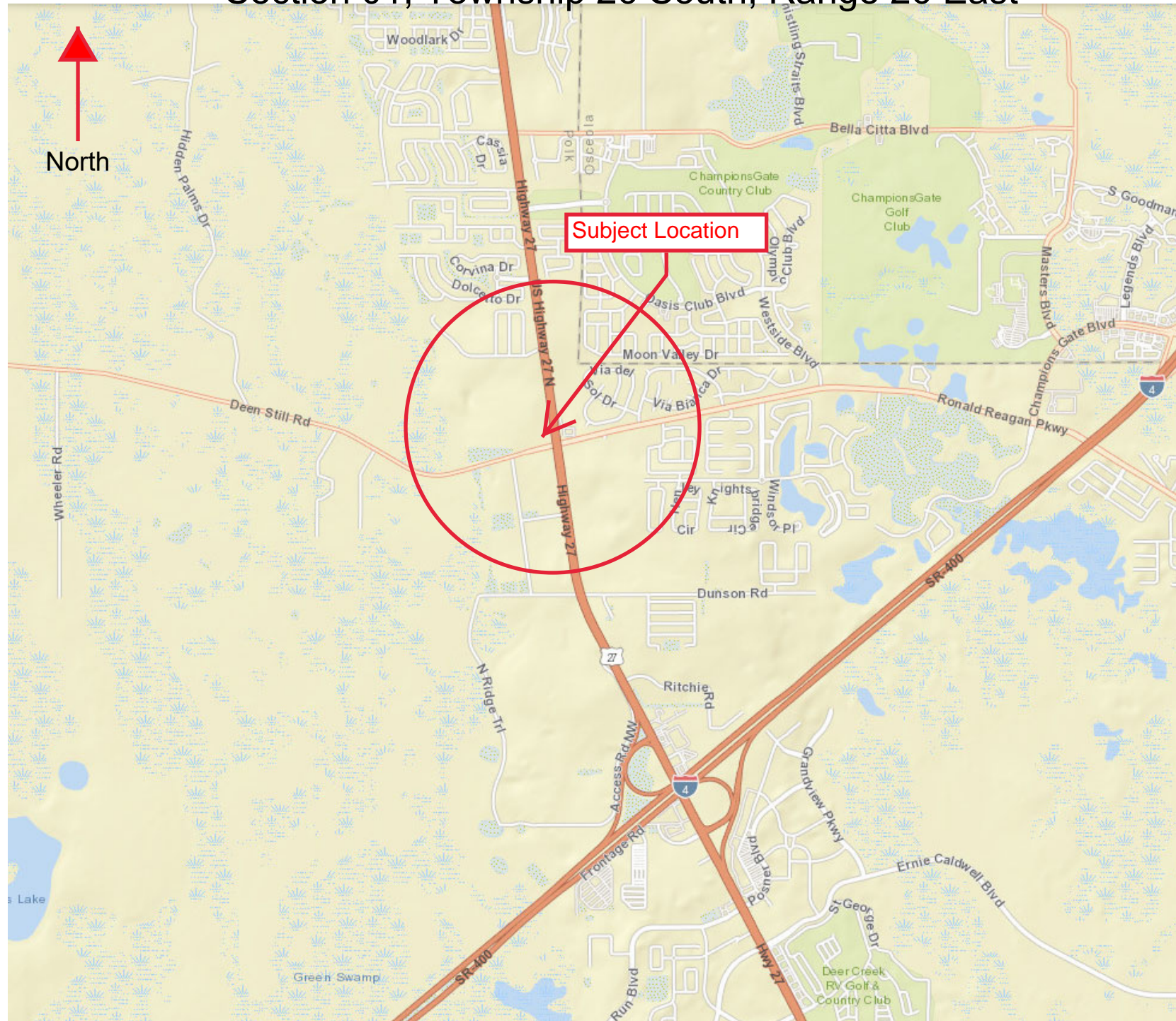
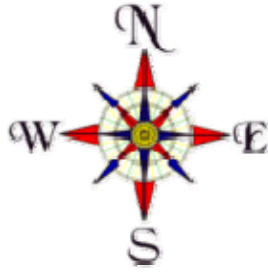
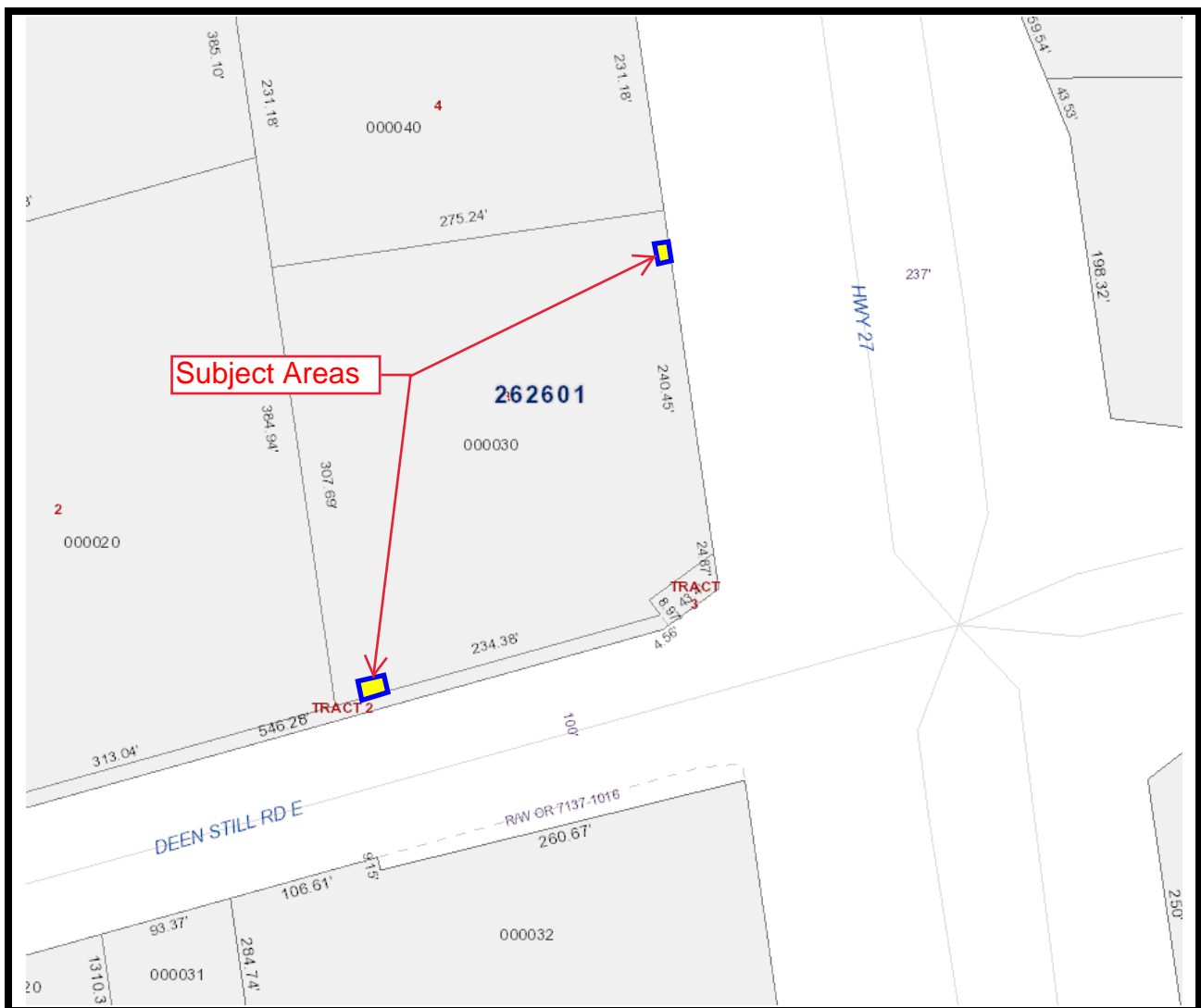


Section 01, Township 26 South, Range 26 East





SECTION 01, TOWNSHIP 26 SOUTH, RANGE 26 EAST



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: Daybreak
LDNON-2021-143

Parent Parcel I.D. No.: 262601-488300-000030

POLK COUNTY UTILITIES EASEMENT

THIS POLK COUNTY UTILITIES EASEMENT, made this 4 day of March, 2024, between PLAZA STREET FUND 191, LLC, a Kansas limited liability company (the GRANTOR), whose address is 3400 College Blvd, Suite 200, Leawood, Kansas 66211, 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 Exhibits "A" and "B"

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)

[Signature]
Witness
Print Name Nick McElhanev
Address 3400 College Blvd. Ste 200
Leawood, KS 66201
Mylena

Witness
Print Name Mylena Oliveira
Address 3400 College Blvd., Ste 200
Leawood, KS 66201

PLAZA STREET FUND 191, LLC, a
Kansas limited liability company

By: Plaza Street Partners, LLC, a Kansas
limited liability company, its Manager

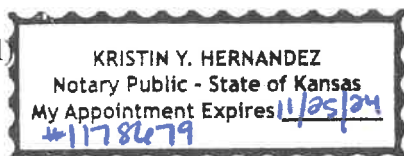
By: [Signature]
Bret Elliot, Authorized Person

STATE OF KANSAS

COUNTY OF Johnson

THE FOREGOING instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 4 day of March, 2024, by Bret Elliot, as Authorized Person of Plaza Street Partners, LLC, a Kansas limited liability company, as Manager of Plaza Street Fund 191, LLC, a Kansas limited liability, on behalf of said company, who is X personally known to me or who has produced _____ as identification.

(Seal)



[Signature]
Notary Public
State of ~~Florida~~ Kansas 1921

Kristin Y. Hernandez
Printed Name of Notary

Commission No. 1178679
My commission expires 11/25/24

SKETCH OF DESCRIPTION

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT 3, GRANITE DAVENPORT I, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 187, PAGES 19-23, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 3; THENCE RUN S08°12'41"E ALONG THE EAST LINE OF SAID LOT 3, A DISTANCE OF 24.11 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S08°12'41"E ALONG SAID EAST LINE, A DISTANCE OF 10.00 FEET; THENCE DEPARTING SAID EAST LINE RUN S81°47'19"W, A DISTANCE OF 8.00 FEET; THENCE RUN N08°12'41"W, A DISTANCE OF 10.00 FEET; THENCE RUN N81°47'19"E, A DISTANCE OF 8.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 80 SQUARE FEET, MORE OR LESS.

ABBREVIATIONS/LEGEND

SEC. SECTION
O.R.B. OFFICIAL RECORDS BOOK
PGS. PAGES
TEMP. TEMPORARY
R RADIUS
L LENGTH
CB CHORD BEARING
CD CHORD DISTANCE
Δ CENTRAL ANGLE
○ DESCRIPTIVE POINT



WATER METER (REUSE)

NOTES

BEARINGS AS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, (NAD 83, 2007 ADJUSTMENT). THIS SURVEYOR HAS NOT MADE A SEARCH OF THE PUBLIC RECORDS FOR EASEMENTS, RESTRICTIONS, RESERVATIONS AND/OR RIGHT OF WAYS. THIS SKETCH IS NOT INTENDED TO REPRESENT A BOUNDARY SURVEY. NO CORNERS WERE SET AS A PART OF THIS SKETCH.

REQUESTED BY: KEL MAR CONSTRUCTION CORPORATION

DATE OF SKETCH	2/20/2024	REVISIONS
SCALE	1" = 10'	
F.B.	PAGE	
SECTION	1	
TWP.	26 S., RNG. 26 E.	
JOB NO.	23-251	SHEET 1 OF 2

JOHNSTON'S
SURVEYING INC.

900 Cross Prairie Parkway, Kissimmee, Florida 34744
Tel. (407) 847-2179 Fax (407) 847-6140 LB 966

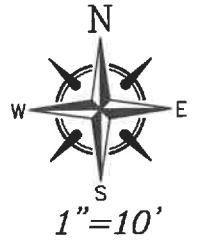
Richard D. Brown

02-21-2024

RICHARD D. BROWN, P.S.M. #5700 (DATE)

NOTE: NOT VALID WITHOUT SURVEYOR'S SIGNATURE AND SEAL.

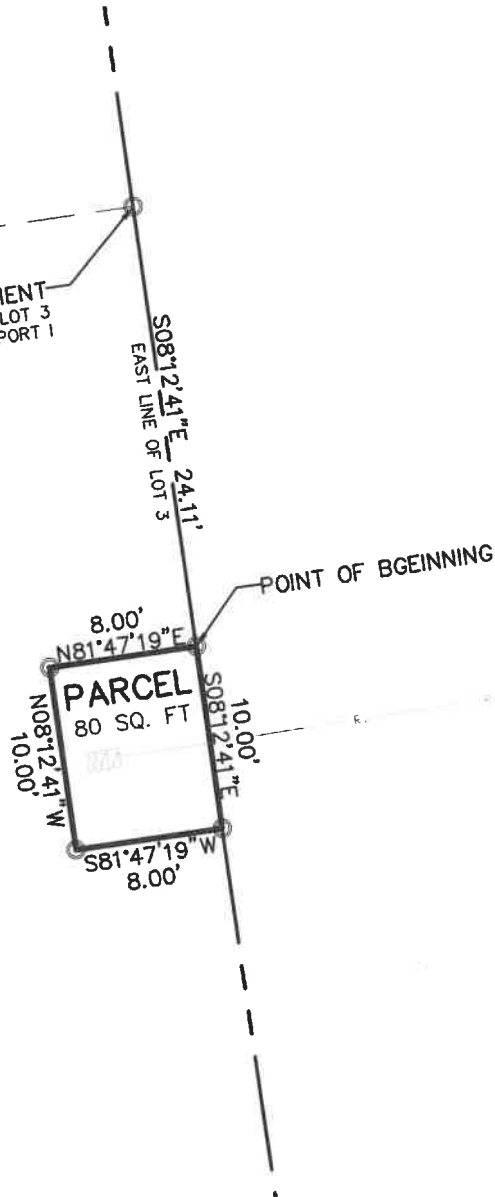
SKETCH OF DESCRIPTION



LOT 4
GRANITE DAVENPORT I
PLAT BOOK 187, PAGES 19-23

POINT OF COMMENCEMENT
NORTHEAST CORNER OF LOT 3
GRANITE DAVENPORT I

LOT 3
GRANITE DAVENPORT I
PLAT BOOK 187, PAGES 19-23



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COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 3; THENCE RUN N74°25'10"E ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 21.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N74°25'10"E ALONG SAID SOUTH LINE, A DISTANCE OF 15.00 FEET; THENCE DEPARTING SAID SOUTH LINE RUN N13°22'52"W, A DISTANCE OF 10.00 FEET; THENCE RUN S74°25'10"W, A DISTANCE OF 15.00 FEET; THENCE RUN S13°22'52"E, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 150 SQUARE FEET, MORE OR LESS.

ABBREVIATIONS/LEGEND

SEC. SECTION
O.R.B. OFFICIAL RECORDS BOOK
PGS. PAGES
TEMP. TEMPORARY
R RADIUS
L LENGTH
CB CHORD BEARING
CD CHORD DISTANCE
Δ CENTRAL ANGLE
○ DESCRIPTIVE POINT

 WATER METER

 WATER VALVE

 FIRE HYDRANT

NOTES

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REQUESTED BY: KEL MAR CONSTRUCTION CORPORATION

DATE OF SKETCH	1/30/2024	REVISIONS
SCALE	1" = 10'	
F.B.	PAGE	
SECTION	1	
TWP. 26	S., R. 26	E.
JOB NO.	23-251	SHEET 1 OF 2

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01-31-2024

RICHARD D. BROWN, P.S.M. #5700 (DATE)

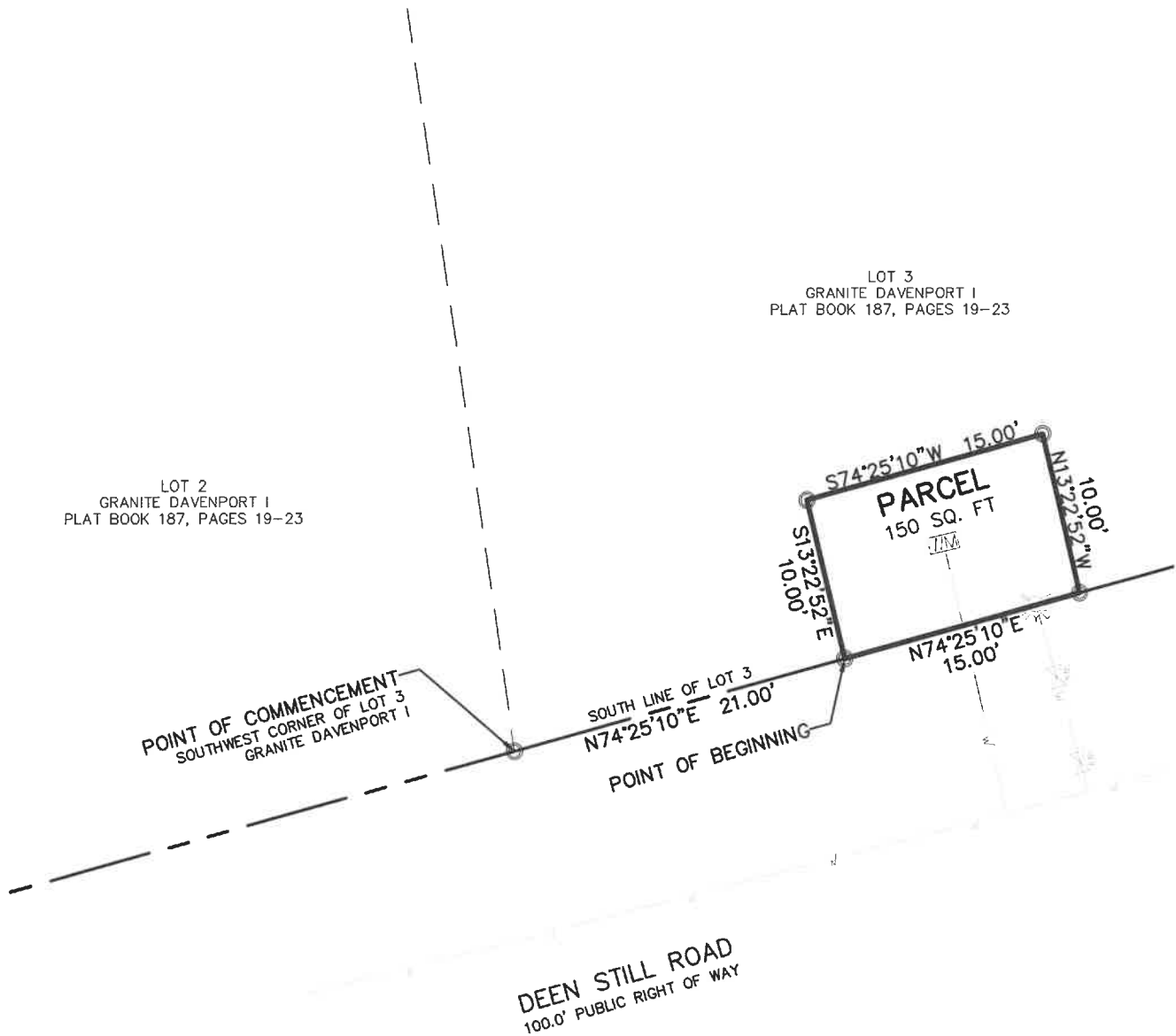
NOTE: NOT VALID WITHOUT SURVEYOR'S SIGNATURE AND SEAL.

SKETCH OF DESCRIPTION



LOT 2
GRANITE DAVENPORT I
PLAT BOOK 187, PAGES 19-23

LOT 3
GRANITE DAVENPORT I
PLAT BOOK 187, PAGES 19-23



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