

Prepared by and Return to:
City of Lake Worth Beach
Attn: City Clerk
7 North Dixie Hwy.
Lake Worth Beach, FL 34460

UTILITY EASEMENT

THIS UTILITY EASEMENT is made this ____ day of _____ 20_, by and between **Sunshine Lake Worth Development, LLC**, a Florida limited liability company("Grantor") and **CITY OF LAKE WORTH BEACH**, a Florida municipal corporation ("City").

WITNESSETH

WHEREAS, the Grantor is the owner of property generally located in Lake Worth Beach, Florida, and as legally described in **Exhibit "A"** attached hereto and incorporated herein ("Property"); and

WHEREAS, the City desires an unrestricted and nonexclusive easement for public utility purposes through the Property as described and mapped in **Exhibit "B"** attached hereto and incorporated herein ("Easement Area"); and

WHEREAS, the public utilities existing in and/or to be placed in the Easement Area may provide services to and from the Property and other properties which may or may not abut and be contiguous to the Easement Area; and

WHEREAS, the Grantor is willing to grant such easement.

NOW, THEREFORE, for and in consideration of the mutual covenants and other valuable consideration, the sufficiency and receipt of which is acknowledged by Grantor and the City, the Grantor grants unto the City, its licensees, agents, successors, and assigns:

A perpetual, unrestricted, and nonexclusive easement in, over, under, through, upon, and across the Easement Area for the purpose of providing utility services to and from properties or lands or maintain the same, which may include the Property, also for the City to provide utility service to properties which may not be contiguous to the Easement Area, including the right to lay, or cause to be laid, and to maintain utility pipes, mains, appurtenances and devices; to maintain, repair, rebuild, operate and control utility transmission lines; the right to clear said Easement Area and keep it clear of brush, trees, and permanent structures and fire hazards; together with all rights of ingress and egress necessary for the full and complete use, occupation, and enjoyment of the Easement Area hereby granted, and all rights and privileges incident thereto; and, the permanent, full and free right and authority to own, construct, operate, maintain, repair, install, rebuild and replace utility facilities within the Easement Area.

TO HAVE AND TO HOLD the said Easement, unto the City, its licensees, agents, successors and assigns forever. It being expressly understood, however, that in the event the City, its licensees,

successors, and assigns abandons or vacates the easement herein granted, that the same shall revert back to Grantor, its heirs, successors or assigns.

By accepting this Easement, the City agrees: (a) to perform all work undertaken by the City within the Easement Area in a good and workmanlike manner and to promptly complete all work within the Easement Area; (b) to restore any of the Property disturbed by work undertaken by the City for purposes of construction, removal, demolition and/or maintenance to its condition that existed prior to the commencement of such work; (c) to not unreasonably interfere with the use of the Property by Grantor or any of Grantor's tenants, invitees or guests; and (d) to be responsible for all costs associated with the City's construction, removal, demolition and/or maintenance pursuant to this Easement.

Signed, sealed and delivered
in the presence of:

GRANTOR:
Sunshine Lake Worth Development, LLC

Signature of Witness #1

Typed/Printed Name of Witness #1

Address of Witness #1

By: _____

Name:

Title:

[Corporate Seal]

Signature of Witness #2

Typed/Printed Name of Witness #2

Address of Witness #2

STATE OF _____)
COUNTY OF _____)

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this ____ day of _____, 202_, by _____, as _____ of the Grantor. He/She ☐ is personally known to me or ☐ has produced _____ as identification.

Notary Seal:

Notary Public

Remainder of this page intentionally left blank
City's acceptance page follows

**The City of Lake Worth Beach, Florida, accepted the foregoing Utility Easement from SLWD, LLC,
on the ____ day of _____, 20__.**

CITY OF LAKE WORTH BEACH

ATTEST:

By: _____
Betty Resch, Mayor

By: _____
Melissa Coyne, City Clerk

Approved as to form and legal sufficiency:

By: _____
Glen J. Torcivia, City Attorney

EXHIBIT "A"
Legal Description of Property

EXHIBIT "B"
Legal Description and Survey of Easement Area