

SACHS SAX CAPLAN

ATTORNEYS AT LAW

SUITE 200
6111 BROKEN SOUND PARKWAY NW
BOCA RATON, FLORIDA 33487

TELEPHONE (561) 994-4499
FACSIMILE (561) 994-4985

ATTORNEY'S OPINION OF TITLE

July 22, 2021

Elizabeth Hertz, Esq.
Deputy City Attorney
City of Port St. Lucie
121 SW Port St. Lucie Blvd.
Port St. Lucie, Florida 34984

**RE: ACR ACQUISITION, LLC
EW4 PAAR ROAD ABANDONMENT WEST
EW4 PAAR ROAD ABANDONMENT EAST**

Dear Ms. Hertz:

With the understanding that this Opinion of Title (this "Opinion") is furnished to the City of Port St. Lucie (the "City") as an inducement for the City to abandon and convey a right of way to ACR Acquisition, LLC ("ACR"), it is hereby certified that we have examined the Chicago Title Insurance Company Property Information Report Order No. 9397537(B) (the "Report," a copy of which is attached hereto as "Exhibit A"), consisting of a search of the Public Records of St. Lucie County, Florida, as contained in the office of the Clerk of the Circuit Court of said County from through June 28, 2021 at 11:00 pm, as to the real property lying and being in St. Lucie County, Florida (as more particularly described in the Report, "Property").

As of the effective date of the Report, the record fee simple title owner of the Property are:

City of Port St. Lucie

There are no mortgages encumbering the Property. There are no encumbrances affecting the Property being conveyed from the City to ACR.

Our Opinion is based solely on review of the Report. This Opinion is being furnished to the City in connection approval and acceptance of a special warranty deed from the City to ACR for the Property and for no other purpose.

Sincerely,

SACHS SAX CAPLAN, P.L.



Daniel Kaskel
For the Firm

EXHIBIT "A"

Chicago Title Insurance Company Property Information Report

CHICAGO TITLE INSURANCE COMPANY

13800 NW 14th Street, Suite 190, Sunrise, Florida 33323

PROPERTY INFORMATION REPORT

File Number: 9397537 (B) 2nd Revised Reference: 13643.16

Provided for: **Sachs Sax Caplan, P.L.**
Attention: Tiffany Easley
6111 Broken Sound Parkway NW
Suite 200
Boca Raton, Florida 33487

CHICAGO TITLE INSURANCE COMPANY does hereby certify that a search of the Public Records of St. Lucie County, Florida through and including the date of June 28, 2021 at 1:00 p.m. on the land described:

EW4 PAAR ROAD ABANDONMENT WEST

DESCRIPTION:

BEING A PORTION OF SECTION 30, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA AND A PORTION OF BLOCK 1, OF THE PLAT OF THE ALAN WILSON GROVE AS RECORDED IN PLAT BOOK 12, PAGE 50, AND A PORTION OF THAT 150 FOOT RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 2972, PAGE 774, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 30, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA; THENCE, ALONG THE WEST LINE OF SAID SECTION 30, SOUTH 00°15'37" EAST, A DISTANCE OF 1319.14 FEET; THENCE DEPARTING SAID WEST LINE, NORTH 89°44'23" EAST, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 44°47'23" EAST, A DISTANCE OF 49.94 FEET; THENCE SOUTH 89°19'04" EAST, A DISTANCE OF 2419.33 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 2000.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°34'58", A DISTANCE OF 90.16 FEET TO THE POINT OF TANGENCY; THENCE NORTH 88°05'58" EAST, A DISTANCE OF 1092.34 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 2150.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°38'39", A DISTANCE OF 399.42 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 81°15'23" EAST, A DISTANCE OF 400.85 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 1500.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°29'49", A DISTANCE OF 222.45 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 89°45'12" EAST, A DISTANCE OF 137.79 FEET; THENCE NORTH 44°49'11" EAST, A DISTANCE OF 49.14 FEET; THENCE SOUTH 00°21'54" EAST, A DISTANCE OF 219.74 FEET; THENCE NORTH 45°01'37" WEST, A DISTANCE OF 49.35 FEET; THENCE NORTH 89°45'12" WEST,

A DISTANCE OF 139.56 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 1650.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°29'49", A DISTANCE OF 244.69 FEET TO THE POINT OF TANGENCY; THENCE NORTH 81°15'23" WEST, A DISTANCE OF 400.85 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 2000.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°38'39", A DISTANCE OF 371.55 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 88°05'58" WEST, A DISTANCE OF 1092.34 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 2150.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°34'58", A DISTANCE OF 96.92 FEET TO THE POINT OF TANGENCY; THENCE NORTH 89°19'04" WEST, A DISTANCE OF 2416.86 FEET; THENCE SOUTH 45°12'37" WEST, A DISTANCE OF 49.14 FEET; THENCE NORTH 00°15'37" WEST, A DISTANCE OF 220.08 FEET TO THE POINT OF BEGINNING.

CONTAINING 727,294 SQUARE FEET/16.6964 ACRES, MORE OR LESS.
SAID LANDS SITUATE IN THE CITY OF PORT ST. LUCIE, ST. LUCIE COUNTY, FLORIDA.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

AND

EW4 PAAR ROAD ABANDONMENT EAST

DESCRIPTION:

BEING A PORTION OF SECTIONS 29 AND 30, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA AND A PORTION OF BLOCKS 3 AND 9, THE ALAN WILSON GROVE, AS RECORDED IN PLAT BOOK 12, PAGES 50 AND 50A AND A PORTION OF THAT 150 FOOT RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORDS BOOK 2972, PAGE 774, ALL OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 29; THENCE ALONG THE WEST LINE OF SAID SECTION 29, N.00°17'57"W., A DISTANCE OF 1135.92 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE WEST LINE OF SAID SECTION 29, N.00°17'57"W., A DISTANCE OF 150.01 FEET TO A POINT HEREINAFTER KNOWN AS REFERENCE POINT "A"; THENCE LEAVING WEST LINE OF SAID SECTION 29, S.89°45'11"E., A DISTANCE OF 340.23 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 7500.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°24'40", A DISTANCE OF 446.51 FEET TO THE POINT OF TANGENCY; THENCE N.86°50'09"E., A DISTANCE OF 3817.91 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 4150.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°09'47", A DISTANCE OF 229.10 FEET TO THE POINT OF TANGENCY; THENCE N.89°59'56"E., A DISTANCE OF 363.27 FEET; THENCE N.44°59'55"E., A DISTANCE OF 49.04 FEET; THENCE S.12°01'06"E., A DISTANCE OF 224.93 FEET; THENCE N.45°00'05"W., A DISTANCE OF 49.95 FEET; THENCE S.89°59'56"W., A DISTANCE OF 409.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 4000.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°09'47", A DISTANCE OF 220.82 FEET TO THE POINT OF TANGENCY; THENCE S.86°50'09"W., A DISTANCE OF 3817.91 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 7650.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°24'40", A DISTANCE OF 455.44 FEET TO THE POINT OF TANGENCY; THENCE N.89°45'11"W., A DISTANCE OF 338.80 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

COMMENCE AT THE AFORESAID REFERENCE POINT "A"; THENCE N.85°37'36"W., A DISTANCE OF 200.67 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF FLORIDA POWER & LIGHT RIGHT-OF-WAY TRACT, AS RECORDED IN OFFICIAL RECORDS BOOK 760, PAGE 2258 OF SAID PUBLIC RECORDS AND TO THE POINT OF BEGINNING; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S.00°17'57"E., A DISTANCE OF 179.82 FEET; THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE, S.44°58'23"W., A DISTANCE OF 28.00 FEET TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF N/S "A" ROAD, AS RECORDED IN OFFICIAL RECORDS BOOK 2972, PAGE 802 OF SAID PUBLIC RECORDS; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N.00°21'42"W., A DISTANCE OF 219.75 FEET; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE, S.45°10'49"E., A DISTANCE OF 28.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 793,418 SQUARE FEET/18.2144 ACRES, MORE OR LESS.
SAID LANDS SITUATE IN THE CITY OF PORT ST. LUCIE, ST. LUCIE COUNTY, FLORIDA.
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

Folio No. 4329-501-0003-010-4
4329-501-0006-010-5
4330-100-0001-010-3

That record title to the land as described and shown on the above description is as follows:

Special Warranty Deed filed May 13, 2008, recorded in Official Records Book 2972, Page 774, from ACR Properties, LLC, a Florida limited liability company, to City of Port St. Lucie, a Florida municipal corporation. (For Right of Way Only)

Special Warranty Deed filed May 13, 2008, recorded in Official Records Book 2972, Page 802, from Riverland/Kennedy, LLP, a Florida limited liability partnership, to City of Port St. Lucie, a Florida municipal corporation.

The following mortgages and liens identifying the captioned property remain unsatisfied or unreleased, of record in accordance to the terms exhibited on this Certificate:

NONE

THE FOLLOWING ITEMS ARE ADDITIONAL DOCUMENTS THAT ARE NOT EXAMINED OR REVIEWED.

| <u>INSTRUMENT</u> | <u>FILED</u> | <u>BOOK/PAGE</u> |
|-------------------|-------------------|------------------|
| 1. PLAT | December 13, 1963 | PB 12/50 |
| 2. AGREEMENT | October 21, 1963 | 73/194 |
| 3. WARRANTY DEED | October 24, 1991 | 760/2258 |

| | | |
|--|-------------------|-----------|
| 4. ORDINANCE 04-67 | July 23, 2004 | 2024/1033 |
| 5. ANNEXATION AGREEMENT | January 13, 2005 | 2137/2419 |
| 6. NOTICE OF ADOPTION OF THE DEVELOPMENT ORDER FOR THE WILSON GROVES DEVELOPMENT OF REGIONAL IMPACT | February 12, 2007 | 2759/1807 |
| 7. SETTLEMENT AGREEMENT INCLUDING IMPACT FEE CREDIT AGREEMENT | February 27, 2008 | 2942/888 |
| 8. EDUCATIONAL FACILITIES IMPACT FEE CREDIT AGREEMENT BETWEEN ACR PROPERTIES, LLC, AND THE SCHOOL BOARD OF ST. LUCIE COUNTY, FLORIDA | August 7, 2008 | 3002/2168 |
| 9. NOTICE OF ADOPTION ON AN AMENDED AND RESTATED DEVELOPMENT ORDER FOR THE WILSON GROVES DEVELOPMENT OF REGIONAL IMPACT | November 12, 2008 | 3032/1528 |
| 10. FOURTH AMENDMENT TO ANNEXATION AGREEMENT (AMENDING OBLIGATIONS OF WILSON GROVE PARCEL OWNER) | November 19, 2009 | 3146/1432 |
| 11. ACCESS AND UTILITY EASEMENT | July 1, 2010 | 3209/1455 |
| 12. NOTICE OF ADOPTION OF AN AMENDED AND RESTATED DEVELOPMENT ORDER FOR THE WILSON GROVES DEVELOPMENT OF REGIONAL IMPACT | February 22, 2011 | 3271/914 |

Name search performed on:

Name of the Current Fee Simple Owner

CITY OF PORT ST. LUCIE (No search has been made)

CHICAGO TITLE INSURANCE COMPANY hereby certifies that the foregoing Certificate of Search was compiled by it from the Public Records of County of St. Lucie State of Florida, and from such other public records and sources as are herein indicated.

CONTENTS: This Certificate lists the last conveyance by deed or Certificate of Title, identifying the lands described in the caption hereof and appearing of record in the Office of the Circuit Court of St. Lucie Florida, recorded in said office that identify the land shown on the caption of this certificate by a land description.

This Certificate lists all mortgages, leases, notice of lis pendens, unsatisfied or unreleased of record, identifying the land described in the caption hereof and appearing of record in the Office of the Circuit of St. Lucie County, Florida, including all security instruments

and financing statements filed pursuant to Chapters 671 through 679 of the Florida Statutes (The Uniform Commercial Code), No search is made for security instruments, financing statements or liens that describe any land by a mailing or street address only.

This Certificate exhibits or makes reference to all orders appointing receivers or liquidators, to all Bankruptcy proceedings, Rico Lien Notices, unsatisfied Judgments decrees or orders for money, unsatisfied State and Federal Tax Liens and Warrants appearing of record in the Office of the Clerk of Circuit Court of St. Lucie County, Florida, and in the Office of the Clerk of the United States District in and for the Southern District of Florida, Miami Division, and probate, lunacy, competency and guardianship proceedings in the Office of the County Judge of St. Lucie County, Florida and/or Office of the Clerk of Circuit Court of St. Lucie County, Florida, against the names, initials and abbreviations (only as listed on this certificate unless otherwise noted), within the period set opposite said names. No search is made for unsatisfied Judgments decrees or orders for money, against mortgages or other lien holders.

FORM: Determination of the regularity, validity, sufficiency, or legal effect on marketability or insurability of title to said lands of any instrument listed on this Certificate are referred to the examiner.

THERE IS EXCEPTED FROM THIS CERTIFICATE

- (1) Municipal and County Zoning Ordinances.
- (2) Incorporation papers of municipalities.
- (3) Decrees and Ordinances creating taxing and Drainage Districts.
- (4) Except on special request, information relating to Bankruptcy proceedings is limited to the showing of style and number of case and time of filing of petition and adjudication.
- (5) Information regarding delinquent and reinstated corporation and dissolved corporation as contained in report filed by Secretary of State pursuant to Chapter 14677 as amended by Chapter 16726 Acts of Florida 1931 and Chapter 16880 Acts of 1935.
- (6) Maps or plats and resolutions pertaining to flood criteria and all county water-control plan plats.
- (7) Except on special request, and unless otherwise noted, all information regarding Taxes, Tax Sales, Municipal or County liens or assessments pertaining to or affecting captioned premises.
- (8) Judgments, decrees or orders for money not filed under a Clerk's File Number and recorded in Official Records Book in the Office of the Clerk of the Circuit Court of St. Lucie County, Florida filed subsequent to January 1, 1972.
- (9) Rico Lien Notices not filed under Clerk's File Number and recorded in the Official Records Book in the Office of the Clerk of the Circuit Court of St. Lucie County, Florida.
- (10) Except on special request and unless otherwise noted, the period covered by this certificate is limited to the thirty (30) years preceding the date of this Certificate.