

Return to:

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File Number: 195139.23

Property Appraiser's ID #: 421419070010

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is executed this 13th day of January, 2022, by **SMTT INVESTMENTS, LLC**, a Georgia limited liability company ("Grantor") whose address is 1950 Spectrum Circle, Suite 360, Marietta, Georgia 30067, to **ORMOND BEACH HOLDINGS, LLC**, a South Carolina limited liability company ("Grantee") whose address 20 Overbrook Court, Suite 400, Greenville, South Carolina 29607.

"Grantor" and "Grantee" are used for singular or plural, as context requires.

WITNESSETH that Grantor, for the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee the property described on **Exhibit "A"** attached hereto (the "Property").

TO HAVE AND TO HOLD the Property, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee forever in FEE SIMPLE, subject to the matters set forth on **Exhibit "B"** attached hereto and made a part hereof by this reference.

AND Grantor hereby covenants to warrant and defend the title to the land hereby conveyed from any and all lawful claims which arise by, through or under Grantor, but against no others, except for the exceptions specified on **Exhibit "B"** attached hereto. Grantor hereby covenants with the Grantee that it is lawfully seized of the Property in fee simple; that it has good right and lawful authority to sell and convey the Property.

[signature page to follow]

IN WITNESS WHEREOF, Grantor has signed and sealed this Deed, the day, month and year first above written.

Signed, sealed and delivered as to all Grantors in the presence of:

SMTT INVESTMENTS, LLC.,
a Georgia limited liability company

[Signature]
Signature of Witness 1
David Weissman
Print Name of Witness 1

By: [Signature]
Zaid Toukan, Manager

[Signature]
Signature of Witness 2
Mark Eyster
Print Name of Witness 2

STATE OF Georgia
COUNTY OF FULTON

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of [X] physical presence or [] online notarization, this 12th day of January, 2022, by Zaid Toukan, as Manager of SMTT Investments, LLC, a Georgia limited liability company corporation, on behalf of the Limited Liability Company. He is personally known to me or has produced _____ as identification.

NOTARY PUBLIC:

Sign Dorothy D. Reyelts
Print Dorothy D. Reyelts
State of Georgia at Large (Seal)
My Commission Expires: 11-4-2025



EXHIBIT A

LEGAL DESCRIPTION

PARCEL "A":

Lots 1, 2, 3, 4 and 5, of RE-SUBDIVISION BLOCK "G", ORMOND PARKWAY, according to the Map thereof, as recorded in Map Book 8, Page 196, of the Public Records of Volusia County, Florida. EXCEPTING from the above described property any portion thereof lying Westerly of the Easterly right of way line of South Atlantic Avenue (State Road A-1-A).

PARCEL "B":

The North 100 feet of the South 368 feet of Lot 18-B, MAP OF THE ASSESSOR'S SUBDIVISION OF ORMOND BEACH, according to the Map thereof, as recorded in Map Book 3, Page 108, of the Public Records of Volusia County, Florida. EXCEPTING from the above described property any portion thereof lying Westerly of the Easterly right of way line of South Atlantic Avenue (State Road A-1-A).

Exhibit "B"

Permitted Exceptions

1. Real estate taxes for the year 2022 and subsequent years, a lien not yet due and payable.
2. Restrictions, Dedications and Easements as contained on the Plat of RE-SUBDIVISION BLOCK "G" ORMOND PARKWAY recorded in Plat Book 8, Page 196.
3. Restrictions, Dedications and Easements as shown on the Plat of MAP OF THE ASSESSOR'S SUBDIVISION OF ORMOND BEACH recorded in Map Book 3, Page 108.
4. Right of Reverter reserved by Florida Power and Light Company contained in that certain Quit Claim Deed to the State of Florida recorded May 10, 1972, in Official Records Book 1421, Page 100.
5. Easement to Florida Power and Light Company recorded April 3, 1973, in Official Records Book 1566, Page 587, Partial Release of Easement recorded August 10, 2011 in Official Records Book 6620, Page 3862.
6. Rights, if any, of the public to use as a public beach or recreation area any part of the land lying between the body of water abutting the subject property and the natural line of vegetation, bluff, extreme high water line, or other apparent boundary line separating the publicly used area from the upland private area.
7. Any land described in Schedule A which is artificially filled land in what was formerly navigable waters, is subject to the rights of the United States government, arising by said government's control over navigable waters involving navigation and commerce.
8. Coastal construction setback/control line as recorded and filed from time to time in the Public Records of Volusia County, Florida; and if the subject property abuts the mean highwater line of the Gulf of Mexico, Atlantic Ocean, or the Straits of Florida, the right to use such property may be affected by the provisions of Sections 161.052 and 161.053, Florida Statutes.
9. The following matters as disclosed by survey prepared by Dewberry, under Job No. [REDACTED] on Survey dated October 22, 2021:
 - a. Concrete drives, asphalt pad, concrete curbs encroach into Right of Way of A-1-A Atlantic Avenue lying West of the Westerly, Southwesterly property line.
 - b. Concrete drives, asphalt pad, concrete curbs encroach over 15 foot utility easement along the Westerly, Southwesterly property line.
 - c. Concrete curb and concrete apron encroaches into Right of Way of Seminole Avenue Approach lying North of the North and Northwesterly property line.

11/17/1999 16:33
Doc stamps 48189.40
(Transfer Amt \$6884188)
Instrument # 1999-226866
Book: 4495
Page: 3570

This instrument prepared by
and return after recording by:
Harold C. Hubka
Post Office Drawer 265669
Daytona Beach, FL 32126-5669

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made November 11, 1999, between Medical Center of Santa Rosa, Inc., a Florida corporation whose post office address is One Park Plaza, Nashville, Tennessee 37203 (hereinafter the "Grantor") and Memorial Health Systems, Inc., a Florida not-for-profit corporation whose post office address is 770 West Granada Boulevard, Suite 301, Ormond Beach, Florida 32174 (hereinafter the "Grantee").

WITNESSETH

For and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged by the Grantor, the Grantor does hereby grant, bargain, sell and convey to the Grantee and Grantee's successors and assigns, all of that certain property (hereinafter the "Property") situated in Volusia County, Florida and more particularly described as follows:

All that certain real property described in Exhibit "A" attached hereto and incorporated herein by reference, and all improvements thereon (all of the same herein called the "Property").

Subject to all those matters set out in Exhibit "B" attached hereto and incorporated herein by reference to the extent such matters are in force and affect the Property.

Tax identification parcel numbers: 4214-18-05-0070; 4214-18-06-0010; 4214-20-02-0010; and 4214-20-04-0010.

The Grantor hereby covenants with the Grantee (i) that Grantor is lawfully seized of the Property in fee simple, (ii) that Grantor has good right and lawful

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authority to sell and convey the Property, and (iii) that Grantor hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but not otherwise.

IN WITNESS WHEREOF, the Grantor has caused this Special Warranty Deed to be executed on its behalf by its duly authorized officer on the day and year stated above.

Franklin A. Berryman
Signature of first witness

Medical Center of Santa Rosa, Inc.,
a Florida corporation

FRANKLIN A. BERRYMAN
Printed name of first witness

By: *V. Carl George*
V. Carl George
~~Senior Vice President-Development~~

H. Hubka
Signature of second witness

HAROLD C. HUBKA
Printed name of second witness

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The foregoing instrument was acknowledged before me on November 14th, 1999, by V. Carl George as the ~~Senior Vice President-Development~~ of Medical Center of Santa Rosa, Inc., a Florida corporation, on behalf of the corporation. He is (check one) personally known to me or has produced his Tennessee driver's license as identification.

Don Williams
Notary Public, State of Tennessee at Large

My Commission Expires Nov. 27, 1999

EXHIBIT "A" d/b/a ATLANTIC MEDICAL CENTER - ORMOND;
f/k/a PENINSULA MEDICAL CENTER

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MEETS AND BOUNDS LEGAL DESCRIPTION INCLUDING FOUR (4) NON CONTIGUOUS PARCELS:

PARCEL NORTH OF ORMOND PARKWAY: A PORTION OF BLOCK "E", ORMOND PARKWAY SUBDIVISION, AS PER MAP RECORDED IN MAP BOOK 11, PAGE 18, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE CONCRETE MONUMENT MARKING THE SOUTHWEST CORNER OF LOT 10, SAID BLOCK "E"; THENCE NORTH 25 DEGREES, 00 MINUTES, 00 SECONDS WEST, 104.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 10; THENCE NORTH 64 DEGREES, 56 MINUTES, 15 SECONDS EAST, ALONG THE NORTHERLY LINE OF SAID BLOCK "E", 209.55 FEET TO THE NORTHEAST CORNER OF LOT 7, SAID BLOCK "E"; THENCE SOUTH 25 DEGREES, 00 MINUTES, 00 SECONDS EAST, ALONG THE EASTERLY LINE OF SAID LOT 7, 104.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 7; THENCE SOUTH 64 DEGREES, 56 MINUTES, 15 SECONDS WEST, ALONG THE SOUTH LINE OF SAID BLOCK "E", 209.42 FEET TO THE POINT OF BEGINNING;

ALSO,

PARCEL SOUTH OF ORMOND PARKWAY AND NORTH OF VALENCIA DRIVE: A PORTION OF BLOCK "A", ROCKEFELLER HEIGHTS, SUBDIVISION, AS PER MAP RECORDED IN MAP BOOK 6, PAGE 210, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA AND A PORTION OF BLOCK "F", SAID ORMOND PARKWAY SUBDIVISION, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE 1/2 INCH IRON PIPE MARKING THE NORTHWEST CORNER OF THE EASTERLY 40 FEET OF LOT 8, SAID BLOCK "F"; THENCE NORTH 64 DEGREES, 56 MINUTES, 15 SECONDS EAST, ALONG THE NORTH LINE OF SAID BLOCK "F", 436.01 FEET TO THE CURRENT (1996) WESTERLY RIGHT OF WAY LINE OF SOUTH ATLANTIC AVENUE (STATE ROAD A-1-A), SAID POINT BEING A 3/4 INCH IRON PIPE; THENCE SOUTH 26 DEGREES, 30 MINUTES, 18 SECONDS EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, 105.12 FEET TO A JOG IN SAID RIGHT OF WAY LINE; THENCE EASTERLY ALONG SAID JOG, 2.10 FEET; THENCE SOUTH 25 DEGREES, 00 MINUTES, 45 SECONDS EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, 220.03 FEET TO A POINT ON A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 3 DEGREES, 53 MINUTES, 57 SECONDS; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 1.36 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS SOUTH 63 DEGREES, 03 MINUTES, 10 SECONDS WEST, A DISTANCE OF 1.36 FEET TO THE END OF SAID CURVE; THENCE SOUTH 65 DEGREES, 00 MINUTES, 08 SECONDS WEST, ALONG THE SOUTH LINE OF SAID BLOCK "A", 81.79 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 90 DEGREES, 00 MINUTES, 00 SECONDS; THENCE WESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 78.54 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS NORTH 69 DEGREES, 59 MINUTES, 57 SECONDS WEST, A DISTANCE OF 70.71 FEET TO THE END OF SAID CURVE; THENCE NORTH 24 DEGREES, 59 MINUTES, 52 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID BLOCK "A", 14.98 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 90 DEGREES, 00 MINUTES, 00 SECONDS; THENCE NORTHERLY AND WESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 78.54 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS NORTH 89 DEGREES, 59 MINUTES, 52 SECONDS WEST, A DISTANCE OF 70.71 FEET TO THE END OF SAID CURVE; THENCE SOUTH 65 DEGREES, 00 MINUTES, 08 SECONDS WEST, ALONG THE SOUTH LINE OF SAID BLOCK "A", 225.17 FEET TO THE IRON PIPE MARKING THE SOUTHWEST CORNER OF THE EAST 1/2 OF LOT 10, SAID BLOCK "A"; THENCE NORTH 25 DEGREES, 16 MINUTES, 54 SECONDS WEST, ALONG THE WEST LINE OF THE SAID EAST 1/2 OF LOT 10, 105.13 FEET TO AN IRON PIPE MARKING THE NORTHWEST CORNER OF SAID EAST 1/2 OF LOT 10; THENCE SOUTH 65 DEGREES, 04 MINUTES, 47 SECONDS WEST, ALONG THE SOUTHERLY LINE OF LOT 8, SAID BLOCK "F", ORMOND PARKWAY SUBDIVISION, 31.88 FEET TO A CONCRETE MONUMENT MARKING THE SOUTHWEST CORNER OF THE EASTERLY 40 FEET OF SAID LOT 8, BLOCK "F"; THENCE NORTH 25 DEGREES, 06 MINUTES, 49 SECONDS WEST, ALONG THE WEST LINE OF SAID EASTERLY 40 FEET OF LOT 8, BLOCK "F", 103.77 FEET TO THE POINT OF BEGINNING;

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ALSO,

PARCEL SOUTH OF MAGNOLIA DRIVE: A PORTION OF BLOCK "B", ROCKEFELLER HEIGHTS SUBDIVISION, AS PER MAP RECORDED IN MAP BOOK 6, PAGE 210, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE 1/2 INCH IRON PIPE MARKING THE NORTHWEST CORNER OF LOT 10, SAID BLOCK "B"; THENCE NORTH 65 DEGREES, 00 MINUTES, 08 SECONDS EAST, ALONG THE NORTHERLY LINE OF SAID BLOCK "B", 250.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 50.28 FEET AND A CENTRAL ANGLE OF 89 DEGREES, 41 MINUTES, 00 SECONDS; THENCE EASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 78.70 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS NORTH 20 DEGREES, 09 MINUTES, 38 SECONDS EAST, A DISTANCE OF 70.91 FEET TO THE END OF SAID CURVE; THENCE NORTH 24 DEGREES, 40 MINUTES, 52 SECONDS WEST, ALONG THE WESTERLY LINE OF LOT 1, SAID BLOCK "B", 15.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 89 DEGREES, 41 MINUTES, 00 SECONDS; THENCE NORTHERLY AND EASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 78.70 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS NORTH 20 DEGREES, 09 MINUTES, 38 SECONDS EAST, A DISTANCE OF 70.91 FEET TO THE END OF SAID CURVE; THENCE NORTH 65 DEGREES, 00 MINUTES, 08 SECONDS EAST, ALONG THE NORTHERLY LINE OF LOT 1, SAID BLOCK "B", 81.41 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 05 DEGREES, 56 MINUTES, 26 SECONDS; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 2.07 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS NORTH 67 DEGREES, 58 MINUTES, 21 SECONDS EAST, A DISTANCE OF 2.07 FEET TO THE END OF SAID CURVE AND TO A POINT ON THE CURRENT WESTERLY RIGHT OF WAY LINE OF SOUTH ATLANTIC AVENUE; THENCE SOUTH 24 DEGREES, 58 MINUTES, 37 SECONDS EAST, ALONG THE SAID CURRENT WESTERLY RIGHT OF WAY LINE OF SOUTH ATLANTIC AVENUE, 169.89 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF LOT 3, SAID BLOCK "B"; THENCE SOUTH 64 DEGREES, 59 MINUTES, 48 SECONDS WEST, ALONG THE SOUTHERLY LINE OF SAID LOT 3, 184.34 FEET TO THE IRON PIPE MARKING THE NORTHWEST CORNER OF THE SOUTHERLY 50 FEET OF LOT 5, SAID BLOCK "B"; THENCE SOUTH 24 DEGREES, 48 MINUTES, 02 SECONDS EAST, ALONG THE EASTERLY LINE OF LOT 6, SAID BLOCK "B", 49.62 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 65 DEGREES, 09 MINUTES, 33 SECONDS WEST, ALONG THE SOUTH LINE OF SAID BLOCK "B", 250.00 FEET TO THE SOUTHWEST CORNER OF LOT 10; THENCE NORTH 24 DEGREES, 44 MINUTES, 02 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 10, 105.00 FEET TO THE POINT OF BEGINNING,

ALSO,

PARCEL SOUTH OF VALENCIA DRIVE AND NORTH OF MAGNOLIA DRIVE: A PORTION OF BLOCK "D", ROCKEFELLER HEIGHTS SUBDIVISION, AS PER MAP RECORDED IN MAP BOOK 6, PAGE 210, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE IRON PIPE AND CAP MARKING THE NORTHWEST CORNER OF LOT 26, SAID BLOCK "D"; THENCE NORTH 65 DEGREES, 00 MINUTES, 08 SECONDS EAST, ALONG THE NORTHERLY LINE OF SAID BLOCK "D", 119.81 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 49.91 FEET AND A CENTRAL ANGLE OF 90 DEGREES, 06 MINUTES, 00 SECONDS; THENCE EASTERLY AND SOUTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 78.49 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS SOUTH 69 DEGREES, 56 MINUTES, 52 SECONDS EAST, A DISTANCE OF 70.65 FEET TO THE END OF SAID CURVE; THENCE SOUTH 24 DEGREES, 53 MINUTES, 52 SECONDS EAST, ALONG THE EASTERLY LINE OF SAID BLOCK "D", 110.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 50.09 FEET AND A CENTRAL ANGLE OF 89 DEGREES, 54 MINUTES, 00 SECONDS; THENCE SOUTHERLY AND WESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 78.59 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS SOUTH 20 DEGREES, 03 MINUTES, 09 SECONDS WEST, A DISTANCE OF 70.78 FEET TO THE END OF SAID CURVE; THENCE SOUTH 65 DEGREES, 00 MINUTES, 09 SECONDS WEST, ALONG THE SOUTHERLY LINE OF SAID BLOCK "D", 170.00 FEET TO THE IRON PIPE

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MARKING THE SOUTHWEST CORNER OF LOT 6, SAID BLOCK "D"; THENCE NORTH 24 DEGREES, 59 MINUTES, 51 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID LOT 6, 105.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 6; THENCE NORTH 64 DEGREES, 51 MINUTES, 22 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 8, 49.65 FEET TO THE SOUTHWEST CORNER OF LOT 26, SAID BLOCK "D"; THENCE NORTH 24 DEGREES, 50 MINUTES, 22 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID LOT 26, 105.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE PROPERTY BEING ALSO KNOWN AS:

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, AND EAST 1/2 OF LOT 10, BLOCK "A"; LOTS 1, 2, 3, AND 5, EXCEPT THE SOUTHERLY 50 FEET THEREOF, AND LOTS 6, 7, 8, 9, AND 10, BLOCK "B", LOTS 1, 2, 3, 4, 5, 6, AND 26, BLOCK "D", ROCKEFELLER HEIGHTS, AS PER MAP RECORDED IN MAP BOOK 8, PAGE 210, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

LOTS 7, 8, 9, 10 OF BLOCK "E"; LOTS 1, 2, 3, 4, 5, 6, 7, AND EASTERLY 40 FEET OF LOT 8, BLOCK "F", ORMOND PARKWAY, AS PER MAP RECORDED IN MAP BOOK 11, PAGE 19, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION TAKEN FOR ROAD RIGHT OF WAY.

EXHIBIT "B" - ORMOND

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1. Taxes for the year 1999 and thereafter and taxes or assessments which are not shown as existing liens by the public records or which may be levied or assessed subsequent to the date hereof. Said taxes become a lien as of January 1 of each year, but are not due and payable until November 1 of that same year, pursuant to Section 197.333, F.S..
2. Reservations in favor of Trustees of the Internal Improvement Fund of the State of Florida, as contained in No. 1930, dated April 11, 1945 and recorded April 30, 1945 in Deed Book 315, page 394 (as to Lot 2, Block B, Rockefeller Heights), of the Public Records of Volusia County, Florida, which provide as follows:

- a) "AS TO LANDS IN TRACTS OR COMPOSITE TRACTS AGGREGATING TEN (10) ACRES OR MORE: RESERVING unto the State of Florida the title to an undivided one-half of all petroleum and petroleum products and title to an undivided three-fourths of all other minerals which may be found on or under the said land, together with the right to explore for and to mine and develop the same."

The right of entry for mining and exploration in said reservations has been released by Section 270.11, F.S..

- b) "RESERVING unto the State of Florida easement for state road right of way two hundred (200) feet wide lying equally on each side of the center line of any state road existing on the date of this deed through so much of any parcel herein described as is within one hundred (100) feet of said center line."
3. Reservations in favor of Trustees of the Internal Improvement Fund of the State of Florida, as contained in No. 2066, dated July 30, 1945 and recorded September 10, 1945 in Deed Book 323, page 37 (as to Lots 5, 9 and 10, Block A, Rockefeller Heights), of the Public Records of Volusia County, Florida, which provide as follows:

"AS TO ALL LANDS, there is reserved unto the State of Florida the title to an undivided one-half of all petroleum and petroleum products, and title to an undivided three-fourths of all other minerals which may be found on or under said land, together with the privilege outside any municipality, this date, to explore for and to mine and develop same. Said privilege to explore, mine and develop is to be conducted on and under lands inside any municipality, this date, only with the consent of the surface owner."

The right of entry for mining and exploration in said reservations has been released by Section 270.11, F.S..

4. Reservations in favor of Trustees of the Internal Improvement Fund of the State of Florida, as contained in No. 2062, dated July 30, 1945 and recorded September 10, 1945 in Deed Book 323, page 30 (as to Lot 6, Block A, Rockefeller Heights), of the Public Records of Volusia County, Florida, which provide as follows:

"AS TO ALL LANDS, there is reserved unto the State of Florida the title to an undivided one-half of all petroleum and petroleum products, and title to an undivided three-fourths of all other minerals which may be found on or under said land, together with the privilege outside any municipality, this date, to explore for and to mine and develop same. Said privilege to explore, mine and develop is to be conducted on and under lands inside any municipality, this date, only with the consent of the surface owner."

The right of entry for mining and exploration in said reservations has been released by Section 270.11, F.S..

5. Reservations in favor of Trustees of the Internal Improvement Fund of the State of Florida, as contained in No. 2229, dated October 30, 1945 and recorded November 23, 1945 in Deed Book 323, page 243 (as to Lots 1 through 4, Block F, Rockefeller Heights), of the Public Records of Volusia County, Florida, which provide as follows:

"AS TO ALL LANDS, there is reserved unto the State of Florida the title to an undivided one-half of all petroleum and petroleum products, and title to an undivided three-fourths of all other minerals which may be found on or under said land, together with the privilege outside any municipality, this date, to explore for and to mine and develop same. Said privilege to explore, mine and develop is to be conducted on and under lands inside any municipality, this date, only with the consent of the surface owner."

The right of entry for mining and exploration in said reservations has been released by Section 270.11, F.S..

6. Easement in favor of City of Ormond Beach contained in instrument dated November 13, 1962 and recorded December 13, 1962 in Official Records Book 495, page 701, of the Public Records of Volusia County, Florida.
7. Restrictions, covenants and conditions as contained in the Warranty Deed dated April 15, 1964 and recorded April 21, 1964 in Official Records Book 618, page 65, of the Public Records of Volusia County, Florida.

8. Easement in favor of City of Ormond Beach contained in instrument dated January 9, 1956 and recorded March 14, 1956 in Deed Book 552, page 203, of the Public Records of Volusia County, Florida.
9. Easement in favor of City of Ormond Beach contained in instrument dated December 27, 1962 and recorded December 31, 1962 in Official Records Book 500, page 248, of the Public Records of Volusia County, Florida.
10. Easement in favor of Southern Bell Telephone and Telegraph Company contained in instrument dated July 3, 1969 and recorded July 15, 1969 in Official Records Book 1112, page 593, of the Public Records of Volusia County, Florida.
11. Easement in favor of Florida Power and Light Company contained in instrument dated August 5, 1983 and recorded September 8, 1983 in Official Records Book 2487, page 224, of the Public Records of Volusia County, Florida.
12. Building setback lines as shown on the plat of Rockefeller Heights recorded in Map Book 6, Page 210, Public Records of Volusia County, Florida.
13. Terms, conditions, restrictions and other limitations set forth in the Conditional Use Permit recorded August 9, 1995 in Official Records Book 4027, page 2177 being amended by Resolution No. 97-113 recorded 4225, page 1698 and by the Amended Conditional Use Permit recorded in Official Records Book 4225, page 1702, Public Records of Volusia County, Florida.
14. Restrictions, covenants, conditions and easements as contained in the Declaration of Covenants and Restrictions recorded November 13, 1997 in Official Records Book 4251, page 3699, of the Public Records of Volusia County, Florida.
15. Terms, conditions and provisions of the unrecorded First Union National Bank Specialty Branch License Agreement dated June 5, 1997, and the unrecorded First Union National Bank ATM License Agreement dated June 5, 1997.
16. Encroachment of Asphalt Parking Area, concrete curb for island and concrete curbing onto the Reservation for Right-of-Way, held by the Trustees of the Internal Improvement Fund as recorded in Deed Book 315, page 394, of the Public Records of Volusia County, Florida (as to Lot 2, Block B, Rockefeller Heights) as disclosed on survey prepared by Sliger & Associates, Inc., dated November 9, 1999.
17. Encroachments of concrete walk onto the Right-of-Way of Valencia Drive, as disclosed on survey prepared by Sliger & Associates, Inc., dated November 9, 1999.

18. Easement rights, if any, in and to the Light Poles lying within Lots 1, 2 and 7, Block B, Lots 1, 4 and 8, Block A, and Lots 2, 3, 5 and 26, Block D, Rockefeller Heights, as disclosed on survey prepared by Sliger & Associates, Inc., dated November 9, 1999.
19. Easement rights, if any, to Sanitary Manholes lying within Lots 1 and 5, Block A, Rockefeller Heights and Lots 9 and 10, Block E, Ormond Parkway, as disclosed on survey prepared by Sliger & Associates, Inc., dated November 9, 1999.
20. Easement rights, if any, in and to Power Poles lying within Lots 6 and 10, Block B, Rockefeller Heights, as disclosed on survey prepared by Sliger & Associates, Inc., dated November 9, 1999.
21. Propane Valves and Concrete Curb and Parking encroaches onto Florida Power & Light Company easement recorded in Official Records Book 2487, page 224, lying within Lot 8, Block F, Rockefeller Heights, as disclosed by survey prepared by Sliger & Associates, dated November 9, 1999.
22. Taxes for the year 1999 and any taxes and assessments levied or assessed subsequent to the date hereof. Said taxes become a lien as of January 1, 1999, but are not due and payable until November 1, 1999, pursuant to section 197.333 F.S..
23. 3 Story Masonry Building - Hospital running over and across the 5 foot Southern Bell Easement recorded in Official Records Book 1112, page 593, as disclosed on survey prepared by Sliger & Associates, Inc., dated November 9, 1999.
24. 3 Story Masonry Building - Hospital running over and across the Florida Power & Light Company easement recorded in Official Records Book 2487, page 224 lying within Lot 4, Block F, Rockefeller Heights, as disclosed by Survey prepared by Sliger & Associates, Inc., dated November 9, 1999.