

Prepared by and return to:

Glen J. Torcivia, City Attorney
City of Lake Worth Beach
Attn: City Clerk
7 N. Dixie Highway
Lake Worth Beach, FL 33460

UTILITY EASEMENT

THIS UTILITY EASEMENT is made, granted and entered into this _____ day of _____, 2024, by **BRANDX LLC**, a Florida limited liability company with a mailing address of 3901 Gulfstream Road, Palm Springs, FL 33461 (“Grantor”), in favor of the **CITY OF LAKE WORTH BEACH, FLORIDA**, a municipal corporation, having its place of business at 7 North Dixie Hwy., Lake Worth Beach, FL 34460 (“City”).

WHEREAS, Grantor is the fee simple owner of certain real property located at 3673 Coconut Road, Palm Springs, Florida, as more particularly 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 more particularly described 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, the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has and by these presents does hereby grant and convey to the City, its licensees, agents, successors and assigns, the following:

A perpetual, unrestricted and nonexclusive easement in, over, under, through, upon, and across the Easement Area for the purposes of constructing, operating and maintaining public utilities and providing utility services to and from properties or lands which may include the Property, 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, repair, rebuild, operate and control utility pipes, poles, wires, mains, transmission lines, appurtenances and devices; 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.

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.

The Grantor, its successors and assigns, further agree not plant any vegetation (other than grass) or build any structure in the Easement Area unless approved in writing by the City which approval shall not be unreasonably withheld, conditioned or delayed. The Grantor, its successors, and assigns shall be responsible for maintaining the grass and all other permitted vegetation together with any approved structures at the Grantor's sole cost and expense.

The Grantor does hereby fully warrant the title to said Property and will defend the same against the lawful claims of all persons whomsoever claimed by, through, or under it, that it has good right and lawful authority to grant the above-described easement, and that the same is unencumbered or if encumbered, the Grantor shall obtain the joinder of any mortgagee to this easement. Where the context of this Easement allows or permits, the same shall include the successors or assigns of the parties.

This Easement shall run with the land and shall be binding upon and shall inure to the benefit of the respective parties, their successors or assigns and grantees. This Easement shall continue unless or until the City terminates its rights herein provided by written notice to the Grantor, its successors or assigns.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK
SIGNATURE AND ACCEPTANCE PAGE FOLLOWS

IN WITNESS WHEREOF, the undersigned has signed and sealed this Utility Easement on the day and year first above written.

Signed, sealed and delivered in the presence of:

GRANTOR: **BRANDX LLC**

[Signature]
Brandon Cabrera, President

Witnesses *[Signature]*

Signature - Witness 1
Enid Jackson

Print Name - Witness 1
416 S. Military Tr. W.P.B., FL 33415

Address
[Signature]

Signature - Witness 2
Anthony Espino

Print Name - Witness 2
416 S. Military Tr. W.P.B., FL 33415

Address

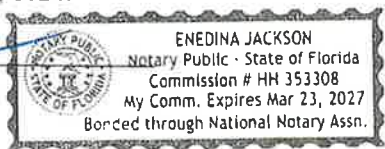
STATE OF Florida
COUNTY OF Palm Beach

I HEREBY CERTIFY that on this day, before me, by means of physical presence or online notarization, the foregoing Utility Easement was acknowledged before me by Brandon Cabrera, as Grantor herein ✓ who is personally known to me or _____ who has produced _____ as identification and who did not take an oath.

WITNESS my hand and official seal this Nov. day of Nov., 2024.

Notary Seal:

[Signature]
Notary Public



CITY ACCEPTANCE:

ATTESTS:

CITY OF LAKE WORTH BEACH

By: _____
Melissa Ann Coyne, City Clerk

By: _____
Betty Resch, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: _____
Glen J. Torcivia, City Attorney

Exhibit "A"

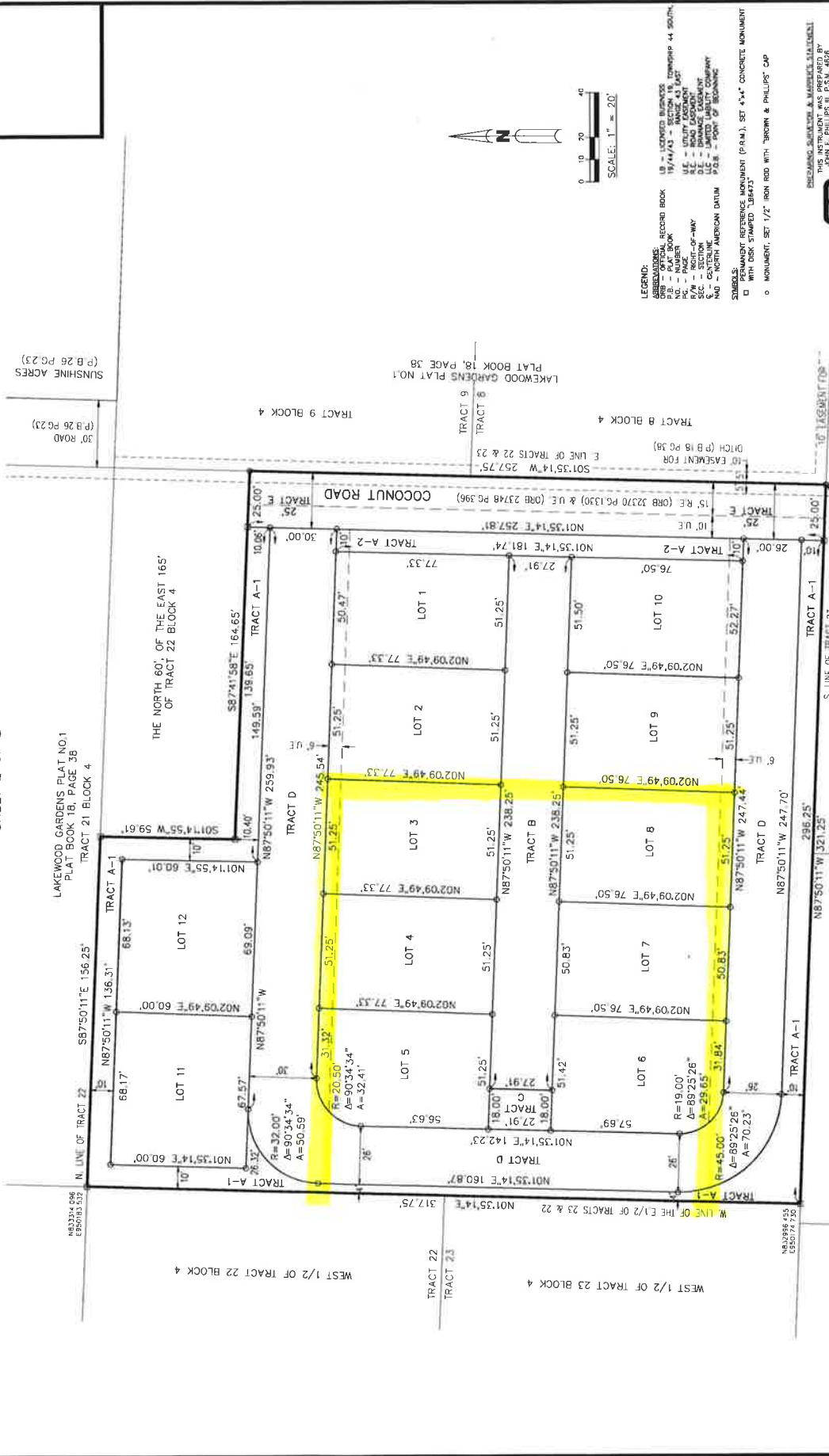
Description of Property with Survey or Sketch
(see attachment)

BRANDX COMPANY SINGLE FAMILY HOMES

EXHIBIT "A"

3673 COCONUT ROAD

A REPLAT OF THE EAST ONE-HALF OF TRACTS 22 AND 23 IN BLOCK 4, LAKEWOOD GARDENS PLAT NO. 1, RECORDED IN PLAT BOOK 18, PAGE 38, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE EAST 165 FEET OF THE NORTH 60 FEET OF TRACT 22 LYING IN THE SOUTHWEST QUARTER (S.W. 1/4), OF SECTION 19, TOWNSHIP 44 SOUTH, RANGE 43 EAST, VILLAGE OF PALM SPRINGS, PALM BEACH COUNTY, FLORIDA
SHEET 2 OF 2



LEGEND:
LB - LOCKED BURROUGHS
OB - ORIGINAL RECORD BOOK
NB - NUMBER
PL - PLAT
PG - PAGE
SEC - SECTION
TWP - TOWNSHIP
RNG - RANGE
S.W. - SOUTHWEST QUARTER
SUBS - SUBSEQUENT
MON - MONUMENT
CON - CONCRETE
W - WITH
D - DISK
S - SET
C - CONCRETE
M - MONUMENT
I - IRON
R - ROD
W - WITH
B - BROWN
& P - PHILLIPS
C - CAP

RECORD BOOK
18/44/3 - TOWNSHIP 44 SOUTH
18/44/3 - RANGE 43 EAST
18/44/3 - SECTION 19
18/44/3 - PAGE 38
18/44/3 - PLAT BOOK 18

LEGEND:
O - MONUMENT, SET 1/2" IRON ROD WITH 'BROWN & PHILLIPS' CAP
X - MONUMENT, SET 4"x4" CONCRETE MONUMENT WITH DISK STAMPED 'LB#73'

BROWN & PHILLIPS, INC.
CERTIFICATE OF AUTHORIZATION # LB 6473
1860 OLD OKEECHOBEE RD., SUITE 509
WEST PALM BEACH, FLORIDA 33409
561-615-3885 615-3886 FAX

THIS SURVEY WAS PREPARED BY
JOHN E. PHILLIPS III, P.E., S.M., 4868

LAKEWOOD GARDENS PLAT NO. 1
PLAT BOOK 18, PAGE 38
TRACT 21 BLOCK 4

LAKEWOOD GARDENS PLAT NO. 1
PLAT BOOK 18, PAGE 38
TRACT 22 BLOCK 4

LAKEWOOD GARDENS PLAT NO. 1
PLAT BOOK 18, PAGE 38
TRACT 23 BLOCK 4

LAKEWOOD GARDENS PLAT NO. 1
PLAT BOOK 18, PAGE 38
TRACT 24 BLOCK 4

Exhibit "B"

Description of Easement Area with Survey or Sketch
(see attachment)

10 foot Utility easement will begin along the west property line, along the north road approximately 184 linear feet to the East and approximately 162 linear feet to the south, then along the south road approximately 184 linear feet to the West.

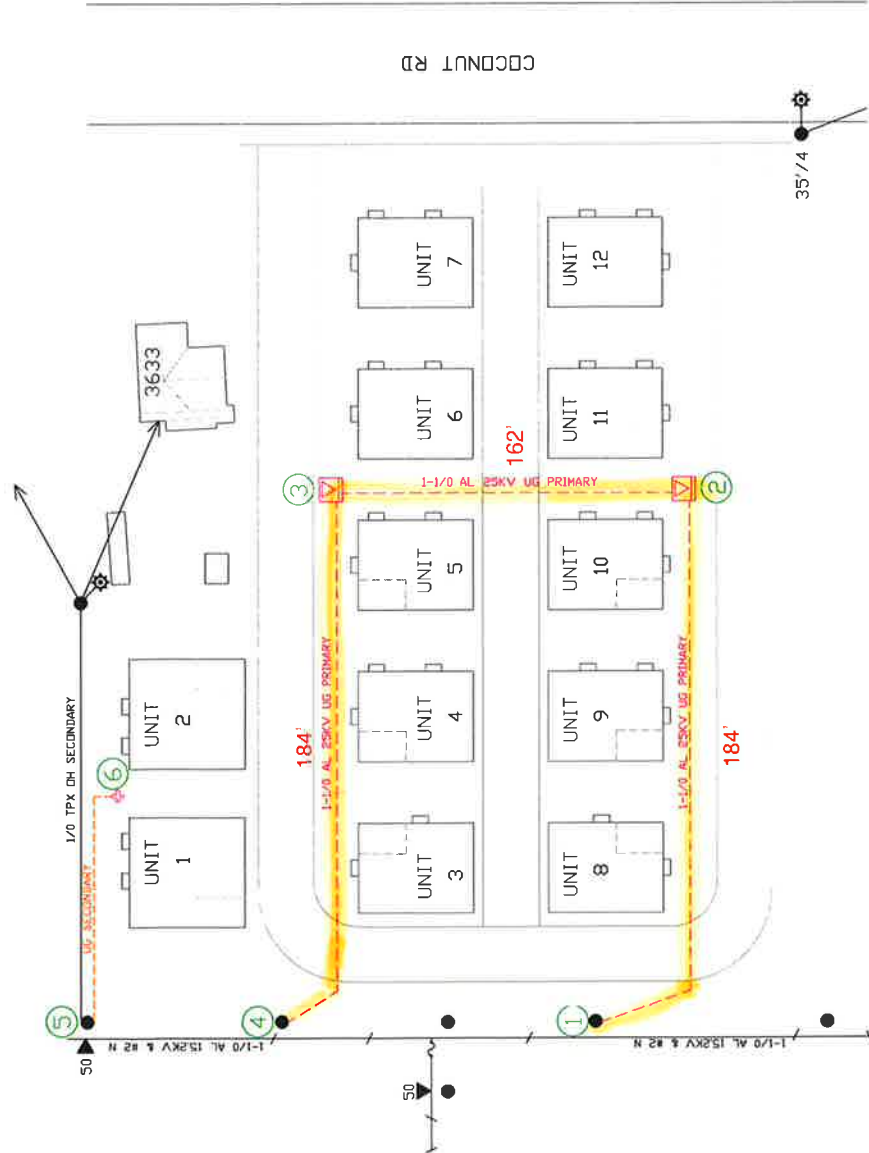


EXHIBIT "B"

WORK ORDER #:

NOTES:

- INSTALL 2 PDMT TRANSFORMERS (1) AT LOC. 2 & (1) AT LOC. 3
- RUN 1/0 AL 25KV UG PRIMARY CABLE FROM POLE AT LOC. 1 TO PDMT TRANSFORMER AT LOC. 2 AND FROM PDMT TRANSFORMER AT LOC. 2 TO PDMT TRANSFORMER AT LOC. 3.
- RUN 1/0 AL 25KV UG PRIMARY CABLE FROM PDMT TRANSFORMER AT LOC. 3 TO POLE AT LOC. 4
- RUN UG SECONDARY FROM TRANSFORMER POLE AT LOC. 5 TO HANDHOLE AT LOC. 6



LEGEND:

- ▼ EXISTING OVERHEAD TRANSFORMER
- EXISTING WOOD POLE
- ⊗ EXISTING STREET LIGHT
- ⊕ PROPOSED PDMT TRANSFORMER
- - - PROPOSED UNDERGROUND PRIMARY
- - - PROPOSED UNDERGROUND SECONDARY
- ◇ PROPOSED HANDHOLE
- ↗ EXISTING SINGLE Ø OVERHEAD LATERAL
- EXISTING SERVICE DROP
- ~ EXISTING FUSE/CUTOUT

NO.	DATE	BY	CHKD.	REVISION	RECORDS	NO.	DATE	BY	CHKD.	REVISION	RECORDS
1						1					
2						2					
3						3					
4						4					
5						5					
6						6					
7						7					
8						8					
9						9					
10						10					
11						11					
12						12					
13						13					
14						14					
15						15					
16						16					
17						17					
18						18					
19						19					
20						20					
21						21					
22						22					
23						23					
24						24					
25						25					
26						26					
27						27					
28						28					
29						29					
30						30					
31						31					
32						32					
33						33					
34						34					
35						35					
36						36					
37						37					
38						38					
39						39					
40						40					
41						41					
42						42					
43						43					
44						44					
45						45					
46						46					
47						47					
48						48					
49						49					
50						50					

CITY OF LAKE WORTH UTILITIES
LAKE WORTH, FLORIDA
3673 COCONUT RD