

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 GATOR STATE STORAGE LAKE WORTH LLC (“Grantor”) and **CITY OF LAKE WORTH BEACH**, a Florida municipal corporation (“City”).

### WITNESSETH

WHEREAS, the Grantor is the owner of property generally located at 900 Barnett Drive A, 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

Robert Reis JR.  
Printed Name of Witness

[Signature]  
Signature of Witness

Gilberto Bermudez  
Printed Name of Witness

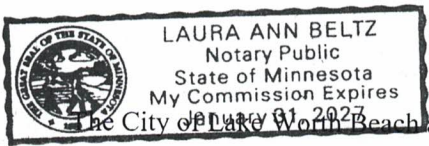
[Signature] (Owner)

Print Name: Oliver Aghamirzaei  
Print Title: Owner

[Corporate Seal]

STATE OF FLORIDA )  
COUNTY OF Palm Beach )

The foregoing instrument was acknowledged before me this 8 day of Aug, 2023 by Oliver Aghamirzaei, who is personally known to me or who has produced Drivers license 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

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

Approved as to form and legal sufficiency:

ATTEST:

\_\_\_\_\_  
Melissa Ann Coyne, City Clerk

\_\_\_\_\_  
Glen J. Torcivia, City Attorney

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

**Parcel 1:**

Lots 7, 8, 9, 10, 11 and 12, Block 1; Lots 7, 8, 9, 10, 11 and 12, Less the North 50 feet thereof, and Lots 13, 14, 15, 16, 17 and 18, Block 2; together with that part of Worth Avenue lying between the property described in Blocks 1 and 2, of BARCELONA GARDENS, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court, in and for Palm Beach County, Florida, as recorded in Plat Book 13, Page 19.

**Parcel 2:**

The North 340 feet of Tract 14, of the Subdivision of Section 21, Township 44 South, Range 43 East, Less the West 223.00 feet thereof and Less the East 60.00 feet thereof, according to the Plat thereof on file In the Office of the Clerk of the Circuit Court, in and for Palm Beach County, Florida, as recorded in Plat Book 5, Page 12.

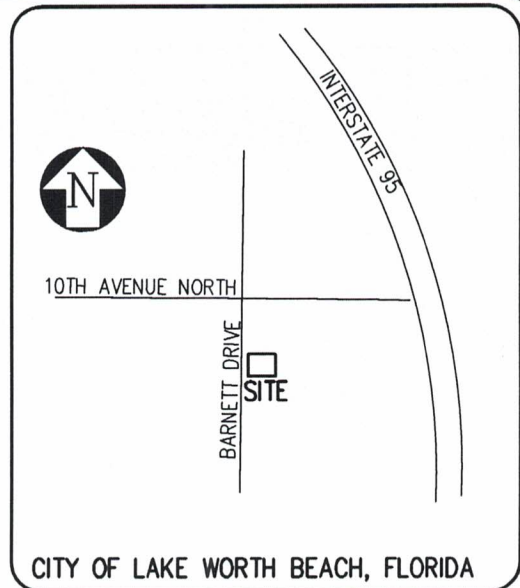
**EXHIBIT "B"**

Legal Description and Survey of Easement Area

**SKETCH OF DESCRIPTION  
THIS IS NOT A SURVEY  
NOT VALID WITHOUT ACCOMPANYING SHEET 2**

**NOTES:**

1. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY ENGENUITY GROUP, INC.
2. THIS SKETCH IS BASED ON INFORMATION FURNISHED BY CLIENT OR CLIENT'S REPRESENTATIVE.
3. THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. THE EASTERLY RIGHT-OF-WAY LINE OF BARNETT DRIVE AS RECORDED IN THE PLAT OF BARCELONA GARDENS AS RECORDED IN PLAT BOOK 13, PAGE 19 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA IS TAKEN AS BEING S01°21'20"W AND ALL OTHER BEARINGS ARE BASED HEREON.
5. DISTANCES SHOWN HEREON ARE GROUND DISTANCES EXPRESSED IN U.S. FEET AND DECIMAL PARTS THEREOF.



**LOCATION MAP**  
N.T.S.


**LEGAL DESCRIPTION:**

A PARCEL OF LAND BEING A PORTION OF THE RIGHT-OF-WAY OF WORTH AVENUE AS SHOWN ON THE PLAT OF BARCELONA GARDENS AS RECORDED IN PLAT BOOK 13, PAGE 19, SAID RIGHT-OF-WAY BEING ABANDONED IN DEED BOOK 1074, PAGE 278 BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 12, BLOCK 1, OF SAID PLAT OF BARCELONA GARDENS, THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID ABANDONED WORTH AVENUE, S88°30'12"E A DISTANCE OF 9.00 FEET; THENCE LEAVING SAID SOUTHERLY LINE, N01°21'21"E A DISTANCE OF 16.00 FEET; THENCE N88°30'12"W A DISTANCE OF 9.00 FEET TO A POINT ON THE EASTERLY LINE OF BARNETT DRIVE (PLATTED D STREET), THENCE ALONG SAID EASTERLY LINE, S01°21'20"W A DISTANCE OF 16.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 144 SQUARE FEET, MORE OR LESS.

**LEGEND**

-  CENTERLINE
- SQ.FT. SQUARE FEET

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THE SKETCH REPRESENTED HEREON COMPLIES WITH THE STANDARDS OF PRACTICE, AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

**Andre Rayman**

Digitally signed by Andre Rayman  
DN: c=US, sn=Rayman, givenName=Andre,  
email=arayman@engenuitygroup.com,  
cn=Andre Rayman  
Date: 2023.03.06 13:58:53 -05'00'

C. ANDRE RAYMAN, P.S.M.  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA LICENSE NO. 4938  
STATE OF FLORIDA LB#6603

FOR:

**CITY OF LAKE WORTH BEACH- LIFT STATION AT BARNETT DRIVE**

SCALE: NOT TO SCALE

DRAWN BY: CAR

CHECKED BY: JCM

DATE: 03-06-2023



A Higher Standard of Excellence  
**engenuity**  
group inc.  
ENGINEERS • SURVEYORS • GIS MAPPERS

1280 CONGRESS AVENUE, SUITE 101, WEST PALM BEACH, FLORIDA 33409  
PH (561)655-1151 • FAX (561)832-9390 • WWW.ENGENUITYGROUP.COM

FIELD BOOK #

SHEET:

1  
/  
2

JOB #

18046.06

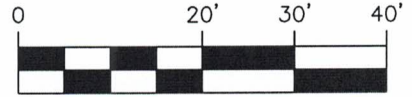
FLORIDA R.L.S.  
# 4938



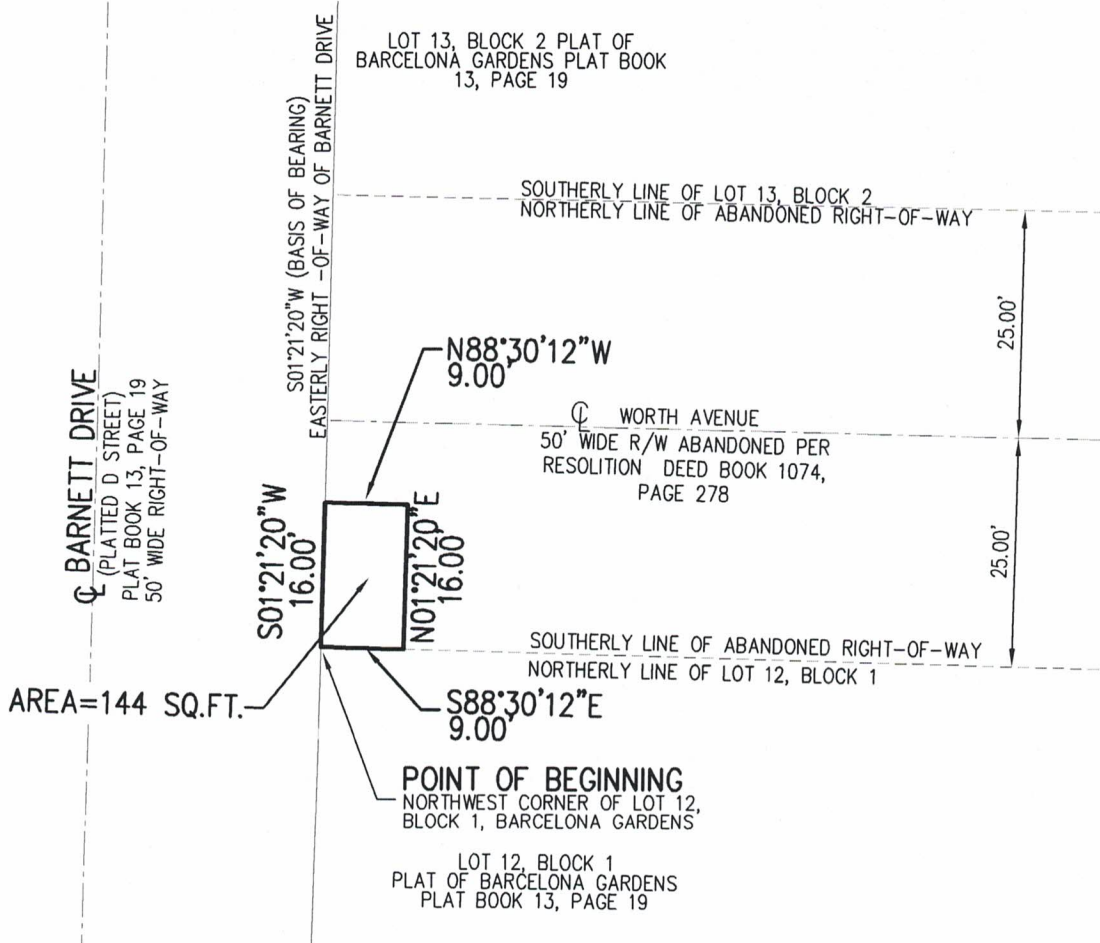
SKETCH OF DESCRIPTION  
 THIS IS NOT A SURVEY  
 NOT VALID WITHOUT ACCOMPANYING SHEET 1



GRAPHIC SCALE



SCALE: 1" = 20'



Y:\Land Projects R2\18046.06 Sketch & Description for Lift Station No.19\dwg\18046\_06 Sketch & Description for Lift Station No.19.dwg 3/6/2023 9:42:14 AM EST

FOR: CITY OF LAKE WORTH BEACH- LIFT STATION AT BARNETT DRIVE

SCALE:	1" = 20'
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FIELD BOOK #	SHEET: 2 / 2
FLORIDA R.L.S. # 4938	JOB # 18046.06