

This Instrument Prepared By &
Following Recordation To Be Returned to:
Randall C. Smith, Esquire
533 Versailles Drive, Suite 100
Maitland, Florida 32751

INGRESS EGRESS EASEMENT

THIS EASEMENT is granted this 12 day of February, 2018, by Starwood Gates LLC, a Florida limited liability company, (hereinafter "**Starwood**"), whose mailing address is 3025 Starwood Drive, Oviedo, Florida 32765.

WHEREAS, Starwood is the record owner in fee simple of certain real property situated in Seminole County, Florida, representing the vacated portion of Starwood Drive, Oviedo, all as more particularly described by *Exhibit A* (hereinafter the "**Starwood Tract**") attached hereto and incorporated herein; and

WHEREAS, the Starwood Tract, prior to its abandonment as a public road, provided vehicular and pedestrian ingress and egress for certain contiguous parcels, all as more particularly described by *Exhibit B* (hereinafter the "**Benefitted Parcels**"), attached hereto and incorporated herein; and

WHEREAS, Starwood has pledged to maintain such access for the Benefitted Parcels once the abandonment of the public road is completed,

NOW THEREFORE, for ten dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and Starwood, intending to be legally bound, hereby grants the following, non-exclusive easement for the use of the Benefitted Parcels.

1. Recitals Incorporated into Agreement. The foregoing recitals are true and correct and are hereby incorporated herein as binding covenants.
2. Grant of Non-Exclusive Access. Starwood hereby assigns, conveys and sets over, on the terms and conditions hereinafter set forth, a non-exclusive, private easement for purposes of vehicular and pedestrian ingress and egress to the Benefitted Parcels. The foregoing grant shall include the right of the Benefitted Parties to connect driveways, and related facilities to existing and future improvements made to the Benefitted Parcels, and the right to construct and maintain underground electric utility lines.
3. Warranties & Covenants. Starwood hereby covenants and warrants that it is lawfully seized of Starwood Tract in fee simple and has the full right and authority to grant the foregoing easement. The easement hereby created shall constitute a covenant running with the land.

4. Maintenance of Easement. Starwood shall be responsible for maintaining the existing improvements situated upon Starwood Tract, excluding future improvements which shall be the sole responsibility of the owner of the Benefitted Parcel, or portion thereof.

5. Limitation on Liability. Starwood shall have no liability for any and all claims, injury, loss, and damage of whatsoever kind arising out of the use of the easement hereby created, except where such loss or damage arises from the intentional act or gross negligence of Starwood.

6. Miscellaneous. This instrument shall be construed and interpreted in accordance with the laws of Florida. Venue and jurisdiction shall be exclusively in the Courts of Seminole County, Florida with respect to all disputes arising out of the easement herein granted. In the event of such litigation, the prevailing party therein shall be entitled to recover the costs thereof, including reasonable attorney's fees, whether incurred at the trial or appellate court level.

IN WITNESS WHEREOF, Starwood Gates LLC has caused these presents to be executed on its behalf on the day and year first hereinabove written.

Signed, Sealed and Delivered
In Our Presence:

STARWOOD GATES LLC

Allison Becker
Witness Signature
Printed Name: Allison Becker

By: Fred Newton
Fred Newton, Manager

Trevon Gaubert
Witness Signature
Printed Name: Trevon Gaubert

STATE OF FLORIDA)
) ss:
COUNTY OF Orange)

The undersigned does hereby certify that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared **Fred Newton** as Manager of Starwood Gates LLC, personally known or satisfactorily identified by FLDL to me to be the person described in and who executed the foregoing instrument and acknowledged before me that he or she executed the same in the capacity and for the purposes therein contained.

Witness my hand and official seal in the State and County aforesaid, this 12 day of February 2018.

[SEAL]

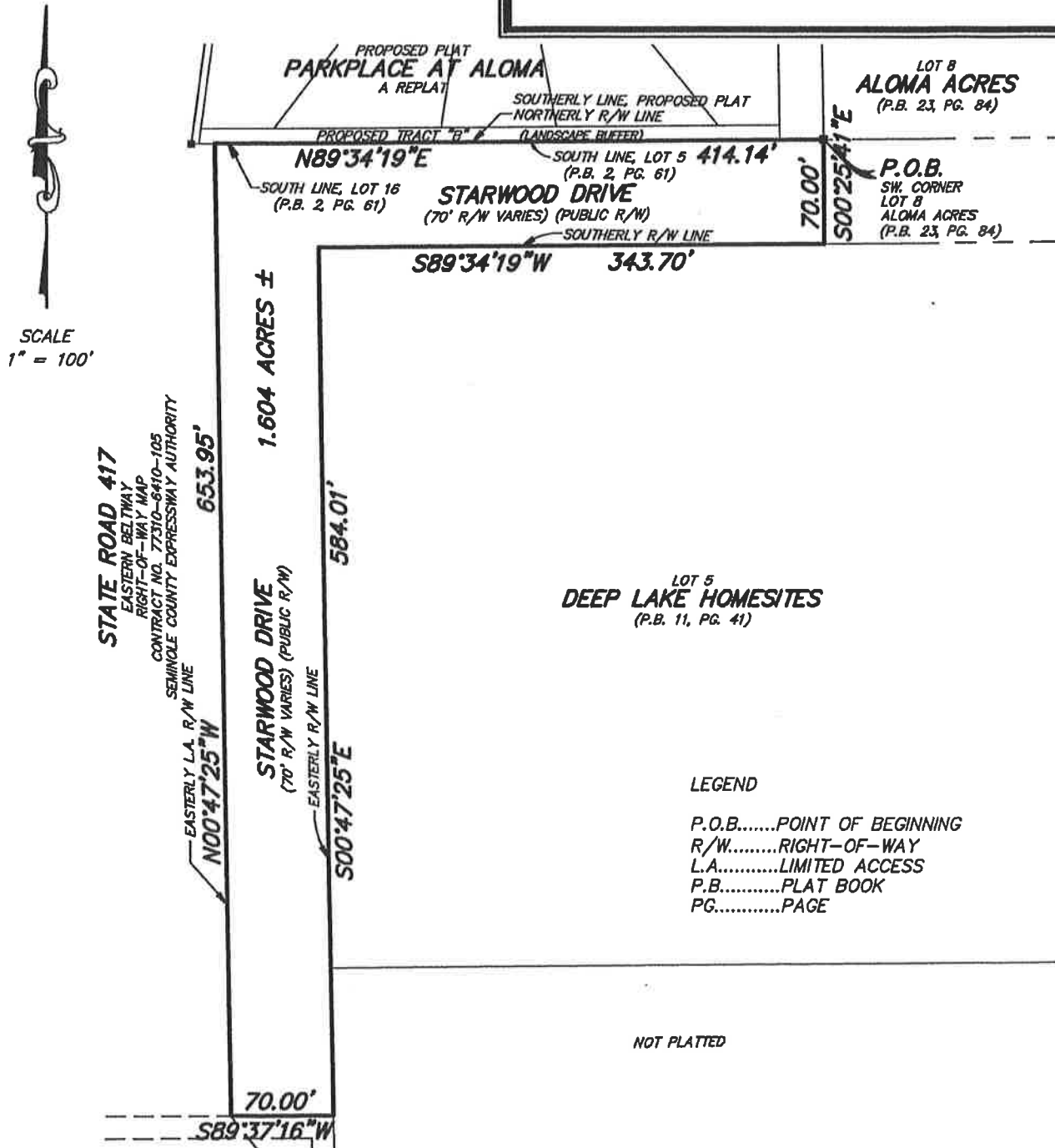


Tammy M. McLain
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG038009
Expires 10/12/2020

[Signature]
Notary Public

LEGAL DESCRIPTION

EXHIBIT A



(THIS IS NOT A SURVEY)

SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION AND SURVEYOR'S NOTES

SHEET 2 OF 2

PEC

SURVEYING AND MAPPING, LLC

CERTIFICATE OF AUTHORIZATION NUMBER LB 7808

2100 Alafaya Trail, Suite 203 • Orlando, Florida 32765 • 407-542-4967

WWW.PECONLINE.COM

SECTION 31, TOWNSHIP 21 SOUTH, RANGE 31 EAST

DATE: JUNE 29, 2017

PREP BY: J.L.M.

DRAWN BY: J.L.M.

JOB #: 17-088

0: 17-088 Newton Starwood Drive 17-088 RW VACATION.dwg Jun 29, 2017 - 1:27pm

LEGAL DESCRIPTION

LEGAL DESCRIPTION

A STRIP OF LAND, BEING A PORTION OF STARWOOD DRIVE (A 70.00 FOOT WIDE PUBLIC RIGHT-OF-WAY), LYING IN SECTION 31, TOWNSHIP 21 SOUTH, RANGE 31 EAST OF SEMINOLE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 8, ALOMA ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGE 84, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA FOR A POINT OF BEGINNING; THENCE RUN SOUTH 00°25'41" EAST 70.00 FEET TO A POINT LYING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STARWOOD DRIVE; THENCE RUN SOUTH 89°34'19" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 343.70 FEET; THENCE RUN SOUTH 00°47'25" EAST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID STARWOOD DRIVE, 584.01 FEET; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE RUN SOUTH 89°37'16" WEST, 70.00 FEET TO A POINT LYING ON THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 417, PER EASTERN BELTWAY RIGHT-OF-WAY MAP, CONTRACT NO. 77310-6410-105, SEMINOLE COUNTY EXPRESSWAY AUTHORITY; THENCE RUN NORTH 00°47'25" WEST, ALONG SAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE, 653.95 FEET TO A POINT LYING ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID STARWOOD DRIVE; SAID POINT ALSO LIES ON THE SOUTHERLY LINE OF A PROPOSED PLAT OF PARKPLACE AT ALOMA; THENCE RUN NORTH 89°34'19" EAST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 414.14 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED STRIP OF LAND LIES IN SEMINOLE COUNTY, FLORIDA AND CONTAINS 1.604 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

- (1) THIS LEGAL DESCRIPTION IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER IDENTIFIED BELOW.
- (2) NO ABSTRACT FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD HAVE BEEN PROVIDED TO THIS FIRM.
- (3) BEARINGS SHOWN HEREON ARE ASSUMED RELATIVE TO THE NORTHERLY RIGHT-OF-WAY LINE OF STARWOOD DRIVE, BEING NORTH 89°34'19" EAST.
- (4) THE "LEGAL DESCRIPTION" HEREON HAS BEEN PREPARED BY THE SURVEYOR AT THE CLIENT'S REQUEST.
- (5) THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY, AS SUCH.
- (6) THE DELINEATION OF LANDS SHOWN HEREON IS AS PER THE CLIENT'S INSTRUCTIONS.



DAVID A. WHITE, P.S.M.
FLORIDA REGISTRATION NO. 4044
PEC - SURVEYING AND MAPPING, LLC.
CERTIFICATE OF AUTHORIZATION L.B. #7808
DATE OF SIGNATURE: 06-29-2017

(THIS IS NOT A SURVEY)

SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION

SHEET 1 OF 2

PEC

SURVEYING AND MAPPING, LLC

CERTIFICATE OF AUTHORIZATION NUMBER LB 7808

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SECTION 31, TOWNSHIP 21 SOUTH, RANGE 31 EAST

DATE: JUNE 29, 2017

PREP BY: J.L.M.

DRAWN BY: J.L.M.

JOB #: 17-088

0: 17-088 Newton Starwood Drive 17-088 RW VACATION.dwg Jun 29, 2017 1:29pm

EXHIBIT B (Benefitted Parcels)

Parcel 1

THE SOUTH 229.4 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, AND A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS ACROSS THE EAST 15 FEET OF LOT 24, OF THE MAP OF THE SUBDIVISION OF E. G. TOWNSEND'S HOMESTEAD, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 61, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, WHICH EASEMENT SHALL RUN WITH THE LAND.

AND LOT 24, E. G. TOWNSEND'S HOMESTEAD SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 61, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, LESS COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 24, THENCE RUN SOUTH 89°40'14" WEST ALONG THE SOUTH LINE OF SAID LOT 24 A DISTANCE OF 20.00 FEET FOR A POINT OF BEGINNING, THENCE CONTINUE ALONG SAID SOUTH LINE A DISTANCE OF 325.34 FEET TO THE SOUTHWEST CORNER OF SAID LOT 24, THENCE NORTH 00°44'14" WEST ALONG THE WEST LINE OF SAID LOT 24 A DISTANCE OF 653.71 FEET TO THE NORTHWEST CORNER OF SAID LOT 24, THENCE NORTH 89°37'16" EAST ALONG THE NORTH LINE OF SAID LOT 24 A DISTANCE OF 274.74 FEET, THENCE DEPARTING SAID NORTH LINE RUN SOUTH 38°08'45" EAST A DISTANCE OF 82.41 FEET TO A POINT 20.00 FEET WEST OF, WHEN MEASURED PERPENDICULARLY FROM, THE EAST LINE OF SAID LOT 24, THENCE RUN SOUTH 00°47'25" EAST PARALLEL WITH SAID EAST LINE A DISTANCE OF 588.85 FEET TO THE POINT OF BEGINNING.

A.k.a. Parcel ID No. 31-21-31-300-0280-0000

Parcel 2

The North 229.4 feet of the South 458.8 feet of the Southeast 1/4 of the Southwest 1/4 of Section 31, Township 21 South, Range 31 East, and nonexclusive easement for ingress and egress across the North 15 feet of Lots 21, 22, 23 and 24 and 15 feet across the East boundary of said Lot 24, of the Map of Subdivision of E.G. Townsend's Homestead, according to the Plat thereof as recorded in Plat Book 2, Page 61, Public Records of Seminole County, Florida; together with a 14 foot wide easement as recorded in Official Records Book 964, Page 1125, Public Records of Seminole County, Florida.

A.k.a. Parcel ID No. 31-21-31-300-028A-0000

Parcel 3

North 300 feet of South 758 feet of the Southeast 1/4 of the Southwest 1/4 of Section 31, Township 21 South, Range 31 East, Public Records of Seminole County, Florida.

A.k.a. Parcel ID No. 31-21-31-300-0260-0000

Parcel 4

Lot 5, Deep Lake Homesites, according to the plat thereof as recorded in Plat Book 11, Page 41, of the Public Records of Seminole County, Florida, Less and except that portion, more particularly described as follows:

A portion of the Southeast 1/4 of the Southwest 1/4 of Section 31, Township 21 South, Range 31 East, Public Records of Seminole County, Florida and a portion of Lot 5 of Deep Lake Homesites according to the plat thereof as recorded in Plat Book 11, Page 41, of the Public Records of Seminole County, Florida, being more particularly described as follows: Begin at the Southwest corner of Lot 5 of K. G. Townsend's Homestead according to the plat thereof as recorded in Plat Book 2, Page 61 of the Public Records of Seminole County, Florida; thence N. 89 degrees, 34' 19" E. along the South line of said Lot 5, a distance of 344.13 feet to the Southwest corner of Aloma Acres according to the plat thereof as recorded in Plat Book 23, Page 84 of the Public Records of Seminole County, Florida; thence N. 89 degrees 33' 13" E. along the South line of said Aloma Acres, a distance of 349.87 feet; thence S. 00 degrees 56' 01" E. along the Northerly extension of the East line of lot 5 of said Deep Lake Homesites a distance of 2.17 feet to the Northeast corner of Lot 5 of said Deep Lake Homesites; thence continue S. 00 degrees 56' 01" E. along the East line of Lot 5 of said Deep Lake Homesites, a distance of 70.00 feet; thence S. 89 degrees 23' 00" W. along a line 70.00 feet South of and parallel with the North line of Lot 5 of said Deep Lake Homesites, a distance of 686.51 feet to a point on the West line of Lot 5 of said Deep Lake Homesites; thence continue S. 89 degrees 23' 00" W. 1.66 feet to a point of the East line of Lot 17 of said E.G. Townsend's Homestead; thence N. 00 degrees 47' 25" W. along the East line of said Lot 17 a distance of 74.33 feet to the Point of Beginning.

A.k.a. Parcel ID No. 31-21-31-502-0000-0050