



Edward Vogler II

ATTORNEYS AT LAW

Vogler Ashton, PLLC

2411 -A Manatee Avenue West

Bradenton, Florida 34205

[www.voglerashton.com](http://www.voglerashton.com)

Telephone: 941.388.9400 Facsimile: 941.866.7648

Kimberly Ashton

**TITLE OPINION  
FOR  
COUNTY BARN VILLAS**

**January 31, 2017**

This opinion is provided to:

The Collier County Board of County Commissioners  
3301 Tamiami Trail East  
Naples, Florida 34112

I, Kimberly Ashton, am an attorney licensed to practice in the State of Florida, and I have this 31<sup>st</sup> day of January, 2017, examined title to the following property:

**See Exhibit "A," attached hereto and incorporated herein, (the "Property").**

This Title Opinion is based upon my review of that certain Commitment for Title Insurance by Fidelity National Title Insurance Company, No. 490154-51, dated January 23, 2017, at 5:00 P.M.

Based solely upon my examination of the foregoing, and assuming the accuracy of the information contained therein, it is our opinion that:

The record title to the Property is vested in:

A) **JAXE, LLC**, a Florida limited liability company, by virtue of the Warranty Deed recorded in Official Records Book 5144, page 238, Public Records of Collier County, Florida; and,

B) **County Barn Investors, LLC**, a Florida limited liability company, by virtue of the Special Warranty Deed recorded in Official Records Book 5319, page 3259, Public Records of Collier County, Florida; and,

C) **Alice A. Keller**, as Successor Trustee of the Trust Agreement of Charles R. Keller dated March 29, 2010, by Order Determining Homestead recorded in Official Records Book 5047, Page 3522, Public Records of Collier County, Florida.

NOTE: No open mortgage(s) were found of record.


Said record titleholders have fee simple title thereto; however, subject to the following encumbrances or qualifications affecting the aforementioned described Property:

**ALL RECORDING REFERENCES ARE OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.**

1. Taxes & Assessments: a) Tax Sale Certificate No.# 00397-16 for unpaid taxes for the year 2015 under Parcel ID 0040292005; b) Taxes for the year 2016 in the gross amount of \$7,739.45 under Parcel ID: 00402920005; c) Taxes for the year 2016 in the gross amount of \$8,177.07 under Parcel ID 00403800001. [NOTE: 2016 Real Property Taxes in the gross amount of \$8,238.92 are PAID, under Parcel ID 00402960007].
2. Oil, gas, mineral or other reservations as set forth in Oil, Gas and Sulphur Lease recorded in Deed Book 9, page 560 and together with and as affected by the Partial Release recorded in Official Records Book 221, page 31.
3. Easement in favor of Florida Power & Light Company, recorded August 2, 2004 in Official Records Book 3617, page 3979, and together with and as affected by the Corrective Subordination of Utility Interests and Agreement for Reimbursement for Additional Facility Relocations recorded October 4, 2006 in Official Records Book 4116, page 3413.
4. Easement in favor of Florida Power & Light Company recorded February 3, 2005 in Official Records Book 3727, page 1088, and together with and as affected by the Corrective Subordination of Utility Interests and Agreement for Reimbursement for Additional Facility Relocations recorded October 4, 2006 in Official Records Book 4116, page 3413.
5. Collier County Ordinance No. 2005-54 creating two Municipal Service Benefit Units as evidenced by and together with the Resolution No. 2015-174, recorded September 15, 2015 in Official Records Book 5194, page 2196, as amended by Resolution No. 2016-182 recorded September 15, 2016 in Official Records Book 5314, page 776.
6. Non-Exclusive Easement for roadway purposes created by the Quit Claim Deed in favor of the State Road Department, an Agency of the State of Florida, recorded January 31, 1967 in Official Records Book 230, Page 600, as transferred to the Collier County Board of County Commissioners by that certain Quitclaim Deed recorded October 16, 1997 in Official Records Book 2355, Page 2715, Public Records of Collier County, Florida.
7. Road Right-of-Way, Drainage and Utility Easement in favor of Collier County, a political subdivision of the State of Florida, recorded June 5, 2006 in Official Records Book 4048, Page 2663, Public Records of Collier County, Florida.
8. Rights of tenants occupying part of the Property under unrecorded leases or rental agreements.

Respectfully submitted,

Vogler Ashton, PLLC

By: 

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Kimberly Ashton, its Manager  
Florida Bar No. 0485039  
2411-A Manatee Ave. W.  
Bradenton, FL 34205  
941-388-9400 x102

**COUNTY BARN VILLAS**  
(16-17-OA)

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 8, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE CENTER SECTION OF SECTION 8, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA, THENCE RUN ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 8, SOUTH 00°43'51" EAST, A DISTANCE OF 339.31 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 8; THENCE RUN ALONG SAID SOUTH LINE, NORTH 89°29'03" WEST, A DISTANCE OF 1,231.26 FEET TO A POINT ON THE RIGHT-OF WAY OF COUNTY BARN ROAD; THENCE RUN ALONG SAID RIGHT-OF-WAY, NORTH 00°42'45" WEST, A DISTANCE OF 337.84 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 8; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY, NORTH 00°43'39" WEST, A DISTANCE OF 1,012.63 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 8; THENCE RUN ALONG SAID NORTH LINE, SOUTH 89°44'27" EAST, A DISTANCE OF 1,230.25 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8; THENCE RUN ALONG SAID EAST LINE, SOUTH 00°46'20" EAST, A DISTANCE OF 1,016.69 FEET TO THE POINT OF BEGINNING.

CONTAINING 38.23 ACRES, MORE OR LESS.