Linda Doggett, Lee County Clerk of Circuit Court INSTR. # 2021000212683, Doc Type AFF, Pages 1, Recorded 6/28/2021 at 9:54 AM, Deputy Clerk WMILLER ERECORD Rec Fees: \$10.00

This documents was prepared by and upon recording should be returned to: Holland & Knight LLP 200 S. Orange Ave., Suite 2600 Orlando, Florida 32801 Attention: Barton W. Morrison, Esq. 801351

AFFIDAVIT

STATE OF NEW YORK **COUNTY OF NEW YORK**

Before me, the undersigned notary public, appeared personally Nick Koluch ("Affiant") who, after first being duly sworn, stated that Nick Koluch is duly authorized as the Authorized Signatory to execute on behalf of Investors Warranty of America, LLC, an Iowa limited liability company ("Company") that certain Deed of Transfer for Transferable Development Units (Lee County, Florida) dated June 25, 2021 from the Company to ZP 354 Fort Myers Goat Farm, LLC, a Florida limited liability company, its successors and assigns.

STATE OF NEW YORK

COUNTY OF NEW YORK

The foregoing instrument was acknowledged before me by means of physical presence or \square online notarization this 27 day of June, 2021, by Nick Koluch, the authorized signatory of INVESTORS WARRANTY OF AMERICA, LLC, an Iowa limited liability company, on behalf of the company. He is (CHECK ONE) □ personally known to me or □ has produced a valid driver's license as identification.

N45 0 15

My Commission

Number is:

JOANNE CASTALDO Notary Public, State of New York No. 01CA6250934 **Qualified in Rockland County** Commission Expires Nov. 7, 2023 This documents was prepared by and upon recording should be returned to:
Holland & Knight LLP
200 S. Orange Ave., Suite 2600
Orlando, Florida 32801
Attention: Barton W. Morrison, Esq.
Attention: Barton W. Morrison, Esq.

DEED OF TRANSFER FOR TRANSFERABLE DEVELOPMENT UNITS (Lee County, Florida)

This DEED OF TRANSFER FOR TRANSFERABLE DEVELOPMENT UNITS is entered into effective June <u>25</u>, 2021, by INVESTORS WARRANTY OF AMERICA, LLC, an Iowa limited liability company ("Transferor"), to and for the benefit of ZP 354 FORT MYERS GOAT FARM, LLC, a Florida limited liability company, its successors and assigns ("Transferee").

- A. Pursuant to that certain Reservation of Residential Development Rights and Issuance of Transferred Development Unit Certificate dated December 4, 2017, and recorded December 5, 2017, as Instrument No. 2027000251344, between Transferor and Lee County, Florida, a political subdivision of the State of Florida ("Lee County"), Lee County issued to Transferor a TDU Certificate with full right, power and authority to retain 255 residential units ("Residential Units"); and
- B. Transferor wishes to transfer, and Transferee wishes to acquire, 55 Residential Units incidental to its development of the land described on the attached Exhibit "A" ("Development Parcel"), as more particularly set forth below.

Now, therefore, in consideration of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

- 1. <u>Transfer of Units</u>. Transferor hereby transfers to Transferee, all of its right, title and interest in 55 Residential Units. The foregoing transfer is "as-is" without recourse, representations or warranties, except as set forth in Section 3 below.
- 2. <u>Use of Units</u>. The above referenced 55 Residential Units transferred hereby shall be used only for the Development Parcel and no other land without the authorization of Lee County.
- 3. <u>Tracking of Units</u>. Transferor represents confirms that: (a) it has not heretofore transferred its right, title and interest in any of the Residential Units; and (b) after the foregoing transfer to Transferee of its right, title and interest in 55 Residential Units, Transferor shall continue to retain 200 Residential Units, which it may sell and/or transfer in the future.

[Signature on Attached Page]

NOTE TO CLERK: No documentary stamp tax is due on this transfer. The Florida Department of Revenue has confirmed that transferrable development units are not real property subject to documentary stamp taxation.

Signature Page for Transferor

This Signature Page for Transferor is attached to and made a part of that DEED OF TRANSFER FOR TRANSFERABLE DEVELOPMENT UNITS by INVESTORS WARRANTY OF AMERICA, LLC, an Iowa limited liability company, as "Transferor," to and for the benefit of ZP 354 FORT MYERS GOAT FARM, LLC, a Florida limited liability company, its successors and assigns, as "Transferee" which the undersigned has approved and executed.

Witnessed in the presence of:	TRANSFEROR:
Name: Guadalipe Aquilar Algur Land Name: Asympty State of NY County of Rockland	INVESTORS WARRANTY OF AMERICA, LLC, an Iowa limited liability appropriately By: Name: Name: Athorized Signatory
STATE OF NY COUNTY OF Nickland	
The foregoing instrument was acknowledged before me by means of physical presence or or or online notarization this 22 day of June, 2021, by Nick Koluch the Authorita 50 of INVESTORS WARRANTY OF AMERICA, LLC, an Iowa limited liability company (He)She (CHECK ONE) \(\Bigcap \) is personally known to me or \(\Bigcap \) has produced a valid driver's license as identification.	
vys ofc	Notary Jublic, State of NY Name: Jogne Castaldo
	My Commission Expires November 7, 2023 My Commission Number 01 CA 6250 934

JOANNE CASTALDO Notary Public, State of New York No. 01CA6250934 Qualified in Rockland County Commission Expires Nov. 7, 2023

EXHIBIT "A"

Legal Description of Development Parcel

Parcel 1:

TRACT "I", COLLEGE POINT, AS RECORDED IN PLAT BOOK 62, PAGES 76 THROUGH 78, PUBLIC RECORDS OF LEE COUNTY, FLORIDA

and

Parcel 2:

The West one-half of the Southeast quarter of the Northwest quarter of the Southwest quarter of Section 15, Township 45 South, Range 24 East, Lee County, Florida.

and

Parcel 3:

The Southwest quarter of the Northwest quarter of the Southwest quarter of Section 15, Township 45 South, Range 24 East, Lee County, Florida.

Together with the appurtenant easement(s) described in the Grant of Signage Easement recorded in Official Records Book 3076, page 2822; Correct Grant of Signage Easement recorded in Official Records Book 3149, page 2470; Modification of Grant of Signage Easement recorded in Official Records Book 3365, page 4196 and Amendment thereto recorded in Official Records Instrument No. 2017000174259, of the public records of Lee County, Florida.

and

Together with the appurtenant easement(s) described in the Grant of Easements recorded in Official Records Instrument No. 2018000182510, of the public records of Lee County, Florida.

Less and excepting the following:

Parcel A

(a 50 foot canal south of the South line of the property)

A tract or parcel of land lying in the Southwest quarter (SW 1/4) of Section 15, Township 45 South, Range 24 East, Lee County, Florida, said tract or parcel being part of the Former I.D.D. Canal H-8 and being more particularly described as:

Commencing at the Northwest corner of the Southwest quarter (SW 1/4) of said Section 15, Township 45 South, Range 24 East; run along the west line of said quarter South 01°31'22" East for a distance of 1275.30 feet, more or less, to an intersection with the north line of Former I.D.D. Canal H-8 and the Point of Beginning of said tract or parcel.

From said Point of Beginning continue South 01°31'22" East along the west line of said Southwest quarter (SW 1/4) a distance of 50.00 feet to an intersection with the south line of the Northwest quarter (NW 1/4) of the Southwest quarter (SW 1/4) of said Section 15; thence run along said south line North 88°31'12" East for a distance of 994.70 feet to an intersection with the east line of the West one-half (W 1/2) of the Southeast quarter (SE 1/4) of the Northwest quarter (NW 1/4) of the Southwest quarter (SW 1/4); thence

run along said east line North 01°30'25" West for a distance of 50.00 feet; thence run South 88°31'12" West for a distance of 994.71 feet to the Point of Beginning.

and

Parcel B

A tract or parcel of land lying in the Northwest 1/4 of the Southwest 1/4 of Section 15, Township 45 South, Range 24 East, Lee County, Florida being more particularly described as follows:

For a point of reference commence at the northwest corner of the southwest 1/4 of said Section 15; thence South 01°31'22" East, for a distance of 1005.67 feet along the west line of said southwest 1/4 to the Point of Beginning.

For said Point of Beginning continue South 01°31'22" East, a distance of 270 feet to an intersection with the north line of Former I.D.D. Canal H-8; thence North 88°31'12" East, along said north line, a distance of 175.00 feet; thence North 01°28'48" West, a distance of 270 feet; thence South 88°31'12" West, a distance of 175.20 feet along the south line of a proposed 35 foot road to the Point of Beginning.

and further excepting any part in any road right of way as now established

The above described lands also described as follows:

A parcel of land lying in Sections 15 and 16, Township 45 South, Range 24 East, Lee County, Florida, and being more particularly described as follows:

BEGIN at the Northeast corner of Tract I according to the plat of College Pointe as recorded in Plat Book 62, at Page 76 of the Public Records of Lee County, Florida; thence, along the North line of lands described in Official Records Instrument #2011000027046 of the aforementioned Public Records, N.89°07'30"E., 994.79 feet; thence, along the East line of the West one-half of the Southeast one-quarter of the Northwest one-quarter of the Southwest one-quarter of said Section 15, S.00°56'54"E., 612.04 feet to the North line of former Iona Drainage District Canal H-8, as described in Official records Instrument No. 2011000027046 of the aforementioned Public Records; thence, along said North line, S.89°05'15"W., 819.71 feet; thence, along the boundary of lands described in Official Records Book 3052, Page 3081 of the aforementioned Public Records for the following two (2) courses:

- 1. N.00°54'45"W., 270.00 feet;
- 2. S.89°05'15"W., 175.20 feet;

thence, along the West line of the aforementioned Section 15, N.00°57'19"W., 35.00 feet to the Southeast corner of the aforementioned Tract I; thence, along the boundary of said Tract I for the following five (5) courses:

- 1. S.89°05'15"W., 32.11 feet;
- 2. along the arc of a tangent circular curve concave to the Northeast having for its elements a radius of 25.00 feet, a central angle of 90°06'53", a chord of 35.39 feet, a chord bearing of N.45°51'19"W., an arc of 39.32 feet;
- 3. N.00°47'52"W., 12.62 feet;
- 4. N.04°15'13"W., 270.53 feet;
- 5. N.89°07'30"E., 72.62 feet;

to the POINT OF BEGINNING.