

Return to:  
City of Lake Worth Beach  
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 **1017 LAKE AVE, 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 at 1017 Lake Avenue, 101 S. East Coast Street, and 115 S. East Coast Street, Lake Worth Beach, Florida, and as legally described in Exhibit "A" attached hereto and incorporated herein (the "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 (the "Easement Area"); and

WHEREAS, the public utilities 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:

Kellie

Signature of Witness

Kemissa Colin

Printed Name of Witness

Justin Straub

Signature of Witness

Justin Straub

Printed Name of Witness

**1017 LAKE AVE, LLC**, a Florida limited liability company

By: [Signature]

Jeffrey Burns, Authorized Signatory

STATE OF FLORIDA )  
COUNTY OF Broward )

The foregoing instrument was acknowledged before me by X personal appearance or \_\_\_ remote online notarization this 26<sup>th</sup> day of MAY, 2022, by Jeffrey Burns, as Authorized Signatory of 1017 Lake Ave, LLC, a Florida limited liability company, on behalf of the company, who X is personally known to me or \_\_\_ has produced N/A as identification and who did not take an oath.

(Affix notarial seal or stamp)

My commission expires: 11.13.2025

[Signature]  
Notary Public



The City of Lake Worth Beach accepted the foregoing Easement on \_\_\_\_\_, 2022.

City of Lake Worth Beach

\_\_\_\_\_  
Betty Resch, Mayor

ATTEST:

Approved as to form and legal sufficiency:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Christy J. Goddeau, City Attorney



**EXHIBIT "A"**  
**Legal Description of Property**

**Parcel 1:**

That part of Block 500, Palm Beach Farms Company, Plat No. 2, Lucerne Townsite (now known as the City of Lake Worth), Plat Book 2, Page 29, Public Records of Palm Beach County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the Replat of a Portion of Block 500, as recorded in Plat Book 32, Page 14, of the Public Records of Palm Beach County, Florida, said point being on the West right of way line of East Coast Street, thence North along said right of way, a distance of 320 feet to the Northeast corner of that parcel described in Official Records Book 3662, Page 1611, Public Records of Palm Beach County, Florida, and the Point of Beginning of the hereinafter described parcel; thence continue North, along said right of way, a distance of 320.41 feet to a point on the South right of way line of Lake Avenue and the North line of said Block 500; thence West, along said South right of way and North block line, a distance of 129.17 feet, to a point on the East right of way line of a 100 foot operating right of way of the Florida East Coast Railway right of way; thence South, along said East right of way line, a distance of 320.42 feet, to the Northwest corner of said parcel described in Official Records Book 3662, Page 1611; thence East, parallel with the North line of said Replat and along the North line of said parcel described in Official Records Book 3662, Page 1611, a distance of 126.13 feet to the Point of Beginning.

**Parcel 2:**

A portion of Block 500 of the Palm Beach Farms Co. Plat No. 2, Lucerne Townsite (now known as the City of Lake Worth) according to the plat thereof, as recorded in Plat Book 2, Page 29, of the Public Records of Palm Beach County, Florida, bounded as follows:

On the South by the Northerly boundary of the Replat of a Portion of Block 500, Palm Beach Farms Co. Plat No. 2, Lucerne Townsite according to the Plat thereof, as recorded in Plat Book 32, Page 14, of the Public Records of Palm Beach County, Florida; on the West by the West boundary of said Block 500; on the East by the East boundary of said Block 500; and on the North by a line 320 feet North of and parallel with the North boundary of said Replat of a Portion of Block 500.

**Parcel 3:**

The North 64.90 feet of Replat of a portion of Block 500, Palm Beach Farms Co. Plat No. 2 Lucerne Townsite, according to the plat thereof, as recorded in Plat Book 32, Page 14, Public Records of Palm Beach County, Florida.

The above Parcels also being described as:

A portion of Block 500, Palm Beach Farms Company, Plat No. 2, Lucerne Townsite, the Townsite of Lucerne is now known as Lake Worth, as recorded in Plat Book 2, Page 29, Public Records of Palm Beach County, Florida, and a portion of Replat of a Portion of Block 500, as recorded in Plat Book 32, Page 14, Public Records of Palm Beach County, Florida, being more particularly described as follows:

Beginning at the Northeast corner of Block 500; thence Southerly along the East line of Block 500 a distance of 704.90 feet to a point on a line 64.90 feet South of the North line of said Replat of a Portion of Block 500; thence Westerly parallel with and 64.90 feet South of the North line of said Replat of a

Portion of Block 500, a distance of 122.47 feet to the West line of Block 500; thence Northerly along the West line of Block 500, a distance of 704.94 feet to the North line of Block 500; thence Easterly along the North line of Block 500, a distance of 129.17 feet to the Northeast corner of Block 500 and the Point of Beginning.

**EXHIBIT “B”**  
Legal Description and Survey of Easement Area

LEGAL DESCRIPTION: UTILITY EASEMENT

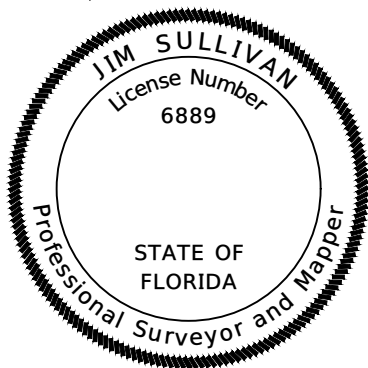
A PORTION OF BLOCK 500, AND A PORTION OF LOT 17, BLOCK 57, BOTH ACCORDING TO THE PLAT OF THE PALM BEACH FARMS COMPANY PLAT NO 2 LUCERNE TOWNSITE, (NOW KNOWN AS THE CITY OF LAKE WORTH), AS RECORDED IN PLAT BOOK 2 AT PAGES 29-40, AND A PORTION OF REPLAT OF A PORTION OF BLOCK 500, AS RECORDED IN PLAT BOOK 32 AT PAGE 14, ALL BEING RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LANDS AS RECORDED IN PLAT BOOK 34 AT PAGE 14, IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 01°22'48" EAST, A DISTANCE OF 164.89 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°37'12" WEST, A DISTANCE OF 5.00 FEET; THENCE NORTH 01°22'48" EAST, A DISTANCE OF 32.43 FEET; THENCE NORTH 88°37'12" WEST, A DISTANCE OF 119.96 FEET; THENCE NORTH 00°50'08" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 88°37'12" EAST, A DISTANCE OF 93.27 FEET; THENCE NORTH 76°55'32" EAST, A DISTANCE OF 27.76 FEET; THENCE NORTH 01°22'48" EAST, A DISTANCE OF 47.40 FEET; THENCE NORTH 88°37'12" WEST, A DISTANCE OF 5.00 FEET; THENCE NORTH 01°22'48" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 88°37'12" EAST, A DISTANCE OF 5.00 FEET; THENCE NORTH 01°22'48" EAST, A DISTANCE OF 6.00 FEET; THENCE NORTH 88°37'12" WEST, A DISTANCE OF 5.00 FEET; THENCE NORTH 01°22'48" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 88°37'12" EAST, A DISTANCE OF 5.00 FEET; THENCE NORTH 01°22'48" EAST, A DISTANCE OF 264.17 FEET; THENCE NORTH 88°37'12" WEST, A DISTANCE OF 5.00 FEET; THENCE NORTH 01°22'48" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 88°37'12" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 01°22'48" WEST, A DISTANCE OF 406.93 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAIN 4,679 SQUARE FEET OR 0.107 ACRES, MORE OR LESS.

LEGEND:

ORB = Official Record Book  
PBCR = Palm Beach County Records  
PB = Plat Book  
PG. = Page  
PUD = Planned Unit Development



(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)

SURVEYOR'S NOTES:

1. DATA SHOWN HEREON WAS COMPILED FROM OTHER INSTRUMENTS AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
2. THE BEARINGS SHOWN HEREON ARE BASED ON GRID NORTH, AND ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 1990, (NAD 83/90). THE BASIS OF BEARING FOR THIS SURVEY IS THE CENTERLINE OF EAST COAST STREET, HAVING A BEARING OF NORTH 01 22' 48" EAST.

For The Firm:  
WGI, Inc.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
JIM SULLIVAN, PSM  
Professional Surveyor and Mapper  
State of Florida License No. 6889

PROJECT:

THE BOHEMIAN

TASK:

UTILITY EASEMENT

PREPARED BY:



2035 Vista Parkway, West Palm Beach, FL 33411  
Phone No. 866.909.2220 www.wginc.com  
Cert No. 6091 - LB No. 7055

CAD 5582.00 UTILITY EASEMENT.DWG

DRAWN/DESIGNED LMS

CHECKED/QC JS

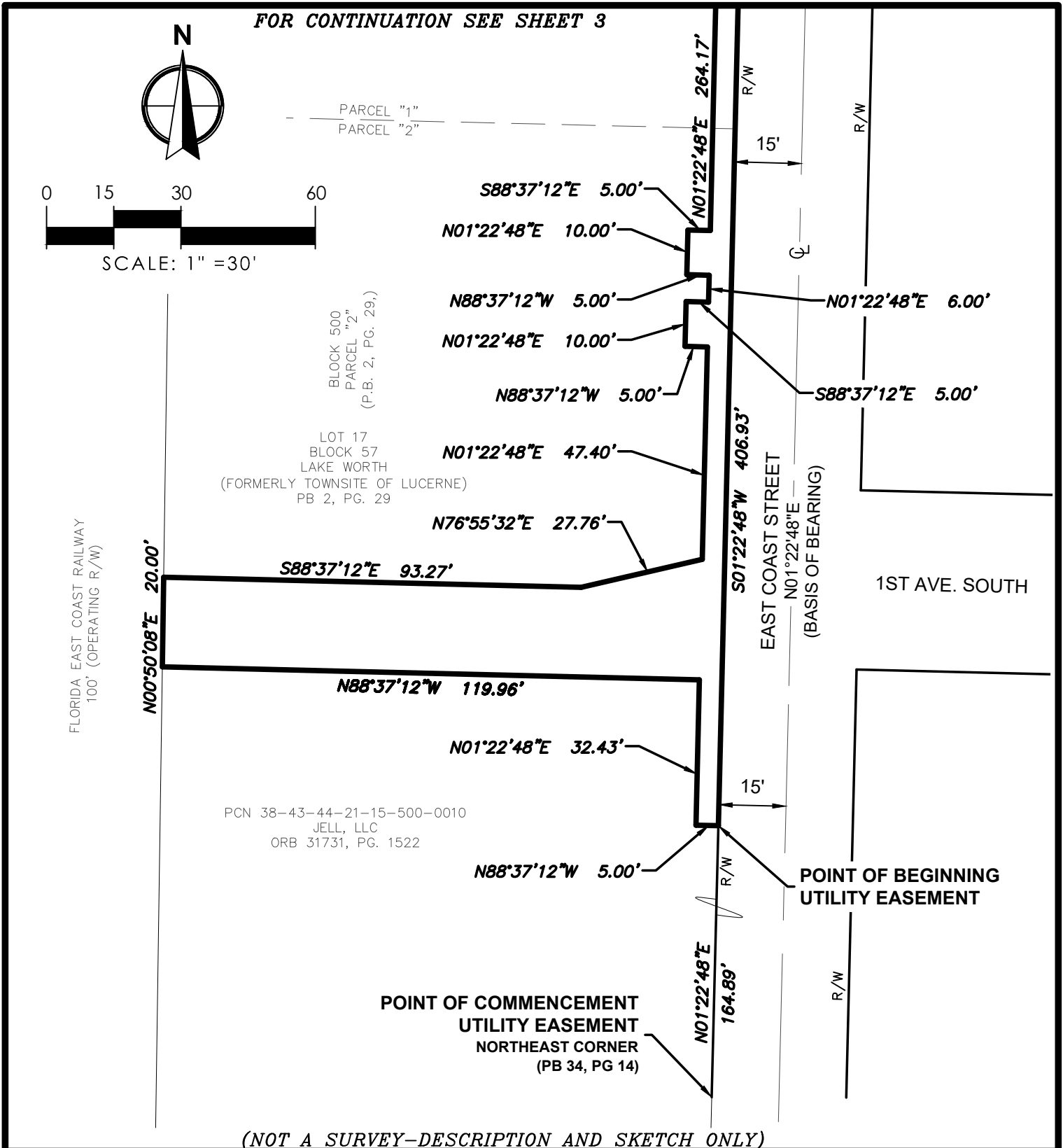
JOB NO. 5582.00

DATE 04/20/2022

SHEET:

1 of 3

Jim Sullivan C:\pwworking\wgijm.sullivan\d166203\558200-SV-UE.dwg 8x11 Plotted: 4/20/2022 11:41:40 AM Saved: 4/20/2022 11:35:35 AM



PROJECT: <b>THE BOHEMIAN</b>		TASK: <b>UTILITY EASEMENT</b>	
PREPARED BY: <b>W WGI</b> 2035 Vista Parkway, West Palm Beach, FL 33411 Phone No. 866.909.2220 www.wginc.com Cert No. 6091 - LB No. 7055		CAD 5582.00 UTILITY EASEMENT.DWG	
		DRAWN/DESIGNED LMS	SHEET: <b>2 of 3</b>
		CHECKED/QC JS	
		JOB NO. 5582.00	
		DATE 04/20/2022	



R/W LAKE AVENUE

S88°37'12"E 10.00'

N01°22'48"E 10.00'

N88°37'12"W 5.00'

N01°22'48"E  
98.18'

15'

EAST COAST STREET  
N01°22'48"E  
(BASIS OF BEARING)

PCN 38-43-44-21-15-500-0010  
JELL, LLC  
ORB 31731, PG. 1522

BLOCK 500  
PARCEL "1"  
(P.B. 2, PG. 29.)

LOT 17  
BLOCK 57  
LAKE WORTH  
(FORMERLY TOWNSITE OF LUCERNE)  
PB 2, PG. 29

N01°22'48"E 264.17'

S01°22'48"W 406.93'

R/W

CL

R/W

15'

**FOR CONTINUATION SEE SHEET 2**

**(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)**

PROJECT:

THE BOHEMIAN

TASK:

UTILITY EASEMENT

PREPARED BY:



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SHEET:

3 of 3