

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
NEW E/W 5 BECKER ROAD EAST
NEW E/W 5 BECKER ROAD WEST**

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 accept a right of way from ACR Acquisition, LLC ("ACR"), it is hereby certified that we have examined the Chicago Title Insurance Company Property Information Report Order No. 9397537(A) (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:

ACR Acquisition, LLC
City of Port St. Lucie (only as to portion abutting N/S "B" Road)

There are no mortgages encumbering the Property. There are no encumbrances affecting the Property being conveyed from ACR to the City that would prevent its use as a right of way.

July 22, 2021

Page 2

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 ACR to the City 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 (A) Revised 7-22 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:

NEW E/W 5 BECKER ROAD EAST

DESCRIPTION:

BEING A PORTION OF SECTIONS 31 AND 32, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA AND A PORTION OF BLOCK 6 TRACT 2, BLOCK 6 TRACT 3, BLOCK 7 AND BLOCK 8 OF THE PLAT OF THE ALAN WILSON GROVE AS RECORDED IN PLAT BOOK 12, PAGES 50 AND 50A AND A PORTION OF THAT 150 FOOT RIGHT-OF-WAY OF OLD E/W #5 BECKER ROAD 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 NORTHEAST CORNER OF SECTION 31, TOWNSHIP 37 SOUTH, RANGE 39 EAST; THENCE, ALONG THE EAST LINE OF SAID SECTION 31, S.00°12'47"E., A DISTANCE OF 1480.06 FEET TO THE POINT OF BEGINNING; THENCE S.89°52'17"E., A DISTANCE OF 2491.86 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 2206.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 39°29'21", A DISTANCE OF 1520.41 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 2056.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 39°31'35", A DISTANCE OF 1418.36 FEET; THENCE N.44°48'41"E., A DISTANCE OF 49.11 FEET; THENCE S.00°28'07"E., A DISTANCE OF 219.81 FEET; THENCE N.45°12'38"W., A DISTANCE OF 49.27 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 2206.00 FEET FROM WHICH A RADIAL LINE BEARS N.00°02'52"E.; THENCE NORTHWESTERLY ALONG THE ARC OF SAID

CURVE THROUGH A CENTRAL ANGLE OF 39°34'12", A DISTANCE OF 1523.52 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 2056.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 39°29'21", A DISTANCE OF 1417.03 FEET TO THE POINT OF TANGENCY; THENCE N.89°52'17"W., A DISTANCE OF 2490.97 FEET TO A POINT HEREINAFTER KNOWN AS REFERENCE POINT "A" AND TO A POINT OF INTERSECTION WITH THE AFORESAID EAST LINE OF SECTION 31; THENCE, ALONG SAID EAST LINE, N.00°12'47"W., A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

COMMENCE AT THE AFORESAID REFERENCE POINT "A"; THENCE S.85°43'47"W., A DISTANCE OF 200.50 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF FLORIDA POWER & LIGHT RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 760, PAGE 2258 OF SAID PUBLIC RECORDS AND TO

THE POINT OF BEGINNING; THENCE S.44°57'25"W., A DISTANCE OF 27.97 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF N/S "A" ROAD AS RECORDED IN OFFICIAL RECORDS BOOK 2972, PAGE 774 OF SAID PUBLIC RECORDS; THENCE, ALONG SAID EAST LINE, N.00°12'52"W., A DISTANCE OF 220.00 FEET; THENCE S.45°02'35"E., A DISTANCE OF 28.14 FEET TO A POINT OF INTERSECTION WITH THE SAID WEST LINE OF FLORIDA POWER & LIGHT RIGHT-OF-WAY; THENCE, ALONG SAID WEST LINE, S.00°12'47"E., A DISTANCE OF 180.34 FEET TO THE POINT OF BEGINNING.

CONTAINING 825,060 SQUARE FEET/18.9408 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

NEW E/W 5 BECKER ROAD WEST

DESCRIPTION:

BEING A PORTION OF SECTION 31, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA AND A PORTION OF BLOCK 4, THE ALAN WILSON GROVE AS RECORDED IN PLAT BOOK 12, PAGES 50 AND 50A, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 31; THENCE, ALONG THE WEST LINE OF SAID SECTION 31, NORTH 00°03'37" WEST, A DISTANCE OF 1101.96 FEET; THENCE DEPARTING SAID WEST LINE, NORTH 89°56'23" EAST, A DISTANCE OF 80.00 FEET TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 609 AND THE POINT OF BEGINNING; THENCE, DEPARTING SAID EAST LINE SOUTH 44°57'57" EAST, A DISTANCE OF 49.42 FEET; THENCE SOUTH 89°52'17" EAST, A DISTANCE OF 4759.39

FEET; THENCE NORTH 44°57'25" EAST, A DISTANCE OF 49.65 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF N/S "A" ROAD AS RECORDED IN OFFICIAL RECORDS BOOK 2972, PAGE 802, OF SAID PUBLIC RECORDS; THENCE, ALONG SAID WEST LINE, SOUTH 00°12'52" EAST, A DISTANCE OF 220.00 FEET; THENCE, DEPARTING SAID WEST LINE, NORTH 45°02'35" WEST, A DISTANCE OF 49.35 FEET; THENCE NORTH 89°52'17" WEST, A DISTANCE OF 4759.98 FEET; THENCE SOUTH 45°02'03" WEST, A DISTANCE OF 49.58 FEET TO A POINT OF INTERSECTION WITH SAID EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 609; THENCE, ALONG SAID EAST LINE, NORTH 00°03'37" WEST, A DISTANCE OF 220.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 726,902 SQUARE FEET/16.6874 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. 4331-100-0001-000-3, 4330-111-001-000-4, 4329-501-0007-000-9,
4329-501-0016-000-5, 4329-501-0017-010-5, 4329-501-0020-000-6,
and 4329-501-0017-000-2

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.

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.

Special Warranty Deed filed December 30, 2008, recorded in Official Records Book 3046, Page 2761, from ACR Properties, LLC, a Florida limited liability company, to ACR Acquisition, LLC, a Florida limited liability company.

Special Warranty Deed filed February 16, 2009, recorded in Official Records Book 3060, Page 288, from ACR Properties, LLC, a Florida limited liability company, to ACR Acquisition, LLC, a Delaware limited liability company.

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.	WARRANTY DEED	August 24, 1962	43/476
3.	WARRANTY DEED	July 26, 1963	67/306
4.	AGREEMENT	October 21, 1963	73/194
5.	WARRANTY DEED	October 24, 1991	760/2258
6.	ORDINANCE 04-67	July 23, 2004	2024/1033
7.	ANNEXATION AGREEMENT	January 13, 2005	2137/2419
8.	NOTICE OF ADOPTION OF THE DEVELOPMENT ORDER FOR THE WILSON GROVES DEVELOPMENT OF REGIONAL IMPACT	February 12, 2007	2759/1807
9.	IMPACT FEE PRE-PAYMENT AGREEMENT	March 6, 2007	2773/626
10.	BOUNDARY LINE AGREEMENT	July 27, 2007	2856/2577
11.	SOUTH FLORIDA WATER MANAGEMENT DISTRICT ENVIRONMENTAL RESOURCE PERMIT NOTICE	October 16, 2007	2893/468
12.	FIRE/EMS DEVELOPMENT AGREEMENT FOR WILSON GROVES DEVELOPMENT OF REGIONAL IMPACT	December 6, 2007	2912/1491
13.	SETTLEMENT AGREEMENT INCLUDING IMPACT FEE CREDIT AGREEMENT	February 27, 2008	2942/888
14.	EDUCATIONAL FACILITIES IMPACT FEE CREDIT AGREEMENT BETWEEN ACR PROPERTIES, LLC, AND THE SCHOOL BOARD OF ST. LUCIE COUNTY, FLORIDA	August 7, 2008	3002/2168
15.	NOTICE OF ADOPTION ON AN AMENDED AND RESTATED DEVELOPMENT ORDER FOR THE WILSON GROVES DEVELOPMENT OF REGIONAL IMPACT	November 12, 2008	3032/1528
16.	FOURTH AMENDMENT TO ANNEXATION AGREEMENT (AMENDING OBLIGATIONS OF WILSON GROVE PARCEL OWNER)	November 19, 2009	3146/1432
17.	ACCESS AND UTILITY EASEMENT	July 1, 2010	3209/1455

18. LIMITED LIABILITY COMPANY AFFIDAVIT	November 15, 2010	3245/764
19. 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

ACR ACQUISITION, LLC

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

And found the following:

NOTHING FOUND

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.