

**THIS INSTRUMENT PREPARED BY:**  
Mike Glenn, Real Property Specialist, Property Acquisition Division  
**On Behalf of:** Property Acquisition, Division Manager  
Manatee County Property Management Department  
1112 Manatee Avenue West, Suite 800  
Bradenton, Florida 34205

PROJECT NAME: HWY41 STORAGE LLC, Permanent Utilities Easement  
PROJECT#: N/A  
PARCEL#: N/A  
PID#: 2264110004

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

**PERMANENT UTILITIES EASEMENT**

*THIS INDENTURE* made this 9<sup>th</sup> day of January, 2019, between **HWY41 STORAGE LLC**, a Delaware limited liability company, whose mailing address is 401 Congress Avenue, Suite 1540, Austin, Texas 78731 as "**Grantor**," and **MANATEE COUNTY**, a political subdivision of the State of Florida, whose mailing address is Post Office Box 1000, Bradenton, Florida 34206, as "**Grantee**,"

**WITNESSETH:**

*THAT* said Grantor, for and in consideration of the sum of \$1.00 and other valuable consideration in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and transferred, and by these presents does grant, bargain, sell, and transfer unto Grantee, a *nonexclusive, permanent easement for ingress, egress, construction, and maintenance of surface and/or underground drainage and utility facilities* over, under, and across the property situate in Manatee County, State of Florida, more particularly described as in **Exhibit "A"** attached hereto and incorporated herein by this reference.

*THAT* said Grantor reserves unto itself, its heirs, successors or assigns, the right to the continued free use and enjoyment of the property herein described, for any purposes which are not inconsistent with the rights granted herein unto the Grantee.

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

**SIGNATURE PAGE AND ACKNOWLEDGEMENT FOLLOW ON NEXT PAGE**

Signed, sealed, and delivered in the presence of: HWY41 STORAGE LLC, a Delaware limited liability company

Raven Huntington  
Witness

Raven Huntington  
Printed Name

By:

[Signature]

Steven Stein

Angel Alaniz  
Witness

[Signature]  
Printed Name

Its: Director

(Signature of two witnesses required by law.)

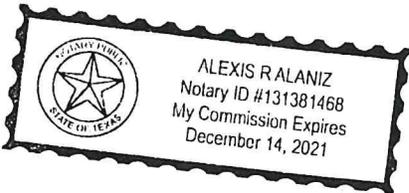
STATE OF Texas  
COUNTY OF Travis

The foregoing instrument was acknowledged before me this 9 day of January, 2019, by Steven Stein, as Director of HWY41 STORAGE LLC, a Delaware limited liability company, for and on behalf of the company, and who is () personally known to me or () who has produced \_\_\_\_\_ as identification.

Notary Public Seal:

My Commission Expires: 12/14/21

Alexis Alaniz  
NOTARY PUBLIC, State of Texas  
Alexis Alaniz  
Printed Name





# EXHIBIT "A"

## LEGAL DESCRIPTION :

A 30 FOOT X 30 FOOT PERMANENT UTILITY EASEMENT BEING A PORTION OF SECTION 36, TOWNSHIP 33 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SOUTHEAST 1/4 SAID SECTION 36; THENCE N.89°29'19"W., ALONG THE NORTH LINE OF THE SW 1/4 OF THE SE 1/4 OF SAID SECTION 36, A DISTANCE OF 360.20 FEET TO A POINT ON THE SOUTHEAST RIGHT-OF-WAY OF STATE ROAD NO. 45, ALSO BEING ON A 2159.83 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST WHOSE RADIUS BEARS S.45°19'15"E.; THENCE SOUTHWESTERLY ALONG SAID CURVE AND AFOREMENTIONED RIGHT-OF-WAY, THROUGH A CENTRAL ANGLE OF 01°45'55", AN ARC DISTANCE OF 66.54 FEET TO A POINT OF NON-TANGENT; THENCE S.89°13'05"E., 32.04 FEET; THENCE N.46°21'37"E., 107.14 FEET; THENCE S.88°13'15"E., 114.81 FEET; THENCE N.79°02'25"E., 78.81 FEET; THENCE N.53°51'16"E., 141.31 FEET; THENCE N.60°20'39"E., 93.00 FEET; THENCE N.36°59'19"W., 146.06 FEET; THENCE N.56°57'51"E., 2.51 FEET; THENCE N.36°59'19"W., 10.02 FEET TO A POINT ON THE SOUTHEAST RIGHT-OF-WAY OF STATE ROAD NO. 45, ALSO BEING ON A 2159.83 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST WHOSE RADIUS BEARS S.33°01'15"E., ALSO BEING THE POINT OF BEGINNING OF AFOREMENTIONED UTILITY EASEMENT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND SOUTHEAST RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 00°03'57", CHORD DISTANCE OF 2.481 FEET, CHORD BEARING OF N.57°06'09"E., A ARC DISTANCE OF 2.48 FEET TO A POINT ON SAID CURVE; THENCE LEAVING SAID SOUTHEAST RIGHT-OF-WAY S.36°59'19"E., 30.00 FEET; THENCE S.56°45'31"W. 30.06 FEET; THENCE N.36°59'19"W., 30.00 FEET TO A POINT ON THE AFOREMENTIONED CURVE AND SOUTHEAST RIGHT-OF-WAY; THENCE NORTHEASTERLY ALONG SAID CURVE AND SOUTHEAST RIGHT-OF-WAY, THROUGH A CENTRAL ANGLE OF 00°43'54", CHORD DISTANCE OF 27.58 FEET, CHORD BEARING N.56°42'03"E., A ARC DISTANCE OF 27.58 FEET TO THE POINT OF BEGINNING. ALL BEING AND LYING IN SECTION 36, TOWNSHIP 33 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA. CONTAINING 900.6 SQUARE FEET MORE OR LESS

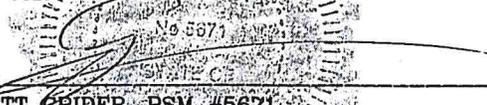
## NOTES

- 1.THIS SKETCH DOES NOT CERTIFY OR WARRANTY: TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.
- 2.THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR EASEMENTS THAT ARE NOT RECORDED ON SAID PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
- 3.THIS IS A SKETCH OF DESCRIPTION, NOT A BOUNDARY SURVEY OR OR TO BE USED AS SUCH.

SKETCH OF DESCRIPTION  
PAGE 1 OF 2  
NOT VALID WITH OUT PAGE 2 OF 2

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NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.  
"UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID"

BY :  DATE : 11-5-18  
SCOTT CRIDER, PSM #5671

F. C. SURVEYING, PLLC, d/b/a  
**Florida Coast Surveying**  
PROFESSIONAL SURVEYOR'S, & MAPPER'S  
CERTIFICATE NO. LB-0006938  
P. O. BOX 20365  
BRADENTON, FLORIDA 34204  
941-744-9295 FAX 941-748-6751  
TOLL FREE 1-877-531-7193

**CONSENT AND JOINDER**

THIS CONSENT AND JOINDER, made and given this 18 day of December, 2018, by HEITMAN CREDIT ACQUISITION XI, LLC, a Delaware limited liability company, whose mailing address is, c/o Heitman Capital Management, 191 North Wacker Drive, Suite 2500, Chicago, Illinois 60606, (hereinafter the **Mortgagee**), being the owner and holder of a certain Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing, dated September, 6, 2018, made by HWY41 STORAGE LLC, a Delaware limited liability company, whose mailing address is 401 Congress Avenue, Suite 1540, Austin, Texas 78701 (hereinafter the **Mortgagor**), in favor of Mortgagee, which Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing has been recorded in Official Records Book 2747, Page 3317, 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 Mortgagor a Permanent Utilities 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 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:

**HEITMAN CREDIT ACQUISITION XI, LLC**, a Delaware limited liability company

[Signature]  
First Witness Signature

DANIEL K HAYES  
First Witness Printed Name

By: [Signature]  
Signature

As: VP - Real Estate  
Title

Joe Check  
Printed Name

[Signature]  
Second Witness Signature

JASON GAROJA  
Second Witness Printed Name

STATE OF IL  
COUNTY OF COOK

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of DEC, 2018, by JOSEPH CHECK, as VP of **HEITMAN CREDIT ACQUISITION XI, LLC**, a Delaware limited liability company, on behalf of said company, who () is personally known to me or () who has produced \_\_\_\_\_ as identification.

Affix seal below:



[Signature]  
Notary Public Signature

HEATHER N. SHER  
Printed Name

Commission Number \_\_\_\_\_

9/9/2019  
Expiration Date