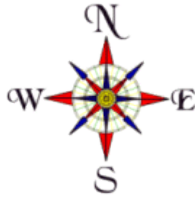
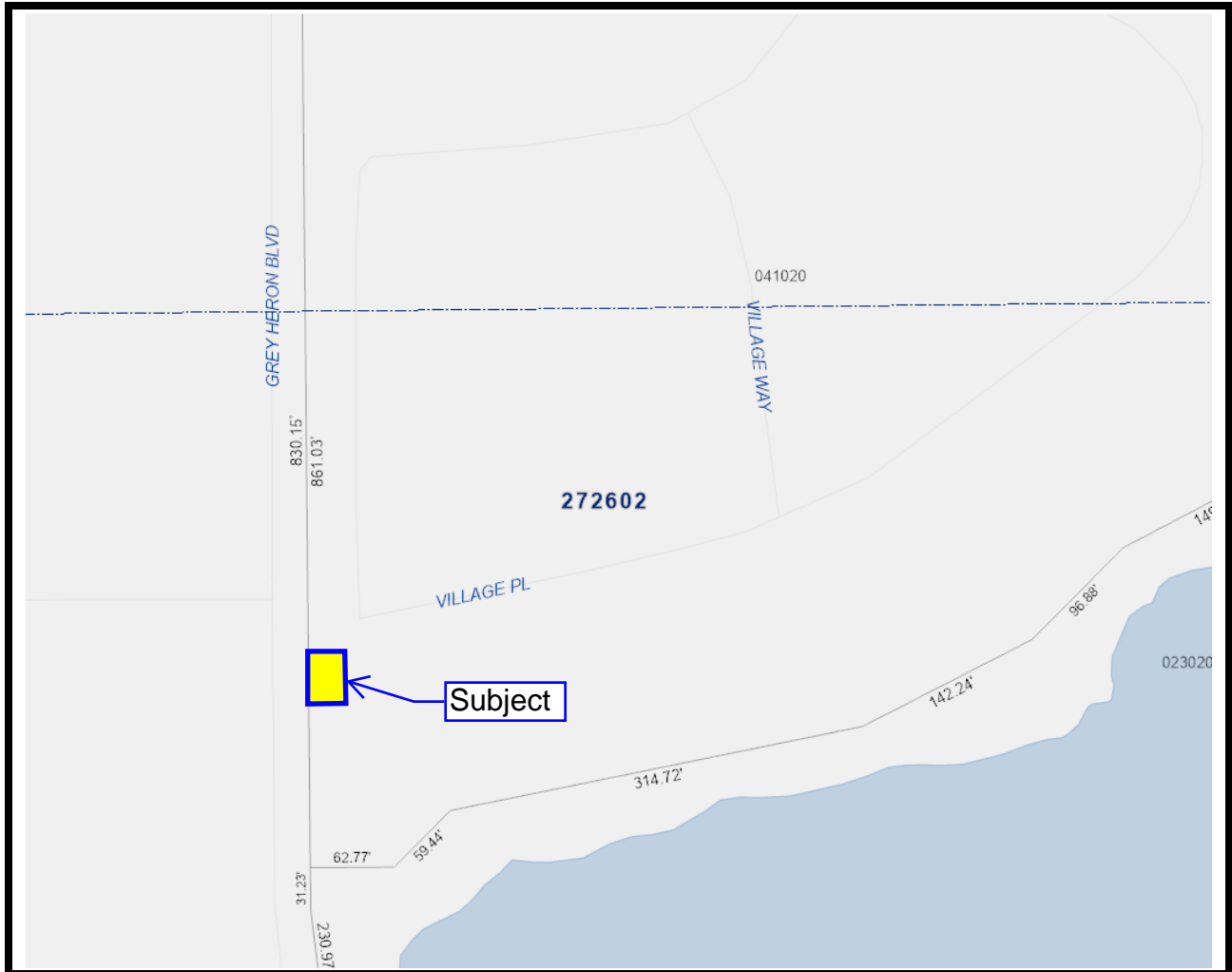


Section 2, Township 26 South, Range 27 East



SECTION 02, TOWNSHIP 26 SOUTH, RANGE 27 EAST



This instrument prepared under the direction of:
R. Wade Allen, Director
Polk County Real Estate Services
P.O. Box 9005, Drawer RE-01
Bartow, Florida 33831-9005
By: Heather Fuentes
Project Name: Town Center Generator Site
Parent Parcel ID No.: 272602-000000-041020

UTILITY EASEMENT

THIS EASEMENT made this 21st day of May, 2025, between **BW DAVENPORT LLC**, a Delaware limited liability company, whose address is 257 Park Avenue South, 13th Floor, New York, New York 10010, Grantor, and **POLK COUNTY**, a political subdivision of the State of Florida, whose mailing address is Post Office Box 988, Bartow, Florida 33831-9005, Grantee.

(Wherever used herein the terms "Grantor" and "Grantee" may be singular or plural and/or natural or artificial, whenever the context so requires, and include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of business entities.)

WITNESSETH, that the said Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations paid, the receipt of which is hereby acknowledged, does hereby grant unto the Grantee, its successors and assigns forever, a perpetual utility easement for the purpose of clearing, excavating, constructing, inspecting, improving, repairing and maintaining a lift station and associated underground piping, machinery and equipment, including a back-up generator in, upon, under, over, across and through the following described land in the County of Polk, State of Florida, to-wit:

See Exhibit "A"

TO HAVE AND TO HOLD THE SAME, together with the reasonable right to enter and depart over and upon adjoining lands of the Grantor for the purpose of exercising the rights herein granted.

Grantor covenants with the Grantee that it is lawfully seized of said lands and that it has good, right and lawful authority to grant this easement.

Grantee agrees that the lift station may be powered only by underground lines and the back-up generator. Tests and inspections of the facilities by Grantee shall, except in the event of an emergency, be conducted only Monday through Friday, 8:00AM to 5:00PM, excluding holidays. Grantee covenants to exercise its rights hereunder in a manner reasonably designed to minimize interference with or disruption of Grantor's business and operations on Grantor's property adjacent to the easement area. Grantee shall at times maintain its facilities in the easement area in good working order and in a safe and lawful condition. Grantee shall promptly repair and restore any damage to Grantor's property caused by the exercise by Grantee or its agents of its rights under this easement.

THIS UTILITY EASEMENT IS FOR THE USE OF POLK COUNTY UTILITIES ONLY AND IS NOT TO BE CONSTRUED AS A GENERAL PUBLIC UTILITY EASEMENT.

[SIGNATURE PAGE FOLLOWS]
[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the said Grantor has caused these presents to be duly executed in its name the date first above written.

Signed, Sealed And Delivered In The Presence Of:
(Signature of Two Witnesses Required by Florida Law)

[Signature]
Witness

Print Name NICHOLAS ROSATO

Address 257 PARK AVE S.
NY, NY 10010

[Signature]
Witness

Print Name James McCabe

Address 257 PARK AVE S 13th
NY NY 10010

BW DAVENPORT LLC, a Delaware limited liability company

By: BW Lake House Manager LLC, a Delaware Delaware limited liability company, its Manager

By: [Signature]
Gideon Z. Friedman, Manager

STATE OF New York

COUNTY OF New York

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 21st day of May, 2025, by Gideon Z. Friedman, Manager, of BW Lake House Manager LLC, a Delaware limited liability company, as Manager of BW Davenport LLC, a Delaware limited liability company. He ☒ is personally known to me or ☐ has produced as identification.

(AFFIX NOTARY SEAL)

Brittany Jackson
Notary Public, State of New York
Reg. No. 01JA0023763
Qualified in Nassau County
Commission Expires April 19, 2028

[Signature]
Notary Public
Print Name Brittany Jackson

My Commission Expires 4/19/2028

030004032esmt-GA.dwg

THIS IS NOT A SURVEY**LEGAL DESCRIPTION:**

A utility easement lying in Section 2, Township 26 South, Range 27 East, Polk County, Florida, being over and across a portion of Parcel 2 as described and recorded in Official Record Book 10251, Page 2053, of the public records of Polk County, Florida, said easement described as follows:

Commence at the northwest corner of Tract B of Bridgewater at Town Center, according to the plat thereof as recorded in Plat Book 113, Page 19 of the public records of Polk County, Florida; thence North 89°58'51" West along the north line of said plat of Bridgewater at Town Center a distance of 11.65 feet to the east line of Easement 4 (60' width) as described and recorded in Official Record Book 4147, Page 1025 of the public records of Polk County, Florida; thence along the east line of said Easement 4 the following four (4) courses: 1) North 06°11'41" West a distance of 230.97 feet; 2) thence North 00°01'09" East a distance of 30.88 feet to the south boundary of aforesaid Parcel 2 as described and recorded in Official Record Book 10251, Page 2053; 3) thence North 00°01'09" East along the common west boundary of said Parcel 2 and the aforesaid east line of Easement 4 a distance of 113.01 feet to the POINT OF BEGINNING; 4) thence continue North 00°01'09" East along said common west boundary of Parcel 2 and the east line of Easement 4 a distance of 56.00 feet; thence South 89°58'51" East a distance of 38.00 feet; thence South 00°01'09" West a distance of 56.00 feet; thence North 89°58'51" West a distance of 38.00 feet to the POINT OF BEGINNING.

THE UTILITY EASEMENT AS DESCRIBED
CONTAINS 2,128 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES:

- 1.) North and the bearings shown hereon are referenced to the deed bearing of North 00°01'09" East, along the west boundary of Parcel 2 as recited in O.R. Book 10251, Page 2053.
- 2.) An abstract of title was not performed by or furnished to CivilSurv Design Group, Inc. Any easements or encumbrances that may appear as a result of said abstract is not certified hereon.
- 3.) The legal description shown hereon was prepared by CivilSurv Design Group, Inc. per client request and is based on limited field survey, deeds, maps and plats of record. The owner information shown hereon was taken from the Polk County Tax Rolls.
- 4.) This map and/or report (document), or any copies thereof, are not valid without the original signature and seal of a Florida Licensed Surveyor and Mapper. Any documents transmitted electronically are not valid without the authorized digital/electronic signature, computer generated seal, if used, and certification of the Florida Licensed Surveyor and Mapper. The digital signature must be verified electronically to confirm no changes have been made. The seal appearing on this document was authorized by Gary L. Allen, PLS as evidenced by either an original signature or a digital signature affixed hereto. CivilSurv Design Group, Inc. and its employees are not liable for further reuse of document(s).

THIS DESCRIPTION SKETCH IS NOT COMPLETE
WITHOUT BOTH PAGES (1 AND 2) ATTACHED.

PAGE 1 OF 2

REFER TO PAGE 2 FOR SKETCH OF DESCRIPTION

**DESCRIPTION SKETCH OF
UTILITY EASEMENT FOR LIFT STATION 166
IN SECTION 2, TOWNSHIP 26 SOUTH, RANGE 27 EAST
PREPARED FOR: POLK COUNTY UTILITIES**

Prepared By:
CIVILSURV
CIVILSURV DESIGN GROUP, INC.

2525 Drane Field Road
Suite 7
Lakeland, FL 33811
Tel: 863-646-4771

DATE: 4/11/2024
SCALE: NONE
DRAWN BY: G.A.
PROJECT NO.: 030:004:032

PREPARED UNDER THE DIRECTION
OF CIVILSURV DESIGN GROUP, INC.,
LB 7805 BY:

DATE: 4/11/2024

GARY L. ALLEN, PLS
FLORIDA REGISTRATION No. 4756
CIVILSURV DESIGN GROUP, INC.
FLORIDA REGISTRATION No. LB 7805

LEGEND:

ID. IDENTIFICATION
 LB LICENSED BUSINESS
 NO. NUMBER
 PLS PROFESSIONAL LAND SURVEYOR
 (C) CALCULATED DIMENSION
 (D) FROM RECORD DEED
 (P) FROM RECORD PLAT
 O.R. OFFICIAL RECORD
 R/W RIGHT OF WAY
 CL SYMBOL FOR CENTERLINE
 PL SYMBOL FOR PROPERTY LINE

DESCRIBED LINE OF PARCEL 1 IN
 O.R. BOOK 10833, PAGE 406 (EAST LINE)

UNPLATTED
 PARCEL ID.:
 27-26-02-000000-043040
 O.R. BOOK 10833, PAGE 406

EASEMENT 4 IDENTIFIED AS:
 60' INGRESS, EGRESS, CONSTRUCTION,
 OPERATION AND MAINTENANCE OF
 ROADWAY AND DRAINAGE
 IMPROVEMENTS AND UTILITIES

DESCRIBED C/L OF EASEMENT 4
 PER O.R. BOOK 4147, PAGE 1025
 S 00°01'09" W 860.98'-(D)
 EAST LINE OF EASEMENT 4
 N 00°01'09" E 830.15'-(D)
 (PARCEL 2 OVERALL)

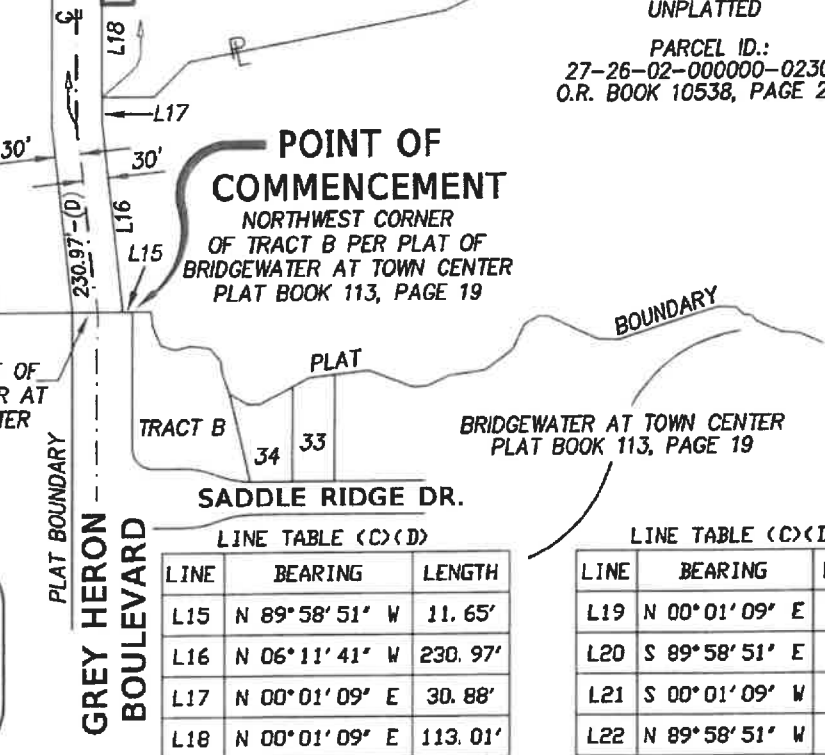
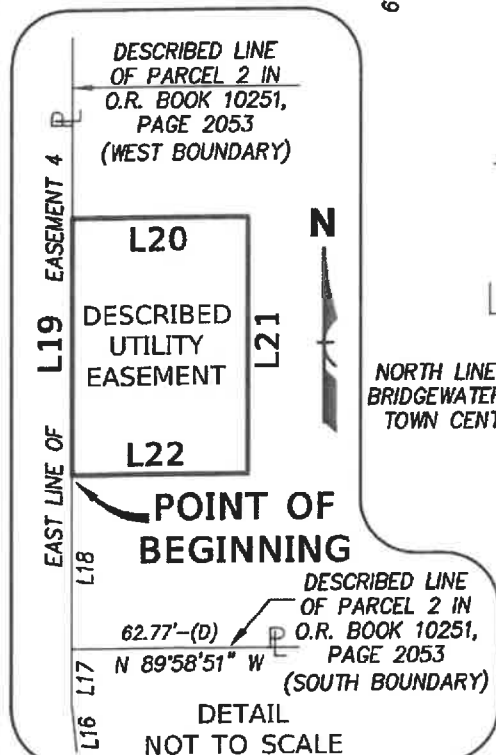
DESCRIBED LINE OF PARCEL 2
 IN O.R. BOOK 10251, PAGE 2053
 (WEST BOUNDARY)

UNPLATTED

PARCEL ID.: 27-26-02-000000-041020
 O.R. BOOK 10251, PAGE 2053 (PARCEL 2)
 FORMERLY DESCRIBED AS: THE VILLAGE AT
 TOWN CENTER, A CONDOMINIUM, ACCORDING
 TO THE DECLARATION OF CONDOMINIUM
 RECORDED IN O.R. BOOK 6531, PAGE 1093

DESCRIBED
 UTILITY EASEMENT
 (SEE DETAIL)

UNPLATTED
 PARCEL ID.:
 27-26-02-000000-023020
 O.R. BOOK 10538, PAGE 2006



LINE TABLE (C)(D)		
LINE	BEARING	LENGTH
L15	N 89°58'51" W	11.65'
L16	N 06°11'41" W	230.97'
L17	N 00°01'09" E	30.88'
L18	N 00°01'09" E	113.01'

LINE TABLE (C)(D)		
LINE	BEARING	LENGTH
L19	N 00°01'09" E	56.00'
L20	S 89°58'51" E	38.00'
L21	S 00°01'09" W	56.00'
L22	N 89°58'51" W	38.00'

**DESCRIPTION SKETCH OF
 UTILITY EASEMENT FOR LIFT STATION 166**
 IN SECTION 2, TOWNSHIP 26 SOUTH, RANGE 27 EAST
 PREPARED FOR: POLK COUNTY UTILITIES

REFER TO PAGE 1 FOR LEGAL DESCRIPTION,
 SURVEYOR'S NOTES AND CERTIFICATION

THIS DESCRIPTION SKETCH IS NOT COMPLETE
 WITHOUT BOTH PAGES (1 AND 2) ATTACHED.

PAGE 2 OF 2
THIS IS NOT A SURVEY

Prepared By:
CIVILSURV
 CIVILSURV DESIGN GROUP, INC.

2525 Drane Field Road
 Suite 7
 Lakeland, FL 33811
 Tel: 863-646-4771

DATE: 4/11/2024
 SCALE: NONE
 DRAWN BY: G.A.
 PROJECT NO.: 030:004:032