

THIS INSTRUMENT PREPARED BY:
Charles Meador, Real Property Specialist
Manatee County Government
Property Management Department, Property Acquisition Division
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205

PROJECT NAME: Elan Bradenton
PROJECT NUMBER: N/A
PID: 1731705109

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

PERMANENT UTILITY EASEMENT

THIS PERMANENT UTILITY EASEMENT (hereinafter Easement) is made this 21st day of January, 2019, between **TSL MANATEE PROPCO, LLC**, a Texas limited liability company, whose mailing address is 6300 Riverside Plaza Lane Northwest, Suite 200, Albuquerque, New Mexico 87120 (hereinafter the **Grantor**), and **MANATEE COUNTY**, a political subdivision of the State of Florida, whose mailing address is Post Office Box 1000, Bradenton, Florida 34206, (hereinafter the **Grantee**).

As used herein, the term “Grantor” shall include any and all heirs, legal representatives, successors or assigns of the Grantor, and all subsequent owners of the “**Easement Area**” (as hereinafter defined) and the term “Grantee” shall include any successor or assignee of Grantee.

WITNESSETH THAT Grantor, for and in consideration of the sum of **ONE DOLLAR (\$1.00)** and other valuable consideration paid, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and transfer unto Grantee, a ***nonexclusive, permanent easement for the purposes of ingress and egress, construction and maintenance of surface and underground infrastructure and utility facilities, and other related improvements*** across, in, over, under and upon the real property of the Grantor situated, lying and being in the County of Manatee, State of Florida, particularly described as **Exhibit A** attached hereto and incorporated herein by this reference (hereinafter the **Easement Area**).

THAT said Grantor reserves the right to the continued free use and enjoyment of the Easement Area for any purposes which are not inconsistent with the rights specifically granted herein unto the Grantee.

AND GRANTOR covenants with the Grantee that it is lawfully seized of said lands, and that it has good, right and lawful authority to grant this Easement and shall take no action to interfere with the Grantee’s or public’s lawful use of said Easement; that the Grantor hereby fully warrants the Easement being granted and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name and its seal to be hereunto affixed, by its proper agent or officer thereunto duly authorized, the day and year first above written.

SIGNATURES AND ACKNOWLEDGMENTS APPEAR ON FOLLOWING PAGE.

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

GRANTOR:
TSL MANATEE PROPCO, LLC,
a Texas limited liability company

Catherine Vigil
First Witness Signature

By: Titan Senior Living, LLC,
a Texas limited liability company,
its Manager

Catherine Vigil
First Witness Printed Name

By: BFS
Ben F. Spencer, Manager

Camilla Gurule
Second Witness Signature

Camilla Gurule
Second Witness Printed Name

STATE OF New Mexico
COUNTY OF Bernalillo

The foregoing instrument was acknowledged before me this 21st day of January, 2019, by Ben F. Spencer, as Manager of Titan Senior Living, LLC, a Texas limited liability company, as Manager of **TSL MANATEE PROPCO, LLC**, a Texas limited liability company, on behalf of the company, who X is personally known to me or _____ has produced _____ as identification.

Affix seal below:

Susan S. Yulo
Notary Public Signature



OFFICIAL SEAL
SUSAN S YULO
NOTARY PUBLIC-State of New Mexico
My Commission Expires 3.21.2020

Susan S. Yulo
Printed Name

1005376
Commission Number

3.21.2020
Expiration Date

EXHIBIT "A"

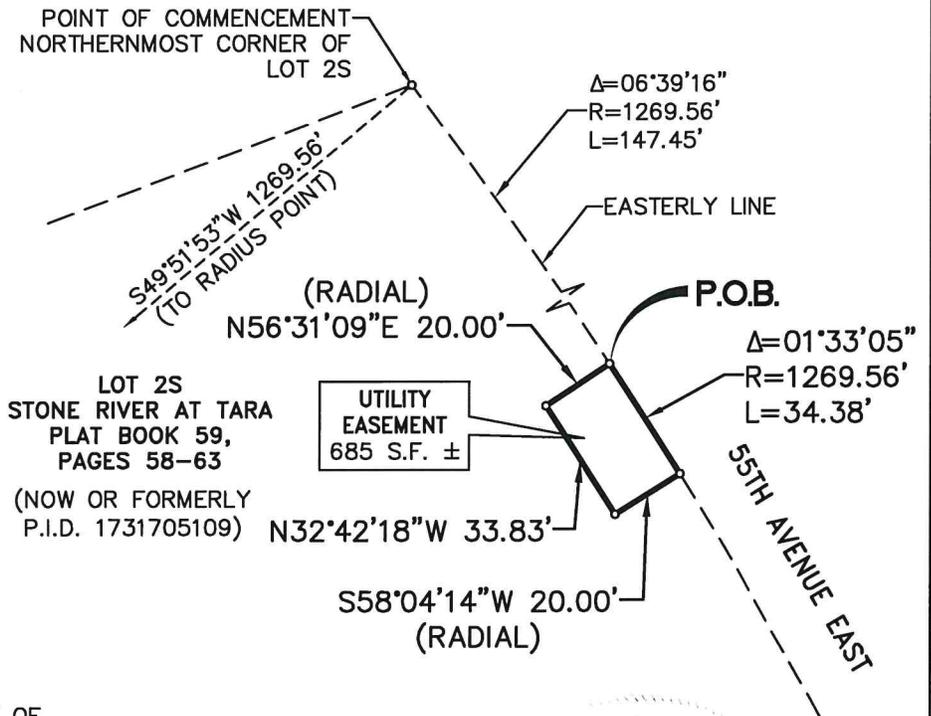
DESCRIPTION: UTILITY EASEMENT

COMMENCE AT THE NORTHERNMOST CORNER OF LOT 2S, AS SHOWN ON THE PLAT OF STONE RIVER AT TARA, A COMMERCIAL SUBDIVISION, AS RECORDED IN PLAT BOOK 59, PAGES 58 THROUGH 63, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, SAID POINT LYING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES S49°51'53"W, A DISTANCE OF 1269.56 FT.; THENCE RUN SOUTHEASTERLY ALONG THE EASTERLY LINE OF SAID LOT 2S AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°39'16", A DISTANCE OF 147.45 FT. FOR A POINT OF BEGINNING; THENCE CONTINUE SOUTHEASTERLY, ALONG SAID EASTERLY LINE AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°33'05", A DISTANCE OF 34.38 FT.; THENCE S58°04'14"W, RADIAL WITH LAST DESCRIBED CURVE, A DISTANCE OF 20.00 FT.; THENCE N32°42'18"W, 33.83 FT.; THENCE N56°31'09"E, ALONG A RADIAL LINE, A DISTANCE OF 20.00 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 13, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 685 SQUARE FEET MORE OR LESS.



LEGEND	
P.O.B.	= POINT OF BEGINNING
P.I.D.	= PROPERTY IDENTIFICATION
S.F.	= SQUARE FEET
±	= MORE OR LESS
o	= ANGLE POINT ONLY, NO CORNER SET OR FOUND
Δ	= CENTRAL ANGLE
R	= RADIUS
L	= LENGTH



LOT 2S
STONE RIVER AT TARA
PLAT BOOK 59,
PAGES 58-63
(NOW OR FORMERLY
P.I.D. 1731705109)

UTILITY EASEMENT
685 S.F. ±

BEARINGS ARE BASED ON THE PLAT OF RECORD, WHICH SHOWS A BEARING OF N01°18'52" FOR THE WEST LINE OF SECTION 13, TOWNSHIP 35 SOUTH, RANGE 18 EAST.

JANUARY 7, 2019
DATE OF CERTIFICATE

Kenneth C. Kolarik
KENNETH C. KOLARIK
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 5116

FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER, LB 2241
NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB NUMBER: 10625 DRAWN BY: T.BALL SCALE: NONE SHEET NUMBER 1 OF 1

FOLEY / KOLARIK, INC.
Consulting Engineers, Surveyors and Planners
503 8th Avenue West • Palmetto, Florida 34221 • (941) 722-4561



CONSENT AND JOINDER

THIS CONSENT AND JOINDER, made and given this 11th day of January, 2019, by Citizens First Bank, a Florida corporation, whose mailing address is 1050 Lake Sumter Landing, The Villages, Florida 32162 (hereinafter the **Mortgagee**), being the owner and holder of a mortgage dated October 31, 2017, made by TSL Manatee PropCo, LLC, a Texas limited liability company, whose mailing address is 6300 Riverside Plaza Lane Northwest, Suite 200, Albuquerque, New Mexico 87120 (hereinafter the **Mortgagor**), in favor of Mortgagee, which Mortgage has been recorded in Official Records Book 2699, Page 1410, of the Public Records of Manatee County, Florida (hereinafter the **Mortgage**), and encumbers real property.

WHEREAS, MANATEE COUNTY, a political subdivision of the State of Florida, for good and valuable consideration, has or will obtain from the Mortgagee a Permanent Utility Easement (hereinafter the **Easement**), encumbering the lands described in the Easement, to which this Consent and Joinder is attached.

WHEREAS, MANATEE COUNTY has requested the Mortgagee consent to and join in the Easement referenced above and incorporated herein by reference, and the Mortgagee hereby consents to and joins in same.

IN WITNESS WHEREOF, the Mortgagee has caused these presents to be executed in its name and its corporate seal to be hereunto affixed, by its proper officer thereunto duly authorized, the day and year first above written.

SIGNATURE PAGE AND ACKNOWLEDGEMENT FOLLOW ON NEXT PAGE.

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

MORTGAGEE:

Citizens First Bank, a Florida corporation



First Witness Signature

Robert Peris

First Witness Printed Name

Kristen M Crawford

Second Witness Signature

Kristen M Crawford

Second Witness Printed Name

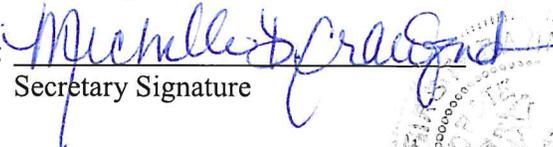
STATE OF Florida
COUNTY OF Sumter

By: 
Signature

As: 1st Vice President
Title

Jason McCray
Printed Name

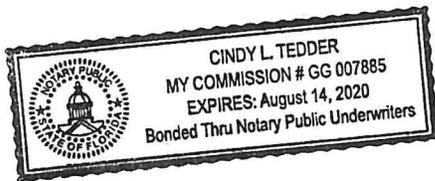
Affix corporate seal below:

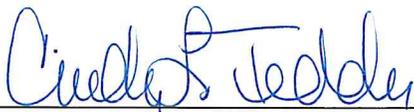
Attest: 
Secretary Signature



The foregoing instrument was acknowledged before me this 11th day of January, 2019, by Jason McCray, as 1st Vice President of Citizens First Bank, a Florida corporation, on behalf of said corporation, who is personally known to me or _____ who has produced _____ as identification.

Affix seal below:




Notary Public Signature

Cindy L. Tedder
Printed Name

Commission Number

Expiration Date