

**TITLE, POSSESSION & LIEN AFFIDAVIT**  
(Wingate East – Farr Parcel)

Bruce Bodine, (the “Affiant”), being first duly sworn, deposes and says that Affiant, solely on behalf of Grantor (as hereinafter defined) and not in the Affiant’s individual or personal capacity, makes these representations to **MANATEE COUNTY** (the “COUNTY”) and to **COMMONWEALTH LAND TITLE INSURANCE COMPANY** (the “title insurer”), effective as of the date of the Affiant’s signature appearing below, to induce the COUNTY to accept a Conservation Easement encumbering the Conservation Easement Area (as defined below) and to induce the title insurer to insure the said Conservation Easement. Affiant further states that, to the best of the Affiant’s actual knowledge, but without investigation or inquiry:

1. The Affiant is the Senior Vice President – Phosphates of **MOSAIC FERTILIZER, LLC, a Delaware limited liability company** (the “Grantor”) and in such capacity he has been authorized by the Grantor to make this Affidavit on Grantor’s behalf.
2. The Grantor is the sole owner in fee simple and now in possession of the real property, together with the improvements located thereon, if any, described on Exhibit “A” attached hereto and by this reference made a part hereof (the “Conservation Easement Area” or the “Property”).
3. The Property is free and clear of all liens, taxes, encumbrances and claims of every kind, nature and description whatsoever, except for matters disclosed by the following: (a) Commonwealth Land Title Insurance Company Commitment for Title Insurance File Number H20170748, bearing an effective date of January 25, 2019 (the “Commitment”), (b) Sketch & Description Wingate East –Farr Parcel Conservation Easement Section 35, Township 34 South, Range 22 East Manatee County, Florida, prepared by SurvTech Solutions, Inc., under Project Number 20150021 and last revised on January 29, 2019, (the “Conservation Easement Area Survey”).
4. There are no matters pending against the Grantor that could give rise to a lien that would attach to the Property or cause a loss of title or impair the title to the Property between the effective date of the Commitment and the recording of the Deed of Conservation Easement by which the Grantor hereafter conveys the Conservation Easement to the COUNTY, and the Grantor has not and will not execute any instrument that would adversely affect the interests to be insured pursuant to the Commitment.
5. Except as otherwise disclosed by the Commitment or the Conservation Easement Area Survey, the Grantor has undisputed possession of the Property, there is no other person or entity in possession or who has any possessory right in the Property, and the Grantor knows of no defects in the fee simple title to the Property.
6. No “Notice of Commencement” has been recorded which pertains to the Property since the effective date of the Commitment, there are no unrecorded laborer’s, mechanic’s or materialmen’s liens against the Property, and no material has been furnished to the Property for which payment has not been paid in full.
7. Within the past 90 days there have been no improvements, alterations, or repairs to the Property for which the costs thereof remain unpaid, and within the past 90 days there have been no claims for labor or material furnished for repairing or improving the Property which remain unpaid.
8. There are no delinquent bills, liens or assessments owed by Grantor for any mowing, water, sanitary sewers, paving or other public utilities or improvements made by any governmental authority for the benefit of the Property.
9. Except as disclosed by the Commitment or the Conservation Easement Area Survey, there are no unrecorded deeds, agreements for deed, judgments, liens, mortgages, easements or rights of way, or any other unrecorded adverse interests, with respect to the Property.
10. There are no claims, liens or security interests whatsoever of any kind or description against the furniture, fixtures, equipment and personal property, if any, located in the improvements, if any, on the Property, and

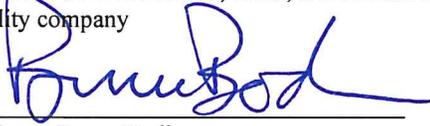
there are no delinquent tangible personal property taxes applicable to the Property or any personal property located on the Property.

11. There are no existing contracts for sale affecting the Property.
12. There is no civil action pending which involves the Property in any way.
13. There are no federal tax claims, liens or penalties assessed against the Grantor either individually or in any other capacity that affect the title to the Property.
14. No voluntary or involuntary proceedings in bankruptcy are now pending with regard to the Grantor, nor has Grantor made an assignment for the benefit of creditors now in effect, nor is there any assignment of rents of the Property or any part thereof now in effect.
15. Grantor is not a disregarded entity as defined in regulations section 1.1445-2(b)(2)(iii) or a "non-resident alien" for the purposes of United States income taxation, nor is Grantor a "foreign person" (as such term is defined in Section 1445 of the Internal Revenue Code of the United States and its related Income Tax Regulations). Grantor's U. S. taxpayer identification number is 59-3346142. Grantor understands that the certification made in this paragraph may be disclosed to the Internal Revenue Service by the COUNTY.
16. This Affidavit is executed in duplicate, each of which shall be considered an original, with one original to be delivered to the COUNTY and one original to be delivered to the Title Insurer.

THIS AFFIDAVIT is made for the purpose of inducing the COUNTY to accept a Conservation Easement encumbering the Conservation Easement Area and the title insurer to insure the said Conservation Easement. Grantor intends for the COUNTY and the title insurer to rely on these representations; provided, however, that the individual signing this Affidavit on behalf of the Grantor shall have no individual or personal liability whatsoever under or in connection with this Affidavit, the Commitment or the title insurance policy to be issued to the COUNTY pursuant to the Commitment.

**"Affiant"**

**MOSAIC FERTILIZER, LLC**, a Delaware limited liability company

By:   
Name: Bruce Bodine  
Title: Senior Vice President - Phosphates  
Date signed: February 12, 2015

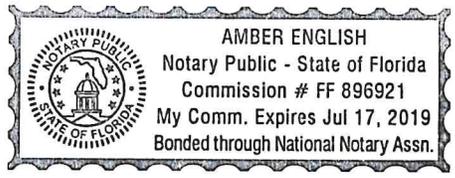
[The remainder of this page is blank. This Affidavit continues on the next page.]

STATE OF Florida  
COUNTY OF Hillsborough

SWORN TO and subscribed before me this 12 day of February, 2019, by Bruce Bodine, as Senior Vice President - Phosphates of MOSAIC FERTILIZER, LLC, a Delaware limited liability company. Such person (Notary Public must check applicable box):

- are personally known to me.
- produced their current driver license.
- produced \_\_\_\_\_ as identification.

(NOTARY PUBLIC STAMP OR SEAL)



[Signature]  
Notary Public  
Amber English  
(Printed, Typed or Stamped Name of Notary Public)  
Commission No.: FF 896921  
My Commission Expires: July 17, 2019

**EXHIBIT "A"**

**LEGAL DESCRIPTION AND SKETCH OF THE PROPERTY**

*See attached*

# EXHIBIT "A"

THIS IS NOT A SURVEY

## Sketch & Description Wingate East - Farr Parcel Conservation Easement Section 35, Township 34 South, Range 22 East Manatee County, Florida Legal Description

That part of a parent parcel of land as described in Official Records Book 2585, Page 634, of the Public Records of Manatee County, Florida, being in Section 35, Township 34 South, Range 22 East, Manatee County, Florida, being more particularly described as follows:

A parcel of land lying and being in Section 35, Township 34 South, Range 22 East, Manatee County, Florida; being more particularly described as follows:

COMMENCE at the Northwest corner of Section 35, Township 34 South, Range 22 East, Manatee County, Florida; thence coincident with the West boundary of said Section 35, S 01°30'08" W a distance of 3537.92 feet to a point coincident with the Southerly boundary of a parcel of land described as Parcel II per Official Records Book 2239, Page 7548 of the Public Records of Manatee County, Florida, said point also being the Southwest corner of said Parcel II; thence departing the West boundary of said Section 35, coincident with said Southerly boundary for the following four (4) courses: 1) N 86°43'54" E a distance of 110.38 feet to a point coincident with the East boundary of a Florida Power and Light Company Easement per Official Records Book 1007, Page 886 of the Public Records of Manatee County, Florida, said point also being the POINT OF BEGINNING; 2) thence departing said East boundary, continuing coincident with said Southerly boundary, N 86°43'54" E a distance of 1060.16 feet; 3) thence N 05°37'47" E a distance of 232.95 feet; 4) thence N 88°29'33" E a distance of 1402.30 feet to a point coincident with the East boundary of said lands described in Official Records Book 2239, Page 7548; thence departing said Southerly boundary, coincident with said East boundary, S 00°56'48" W a distance of 1607.79 feet to a point coincident with the South boundary of said lands described in Official Records Book 2239, Page 7548; thence departing said East boundary, coincident with said South boundary, N 88°40'44" W a distance of 2477.07 feet to a point coincident with the aforesaid East boundary of a Florida Power and Light Company Easement; thence departing said South boundary, coincident with said East boundary for the following two (2) courses: 1) N 01°22'21" W a distance of 242.31 feet; 2) thence N 01°30'08" E a distance of 979.39 feet to the POINT OF BEGINNING. Containing an area of 3573166.48 square feet, 82.029 acres, more or less.

The above description is the same as the one described per Title Commitment File No. H20170748 issued by Commonwealth Land Title Insurance Company, bearing an effective date of January 25, 2019.

### Surveyor's Notes

- 1.) Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.
- 2.) The bearing structure for this sketch is based on a NAD 1983 Florida State Plane West Zone, bearing of S 01°30'08" W for the West Boundary of Section 35, Township 34 South, Range 22 East, Manatee County, Florida.
- 3.) The horizontal datum utilized for this sketch is NAD 1983 (1999) Florida West Zone, U.S. Survey Feet. The control utilized to establish said datum was "BOOM" being NGS (National Geodetic Survey) Horizontal Control Station.
- 4.) The legal description was prepared by SurvTech and is based upon easement limits/figures for the Conservation Easement supplied to SurvTech by client.
- 5.) The purpose of this sketch is to describe the limits of the Conservation Easement.
- 6.) THIS IS NOT A BOUNDARY SURVEY.

### Legend & Abbreviations

	Wingate East-Farr Parcel	LB	Licensed Business
	Conservation Easement	O.R.B.	Official Records Book
P.S.M.	Professional Surveyor and Mapper	±	More or Less
Id.	Identification		

Stacy L. Brown P.S.M. No. 6516  
SurvTech Solutions, Inc. LB No. 7340

Project No.: 20150021  
Phase: 9  
Drawing Name: 20150021\_9SK.1  
Last Field Date: N/A  
Field Book/Page: N/A

Drafted By: B. Stinson  
Date Drafted: 12/14/18  
Revision Date: 1/29/19  
Approved By: S. Brown  
Date Approved: 12/20/18

SURVTECH SOLUTIONS, INC. SURVEYORS AND MAPPERS  
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email: sbrown@survtechsolutions.com http://www.survtechsolutions.com

SURVEYING TODAY WITH  
TOMORROW'S TECHNOLOGY



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## *Sketch & Description* *Wingate East - Farr Parcel Conservation Easement* *Section 35, Township 34 South, Range 22 East* *Manatee County, Florida*

### Schedule B - Section II Exceptions

per Title Commitment File No. H20170748 issued by Commonwealth Land Title Insurance Company, bearing an effective date of January 25, 2019.

- 12 Terms and conditions of Easement Deed by and between Doris Taylor, individually and as surviving spouse of Herman Taylor, deceased, and as personal Representative for the Estate of Georgia W. Taylor, also known as Georgie W. Taylor, Georgie Taylor and Georgie J Taylor, deceased, J. Marvin Taylor, Melvin H. Taylor, Ruth T. Young, Perry J. Taylor, and Gladys O. Cunningham, Hilda R. DeLaney, and Arthur Gene Brown, Personal Representative for the Estate of Hazel James, deceased, as tenants in common, recorded in Official Records Book 1001, page 1687. Provides access to the conservation easement from the public right-of-way of South Duette Road, as depicted hereon.
- 13 Terms and conditions of Drainage Easement Deed by and between Arthur Gene Brown, Personal Representative for the Estate of Hazel James, Deceased, Grantor, and Doris Taylor, individually and as surviving spouse of Herman Taylor, deceased, J. Marvin Taylor, Melvin H. Taylor, Ruth T. Young and Perry J. Taylor, Grantees, recorded in Official Records Book 1001, page 1691. Affects conservation easement as depicted hereon. (See exception 14).
- 14 Drainage Easement Deed by and between Gladys O. Cunningham and Hilda R. DeLaney, Grantors, and Doris Taylor, individually and as surviving spouse of Herman Taylor, deceased, J. Marvin Taylor, Melvin R. Taylor, Ruth T. Young, and Perry J. Taylor, Grantees, recorded in Official Records Book 1001, page 1694. Affects conservation easement as depicted hereon. The document makes reference to a survey dated April 23, 1980 and prepared by Bill Roberts, Inc. Said survey does not show the limits of the South Boundary of said drainage easement which may change from time to time depending on the field location of the natural swamp referenced in this document. However the thirty foot drainage easement was plotted and extended the limits of the South Boundary to meet graphically with the approximate limits of the South Boundary of the Northeast Quarter of the Southwest Quarter of the Section 35, Township 34 South, Range 22 East.
- 15 Easement in favor of Florida Power and Light Company, and reservations contained in and described in Order of Taking recorded in Official Records Book 1007, page 886. Does not affect conservation easement.
- 16 Unrecorded agreement with Southwest Florida Water Management District regarding preservation of wetlands, etc. No document was supplied.
- 17 Easement Agreement by and between Mosaic Fertilizer, LLC, a Delaware limited liability company and Farr Groves, LLC, a Florida limited liability company, dated August 26, 2015, filed September 1, 2015 and recorded in O.R. Book 2585, page 637. Affects conservation easement as depicted hereon.
- 18 Terms and conditions of the Conservation Easement from Mosaic Fertilizer, LLC to the State of Florida Department of Environmental Protection, dated \_\_\_\_\_, and to be filed in the public records of Manatee County, Florida. No document was supplied.

Note: Access to insured land is provided pursuant to that certain easement for ingress and egress as described in Official Records Book 1001, page 1687, public records of Manatee County, Florida, being a 40 foot wide easement extending from the Northeast corner of the above described parcel to Duette Road. See exception 12 above.

PROJECT NO.: 20150021  
PHASE: 9  
LAST FIELD DATE: N/A



SURVTECH SOLUTIONS, INC. SURVEYORS AND MAPPERS

10220 U.S. Highway 92 East, Tampa, FL 33610

phone: (813)-621-4929, fax: (813)-621-7194, Licensed Business #7340

email: sbrown@survtechsolutions.com <http://www.survtechsolutions.com>

# EXHIBIT "A"

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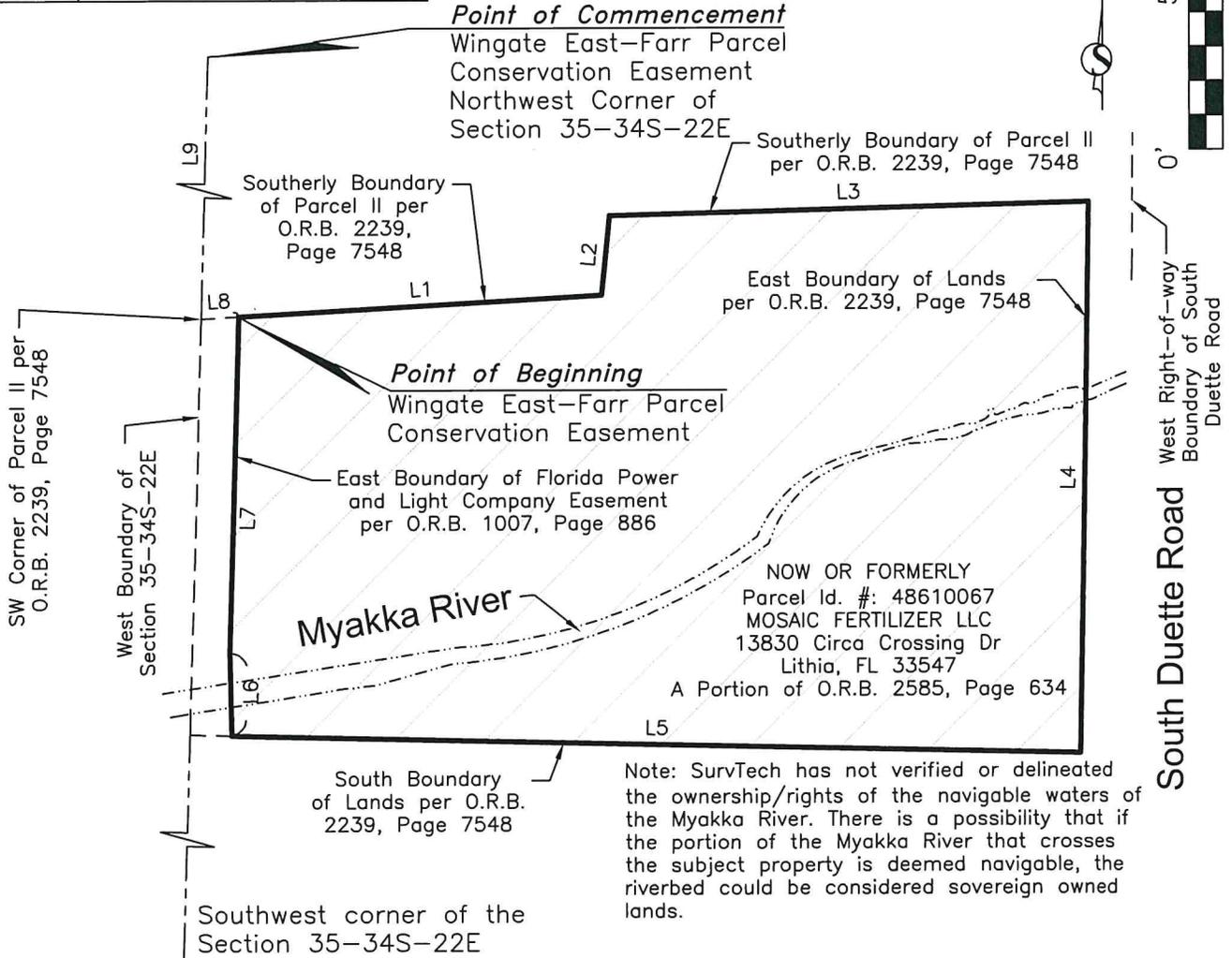
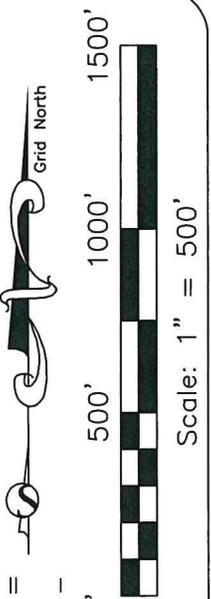
## Sketch & Description Wingate East - Farr Parcel Conservation Easement Section 35, Township 34 South, Range 22 East Manatee County, Florida

Line Information:

LINE	BEARING	DISTANCE
L1	N 86°43'54" E	1060.16'
L2	N 05°37'47" E	232.95'
L3	N 88°29'33" E	1402.30'
L4	S 00°56'48" W	1607.79'
L5	N 88°40'44" W	2477.07'
L6	N 01°22'21" W	242.31'

Line Information:

LINE	BEARING	DISTANCE
L7	N 01°30'08" E	979.39'
L8	N 86°43'54" E	110.38'
L9	S 01°30'08" W	3537.92'



Wingate East-Farr Parcel  
Conservation Easement Total Acreage  
3573166.48± Square Feet  
82.029± Acres

PROJECT NO.: 20150021  
PHASE: 9  
LAST FIELD DATE: N/A



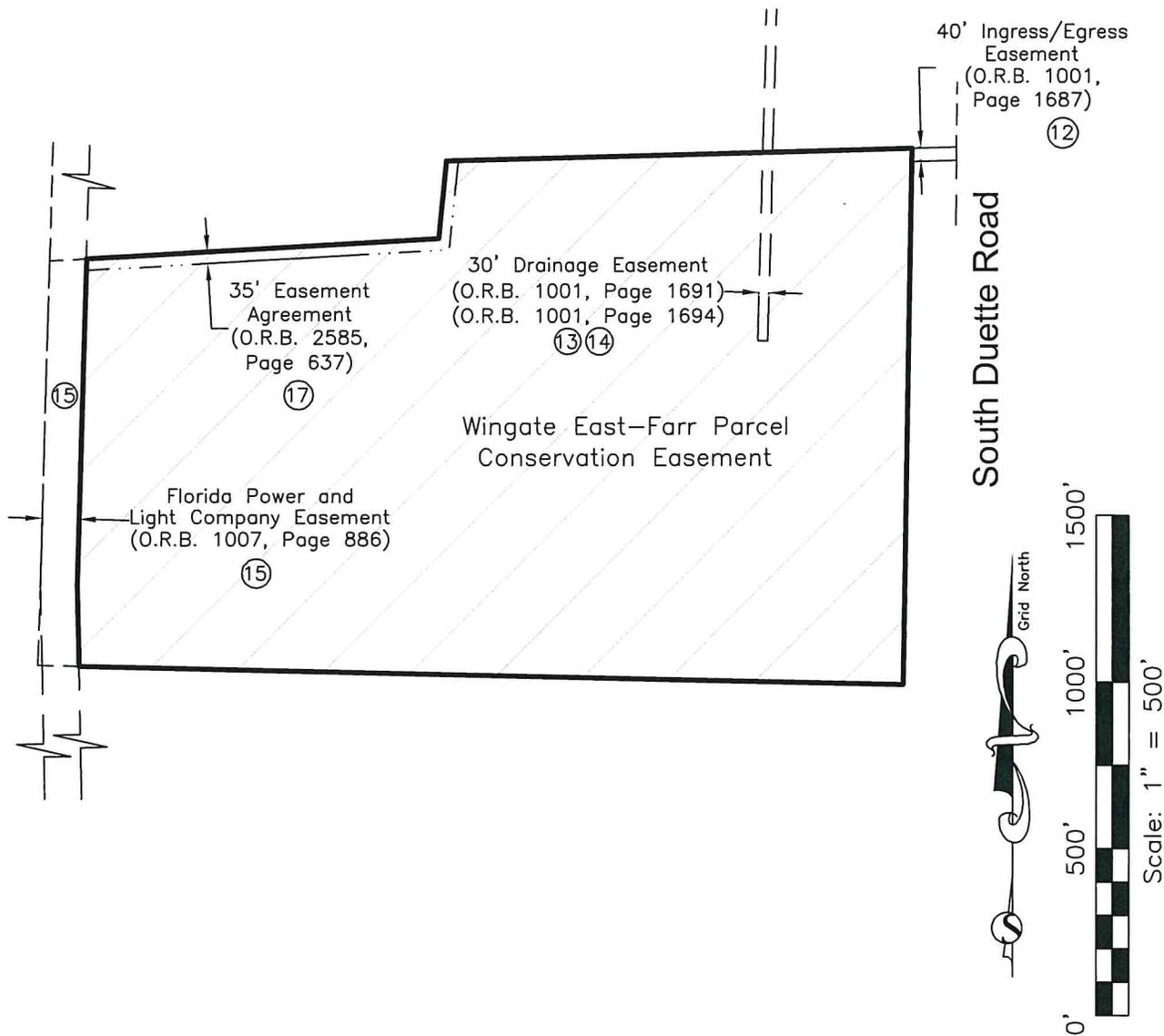
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Drawing Name: 20150021\_9SK.1 (Last Revised 1/29/19) SHEET: 4 OF 4