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° Of Counsel

April 11, 2023

City Attorney's Office
Attn:Tanya Earley City Attorney
100 N. US Highway 1
Fort Pierce, FL 34950

**RE: Paul and Laurel Hemingway
Parcel ID: 2410-701-0075-003**

To whom it may concern,

Please be advised that this Firm and I have been engaged by Mr. Paul Hemingway and Mrs. Laurel Hemingway in regards to the above referenced property.

My client is under contract to purchase that property and during the buyer's due diligence and title inspection period, the buyer objected to a mineral rights reservation that was implied, pursuant to Fla. Stat. §270.11, in the attached Warranty Deed from City of Fort Pierce f/b/o Utilities Authority to my clients (see the attached for your review and consideration). (It should be noted that the contract from FPUA to my clients contemplated a fee simple conveyance and did not intend any mineral rights reservations etc.)

In order to overcome this title objection and to assist my clients in being able to move forward with this transaction, I am requesting that the City of Fort Pierce and the Fort Pierce Utility Authority release its/their mineral rights reservation. In an effort to assist in this process, I have prepared the attached Quit Claim Deed which is intended to solely release those mineral rights reservations.

There is a closing approaching and I greatly appreciate any assistance that can be provided to expedite this process.

Please feel free to contact me with any questions or concerns.

Thanks.

Very truly yours,
/s/ Ian E. Osking
Ian E. Osking
Attachments

Prepared by and return to:

Ian E. Osking, Esquire
Neill Griffin Marquis Osking, PLLC
311 S 2nd Street, Suite 200
Fort Pierce, FL 34950
(772) 464-8200
Parcel ID No.: 2410-701-0075-000-3

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Quit Claim Deed

This Quit Claim Deed made this ____ day of _____, 2023 between City of Fort Pierce f/b/o Fort Pierce Utilities Authority, whose post office address is P.O. Box 3191, Fort Pierce, FL 34948, Grantor and Paul H. Hemingway and Laurel Mae Hemingway, husband and wife, whose post office address is 225 South US Highway 1, Fort Pierce, FL 34950, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in St. Lucie County, Florida to-wit:

The South ½ of Lot 10 and all of Lot 11, Block 7, according to the Plat of CARLTON'S ADDITION TO FORT PIERCE, Section 10 Township 35 South, Range 40 East, as recorded in Plat Book 1, Page 187, of the Public Records of St. Lucie County, Florida

SUBJECT TO RESTRICTIONS, RESERVATIONS AND EASEMENTS OF RECORD, IF ANY, AND TAXES SUBSEQUENT TO DECEMBER 31, 2023.

THE PROPERTY BEING CONVEYED IS NOT THE HOMESTEAD PROPERTY OF THE GRANTOR.

GRANTOR hereby releases its reservation of any interest and title, in and to, all the phosphate, minerals, metals and petroleum that are or may be in, on, or under the said land along with the privilege to mine and develop the same on said land which was reserved unto the Grantor pursuant to Section 270.11, Florida Statutes.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anyway appertaining.

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anyway appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness
Printed Name: _____

Witness
Printed Name: _____

City of Fort Pierce for the benefit of the Fort Pierce Utilities Authority

By: Linda Hudson, Mayor

ATTEST:

By: Linda Cox, City Clerk

State of Florida
County of St. Lucie

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ___ day of March, 2023, by Linda Hudson, Mayor of the City of Fort Pierce for the benefit of the Fort Pierce Utilities Authority, who is personally known or has produced a driver's license as identification.

[Seal]

Notary Public
Print Name: _____
My Commission Expires: _____

ELECTRONICALLY RECORDED:
Michelle R. Miller, Clerk of the Circuit Court - SLC
File # 5074591 OR Book 4863 Page 1688
Recorded 07/25/2022 03:04:20 PM
Doc Tax: \$390.60

Prepared by and return to:

Frank H Fee, III
Attorney at Law
Fee & Fee, PLLC
426 Avenue A
Fort Pierce, FL 34950
772-461-5020
File Number: FPUA HEMINGWAY
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 30th day of June, 2022 between City of Fort Pierce f/b/o Fort Pierce Utilities Authority whose post office address is P. O. Box 3191, Fort Pierce, FL 34948, grantor, and Paul H. Hemingway and Laurel Mae Hemingway, husband and wife whose post office address is 225 South US Highway 1, Fort Pierce, FL 34950, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Saint Lucie County, Florida to-wit:

The South 1/2 of Lot 10 and all of Lot 11, Block 7, according to the plat of CARLTON'S ADDITION TO FORT PIERCE, Section 10, Township 35 South, Range 40 East, as recorded in Plat Book 1 at page 187 of the Public Records of St. Lucie County, Florida.

Parcel Identification Number: 2410-701-0075-000-3

SUBJECT TO restrictions, reservations, limitations and easements of record, if any; this reference to said restrictions shall not operate to reimpose the same, and taxes for the current and subsequent years.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2021.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:



Witness Name: Latoya Ransom



Witness Name: Brittany Meredith

City of Fort Pierce for the benefit of the Fort Pierce Utilities Authority

By: Linda Hudson
Linda Hudson, Mayor

ATTEST:

By: Linda W. Cox
Linda Cox, City Clerk

State of Florida
County of Saint Lucie

The foregoing instrument was Acknowledged before me by means of physical presence or online notarization, this 30th day of June, 2022 by Linda Hudson, Mayor of the City of Fort Pierce for the benefit of the Fort Pierce Utilities Authority, on behalf of the corporation. He/she is personally known to me or has produced a driver's license as identification.

[Notary Seal]



LINDA W. COX
Notary Public
State of Florida
Comm# HH167003
Expires 9/9/2025

Linda W. Cox
Notary Public
Printed Name: _____
My Commission Expires: _____