

Prepared By and Return To:  
Central Broward Water Control District  
8020 Stirling Road  
Hollywood, FL 33024  
954-432-5110

Folio No.: 504036100020

## DRAINAGE, FLOWAGE AND STORAGE EASEMENT

THIS DRAINAGE, FLOWAGE AND STORAGE EASEMENT is granted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by City of Cooper City a Municipal Company, whose address is 9090 SW 50th Place, Cooper City hereinafter referred to as "Grantor" to **CENTRAL BROWARD WATER CONTROL DISTRICT**, a political subdivision of the State of Florida, located at 8020 Stirling Road (Davie) Hollywood, Florida 33024, hereinafter referred to as "District".

### WITNESSETH:

That the Grantor, for and in consideration of the sum of ten dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant and convey:

To District, its successors and assigns, a perpetual and non-exclusive Drainage, Flowage and Storage Easement for the drainage, flowage and storage of stormwater, and construction and maintenance of a lake/pond, together with any necessary appurtenances incidental and necessary thereto, over, across and through the real property, owned by Grantor in fee simple and legally described in Exhibit "A" attached hereto and made a part hereof, ("Grantor's Property"), together with ingress and egress across said Drainage, Flowage and Storage Easement Area for the purpose of constructing, maintaining and repairing the lake/pond, drainage system and appurtenances contained therein and to make a proper and adequate drainage system that District, its successors and assigns may establish.

The portion of Exhibit "A" comprising the easement is described in Exhibit "B", attached,

("Drainage, Flowage and Storage Easement").

This Easement is subject to the following terms, conditions and covenants:

1. Although the easement granted to the District herein is non-exclusive, should any easements over the Drainage, Flowage and Storage Easement Area be granted, subsequent to the date of this easement, the holder of any such subsequent easement shall be required to obtain approval from the District for the use of the Drainage, Flowage and Storage Easement Area. Such approval by the District shall not be unreasonably withheld or delayed.
2. Grantor acknowledges that the Drainage, Flowage and Storage Easement Area will be used for drainage from Grantor's property and for drainage of property adjacent thereto.
3. No improvements, trees, landscaping or encroachments including utilities shall be placed within the Drainage, Flowage and Storage Easement Area without the approval of and a permit from the District, which approval shall not be unreasonably withheld, denied or delayed.
4. The rights granted herein to the District may be released or modified by a written, recordable release or modification approved by the Grantor and executed by the District.
5. Grantor acknowledges that Grantor and Grantor's successors and assigns shall be responsible for construction, maintenance, and repair of the lake/pond and all drainage facilities constructed within the Drainage, Flowage and Storage Easement Area and that District shall have the right but not the obligation to maintain or repair said lake/pond, drainage facilities within the Drainage, Flowage and Storage Easement Area.
6. Grantor acknowledges and affirms that Grantor shall be responsible for maintaining the lake/pond bank slope located within the limits of the Exhibit "A" property and on the Exhibit "B" property from the Exhibit "B" property to the lake/pond deep cut line, which is defined as the bank slope beginning at three feet below the District's water control elevation. Any erosion or change in grade of the lake/pond bank slope from design grade within the limits of the Exhibit "B" property and lake/pond deep cut line shall be repaired/corrected by the Grantor to the satisfaction of the District.
7. Grantor acknowledges that in the event the District incurs any expenses in maintaining the lake/pond and/or drainage facilities within the Drainage, Flowage and Storage Easement

Area, Grantor and Grantor's successors and assigns shall reimburse District for said expenses including attorney's fees and costs to collect said expenses. However, before incurring any expenses, except in an emergency, District shall provide written notice to Grantor at least five (5) working days prior to performing any work to maintain or repair said drainage facilities. During this period of time, Grantor and Grantor's successors and assigns may perform the work proposed by District or notify District that Grantor will perform said work to District's requirements in a reasonable period of time.

8. This Easement is subject to the Drainage, Flowage and Storage Easement Area remaining in perpetuity as a lake/pond area.

9. At the request of the Grantor, District shall provide an estoppel letter from time to time confirming whether any outstanding amounts are due by Grantor to District under this Easement.

**NOTE: This Drainage, Flowage and Storage Easement is subject to the terms and provisions of a Maintenance and Indemnification Agreement between the Grantor and District that will be recorded in the Broward County Public Records.**

IN WITNESS WHEREOF, the said Grantor has caused this presents to be signed in its name by their proper officer, the day and year above written.

Signed, sealed and delivered in the presence of:

"Grantor"

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness Printed Name

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness Printed Name

By: \_\_\_\_\_

\_\_\_\_\_  
Name and Title

**FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this (date) \_\_\_\_\_ by (name of person acknowledging) \_\_\_\_\_, who is personally known to me or who has produced (type of identification) \_\_\_\_\_ as identification.

\_\_\_\_\_  
(Signature of person taking acknowledgment)

\_\_\_\_\_  
(Name typed, printed or stamped)

\_\_\_\_\_  
(Title or rank)

\_\_\_\_\_  
(Serial number, if any)

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**FOR A CORPORATION:**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this (date)\_\_\_\_\_ by (name of officer or agent, title of officer or agent)\_\_\_\_\_, of (name of corporation acknowledging)\_\_\_\_\_, a (state or place of formation)\_\_\_\_\_ corporation, on behalf of the corporation. He/She is personally known to me or has produced (type of identification)\_\_\_\_\_ as identification.

*(Continued on next page)*

\_\_\_\_\_  
(Signature of person taking acknowledgment)

\_\_\_\_\_  
(Name typed, printed or stamped)

\_\_\_\_\_  
(Title or rank)

\_\_\_\_\_  
(Serial number, if any)

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**FOR A LIMITED LIABILITY COMPANY:**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this (date) \_\_\_\_\_ by (name of member, manager, officer or agent, title of member, manager, officer or agent) \_\_\_\_\_, of (name of corporation acknowledging) \_\_\_\_\_, a (state or place of formation) \_\_\_\_\_ limited liability company, on behalf of the company, who is personally known to me or who has produced (type of identification) \_\_\_\_\_ as identification.

\_\_\_\_\_  
(Signature of person taking acknowledgment)

\_\_\_\_\_  
(Name typed, printed or stamped)

\_\_\_\_\_  
(Title or rank)

\_\_\_\_\_  
(Serial number, if any)

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**FOR A PARTNERSHIP:**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this (date) \_\_\_\_\_ by (name of partner or agent) \_\_\_\_\_, partner (or agent) on behalf of (name of partnership) \_\_\_\_\_ a partnership.

He/She is personally known to me or has produced (type of identification) \_\_\_\_\_ as identification.

\_\_\_\_\_  
(Signature of person taking acknowledgment)

\_\_\_\_\_  
(Name typed, printed or stamped)

\_\_\_\_\_  
(Title or rank)

\_\_\_\_\_  
(Serial number, if any)

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## EXHIBIT A

All of Parcel B, Countryside Shops, according to the plat thereof, as recorded in Plat Book 123, Page 43, of the Public Records of Broward County, Florida.

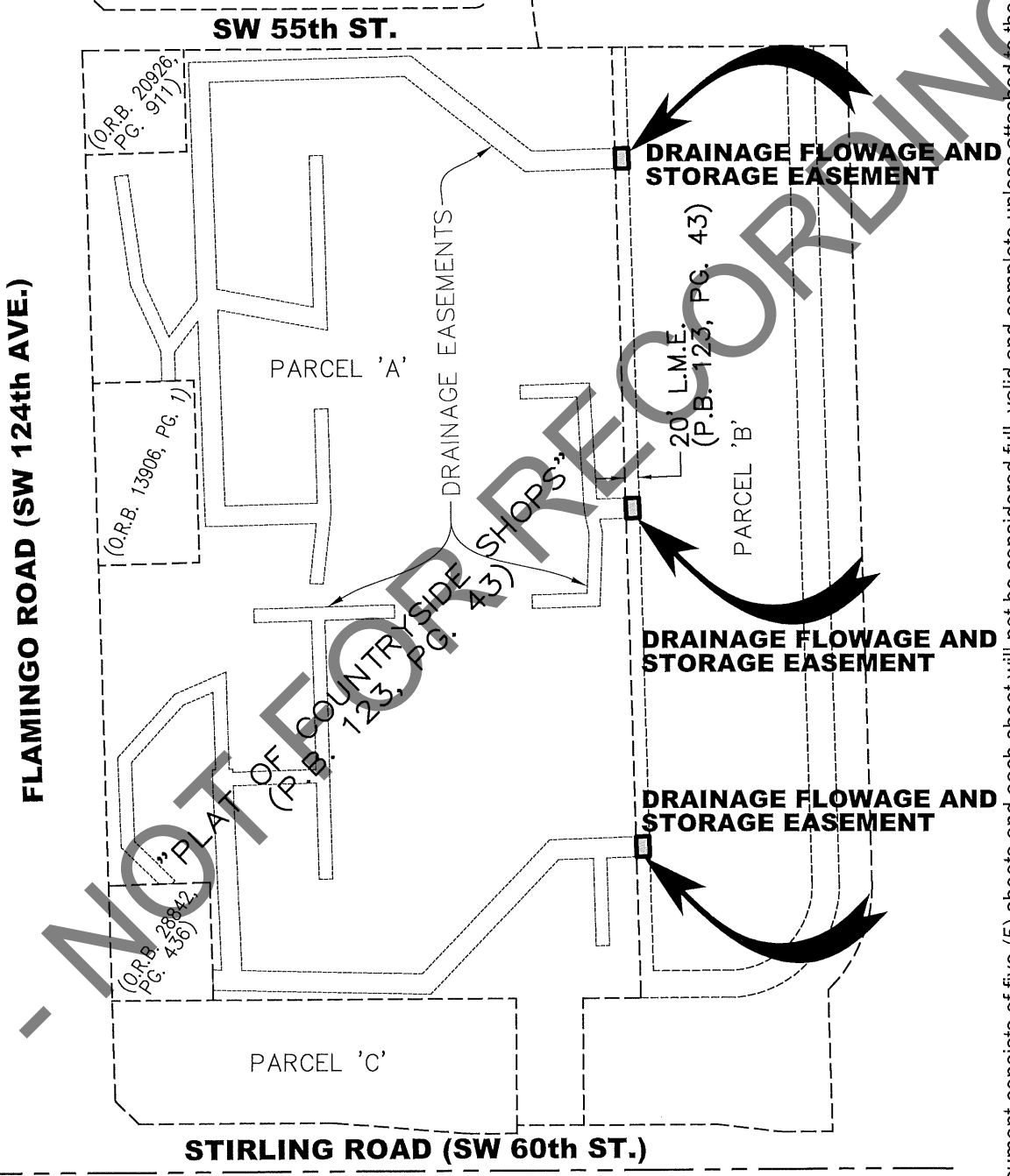


**CBWCD DRAINAGE FLOWAGE AND STORAGE EASEMENT  
(COUNTRYSIDE SHOPS REDEVELOPMENT)**

A PORTION OF PARCEL 'B', "PLAT OF COUNTRYSIDE SHOPS", PLAT BOOK 123, PAGE 43, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, IN SECTION 36, TOWNSHIP 50 SOUTH, RANGE 40 EAST, CITY OF COOPER CITY, BROWARD COUNTY, FLORIDA.

**EXHIBIT "B"**

**Folio Number: 5040 36 10 0020**



**LOCATION MAP  
(NOT TO SCALE)**

This document consists of five (5) sheets and each sheet will not be considered full, valid and complete unless attached to the others.

COPY - NOT FOR RECORDING  
SW CORNER SEC. 36-50-40  
1 OF 5 7/1/24

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| TA | <b>TRANSAMERICA • ESM INC.</b>  |
|    | PROFESSIONAL LAND SURVEYOR AND MAPPER   |
|    | CERTIFICATE OF AUTHORIZATION NO. L.B.# 8018                                     |
|    | <b>7971 NW 186th TERR., HIALEAH, FLORIDA 33015</b>                              |
|    | OFFICE: (305) 829-8600 MOBILE: (786) 402-4475<br>E-MAIL: QUINTANA_J@COMCAST.NET |

|                        |
|------------------------|
| DRAWN: A.J.            |
| CHECKED: J.A.Quintana. |
| SCALE: AS NOTED        |
| DATE: 06-13-2021       |
| PROJ. #: 2019 01       |

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
Copyright © 2021 Jorge Synology Private Account Projects Julio Quintana 2019 2019 01 Countryside Shops DWG 2019 01 Countryside Shops\_Revise2.dwg 6/13/2021 6:47 PM

**CBWCD DRAINAGE FLOWAGE AND STORAGE EASEMENT  
(COUNTRYSIDE SHOPS REDEVELOPMENT)**

A PORTION OF PARCEL 'B', "PLAT OF COUNTRYSIDE SHOPS", PLAT BOOK 123, PAGE 43, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, IN SECTION 36, TOWNSHIP 50 SOUTH, RANGE 40 EAST, CITY OF COOPER CITY, BROWARD COUNTY, FLORIDA.

**EXHIBIT "B"**

**LEGEND AND ABBREVIATIONS:**

- |        |  |   |                  |
|--------|--|---|------------------|
| CBWCD  | Central Broward Water Control District |   |                  |
| L.M.E. | Lake Maintenance Easement              | SEC.  | Section          |
| P.O.B. | Point of Beginning                     | U.E.  | Utility Easement |
| P.O.C. | Point of Commencement                  |  | Section Corner   |
| P.O.T. | Point of Termination                   |   |                  |
| PG.    | Page                                   |   |                  |
| P.B.   | Plat Book                              |   |                  |


**SURVEYOR'S REPORT:**

- The 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.
- This sketch does not represent a land survey.
- 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.
- This document consists of five (5) sheets and each sheet will not be considered full, valid and complete unless attached to the others.
- Bearings shown hereon are based on an assumed value of S01°44'41"E along the West line of Parcel 'B' of "PLAT OF COUNTRYSIDE SHOPS", according to the Plat thereof, as recorded in Plat Book 123, Page 43, of the Public Records of Broward County, Florida.
- The easements strips shown hereon form closed geometric figures.
- The property shown hereon was not abstracted by this firm for ownership, rights-of-way, easements or other matters of record.
- The intent of these easements description is to encompass the storm water utilities and related facilities, as shown on the Thomas Engineering Group Paving, Grading and Drainage Plan Phases I and II, Project No.: F130140.

**SURVEYOR'S CERTIFICATE:**

I HEREBY CERTIFY: that the SKETCH AND LEGAL of the property described hereon was made under my supervision and that the SKETCH AND LEGAL meets the Standard of Practice set forth by the Florida Board of Professional Land Surveyors and Mappers in Chapter 5J-17 Florida Administrative Code pursuant to Section 472.027, Florida Statutes. And, that the sketch hereon is true and correct to the best of my knowledge and belief. Subject to notes and notations shown hereon. This sketch does not represent a land survey.

TRANSAMERICA, ESM. INC. L.B.# 8018

  
 Julio A. Quintana  
 Professional Surveyor and Mapper No. 6214  
 State of Florida

7/1/21  
2 of 5  
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DRAWN: A.J.  
 CHECKED: J.A.Quintana.  
 SCALE: N/A  
 DATE: 06-13-2021  
 PROJ. #: 2019 01

SHEET:  
2  
 OF 5 SHEETS

**CBWCD DRAINAGE FLOWAGE AND STORAGE EASEMENT LEGAL DESCRIPTION  
(COUNTRYSIDE SHOPS REDEVELOPMENT)**

A PORTION OF PARCEL 'B', "PLAT OF COUNTRYSIDE SHOPS", PLAT BOOK 123, PAGE 43, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, IN SECTION 36, TOWNSHIP 50 SOUTH, RANGE 40 EAST, CITY OF COOPER CITY, BROWARD COUNTY, FLORIDA.

**EXHIBIT "B"**

**LEGAL DESCRIPTION:**

The CBWCD Drainage Flowage and Storage Easements being a portion of Parcel 'B' of "PLAT OF COUNTRYSIDE SHOPS", according to the Plat thereof, as recorded in Plat Book 123, Page 43, of the Public Records of Broward County, Florida, in Section 36, Township 50 South, Range 40 East, City of Cooper City, Broward County, Florida, being more particularly described as follows:

A strip of land 30.00 feet in width, lying 15.00 feet to the left and 15.00 feet to the right of the following described centerline; COMMENCE at the NW corner of said Parcel 'B'; thence S01°44'41"E as a basis of bearings along the West line of said Parcel 'B' for a distance of 165.33 feet to POINT "A"; thence continue S01°44'41"E along said line for a distance of 518.46 feet to POINT "B"; thence continue S01°44'41"E along said line for a distance of 502.42 feet to the POINT OF BEGINNING of the aforementioned strip of land; thence N87°52'56"E for a distance of 20.00 feet to the point of intersection with the East line of a 20 foot lake maintenance easement as shown in said plat of "PLAT OF COUNTRYSIDE SHOPS", said point also being the POINT OF TERMINATION of aforementioned strip of land.

TOGETHER with a strip of land 30.00 feet in width lying 15.00 feet to the left and 15.00 feet to the right of the following described centerline; BEGIN at the herein above described POINT "A"; thence N88°18'29"E for a distance of 20.00 to the point of intersection with the East line of a 20 foot lake maintenance easement as shown in said plat of "PLAT OF COUNTRYSIDE SHOPS", said point also being the POINT OF TERMINATION of aforementioned strip of land.

TOGETHER with a strip of land 30.00 feet in width lying 15.00 feet to the left and 15.00 feet to the right of the following described centerline; BEGIN at the herein above described POINT "B"; thence N88°13'45"E for a distance of 20.00 feet to the point of intersection with the East line of a 20 foot lake maintenance easement as shown in said Plat of "PLAT OF COUNTRYSIDE SHOPS", said point also being the POINT OF TERMINATION of aforementioned strip of land.

The side lines of said easements are to be lengthened or shortened at angle and intersections points to form a contiguous strip of land along the route described and also in order to terminate at the boundaries or limits of any aforementioned boundaries or easement lines. Having an area of 1,800 square feet, more or less. Lying and being in City of Cooper City, Broward County, Florida.

12/10/21  
SJS  
RA

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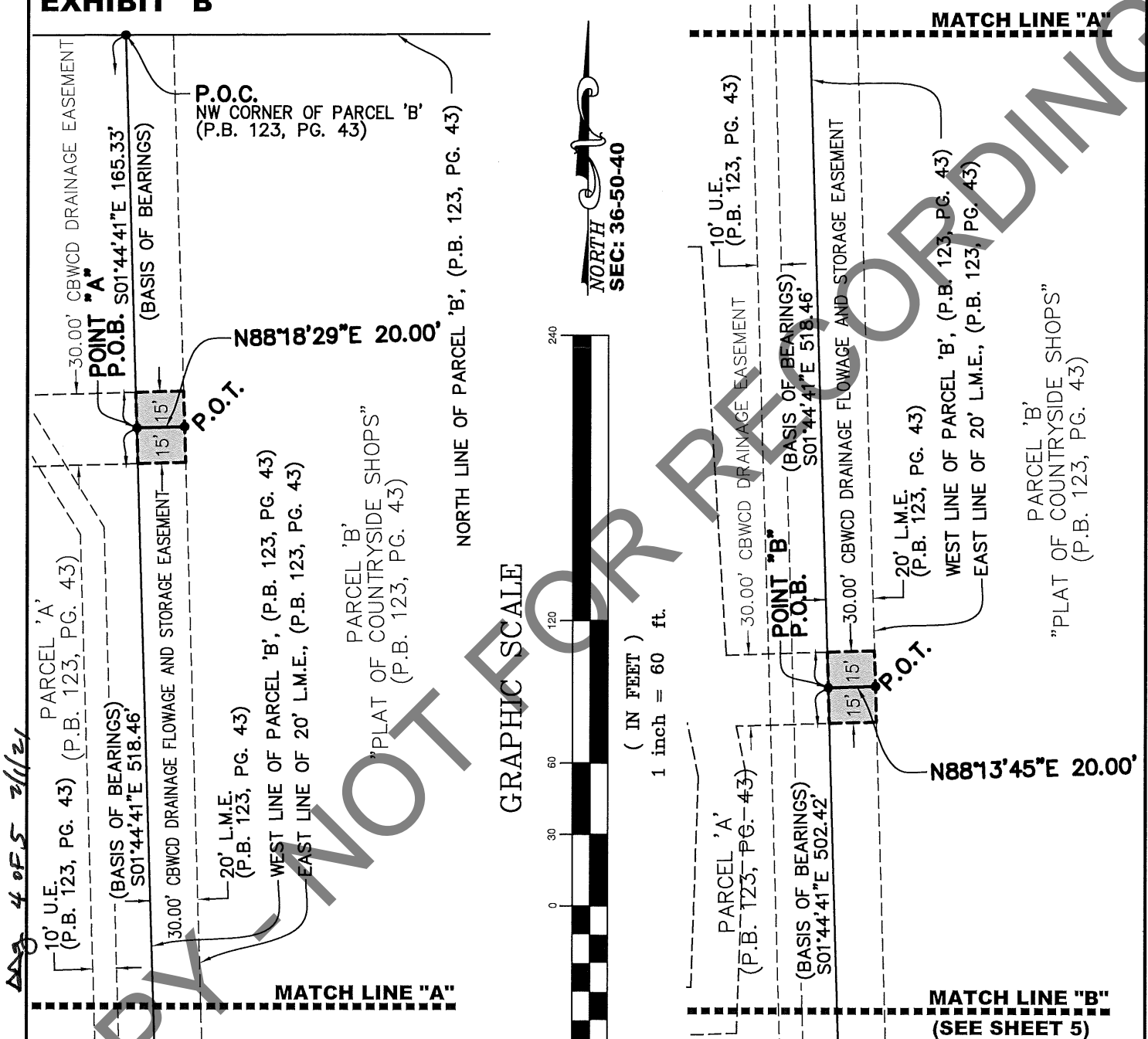
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 CHECKED: J.A.Quintana.  
 SCALE: N/A  
 DATE: 06-13-2021  
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 OF 5 SHEETS

**SKETCH TO ACCOMPANY CBWCD DRAINAGE FLOWAGE AND STORAGE EASEMENT LEGAL DESCRIPTION (COUNTRYSIDE SHOPS REDEVELOPMENT)**

A PORTION OF PARCEL 'B', "PLAT OF COUNTRYSIDE SHOPS", PLAT BOOK 123, PAGE 43, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, IN SECTION 36, TOWNSHIP 50 SOUTH, RANGE 40 EAST, CITY OF COOPER CITY, BROWARD COUNTY, FLORIDA.

**EXHIBIT "B"**



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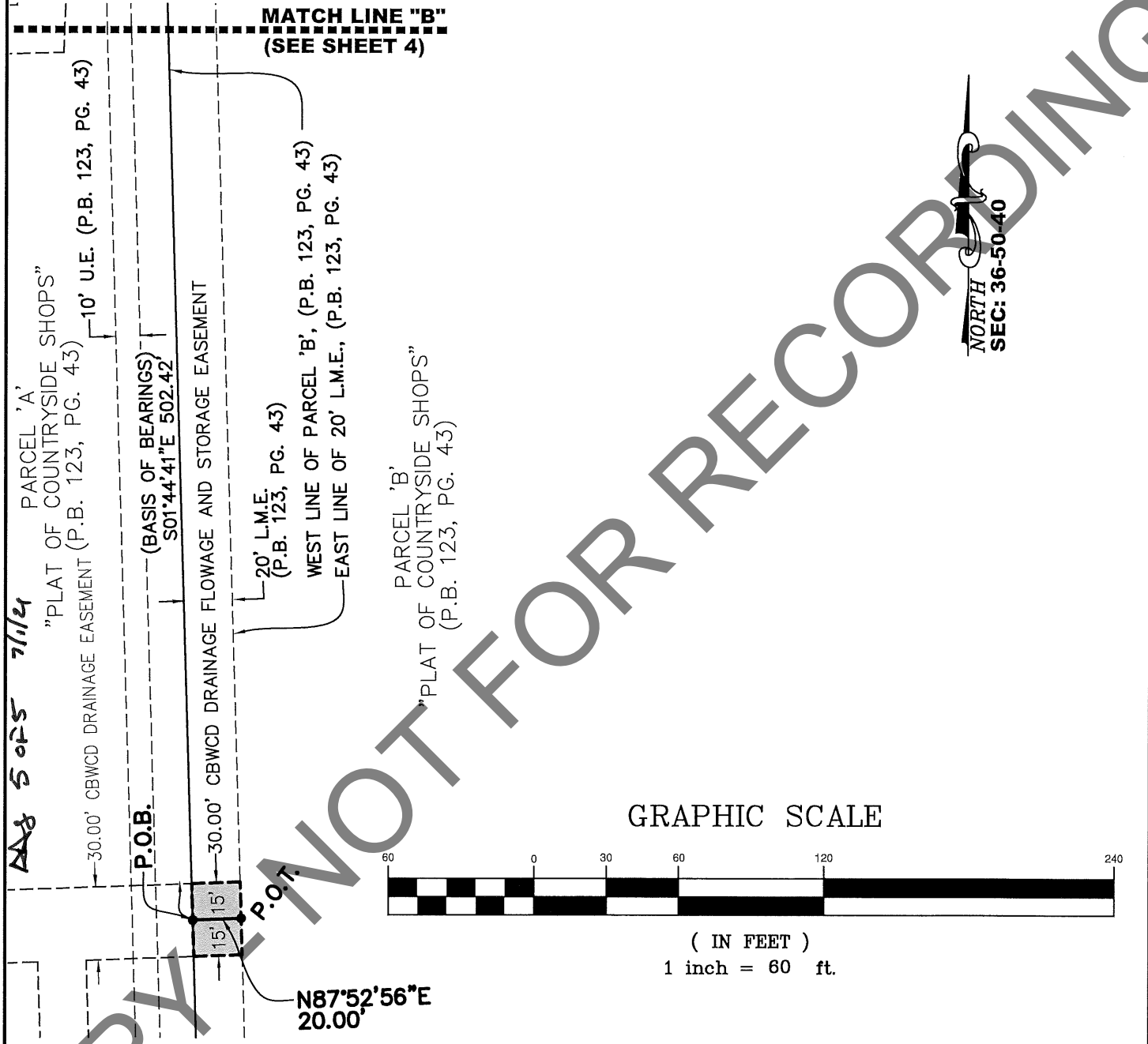
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(COUNTRYSIDE SHOPS REDEVELOPMENT)**

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