

THIS INSTRUMENT PREPARED BY:

Brandie Adams, Real Property Specialist
Property Acquisition Division
On behalf of Joy Leggett-Murphy, Property Acquisition Division
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205

PROJECT NAME: TACO BELL #36517
PID NO: 1687900059

SPACE ABOVE THIS LINE FOR RECORDING DATA

CORRECTIVE PERMANENT UTILITY EASEMENT

This Corrective Permanent Utility Easement is made to correct the Permanent Easement unilaterally recorded on April 15, 2020 as Instrument Number 202041039221, in the Public Records of Manatee County, Florida, without the assistance of the Manatee County Property Acquisition Division. The Permanent Easement contained an incorrect reference to the Section/Township/Range and an incorrect mailing address for the Grantor; additionally, the project name, preparer's name and address, instrument name and easement description have been amended; the notary block has also been updated to conform to current statutory requirements. The Exhibit "A" has been corrected to conform to the County Surveyor's current Description and Sketch Guidelines updated September 19, 2019; additionally, the total easement area has been reported and the surveyor name and signature date have been revised.

THIS INDENTURE made this 6 day of July, 2020, between **KINGSPORT RESTAURANT REAL ESTATE, LLC**, a Delaware limited liability company, whose mailing address is 520 D Street, Unit C, Clearwater, Florida 33756, 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 utility facilities*** over, under, and across the property situated in Manatee County, State of Florida, more particularly described 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.

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

GRANTOR:
KINGSPORT RESTAURANT REAL ESTATE, LLC, a Delaware limited liability company

[Signature]
First Witness Signature

By: [Signature]
Chris Suh, President

D. Weish
First Witness Printed Name

[Signature]
Second Witness Signature

Nicholas Brunal
Second Witness Printed Name

STATE OF FLORIDA
COUNTY OF Pinellas

Sworn to (or affirmed), acknowledged and subscribed before me by means of physical presence or online notarization this 6 day of July, 2020, by Chris Suh, as President of **Kingsport Restaurant Real Estate, LLC**, a Delaware limited liability company, on behalf of the company, who is personally known to me or who has produced _____ as identification.

Affix seal below:



[Signature]
Notary Public Signature

Jessica H. Brunal
Printed Name

GG224696
Commission Number

6/4/2022
Expiration Date

EXHIBIT "A"

SECTION 8, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA

LEGAL DESCRIPTION: INGRESS/EGRESS EASEMENT

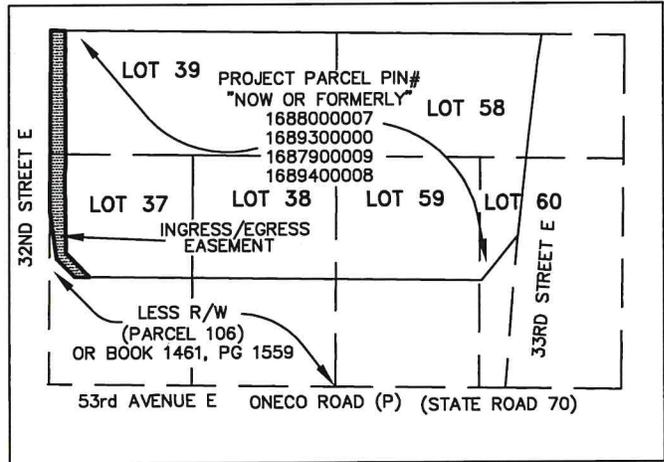
A PORTION OF LAND LYING IN LOTS 37 & 39, CENTRAL GARDENS SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 159 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 39, OF SAID CENTRAL GARDENS SUBDIVISION; THENCE RUN S 89°16'18" E ALONG THE NORTH LINE OF SAID LOT 39, 7.50 FEET; THENCE S 00°20'48" E, 69.47 FEET; THENCE S 05°56'08" W, 6.68 FEET; THENCE S 00°51'27" E, 40.83 FEET; THENCE S 44°15'43" E, 17.60 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF 53 RD AVENUE EAST, (STATE ROAD 70); AS RECORDED IN OFFICIAL RECORDS BOOK 1461, PAGE 1559, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N 89°16'18" W, ALONG SAID NORTH R/W LINE, 7.78 FEET; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE N 44°15'43" W, 13.43 FEET; THENCE N 08°24'55" W, 25.32 FEET TO THE EAST RIGHT-OF-WAY LINE OF 32ND STREET EAST BEING A 40' RIGHT-OF-WAY PER AFORESAID PLAT; THENCE N 00°43'15" E, ALONG SAID EAST RIGHT-OF-WAY LINE, 30.00 FEET; THENCE CONTINUE ALONG SAID EAST RIGHT-OF-WAY LINE, N 00°18'55" E, 64.87 FEET TO THE POINT OF BEGINNING.

CONTAINING: AREA: 995 SQUARE FEET, 0.02 ACRES

SURVEYORS REPORT

- 1.) THIS IS A SKETCH AND DESCRIPTION ONLY, NOT A SURVEY. IT'S PRIMARY PURPOSE IS TO SHOW/DOCUMENT THE LOCATION OF INGRESS/EGRESS EASEMENT AS IT RELATES TO PARCEL NUMBERS SHOWN HEREIN.
- 2.) THIS SKETCH COMPLIES WITH THE FLORIDA STANDARDS OF PRACTICE PURSUANT TO 5J-17 FLORIDA ADMINISTRATIVE CODE FOR THIS TYPE OF SURVEY AND IS NOT INTENDED TO MEET THE NATIONAL STANDARDS.
- 3.) THE PROFESSIONAL SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- 4.) BEARING BASIS IS PER FDOT AS REFERENCED IN BOUNDARY SURVEY BY TERRAMETRIX, LLC JOB#17113 DATED 9/13/07. THE BEARING BASIS THEREIN BEING THE NORTH LINE OF 53RD AVE E. BEING N89°16'18"W.
- 5.) THIS SKETCH & DESCRIPTION DOES NOT DETERMINE OR IMPLY OWNERSHIP. CERTIFICATION IS NOT TRANSFERABLE.
- 6.) COPYRIGHT © LAND PRECISION CORPORATION. ALL RIGHTS RESERVED. NO PART OF THIS DRAWING MAY BE REPRODUCED BY PHOTOCOPYING, RECORDING OR BY ANY OTHER MEANS, OR STORED, PROCESSED OR TRANSMITTED IN OR BY ANY COMPUTER OR OTHER SYSTEMS WITHOUT THE PRIOR WRITTEN PERMISSION OF THE SURVEYOR.

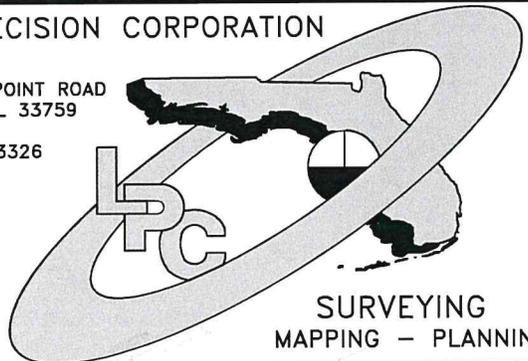


DETAIL OF EASEMENT AREA TO SITE BOUNDARY NTS

SHEET 1 OF 2

LAND PRECISION CORPORATION

2683 SUNSET POINT ROAD
CLEARWATER, FL 33759
727-796-2737
FAX 727-796-3326



LB#6168

SURVEYING
MAPPING - PLANNING

JOB #19263-IEE 3

DATE: 4/13/2020

Dwayne A. Ruth 5-19-2020

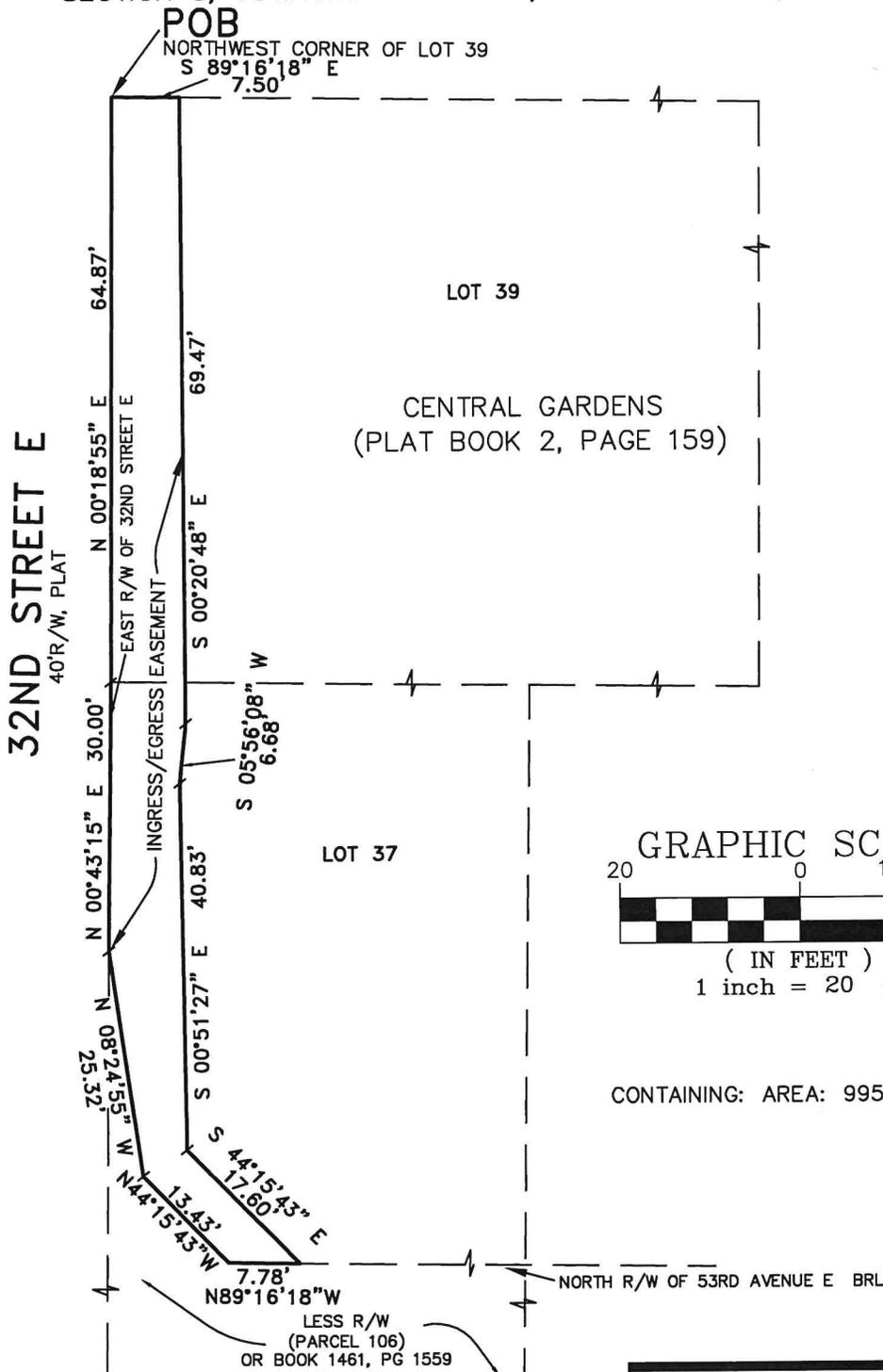
DWAYNE A. RUTH, FLA. LICENSED SURVEYOR AND
MAPPER No. 5635 (NOT VALID WITHOUT THE
SIGNATURE AND THE ORIGINAL RAISED SEAL OF A
FLORIDA LICENSED SURVEYOR AND MAPPER.)

ABBREVIATION LEGEND

R/W - Right-of-Way	O.R. - Official Records
POB - Point Of Beginning	☉ - Centerline
PIN - Parcel Identification Number	
POC - Point Of Commencement	POL - Point On Line
BRL - Bearing Reference Line	(P) - Plat
● - Section Corner	SR - State Road PG - Page NTS - Not To Scale

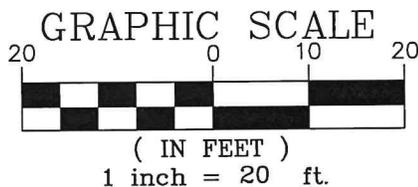
EXHIBIT "A"

SECTION 8, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA



LOT 39
CENTRAL GARDENS
(PLAT BOOK 2, PAGE 159)

LOT 37



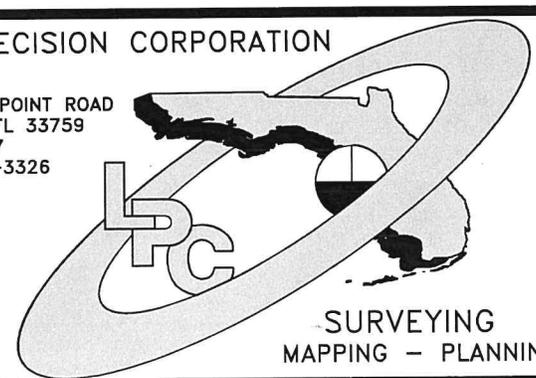
CONTAINING: AREA: 995 SQUARE FEET, 0.02 ACRES

SHEET 2 OF 2

53rd AVENUE E
ONECO ROAD (P)
(STATE ROAD 70)

LAND PRECISION CORPORATION

2683 SUNSET POINT ROAD
CLEARWATER, FL 33759
727-796-2737
FAX 727-796-3326



LB#6168

SURVEYING
MAPPING - PLANNING

JOB #19263-IEE 3

DATE: 4/13/2020

ABBREVIATION LEGEND

R/W - Right-of-Way	O.R. - Official Records
POB - Point Of Beginning	CL - Centerline
PIN - Parcel Identification Number	
POC - Point Of Commencement	POL - Point On Line
BRL - Bearing Reference Line	(P) - Plat
● - Section Corner	
SR - State Road	PG - Page
	NTS - Not To Scale

THIS INSTRUMENT PREPARED BY:

Brandie Adams, Real Property Specialist
Property Acquisition Division
On behalf of Joy Leggett-Murphy, Property Acquisition Division
Manatee County Property Management Department
1112 Manatee Avenue West, Suite 800
Bradenton, Florida 34205

PROJECT NAME: TACO BELL #36517
PID NO: 1687900059

SPACE ABOVE THIS LINE FOR RECORDING DATA

CONSENT AND JOINDER

THIS CONSENT AND JOINDER, made and given this 8 day of July, 2020, by **VALLEY NATIONAL BANK**, a national banking association, whose mailing address is 4790 140th Avenue North, Clearwater, Florida 33762 (hereinafter the "**Mortgagee**"), being the owner and holder of a Mortgage, Security Agreement and Fixture Filing recorded on May 29, 2019, in Official Records Book 2784, Page 2974, of the Public Records of Manatee County, Florida; as affected by Subordination, Non-disturbance and Attornment Agreement, recorded on May 29, 2019 in Official Records Book 2784, Page 3005 of the Public Records of Manatee County, Florida; as affected by Mortgage Modification and Future Advance Agreement, recorded on February 27, 2020 in Official Records as Instrument Number 202041021413 of the Public Records of Manatee County, Florida (hereinafter, collectively the "**Mortgage**"), made by **KINGSPORT RESTAURANT REAL ESTATE, LLC**, a Delaware limited liability company, whose mailing address is 520 D Street, Unit C, Clearwater, Florida 33756 (hereinafter the "**Mortgagor**"), in favor of Mortgagee, which Mortgage 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 Corrective 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 agent thereunto duly authorized, the day and year first above written.

SIGNATURE PAGE AND ACKNOWLEDGMENT FOLLOW ON NEXT PAGE.

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

[Handwritten Signature]

First Witness Signature

[Handwritten Signature]

First Witness Printed Name

[Handwritten Signature]

Second Witness Signature

[Handwritten Signature]

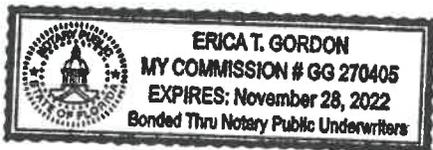
Second Witness Printed Name

STATE OF Florida

COUNTY OF Hillsborough

Sworn to (or affirmed), acknowledged and subscribed before me by means of physical presence or online notarization this 8th day of July, 2020, by David Manno, as Vice president of **VALLEY NATIONAL BANK, a national banking association**, on behalf of the association, who is personally known to me or who has produced _____ as identification.

Affix seal below:



MORTGAGEE:

VALLEY NATIONAL BANK, a national banking association

[Handwritten Signature]

By:

Signature

[Handwritten: VP]

As:

Title

[Handwritten: David Manno]

Printed Name

[Handwritten Signature]

Notary Public Signature

[Handwritten Signature]

Printed Name

Commission Number

Expiration Date