

Prepared by:

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Return to:

Moraitis, Karney, Moraitis & Quaily
915 Middle River Drive, Suite 506
Fort Lauderdale, FL 33304
File Number:

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made as of January 16, 2024, by **DTS PROPERTIES LLC**, an Illinois limited liability company (“**Grantor**”), whose mailing address is 1111 North Plaza Drive, Suite 200, Schaumburg, Illinois 60173, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged from, **J BARON 1031 INVESTMENTS LLC**, a Florida limited liability company and **BARON SHOPPES PSL VENTURES LLC**, a Florida limited liability company (“**Grantee**”), having an address of 49 SW Flagler Avenue Suite 301 Stuart FL 34994, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee, the following described property:

- (i) That certain real property in St. Lucie County, Florida, which is described on Exhibit A attached hereto and incorporated herein by reference (the "**Land**");
- (ii) All buildings, structures, utility lines, utility facilities, utility improvements, street and drainage improvements, and other improvements of any kind or nature located in, on, or under the Land (all of the foregoing being referred to herein collectively as the "**Improvements**"); and
- (iii) All appurtenances benefiting or pertaining to the Land or the Improvements, including, without limitation, all of Grantor's right, title, and interest in and to all development and utility rights and permits benefiting the Land and all streets, alleys, rights-of-way, or easements adjacent to or benefiting the Land, and all strips or pieces of land abutting, bounding, or adjacent to the Land (all of the foregoing being referred to herein collectively as the "**Appurtenances**").

The Land, Improvements and Appurtenances are collectively referred to herein as the "**Property**".

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, and Grantee's successors or assigns, forever; and, subject to all of the matters set forth or referred to herein, Grantor does hereby bind itself and its successors to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise; provided, however that this conveyance is made by Grantor and accepted by Grantee subject to: (a) all of the title exceptions revealed in or by the recorded documents and other matters affecting the Property as set forth in Exhibit B attached hereto and incorporated herein by reference; (b) Rights or claims of parties in possession not shown by the public records; (c) Easements or claims of easements, not shown by the public

records; (d) Zoning, restrictions, and other regulatory laws and ordinances, prohibitions and other requirements imposed by governmental authority; (e) All matters of survey; and (f) all standby fees, taxes and assessments by any taxing authority for the current and all subsequent years, and all liens securing the payment of any of the foregoing.


[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the undersigned has executed this Special Warranty Deed as of the date first above written.

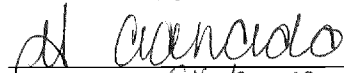
GRANTOR


Signed, sealed and delivered in the presence of:

DTS PROPERTIES LLC,
an Illinois limited liability company


Print Name: Rosa Rios

By: DTS Properties Management Inc.,
an Illinois corporation, its Manager


Print Name: Giovanna Ciarrardo

By: 
Name: Daniel Shoffet
Title: Its President

STATE OF ILLINOIS
COUNTY OF COOK

I, the undersigned, a Notary Public in favor and for the above County and State, DO HEREBY CERTIFY that DANIEL SHOFFET, personally known to me be the President of DTS PROPERTIES MANAGEMENT INC, an Illinois corporation, Manager of DTS PROPERTIES LLC, an Illinois limited liability company, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such President, he signed and delivered the said instrument pursuant to authority given by the Board of Directors of said corporation and his free and voluntary act and as the free and voluntary act and deed of said limited liability company, for the uses and purposes therein set forth.

Given under my hand and official seal, this 15 day of January, 2024.

My commission expires:


Notary Public

2/28/25

(Seal)



EXHIBIT A TO SPECIAL WARRANTY DEED
LEGAL DESCRIPTION OF THE PROPERTY

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ST. LUCIE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

Parcel Identification Number: 4412-504-0005-000-9

&

Parcel Identification Number: 4412-504-0001-000-1

PARCEL 1: (FEE SIMPLE ESTATE)

TRACT A AND LOT D, THE MARKETPLACE, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 27, PUBLIC RECORDS OF SAINT LUCIE COUNTY, FLORIDA; LESS AND EXCEPT LOT B, AS SHOWN ON THE FIRST REPLAT IN THE MARKETPLACE, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 37, PAGE 9, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

EASEMENT INTEREST 1:

PERPETUAL EASEMENT FOR THE PURPOSE OF PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS, AS CREATED BY DECLARATION OF EASEMENTS AND RESTRICTIONS, RECORDED IN OFFICIAL RECORDS BOOK 1095, PAGE 2863, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

EASEMENT INTEREST 2:

PERPETUAL EASEMENT FOR THE PURPOSE OF PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS, AS CREATED BY DECLARATION OF EASEMENTS AND RESTRICTIONS, RECORDED IN OFFICIAL RECORDS BOOK 1098, PAGE 961, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

EASEMENT INTEREST 3:

PERPETUAL EASEMENT FOR THE PURPOSE OF PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS, AS CREATED BY DECLARATION OF EASEMENTS AND RESTRICTIONS, RECORDED IN OFFICIAL RECORDS BOOK 1170, PAGE 572, PUBLIC RECORDS OF ST. LUCIE COUNTY-, FLORIDA.

EASEMENT INTEREST 4:

EASEMENT FOR ROADWAYS, WALKWAYS, INGRESS AND EGRESS, PARKING OF MOTOR VEHICLES, LOADING AND UNLOADING OF COMMERCIAL AND OTHER VEHICLES, AS CREATED BY EASEMENTS WITH COVENANTS AND RESTRICTIONS AFFECTING LAND ("ECR"), RECORDED IN OFFICIAL RECORDS BOOK 927, PAGE 2510, AS AMENDED IN OFFICIAL RECORDS BOOK 1070, PAGE 525; OFFICIAL RECORDS BOOK 1160, PAGE 264; OFFICIAL RECORDS BOOK 1651, PAGE 2306; OFFICIAL RECORDS BOOK 1685, PAGE 2073 AND OFFICIAL RECORDS BOOK 3387, PAGE 623, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

EXHIBIT B TO SPECIAL WARRANTY DEED
EXCEPTIONS

1. General or special taxes and assessments required to be paid in the year 2024 and subsequent years.
2. Matters shown on the Plat of The Marketplace, recorded in Plat Book 35, Page 27 and 27A.
3. Matters shown on the Plat of Port St. Lucie Square, recorded in Plat Book 28, Page 22 and 22A.
4. The terms, provisions and conditions contained in that certain Agreement Between St. Lucie County, Florida and The Jennings Road Development Corporation on Impact Fee Credit for Certain Roadway Improvements to South US #1 recorded in O.R. Book 725, Page 2085, Public Records of Saint Lucie County, Florida.
5. Easement Deed recorded in O.R. Book 817, Page 2642, Public Records of Saint Lucie County, Florida.
6. The terms, provisions and conditions contained in that certain Easement Agreement recorded in O.R. Book 856, Page 283, Public Records of Saint Lucie County, Florida.
7. The terms, provisions and conditions contained in that certain RIF 94-03 Interim Road Impact Fee Credit Agreement Number One Between St. Lucie County, Florida and the Jennings Road Development, Corporation for Road Right-of-Way Dedications Associated with the Construction of Jennings Road recorded in O.R. Book 916, Page 1365; O.R. Book 1077, Page 2976, Public Records of Saint Lucie County, Florida.
8. Easement with Covenants and Restrictions Affecting Land ("ECR") recorded in Official Records Book 927, Page 2510 as affected by First Amendment to ECR Agreement recorded in Official Records Book 1070, Page 525; Second Amendment to ECR recorded in Official Records Book 1160, Page 264; Third Amendment to Easement with Covenants and Restrictions Affecting Land recorded in Official Records Book 1651, Page 2306; Waiver of Right to Consent recorded in Official Records Book 1685, Page 2073; Amendment to Easement with Covenants and Restrictions Affecting Land recorded in Official Records Book 3387, Page 610 and Fourth Amendment to Easement with Covenants and Restrictions Affecting Land recorded in Official Records Book 3387, Page 623, Public Records of Saint Lucie County, Florida, which contain provisions creating use limitations.
9. Declaration of Easements and Restrictive Covenants recorded in Official Records Book 1070, Page 515 as affected by First Amendment to Declaration of Easements and Restrictive Covenants recorded in Official Records Book 1170, Page 583, Public Records of Saint Lucie County, Florida.
10. The terms, provisions and conditions contained in that certain RIF 97-01 Interim Road Impact Fee Credit Agreement Number Two Between St. Lucie County, Florida and the Developers of the Marketplace Shopping Center in Port St. Lucie, Marketplace Port St. Lucie a Florida Limited Partnership and Tyringham Ridge, Inc, for the Construction of a Portion of Jennings Road recorded in O.R. Book 1077, Page 2976, Public Records of Saint Lucie County, Florida.
11. Declaration of Easements and Restrictions recorded in O.R. Book 1095, Page 2863, Public Records of Saint Lucie County, Florida, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
12. Declaration of Easements and Restrictions recorded in O.R. Book 1098, Page 961, Public Records of Saint Lucie County, Florida, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
13. The terms, provisions and conditions contained in that certain City of Port St. Lucie, Florida, Port St. Lucie Water and Wastewater Systems Standard Developer's Agreement recorded in

- O.R. Book 1112, Page 1523, Public Records of Saint Lucie County, Florida.
14. Declaration of Easements and Restrictions recorded in O.R. Book 1170, Page 572, Public Records of Saint Lucie County, Florida, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
 15. Ordinances recorded in O.R. Book 1203, Page 1026 and O.R. Book 1301, Page 2302, Public Records of Saint Lucie County, Florida.
 16. The terms, provisions and conditions contained in that certain City of Port St. Lucie Utility Systems Department Commercial Service Agreement / Permit to Connect recorded in O.R. Book 1285, Page 246, Public Records of Saint Lucie County, Florida.
 17. The terms, provisions and conditions contained in that certain City of Port St. Lucie Utility Systems Department Commercial Service Agreement / Permit to Connect recorded in O.R. Book 1373, Page 1820, Public Records of Saint Lucie County, Florida.
 18. The terms, provisions and conditions contained in that certain City of Port St. Lucie Utility Systems Department Commercial Service Agreement / Permit to Connect recorded in O.R. Book 1373, Page 1867, Public Records of Saint Lucie County, Florida.
 19. The terms, provisions and conditions contained in that certain City of Port St. Lucie Utility Systems Department Commercial Service Agreement / Permit to Connect recorded in O.R. Book 1434, Page 222, Public Records of Saint Lucie County, Florida.
 20. Easement contained in Order of Taking recorded in O.R. Book 4106, Page 2262 and Stipulated Final Judgment recorded in O.R. Book 4234, Page 306, Public Records of Saint Lucie County, Florida.
 21. Easement in favor of Florida Power and Light Company recorded in O.R. Book 3913, Page 2405, Public Records of Saint Lucie County, Florida. (affects easement parcel at O.R. Book 1170, Page 572)
 22. All matters contained on the Plat of First Replat in the Marketplace, as recorded in Plat Book 37, Page 9, Public Records of Saint Lucie County, Florida. (affects easement parcel at O.R. Book 1170, Page 572)
 23. Easement in favor of Florida Power and Light Company recorded in O.R. Book 1114, Page 1348, Public Records of Saint Lucie County, Florida. (affects easement parcel at O.R. Book 1098, Page 961)
 24. Easement recorded in O.R. Book 4062, Page 1363, Public Records of Saint Lucie County, Florida. (affects easement parcel at O.R. Book 1098, Page 961)
 25. Memorandum of Lease recorded in O.R. Book 2516, Page 1029, together with Assignment and Assumption of Lease recorded in O.R. Book 3164, Page 2904, Public Records of Saint Lucie County, Florida. (affects easement parcel at O.R. Book 1098, Page 961)
 26. Easement Agreement recorded in O.R. Book 856, Page 286, together with amendment recorded in O.R. Book 2052, Page 556, Public Records of Saint Lucie County, Florida. (affects easement parcel at O.R. Book 927, Page 501)
 27. Declaration of Easements recorded in O.R. Book 1109, Page 1120, Public Records of Saint Lucie County, Florida. (affects easement parcel at O.R. Book 927, Page 501)
 28. Easement in favor of Florida Power and Light Company recorded in O.R. Book 3933, Page 2449, Public Records of Saint Lucie County, Florida. (affects easement parcel at O.R. Book 927, Page 501)
 29. Agreement recorded in O.R. Book 1181, Page 438, Public Records of Saint Lucie County, Florida (affects easement parcel at O.R. Book 1095, Page 2863)
 30. Rights of the lessees under unrecorded leases.
 31. Easement in favor of Florida Power & Light Company recorded in Official Records Book 118, Page 332, of the Public Records of St. Lucie County, Florida. (affects both easement parcels)