

This instrument was prepared by
and should be returned to:
Philip F. West, Esq.
Racetrac Petroleum, Inc.
3225 Cumberland Blvd., Suite 100
Atlanta, Georgia 30339

ACCESS EASEMENT

THIS ACCESS EASEMENT (the "Easement") is made and entered into this ____ day of _____, 2013 by RACETRAC PETROLEUM, INC., a Georgia corporation, with an address of 3225 Cumberland Blvd., Suite 100, Atlanta, Georgia 30339 (hereinafter referred to as "Developer"), in favor of MARIO AND SHEILA DI SORBO (collectively "Grantee").

W I T N E S S E T H:

WHEREAS, Developer is the owner in fee simple of that certain real property located in Broward County, Florida (the "Property"), more particularly depicted on Exhibit "A" attached hereto and incorporated by reference herein; and

WHEREAS, Developer is proposing to develop the Property and has applied to the County for approval of such development; and

WHEREAS, pursuant to the Broward County Land Development Code, one of the conditions of approval is that Developer provide an access easement for the benefit of the adjacent parcel located immediately east of the Property on W. Atlantic Boulevard, which adjacent parcel is owned by Grantee and has Parcel ID # 4842 33 05 4000 (the "Adjacent Parcel"); and

WHEREAS, Developer has agreed to grant to Grantee a non-exclusive, perpetual access easement over, across and within that certain portion of the Property, more particularly depicted and described on Exhibit "B" attached hereto and incorporated herein (the "Access Easement Area"), subject to the terms and conditions set forth below; and

NOW, THEREFORE, in consideration of the sum of Ten and No/100ths Dollars (\$10.00), for the mutual covenants and agreements hereinafter set forth, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Developer hereby agrees as follows:

1. Grant of Access Easement. Developer does hereby bargain, sell, grant and convey to Grantee, for the benefit and as an appurtenance to the Adjacent Parcel, a perpetual, non-exclusive right, privilege and easement on, over and across the Access Easement Area for ingress and egress of vehicular and pedestrian traffic.

2. Maintenance; Indemnification. The construction, maintenance and repair of the roads and roadways contained within the Access Easement Area shall be the sole responsibility of Developer, its successors and assigns; provided, however, Grantee shall be responsible for repairing

any damage thereto caused by Grantee and those acting through or under Grantee. In consideration for the easement granted hereby, Grantee shall indemnify and hold Grantor harmless with respect to all costs, expenses (including, without limitation, reasonable attorney's fees), claims, damage and liabilities arising from the use of the Access Easement Area by Grantee or those acting through or under Grantee.

3. Runs with Land. All of the provisions of this instrument shall run with the Property and the Adjacent Parcel and shall remain in full force and effect for perpetuity and are binding on and benefit all parties and persons acquiring any right, title, or interest in the Property or Adjacent Parcel.

4. Attorney's Fees. In the event of any litigation concerning this Easement, the prevailing party shall be entitled to its reasonable attorney's fees and expenses.

IN WITNESS WHEREOF, the undersigned has executed this Easement as of the date and year first above written.

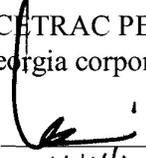
DEVELOPER:

Signed, sealed and delivered
in the presence of:

RACETRAC PETROLEUM, INC.
a Georgia corporation



Witness
Print Name: Tom Harby

By: 
Name: William C. Milam
Title: COO



Witness
Print Name: Meghan Sitz

(CORPORATE SEAL)

STATE OF GEORGIA §
COUNTY OF Gwinnett §

This instrument was acknowledged before me on 7 day of June, 2013, by William C. Milam, as COO of RACETRAC PETROLEUM, INC., a Georgia corporation, who is known to me or presented his _____ as identification.



NOTARY PUBLIC, STATE OF GEORGIA

Printed Name Cheryl V. Phillips
My Commission Expires: 11-19-16

LEGAL DESCRIPTION FOR RIGHT OF WAY VACATION EXHIBIT 'A'

LEGAL DESCRIPTION:

A PORTION OF LAND LYING IN SECTION 33, TOWNSHIP 48 SOUTH, RANGE 42 EAST, CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF PARCEL 'A', ENGSTROM PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 152, PAGE 45 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID POINT BEING ON THE EAST LINE OF SAID PARCEL 'A' AND THE NORTH RIGHT OF WAY LINE OF WEST ATLANTIC BOULEVARD (STATE ROAD 814); THENCE SOUTH 88°50'44" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 265.69 FEET; THENCE SOUTH 46°11'32" EAST, A DISTANCE OF 16.98 FEET TO A POINT THAT IS 12 FEET SOUTH OF AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE AND SOUTH LINE OF PARCEL 'A'; THENCE NORTH 88°50'44" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 253.67 FEET TO A POINT ON THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID PARCEL 'A'; THENCE NORTH 01°09'31" WEST, ALONG SAID LINE, A DISTANCE OF 12.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 3116.19 SQUARE FEET.

NOTES:

1. THIS SKETCH OF LEGAL DESCRIPTION DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE BEARING BASE OF THIS SKETCH OF LEGAL DESCRIPTION IS S.88°50'44"W. ALONG THE NORTH RIGHT OF WAY LINE OF STATE ROAD 814 (WEST ATLANTIC BOULEVARD)
3. THE INFORMATION WAS PROVIDED BY RACETRAC PETROLEUM, INC.
4. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

SURVEYORS CERTIFICATION:

SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



VICINITY MAP: NOT TO SCALE

SHEET 1 OF 2 (SCALE: 1"=50')
NOT VALID WITHOUT SHEET 2 OF 2

ROBERT BLOOMSTER JR.
PROFESSIONAL LAND SURVEYOR
NO. 4134 STATE OF FLORIDA

BLOOMSTER
PROFESSIONAL LAND
SURVEYORS, INC.
FLORIDA L.B. # 6018

641 NORTHEAST SPENCER STREET
JENSEN BEACH, FLORIDA 34957
PHONE 772-334-0868

SHEET 1 OF 2
SCALE: 1" = 50'
DATE: 3/8/12
F.B. SKETCH
JOB NO. 11050
REVISIONS

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
PREPARED FOR: RACETRAC PETROLEUM, INC.
SITE LOCATED: WEST ATLANTIC BOULEVARD and NW 30th AVENUE
CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA

LEGAL DESCRIPTION FOR 12' x 50' ACCESS EASEMENT EXHIBIT 'B'

LEGAL DESCRIPTION:

A PORTION OF LAND LYING IN SECTION 33, TOWNSHIP 48 SOUTH, RANGE 42 EAST, CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF PARCEL 'A', ENGSTROM PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 152, PAGE 45 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID POINT BEING ON THE EAST LINE OF SAID PARCEL 'A' AND THE NORTH RIGHT OF WAY LINE OF WEST ATLANTIC BOULEVARD (STATE ROAD 814); THENCE SOUTH 88°50'44" WEST, ALONG SAID NORTH RIGHT OF WAY LINE AND SOUTH LINE OF SAID PARCEL 'A', A DISTANCE OF 50.00 FEET; THENCE SOUTH 01°09'31" EAST, A DISTANCE OF 12.00 FEET; THENCE NORTH 88°50'44" EAST, A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH PROJECTION OF THE EAST LINE OF SAID PARCEL 'A', ENGSTROM PLAT; THENCE NORTH 01°09'31" WEST, ALONG SAID LINE, A DISTANCE OF 12.00 FEET TO THE POINT OF BEGINNING.

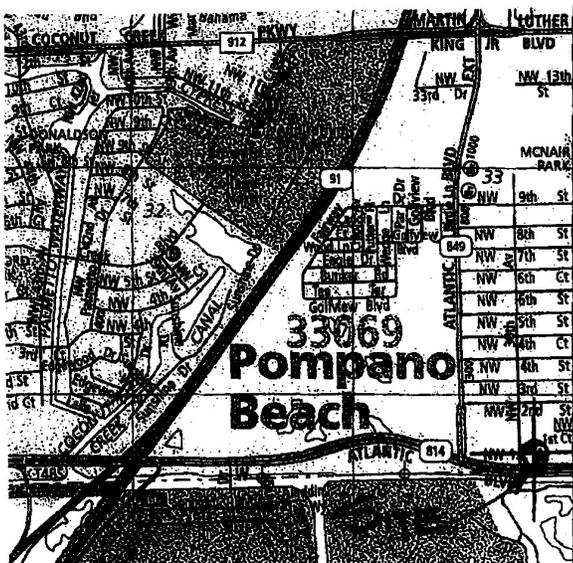
CONTAINING: 600 SQUARE FEET.

NOTES:

1. THIS SKETCH OF LEGAL DESCRIPTION DOES NOT REPRESENT A BOUNDARY SURVEY.
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VICINITY MAP: NOT TO SCALE

SHEET 1 OF 2 (SCALE: 1"=50')
NOT VALID WITHOUT SHEET 2 OF 2

Robert Bloomster Jr.

ROBERT BLOOMSTER JR.
PROFESSIONAL LAND SURVEYOR
NO. 4134 STATE OF FLORIDA

BLOOMSTER
PROFESSIONAL LAND
SURVEYORS, INC.
FLORIDA L.B. # 6018

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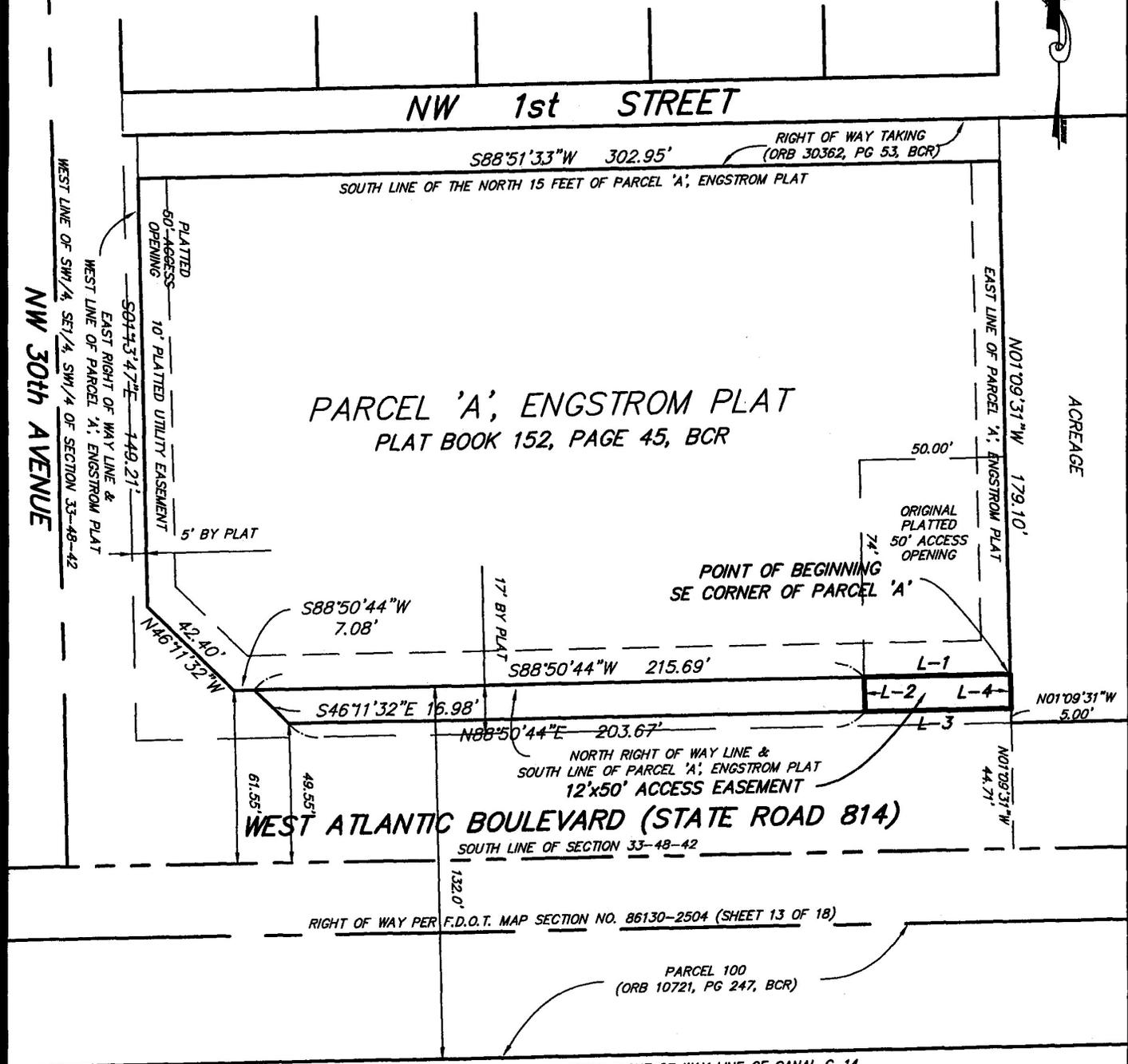
SHEET 1 OF 2	
SCALE: 1" = 50'	
DATE: 4/9/13	
F.B. SKETCH	
JOB NO. 11050	
REVISIONS	

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
PREPARED FOR: RACETRAC PETROLEUM, INC.
SITE LOCATED: WEST ATLANTIC BOULEVARD and NW 30th AVENUE
CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA

LINE TABLE

L-1	S88°50'44"W	50.00'
L-2	S01°09'31"E	12.00'
L-3	N88°50'44"E	50.00'
L-4	N01°09'31"W	12.00'

SKETCH OF DESCRIPTION FOR 12' x 50' ACCESS EASEMENT EXHIBIT 'B'



POMPANO CANAL S.F.W.M.D.

SHEET 2 OF 2 (SCALE: 1"=50')
NOT VALID WITHOUT SHEET 1 OF 2

- LEGEND & ABBREVIATIONS:**
- F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION
 - BCR = BROWARD COUNTY RECORDS
 - ORB = OFFICIAL RECORDS BOOK
 - PG = PAGE
 - S.F.W.M.D. = SOUTH FLORIDA WATER MANAGEMENT DISTRICT
 - = SECTION LINE
 - - - - - = CENTERLINE
 - /// = NON-VEHICULAR ACCESS LINE
 - ==== = UTILITY EASEMENT PER PLAT
 - ===== = PROPERTY LINE

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