

Prepared by Daniel J. Perka
Return to University Title Services, LLC
14400 Covenant Way
Lakewood Ranch, FL 34202

\$1,144,000



SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made this 15th day of December, 2017, by and between **SMR NORTHEAST, LLC**, a Florida limited liability company and **LWR SPORTS, LLC**, a Florida limited liability company (each a "Grantor" and collectively "Grantors") each of whom have a mailing address of 14400 Covenant Way, Lakewood Ranch, Florida 34202, and **MANATEE COUNTY**, a political subdivision of the State of Florida, whose address is 1112 Manatee Avenue West, Bradenton, Florida 34206 ("Grantee").

FEE TITLE CONVEYANCE

That the Grantors, in consideration of the sum of Ten Dollars and other valuable consideration paid by the Grantee, receipt and sufficiency of which are hereby acknowledged, hereby grants, bargains, conveys and sells to Grantee, its successors and assigns forever the following described real property (the "Land") in Manatee County, Florida:

See **Exhibit A** attached hereto and incorporated herein.

To have and hold the Land in fee simple forever.

The benefits and obligations hereunder shall inure to and be binding upon the successors and assigns of the respective parties hereto, and the Grantors, each of whom owns a portion of the Land, each hereby warrant title to the portion of the Land owned by it and will defend the same against the lawful claims of all persons claiming by, through or under such Grantor.

This conveyance is subject to taxes for 2018 not yet due and payable, and to the Permitted Exceptions listed on **Exhibit C** attached hereto and incorporated herein.

This conveyance is further subject to the following rights that are retained by Grantors and the restrictions set forth below (collectively, "Restrictions"). The term "Grantor" as used with respect to the Restrictions includes the successors and assigns of each Grantor. The Restrictions shall be binding upon Grantee and its successors and assigns of the Grantee and shall run with the Land. Each Grantor hereby assigns all rights to enforce and modify the Restrictions to their ultimate corporate parent entity, Schroeder-Manatee Ranch, Inc., a Delaware corporation ("SMR"), whose current notice address is 14400 Covenant Way, Lakewood Ranch, FL 34202.

1. Use Restriction. For a period of twenty-five (25) years after the date of this Deed, the Land shall be used predominantly for park and recreation purposes, which may include the rental of fields, aquatic facilities and ancillary facilities for events sponsored by private persons. For a period of Ninety-Nine (99) years following the date of this Deed, the Land shall not be used for any of the prohibited uses listed on **Exhibit B** attached hereto and incorporated herein.

2. Water Rights. Grantee, and any successor or assign of all or any portion of the Land, shall not a) install or use any wells on the Land or b) withdraw water from any lake that is not designated by Braden River Utilities, LLC as the non-potable irrigation water source for the Land. The foregoing provision shall not prohibit the operation of wells by Braden River Utilities, LLC pursuant to a separate Agreement.

3. Enforcement. The Restrictions shall inure to the benefit of SMR, its successors and assigns, provided that no party other than SMR or its successors and assigns shall have authority to enforce same.

4. Remedies for Violations. In addition to all other remedies at law or in equity, SMR or any successor in interest to SMR, may, following written notice of breach to Grantee and Grantee's failure to cure the breach within one hundred twenty (120) days, enforce these restrictions and any condition, restriction or covenant herein contained, except as the same may have been modified or released by SMR, at law or in equity to (a) enjoin a violation hereof or (b) compel compliance herewith by action for specific performance or mandatory injunction. If a judgment or decree is entered against any owner for a violation of these restrictions, conditions or covenants, then such party shall pay to the party bringing said action all costs, expenses and reasonable attorneys' fees incurred by the plaintiff in connection with such action, and such judgment or decree shall include such sums.

5. Notices. All notices to be delivered by Grantors, SMR or Grantee or any successor thereof to the other hereunder shall be in writing, delivered by certified mail, return receipt requested or by commercial overnight courier providing proof of delivery, and addressed to the addresses of the parties listed above or to such other address established by subsequent notice.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the undersigned Grantors have executed this instrument as of the day and year first above written.

Witnesses:

Samuel J. Perka
Print Name: SAMUEL J. PERKA

Deborah S. Byerly
Print Name: Deborah S. Byerly

SMR NORTHEAST, LLC,
a Florida limited liability company
By its sole Member
Schroeder-Manatee Ranch, Inc.,
a Delaware corporation

By: *Rex E. Jensen*
Name: Rex E. Jensen
As its: President

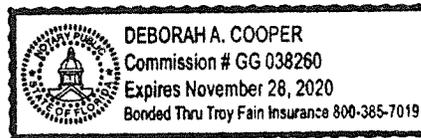
STATE OF FLORIDA)
COUNTY OF MANATEE)

The foregoing instrument was acknowledged before me this 11 day of DECEMBER, 2017, by Rex E. Jensen, President of Schroeder-Manatee Ranch, Inc., a Delaware corporation, the sole member of SMR Northeast, LLC, on behalf of the limited liability company. Such person is personally known to me or has produced n/a as identification. If no type of identification is indicated, the above-named person is personally known to me.

[Notary Seal]

Deborah A. Cooper
Notary Public

Deborah A. Cooper
Printed Name



Witnesses:

[Signature]
Print Name: DANIEL J. PETAKA

[Signature]
Print Name: Deborah S. Byerly

LWR SPORTS, LLC,
a Florida limited liability company
By its sole Member
SMR Recreation Properties, LLC
a Florida limited liability company
By its sole Member
Schroeder-Manatee Ranch, Inc.,
a Delaware corporation

By: *[Signature]*
Name: Rex E. Jensen
As its: President

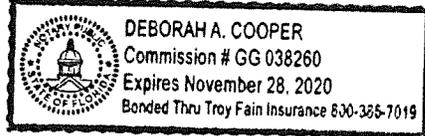
STATE OF FLORIDA)
COUNTY OF MANATEE)

The foregoing instrument was acknowledged before me this 11 day of DECEMBER, 2017, by Rex E. Jensen, President of Schroeder-Manatee Ranch, Inc., a Delaware corporation, the sole member of SMR Recreation Properties, LLC, the sole member of LWR Sports, LLC on behalf of the limited liability company. Such person is personally known to me or has produced N/A as identification. If no type of identification is indicated, the above-named person is personally known to me.

[Notary Seal]

[Signature]
Notary Public
Deborah A. Cooper

Printed Name



DEED EXHIBIT A
DESCRIPTION OF THE LAND

The Land consists of the two tracts described in the attached sketches and descriptions: 1) the LWR Sports, LLC Tract containing approximately 847,403 square feet and 2) the SMR Northeast LLC Tract containing approximately 720,735 square feet.

NOW OR FORMERLY
SMR NORTHEAST LLC
PID 582200659

NORTHERLY LINE OF PREMISES DESCRIBED
IN OFFICIAL RECORD BOOK 2370, PAGE 7882

LWR SPORTS, LLC
TRACT
847,403 SF OR
19.4537 ACRES±

RANGELAND PARKWAY
(PROPOSED 120' RIGHT-OF-WAY)

POINT OF BEGINNING

S90°00'00"W
2,188.33'

SOUTH LINE OF NORTHEAST 1/4 OF SECTION 15
NORTH LINE OF SOUTHEAST 1/4 OF SECTION 15

EAST RIGHT-OF-WAY LINE OF FUTURE EXTENSION OF
POST BOULEVARD WEST LINE OF PREMISES DESCRIBED
IN OFFICIAL RECORD BOOK 2370, PAGE 7882

NOW OR FORMERLY
SMR NORTHEAST LLC
PID 581700109

NOW OR FORMERLY
SMR NORTHEAST LLC
PID 582200659

NORTH RIGHT-OF-WAY
LINE OF 59TH AVENUE EAST

(PROPOSED 120' RIGHT-OF-WAY)
FUTURE POST BOULEVARD

N02°03'41"E 1,148.36'

EAST LINE OF SECTION 15
WEST LINE OF SECTION 14

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	2,143.00'	17°02'11"	637.20'	634.86'	N06°27'24"W
C2	2,143.00'	6°01'59"	225.65'	225.55'	N17°59'30"W
C3	50.00'	90°00'00"	78.54'	70.71'	N23°59'31"E
C4	2,023.00'	43°30'14"	1,536.04'	1,499.41'	S89°15'22"E

59th AVENUE EAST
(100' WIDE PUBLIC RIGHT-OF-WAY)
(OFFICIAL RECORD BOOK 2281, PAGE 7878)

UNITED STATES POSTAL SERVICE
PID 582200409
NOW OR FORMERLY

(120' WIDE PUBLIC
RIGHT-OF-WAY) (OFFICIAL RECORD
BOOK 2281, PAGE 7878)
POST BOULEVARD

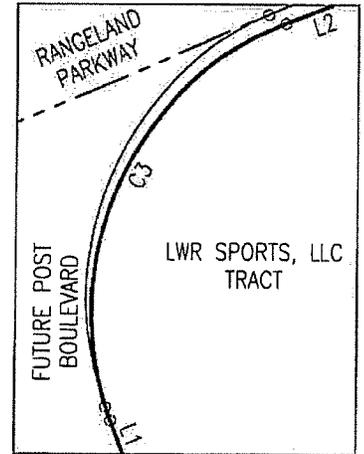
N02°03'41"E
(BEARING BASIS)

POINT OF COMMENCEMENT

INTERSECTION OF THE NORTH RIGHT-OF-WAY
LINE OF 59TH AVENUE EAST AND THE EAST
RIGHT-OF-WAY LINE OF POST BOULEVARD

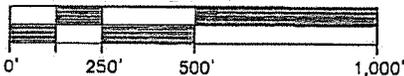
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N21°00'29"W	79.41'
L2	N68°59'31"E	52.50'
L3	S67°30'15"E	787.30'
L4	S19°16'43"W	54.43'

EAST RIGHT-OF-WAY LINE OF
POST BOULEVARD



DETAIL
SCALE 1"=30'

SCALE: 1"=500'



FOR: LWR SPORTS, LLC

Nov 30, 2017 - 14:15:12

This is NOT a Survey and Not valid without all sheets.

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SKETCH & DESCRIPTION OF
LWR SPORTS, LLC TRACT OF LAND LYING IN
SECTIONS 14 & 15, TOWNSHIP 35 S., RANGE 19 E.,
MANATEE COUNTY, FLORIDA



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TASK CODE: 210	DRAWN BY: EDM	CHKD BY: RRC	CAD FILE: 215614108v-spsk03	PROJECT NO: 215614108	SHEET 1 OF 2	DRAWING INDEX NO: 14108v-spsk03	REV:
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DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Sections 14 and 15, Township 35 South, Range 19 East, Manatee County, Florida, being more particularly described as follows:

COMMENCE at the intersection of the north right-of-way line of 59th Avenue East (100.00 foot wide public right-of-way) and the east right-of-way line of Post Boulevard (120.00 foot wide public right-of-way), both as recorded in Official Record Book 2281, Page 7878, Public Records of Manatee County, Florida; also being a point on the west line of premises described in Official Record Book 2370, Page 7882 of said Public Records ; the following four (4) calls are along the east right-of-way line of the future extension of Post Boulevard and west line of premises described in Official Record Book 2370, Page 7882: (1) thence N.02°03'41"E., a distance of 1,148.36 feet to the point of curvature of a curve to the left having a radius of 2,143.00 feet and a central angle of 17°02'11"; (2) thence northerly along the arc of said curve, a distance of 637.20 feet to the POINT OF BEGINNING; said point being the point of compound curvature of a curve to the left having a radius of 2,143 feet, and a central angle of 06°01'59"; (3) thence along the arc of said curve a distance of 225.65 feet to the point of tangency of said curve; (4) thence N.21°00'29"W., a distance of 79.41 feet to the point of curvature of a curve to the right having a radius of 50.00 feet and a central angle of 90°00'00"; the following five (5) calls are along the northerly and east line of premises described in Official Record Book 2370, Page 7882: (1) thence northeasterly along the arc of said curve, a distance of 78.54 feet to the point of tangency of said curve; (2) thence N.68°59'31"E., a distance of 52.50 feet to the point of curvature of a curve to the right having a radius of 2,023.00 feet and a central angle of 43°30'14"; (3) thence easterly along the arc of said curve, a distance of 1,536.04 feet to the point of tangency of said curve; (4) thence S.67°30'15"E., a distance of 787.30 feet; (5) thence S.19°16'43"W., a distance of 54.43 feet; thence S.90°00'00"W., a distance of 2,188.33 feet to the POINT OF BEGINNING.

Said tract contains 847,403 square feet or 19.4537 acres, more or less.

NOTES:

- Bearings shown hereon are arbitrary and are based on the east right-of-way line of Post Boulevard, having a bearing of N02°03'41"E and do not refer to the true meridian.
- This is a sketch only and does not represent a field survey.
- Unless it bears the signature and the original raised seal of a Florida Surveyor and Mapper, this Sketch, Drawing, Plat or Map is for informational purposes only.


 Robert R. Cunningham P.S.M.
 Florida Registration No. 3924

11/30/2017
 Date

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FOR: LWR SPORTS, LLC

Nov 30, 2017 - 14:15:12

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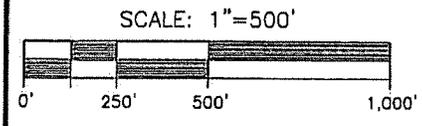
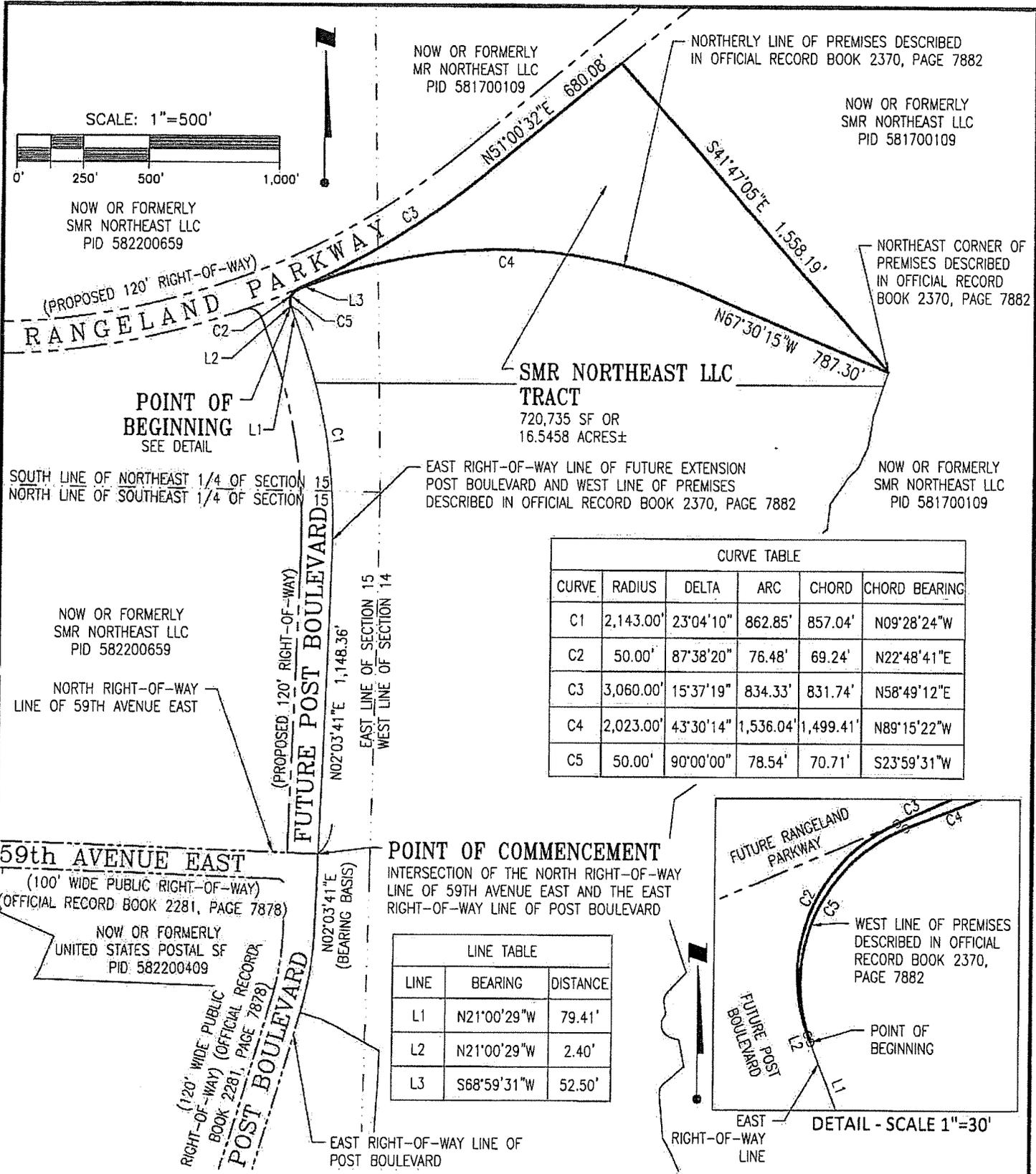
SKETCH & DESCRIPTION OF
 LWR SPORTS, LLC TRACT OF LAND LYING IN
 SECTIONS 14 & 15, TOWNSHIP 35 S., RANGE 19 E.,
 MANATEE COUNTY, FLORIDA



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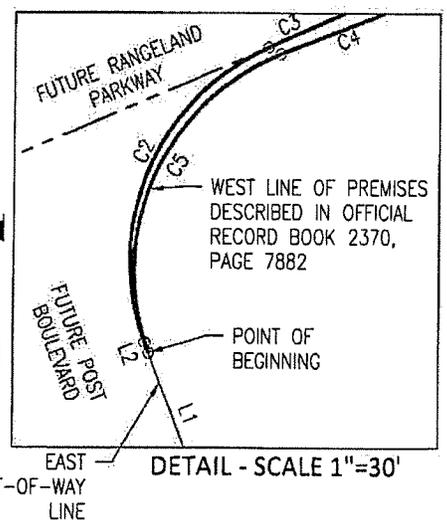
CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	2,143.00'	23°04'10"	862.85'	857.04'	N09°28'24"W
C2	50.00'	87°38'20"	76.48'	69.24'	N22°48'41"E
C3	3,060.00'	15°37'19"	834.33'	831.74'	N58°49'12"E
C4	2,023.00'	43°30'14"	1,536.04'	1,499.41'	N89°15'22"W
C5	50.00'	90°00'00"	78.54'	70.71'	S23°59'31"W

POINT OF COMMENCEMENT
 INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF 59TH AVENUE EAST AND THE EAST RIGHT-OF-WAY LINE OF POST BOULEVARD

LINE TABLE

LINE	BEARING	DISTANCE
L1	N21°00'29"W	79.41'
L2	N21°00'29"W	2.40'
L3	S68°59'31"W	52.50'



FOR: LWR SPORTS, LLC Nov 30, 2017 - 16:38:53 This is NOT a Survey and Not valid without all sheets. BCUNNINGHAM\2156\active\215614108\survey\drawing\S&D\215614108v-spsk04.dwg

SKETCH & DESCRIPTION OF
 SMR NORTHEAST LLC TRACT OF LAND LYING IN
 SECTIONS 14 & 15, TOWNSHIP 35 S., RANGE 19 E.,
 MANATEE COUNTY, FLORIDA

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DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Sections 14 & 15, Township 35 South, Range 19 East, Manatee County, Florida, being more particularly described as follows:

COMMENCE at the intersection of the north right-of-way line of 59th Avenue East (100.00 foot wide public right-of-way) and the east right-of-way line of Post Boulevard (120.00 foot wide public right-of-way), both as recorded in Official Record Book 2281, Page 7878, Public Records of Manatee County, Florida, also being a point on the west line of premises described in Official Record Book 2370, Page 7882 of said Public Records; the following three (3) calls are along the west line of premises described in Official Record Book 2370, Page 7882, also being the east right-of-way line of the future extension of Post Boulevard: (1) thence N.02°03'41"E., a distance of 1,148.36 feet to the point of curvature of a curve to the left having a radius of 2,143.00 feet and a central angle of 23°04'10"; (2) thence northerly along the arc of said curve, a distance of 862.85 feet to the point of tangency of said curve; (3) thence N.21°00'29"W., a distance of 79.41 feet to the POINT OF BEGINNING; thence N.21°00'29"W., a distance of 2.40 feet to the point of curvature of a curve to the right having a radius of 50.00 feet and a central angle of 87°38'20"; thence northeasterly along the arc of said curve, a distance of 76.48 feet to the point of reverse curvature of a curve to the left having a radius of 3,060.00 feet and a central angle of 15°37'19"; thence northeasterly along the arc of said curve, a distance of 834.33 feet to the point of tangency of said curve; thence N.51°00'32"E., a distance of 680.08 feet; thence S.41°47'05"E., a distance of 1,558.19 feet to the northeast corner of said premises described in Official Record Book 2370, Page 7882 of said Public Records; the following four (4) calls are along the northerly line of said premises: (1) thence N.67°30'15"W., a distance of 787.30 feet to the point of curvature of a curve to the left having a radius of 2,023.00 feet and a central angle of 43°30'14"; (2) thence westerly along the arc of said curve, a distance of 1,536.04 feet to the point of tangency of said curve; (3) thence S.68°59'31"W., a distance of 52.50 feet to the point of curvature of a curve to the left having a radius of 50.00 feet and a central angle of 90°00'00"; (4) thence southwesterly along the arc of said curve, a distance of 78.54 feet to the POINT OF BEGINNING.

Said tract contains 720,735 square feet or 16.5458 acres, more or less.

NOTES:

1. Bearings shown hereon are arbitrary and are based on the east right-of-way line of Post Boulevard, having a bearing of N02°03'41"E and do not refer to the true meridian.
2. This is a sketch only and does not represent a field survey.
3. Unless it bears the signature and the original raised seal of a Florida Surveyor and Mapper, this Sketch, Drawing, Plat or Map is for informational purposes only.


 Robert R. Cunningham, P.S.M.
 Florida Registration No. 3924

11/30/2017
 Date

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FOR: LWR SPORTS, LLC

Nov 30, 2017 - 16:38:53

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SKETCH & DESCRIPTION OF
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SECTIONS 14 & 15, TOWNSHIP 35 S., RANGE 19 E.,
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DEED EXHIBIT B
PROHIBITED USES

Retail liquor store, but not including sales of beer, wine or liquor in connection with events held on the Land.

Automobile dealership or other automobile sales or leasing facility, provided this shall not prohibit the temporary exhibition of vehicles during events.

Automobile repair shop, gas or service station or any facility for the sale of gasoline or diesel fuel in or from tanks.

Car Wash.

Funeral parlor establishment, cemetery, or mortuary

Sale or repair of boats, trailers or mobile homes.

Pawn Shop.

Any adult book store or establishment selling or exhibiting pornographic materials.

"Adult" movie theatre.

So called "Head Shop" or facility for the sale of paraphernalia for use with illegal drugs.

Unemployment agency, service or commission.

Second hand or used closing thrift store or liquidation store.

Tattoo Parlor.

Check cashing or money wiring except as provided by a banking institution.

**DEED EXHIBIT C
PERMITTED EXCEPTIONS**

Notice of Creation and Establishment of the Lakewood Ranch Stewardship District recorded in O.R. Book 2049, Page 5165, Amended in O.R. Book 2319, Page 3957 and O.R. Book 2319, Page 3962, of the Public Records of Manatee County, Florida.

Final Judgment for the Validation of Lakewood Ranch Stewardship District Special Assessment Revenue Bonds recorded in O.R. Book 2088, Page 4065, of the Public Records of Manatee County, Florida.

Interlocal Agreement between Manatee County and the Lakewood Ranch Stewardship District recorded in O.R. Book 2059, Page 2854, of the Public Records of Manatee County, Florida.

Declaration of Restrictive Covenants recorded in O.R. Book 2674, Page 6617, superseded by Corrective Declaration of Restrictive Covenants recorded in O.R. Book 2687, Page 6466, of the Public Records of Manatee County, Florida.