 OF 4
C'K'D.: R.C.	JOB No.: 16-1758.11

EXHIBIT "A"

**NOTES:**

1. All information regarding record easements, adjoiners, and other documents that might affect the quality of title to the tract shown hereon was gained from Commitment Number 1062-3257305, issued by First American Title Insurance Company, last revised July 5, 2017. This office has made no search of the Public Records. .
2. This sketch is not valid unless signed and sealed with an embossed surveyor's seal and accompanied by all 4 sheets forming a complete set.
3. This sketch cannot be transferred or assigned without the specific written permission of Wallace Surveying Corporation.
4. This is not a survey!
5. Bearings shown hereon are based on the West line of of the Southwest quarter of Section 5, Township 44 South, Range 43 East, which bears North 02°31'04" East as stated in notes on O.R.B. 10726, Page 1984, and all other bearings are relative thereto.

LEGEND

B	=	BASELINE	P.B.	=	PLAT BOOK
C, C/L	=	CENTERLINE	P.B.C.U.E.	=	PALM BEACH COUNTY UTILITY EASEMENT
A	=	ARC	PG.	=	PAGE
C.B.	=	CHORD BEARING	P.O.B.	=	POINT OF BEGINNING
D.B.	=	DEED BOOK	P.O.C.	=	POINT OF COMMENCEMENT
Δ	=	CENTRAL ANGLE	R.P.B.	=	ROAD PLAT BOOK
L.W.D.D.	=	LAKE WORTH DRAINAGE DISTRICT	R	=	RADIUS
O.R.B.	=	OFFICIAL RECORDS BOOK	R/W	=	RIGHT-OF-WAY
			S.R.	=	STATE ROAD

N: = NORTHING (WHEN USED WITH A COORDINATE)  
E: = EASTING (WHEN USED WITH A COORDINATE)

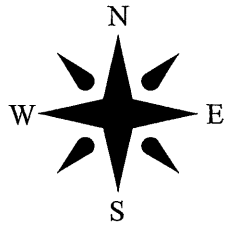
NOTE:  
THIS SKETCH CONSISTS OF 4  
SHEETS AND IS NOT VALID  
WITHOUT ALL 4 SHEETS  
FORMING A COMPLETE SET.  
THIS IS NOT A SURVEY.



**WALLACE SURVEYING**  
CORP. LICENSED BUSINESS # 4569  
5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 \* (561) 640-4551

DATE: 11/02/17	DWG. No.: 16-1758-9
OFFICE: R.C.	SHEET: 3 OF 4
C'K'D.: R.C.	JOB No.: 16-1758.11

**EXHIBIT "A"**



PREVIOUS  
EAST R/W LINE  
CONGRESS AVENUE  
(R.P.B. 3, PG. 37)

(RADIAL)  
S88°12'53"E  
10.00'

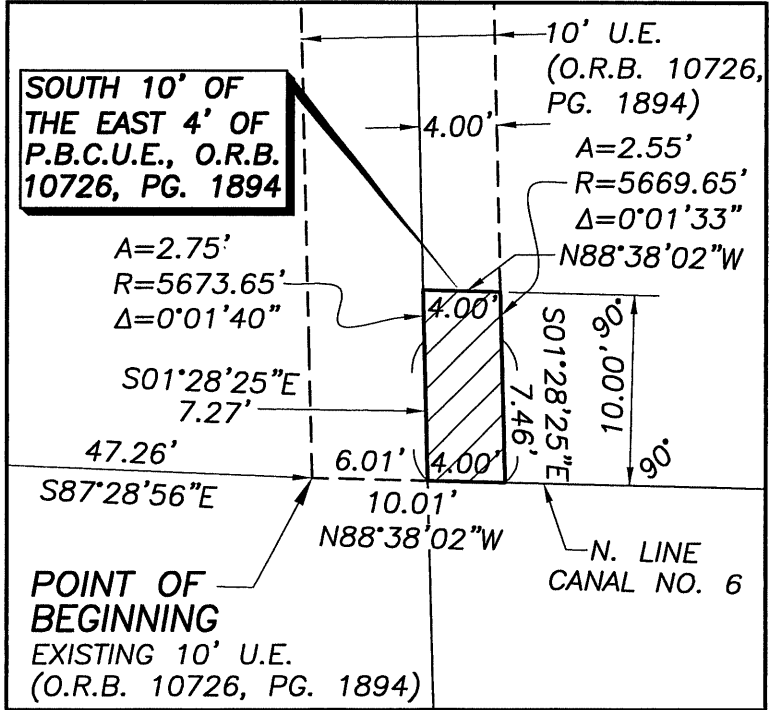
CURRENT E. R/W LINE  
CONGRESS AVENUE  
(O.R.B. 22288, PG. 990)

(S.R. S-807)  
**E CONGRESS AVENUE**  
(R.P.B. 3, PG. 32)

(BASIS OF BEARINGS)  
N02°31'04"E

A=323.03'

A=322.46'



**NOTE:**  
THIS SKETCH CONSISTS OF 4 SHEETS AND IS NOT VALID WITHOUT ALL 4 SHEETS FORMING A COMPLETE SET. THIS IS NOT A SURVEY.

**DETAIL OF ABANDONED PORTION OF P.B.C.U.E.**

SCALE: 1"=10'

10' P.B.C.U.E. (O.R.B. 10726, PG. 1894)

**ABANDONED PORTION (S. 10.0' OF THE E. 4.0') OF P.B.C.U.E. O.R.B. 10726, PG. 1984**

(SEE DETAIL ABOVE)

P.O.C. P.B.C.U.E. (O.R.B. 10726, PG. 1894) SW CORNER SECTION 5/44/43

N01°28'25"W  
6.97'

R=5679.65'

R=5669.65'

S01°28'25"E  
7.46'

47.26' S87°28'56"E

N88°38'02"W  
10.01'

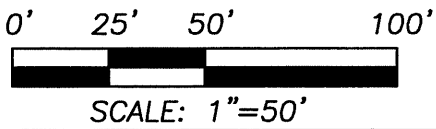
**L.W.D.D. CANAL NO. 6**  
(80' R/W, D.B. 118, PG. 518)

N. LINE CANAL No. 6

P.O.B. P.B.C.U.E. (O.R.B. 10726, PG. 1894)

(R.P.B. 3, PG. 37)

S. LINE, SW 1/4, SECTION 5/44/43



40.96'  
N02°31'04"E

40.00'  
40.00'



**WALLACE SURVEYING**  
CORP. LICENSED BUSINESS # 4569

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 \* (561) 640-4551

DATE: 11/02/17

DWG. No.: 16-1758-9

OFFICE: R.C.

SHEET: 4 OF 4

C'K'D.: R.C.

JOB No.: 16-1758.11



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

UTILITY EASEMENT

THIS EASEMENT is made, granted and entered into this 9<sup>th</sup> day of OCTOBER, 1998, by CHARLOTTE SAIKOWSKI TRUST (hereinafter referred to as "Grantor"), whose address is 3101 NEW MEXICO AVE. N.W. #249, to Palm Beach County (hereinafter referred to as "Grantee"), c/o Water Utilities Department, P.O. Box 16097, West Palm Beach, Florida 33416-6097.  
WASHINGTON D.C. 20016-5917

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 ~~and sewer~~ lines and appurtenant facilities and equipment in, on, over, under and across the easement premises. ~~This utility easement is a portion of a larger utility easement for the purpose of providing water and sewer service to the property.~~ 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:

*CK*  
*ONE*

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.

WITNESSES:

Signed, sealed and delivered  
in the presence of:

*[Signature]*  
Witness Signature

Douglas T. Wotterding  
Print Name

*[Signature]*  
Witness Signature

SUSAN M. HARTGROVE  
Print Name

GRANTOR:

CHARLOTTE SAIKOWSKI TRUST

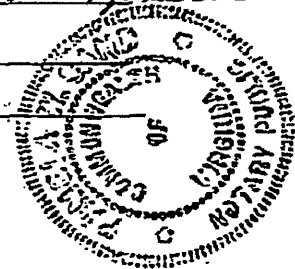
*[Signature]*  
Signature

CHARLOTTE SAIKOWSKI TRUSTEE  
Print Name

Signature

Print Name

(SEAL)



NOTARY CERTIFICATE

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of October, 1998 by Charlotte Saikowski and \_\_\_\_\_ who is are personally known to me or who has produced \_\_\_\_\_ as identification.

My Commission Expires:

My Commission Expires September 30, 2002

*[Signature]*  
Notary Signature

Pamela W. Sand  
Typed, Printed or Stamped Name of Notary

Legal Description

A 10 foot wide utility easement lying in Section 5, Township 44 South, Range 43 East, Palm Beach County, Florida, more particularly described as follows:

Commence at the Southwest corner of said Section 5; thence N02°31'04"E along the West line of said Section 5 for 40.96 feet; thence at 90° from the previously described line S87°28'56"E for 47.26 feet to the intersection of the Easterly right-of-way line of Congress Avenue (S.R. 807) with the Northerly right-of-way line of the L.W.D.D. L-6 Canal as shown on S.R. 807 Right-of-way Map as recorded in Road Plat Book 3, page 37 of the public records of Palm Beach County, Florida, also being the Point of Beginning; thence N01°28'25"W along the said Easterly right-of-way line of Congress Avenue (S.R. 807) for 6.97 feet to the point of curvature of a curve concave to the East, having a radius of 5679.65 feet; thence Northerly along said curve to the right through a central angle of 3°15'31" for 323.03 feet; thence S88°12'53"E for 10.00 feet to a non-tangent curve concave to the East and being concentric with the previously described curve, having a radius of 5669.65 feet, where the radial line bears S88°12'53"E; thence Southerly along said curve to the left through a central angle of 3°15'31" for 322.46 feet to a point of tangency; thence S01°28'25"E for 7.46 feet to the said Northerly right-of-way line of the L.W.D.D. L-6 Canal; thence N88°38'02"W along said Northerly right-of-way line for 10.01 feet to the Point of Beginning.

Containing 3,300 square feet, more or less.

Notes:

1. Not valid without the signature and original raised seal of a Florida licensed surveyor and mapper.
2. Legal description based on the Right-of-way Map for S.R. 807 as recorded in Road Plat Book 3, page 37 and Official Record Book 8118, page 736 of the public records of Palm Beach County, Florida.
3. Bearings based on N02°31'04"E along the West line of Section 5, Township 44 South, Range 43 East per Palm Beach County Survey Department.
4. This sketch is not a survey.
5. L.W.D.D. - Lake Worth Drainage District  
R.P.B. - Road Plat Book  
O.R.B. - Official Record Book  
S.R. - State Road  
C - Centerline

<p><b>BROWN &amp; PHILLIPS, INC.</b> PROFESSIONAL SURVEYING SERVICES CERTIFICATE OF AUTHORIZATION # LB 8473 3570 Bca Boulevard, Suite 2008, P. O. Box 10010, 33410 Fort Lauderdale, FL 33327, 954-786-6174</p>	<p>LEGAL DESCRIPTION</p>
<p>UTILITY EASEMENT CONGRESS AVENUE MUD #98-74</p>	<p>DATE: 11/12/98 SCALE: AS SHOWN DATE: 11/12/98 SHEET: 1 OF 2</p>
<p>DATE: 11/12/98 SCALE: AS SHOWN DATE: 11/12/98 SHEET: 1 OF 2</p>	<p>PROJ. NO.: 98057 SCALE: AS SHOWN DATE: 11/12/98 SHEET: 1 OF 2</p>
<p>DATE: 11/12/98 SCALE: AS SHOWN DATE: 11/12/98 SHEET: 1 OF 2</p>	<p>DATE: 11/12/98 SCALE: AS SHOWN DATE: 11/12/98 SHEET: 1 OF 2</p>

EXHIBIT A

ORB 10726 Pg 1896  
DOROTHY H. WILKEN, CLERK PB COUNTY, FL

Point of Commencement  
Southwest corner of Section 5,  
Township 44 South, Range 43 East

Congress Avenue (S.R. 807)

West line of Section 5

Easterly right-of-way line  
of Congress Avenue  
R.P.B. 3, page 37

(radial)  
S88°12'53"E  
10.00'

R=5679.65'  
A=3°15'31"  
A=323.03'

R=5669.65'  
A=3°15'31"  
A=322.46'

O. R. B. 8118, Page 736

SCALE: 1" = 30'

N01°28'25"W  
6.97'

S01°28'25"E  
7.46'

S87°28'56"E  
47.26'

Northerly right-of-way line  
of L. W. D. D. L-6 Canal  
R.P.B. 3, page 37

N88°38'02"W  
10.01'

Point of Beginning

L. W. D. D. L-6 Canal

South line of Section 5

This sketch is not a survey.

**B** BROWN & PHILLIPS, INC.  
PROFESSIONAL SURVEYING SERVICES  
CERTIFICATE OF AUTHORIZATION # LB 6473  
3870 PGA BOULEVARD, SUITE 7000, P. O. BOX 1000, PALM BEACH, FLORIDA 33410-0001 561-777-8837 561-778-0000 FAX

SKETCH TO ACCOMPANY  
LEGAL DESCRIPTION

UTILITY EASEMENT  
CONGRESS AVENUE  
MUD #88-74

DRAWN BY  
CHECKED BY  
DATE PLOTTED/CAD

PROJ. NO. 98055  
SCALE: 1" = 30'  
DATE: AUGUST 1996  
SHT. 2 OF 2

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, Nov 21, 2017.  
Sharon R. Book, Clerk and Comptroller, Palm Beach County, Florida  
BY Sharon R. Book Deputy Clerk



Return to (in self-addressed stamped envelope)

Name: **JAMES HOULIHAN CARROLL, P.A.**  
 James H. Carroll, Esquire  
 Address: Post Office Box 24250  
 Fort Lauderdale, Florida 33307  
 WILL CALL: TRI-COUNTY COURTHOUSE  
 COURIER  
 This Instrument Prepared by:  
 JAMES HOULIHAN CARROLL, P.A.  
 Address: James H. Carroll, Esquire  
 Post Office Box 24250  
 Fort Lauderdale, Florida 33307  
 Property Appraisal Parcel Identification (Folio) Number(s):  
 0043440500007030  
 Grant(s) S.B. # (s):

FEB-10-1994 11:15am 94-049405  
 ORB 8118 Pg 736  
 Con 100.00 Doc. 70  
 RECORD VERIFIED DOROTHY H WILKEN  
 CLERK OF THE COURT - PB COUNTY, FL

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

**Quit-Claim Deed**, Executed this 26th day of November, A.D. 19 93, by

CHARLOTTE SAIKOWSKI, a single woman;

first party, to  
 CHARLOTTE SAIKOWSKI, AS TRUSTEE OF THE CHARLOTTE SAIKOWSKI TRUST,  
 UNDER AGREEMENT DATED 20 AUGUST 1993;  
 whose post office address is  
 3101 New Mexico Avenue, NW, #249, Washington, D.C. 20016

second party:

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

**Witnesseth**, That the said first party, for and in consideration of the sum of \$ 10.00\*\*\*\*\*  
 in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and  
 quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first  
 party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of  
 Palm Beach State of Florida, to-wit:

The South Quarter (S1) of the Southwest Quarter (SW1) of the  
 Southwest Quarter (SW1) of Section 5, Township 44 South, Range 43  
 East, Less SR 807 R/W, South 40 Foot (S40') Canal R/W and E 835  
 Feet (E835'); said property situate, lying and being in the County  
 of Palm Beach, State of Florida.

FULL POWER AND AUTHORITY IS GRANTED BY THIS DEED TO THE GRANTEE, AS  
 TRUSTEE, OR ITS SUCCESSORS, TO PROTECT, CONSERVE, SELL, LEASE,  
 ENCUMBER OR OTHERWISE TO MANAGE AND DISPOSE OF THE ABOVE REAL  
 ESTATE PROPERTY, ALL PURSUANT TO SECTION 689.071 OF THE FLORIDA  
 STATUTES.

**To Have and to Hold** The same together with all and singular the appurtenances thereunto belonging  
 or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said  
 first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

**In Witness Whereof**, The said first party has signed and sealed these presents the day and year first  
 above written.

Signed, sealed and delivered in the presence of:

*Teresita E. Valencia*  
 Witness Signature (as to first Grantor)

Teresita E. Valencia  
 Printed Name

*Veronica Lee*  
 Witness Signature (as to first Grantor)

Veronica Lee  
 Printed Name

Witness Signature (as to Co-Grantor, if any)

Printed Name

Witness Signature (as to Co-Grantor, if any)

Printed Name

STATE OF DISTRICT OF COLUMBIA

COUNTY OF DISTRICT OF COLUMBIA

CHARLOTTE SAIKOWSKI, a single woman;

known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that she  
 executed the same, that I relied upon the following form of identification of the above-named person:  
District of Columbia Driver License # 379-26-4058 and that an oath (was X) taken.

NOTARY RUBBER STAMP BEAL

Witness my hand and official seal in the County and State last aforesaid this  
 day of November A.D. 19 93.

*M. Farzin*  
 Notary Signature

M. FARZIN

Printed Notary Sign: NOTARY PUBLIC DISTRICT OF COLUMBIA  
 My Commission Expires October 14, 1993

*Charlotte Saikowski*  
 Grantor Signature

CHARLOTTE SAIKOWSKI

Printed Name: 3101 New Mexico Ave., NW, #249

Washington, D.C. 20016  
 Post Office Address

Co-Grantor Signature, if any

Printed Name

Post Office Address

I hereby Certify that on this day, before me, an officer duly authorized  
 to administer oaths and take acknowledgments, personally appeared



W/C 75

CFN 20040721355  
OR BK 17919 PG 0722  
RECORDED 12/22/2004 10:26:40  
Palm Beach County, Florida  
AMT 672,000.00  
Doc Stamp 4,704.00  
Dorothy H Wilken, Clerk of Court  
Pgs 0722 - 723; (2pgs)

This Instrument Prepared By:  
Mike S. Buckner, Esq.  
Steel Hector & Davis, LLP  
777 S. Flagler Drive  
1900 Phillips Point West  
West Palm Beach, FL 3340

Parcel Identification Number: 00-43-44-05-00-000-7030

**TRUSTEE'S DEED**

THIS INDENTURE made and entered into as of the 18<sup>th</sup> day of November, 2004 by and between Manufacturers and Traders Trust Company, a New York banking corporation, as Successor Trustee of the Charlotte Saikowski Trust u/a/d August 20, 1993 (the "Grantor") to High Point on Congress, LLC, a Florida limited liability company (the "Grantee"), whose post office address is 2200 Centrepark West Drive, Suite 100, West Palm Beach, FL 33409.

**WITNESSETH:**

THAT GRANTOR, for and in consideration of the sum of Ten (\$10.00) Dollars in hand paid by Grantee and other good and valuable consideration, the receipt, adequacy and sufficiency whereof are hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee, forever, the Grantor's interest in and to that certain real property lying and being in Palm Beach County, Florida, and more particularly described as follows (the "Property"):

The South ¼ of the Southwest ¼ of the Southwest ¼ of Section 5, Township 44 South, Range 43 East, LESS the West 33 feet thereof AND LESS the Right of Way for Lake Worth Drainage District Canal No. 6 AND LESS the Right of Way conveyed to the State of Florida by Special Warranty Deed recorded in Official Records Book 916, Page 950 AND LESS that parcel conveyed by Warranty Deed recorded in Official Records Book 2573, Page 1758, all of the Public Records of Palm Beach County, Florida.

SUBJECT to real estate taxes and assessments for the year 2005 and subsequent years, which are not yet due and payable, easements, covenants, agreements, restrictions, dedications, rights-of-way, conditions, limitations and reservations, if any, without intending to reimpose the same and all zoning and other restrictions imposed by governmental authority.

TO HAVE AND TO HOLD the Property in fee simple.

This Trustee's Deed is executed, delivered and accepted in accordance with Section 689.071, Florida Statutes.

WPB\_1998 453960v1

IN WITNESS WHEREOF, the said Trustee has executed this Trustee's Deed this 18<sup>th</sup> day of November, 2004.

Signed, sealed and delivered in the presence of:

GRANTOR:

Renee Schmidt  
Print Name: Renee Schmidt

Manufacturers and Traders Trust Company, a New York banking corporation, as Successor Trustee of the Charlotte Saikowski Trust u/a/d August 20, 1993

James S. Bealmeare  
Print Name: JAMES S. BEALMEARE

By: Brenda L. Hough  
Name: Brenda L. Hough  
Title: Vice President

25 S. Charles Street  
Baltimore, MD 21201

STATE OF MARYLAND )

City ) SS  
COUNTY OF Baltimore )

I HEREBY CERTIFY that, on this the 18<sup>th</sup> day of November, 2004, before me, an officer duly authorized in the State aforesaid to take acknowledgments, personally appeared Brenda L. Hough, the Vice President of Manufacturers and Traders Trust Company, a New York banking corporation, in its capacity as Successor Trustee of the Charlotte Saikowski Trust u/a/d August 20, 1993, who acknowledged to and before me that he/she executed the foregoing instrument for the purposes set forth therein, and who is personally known to me, or provided \_\_\_\_\_ as identification.

Sign Name: Margaret J. Clark  
Print Name: Margaret J. Clark  
Notary Public, State of Maryland  
Commission Number: NA  
Commission Expires: 3/1/08  
(Notarial Seal)

Notary Public  
Margaret J. Clark  
Baltimore City, MD

WPB\_1998 453960v1



CFN 20170253602

DR BK 29220 PG 1292  
RECORDED 07/14/2017 14:56:06  
AMT 3,025,024.00  
Doc Stamp 21,175.70  
Palm Beach County, Florida  
Sharon R. Bock, CLERK & COMPTROLLER  
Pgs 1292 - 1295; (4pgs)

Prepared by and when  
recorded return to:

Elizabeth M. Jones, Esquire  
Shufft & Bowen LLP  
1100 CityPlace Tower  
525 Okeechobee Boulevard  
West Palm Beach, FL 33401  
(561) 815-8500

PCN: 70-43-44-05-00-000-7010  
70-43-44-05-02-002-0010  
70-43-44-05-00-000-7030

**SPECIAL WARRANTY DEED**

THIS SPECIAL WARRANTY DEED, made and entered into as of the 14<sup>th</sup> day of July, 2017, by **HIGH POINT ON CONGRESS, LLC**, a Florida limited liability company, whose address is 2200 Centrepark West Drive, Suite 100, West Palm Beach, FL 33409 (the "Grantor"), and **BTS LLC**, an Arkansas limited liability company, whose address is 1120 S. Albert Pike Ave, Fort Smith, AR 72903 (the "Grantee").

**WITNESSETH:**

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to it in hand paid, the receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey, and confirm unto the Grantee, its successors and assigns forever, all that certain parcel of land lying and being in the County of Palm Beach, State of Florida, as more particularly described in **Exhibit "A"** attached hereto and by this reference made a part hereof.

**TOGETHER WITH** all the improvements, tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining and together with all rights and easements of record.

**SUBJECT TO** conditions, limitations, restrictions, leases, easements, and rights-of-way of record, if any, provided, however, that nothing contained herein shall operate to reimpose any of the foregoing; taxes for the year 2017 and subsequent years; and applicable zoning ordinances.

**TO HAVE AND TO HOLD** the above described premises, with the appurtenances, unto the said Grantee, its successors and assigns, in fee simple forever.

And the said Grantor hereby covenants with Grantee that Grantor, at the time of delivery of this deed, is lawfully seized of the above-described property in fee simple, and has good right, full power, and lawful authority to grant, bargain, sell, and convey the same, and hereby warrants the title to said property and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under the Grantor, but against no others.





EXHIBIT "A"

PARCEL 1:

A PARCEL OF LAND IN PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THE NORTH ½ OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 5, TOWNSHIP 44 SOUTH, RANGE 43 EAST, LESS THE WEST 33.01 FEET AND LESS THE RIGHT OF WAY CONVEYED TO THE STATE OF FLORIDA BY SPECIAL WARRANTY DEED RECORDED IN O.R. BOOK 1064, PAGE 148, AND LESS THAT PARCEL CONVEYED BY WARRANTY DEED RECORDED IN O.R. BOOK 2574, PAGE 1615, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 2:

LOTS 1, 2 AND 3, BLOCK 2, CONGRESS MEADOWS, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 140, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 3:

A PARCEL OF LAND IN PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THE SOUTH ¼ OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 5, TOWNSHIP 44 SOUTH, RANGE 43 EAST, LESS THE WEST 33 FEET THEREOF AND LESS THE RIGHT OF WAY FOR LAKE WORTH DRAINAGE DISTRICT CANAL NO. 6 AND LESS THE RIGHT OF WAY CONVEYED TO THE STATE OF FLORIDA BY SPECIAL WARRANTY DEED RECORDED IN O.R. BOOK 916, PAGE 950 AND LESS THAT PARCEL CONVEYED BY WARRANTY DEED RECORDED IN O.R. BOOK 2573, PAGE 1758, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION CONVEYED TO PALM BEACH COUNTY RECORDED IN O.R. BOOK 22288, PAGE 990, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A SIX FOOT WIDE PARCEL OF LAND LYING EAST OF AND ADJACENT TO CONGRESS AVENUE AS RECORDED IN ROAD PLAT BOOK 3, PAGES 37 AND 38 ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA.

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 5, TOWNSHIP 44 SOUTH, RANGE 43 EAST; THENCE SOUTH 88° 38' 06" EAST ALONG THE SOUTH LINE OF SECTION 5, A DISTANCE OF 50.06 FEET TO THE EAST RIGHT OF WAY LINE OF CONGRESS AVENUE ACCORDING TO SAID ROAD PLAT BOOK 3, PAGES 37 AND 38;

THENCE NORTH 1° 28' 25" WEST ALONG THE EAST LINE OF SAID RIGHT OF WAY, A DISTANCE OF 40.05 FEET TO THE NORTH LINE OF LAKE WORTH DRAINAGE DISTRICT CANAL NO. 6 AND THE POINT OF BEGINNING;

THENCE CONTINUE NORTH 1° 28' 25" WEST ALONG THE EAST LINE OF SAID RIGHT OF WAY, A DISTANCE OF 6.97 FEET TO THE POINT OF CURVATURE WITH A CURVE CONCAVED TO THE EAST, HAVING A RADIUS OF 5679.65 FEET AND A RADIAL BEARING OF NORTH 88° 31' 35" EAST;

THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, ALONG THE EAST LINE OF SAID RIGHT OF WAY, THROUGH A CENTRAL ANGLE OF 3° 59' 30", AN ARC DISTANCE OF 395.70 FEET TO THE POINT OF TANGENCY;

THENCE NORTH 2° 31' 05" EAST ALONG THE EAST LINE OF SAID RIGHT OF WAY, A DISTANCE OF 227.37 FEET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF CONGRESS MEADOWS AS RECORDED IN PLAT BOOK 23, PAGE 140 ACCORDING THE PLAT THEREON ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA;

THENCE SOUTH 88° 34' 51" EAST ALONG AN EXTENSION OF THE SOUTH LINE OF CONGRESS MEADOWS, A DISTANCE OF 6.00 FEET;

THENCE SOUTH 2° 31' 05" WEST ALONG A LINE 6.00 FEET EAST OF THE EAST LINE OF SAID RIGHT OF WAY, A DISTANCE 227.49 FEET TO THE POINT OF CURVATURE WITH A CURVE CONCAVED TO THE EAST, HAVING A RADIUS OF 5673.65 FEET AND A RADIAL BEARING OF SOUTH 87° 28' 55" EAST;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, ALONG A LINE 6.00 FEET EAST OF THE EAST LINE OF SAID RIGHT OF WAY, THROUGH A CENTRAL ANGLE OF 3° 59' 30", AN ARC DISTANCE OF 395.28 FEET TO THE POINT OF TANGENCY;

THENCE SOUTH 1° 28' 25" EAST ALONG A LINE 6.00 FEET EAST OF THE EAST LINE OF SAID RIGHT OF WAY, A DISTANCE OF 7.27 FEET TO THE NORTH LINE OF LAKE WORTH DRAINAGE DISTRICT CANAL NO. 6;

THENCE NORTH 88° 38' 06" WEST ALONG SAID NORTH LINE, A DISTANCE OF 6.01 FEET TO THE POINT OF BEGINNING.