

This Instrument Prepared by:
Fidazzo Cohen LLC
305 W. Chesapeake Ave, Suite 208
Towson, Maryland 21204

Return to:
First American Title Insurance Company
666 Third Avenue, 5th Floor
New York, New York 10021
Attn: Sydney Levine

Property Folio Number: 484219-35-0011 and 484219-35-0020

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made and executed the 14th day of January, 2021, by CELEBRATION POINTE NORTH, LLC, a Florida limited liability company, whose address is 9500 SW 77 Avenue, Miami, Florida, 33156, hereinafter called the grantor, to CELEBRATION POINTE LLC, a Delaware limited liability company, doing business in Florida as Celebration Pointe (DE) LLC, a Delaware limited liability company whose address is 5221 N. O'Connor Blvd., Suite 300, Irving, Texas 75039, hereinafter called the grantee:

(Wherever used herein the term "grantor" and grantee" include all the parties to this instrument, singular and plural, the heirs, legal representatives, and assigns of individuals, and the successors and assigns, wherever the context so admits or requires.)

Witnesseth: That the said grantor, for and in consideration of the sum of Ten and 00/100 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee all that certain land situate in Broward County, State of Florida, viz:

See Exhibit "A" attached hereto and made a part hereof (the "Property").

This conveyance is made and accepted subject only to those matters (the "Permitted Exceptions") set forth in Exhibit "B" attached hereto and incorporated herein by reference.

Together with all the elements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

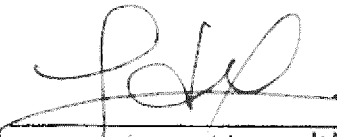
And the grantor hereby covenants with said grantee that it is lawfully seized of said land in fee simple, that it has good right and lawful authority to sell and convey said land, that it hereby specially warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said grantor.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed by its proper officers thereunto duly authorized, the day and year first written above.

CELEBRATION POINTE NORTH, LLC
a Florida limited liability company

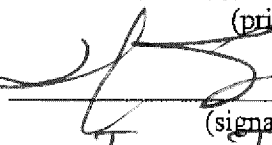
By: Celebration Holdings, Inc., a Florida corporation,
its managing member



Name: Lorena Planas
(signature)
(print)

By: 

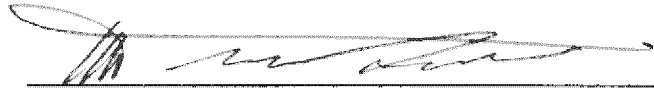
Name: Martha Fernandez
Title: President

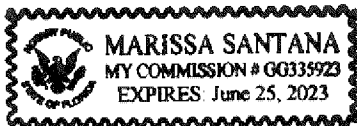


Name: Luis Torres
(signature)
(print)

STATE OF Florida)
COUNTY OF Miami Dade) ss:

The foregoing instrument was acknowledged before me this 11 day of January, 2021, by means of ☒ physical presence or ☐ online notarization by Martha Fernandez, the President of Celebration Holdings, Inc., a Florida corporation, the managing member of CELEBRATION POINTE NORTH, LLC, a Florida limited liability company, on behalf of said company. She is ☒ personally known to me or ☐ has produced a driver's license as identification, and she acknowledged to me that she executed the same in her capacity and that by her signature on the instrument, the entity upon behalf of which she acted, executed the instrument.

Signature: 



MARISSA SANTANA

Print or Stamp Name of Notary
My Commission Expires: June 25, 2023

[AFFIX NOTARY STAMP ABOVE]

Exhibit A

Legal Description

The Land referred to herein below is situated in the County of Broward, State of Florida, and is described as follows:

PARCEL 1: (FEE SIMPLE PARCEL):

(NORTH PORTION PHASE I)

A PORTION OF TRACT "A", CELEBRATION POINTE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 178, PAGE 67, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT "A"; THENCE SOUTH 00° 24' 15" EAST, ALONG THE EAST LINE OF SAID TRACT "A", A DISTANCE OF 658.13 FEET; THENCE SOUTH 89° 32' 44" WEST, ALONG A LINE RADIAL TO THE NEXT DESCRIBED CURVE, A DISTANCE OF 676.57 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 66.00 FEET AND A CENTRAL ANGLE OF 138° 59' 49", A DISTANCE OF 160.11 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 29.00 FEET AND A CENTRAL ANGLE OF 19° 51' 24", A DISTANCE OF 10.05 FEET; THENCE SOUTH 89° 32' 44" WEST, A DISTANCE OF 160.89 FEET; THENCE SOUTH 00° 27' 16" EAST, A DISTANCE OF 13.00 FEET; THENCE ALONG THE BOUNDARY OF SAID TRACT "A" THE FOLLOWING FIVE (5) COURSES: SOUTH 89° 32' 46" WEST, A DISTANCE OF 145.85 FEET; THENCE NORTH 01° 02' 35" WEST, A DISTANCE OF 100.01 FEET; THENCE NORTH 89° 32' 44" EAST, A DISTANCE OF 145.50 FEET; THENCE NORTH 01° 14' 17" WEST, A DISTANCE OF 609.68 FEET; THENCE NORTH 89° 38' 02" EAST, A DISTANCE OF 971.32 FEET TO THE POINT OF BEGINNING.

PARCEL 2 (EASEMENT PARCEL);

NON-EXCLUSIVE EASEMENT(S) FOR STORM WATER DRAINAGE AND STORAGE, INGRESS, EGRESS, AND OTHER PURPOSES, AS DEFINED IN AND SUBJECT TO THAT STORM WATER FLOWAGE, STORAGE, AND DRAINAGE AGREEMENT BY AND BETWEEN LENNAR HOMES, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AND CELEBRATION POINTE NORTH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, RECORDED SEPTEMBER 6, 2017, IN INSTRUMENT NO. 114603026 AND IN INSTRUMENT NO. 114603064, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PARCEL 3 (FEE PARCEL):

A PORTION OF THE RIGHT-OF-WAY ADJACENT TO TRACTS 89 AND 90, BLOCK 90, THE PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LEGAL DESCRIPTION AS CREATED BY THAT CERTAIN RESOLUTION TO ADOPT VACATION RECORDED IN OFFICIAL RECORDS INSTRUMENT NO. 113790654, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF TRACT "A", CELEBRATION POINTE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 178, PAGE 67, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE NORTH 01°14'17" WEST ON THE NORTHERLY PROLONGATION OF THE WEST LINE OF SAID TRACT "A", A DISTANCE OF 15.00 FEET; THENCE NORTH 89°38'02" EAST ON A LINE 15.00 FEET NORTH OF AND PARALLEL WITH THE NORTH LINE

OF SAID TRACT "A", ALSO BEING THE SOUTH LINE OF PARCEL "A", PLATTS' PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 138, PAGE 48, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND THE EASTERLY PROLONGATION THEREOF, A DISTANCE OF 580.12 FEET; THENCE SOUTH 00°23'25" EAST, ALONG THE WEST LINE OF TRACT "A", CORAL GATE SECTION 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 98, PAGE 23, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, A DISTANCE OF 15.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT "A", CORAL GATE SECTION 3; THENCE SOUTH 89°38'02" WEST ALONG THE NORTH LINE OF SAID TRACT "A" OF CELEBRATION POINTE, A DISTANCE OF 579.90 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN THE CITY OF MARGATE, BROWARD COUNTY, FLORIDA.

Exhibit B

Permitted Exceptions

1. Restrictions, conditions, dedications and easements shown on the Plat of Celebration Pointe, recorded in Plat Book 178, Page 67; as affected by Agreement for Amendment of Notation on Plat recorded in Official Records Book 47764, Page 764; as affected by Agreement for Amendment of Notation on Plat recorded in Official Records Book 51202, Page 97; as affected by Agreement for Amendment of Notation on Plat recorded in Instrument No. 113621419; as affected by Agreement for Amendment of Notation on Plat recorded in Instrument No. 116099518; as affected by Agreement for Amendment of Notation on Plat recorded in Instrument No. 114818182, as approximately shown on the ALTA/NSPS survey prepared by Millman National Land Services, dated October 20, 2020, Number 48178 (the "Survey").
2. Easement, granted from Casa De La Cuesta, Ltd, a limited partnership to Margate Utility Authority, Inc., recorded in Official Records Book 5177, Page 601, as approximately shown on the Survey.
3. Easement, granted from Halliday Family Children's Ranchó-Margate, L.L.C., a Florida limited liability company to Northwest Medical Center, Inc., a Florida corporation, recorded in Official Records Book 34150, Page 1646, as approximately shown on the Survey.
4. Declaration of Restrictive Covenants, recorded in Official Records Book 47534, Page 387; as affected by Amendment to Declaration of Restrictive Covenants recorded in Instrument No. 114603027; as affected by Amendment to Declaration of Restrictive Covenants recorded in Instrument No. 114603065, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
5. Terms and conditions of the City of Margate Developer Agreement - Phase III between Celebration Pointe Townhomes, Inc., a Florida corporation and City of Margate, a municipal corporation organized and existing under the laws of the State of Florida recorded in Official Records Book 47754, Page 1575; as affected by Amendment to Developer Agreement recorded in Official Records Book 47754, Page 1595; as affected by Assignment of Developer Rights recorded in Official Records Book 50535, Page 369; as affected by Second Amendment to Developer Agreement -Phase III recorded in Official Records Book 50535, Page 362; as affected by Assignment of Developer's Rights recorded in Official Records Book 50535, Page 369; as affected by Third Amendment to Developer Agreement - Phase III recorded in Instrument No. 113244647; as affected by Assignment of Developer Rights recorded in Instrument No. 114603023; as affected by Assignment of Developer Rights recorded in Instrument No. 114603061.
6. Utility easement deed contained in that certain Resolution No. 12-498 by the City of Margate, Florida, recorded in Official Records Book 50865, Page 936, as approximately shown on the Survey.
7. For Information only: The terms, provisions, and conditions contained in that certain Resolution No. 12-504 by the City of Margate, recorded in Official Records Book 51089, Page 647; and Roadway Transfer Agreement attached thereto.
8. Easement, granted from Celebration Pointe North, LLC to Comcast Florida I, Inc., recorded in Official Records Book 51182, Page 1456.
9. Utility Easement granted to Celebration Pointe North, LLC by instrument recorded in Instrument No. 113345868, as approximately shown on the Survey.

10. Easement granted to Florida Power Corporation by instrument recorded in Instrument No. 113402170, as approximately shown on the Survey.

11. The terms, provisions, and conditions contained in that certain Resolution No. 16-152 by the City of Margate and Remetering Agreement attached thereto, recorded in Instrument No. 113495231.

12. The terms, provisions, and conditions contained in that certain Resolution No. 16-231 by the City of Margate and bill of sale, water and sewer line easements attached thereto., recorded in Instrument No. 113780125, as approximately shown on the Survey.

13. Declaration of Use Restrictions recorded in Instrument No. 114603024 and in Instrument No. 114603062; as affected by Affidavit of Scrivener's Error recorded in Instrument No. 114636710, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c), which use restriction does not burden the Land but rather burdens the neighboring property.

14. Terms and conditions of the Easement, Shared Use and Maintenance Agreement between Celebration Pointe North, LLC, a Florida limited liability company and Lennar Homes, LLC, a Florida limited liability company recorded in Instrument No. 114603025, as approximately shown on the Survey.

15. Terms and conditions of the Storm Water Flowage, Storage, and Drainage Agreement between Lennar Homes, LLC, a Florida limited liability company and Celebration Pointe North, LLC, a Florida limited liability company recorded in Instrument No. 114603026 and Instrument No. 114603064, as approximately shown on the Survey.

16. Easement granted to Florida Power & Light Company recorded on July 5, 2016, as Instrument No. 113790640.

17. Mortgage and Security Agreement executed by Celebration Pointe North, LLC, a Florida limited liability company in favor of Ocean Bank, a Florida banking corporation, recorded December 12, 2014 in Official Records Book 51312, Page 1511; as affected by Assignment of Mortgage and Loan Documents, given in favor of Berkadia Commercial Mortgage LLC, a Delaware limited liability company, filed October 19, 2017 recorded in Instrument No. 114672407; as affected by Amended and Restated Multifamily Mortgage, Assignment of Rents and Security Agreement filed October 19, 2017 recorded in Instrument No. 114672408; as affected by Assignment of Security Instrument (Revised 12-19-2014) given in favor of Federal Home Loan Mortgage Corporation, a corporation organized and existing under the laws of the United States, filed October 19, 2017 recorded in Instrument No. 114672410; as affected by Termination of Collateral Documents and Agreements filed October 19, 2017 recorded in Instrument No. 114672411; as affected by Assignment of Amended and Restated Multifamily Mortgage, Assignment of Rents and Security Agreement, given in favor of U.S. Bank National Association, as Trustee for the Registered Holders of Morgan Stanley Capital I Inc., Multifamily Mortgage Pass-Through Certificates Series 2019-K95, filed August 12, 2019, recorded in Instrument No. 115986852.