

THIS INSTRUMENT PREPARED BY:

Tim Cristello, Real Property Specialist, Property Acquisition Division
On Behalf of: Division Manager, Property Acquisition
Manatee County Property Management Department
1112 Manatee Avenue West Suite 800
Bradenton, Florida 34205

PROJECT NAME: Catalina Project- Restaurant Depot
PROJECT NO: PDMU-99-07/FSP-17-73
PARCEL NO: N/A
PID NO: 2023100159 (a portion of)

=====SPACE ABOVE THIS LINE FOR RECORDING DATA=====

AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES

STATE OF NEW YORK
COUNTY OF QUEENS

BEFORE ME, the undersigned notary public, personally appeared Brian Emmert, who being first duly sworn, deposes and says that, to the best of his knowledge and belief:

1. I have personal knowledge of all matters set forth in this affidavit.
2. JMDH Real Estate of Sarasota, LLC, a Delaware limited liability company (hereinafter the **Grantor**) is the owner of the fee simple title to certain real property (hereinafter the **Property**) situated in Manatee County, Florida, more particularly described in **Composite Exhibit A** attached to this affidavit and by this reference made a part of this affidavit, and has full authority to sell or encumber the Property.
3. I am the Chief Financial Officer, Secretary and Treasurer of Grantor and I make this affidavit with the authority of and on behalf of Grantor.
4. Grantor has sole and exclusive possession of the Property.
5. Neither Grantor's title to nor possession of the Property has ever been disputed or questioned and I am not aware of any facts by reason of which the title to or possession of the Property or any part of it or any personal property located on it might be disputed or questioned or by reason of which any claim to the Property or any portion of it or any personal property located on it might be adversely asserted.
6. No person or entity other than Grantor claims or is presently entitled to the right to possess or is in possession of the Property and there are no tenancies, leases, or other occupancies that affect the Property.
7. There are no disputes concerning the location of the boundary lines of the Property.

8. To Grantor's knowledge, Grantor has not violated any of the restrictions, declarations or covenants in connection with the Property, nor know of any prior owner violating said restrictions, declarations or covenants.

9. There are no outstanding or unpaid taxes or assessments (pending or certified) due to any governmental agency for improvements to or for the benefit of the Property for which the Grantor is responsible or any unpaid or unsatisfied mortgages, claims of lien, or other matters that constitute or could constitute a lien or encumbrance against the Property or any improvements on it or any part of it or against any personal property located on it. Should any bill be found which relates to the period of the Grantor's possession, the Grantor shall pay such bill upon demand. No notice has been received regarding future pending zoning by any government instrumentality.

10. There are no security agreements, financing statements, title retention contracts or personal property leases affecting any materials, fixtures, appliances, furnishings or equipment placed on or installed in or on the Property or the improvements located on it.

11. To Grantor's knowledge, there are no actions, proceedings, judgments, bankruptcies, liens or executions recorded among the Public Records of Manatee County, Florida, or any other county in Florida or pending against the Grantor in the courts of Manatee County, Florida, or any other courts.

12. To Grantor's knowledge, there are no matters pending against the Grantor that could give rise to a lien that would attach to the Property or cause a loss of title or impair the title between the effective date of the title insurance commitment and the recording of the interest to be insured by the title insurance company, and the Grantor has not and will not execute any instrument that would adversely affect the title or interest to be insured in the Property, including but not limited to mortgaging or conveying the Property or any interest in it or causing any liens to be recorded against the Property or the Owner.

13. There has been no labor performed or materials furnished on or to the Property during the past **NINETY (90)** days, or, if labor has been performed or materials furnished during such **NINETY (90)** days, to Grantor's knowledge there are no unpaid bills for labor or materials for which valid liens could be filed.

14. There are no unsatisfied construction liens of record concerning such Property.

15. There are no outstanding, unrecorded deeds, unsatisfied liens, leases, contracts for sale, judgments, easements or rights-of-way for users, conveyances, mortgages or adverse interests affecting title to the Property, except the following:

Access Easement Agreement by and between JMDH REAL ESTATE OF SARASOTA, LLC, a Delaware limited liability company and Sarasota Manatee Airport Authority, a Florida Independent special district, dated December 8, 2017, recorded December 11, 2017, in the Official Records Book 2704, at Page 7040, of the Public Records of Manatee County, Florida.

Easement from JMDH REAL ESTATE OF SARASOTA, LLC, a Florida limited liability company, to Florida Power & Light Company, dated February 28, 2018, and recorded March 15, 2018, in Official Records Book 2718, Page 3212, of the Public Records of Manatee County, Florida.

Notice of Commencement recorded in Official Records Book 2733, Page 4926 of the Public Records of Manatee County, Florida.

16. The Grantor's Taxpayer Identification Number is 81-2864565.

17. The representations embraced herein are made to induce Manatee County, a political subdivision of the State of Florida, to convey right-of-way to Manatee County and to accept a utility easement.

18. This affidavit is made and given by affiant with full knowledge of applicable Florida laws regarding sworn affidavits and the penalties and liabilities resulting from false statements and misrepresentations therein.

SIGNATURE PAGE AND ACKNOWLEDGEMENT FOLLOW ON NEXT PAGE.

COMPOSITE EXHIBIT "A"

A 10 FOOT WIDE RIGHT-OF-WAY DEDICATION LYING WITHIN THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 31, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 35 SOUTH, RANGE 18 EAST; THENCE RUN S 89°16'14" E ALONG THE SOUTH LINE OF THE SOUTHWEST ¼ OF SAID SECTION 31, A DISTANCE OF 1338.47 FEET TO A POINT; SAID POINT LYING N 89°16'14" W, A DISTANCE OF 1335.44 FEET FROM THE SOUTHEAST CORNER OF THE SOUTHWEST ¼ OF SAID SECTION 31; THENCE DEPARTING SAID SOUTH LINE OF THE SOUTHWEST ¼ AT A RIGHT ANGLE, N 00°43'46" E, A DISTANCE OF 50.00 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF WEST UNIVERSITY PARKWAY AND THE WESTERLY RIGHT-OF-WAY OF SEABOARD AIR LINE RAILROAD PER STATE ROAD DEPARTMENT SECTION MAP 1312-102 AND THE SOUTHEAST CORNER OF LAND RECORDED AS OFFICIAL RECORDS BOOK 2704, PAGE 7031, SAID INTERSECTION ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY AND SOUTH LINE OF SAID PARCEL N 89°16'14" W, A DISTANCE OF 195.94 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY WITH A RADIUS OF 1095.92 FEET AND CHORD OF N 82°42'06" W, 250.75 FEET; THENCE WESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°08'17", A DISTANCE OF 251.30 FEET TO THE EASTERLY LINE OF AN ACCESS EASEMENT RECORDED AS OFFICIAL RECORDS BOOK 2704, PAGE 7040; THENCE NORTHERLY ALONG SAID EASTERLY LINE OF SAID ACCESS EASEMENT ON A NON-TANGENT CURVE CONCAVE WESTERLY WITH A RADIUS OF 578.67 FEET AND CHORD OF N 16°44'41" E, 10.01 FEET, THROUGH A CENTRAL ANGLE OF 00°59'29" AN ARC DISTANCE OF 10.01 FEET TO A NON-TANGENT CURVE CONCAVE NORTHERLY WITH A RADIUS OF 1085.92 FEET AND CHORD OF S 82°42'54" E, 247.96 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°06'41", A DISTANCE OF 248.50 FEET; THENCE S 89°16'14" E A DISTANCE OF 195.87 FEET TO SAID WESTERLY SEABOARD AIR LINE RAILROAD RIGHT-OF-WAY; THENCE S 00°20'08" W ALONG SAID WESTERLY RAILROAD RIGHT-OF-WAY A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING, CONTAINING 4458 SQUARE FEET (0.102 ACRES +/-).

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SHANE A. CHRISTY, P.S.M.
FLORIDA SURVEYORS REGISTRATION NO. 7100

SEE PAGE 2 OF 2 FOR SKETCH OF DESCRIPTION

DESCRIPTION 10 FOOT WIDE RIGHT-OF-WAY DEDICATION PROJECT CATALINA MANATEE COUNTY, FLORIDA		Hyatt Survey Services, Inc. LB No.: 7203 Geographic Data Specialists 2012 Lena Road Bradenton, Florida 34211 Phone (941) 748-4693 Fax (941) 744-1643				
PROJECT NUMBER 13-1771-2	SECTION 31, TOWNSHIP 35 SOUTH, RANGE 18 EAST	SCALE N/A	DATE 7/2018	DRAWN BY REM	FILE NAME 13-1771-2_Prop RW	PAGE 1 OF 2

COMPOSITE EXHIBIT "A"

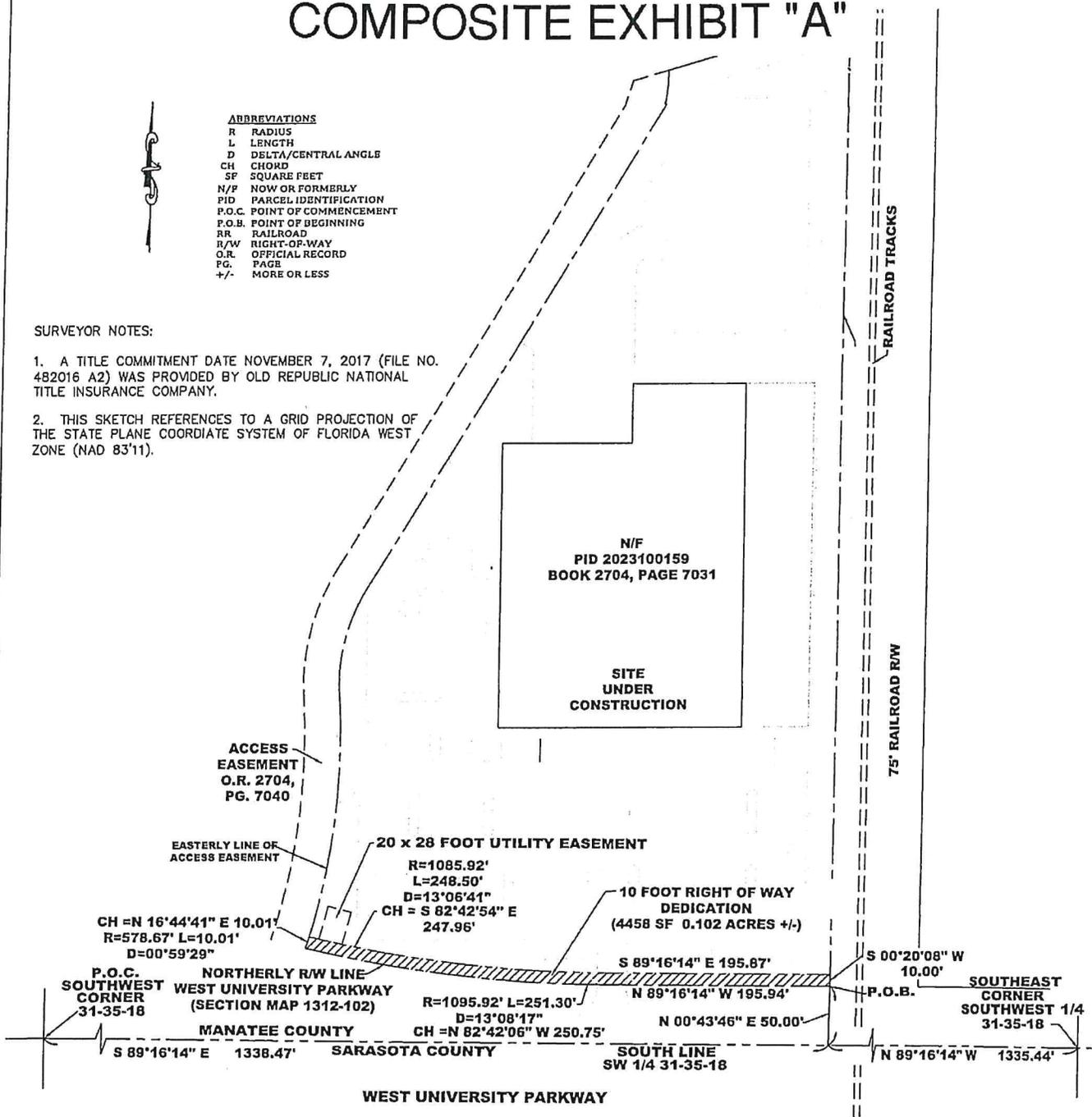


ABBREVIATIONS

R	RADIUS
L	LENGTH
D	DELTA/CENTRAL ANGLE
CH	CHORD
SF	SQUARE FEET
N/F	NOW OR FORMERLY
PID	PARCEL IDENTIFICATION
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
RR	RAILROAD
R/W	RIGHT-OF-WAY
O.R.	OFFICIAL RECORD
PG.	PAGE
+/-	MORE OR LESS

SURVEYOR NOTES:

1. A TITLE COMMITMENT DATE NOVEMBER 7, 2017 (FILE NO. 482016 A2) WAS PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY.
2. THIS SKETCH REFERENCES TO A GRID PROJECTION OF THE STATE PLANE COORDIATE SYSTEM OF FLORIDA WEST ZONE (NAD 83'11).



SEE PAGE 1 OF 2 FOR SKETCH OF DESCRIPTION

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 10 FOOT WIDE RIGHT-OF-WAY DEDICATION
 PROJECT CATALINA
 MANATEE COUNTY, FLORIDA

Hyatt Survey Services, Inc.

LB No.: 7203 **Geographic Data Specialists**
 2012 Lena Road Bradenton, Florida 34211
 Phone (941) 748-4693 Fax (941) 744-1643

PROJECT NUMBER 13-1771-2	SECTION 31, TOWNSHIP 35 SOUTH, RANGE 18 EAST	SCALE 1"=120'	DATE 7/2018	DRAWN BY REM	FILE NAME 13-1771-2_Prop RW	PAGE 2 OF 2
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A UTILITY EASEMENT LYING WITHIN THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 31, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 35 SOUTH, RANGE 18 EAST; THENCE RUN S 89°16'14" E ALONG THE SOUTH LINE OF THE SOUTHWEST ¼ OF SAID SECTION 31, A DISTANCE OF 1338.47 FEET TO A POINT, SAID POINT LYING N 89°16'14" W, A DISTANCE OF 1335.44 FEET FROM THE SOUTHEAST CORNER OF THE SOUTHWEST ¼ OF SAID SECTION 31; THENCE DEPARTING SAID SOUTH LINE OF THE SOUTHWEST ¼ AT A RIGHT ANGLE, N 00°43'46" E, A DISTANCE OF 50.00 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF WEST UNIVERSITY PARKWAY AND THE WESTERLY RIGHT-OF-WAY OF SEABOARD AIR LINE RAILROAD PER STATE ROAD DEPARTMENT SECTION MAP 1312-102; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, N 89°16'14" W, A DISTANCE OF 195.94 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY WITH A RADIUS OF 1095.92 FEET AND A CHORD OF S83°27'05"E, 222.19 FEET; THENCE WESTERLY ALONG SAID RIGHT OF WAY AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°36'59", A DISTANCE OF 222.62 FEET TO A POINT; THENCE N 12°36'59" W A DISTANCE OF 10.00 FEET THE POINT OF BEGINNING, SAID POINT BEING ON A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 1085.92 FEET AND A CHORD N77°07'36"W, 20.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°03'19" A DISTANCE OF 20.00 FEET; THENCE N14°47'10"E A DISTANCE OF 28.00 FEET; THENCE S77°07'36"E A DISTANCE OF 20.00 FEET; THENCE S14°47'10"W A DISTANCE OF 28.00 FEET TO THE POINT OF BEGINNING, CONTAINING 560 SQUARE FEET (0.013 ACRES +/-).

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



Shane A. Christy 8/1/18
 SHANE A. CHRISTY, P.S.M.
 FLORIDA SURVEYORS REGISTRATION NO. 7100

SEE PAGE 2 OF 2 FOR SKETCH

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 MANATEE COUNTY, FLORIDA

Hyatt Survey Services, Inc.

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 2012 Lena Road Bradenton, Florida 34211
 Phone (941) 748-4693 Fax (941) 744-1643

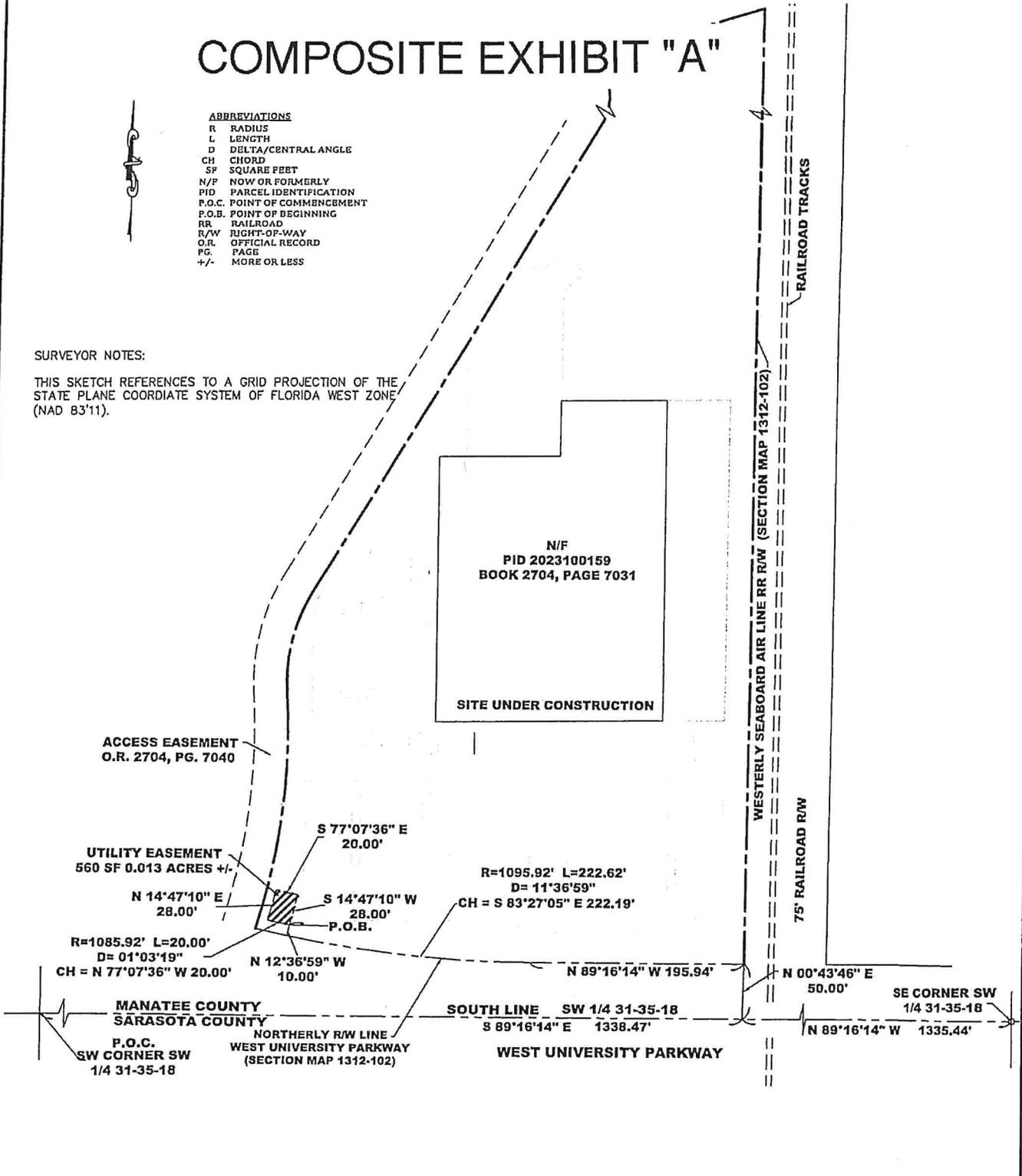
PROJECT NUMBER 13-1771-2	SECTION 31, TOWNSHIP 35 SOUTH, RANGE 18 EAST	SCALE N/A	DATE 7/2018	DRAWN BY REM	FILE NAME 13-1771-2_UTIL ESMT	PAGE 1 OF 2
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COMPOSITE EXHIBIT "A"

ABBREVIATIONS
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