

PREPARED BY:

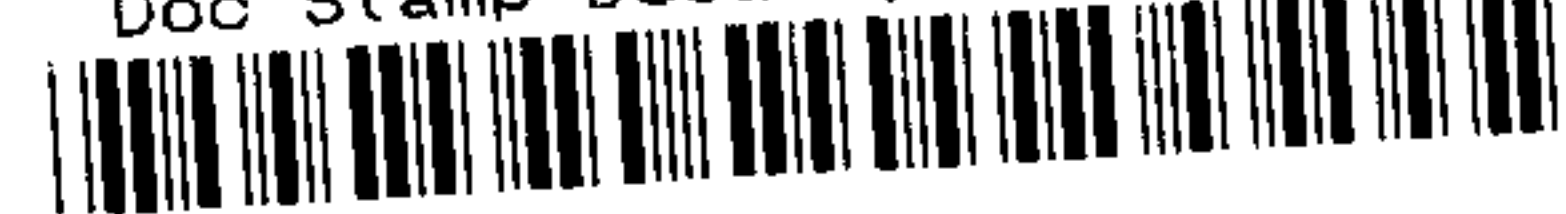
Friedlander Misler, PLLC  
5335 Wisconsin Avenue, NW  
Suite 600  
Washington, DC 20015  
Attn: Thomas A. Gravely

TAX FOLIO: 0046010002

AFTER RECORDING RETURN TO:

Kevin A. Denti, Esquire  
Kevin A. Denti, P.A.  
2180 Immokatee Road, Suite 316  
Naples, Florida 34110

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2015058312 6 PG(S)  
May 13, 2015 11:03:47 AM  
KAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FL

Doc Stamp-Deed: \$50,774.50  


**SPECIAL WARRANTY DEED**

THE STATE OF FLORIDA           §  
  §       KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF SARASOTA       §

THAT, **GATEWAY C FUND VII, L.P.**, a Delaware limited partnership ("Grantor"), whose mailing address is c/o TA Associates Realty, 28 State Street, 10<sup>th</sup> Floor, Boston, Massachusetts 02109, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid to Grantor by **SARASOTA COMMERCE CENTER LLC**, a Florida limited liability company ("Grantee"), whose mailing address is c/o TerraCap Management, LLC, 23421 Walden Center Drive, Suite 300, Bonita Springs, Florida 34134, the receipt and sufficiency of such consideration being hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto Grantee that certain real property being more particularly described in Exhibit A attached hereto and made a part hereof for all purposes, together with all improvements, structures and fixtures situated thereon (collectively, the "Property"); subject, however, to those matters more particularly described in Exhibit B attached hereto and made a part hereof for all purposes (collectively, the "Permitted Exceptions").

TO HAVE AND TO HOLD the Property, together with all and singular the rights, and appurtenances thereto in anywise belonging, unto Grantee, its successors and assigns forever, subject to the Permitted Exceptions; and Grantor does hereby bind itself and its successors to WARRANT AND FOREVER DEFEND all and singular the Property, subject to the Permitted Exceptions, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or claim the same, or any part thereof, by, through, or under Grantor, but not otherwise.

It is the intention of Grantor that the 24-foot wide easement referred to in the legal description attached hereto shall not merge into the fee title to the servient parcel burdened thereby. Notwithstanding the foregoing, Grantor provides no warranty with respect to such intended non-merger.

IN WITNESS WHEREOF, this instrument has been executed as of (but not necessarily on) this 7th day of May, 2015.

**GRANTOR:**

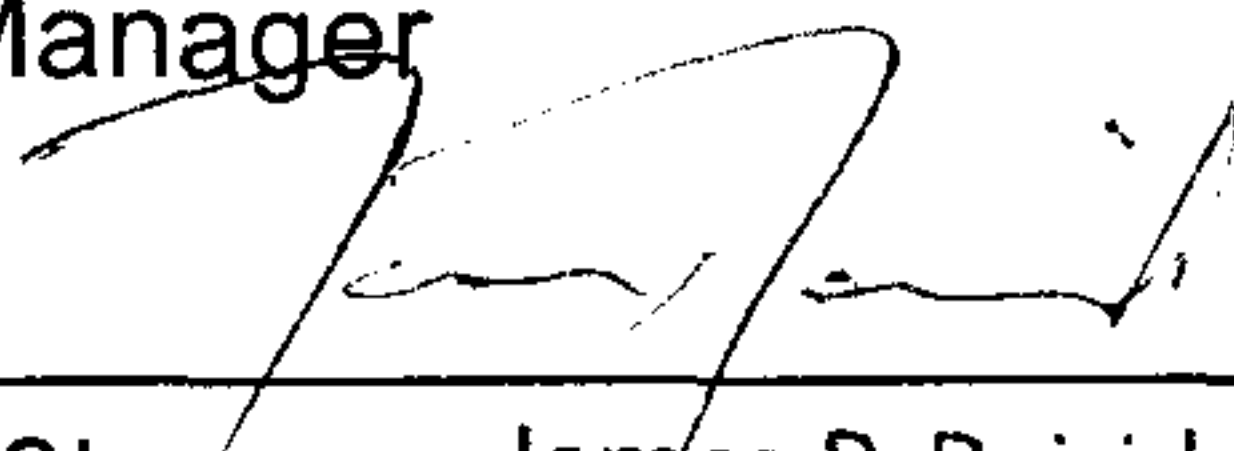
**GATEWAY C FUND VII, L.P.,**  
a Delaware limited partnership

By: Gateway C Fund VII, LLC,  
a Delaware limited liability company  
its General Partner

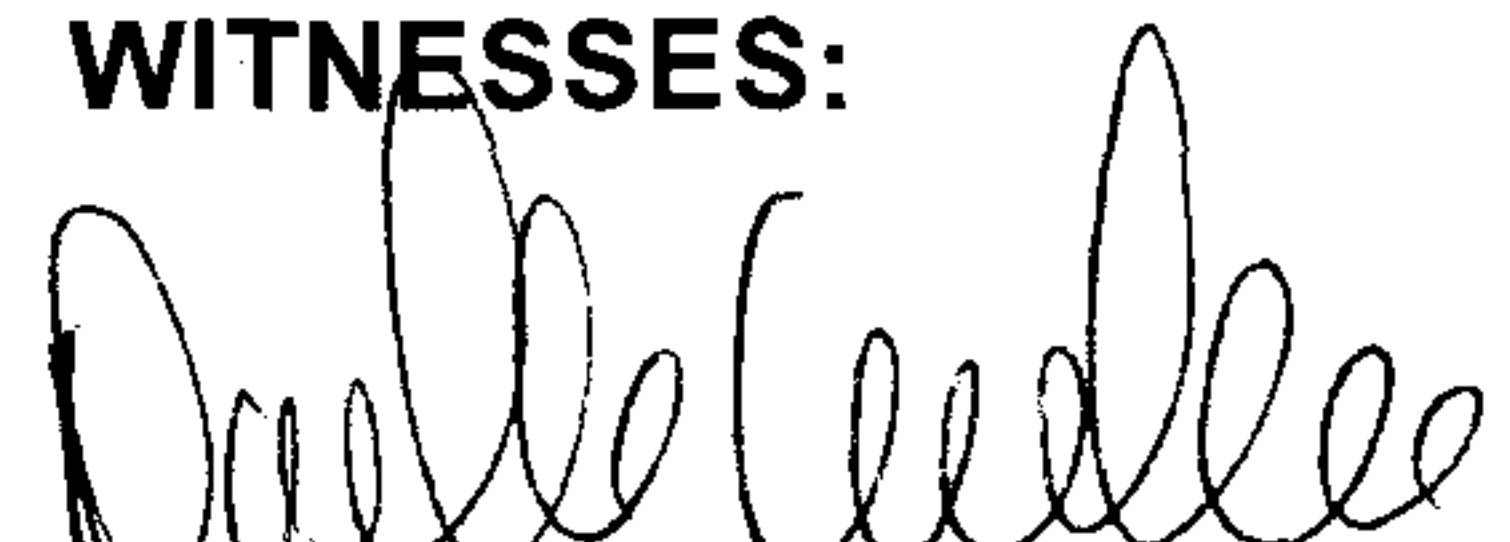
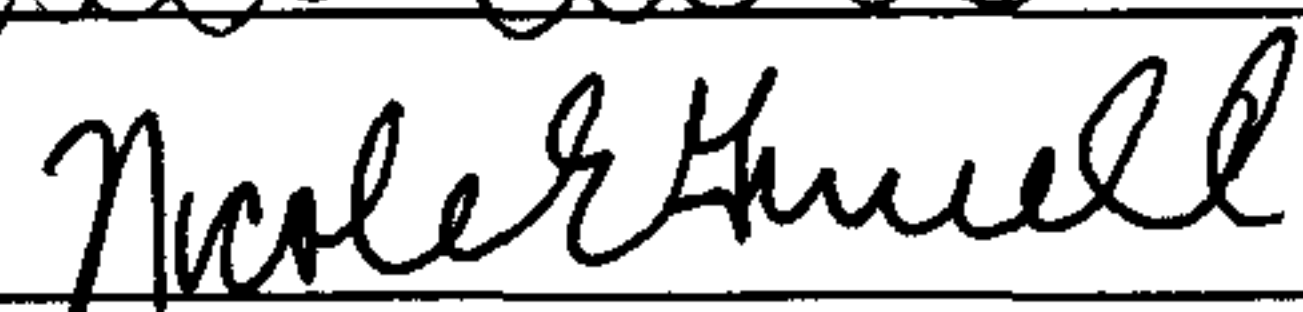
By: The Realty Associates Fund VII, L.P.,  
a Delaware limited partnership,  
its Sole Member

By: Realty Associates Fund VII LLC,  
a Massachusetts limited liability company,  
its General Partner

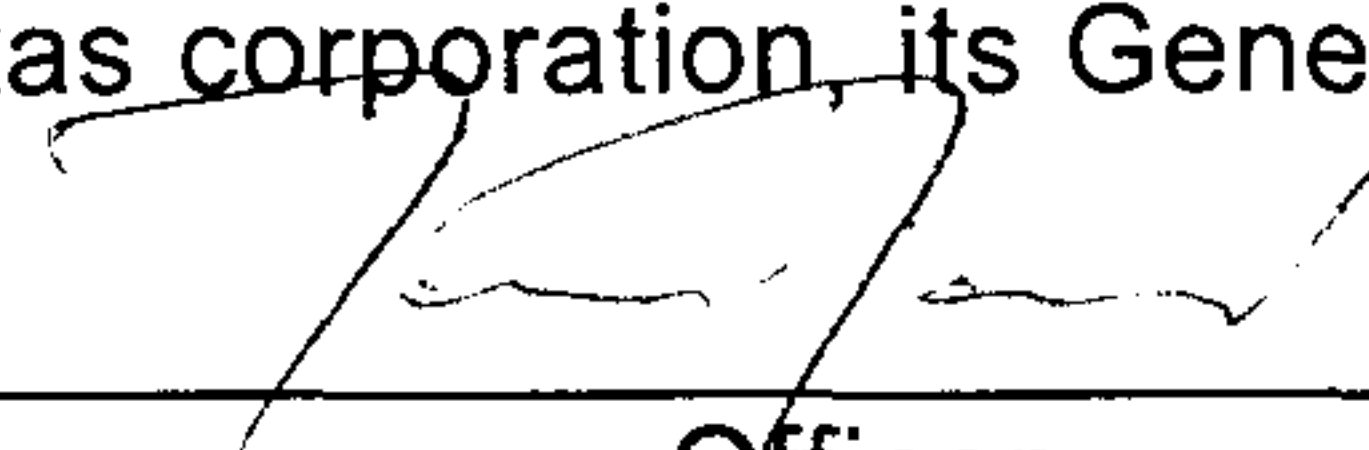
By: TA Realty LLC,  
a Massachusetts limited liability company,  
its Manager

By:   
Name: James P. Raisides  
Title: Sr. Vice President

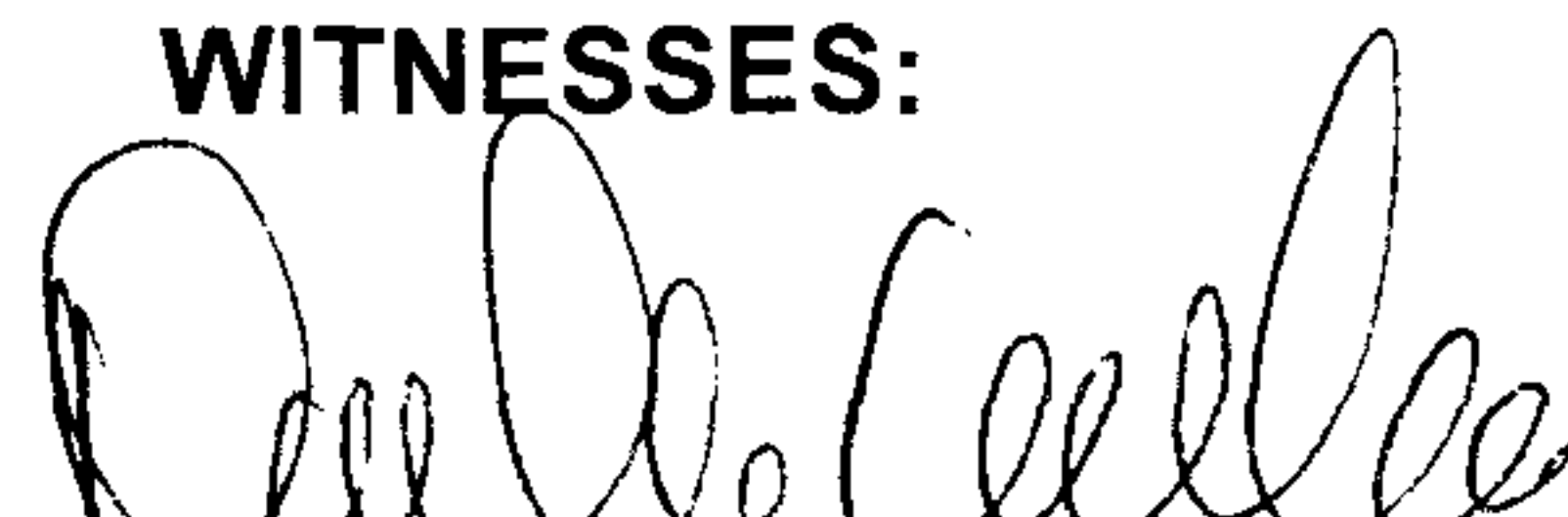
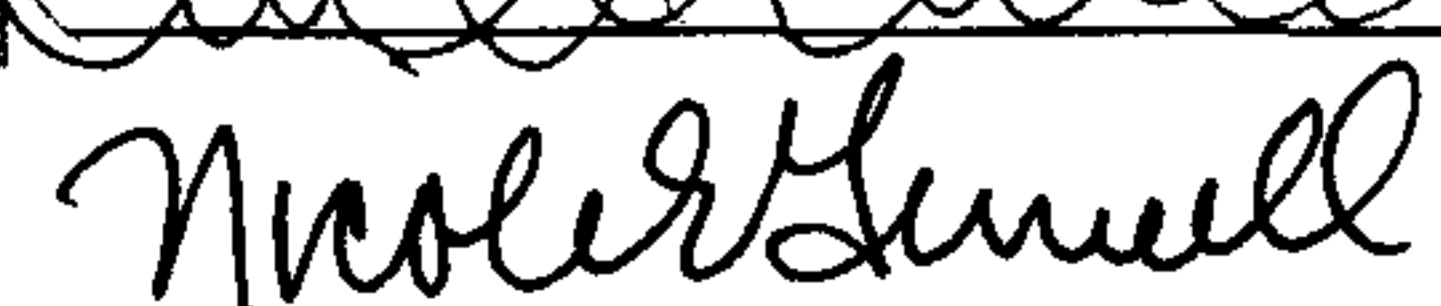
**WITNESSES:**

By: Realty Associates Fund VII Texas Corporation,  
a Texas corporation, its General Partner

By:   
Officer

**WITNESSES:**

James P. Raisides  
Sr. Vice President



THE STATE OF Massachusetts §

COUNTY OF Suffolk §

On May 5, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared James P. Raisides, a Sr. Vice President of TA Realty LLC, in its capacity as manager of Realty Associates Fund VII LLC, in its capacity as general partner of The Realty Associates Fund VII, L.P., in its capacity as sole member of Gateway C Fund VII, LLC, in its capacity as general partner of GATEWAY C FUND VII, L.P., a Delaware limited partnership, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

(SEAL)



ALYSSA HEALY  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires July 23, 2021

[Signature]  
Notary Public in and for the said State

THE STATE OF Massachusetts §

COUNTY OF Suffolk §

On May 5, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared James P. Raisides, a Sr. Vice President of Realty Associates Fund VII Texas Corporation, in its capacity as general partner of The Realty Associates Fund VII, L.P., in its capacity as sole member of Gateway C Fund VII, in its capacity as general partner of GATEWAY C FUND VII, L.P., a Delaware limited partnership, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

(SEAL)



ALYSSA HEALY  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires July 23, 2021

[Signature]  
Notary Public in and for the said State

## **EXHIBIT A**

### **LEGAL DESCRIPTION**

#### **551 N. Cattlemen Road**

A parcel of land in Section 24, Township 36 South, Range 18 East, Sarasota County, Florida, described as follows:

Commence at the Northwest corner of Lot 5, GATEWAY TO SARASOTA, PHASE I, as recorded in Plat Book 39, Pages 12 and 12A, of the Public Records of Sarasota County, Florida; thence along a line that lies 54 feet East of the East line of Parcel 4, as shown on the aforementioned plat of GATEWAY TO SARASOTA, PHASE 1, North 00° 24'36" East, 242.70 feet; thence leaving said line South 89° 35'24" East, 265.48 feet to a Point of Beginning; thence North 00° 24'36" East, 24 feet; thence North 46° 53'36" East, 181.37 feet; thence North 43° 06'24" West, 212.68 feet; thence to its intersection with the Southerly Right-of-Way line of Cattlemen Road (100' Right-of-Way), and along a radial line North 9° 27'50" West, 71.67 feet to a point on a curve concave to the North, having a radius of 770.00 feet and a central angle of 57° 00'27"; thence along the arc of said curve, 766.13 feet (Chord bearing North 52° 01'57" East, 734.91 feet); thence leaving said Southerly Right-of-Way, and along a curve concave to the North having a radius of 785.40 feet and a central angle 2° 13'51"; thence along the arc of said curve, 30.58 feet (Chord bearing North 84° 11' 51" East, 30.58 feet); thence South 0° 11'46" West, 114.54 feet; thence South 5° 28'29" West, 194.80 feet; thence South 11° 47'44" West, 294.70 feet; thence South 24° 26'14" West, 31.07 feet; thence North 89° 49'29" West, 110.28 feet; thence South 30° 45'29" West, 277.33 feet; thence North 59° 14'31" West, 76.22 feet; thence North 89° 35'24" West, 175.58 feet to the Point of Beginning.

#### **TOGETHER WITH**

A 24 foot wide strip of land to be used for Ingress and Egress, being more particularly described as follows: Commence at the Northwest corner of Lot 5, GATEWAY TO SARASOTA, PHASE 1, as recorded in Plat Book 39, Pages 12 and 12A, Public Records of Sarasota County, Florida; thence along a line that lies 54 feet East of the East line of Parcel 4, as shown on the aforementioned PLAT OF SARASOTA, PHASE 1, North 00° 24'35" East, 242.70 feet for a Point of Beginning; thence continue along said line North, 00° 24'30" East, 24.00 feet; thence leaving said line South 89° 35'24" East, 265.58 feet; thence South 00° 24'36" West, 24.00 feet; thence North 89° 35'24" West, 265.58 feet to the Point of Beginning.

#### **AND TOGETHER WITH**

Easements for drainage, ingress and egress and private roadway and driveway easements as created and granted in that certain Declaration of Covenants and Restrictions for The Gateway recorded in Official Records Book 3003, Page 1504, as supplemented in Official Records Book 3062, Page 2876, in Official Records Instrument Number 1999033277, Official Records Instrument Number 1999088831, Official Records Instrument Number 2000129557, and Official Records Instrument Number 2004144309, all of the Public Records of Sarasota County, Florida.



## **EXHIBIT B**

### **PERMITTED EXCEPTIONS**

1. General or special taxes and assessments required to be paid in the year 2015 and subsequent years.
2. Terms, covenants, conditions, restrictions, easements, assessments and possible liens created by and set forth in the Declaration recorded in Official Records Book 3003, Page 1504, as supplemented in Official Records Book 3062, Page 2876, Official Records Instrument Number 1999033277, Official Records Instrument Number 1999088831, Official Records Instrument Number 2000129557, and Official Records Instrument Number 2004144309, all of the Public Records of Sarasota County, Florida, as amended, but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law. Such Declaration and/or amendments thereto establish and provide for easements on the land, liens for liquidated damages, a private charge or assessment, an option to purchase, a right of first refusal, prior approval of a future purchaser or occupant, right of reentry and/or the possibility of reverter or a right of forfeiture because of violations on the land of any enforceable covenants, conditions, or restrictions.
3. Competing business use restriction set forth in Easements with Covenants, Conditions and Restrictions Affecting Land recorded in Official Records Instrument Number 2000129559, of the Public Records of Sarasota County, Florida.
4. Sarasota County Ordinance establishing the Sarasota Gateway DRI, as amended and restated and recorded in Official Records Instrument Number 1999091786, of the Public Records of Sarasota County, Florida.
5. Utility Easement granted to Florida Power & Light Company, recorded in Official Records Book 2951, Page 2444, of the Public Records of Sarasota County, Florida.
6. 10 foot wide Utility Easement granted to Florida Power & Light Company, recorded in Official Records Instrument Number 2004080906, of the Public Records of Sarasota County, Florida.
7. Permanent Drainage Easement in favor of Sarasota County, Florida, as recorded in Official Records Book 2993, Page 81, of the Public Records of Sarasota County, Florida.
8. 25 foot wide Permanent Utility Easement granted to Sarasota County, recorded in Official Records Instrument Number 2004238323, of the Public Records of Sarasota County, Florida.
9. Terms and conditions of Private Road Maintenance Agreement recorded in Official Records Instrument Number 2005094782, of the Public Records of Sarasota County, Florida.
10. Subject to that certain 24 foot Ingress and Egress Easement as set forth in Official Records Instrument Number 2005083790, and re-recorded in Official Records

Instrument Number 2005115201, both of the Public Records of Sarasota County, Florida.

11. Rights of tenants, as tenants only, without the right to purchase or right of first refusal to purchase, occupying all or part of the insured land under unrecorded leases or rental agreements.