

**This instrument prepared by:
Mark J. Woodward, Esquire
Woodward, Pires & Lombardo, P.A.
3200 Tamiami Trail North, Suite 200
Naples, Florida 34103
Telephone: (239) 649-6555**

**(Fiddler's Creek, Phase 2 - Water and Wastewater
Utility Conveyance)**

FINAL ATTORNEY'S AFFIDAVIT

**STATE OF FLORIDA,
COUNTY OF COLLIER,**

BEFORE ME, the undersigned authority, on this 4th day of October, 2017, personally appeared MARK J. WOODWARD (the "Affiant"), who is to me well known, and having been sworn upon oath, deposes and states:

1. My name is MARK J. WOODWARD, I am over the age of twenty-one (21) years, I am otherwise sui juris, and have personal knowledge of the facts asserted herein.

2. I am a licensed attorney, Florida Bar No. 309397, authorized to practice law in Florida and am currently practicing law in the State of Florida. My current business address is Woodward, Pires & Lombardo, P.A., 3200 Tamiami Trail North, Suite 200, Naples, Florida 34103, and my telephone number is (239) 649-6555.

3. This Affidavit is given as an inducement to the Board of County Commissioners of Collier County, Florida, as the governing body of Collier County and as Ex-Officio the Governing Board of Collier County Water-Sewer District, to conduct a final inspection of certain potable water and wastewater utility facilities and/or system(s) or portion(s) thereof located within or upon the real property described in the attached Exhibit "A", which is incorporated herein by reference, said land being located in Collier County, Florida. All of the subject utility facilities that have been conveyed to the County are located in public right-of-way and, therefore, no utility easements have been conveyed to the County with regard to said utility facilities.

4. The Affiant has examined record title information to privately owned real property where these utility facilities are located and with regard to the current state of title to the utility facilities being conveyed to the County up to and including August 22, 2016 at 10:14 a.m.

5. The record owner of the utility system(s) or portions thereof described herein is the Board of County Commissioners of Collier County, Florida, as the governing body of Collier

County and as Ex-Officio the Governing Board of the Collier County Water-Sewer District (hereinafter "County"). The County acquired its record interest by those Utility Facilities Warranty Deed and Bill of Sale recorded at Official Records Book 5306, at Page 746, of the Public Records of Collier County, Florida (copies attached marked as Exhibit "B").

6. Subsequent to the time that the County recorded its interests in the subject utility system(s) or portion(s) thereof and, if applicable, easement(s), as specified in paragraph 5 above, no interest of the County in the subject utility system(s) or portion(s) thereof and, if applicable easement, is encumbered of record by any document filed by or on behalf of the landowner in the Public Records of Collier County, Florida, and/or the Office of the Secretary of State, which has not been subordinated to the County's interest in the subject facilities and easements, if any, to the County.

7. Affiant further states that the information contained in this Affidavit is true, correct and current as of the date of the recordation of the recorded documents referenced herein which conveyed or granted the subject utility system(s) or portion(s) thereof and/or easement interests to the County.

FURTHER AFFIANT SAYETH NAUGHT.

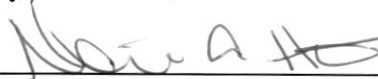


Mark J. Woodward, Esquire
Florida Bar No. 309397
Woodward, Pires & Lombardo, P.A.

**STATE OF FLORIDA,
COUNTY OF COLLIER,**

The foregoing instrument was sworn to and subscribed before me by MARK J. WOODWARD, who is personally known to me and who did take an oath.

WITNESS my hand and seal this 4th day of October, 2017.



NOTARY PUBLIC

Printed Name:

Commission Number

My Commission Expires: (SEAL)

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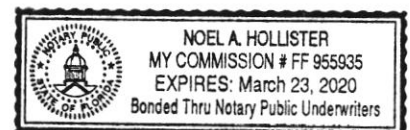


EXHIBIT “A”

FIDDLER’S CREEK – MARSH COVE, PHASE 2

Developer to County

Water

All potable air release valves, water services, and permanent bacteriological sampling points located within: Tract R-2 as shown on the Fiddler’s Creek, Marsh Cove – Phase 1 plat and as recorded in Plat Book 56, Pages 7 through 19 of the Public Records of Collier County, Florida; the County Utility Easement (“CUE”) recorded March 16, 2016 in O.R. Book 5251, Page 1671-1672, Public Records of Collier County, Florida; and Tracts R-1 and R-2 together with all CUE’s as shown on the Fiddler’s Creek, Marsh Cove – Phase 2 Plat and as recorded in Plat Book 60, Pages 94-100, of the Public Records of Collier County, Florida.

Sewer

All force main air release valves, lift station pumps and panels, and above ground check valve apparatus located within: Tract R-2 as shown on the Fiddler’s Creek, Marsh Cove – Phase 1 plat and as recorded in Plat Book 56, Pages 7 through 19 of the Public Records of Collier County, Florida; the County Utility Easement (“CUE”) recorded March 16, 2016 in O.R. Book 5251, Page 1671-1672, Public Records of Collier County, Florida; and Tracts R-1 and R-2 together with all CUE’s as shown on the Fiddler’s Creek, Marsh Cove – Phase 2 Plat and as recorded in Plat Book 60, Pages 94-100, of the Public Records of Collier County, Florida.