

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 **ADOPT-A-FAMILY OF THE PALM BEACHES, INC.** ("Grantor") and **CITY OF LAKE WORTH BEACH**, a Florida municipal corporation ("City").

WITNESSETH

WHEREAS, the Grantor is the owner of property generally located at 1711 3rd Avenue North, 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:

Teresa Vazquez
Signature of Witness

TERESA VAZQUEZ
Printed Name of Witness

Victoria Uhlman
Signature of Witness

Victoria Uhlman
Printed Name of Witness

Matthew Constantine (Owner)

Print Name: MATTHEW CONSTANTINE
Print Title: CEO

[Corporate Seal]

STATE OF FLORIDA)
COUNTY OF Palm Beach)

The foregoing instrument was acknowledged before me this 21st day of November 2019 by Matthew Constantine, who is personally known to me or who has produced Identification as identification and who did not take an oath.



Maria Evangelista
Comm. #GG328752
Expires: July 28, 2023
Bonded Thru Aaron Notary

Maria Evangelista
Notary Public

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

City of Lake Worth Beach

Pam Triolo, Mayor

Approved as to form and legal sufficiency:

ATTEST:

Deborah M. Andrea, City Clerk

Glen Torcivia, City Attorney

BT
11/21/19

EXHIBIT "A"
Legal Description of Property

DESCRIPTION

PARCEL 2:

THE WEST 50 FEET OF THE NORTH 95 FEET OF LOT 2, BLOCK 34, SAWYER'S SUBDIVISION OF THE WEST HALF OF SECTION 21, TOWNSHIP 44 SOUTH, RANGE 43 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5, AT PAGE 12, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
CONTAINING 4,749.7 SQUARE FEET/0.1090 ACRES MORE OR LESS.

PARCEL 3:

THE EAST 50 FEET OF THE NORTH 150 FEET OF LOT 2, BLOCK 34, SAWYER'S SUBDIVISION OF THE WEST HALF OF SECTION 21, TOWNSHIP 44 SOUTH, RANGE 43 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5, AT PAGE 12, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
CONTAINING 7,500.0 SQUARE FEET/0.1722 ACRES MORE OR LESS.

PARCEL 4:

LOT 4 AND 5, LESS THE EAST 5 FEET THEREOF, OF SUBDIVISION OF LOT 1, BLOCK 34, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 11, PAGE 27.
CONTAINING 7,804.8 SQUARE FEET/0.1792 ACRES MORE OR LESS.

PARCEL 5:

LOTS 2 AND 3, LESS THE EAST 5 FEET THEREOF, SUBDIVISION OF LOT 1, BLOCK 34, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 11, PAGE 27.
CONTAINING 8,170.1 SQUARE FEET/0.1876 ACRES MORE OR LESS.

PARCEL 6:

LOT 1, LESS THE EAST 5 FEET THEREOF, SUBDIVISION OF LOT 1, BLOCK 34, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 11, PAGE 27.
CONTAINING 4,750.0 SQUARE FEET/0.109 ACRES MORE OR LESS.

TOTAL AREA OF ALL PARCELS COMBINED = 32,974.7 SQUARE FEET/0.7570 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

EXHIBIT "B"

Legal Description and Survey of Easement Area

PERIMETER

947 Clint Moore Road
Boca Raton, Florida 33487

SURVEYING & MAPPING
Certificate of Authorization No. LB7264

Tel: (561) 241-9988
Fax: (561) 241-5182

SKETCH AND LEGAL DESCRIPTION NOT A SURVEY ADOPT-A-FAMILY - UTILITY EASEMENT

LEGAL DESCRIPTION

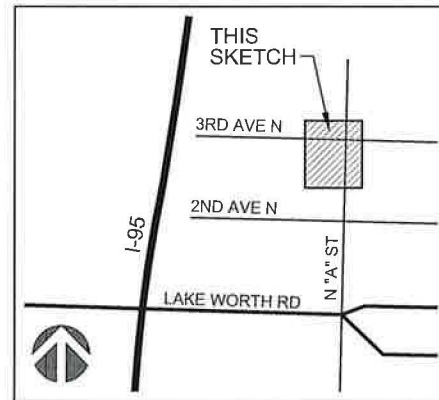
A PORTION OF LOT 1 "SUBDIVISION OF LOT 1, BLOCK 34" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 11, AT PAGE 27, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER SAID LOT 1; THENCE SOUTH 00°20'23" EAST, ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 22.86 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 90°00'00" WEST, A DISTANCE OF 7.00 FEET; THENCE NORTH 00°20'23" WEST, A DISTANCE OF 19.25 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT AT WHICH THE RADIUS BEARS SOUTH 38°03'32" WEST; THENCE SOUTHEASTERLY ON THE ARC OF SAID CURVE HAVING A RADIUS OF 18.00 FEET AND A CENTRAL ANGLE OF 52°19'48", A DISTANCE OF 16.44 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 00°20'23" EAST, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

SAID LAND SITUATE IN THE CITY OF LAKE WORTH, PALM BEACH COUNTY, FLORIDA.

NOTES

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. NO SEARCH OF THE PUBLIC RECORDS WAS MADE IN THE PREPARATION OF THIS SKETCH AND DESCRIPTION.



LOCATION MAP

(NOT TO SCALE)

ABBREVIATIONS

⊕	=	CENTERLINE
Δ	=	DELTA(CENTRAL ANGLE)
L	=	ARC LENGTH
P.B.C.R.	=	PALM BEACH COUNTY RECORDS
P.B.	=	PLAT BOOK
PG.	=	PAGE
R	=	RADIUS
R/W	=	RIGHT OF WAY

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE SKETCH AND DESCRIPTION SHOWN HEREON COMPLIES WITH STANDARDS OF PRACTICE AS CONTAINED IN CHAPTER 5J-17.051, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION.

(Signature)
JEFF S. MODAPP
SURVEYOR AND MAPPER
FLORIDA LICENSE NO. LS5111

PROJECT NAME: ADOPT-A-FAMILY	DATE: 09/17/2019	
JOB NO. 18219	DWG BY: AJR	
	CK'D BY: JSH	SHEET 1 OF 2

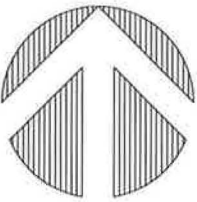
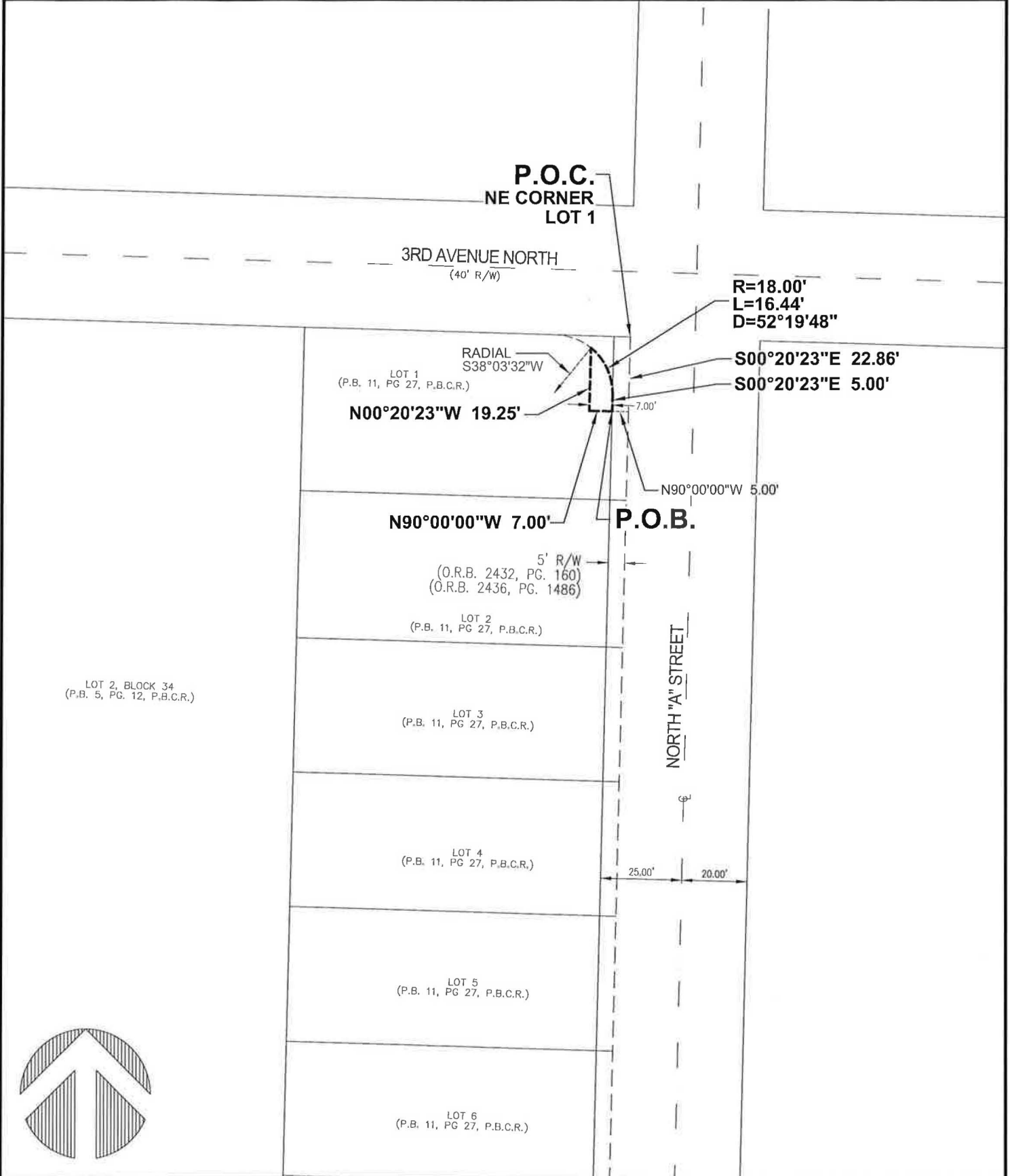


PERIMETER

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Boca Raton, Florida 33487

SURVEYING & MAPPING
Certificate of Authorization No. LB7264

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Fax: (561) 241-5182



JOB NO. 18219	PROJECT NAME: ADOPT-A-FAMILY	DWG BY: AJR	SCALE: 1" = 40'	
		CK'D BY: JSH	DATE: 09/09/2019	SHEET 2 OF 2