



OFFICE OF THE COUNTY ATTORNEY

MITCHELL O. PALMER, County Attorney*
William E. Clague, Chief Assistant County Attorney
Sarah A. Schenk, Assistant County Attorney**
Christopher M. De Carlo, Assistant County Attorney
Pamela J. D'Agostino, Assistant County Attorney
Anne M. Morris, Assistant County Attorney
Katharine M. Zamboni, Assistant County Attorney
Alexandria C. Nicodemi, Assistant County Attorney
Douglas E. Polk, Assistant County Attorney

MEMORANDUM

DATE: March 26, 2020

TO: Joy Leggett-Murphy, Property Acquisition Division Manager, Property Management Department

THROUGH: Mitchell O. Palmer, County Attorney Approved by *MOP 3-30-2020*

FROM: Pamela J. D'Agostino, Assistant County Attorney Approved by *PJD 3-26-2020*

RE: **Sidewalk Easement for Geartz Office and Warehouse, owned by The Kathie J. Geartz Revocable Living Trust, located at 814 49th Street East, Palmetto, Florida 34221; CAO Matter No. 2020-0131**

Issue Presented:

In this Request for Legal Services (RLS), you have asked the County Attorney's Office (CAO) to (1) review the Amendment and Restatement of the Kathie J. Geartz Revocable Living Trust Agreement, (2) review a draft Affidavit of Ownership and Encumbrances, (3) review a draft Permanent Sidewalk Easement, and (4) review a draft Certification of Trust, and advise whether the conveyance documents are legally acceptable.

Brief Answer:

I have reviewed the documents as requested. Attached are revised documents for staff's use. Provided staff uses these documents and otherwise proceeds consistent with my

* Board Certified in Construction Law

** Board Certified in City, County & Local Government Law

Joy Leggett-Murphy, Property Acquisition Division Manager

March 26, 2020

Page 2 of 3

below advice, I have no objection from a legal standpoint to presenting this Permanent Sidewalk Easement to the Board of County Commissioners of Manatee County, Florida (Board) for acceptance. I express no opinion as to the business judgment of accepting this easement.

Recommendation:

Staff should not record in the public records or present any Permanent Sidewalk Easement to the Board for acceptance until the owners take the appropriate steps to terminate the Notice of Commencement filed at Official Records Book 2806, Page 7399, and the Notice of Commencement filed at Official Records Book 2806, Page 7400, both of the Public Records of Manatee County, Florida. To assist staff, I have prepared two form Notice of Termination documents which the owners may use. Any Permanent Sidewalk Easement relative to this property should not be presented to the Board for acceptance until at least thirty days after each Notice of Termination is recorded. At that time, the Affidavit of Ownership and Encumbrances may be revised by staff to reflect that there are no longer any adverse interests affecting title to the property. Additionally, I do not recommend that staff submit any agenda item to the Board to accept this easement if the owners have not yet paid the ad valorem taxes and non-ad valorem assessments owed on this property for 2019.

Facts:

According to this RLS and subsequent documents provided by staff, among other things, the County must receive a Permanent Sidewalk Easement from the property owner before a Certificate of Occupancy will be issued relative for an office and warehouses that have been constructed at 814 49th Street East in Palmetto. Because this particular property is owned by a trust, staff appropriately sought CAO review.

Discussion:

I have revised the Permanent Sidewalk Easement, the Affidavit of Ownership and Encumbrances, and the Certification of Trust to the best of my ability based on the documents provided by staff. Staff will need to present the Certification of Trust to the owners and request them to review and revise as appropriate. After revised to the owners' satisfaction, I recommend staff provide to me for final review in advance of execution.

Joy Leggett-Murphy, Property Acquisition Division Manager

March 26, 2020

Page 3 of 3

Conclusion:

Provided staff uses the attached documents and otherwise proceeds consistent with my above advice, I have no objection from a legal standpoint to this Permanent Sidewalk Easement being presented to the Board at the appropriate time for acceptance. Accepting this easement is a business decision that the Board has the authority to make. This completes my response to your RLS. Please contact me if you have any questions or if I can be of further assistance.

Copy to:

Cheri Coryea, County Administrator

John Osborne, AICP, Infrastructure and Strategic Planning Official – Deputy
County Administrator

Karen M. Stewart, CECD, Economic Development Official – Deputy County
Administrator

Charlie Bishop, Director, Property Management Department

Maggie Gaughan, Real Property Specialist, Property Acquisition Division,
Property Management Department

Form prepared by:

Pamela J. D'Agostino, Assistant County Attorney
Manatee County Government
Office of the County Attorney
1112 Manatee Avenue West
Bradenton, Florida 34205

Project Name: Geartz Office and Warehouse
Parcel Identification Number: 2257010104

SPACE ABOVE THIS LINE FOR RECORDING DATA

PERMANENT SIDEWALK EASEMENT

THIS EASEMENT (Easement) is made and given by **KATHIE J. GEARTZ AND KENT W. GEARTZ**, individually and as Trustees of **THE KATHIE J. GEARTZ REVOCABLE LIVING TRUST U/A/D JANUARY 2, 1996, AS AMENDED OCTOBER 7, 2002, AND NOVEMBER 4, 2003, AND AS AMENDED AND RESTATED APRIL 17, 2014**, (**Grantor**) whose mailing address is 5111 28th Avenue East, Palmetto, Florida 34221, to **MANATEE COUNTY**, a political subdivision of the State of Florida, (**Grantee**) whose mailing address is Post Office Box 1000, Bradenton, Florida 34206 and whose street address is 1112 Manatee Avenue West, Bradenton, Florida 34205.

As used herein, the term "Grantor" shall include any and all heirs, legal representatives, successors or assigns of Grantor, and all subsequent owners of the Easement Area, as defined below, and the term "Grantee" shall include any successor or assignee of Grantee.

Grantor, for and in consideration of the sum of one dollar and other valuable consideration paid, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, and transfer unto Grantee a nonexclusive permanent sidewalk easement for the use and benefit of Grantee for ingress and egress, construction, maintenance, and use as a public sidewalk across, in, on, over, through, and upon the following described land lying and being in Manatee County, Florida (**Easement Area**):

**See legal description in Exhibit A, attached
to and incorporated in this Easement by reference.**

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

Grantor covenants with Grantee that Grantor is lawfully seized of the Easement Area and that Grantor has good, right, and lawful authority to grant this Easement and shall take no action to interfere with Grantee's lawful use of the Easement Area.

IN WITNESS WHEREOF Grantor has hereunto set Grantor's hand and seal the date written below.

SIGNATURES AND ACKNOWLEDGMENTS APPEAR ON FOLLOWING PAGES.

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

GRANTOR:

KATHIE J. GEARTZ, individually and as Trustee of the Kathie J. Geartz Revocable Living Trust U/A/D January 2, 1996, as amended October 7, 2002, and November 4, 2003, and as amended and restated April 17, 2014

By: _____
Signature

As: Individually and as Trustee
Title

Date: _____

First Witness Signature

First Witness Printed Name

Second Witness Signature

Second Witness Printed Name

STATE OF _____
COUNTY OF _____

Before me, a Notary Public, the foregoing instrument was acknowledged by means of

- physical presence or
- online notarization

this _____ day of _____, 2020, by Kathie J. Geartz, who

- is personally known to me or
- has produced _____ as identification.

[CHECK APPLICABLE BOXES TO SATISFY IDENTIFICATION REQUIREMENT OF SECTION 117.05, FLORIDA STATUTES]

Signature of Notary Public

My Commission Expires: _____

(Legibly print, type, or stamp commissioned name of Notary Public and affix official notary seal below.)

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

GRANTOR:

KENT W. GEARTZ, individually and as Trustee of the Kathie J. Geartz Revocable Living Trust U/A/D January 2, 1996, as amended October 7, 2002, and November 4, 2003, and as amended and restated April 17, 2014

By: _____
Signature

As: Individually and as Trustee
Title

Date: _____

First Witness Signature

First Witness Printed Name

Second Witness Signature

Second Witness Printed Name

STATE OF _____
COUNTY OF _____

Before me, a Notary Public, the foregoing instrument was acknowledged by means of

- physical presence or
- online notarization

this _____ day of _____, 2020, by Kent W. Geartz, who

- is personally known to me or
- has produced _____ as identification.

[CHECK APPLICABLE BOXES TO SATISFY IDENTIFICATION REQUIREMENT OF SECTION 117.05, FLORIDA STATUTES]

Signature of Notary Public

My Commission Expires: _____

(Legibly print, type, or stamp commissioned name of Notary Public and affix official notary seal below.)

Form prepared by:

Pamela J. D'Agostino, Assistant County Attorney
Manatee County Government
Office of the County Attorney
1112 Manatee Avenue West
Bradenton, Florida 34205

Project Name: Geartz Office and Warehouse
Parcel Identification Number: 2257010104

SPACE ABOVE THIS LINE FOR RECORDING DATA

AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES

BEFORE ME, the undersigned notary public, personally appeared **KATHIE J. GEARTZ AND KENT W. GEARTZ**, who being first duly sworn, depose and say that, to the best of their knowledge and belief:

1. I have personal knowledge of all matters set forth in this affidavit.
2. I am one of only two Trustees of the Kathie J. Geartz Revocable Living Trust U/A/D January 2, 1996, as amended October 7, 2002, and November 4, 2003, and as amended and restated April 17, 2014.
3. We, specifically my undersigned fellow Trustee and I, both individually and as Trustees, are the owner of the fee simple title to certain real property (**Property**) situated in Manatee County, Florida, more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, and together we have full authority to sell or encumber the Property.
4. We, specifically my undersigned fellow Trustee and I, have sole and exclusive possession of the Property, which is not either of our homestead under the laws and constitution of the State of Florida.
5. Neither my 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 ourselves 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. I have 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 I am 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 my possession, I 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. 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 me in the courts of Manatee County, Florida, or any other courts.

12. There are no matters pending against me that could give rise to a lien that would attach to the Property or cause a loss of title or impair the title, and I have 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 days, or, if labor has been performed or materials furnished during such ninety days, all persons performing or furnishing the same have been fully paid and there are no unpaid bills for labor or materials for which valid liens could be filed.

14. No notice of commencement concerning the Property has been filed in the past ninety days, nor are there any unsatisfied construction liens of record concerning such Property, nor have any notices to owner been received by me during the past ninety days.

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.

Notice of Commencement recorded October 11, 2019, in Official Records Book 2806, Page 7399, of the Public Records of Manatee County, Florida.

Notice of Commencement recorded October 11, 2019, in Official Records Book 2806, Page 7400, of the Public Records of Manatee County, Florida.

16. I am making this affidavit to induce Manatee County, a political subdivision of the State of Florida, to accept a permanent sidewalk easement across, in, on, over, through, and upon the Property.

16. I have full knowledge of applicable Florida laws regarding affidavits and sworn statements and the liabilities and penalties resulting from false statements and misrepresentations made in these types of documents.

AFFIANT:
KATHIE J. GEARTZ

Signature

Date: _____

STATE OF _____
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me, a Notary Public, by means of

- physical presence or
- online notarization

this _____ day of _____, 2020, by KATHIE J. GEARTZ, who

- is personally known to me or
- has produced _____ as identification.

[CHECK APPLICABLE BOXES TO SATISFY IDENTIFICATION REQUIREMENT OF SECTION 117.05, FLORIDA STATUTES]

_____ My Commission Expires: _____

Signature of Notary Public

(Legibly print, type, or stamp commissioned name of Notary Public and affix official notary seal below.)

AFFIANT:
KENT W. GEARTZ

Signature

Date: _____

STATE OF _____

COUNTY OF _____

Sworn to (or affirmed) and subscribed before me, a Notary Public, by means of

- physical presence or
- online notarization

this _____ day of _____, 2020, by KENT W. GEARTZ, who

- is personally known to me or
- has produced _____ as identification.

[CHECK APPLICABLE BOXES TO SATISFY IDENTIFICATION REQUIREMENT OF SECTION 117.05, FLORIDA STATUTES]

Signature of Notary Public

My Commission Expires: _____

(Legibly print, type, or stamp commissioned name of Notary Public and affix official notary seal below.)

Form prepared by:

Pamela J. D'Agostino, Assistant County Attorney
Manatee County Government
Office of the County Attorney
1112 Manatee Avenue West
Bradenton, Florida 34205

Project Name: Geartz Office and Warehouse
Parcel Identification Number: 2257010104

SPACE ABOVE THIS LINE FOR RECORDING DATA

CERTIFICATION OF TRUST

Section 736.1017, Florida Statutes

BEFORE ME, the undersigned authority, personally appeared **KATHIE J. GEARTZ AND KENT W. GEARTZ (Affiants)**, who being first duly sworn, certified the following:

1. This **Certification of Trust** pertains to the trust property (**Property**) described in **Exhibit A**, attached hereto and incorporated herein by this reference.
2. Affiants are the only two Trustees of the Kathie J. Geartz Revocable Living Trust U/A/D January 2, 1996, as amended October 7, 2002, and November 4, 2003, and as amended and restated April 17, 2014 (**Trust**).
3. Title to the Property is currently vested in Affiants, individually and as Trustees of the Trust.
4. The Trust exists and the trust instrument was executed on January 2, 1996.
5. The settlor (creator/grantor) of the Trust is Kathie J. Geartz.
6. Affiants' address is 5111 28th Avenue East, Palmetto, Florida 34221.
7. Affiants, as the Trustees have the power to a) grant public or private easements upon such terms as the Trustees see fit without obtaining consent from any Trust beneficiary, and b) execute, acknowledge and deliver, and otherwise complete all proper and necessary conveyances and instruments carrying out the Affiants' authority.
8. The Trust is revocable. *[Insert appropriate language identifying any person who holds a power to revoke the Trust and the extent of that power, i.e. The power to revoke the Trust is held by Kathie J. Geartz. or The power to revoke the Trust is held by joint action of Kathie J. Geartz and Kent W. Geartz. or The power to revoke the Trust is held*

independently by Kathie J. Geartz and Kent W. Geartz.]

9. Affiants, as Trustees, have the power to execute, sign, or otherwise authenticate and deliver deeds and other written instruments and have full authority to exercise all powers as Trustees without the joinder or consent of any other party.

10. Affiants acquired title to the Property by Warranty Deed from APS 49th Street LLC, a Florida limited liability company, dated February 10, 2017, and recorded in Official Records Book 2660, Page 3753, of the Public Records of Manatee County, Florida.

11. The Trust has not been revoked, modified, or amended in any manner that would cause the representations here to be incorrect.

12. The Property is not the homestead of Affiants under the laws and constitution of the State of Florida.

13. Affiants have full knowledge of applicable Florida laws regarding affidavits and sworn statements and the liabilities and penalties resulting from false statements and misrepresentations made in these types of documents.

SIGNATURES AND ACKNOWLEDGMENTS APPEAR ON FOLLOWING PAGES.

AFFIANT:
KATHIE J. GEARTZ

Signature

Date: _____

STATE OF _____

COUNTY OF _____

Sworn to (or affirmed) and subscribed before me, a Notary Public, by means of

- physical presence or
- online notarization

this _____ day of _____, 2020, by KATHIE J. GEARTZ, who

- is personally known to me or
- has produced _____ as identification.

[CHECK APPLICABLE BOXES TO SATISFY IDENTIFICATION REQUIREMENT OF SECTION 117.05, FLORIDA STATUTES]

Signature of Notary Public

My Commission Expires: _____

(Legibly print, type, or stamp commissioned name of Notary Public and affix official notary seal below.)

AFFIANT:
KENT W. GEARTZ

Signature

Date: _____

STATE OF _____

COUNTY OF _____

Sworn to (or affirmed) and subscribed before me, a Notary Public, by means of

- physical presence or
- online notarization

this _____ day of _____, 2020, by KENT W. GEARTZ, who

- is personally known to me or
- has produced _____ as identification.

[CHECK APPLICABLE BOXES TO SATISFY IDENTIFICATION REQUIREMENT OF SECTION 117.05, FLORIDA STATUTES]

Signature of Notary Public

My Commission Expires: _____

(Legibly print, type, or stamp commissioned name of Notary Public and affix official notary seal below.)

Form prepared by:

Pamela J. D'Agostino, Assistant County Attorney
Manatee County Government
Office of the County Attorney
1112 Manatee Avenue West
Bradenton, Florida 34205

Project Name: Geartz Office and Warehouse
Parcel Identification Number: 2257010104

SPACE ABOVE THIS LINE FOR RECORDING DATA

NOTICE OF TERMINATION

Under penalty of perjury, the undersigned owners, KATHIE J. GEARTZ AND KENT W. GEARTZ, individually and as Trustees of the Kathie J. Geartz Revocable Living Trust U/A/D January 2, 1996, as amended October 7, 2002, and November 4, 2003, and as amended and restated April 17, 2014, state the following:

1. A Notice of Commencement was recorded in Official Records Book 2806, Page 7399, of the Public Records of Manatee County, Florida, and is attached hereto as Exhibit A.
2. This Notice of Termination is to terminate the effectiveness of the Notice of Commencement referenced herein thirty days after the date this Notice of Termination is recorded in the Public Records of Manatee County, Florida.
3. This Notice of Termination applies to all of the real property subject to the Notice of Commencement referenced herein.
4. All lienors have been paid in full.
5. Before recording this Notice of Termination, a copy of same was served on the contractor and on each lienor who has a direct contract with either of us (the owners) or who has served a notice to owner.

SIGNATURES AND ACKNOWLEDGMENTS APPEAR ON FOLLOWING PAGES.

OWNER:

KATHIE J. GEARTZ, individually and as Trustee of the Kathie J. Geartz Revocable Living Trust U/A/D January 2, 1996, as amended October 7, 2002, and November 4, 2003, and as amended and restated April 17, 2014

Signature

Date: _____

STATE OF _____
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me, a Notary Public, by means of

- physical presence or
- online notarization

this _____ day of _____, 2020, by KATHIE J. GEARTZ, who

- is personally known to me or
- has produced _____ as identification.

[CHECK APPLICABLE BOXES TO SATISFY IDENTIFICATION REQUIREMENT OF SECTION 117.05, FLORIDA STATUTES]

My Commission Expires: _____

Signature of Notary Public

(Legibly print, type, or stamp commissioned name of Notary Public and affix official notary seal below.)

OWNER:

KENT W. GEARTZ, individually and as Trustee of the Kathie J. Geartz Revocable Living Trust U/A/D January 2, 1996, as amended October 7, 2002, and November 4, 2003, and as amended and restated April 17, 2014

Signature

Date: _____

STATE OF _____
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me, a Notary Public, by means of

- physical presence or
- online notarization

this _____ day of _____, 2020, by KENT W. GEARTZ, who

- is personally known to me or
- has produced _____ as identification.

[CHECK APPLICABLE BOXES TO SATISFY IDENTIFICATION REQUIREMENT OF SECTION 117.05, FLORIDA STATUTES]

My Commission Expires: _____

Signature of Notary Public

(Legibly print, type, or stamp commissioned name of Notary Public and affix official notary seal below.)

NOTICE OF COMMENCEMENT

Permit No. 1908-1320
Tax Folio No. 2257010104

THE UNDERSIGNED hereby gives notice that improvement will be made to certain real property, and in accordance with Chapter 713, Florida Statutes, the following information is provided in this NOTICE OF COMMENCEMENT.

1. Description of property (legal description of property):
a) Street (job) Address: 818 49th St. E. Palmetto, FL 34221
2. General description of improvement(s):
Single story office and warehouse
3. Owner or Lessee information (Lessee as owner only if contracted for improvements)
a. Name and address: Geartz
b. Interest in property: _____
c. Name and address of fee simple titleholder (if other than owner): _____
4. Contractor Information
a. Name and address: Kent Geartz 5111 28th Ave. E. Palmetto, FL 34221
b. Phone number: 941-755-9661 Fax No. (Opt.) _____
5. Surety Information
a. Name and address: _____
b. Amount of bond \$ NA
c. Phone number: _____ Fax No. (Opt.) _____
6. Lender
a. Name and address: _____
b. Phone number: _____
7. Persons within the State of Florida designated by Owner upon who notices or other documents may be served as provided by Section 713.13(1)(a)7., Florida Statutes:
a. Name and address: NA
b. Phone number: _____
8. In addition to himself, Owner designates the following person(s) to receive a copy of the Lienor's Notice as provided in Section 713.13(1)(b), Florida Statutes:
a. Name and address: NA
b. Phone number: _____

Expiration date of notice of commencement (the expiration date is 1 year from the date of recording unless a different date is specified) _____

WARNING TO OWNER: ANY PAYMENTS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER PAYMENTS UNDER CHAPTER 713, PART 1, SECTION 713.13, FLORIDA STATUTES, AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

[Signature]
Signature of Owner or Lessee, or Owner's or Lessee's Authorized Officer/Director/Partner/Manager
Signatory's Title/Officer: Agent

State of Florida
County of Manatee
The foregoing instrument was acknowledged before me this 2 day of Aug, 2019 by KENT GEARTZ, who is personally known to me, or has produced _____, Expiration Date: _____
(Driver's License #)
and who did/did not take an oath.



[Signature]
Signature of Notary
Public - State of Florida
Melissa J. Kernick
Print, Type, or Stamp
Commissioned Name of Notary Public



Form prepared by:

Pamela J. D'Agostino, Assistant County Attorney
Manatee County Government
Office of the County Attorney
1112 Manatee Avenue West
Bradenton, Florida 34205

Project Name: Geartz Office and Warehouse
Parcel Identification Number: 2257010104

SPACE ABOVE THIS LINE FOR RECORDING DATA

NOTICE OF TERMINATION

Under penalty of perjury, the undersigned owners, KATHIE J. GEARTZ AND KENT W. GEARTZ, individually and as Trustees of the Kathie J. Geartz Revocable Living Trust U/A/D January 2, 1996, as amended October 7, 2002, and November 4, 2003, and as amended and restated April 17, 2014, state the following:

1. A Notice of Commencement was recorded in Official Records Book 2806, Page 7400, of the Public Records of Manatee County, Florida, and is attached hereto as Exhibit A.
2. This Notice of Termination is to terminate the effectiveness of the Notice of Commencement referenced herein thirty days after the date this Notice of Termination is recorded in the Public Records of Manatee County, Florida.
3. This Notice of Termination applies to all of the real property subject to the Notice of Commencement referenced herein.
4. All lienors have been paid in full.
5. Before recording this Notice of Termination, a copy of same was served on the contractor and on each lienor who has a direct contract with either of us (the owners) or who has served a notice to owner.

SIGNATURES AND ACKNOWLEDGMENTS APPEAR ON FOLLOWING PAGES.

OWNER:

KATHIE J. GEARTZ, individually and as Trustee of the Kathie J. Geartz Revocable Living Trust U/A/D January 2, 1996, as amended October 7, 2002, and November 4, 2003, and as amended and restated April 17, 2014

Signature

Date: _____

STATE OF _____
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me, a Notary Public, by means of

- physical presence or
- online notarization

this _____ day of _____, 2020, by KATHIE J. GEARTZ, who

- is personally known to me or
- has produced _____ as identification.

[CHECK APPLICABLE BOXES TO SATISFY IDENTIFICATION REQUIREMENT OF SECTION 117.05, FLORIDA STATUTES]

My Commission Expires: _____

Signature of Notary Public

(Legibly print, type, or stamp commissioned name of Notary Public and affix official notary seal below.)

OWNER:

KENT W. GEARTZ, individually and as Trustee of the Kathie J. Geartz Revocable Living Trust U/A/D January 2, 1996, as amended October 7, 2002, and November 4, 2003, and as amended and restated April 17, 2014

Signature

Date: _____

STATE OF _____
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me, a Notary Public, by means of

- physical presence or
- online notarization

this _____ day of _____, 2020, by KENT W. GEARTZ, who

- is personally known to me or
- has produced _____ as identification.

[CHECK APPLICABLE BOXES TO SATISFY IDENTIFICATION REQUIREMENT OF SECTION 117.05, FLORIDA STATUTES]

Signature of Notary Public

My Commission Expires: _____

(Legibly print, type, or stamp commissioned name of Notary Public and affix official notary seal below.)

NOTICE OF COMMENCEMENT

Permit No. 1908-2323
Tax Folio No. 2257010104

THE UNDERSIGNED hereby gives notice that improvement will be made to certain real property, and in accordance with Chapter 713, Florida Statutes, the following information is provided in this NOTICE OF COMMENCEMENT.

1. Description of property (legal description of property):
a) Street (job) Address: 814 49th St E Palmetto, FL 34221
2. General description of improvement(s):
Single story warehouse
3. Owner or Lessee information (Lessee as owner only if contracted for improvements)
a. Name and address: Geartz
b. Interest in property: _____
c. Name and address of fee simple titleholder (if other than owner): _____
4. Contractor Information
a. Name and address: Kent Geartz 5111 28th Ave E Palmetto FL 34221
b. Phone number: 941-755-9661 Fax No. (Opt.) _____
5. Surety Information
a. Name and address: _____
b. Amount of bond \$ N/A
c. Phone number: _____ Fax No. (Opt.) _____
6. Lender
a. Name and address: A
b. Phone number: _____
7. Persons within the State of Florida designated by Owner upon who notices or other documents may be served as provided by Section 713.13(1)(a)7., Florida Statutes:
a. Name and address: N/A
b. Phone number: N/A
8. In addition to himself, Owner designates the following person(s) to receive a copy of the Lienor's Notice as provided in Section 713.13(1)(b), Florida Statutes:
a. Name and address: N/A
b. Phone number: N/A

Expiration date of notice of commencement (the expiration date is 1 year from the date of recording unless a different date is specified) _____

WARNING TO OWNER: ANY PAYMENTS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER PAYMENTS UNDER CHAPTER 713, PART 1, SECTION 713.13, FLORIDA STATUTES, AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

[Signature]
Signature of Owner or Lessee, or Owner's or Lessee's Authorized Officer/Director/Partner/Manager
Signatory's Title/Officer: Agent

State of Florida
County of Manatee

The foregoing instrument was acknowledged before me this 2 day of AUG, 2019 by KENT GEARTZ, who is personally known to me, or has produced _____, Expiration Date: _____

(Driver's License #) _____
and who did/did not take an oath.



[Signature]
Signature of Notary
Public - State of Florida
Melissa J. Kemick
Print, Type, or Stamp
Commissioned Name of Notary Public

