

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 _____, 2026, by **MADISON TERRACE, LLC** and **MADISON TERRACE II, LLC**, as property owners with a mailing address of 558 W New England Avenue, Suite 230, Winter Park, FL 32789 (“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 821 S Dixie Hwy and 811 S Dixie Hwy, Lake Worth Beach, FL 33460, 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:

Witnesses: 

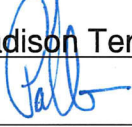
Signature – Witness 1
Michael Oliver

Print Name – Witness 1
558 W New England Ave. Suite 230, Winter Park, FL 32789
Address



Signature – Witness 2
Lance Reibeling

Print Name – Witness 2
558 W New England Ave. Suite 230, Winter Park, FL 32789
Address


Madison Terrace, LLC (Owner)

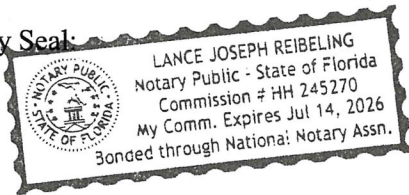
Print Name: Patrick E. Law
Print Title: Manager

STATE OF FLORIDA
COUNTY OF ORANGE

I HEREBY CERTIFY that on this day, before me, by means of X physical presence or ___ online notarization, the foregoing Utility Easement was acknowledged before me by Patrick E. Law, as manager of Madison Terrace, LLC, a Florida limited liability company Grantor herein, X who is/are personally known to me or ___ who has/have produced _____ as identification and who did not take an oath.

WITNESS my hand and official seal this 3rd day of March, 2026.

Notary Seal:



Lance Reibeling
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)

DESCRIPTION:

LOT 1, MADISON TERRACE, ACCORDING TO PLAT THEREOF, AS RECORDED IN PLAT BOOK 139, PAGES 198 THROUGH 200, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING WITHIN SECTION 28, TOWNSHIP 44 SOUTH, RANGE 43 EAST, CITY OF LAKE WORTH BEACH, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 1, MADISON TERRACE, ACCORDING TO PLAT THEREOF, AS RECORDED IN PLAT BOOK 139, PAGES 198, THROUGH 200, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, ALSO BEING A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF I STREET (NOW KNOWN AS SOUTH DIXIE HIGHWAY), ACCORDING TO THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR STATE ROAD 805, SECTION 93050-2513, OF SAID PUBLIC RECORDS, THENCE BY THE FOLLOWING NINE (9) COURSES BEING THE EAST LINE OF SAID LOT 1 AND SAID WESTERLY RIGHT-OF-WAY LINE; 1) THENCE S.01°21'49"W., A DISTANCE OF 2.84 FEET; 2) THENCE S.28°05'37"E., A DISTANCE OF 3.46 FEET; 3) THENCE S.01°21'49"W., A DISTANCE OF 27.16 FEET; 4) THENCE S.28°28'25"W., A DISTANCE OF 3.29 FEET; 5) THENCE S.01°21'49"W., A DISTANCE OF 64.06 FEET; 6) THENCE N.88°38'11"W., A DISTANCE OF 0.20 FEET; 7) THENCE S.01°21'49"W., A DISTANCE OF 50.00 FEET; 8) THENCE S.88°38'11"E., A DISTANCE OF 2.20 FEET; 9) THENCE S.01°21'49"W., A DISTANCE OF 20.00 FEET; THENCE N.88°38'11"W., DEPARTING SAID EAST LINE AND SAID WESTERLY RIGHT-OF-WAY LINE, AND LONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 280.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH H STREET, PALM BEACH FARM CO. PLAT NO. 2, THE TOWN SITE OF LUCERNE, (NOW KNOWN AS LAKE WORTH BEACH), ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 29 THROUGH 40, INCLUSIVE, OF THE SAID PUBLIC RECORDS, ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N.01°21'49"E., ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND WEST LINE OF SAID LOT 1, A DISTANCE OF 219.14 FEET; THENCE S.88°38'11"E., DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE AND SAID WEST LINE, A DISTANCE OF 33.39 FEET; THENCE S.01°21'49"W., A DISTANCE OF 109.09 FEET; THENCE S.88°38'11"E., A DISTANCE OF 59.87 FEET; THENCE N.01°21'49"E., A DISTANCE OF 59.95 FEET; THENCE S.88°38'11"E., A DISTANCE OF 184.54 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 45,386 SQUARE FEET OR 1.042 ACRES, MORE OR LESS.

Exhibit "B"

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

EXHIBIT "B"

DESCRIPTION:

BEING A PORTION OF LOT 1 OF MADISON TERRACE REPLAT, AS RECORDED IN PLAT BOOK 139, PAGES 198 THROUGH 200, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING WITHIN SECTION 28, TOWNSHIP 44 SOUTH, RANGE 43 EAST, CITY OF LAKE WORTH BEACH, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF AFORESAID MADISON TERRACE REPLAT, LOT 2; THENCE CONTINUING ALONG THE NORTH LINE OF SAID LOT 2 NORTH 88°38'11" WEST, A DISTANCE OF 127.70 FEET; THENCE LEAVING SAID NORTH LINE SOUTH 01°21'49" WEST, A DISTANCE OF 158.17 FEET TO THE POINT OF BEGINNING; THENCE S.88°43'33"E., A DISTANCE OF 52.42 FEET; THENCE S.01°20'10"W., A DISTANCE OF 10.00 FEET; THENCE N.88°43'33"W., A DISTANCE OF 52.42 FEET; THENCE N.01°21'49"E., A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN, THE CITY OF LAKE WORTH BEACH, PALM BEACH COUNTY, FLORIDA. CONTAINING 524.21 SQUARE FEET OR 0.0120 ACRES, MORE OR LESS.

CERTIFICATE:

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 SURVEYED UNDER MY DIRECTION ON FEBRUARY 17, 2026. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTES 472.027.

SURVEYOR'S NOTES:

1. THIS SKETCH AND DESCRIPTION OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL SEAL, OR THE AUTHENTICATED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR AND MAPPER.
2. ADDITIONS OR DELETIONS TO SKETCH AND DESCRIPTIONS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. LANDS SHOWN HEREON WERE NOT ABSTRACTED, BY THE SURVEYOR, FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
4. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF THE NORTH HALF (1/2) OF THE SOUTHEAST QUARTER (1/4) OF SECTION 28, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, HAVING A GRID BEARING OF S01°21'49"W. THE GRID BEARINGS AS SHOWN HEREON REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN HORIZONTAL DATUM OF 1983 (NAD 83-2011 ADJUSTMENT) FOR THE EAST ZONE OF FLORIDA.
5. THE "DESCRIPTION" SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
6. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENTS OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.

THIS IS NOT A SURVEY

SHEET 1 OF 3



CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE - SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452



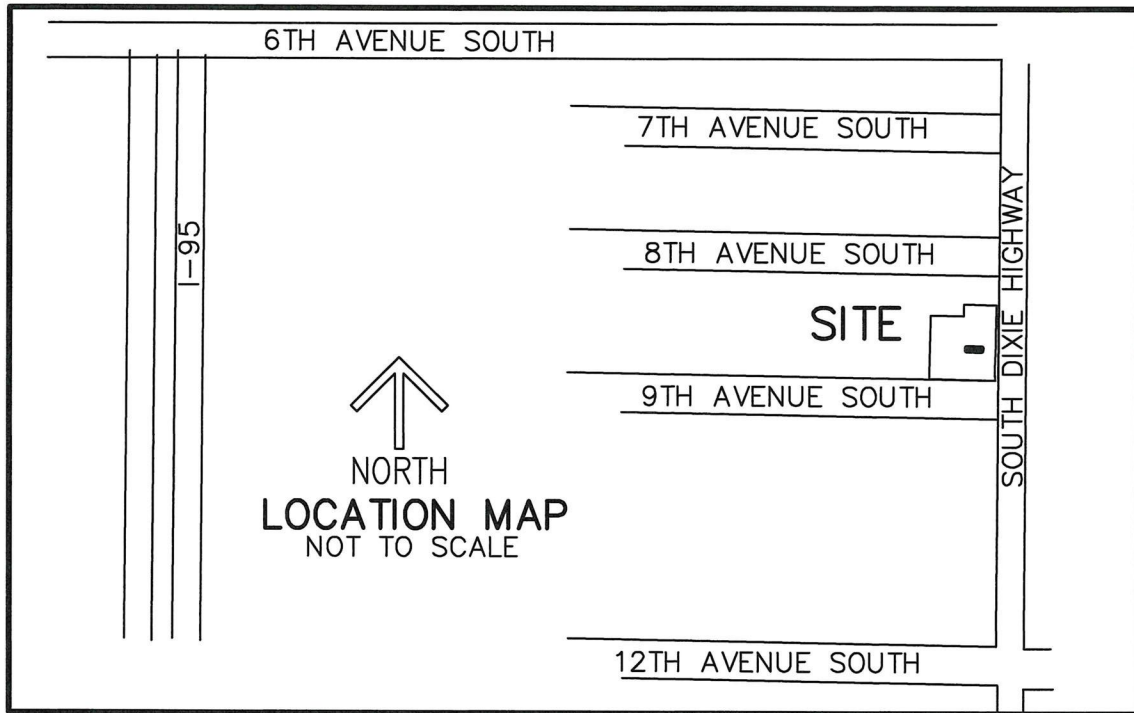
Digitally signed by
David Lindley
Date: 2026.02.17
10:00:20 -05'00'
Adobe Acrobat
version:
2025.001.21208

DAVID P. LINDLEY
REGISTERED LAND
SURVEYOR NO. 5005
STATE OF FLORIDA
L.B. 3591

DATE	02/17/2026
DRAWN BY	SLD
F.B./ PG.	N/A
SCALE	NONE
JOB#	11275 COLWBUE3

CITY OF LAKE WORTH BEACH UTILITY EASEMENT
MADISON TERRACE LOT 1
SKETCH AND DESCRIPTION

EXHIBIT "B"



SECTION 28, TOWNSHIP 44 SOUTH, RANGE 43 EAST

LEGEND ABBREVIATIONS

- ☉ - CENTERLINE
- P.B. - PLAT BOOK
- PG - PAGE
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- R/W - RIGHT-OF-WAY
- O.R.B. - OFFICIAL RECORD BOOK
- ESMT - EASEMENT
- D.B. - DEED BOOK
- HWY. - HIGHWAY
- ST. - STREET
- U.E. - UTILITY EASEMENT

THIS IS NOT A SURVEY

SHEET 2 OF 3



CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452

CITY OF LAKE WORTH BEACH UTILITY EASEMENT
 MADISON TERRACE LOT 1
 SKETCH AND DESCRIPTION

DATE	02/17/2026
DRAWN BY	SLD
F.B./ PG.	N/A
SCALE	NONE
JOB#	11275 COLWBUE3

