

RESOLUTION NO. UA 2024-03

A RESOLUTION BY THE FORT PIERCE UTILITIES AUTHORITY, FORT PIERCE, FLORIDA APPROVING CITY SUBORDINATION OF UTILITY INTERESTS TO THE FDOT; PROVIDING FOR SCRIVENER'S ERROR, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Fort Pierce Utilities Authority presently has an interest in certain lands by virtue of a utility easement that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the FPUA to the Florida Department of Transportation ("FDOT");

WHEREAS, the Board of the Fort Pierce Utilities Authority has determined that it is in the best interest of the public health, safety and welfare to approve the City of Fort Pierce ("City") subordination of its utility interest to the FDOT.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Fort Pierce Utilities Authority:

SECTION I. RECITALS. The recitals stated above are true and correct and are hereby incorporated as if fully set forth herein.

SECTION II. APPROVAL OF CITY SUBORDINATION. The Board hereby approves the City's subordination of the FPUA's real property interest set forth in the easement recorded in the public records of St. Lucie County at Official Records Book 4895, Page 2087, in accordance with the terms set forth in substantially the same form as the Subordination of City Utility Interests Agreement, attached hereto as Exhibit A.

SECTION III. SCRIVENER'S ERRORS. If there are any typographical, administrative, or scrivener's errors contained herein that do not change the tone, tenor, or purpose of this Resolution, such errors may be corrected with no further action by the Board.

SECTION IV. SEVERABILITY. If any section, clause, phrase, word or provision of this Resolution is for any reason held invalid or unconstitutional by a court of competent jurisdiction, whether for substantive or procedural reasons, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Resolution which shall remain in full force and effect.

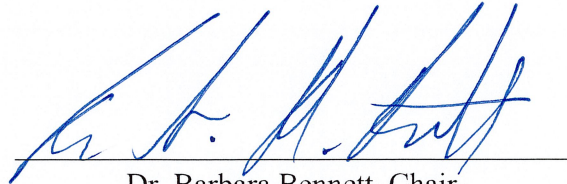
SECTION V. EFFECTIVE DATE. This Resolution shall take effect on January 16, 2024.

PASSED AND DULY ADOPTED this 16th day of January, 2024.

ATTEST:



Hank Fee, Secretary



Dr. Barbara Bennett, Chair

APPROVED AS TO FORM AND CORRECTNESS:



Fort Pierce Utilities Authority Attorney

Exhibit A

23-UTL.04-07/18-Modified D4

This instrument prepared under the direction of:

Elizabeth S. Quintana, Esq. _____

District Four Assistant General Counsel

Sketch & Legal Description prepared by:

Allen & Company

James L. Rickman, P.S.M. (12/07/2023)

Document prepared by:

Alverene Arjun (12/12/2023)

Florida Department of Transportation

Right of Way Production Services

3400 W. Commercial Boulevard

Fort Lauderdale, Florida 33309

Parcel No.	218.7R
Item/Segment No.	4413231
Section:	94003-2510
Managing District:	04
S.R. No.	713 (Kings Highway)
County:	St. Lucie

SUBORDINATION OF CITY UTILITY INTERESTS

THIS AGREEMENT entered into this _____ day of _____, 20____, by and between the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, hereinafter called the FDOT, and the **CITY OF FORT PIERCE, FLORIDA FOR THE USE AND BENEFIT OF THE FORT PIERCE UTILITIES AUTHORITY**, hereinafter called the UTILITY.

W I T N E S S E T H:

WHEREAS, the UTILITY presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the UTILITY to the FDOT; and

WHEREAS, the FDOT is willing to pay to have the UTILITY’S facilities relocated if necessary, to prevent conflict between the facilities so that the benefits of each may be retained.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, UTILITY and FDOT agree as follows:

UTILITY subordinates to the interest of FDOT its successors and assigns, any and all of its interest in the lands as follows, viz:

(See Sketch and Legal Description attached hereto as Exhibit “A”)

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R.B. & PG.
Easement	10/03/2022	USEF Kings Logistics Center Owner, LLC, a Delaware limited liability company	City of Fort Pierce, Florida, for the use and benefit of Fort Pierce Utilities Authority	4895 / 2087

PROVIDED that the UTILITY has the following rights:

1. The UTILITY shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon the lands described herein in accordance with the FDOT'S current minimum standards for such facilities as required by the FDOT, Utility Accommodation Manual in the effect at the time the agreement is executed. Any new construction or relocation of facilities within the lands will be subject to prior approval by the FDOT. Should the FDOT fail to approve any new construction or relocation of facilities by the UTILITY or require the UTILITY to alter, adjust, or relocate its facilities located within said lands, the FDOT hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.
3. The UTILITY shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush, and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the FDOT's facilities.
4. The UTILITY agrees to repair any damage to FDOT facilities and to indemnify the FDOT against any loss or damage resulting from the UTILITY exercising its rights outlined in Paragraphs 1 and 3 above; however, the UTILITY does not wave its sovereign immunity.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Signed, sealed and delivered in the presence of: (Two witnesses required by Florida Law)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

Witness Signature:

BY: _____
Name: **STEVEN C. BRAUN, P.E.**
District 4 Secretary

Print Witness Name:

Attorney approved as to form:

Witness Signature:

Name: **ELIZABETH S. QUINTANA**

Print Witness Name:

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of _____ physical presence or _____ online notarization, this _____ day of _____, 20____, by **STEVEN C. BRAUN, P.E.**, District 4 Secretary, who is personally known by me or who has produced _____ as identification.

(SEAL)

Notary Public

Printed or stamped name of Notary Public

My Commission Expires: _____

IN WITNESS WHEREOF, the Utility has caused these presents to be executed in its name by its name, and its Corporate Seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year above written.

ATTEST: [Signature]
Print Name: Frank H. Fee
Secretary

FORT PIERCE UTILITY AUTHORITY
By: [Signature]
Print Name: Barbara M. Bennett
Chairman

Signed, sealed and delivered in the presence of: (Two witnesses required by Florida Law)

[Signature]
Witness Signature:
Chymbee Keith
Print Witness Name:

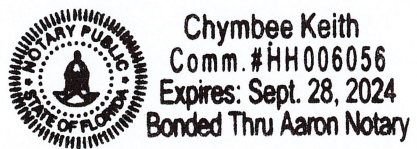
[Signature]
Witness Signature:
Daniel Retherford
Print Witness Name:

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:
By: [Signature]
FPUA Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me by means of physical presence or _____ online notarization, this 16th day of January, 2024, by _____, Chairman of **FORT PIERCE UTILITIES AUTHORITY**, who is personally known to me.

(SEAL)



[Signature]
Notary Public
Chymbee Keith
Printed or stamped name of Notary Public
9/28/2024
My Commission Expires:

ATTEST: _____

Print Name: _____
Clerk (or Deputy Clerk)

(City Seal)

**CITY OF FORT PIERCE, a municipal
corporation for the use and benefit of FORT
PIERCE UTILITIES AUTHORITY**

By: _____

Print Name: _____
Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION

NOT A SURVEY

A PARCEL OF LAND LYING IN SECTION 12, TOWNSHIP 35 SOUTH, RANGE 39 EAST, SAINT LUCIE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST QUARTER CORNER OF SAID SECTION 12; THENCE RUN SOUTH 00°13'59" EAST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 12 FOR A DISTANCE OF 1171.70 FEET; THENCE DEPARTING SAID WEST LINE, RUN NORTH 89°59'33" EAST FOR A DISTANCE OF 118.72 FEET TO THE EAST RIGHT OF WAY LINE OF KINGS HIGHWAY—STATE ROAD 713 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP 94003-2510 AND TO THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE, RUN NORTH 89°59'53" EAST FOR A DISTANCE OF 27.13 FEET; THENCE RUN SOUTH 00°01'57" WEST FOR A DISTANCE OF 87.58 FEET; THENCE RUN SOUTH 89°45'35" WEST FOR A DISTANCE OF 23.23 FEET TO A POINT ON SAID EAST RIGHT OF WAY LINE AND TO A POINT ON A NON TANGENT CURVE, CONCAVE EASTERLY HAVING A RADIUS OF 10674.00 FEET, WITH A CHORD BEARING OF NORTH 02°30'46" WEST, AND A CHORD DISTANCE OF 87.76 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND SAID EAST RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 00°28'16" FOR A DISTANCE OF 87.76 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 2,201 SQUARE FEET OR 0.05 ACRES, MORE OR LESS.

NOTE: THE CLIENT HAS SUPPLIED THE SURVEYOR A PROPERTY INFORMATION REPORT WHICH HAS BEEN EXAMINED. THOSE EXCEPTIONS LISTED IN THE REPORT HAVE BEEN REFLECTED AS TO THE EXTENT THEY AFFECT THE SUBJECT PROPERTY. REFER TO SHEETS 2 THROUGH 5 OF THIS DOCUMENT.

revisions: 9-13-23 title report
revisions: 12-7-23 parcel id revised

SHEET 1 OF 6
SEE SHEET 6 FOR SKETCH OF DESCRIPTION




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GEOSPATIAL SERVICES
www.allen-company.com
16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 854-5355
LB#6723

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.602(3).
2. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF THE SW 1/4 OF SECTION 12-35-39, BEING S 00°13'59" E (ASSUMED FOR ANGULAR DESIGNATION ONLY).
3. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
4. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR AT THE CLIENT'S REQUEST.

JOB #: 20210138
DATE: 10/26/23
SCALE: N/A

CALC BY: CY
DRAWN BY: RT
CHECKED BY: SEJ



FOR THE LICENSED BUSINESS #6723 BY:
STATE OF FLORIDA
JAMES L. HOFFMAN, PLS, #5633
Surveyor

Drawing name: L:\Data\20210138\sketches\20210138 Sk 3 Sheet 1

LEGAL DESCRIPTION

NOT A SURVEY

TITLE SEARCH REPORT

FID No.: 1770359

Certification Date: August 7, 2023

American Government Service Corporation has caused to be made a search of the Public Records of St. Lucie County, Florida, ("Public Records"), made a twenty-year search through 08/07/2023 8:00 AM.

1. GENERAL PERMIT ISSUED TO SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY, DATED JUNE 11, 1956 AND RECORDED OCTOBER 30, 1956 IN DEED BOOK 220, PAGE 429; SUBORDINATION OF UTILITY INTERESTS RECORDED IN OFFICIAL RECORDS BOOK 3837, PAGE 1768. **(DOES NOT AFFECT SUBJECT PROPERTY)**

2. ORDINANCE NO. 95-039 KNOWN AS LIBRARIES IMPACT FEE ORDINANCE, DATED SEPTEMBER 19, 1995 AND RECORDED OCTOBER 27, 1995 IN OFFICIAL RECORDS BOOK 981, PAGE 1615; OFFICIAL RECORDS BOOK 992, PAGE 2862; AS AFFECTED BY ORDINANCE NO. 00-002 RECORDED IN OFFICIAL RECORDS BOOK 1301, PAGE 2302. **(DOES NOT AFFECT SUBJECT PROPERTY)**

3. ORDINANCE NO. 99-0001 AMENDING THE ST. LUCIE COUNTY LAND DEVELOPMENT CODE, DATED FEBRUARY 2, 1999 AND RECORDED FEBRUARY 15, 1999 IN OFFICIAL RECORDS BOOK 1203, PAGE 1026. **(AFFECTS SUBJECT PROPERTY, BLANKET IN NATURE, CAN NOT BE GRAPHICALLY SHOWN)**

4. RESERVATIONS, EASEMENTS, AND COVENANTS AS SET FORTH IN THAT CERTAIN DEED FROM JOHN D. AND CATHERINE T. MACARTHUR FOUNDATION, AN ILLINOIS NOT-FOR-PROFIT CORPORATION, HARTSEL RANCH CORPORATION, A FLORIDA CORPORATION, TO COMMUNITIES FINANCE COMPANY, A DELAWARE CORPORATION, DATED MARCH 31, 1999 AND RECORDED APRIL 5, 1999 IN OFFICIAL RECORDS BOOK 1213, PAGE 2678. **(DOES NOT AFFECT SUBJECT PROPERTY)**

5. UNRECORDED LEASE AGREEMENT BY AND BETWEEN HAWK'S POINTE RESIDENTIAL, LLC, LESSOR, AND REUBEN K. BULLARD, LESSEE, DATED DECEMBER 20, 2005, AS SHOWN ON EXHIBIT "B" ITEM #3 OF THAT CERTAIN SPECIAL DEED DATED JANUARY 15, 2007 AND RECORDED JANUARY 18, 2007 IN OFFICIAL RECORDS BOOK 2742, PAGE 2028. NOTE: COPY PROVIDED WITH CHAIN OF TITLE. **(AFFECTS SUBJECT PROPERTY, BLANKET IN NATURE, CAN NOT BE GRAPHICALLY SHOWN)**

6. DRAINAGE EASEMENT AGREEMENT BY AND BETWEEN KINGS ORANGE 95 LLC, A MICHIGAN LIMITED LIABILITY COMPANY AND HAWK'S POINTE COMMERCIAL, LLC, A FLORIDA LIMITED LIABILITY COMPANY, DATED JANUARY 16, 2007 AND RECORDED JANUARY 18, 2007 IN OFFICIAL RECORDS BOOK 2742, PAGE 2042; FIRST AMENDMENT TO DRAINAGE EASEMENT AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 5015, PAGE 1666; AS AFFECTED BY QUIT CLAIM DEEDS TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RECORDED IN OFFICIAL RECORDS BOOK 3883, PAGE 2760; OFFICIAL RECORDS BOOK 3999, PAGE 966; OFFICIAL RECORDS BOOK 4000, PAGE 1015; AS AFFECTED BY SUBORDINATION AGREEMENTS FOR TEMPORARY EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK 3960, PAGE 2295; OFFICIAL RECORDS BOOK 4493, PAGE 2369. **(DOES NOT AFFECT SUBJECT PROPERTY)**

7. EASEMENT FROM KINGS ORANGE 95 LLC, A MICHIGAN LIMITED LIABILITY COMPANY, TO THE CITY OF FORT PIERCE, FLORIDA, FOR THE USE AND BENEFIT OF FORT PIERCE UTILITIES AUTHORITY, DATED MAY 21, 2010 AND RECORDED JULY 14, 2010 IN OFFICIAL RECORDS BOOK 3212, PAGE 1399; AS AFFECTED BY SUBORDINATION OF CITY UTILITY INTERESTS RECORDED IN OFFICIAL RECORDS BOOK 3840, PAGE 154; OFFICIAL RECORDS BOOK 3840, PAGE 161; OFFICIAL RECORDS BOOK 3840, PAGE 168. **(DOES NOT AFFECT SUBJECT PROPERTY)**

SHEET 2 OF 6
SEE SHEET 6 FOR SKETCH OF DESCRIPTION



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16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
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SURVEYOR'S NOTES:

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- DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
- THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR AT THE CLIENT'S REQUEST.

JDB #: 20210138
DATE: 10/26/23
SCALE: N/A

CALC BY: CY
DRAWN BY: RT
CHECKED BY: SEJ

FOR THE LICENSED BUSINESS #6723 BY:

JAMES L. RICKMAN, P.S.M. #5633

Drawing name: L:\Data\20210138\sketches\20210138 Sk 3 9-11-23 Sheet 2

LEGAL DESCRIPTION

NOT A SURVEY

TITLE SEARCH REPORT

FID No.: 1770359

Certification Date: August 7, 2023

American Government Service Corporation has caused to be made a search of the Public Records of St. Lucie County, Florida, ("Public Records"), made a twenty-year search through 08/07/2023 8:00 AM.

8. DEVELOPMENT AND EASEMENTS AGREEMENT BY AND BETWEEN LOVE'S TRAVEL STOPS & COUNTRY STORES, INC. AN OKLAHOMA CORPORATION, AND OB FLORIDA CRE HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, DATED OCTOBER 14, 2011 AND RECORDED NOVEMBER 17, 2011 IN OFFICIAL RECORDS BOOK 3340, PAGE 2199; AFFECTED BY QUIT CLAIM DEEDS TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RECORDED IN OFFICIAL RECORDS BOOK 3883, PAGE 2760; OFFICIAL RECORDS BOOK 3999, PAGE 966; OFFICIAL RECORDS BOOK 4000, PAGE 1015; AS AFFECTED BY SUBORDINATION AGREEMENTS FOR TEMPORARY EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK 3960, PAGE 2295; OFFICIAL RECORDS BOOK 4493, PAGE 2369. **(AFFECTS SUBJECT PROPERTY AND IS SHOWN HEREON)**

9. ROADWAY CONSTRUCTION AND MAINTENANCE EASEMENTS AGREEMENT BY AND BETWEEN LOVE'S TRAVEL STOPS & COUNTRY STORES, INC. AN OKLAHOMA CORPORATION, AND OB FLORIDA CRE HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, DATED OCTOBER 14, 2011 AND RECORDED NOVEMBER 17, 2011 IN OFFICIAL RECORDS BOOK 3340, PAGE 2221; AFFECTED BY QUIT CLAIM DEEDS TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RECORDED IN OFFICIAL RECORDS BOOK 3883, PAGE 2760; OFFICIAL RECORDS BOOK 3999, PAGE 966; OFFICIAL RECORDS BOOK 4000, PAGE 1015; AS AFFECTED BY SUBORDINATION AGREEMENTS FOR TEMPORARY EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK 3960, PAGE 2295; OFFICIAL RECORDS BOOK 4493, PAGE 2369. **(AFFECTS SUBJECT PROPERTY AND IS SHOWN HEREON)**

10. CROSS ACCESS EASEMENT AGREEMENT BY AND BETWEEN LOVE'S TRAVEL STOPS & COUNTRY STORES, INC. AN OKLAHOMA CORPORATION, AND OB FLORIDA CRE HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, DATED OCTOBER 14, 2011 AND RECORDED NOVEMBER 17, 2011 IN OFFICIAL RECORDS BOOK 3340, PAGE 2231; AFFECTED BY QUIT CLAIM DEEDS TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RECORDED IN OFFICIAL RECORDS BOOK 3883, PAGE 2760; OFFICIAL RECORDS BOOK 3999, PAGE 966; OFFICIAL RECORDS BOOK 4000, PAGE 1015; AS AFFECTED BY SUBORDINATION AGREEMENTS FOR TEMPORARY EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK 3960, PAGE 2295; OFFICIAL RECORDS BOOK 3968, PAGE 1529; OFFICIAL RECORDS BOOK 4493, PAGE 2369. **(AFFECTS SUBJECT PROPERTY AND IS SHOWN HEREON)**

11. RESOLUTION NO. 13-121 PRELIMINARY ASSESSMENT RESOLUTION SOLID WASTE, DATED JULY 16, 2013 AND RECORDED JULY 23, 2013 IN OFFICIAL RECORDS BOOK 3541, PAGE 731. **(AFFECTS SUBJECT PROPERTY, BLANKET IN NATURE, CAN NOT BE GRAPHICALLY SHOWN)**

12. PERPETUAL EASEMENT FROM THOMAS INVESTMENTS, L. C., A FLORIDA LIMITED LIABILITY COMPANY, TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, DATED MAY 18, 2016 AND RECORDED JUNE 23, 2016 IN OFFICIAL RECORDS BOOK 3883, PAGE 2758. **(DOES NOT AFFECT SUBJECT PROPERTY)**

13. UNRECORDED CATTLE LEASE BETWEEN THOMAS INVESTMENTS L. C., A FLORIDA LIMITED LIABILITY COMPANY AND MIDNIGHT CATTLE COMPANY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AS EVIDENCED BY SUBORDINATION AGREEMENTS FOR TEMPORARY EASEMENTS, DATED FEBRUARY 16, 2017 AND RECORDED MARCH 1, 2017 IN OFFICIAL RECORDS BOOK 3968, PAGE 1529; OFFICIAL RECORDS BOOK 4493, PAGE 2372. **(AFFECTS SUBJECT PROPERTY, BLANKET IN NATURE, CAN NOT BE GRAPHICALLY SHOWN)**

SHEET 3 OF 6

SEE SHEET 6 FOR SKETCH OF DESCRIPTION



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&
COMPANY**
Founded n 1648

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(407) 634-3353
LB#6723

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.602(3).
2. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF THE SW 1/4 OF SECTION 12-35-39, BEING S 00°13'59" E (ASSUMED FOR ANGULAR DESIGNATION ONLY).
3. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
4. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR AT THE CLIENT'S REQUEST.

JOB #: 20210138
DATE: 10/26/23
SCALE: N/A

CALC BY: CY
DRAWN BY: RT
CHECKED BY: SEJ

FOR THE LICENSED BUSINESS #6723 BY:

JAMES L. RICKMAN, P.S.M. #5633

LEGAL DESCRIPTION

NOT A SURVEY

TITLE SEARCH REPORT

FID No.: 1770359

Certification Date: August 7, 2023

American Government Service Corporation has caused to be made a search of the Public Records of St. Lucie County, Florida, ("Public Records"), made a twenty-year search through 08/07/2023 8:00 AM.

14. TEMPORARY EASEMENT FROM THOMAS INVESTMENTS, L. C., A FLORIDA LIMITED LIABILITY COMPANY, TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, DATED OCTOBER 13, 2020 AND RECORDED OCTOBER 19, 2020 IN OFFICIAL RECORDS BOOK 4493, PAGE 2363; AS AFFECTED BY SUBORDINATION AGREEMENT FOR TEMPORARY EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK 4493, PAGE 2369. **(AFFECTS SUBJECT PROPERTY AND IS SHOWN HEREON)**
15. TEMPORARY EASEMENT FROM THOMAS INVESTMENTS, L. C., A FLORIDA LIMITED LIABILITY COMPANY, TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, DATED OCTOBER 13, 2020 AND RECORDED OCTOBER 19, 2020 IN OFFICIAL RECORDS BOOK 4493, PAGE 2392; AS AFFECTED BY SUBORDINATION AGREEMENT FOR TEMPORARY EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK 4493, PAGE 2369. **(AFFECTS SUBJECT PROPERTY AND IS SHOWN HEREON)**
16. RESOLUTION 2021-357 GRANTING A MAJOR SITE PLAN FOR A PROJECT TO BE KNOWN AS KINGS HIGHWAY WAREHOUSE, DATED SEPTEMBER 21, 2021 AND RECORDED OCTOBER 7, 2021 IN OFFICIAL RECORDS BOOK 4698, PAGE 2350; AS AFFECTED BY PDS ORDER 2023-023 GRANTING APPROVAL FOR A MINOR ADJUSTMENT TO THE MAJOR SITE PLAN KNOWN AS KINGS HIGHWAY WAREHOUSE RECORDED IN OFFICIAL RECORDS BOOK 4972, PAGE 112. **(AFFECTS SUBJECT PROPERTY, BLANKET IN NATURE, CAN NOT BE GRAPHICALLY SHOWN)**
17. RECORDED NOTICE OF ENVIRONMENTAL RESOURCE PERMIT GRANTED TO KINGS HIGHWAY WAREHOUSE, DATED APRIL 14, 2022 AND RECORDED MAY 3, 2022 IN OFFICIAL RECORDS BOOK 4817, PAGE 2676. **(AFFECTS SUBJECT PROPERTY, BLANKET IN NATURE, CAN NOT BE GRAPHICALLY SHOWN)**
18. MORTGAGE, ASSIGNMENT OF RENTS AND LEASES, COLLATERAL ASSIGNMENT OF PROPERTY AGREEMENTS, SECURITY AGREEMENT AND FIXTURE FILING EXECUTED BY USEF KINGS LOGISTICS CENTER OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, IN FAVOR OF CADENCE BANK, A MISSISSIPPI BANKING CORPORATION, ACTING IN ITS CAPACITY AS THE ADMINISTRATIVE AGENT APPOINTED PURSUANT TO THE TERMS OF THE LOAN AGREEMENT, DATED JUNE 27, 2022 AND RECORDED JUNE 28, 2022 IN OFFICIAL RECORDS BOOK 4849, PAGE 2558; JOINDER AND CONSENT OF MORTGAGE/LIEN HOLDER RECORDED IN OFFICIAL RECORDS BOOK 4895, PAGE 2092. **(AFFECTS SUBJECT PROPERTY, IS BLANKET IN NATURE, CAN NOT BE GRAPHICALLY SHOWN)**
19. UCC FINANCING STATEMENT EXECUTED BY USEF KINGS LOGISTICS CENTER OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, IN FAVOR OF CADENCE BANK RECORDED JUNE 28, 2022 IN OFFICIAL RECORDS BOOK 4849, PAGE 2611. **(AFFECTS SUBJECT PROPERTY, IS BLANKET IN NATURE AND CAN NOT BE GRAPHICALLY SHOWN)**
20. NOTICE OF COMMENCEMENT EXECUTED BY KINGS LOGISTICS CENTER OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, OWNER, TO CATAMOUNT CONSTRUCTORS, INC., CONTRACTOR, DATED SEPTEMBER 2, 2022 AND RECORDED SEPTEMBER 8, 2022 IN OFFICIAL RECORDS BOOK 4885, PAGE 2904. **(NOT A SURVEY MATTER)**

SHEET 4 OF 6
SEE SHEET 6 FOR SKETCH OF DESCRIPTION



SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.602(3).
2. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF THE SW 1/4 OF SECTION 12-35-39, BEING S 00°13'59" E (ASSUMED FOR ANGULAR DESIGNATION ONLY).
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JOB #: 20210138
DATE: 10/26/23
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FOR THE LICENSED BUSINESS #6723 BY:

JAMES L. RICKMAN, P.S.M. #5633

Drawing name: L:\Data\20210138\sketches\20210138 Sk 3 9-11-23 Sheet 4

LEGAL DESCRIPTION

NOT A SURVEY

TITLE SEARCH REPORT

FID No.: 1770359

Certification Date: August 7, 2023

American Government Service Corporation has caused to be made a search of the Public Records of St. Lucie County, Florida, ("Public Records"), made a twenty-year search through 08/07/2023 8:00 AM.

21. ANNEXATION AGREEMENT EXECUTED BY USEF KINGS LOGISTICS CENTER OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, DATED SEPTEMBER 11, 2022 AND RECORDED SEPTEMBER 30, 2022 IN OFFICIAL RECORDS BOOK 4894, PAGE 1700. **(AFFECTS SUBJECT PROPERTY, BLANKET IN NATURE, CAN NOT BE GRAPHICALLY SHOWN)**
22. EASEMENT FROM USEF KINGS LOGISTICS CENTER OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, TO THE CITY OF FORT PIERCE, FLORIDA, FOR THE USE AND BENEFIT OF FORT PIERCE UTILITIES AUTHORITY, DATED SEPTEMBER 19, 2022 AND RECORDED OCTOBER 3, 2022 IN OFFICIAL RECORDS BOOK 4895, PAGE 2087. **(AFFECTS SUBJECT PROPERTY AS SHOWN HEREON)**
23. UNDERGROUND EASEMENT FROM USEF KINGS LOGISTICS CENTER OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, TO FLORIDA POWER & LIGHT COMPANY, DATED SEPTEMBER 28, 2022 AND RECORDED OCTOBER 3, 2022 IN OFFICIAL RECORDS BOOK 4895, PAGE 2625. **(DOES NOT AFFECT SUBJECT PROPERTY)**
24. NOTICE OF COMMENCEMENT EXECUTED BY USEF KINGS LOGISTICS CENTER OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, OWNER, TO HYPOWER ELECTRICAL, CONTRACTOR, DATED OCTOBER 4, 2022 AND RECORDED OCTOBER 10, 2022 IN OFFICIAL RECORDS BOOK 4899, PAGE 1733. **(NOT A SURVEY MATTER)**
25. NOTICE OF COMMENCEMENT EXECUTED BY USEF KINGS LOGISTICS CENTER OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, OWNER, TO CATAMOUNT CONSTRUCTORS, INC., CONTRACTOR, DATED JUNE 16, 2023 AND RECORDED JUNE 19, 2023 IN OFFICIAL RECORDS BOOK 5006, PAGE 236. **(NOT A SURVEY MATTER)**
26. UTILITY EASEMENT BY AND BETWEEN USEF KINGS LOGISTICS CENTER OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND THE CITY OF FORT PIERCE, FLORIDA, FOR THE USE AND BENEFIT OF THE FORT PIERCE UTILITIES AUTHORITY, DATED JUNE 9, 2023 AND RECORDED JUNE 27, 2023 IN OFFICIAL RECORDS BOOK 5009, PAGE 1093. **(DOES NOT AFFECT SUBJECT PROPERTY)**
27. NOTICE OF COMMENCEMENT EXECUTED BY KINGS LOGISTICS CENTER OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, OWNER, TO LTG CARLSON FENCE, LLC, CONTRACTOR, DATED JULY 10, 2023 AND RECORDED AUGUST 3, 2023 IN OFFICIAL RECORDS BOOK 5025, PAGE 1379. **(NOT A SURVEY MATTER)**
28. NOTICE OF COMMENCEMENT EXECUTED BY USEF KINGS LOGISTICS CENTER OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, OWNER, TO 1ST FIRE & SECURITY, INC., CONTRACTOR, DATED AUGUST 2, 2023 AND RECORDED AUGUST 3, 2023 IN OFFICIAL RECORDS BOOK 5026, PAGE 186. **(NOT A SURVEY MATTER)**

SHEET 5 OF 6
SEE SHEET 6 FOR SKETCH OF DESCRIPTION



SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.602(3).
2. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF THE SW 1/4 OF SECTION 12-35-39, BEING S 00°13'59" E (ASSUMED FOR ANGULAR DESIGNATION ONLY).
3. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.
4. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR AT THE CLIENT'S REQUEST.

JOB #: 20210138
DATE: 10/26/23
SCALE: N/A

CALC BY: CY
DRAWN BY: RT
CHECKED BY: SEJ

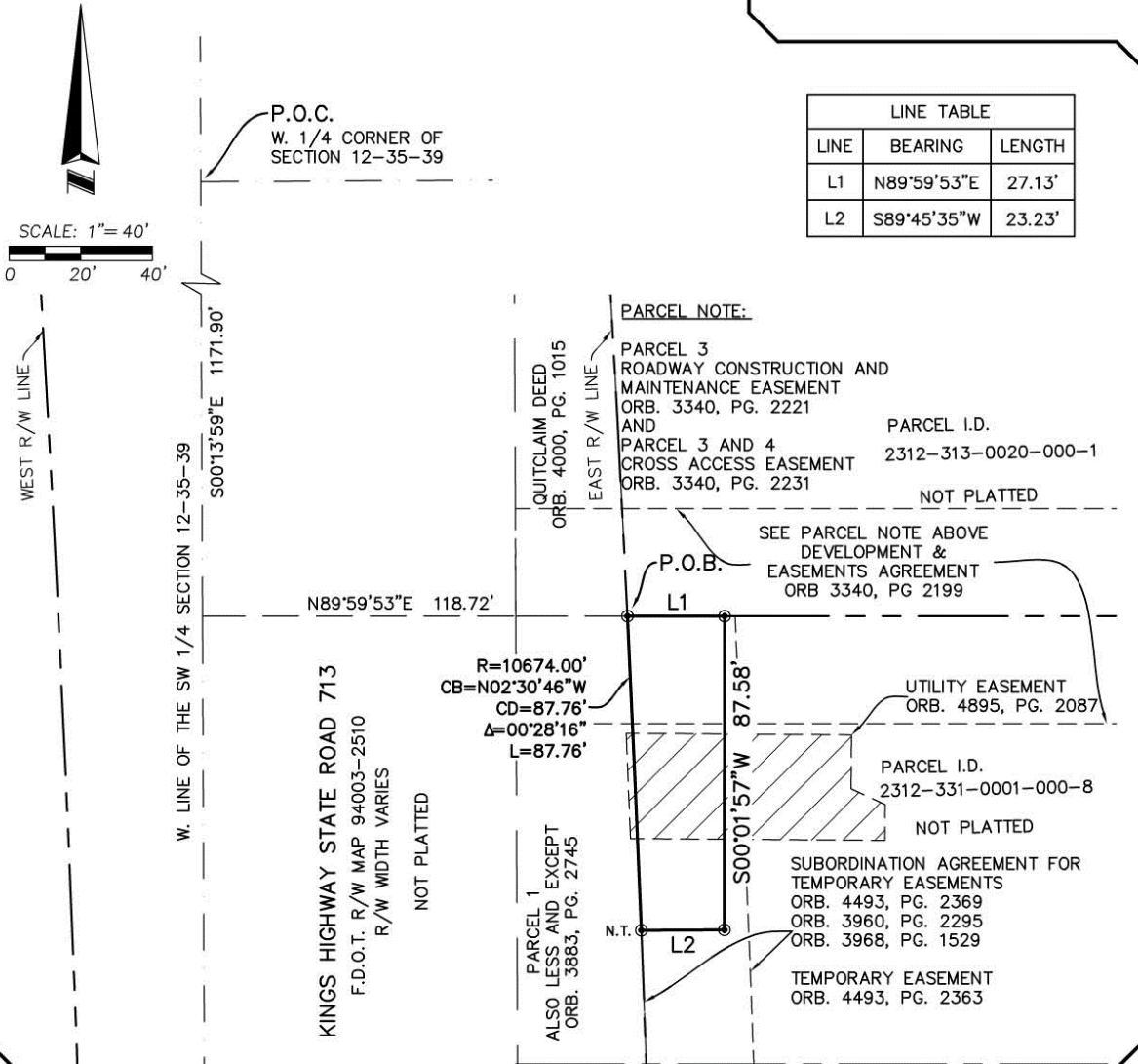
FOR THE LICENSED BUSINESS #6723 BY:

JAMES L. RICKMAN, P.S.M. #5633

Drawing name: L:\Data\20210138\sketches\20210138 Sk 3 9-11-23 Sheet 5

SKETCH OF DESCRIPTION

NOT A SURVEY




ALLEN & COMPANY
SURVEYING • MAPPING
GEOSPATIAL SERVICES
www.allen-company.com
16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5355
LB#6723

SYMBOL AND ABBREVIATION LEGEND:

⊙ CHANGE IN DIRECTION	R RADIUS	F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION
LB LICENSED BUSINESS	CB CHORD BEARING	R/W RIGHT OF WAY
P.O.C. POINT OF COMMENCEMENT	CD CHORD DISTANCE	ORB. OFFICIAL RECORDS BOOK
P.O.B. POINT OF BEGINNING	Δ CENTRAL ANGLE	PG. PAGE
N.T. NOT TANGENT	L ARC LENGTH	

JOB #: 20210138	CALC BY: CY
DATE: 10/26/23	DRAWN BY: RT
SCALE: 1" = 40'	CHECKED BY: SEJ