

ATTORNEY'S AFFIDAVIT

STATE OF FLORIDA

COUNTY OF ORANGE

BEFORE ME, the undersigned authority, on this 23rd day of March, 2018, personally appeared Sara W. Bernard, on behalf of Sara W. Bernard, P.A., who is to me well known, and having been sworn upon oath, deposes and states:

1. My name is Sara W. Bernard, I am over the age of twenty-one (21) years, am otherwise *sui juris*, and have personal knowledge of the facts asserted herein. I am executing this Attorney's Affidavit on behalf of Sara W. Bernard, P.A.
2. I am a licensed attorney, Florida Bar #0873861, authorized to practice law in Florida and am currently practicing law in the State of Florida. My business address is 390 North Orange Avenue, Suite 1400, Orlando, Florida 32801. My business telephone number is (407) 839-4211. My business mailing address is 390 North Orange Avenue, Suite 1400, Orlando, Florida 32801.
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 the Ex-Officio Governing Board of the Collier County Water-Sewer District to accept the dedication or conveyance of potable water utility system(s) or portion(s) thereof located within or upon the real property described in the attached Exhibit "A" (the "Property"), which is incorporated herein by reference, said land being located in Collier County, Florida.
4. The Affiant has examined record title information to the Property referenced in this affidavit, as reflected in First American Title Insurance Company Ownership and Encumbrance Report dated March 21, 2018 under File No. 2037-3967766 (the "O&E Report"), a copy of which is set forth in Exhibit "B", and has examined the statements made in an affidavit provided by Professional Resource Development, Inc., an Illinois corporation, to and in favor of Collier County dated March 23, 2018 and pursuant to a reliance letter to the Affiant dated March 23, 2018 (the "Owner's Affidavit"), both of which are being relied upon in making the statements hereunder.
5. The record owner of the underlying real property described herein is Cameron Partners II, LLC, a Florida limited liability company (hereinafter "Owner"). The Owner acquired record

title to the subject real property by virtue of Warranty Deed recorded in Official Records Book 4968, Page 3525, in the Public Records of Collier County, Florida.

6. Title to the subject utility system(s) or portion(s) thereof and/or easement(s), if any, being conveyed to the County is not encumbered of record.

7. Title to the Property is encumbered by the following security instruments of record: **none**.

8. Affiant further states that the information contained in this Affidavit is true, correct and current as of March 21, 2018 and Affiant is relying solely upon the O&E Report and the Owner's Affidavit in rendering the statements contained herein.

FURTHER AFFIANT SAYETH NAUGHT.

DATED this 29th day of March, 2018.

Sara W. Bernard

Attorney/Affiant's Signature – Sara W. Bernard P.A.

SUBSCRIBED AND SWORN to before me this 29th day of March, 2018, by Sara W. Bernard, on behalf of Sara W. Bernard, P.A., who is personally known to me as ✓ OR who produced identification _____.

Type of Identification Produced N/A_____.

Kailee E. Kaman

Notary Public

My Commission Expires:

Aug. 7, 2020

Printed, Typed or Stamped Name of Notary

Prepared by: Sara W. Bernard, P.A.
Broad and Cassel LLP
390 North Orange Avenue, Suite 1400
Orlando, Florida 32801

01/2005



KAILEE E. KAMAN
MY COMMISSION # GG 019075
EXPIRES: August 7, 2020
Bonded Thru Budget Notary Services

EXHIBIT "A"

PROPERTY

Tract "R" of HERITAGE BAY COMMONS - TRACT D REPLAT, according to the Plat thereof as recorded in Plat Book 58, Page(s) 2-5, of the Public Records of Collier County, Florida

(a/k/a Sage Avenue right-of-way)

EXHIBIT "B"

O&E Report

[See Attached 3 Pages]

Ownership and Encumbrance Report

First American Issuing Office: First American Title Insurance Company
2233 Lee Road
Winter Park, FL 32789

Customer Reference Number: 49953.0001
First American File Number: 2037-3967766

Prepared For: Broad and Cassel
390 N Orange Ave Ste 1400
Orlando , FL 32801

Legal Description:

Tract "R" of HERITAGE BAY COMMONS - TRACT D REPLAT, according to the Plat thereof as recorded in Plat Book 58, Page(s) 2-5, of the Public Records of Collier County, Florida.

1. Grantee(s) In Last Deed of Record:

Cameron Partners II, LLC, a Florida limited liability company, by virtue of Warranty Deed recorded in Official Records Book 4968, Page 3525, Public Records of Collier County, Florida.

2. Encumbrances/Matters Affecting Title (Includes only mortgages, liens and claims of lien (if not specifically affecting other property only), judgments (certified only), federal tax liens, bankruptcy petitions, death certificates, court orders and decrees, divorce decrees, property settlement agreements, tax warrants, incompetency proceedings and probate proceedings which may affect the title to the property described above (attach an exhibit, if necessary)):

() Exhibit Attached ("X") Exhibit Not Attached.

<u>Type of Instrument</u>	<u>O.R. Book</u>	<u>Page</u>
Utility Facilities Warranty Deed abd Bill of Sale	5250	2476
Utility Facilities Warranty Deed abd Bill of Sale	5250	2486

Customer Reference Number: 49953.0001
First American File Number: 2037-3967766

Certificate

"This Report" is a search limited to the Official Records Books as defined in Sections 28.001(1) and 28.222, Florida Statutes, from March 1, 1998 to March 19, 2018 at 8:00 a.m.. The foregoing Report accurately reflects matters recorded and indexed in the Official Records Books of Collier County, Florida, affecting title to the property described therein. This report is not an opinion of title, title insurance policy, warranty of title, or any other assurance as to the status of title and shall not be used for the purpose of issuing title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified in the property information report as the recipients of the property information report.

First American Title Insurance Company

A handwritten signature in black ink, appearing to read "Michael Abbey", is positioned above the printed name.

Michael Abbey, as SVP, Division Region Manager

Dated: 03/21/2018