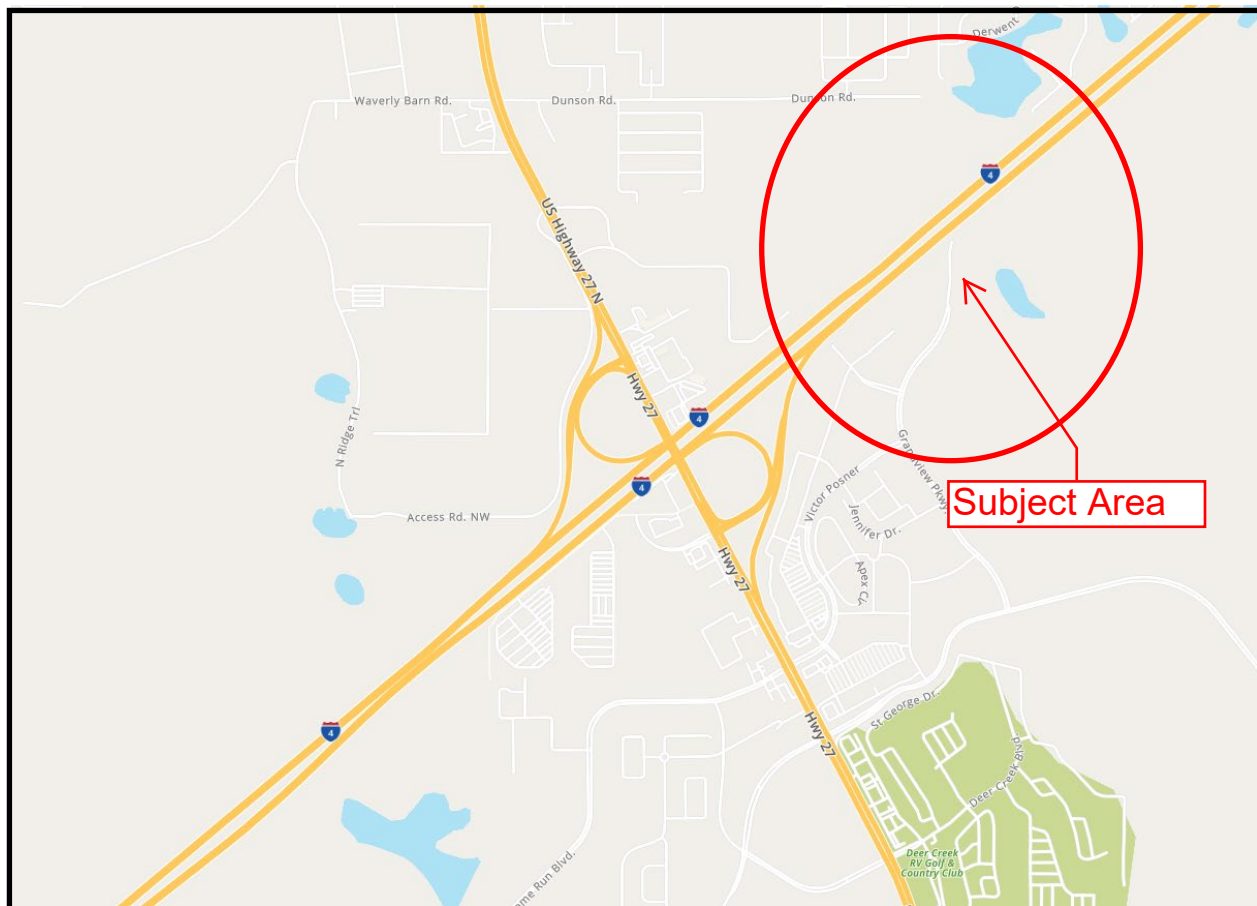
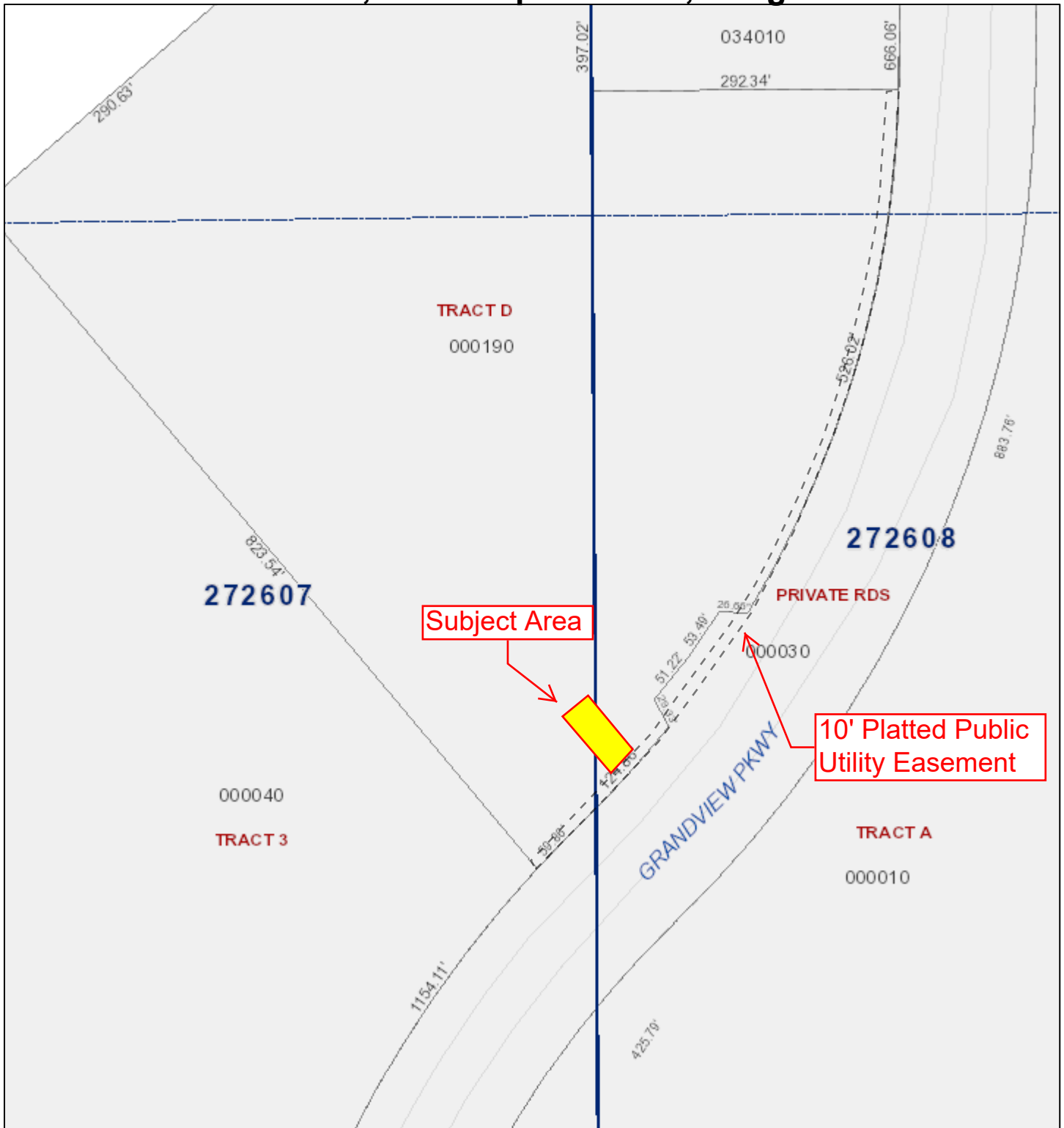




SECTION 07 & 08, TOWNSHIP 26 SOUTH, RANGE 27 EAST



Section 07 & 08, Township 26 South, Range 27 East

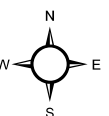


0 55 110 220 Feet

All maps are worksheets used for illustrative purposes only, they are not surveys. The Polk County Property Appraiser assumes no responsibility for errors in the information and does not guarantee the data is free from error or inaccuracy. The information is provided "as is".



Marsha M. Faux, CFA, ASA
Property Appraiser
Polk County, Florida



March 1, 2023

This Instrument prepared under the direction of
R. Wade Allen, Administrator
Polk County Real Estate Services
P.O. Box 9005, Drawer RE-01
Bartow, Florida 33831-9005
By: Scott C. Lowery
Project Name: DRC – PCU Easement
BJ's Wholesale Club

Parent Parcel I.D. No.: 272607-701258-000190

POLK COUNTY UTILITIES EASEMENT

THIS POLK COUNTY UTILITIES EASEMENT, made this 27 day of February, 2023, between BJ'S WHOLESALE CLUB, INC., a Delaware corporation (the GRANTOR), whose address is 350 Campus Drive, Marlborough, Massachusetts 01752, and POLK COUNTY, a political subdivision of the State of Florida (the GRANTEE), whose address is P.O. Box 988, Bartow, FL 33831.

WITNESSETH, the GRANTOR, for and in consideration of the sum of one dollar and other valuable consideration paid by GRANTEE, receipt whereof is hereby acknowledged, grants and conveys to GRANTEE to, its successors, assigns, licensees, a perpetual Polk County Utilities Easement, as described and illustrated below, which is to be under, over, and across the property situated in Polk County, Florida, more particularly described as:

See Attached Exhibit "A"


for Polk County owned utilities, which may include but is not limited to potable water, reclaimed water and wastewater facilities hereafter on said property, such easement to include (i) the right of free ingress and egress under, over and across said property for the purposes of constructing, installing, repairing, replacing, operating, and maintaining said utilities. The GRANTEE is hereby granted the right, privilege, and authority to remove, replace, repair, and enlarge said utilities. The GRANTEE is hereby granted the right, privilege, and authority to trim and remove, as necessary, the roots of trees, shrubs, bushes, and plants that may adversely affect the operation of said utilities.

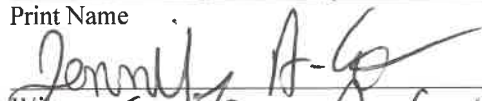
This grant of easement shall not be construed as a grant of right of way and is limited to a Polk County utilities easement. The GRANTOR shall have the right to use the property subject to the easement granted hereby (the "Easement"), including without limitation for improved parking areas, improved roadways, improved driveways, medians and landscaping, which are not inconsistent with the use of the Easement by the GRANTEE for the purposes granted hereby. Inconsistent improvements to the use of the Easement by the GRANTOR for the purposes granted hereby, including mounded landscaping, building foundations and overhangs, foundations for pole mounted commercial signage, and other permanent structures and related foundations shall be strictly prohibited. With the specific prior written approval of the GRANTEE, the limited use of trees, walls, foundations and mounded landscaping may be utilized within such area by the GRANTOR.

The GRANTOR shall not have the right to grant other easements to other parties without the prior written consent of the GRANTEE. In the event that the GRANTEE performs emergency related repairs, unscheduled infrastructure adjustment activities, or scheduled community improvement projects within said Easement, the GRANTEE shall be responsible for restoring the disturbed portions of all existing County approved and permitted improvements in as good or better condition than existed prior to the disturbance activity by the GRANTEE

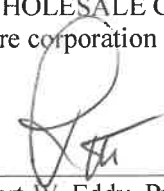
IN WITNESS WHEREOF, the GRANTOR has caused these presents to be executed in its name by its proper officers thereunto duly authorized, and its corporate seal to be affixed, the day and year first above written.

Signed, Sealed and Delivered in the presence of:
(Signature of two witnesses required by Florida Law)


Witness
Susan Olson
Print Name


Witness
Jennifer A. Cote
Print Name

BJ'S WHOLESALE CLUB, INC., a
Delaware corporation

By: 
Robert W. Eddy, President

COMMONWEALTH OF
MASSACHUSETTS

COUNTY OF Middlesex


THE FOREGOING instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 27 day of Feb, 2023, by Robert W. Eddy, as President of BJ's Wholesale Club, Inc., a Delaware corporation, who is ☒ personally known to me or who has produced N/A as identification. -




Notary Public

Tracey Lee Chouinard
Printed Name of Notary

Commission No. N/A
My commission expires 8-3-29

 **TRACEY LEE CHOUINARD**
Notary Public
Commonwealth of Massachusetts
My Commission Expires
August 3, 2029

SKETCH AND DESCRIPTION

(THIS IS NOT A SURVEY)

UTILITY EASEMENT

TRACT D—VICTOR POSNER CITY CENTER PHASE 1B
POLK COUNTY, FLORIDA

LEGAL DESCRIPTION

A PORTION OF TRACT D, VICTOR POSNER CITY CENTER PHASE 1B, AS RECORDED IN PLAT BOOK 142, PAGES 24 THROUGH 26, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE MOST SOUTHERLY CORNER OF TRACT D, VICTOR POSNER CITY CENTER PHASE 1B, AS RECORDED IN PLAT BOOK 142, PAGES 24 THROUGH 26, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF GRANDVIEW PARKWAY AND BEING ON A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1120.00 FEET, AN INCLUDED ANGLE OF 03°03'44", A CHORD BEARING OF N 44°15'31" E AND A CHORD DISTANCE OF 59.85 FEET, RUN ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 59.86 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1000.00 FEET, AN INCLUDED ANGLE OF 01°14'37", A CHORD BEARING OF N 45°10'05" E AND CHORD DISTANCE OF 21.71 FEET, RUN ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 21.71 FEET TO A POINT; THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE RUN N 41°32'12" W, A DISTANCE OF 10.02 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 41°32'12" W, A DISTANCE OF 45.02 FEET; THENCE RUN N 48°27'48" E, A DISTANCE OF 20.39 FEET; THENCE RUN S 41°32'12" E, A DISTANCE OF 43.40 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 990.00 FEET, AN INCLUDED ANGLE OF 01°11'01", A CHORD BEARING OF S 43°54'53" W AND A CHORD DISTANCE OF 20.45 FEET, RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 20.45 FEET TO THE POINT OF BEGINNING.

CONTAINING 902 SQUARE FEET, MORE OR LESS.

SURVEYORS NOTES:

- 1) SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
- 2 BEARINGS SHOWN HEREON ARE BASED ON THE WESTERLY LINE OF TRACT D, BEING S 39°59'12" E PER THE RECORD PLAT.
- 3) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, OWNERSHIP OR OTHER MATTERS OF RECORD.

REVISED: 02/10/2023
SEE SHEET 2 FOR SKETCH
02/02/2023
SHEET 1 OF 2

PROJECT: 22055

PREPARED BY:

I CERTIFY THAT THIS MEETS OR EXCEEDS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA STATUTES, PURSUANT TO SECTION 472, FLORIDA STATUTES.

David M. McDermott

Date: 2023.02.10 14:58:16

DAVID M. McDERMOTT

FLORIDA REGISTERED SURVEYOR AND MAPPER CERTIFICATE No. 4779

Associated Land Surveying & Mapping, Inc.

1681 POWELL STREET LONGWOOD, FLORIDA 32750
PH (407) 869-5002, FAX (407) 869-8393

CERTIFICATE OF AUTHORIZATION # LB 6767

SKETCH AND DESCRIPTION

(THIS IS NOT A SURVEY)

UTILITY EASEMENT

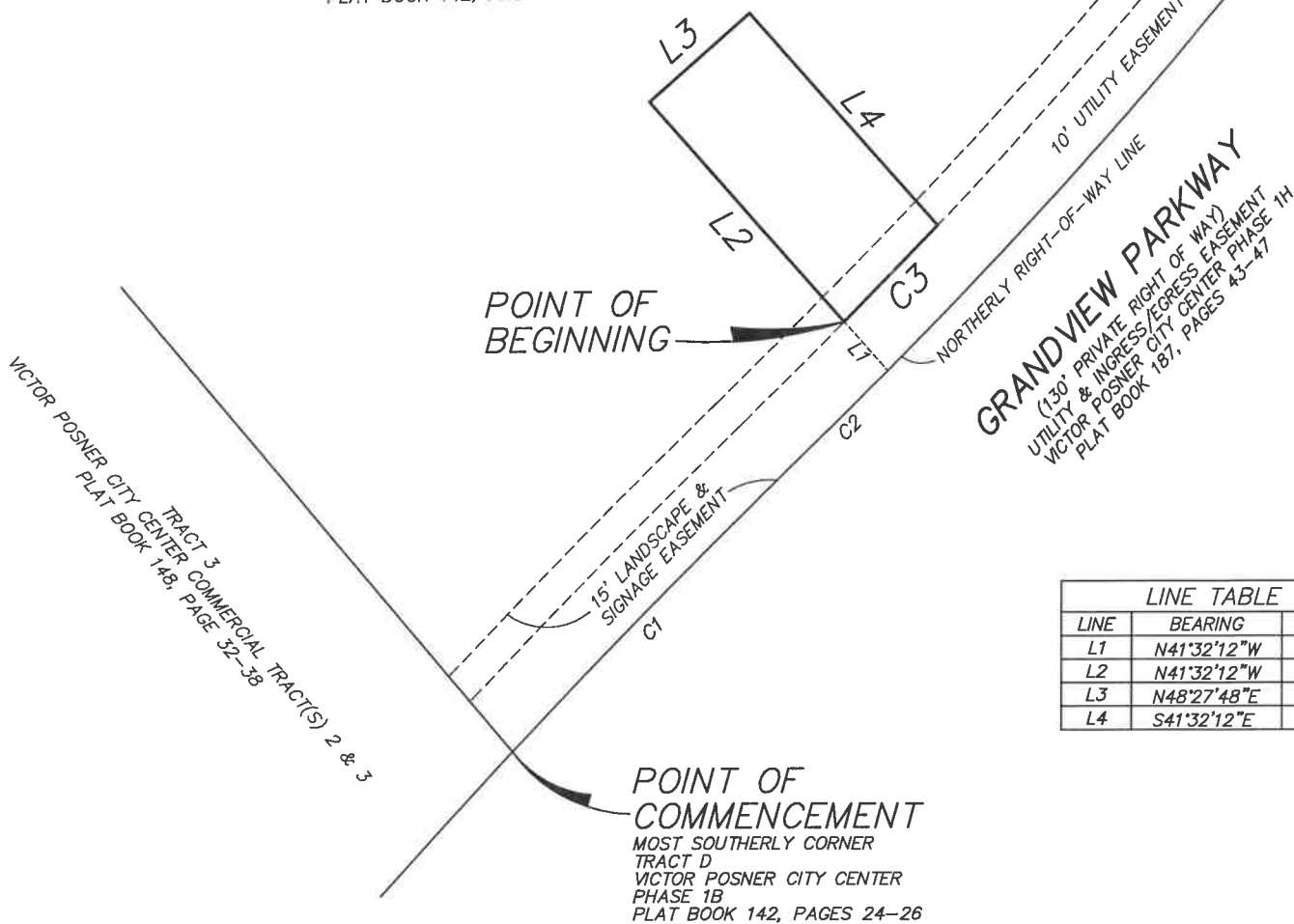
TRACT D—VICTOR POSNER CITY CENTER PHASE 1B
POLK COUNTY, FLORIDA



1" = 30'

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	03°03'44"	1120.00'	59.86'	N44°15'31"E	59.85'
C2	01°14'37"	1000.00'	21.71'	N45°10'05"E	21.71'
C3	01°11'01"	990.00'	20.45'	S43°54'53"W	20.45'

TRACT D
FUTURE DEVELOPMENT AND INTERIM
STORMWATER DRAINAGE AND RETENTION AREA
VICTOR POSNER CITY CENTER PHASE 1B
PLAT BOOK 142, PAGES 24–26



LINE TABLE		
LINE	BEARING	LENGTH
L1	N41°32'12"W	10.02'
L2	N41°32'12"W	45.02'
L3	N48°27'48"E	20.39'
L4	S41°32'12"E	43.40'

REVISED: 02/10/2023
SEE SHEET 1 FOR LEGAL
02/02/2023
SHEET 2 OF 2

PROJECT: 22055

**Associated Land Surveying
& Mapping, Inc.**

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