

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 Lake Worth Beach Community Redevelopment Agency ("Grantor") and **CITY OF LAKE WORTH BEACH**, a Florida municipal corporation ("City").

WITNESSETH

WHEREAS, the Grantor is the owner of property generally located at 1715 North Dixie Highway, 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:

[Signature]

Signature of Witness

Chris Dabros

Printed Name of Witness

[Signature]

Signature of Witness

Joseph Oliva

Printed Name of Witness

Lake Worth Beach CRA (Owner)

[Signature]

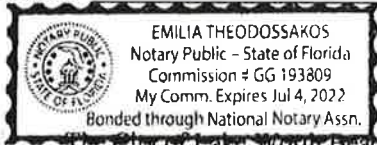
Print Name: Joan Olivia

Print Title: Director of Lake Worth Beach CRA

[Corporate Seal]

STATE OF FLORIDA)
COUNTY OF Palm Beach)

The foregoing instrument was acknowledged before me this 21 day of FEBRUARY, 2020, by JOAN OLIVA, who is personally known to me or who has produced _____ as identification and who did not take an oath.



[Signature]
Notary Public

The City of Lake Worth Beach accepted the foregoing Easement on _____, 20__.

City of Lake Worth Beach

Pam Triolo, Mayor

ATTEST:

Approved as to form and legal sufficiency:

Deborah M. Andrea, City Clerk

Christy J. Goddeau, City Attorney

pas slc/2

EXHIBIT "A"
Legal Description of Property

Lake Worth Heights LT 1 (Less E 2.5 FT N Dixie Hwy & TRGLR PAR
R/WS) & LTS 2 & 3 BLK D & LT 1 (Less E 2.5 FT N Dixie Hwy & TRGLR
PAR R/WS), LTS 2 & 3 & E 1/2 of LT 4 BLK E

EXHIBIT "B"
Legal Description and Survey of Easement Area

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17.050 THROUGH 5J-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

David A Bower
 Digitally signed
 by David A
 Bower
 Date: 2020.02.10
 13:59:13 -05'00'



DAVID A. BOWER
 PROFESSIONAL SURVEYOR & MAPPER
 STATE OF FLORIDA
 CERTIFICATE NO. LS 5888

DESCRIPTION:

A 15.00 FOOT WIDE STRIP OF LAND LYING WITHIN A PORTION OF LOT 3, BLOCK D AND A PORTION OF LOTS 3 AND 4, BLOCK E, LAKE WORTH HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 25 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 3 OF SAID BLOCK D;

THENCE SOUTH 89°55'10" EAST ALONG THE NORTH LINE OF SAID LOT 3 (AS A BASIS OF BEARINGS), A DISTANCE OF 15.00 FEET TO A POINT BEING ON A LINE LYING 15.00 FEET EAST OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES) THE WEST LINE OF SAID LOT 3;

THENCE SOUTH 00°00'02" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 190.38 FEET TO A POINT BEING ON A LINE LYING 15.00 FEET SOUTH OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES) THE NORTH LINE OF SAID BLOCK E;

THENCE NORTH 89°55'11" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 25.00 FEET TO A POINT BEING ON A LINE LYING 15.00 FEET EAST OF THE WEST LINE OF THE EAST ONE HALF OF LOT 4 OF SAID BLOCK E;

THENCE SOUTH 00°00'02" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 160.38 FEET TO A POINT BEING ON THE SOUTH LINE OF SAID LOT 4;

THENCE NORTH 89°55'17" WEST ALONG THE SOUTH LINE OF SAID LOT 4, A DISTANCE OF 15.00 FEET TO A POINT BEING ON THE WEST LINE OF THE EAST ONE HALF OF SAID LOT 4;

Dennis J. Leavy & Associates, Inc.
 Land Surveyors * Mappers
 460 Business Park Way * Suite B
 Royal Palm Beach, Florida 33411
 Phone: 561 753-0650 Email: survey@djlasurevey.net

**SKETCH & DESCRIPTION
 FOR: THE CITY OF LAKE WORTH BEACH**

DRAWN: MT	SCALE: N/A	DATE: 02/05/20
CHK: DAB	JOB# 17-125-3B SD	SHEET: 1 OF 5

DESCRIPTION (CONTINUED):

THENCE NORTH 00°00'02" WEST ALONG THE WEST LINE OF THE EAST ONE HALF OF SAID LOT 4, A DISTANCE OF 175.38 FEET TO A POINT BEING ON THE NORTH LINE OF SAID BLOCK E;

THENCE SOUTH 89°55'11" EAST ALONG THE NORTH LINE OF SAID BLOCK E, A DISTANCE OF 25.00 FEET TO A POINT BEING ON THE WEST LINE OF SAID LOT 3;

THENCE NORTH 00°00'02" WEST ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 175.38 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN SECTION 16, TOWNSHIP 44 SOUTH, RANGE 43 EAST, CITY OF LAKE WORTH BEACH, PALM BEACH COUNTY, FLORIDA.

CONTAINING 5,636 SQUARE FEET MORE OR LESS.

SURVEYORS NOTE:

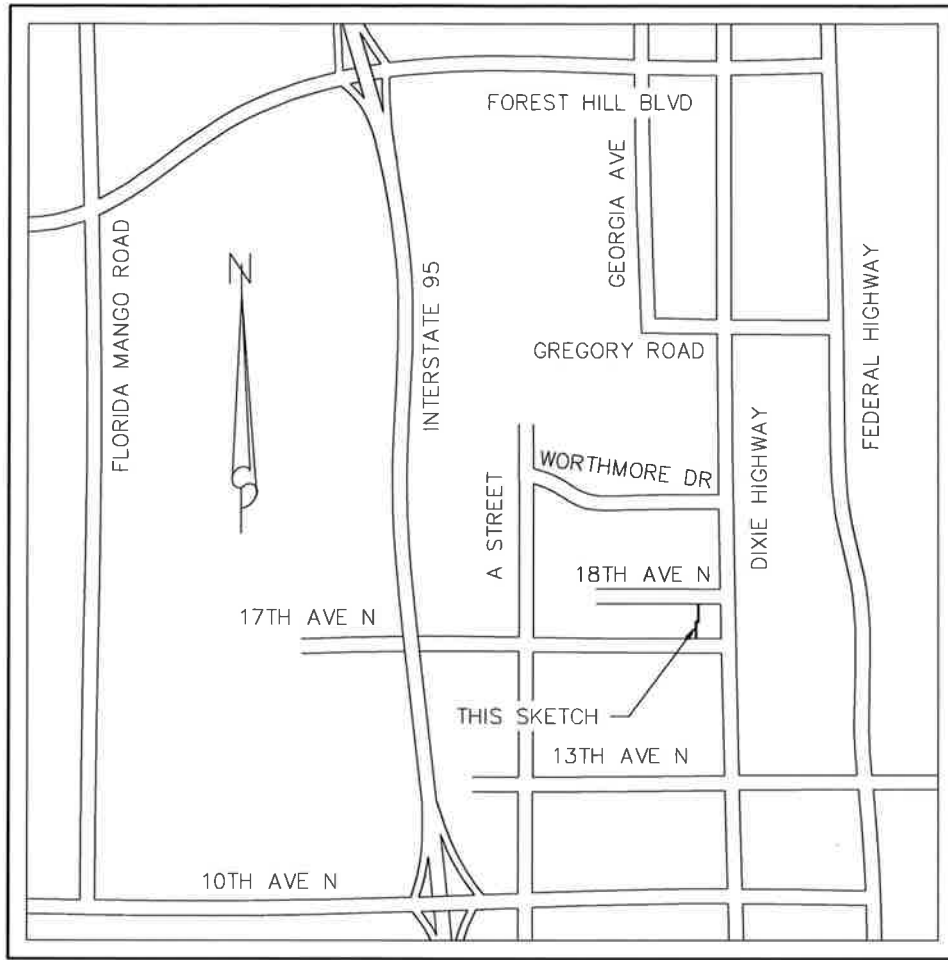
1. BEARINGS DEPICTED HEREON ARE RELATIVE TO THE NORTH LINE OF LOT 3, BLOCK D, LAKE WORTH HEIGHTS, ACCORDING TO TO PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 25 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. SAID LINE BEING MONUMENTED AND HAVING A BEARING OF SOUTH 89°55'10" EAST.
2. THE UNDERSIGNED MAKES NO REPRESENTATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS AND OTHER MATTERS, AND FURTHER, THIS INSTRUMENT IS NOT INTENDED TO REFLECT OR SET FORTH ALL SUCH MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY AND/OR EASEMENTS OF RECORD.
3. THE LICENSED BUSINESS NUMBER FOR DENNIS J. LEAVY & ASSOCIATES INC. IS LB #6599, THE CERTIFYING SURVEYORS (DAVID A. BOWER) LICENSE NUMBER IS LS #5888.
4. THIS IS NOT A SURVEY.

Dennis J. Leavy & Associates, Inc.
Land Surveyors * Mappers

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Phone: 561 753-0650 Email: survey@djlasurvey.net

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CHK: DAB	JOB# 17-125-3B SD	SHEET: 2 OF 5



LOCATION MAP

(NOT TO SCALE)

LEGEND:

PG. PAGE
 P.B. PLAT BOOK
 P.B.C. PALM BEACH COUNTY
 P.B.C.R. PALM BEACH COUNTY RECORDS
 ± MORE OR LESS

PLAT LEGEND:

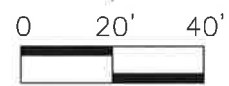
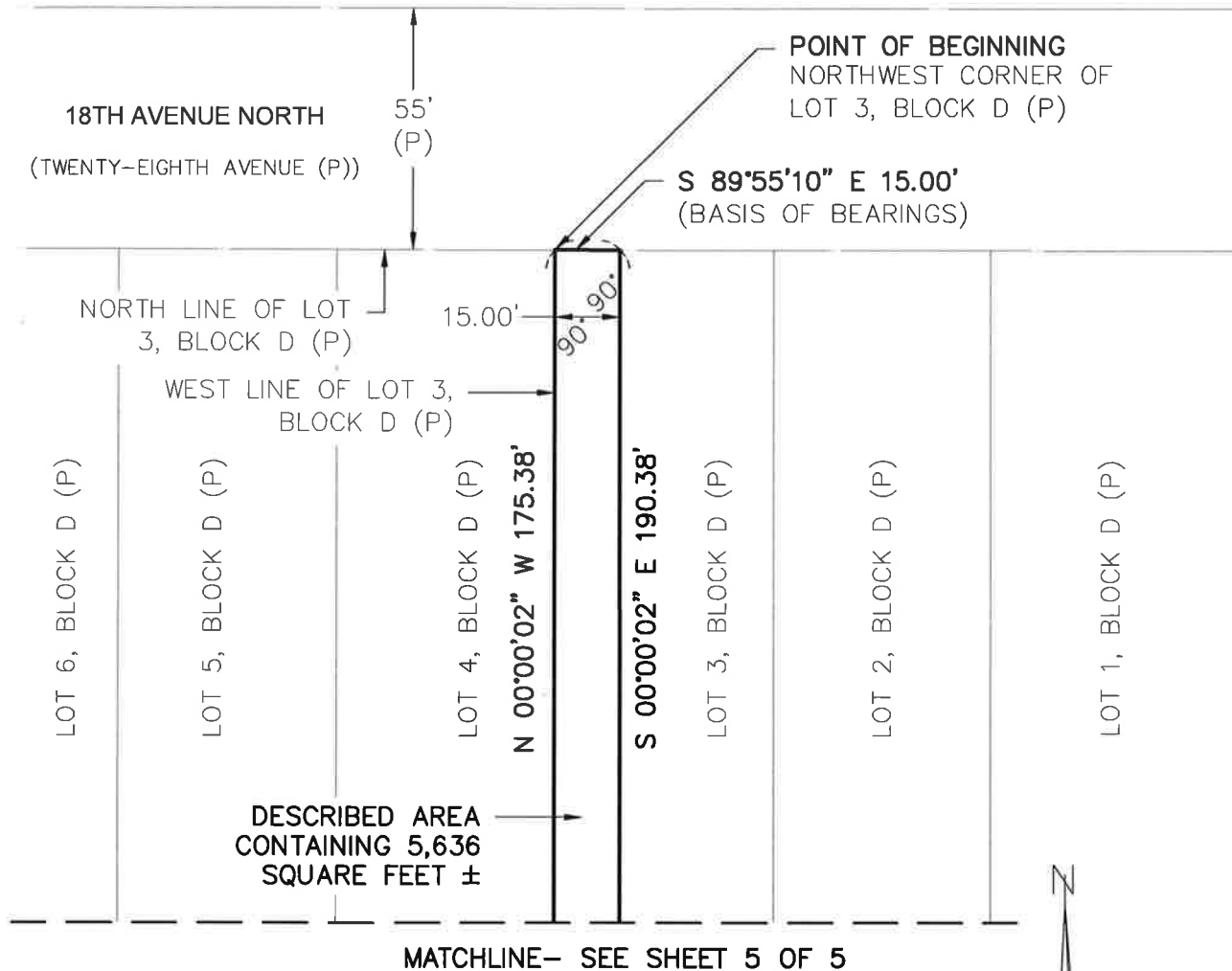
(P) LAKE WORTH HEIGHTS
 (P.B. 7, PG. 25, P.B.C.R.)

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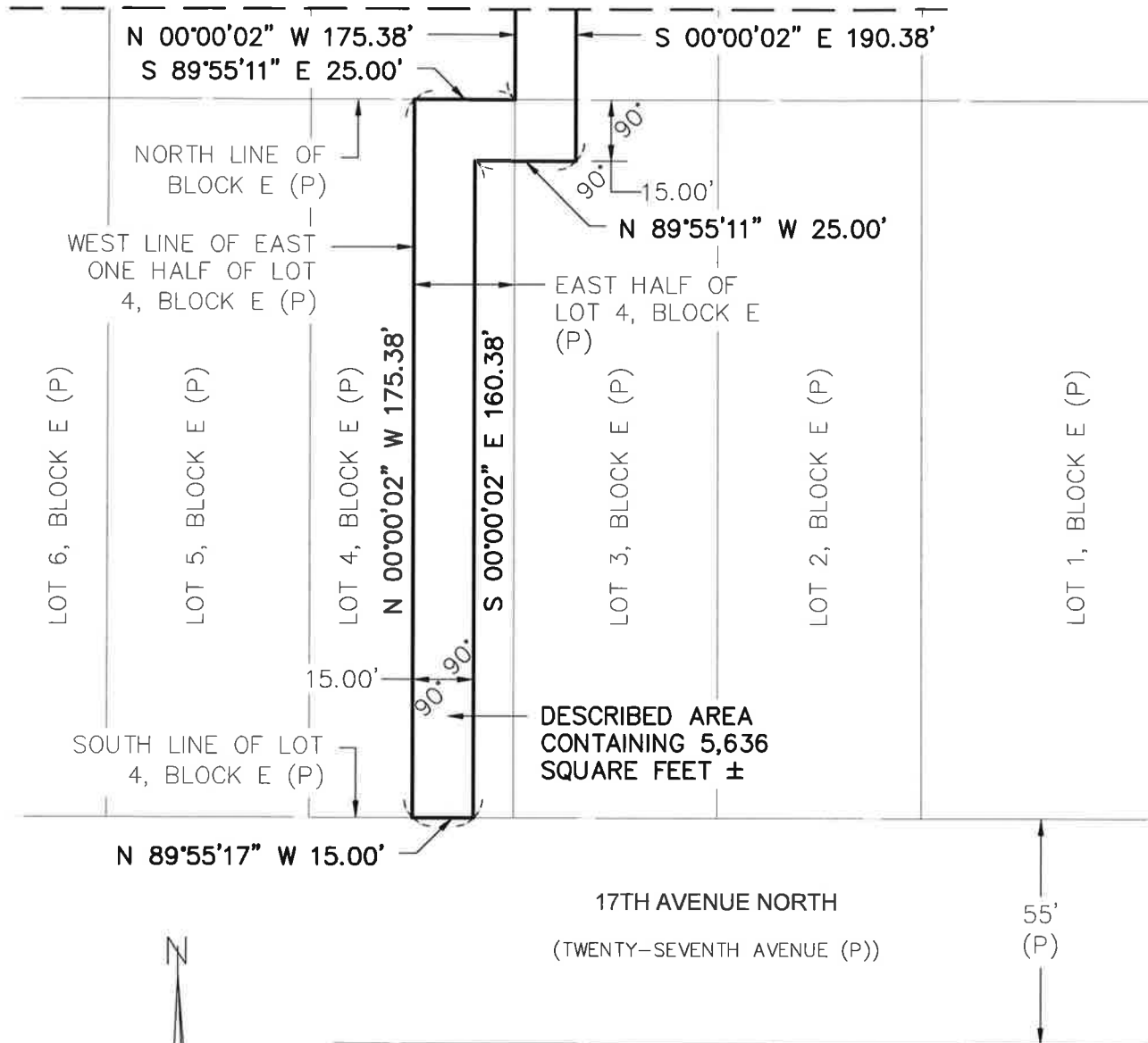
GRAPHIC SCALE IN FEET
SCALE: 1" = 40'

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CHK: DAB	JOB# 17-125-3B SD	SHEET: 4 OF 5

MATCHLINE— SEE SHEET 4 OF 5



GRAPHIC SCALE IN FEET
SCALE: 1" = 40'

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