

Prepared by and return to:  
Town of Loxahatchee Groves  
155 F Road  
Loxahatchee Groves, FL 33470

## DRAINAGE EASEMENT AGREEMENT

THIS GRANT OF A DRAINAGE EASEMENT ("Easement") is made and entered into this 12<sup>th</sup> day of July, 2022 by and between **D&D Fine Grading, Inc., a Florida corporation** with a mailing address of 117 Madrid Street, Royal Palm Beach, FL 33411, hereinafter referred to as the "GRANTOR", and the **TOWN OF LOXAHATCHEE GROVES**, a municipal corporation, in Palm Beach County, Florida, hereinafter referred to as the "GRANTEE," with a mailing address of 155 F Road, Loxahatchee Groves, FL 33470.

### WITNESSETH:

THAT, the GRANTOR, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by the GRANTEE and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to the GRANTEE, its agents, successors and assigns, a perpetual roadway/drainage/utility easement over, under and across that certain real property owned by the GRANTOR which is described in **Exhibit "A"** attached hereto ("Easement Property") and incorporated herein.

The GRANTOR represents and warrants to the GRANTEE that GRANTOR is in exclusive possession of the Easement Property and owns fee simple title to the Easement Property and that it has good and lawful right to grant this Easement. The GRANTOR hereby grants this Easement subject only to comprehensive land use plans, zoning, restrictions, prohibitions and other requirements imposed by governmental authority.

This Easement shall permit the GRANTEE, its employees, agents, contractors, subcontractors, consultants and licensees and each of the aforementioned party's successors and assigns, to enter upon and use the Easement Property at any time and from time to time to install, construct, reconstruct, operate, inspect, maintain, service, remove, relocate, repair, replace and improve the drainage improvements therein. The GRANTOR, or its successors or assigns, shall not construct any structure or other improvement upon the Easement Property or engage in any use of the surface of the Easement Property which is inconsistent or interferes with the rights of the GRANTEE under this Easement.

The GRANTEE shall have the right, but not the obligation, to clear the Easement Property and keep it cleared of all trees, undergrowth or other obstructions and the right to trim, cut or remove all trees located within or outside the Easement Property which might interfere with the GRANTEE's use of the Easement Property as permitted hereby. The GRANTEE shall use the Easement Property in accordance with all applicable laws, rules and regulations of governmental authorities having jurisdiction over the Easement Property or use thereof as herein provided.

This Easement shall continue unless or until GRANTEE terminates its rights herein provided by written notice to the GRANTOR, its successors or assigns. Neither the failure to use the Easement Property nor the abandonment of the Easement Property shall constitute or be construed as a termination of this Easement. This Easement grants to the GRANTEE, its successors and assigns the exclusive right to use the Easement Property above, on and below its surface.

This Easement shall run with the land and shall be binding upon the GRANTOR, all parties entitled to use or possession of the Easement Property by or through the GRANTOR, including lessees, and the successors and assigns of each of the aforementioned parties unless or until this easement is terminated as hereinabove provided. This Easement shall be binding upon the parties hereto and their respective successors and assigns.

**IN WITNESS WHEREOF**, the parties have executed this easement on the day and year first above written.

WITNESSES:

By: John K Herring

Witness name: John K Herring

By: Lexi Collegio

Witness name: Lexi Collegio

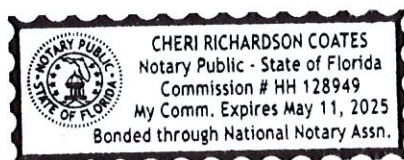
**GRANTOR: D&D Fine Grading, Inc**

[Signature]  
**Miguel Reyes, President**

STATE OF Florida )  
COUNTY OF Palm Beach )

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 12th day of July, 2022, by **Miguel Reyes as President of D&D Fine Grading, Inc., a Florida corporation**, who is ☐ personally known to me or ☒ produced FL DL as identification.

[SEAL]



Cheri R. Coates  
(Signature of Notary Public-State of Florida)

**GRANTEE ACCEPTANCE:**

**TOWN OF LOXAHATCHEE GROVES**

ATTEST:

By: \_\_\_\_\_  
Robert Shorr, Mayor

\_\_\_\_\_  
Town Clerk

Approved as to form  
and legal sufficiency

\_\_\_\_\_  
Office of the Town Attorney  
Date: \_\_\_\_\_

## Exhibit "A"

### Description of Easement

A PARCEL OF LAND BEING A PORTION OF THE WEST 432.70 FEET OF TRACT 13, BLOCK E, REPLAT OF LOXAHATCHEE GROVES, PLAT BOOK 12, PAGE 29 AND ALSO BEING A PORTION OF THAT CERTAIN REAL PROPERTY DESCRIBED IN THAT CERTAIN WARRANTY DEED IN OFFICIAL RECORD BOOK 30937, PAGE 1495, ALL OF THE PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

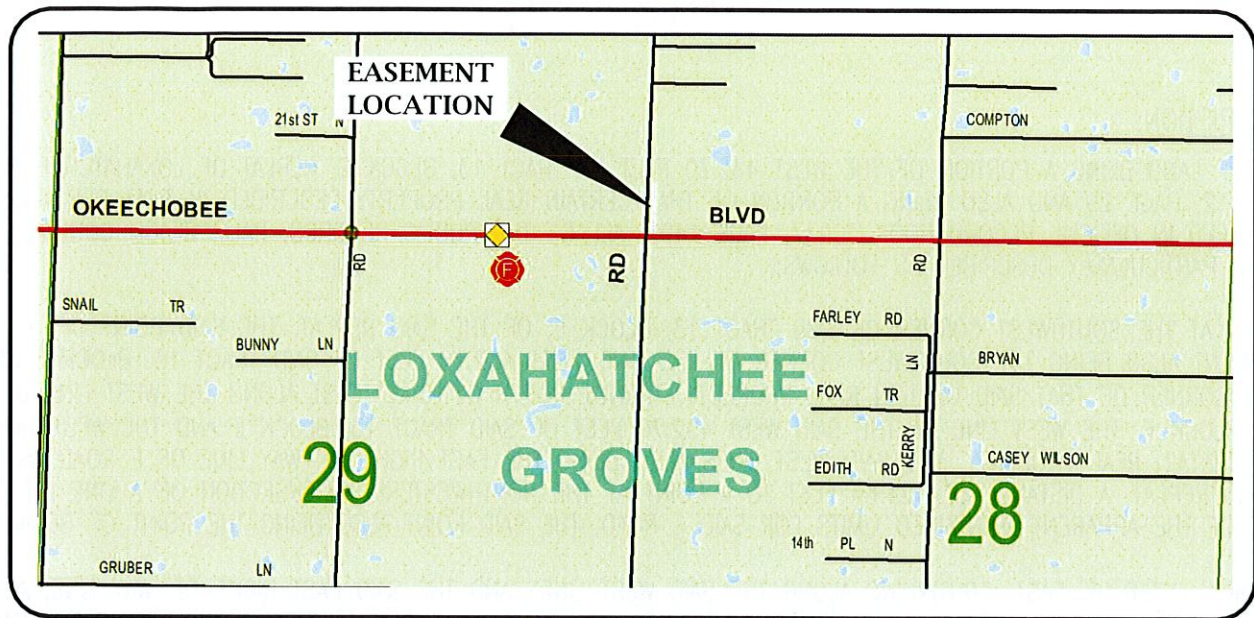
COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT 13, BLOCK E, OF THE SAID REPLAT, THE SAID POINT OF COMMENCEMENT ALSO BEING THE SOUTHWEST CORNER OF THE SAID WEST 432.70 FEET OF SAID TRACT 13, BLOCK E AND THE SOUTHWEST CORNER OF THAT SAID CERTAIN REAL PROPERTY; THENCE NORTH 02°16'46" EAST ALONG THE WEST LINE OF SAID TRACT 13, BLOCK E, THE WEST LINE OF THE SAID WEST 432.70 FEET OF SAID TRACT 13, BLOCK E AND THE WEST LINE OF THAT SAID CERTAIN REAL PROPERTY, THE SAID WEST LINES ALSO BEING THE EAST RIGHT-OF-WAY LINE OF E ROAD AS SHOWN ON THE SAID REPLAT, A DISTANCE OF 124.66 FEET TO A POINT AT THE NORTHWESTERLY INTERSECTION OF A LINE ON THE EAST EDGE OF THE APPARENT MAINTAINED LIMITS FOR SAID E ROAD, THE SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE NORTH 02°16'46" EAST, CONTINUING ALONG THE SAID WEST LINES AND THE SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 379.05 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 13, BLOCK E, THE NORTH LINE OF THE SAID WEST 432.70 FEET OF SAID TRACT 13, BLOCK E AND THE NORTH LINE OF THAT SAID CERTAIN REAL PROPERTY, THE SAID POINT BEING THE NORTHWEST CORNER OF SAID TRACT 13, BLOCK E, THE NORTHWEST CORNER OF THE SAID WEST 432.70 FEET OF SAID TRACT 13, BLOCK E AND ALSO BEING THE NORTHWEST CORNER OF THE SAID CERTAIN REAL PROPERTY, HAVING AN APPROXIMATE STATE PLANE COORDINATE VALUE OF NORTH: 863689.54, EAST: 895931.27; THENCE SOUTH 89°12'34" EAST, DEPARTING THE SAID WEST LINES AND THE SAID EAST RIGHT-OF-WAY LINE AND ALONG THE SAID NORTH LINES, A DISTANCE OF 11.0 FEET TO A POINT ON A LINE PARALLEL WITH AND 11.0 FEET EAST OF, AS MEASURED AT RIGHT ANGLES TO, THE SAID WEST LINES AND THE SAID EAST RIGHT-OF-WAY LINE; THENCE SOUTH 02°16'46" WEST, DEPARTING THE SAID NORTH LINES AND ALONG THE SAID PARALLEL LINE, A DISTANCE OF 208.24 FEET; THENCE SOUTH 00°05'53" WEST, DEPARTING THE SAID PARALLEL LINE, A DISTANCE OF 248.44 FEET; THENCE SOUTH 32°30'02" EAST, A DISTANCE OF 56.07 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT 13, BLOCK E, THE SOUTH LINE OF THE SAID WEST 432.70 FEET OF SAID TRACT 13, BLOCK E, THE SOUTH LINE OF THAT SAID CERTAIN REAL PROPERTY, THE SAID SOUTH LINES ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD AS SHOWN ON THE SAID REPLAT; THENCE NORTH 89°17'58" WEST ALONG THE SAID SOUTH LINES AND THE SAID NORTH RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD, A DISTANCE OF 24.51 FEET TO A POINT ON THE EAST EDGE OF THE APPARENT MAINTAINED LIMITS FOR E ROAD; THENCE NORTH 10°25'47" WEST ALONG THE SAID WEST EDGE OF THE SAID APPARENT MAINTAINED LIMITS, A DISTANCE OF 127.00 FEET TO THE EAST THE POINT OF BEGINNING.

CONTAINING IN ALL 6,168.628 SQUARE FEET AND / OR 0.142 ACRES, MORE OR LESS.

NOTE: ALL OF THE DISTANCES ALONG THE ABOVE DESCRIBED PROPERTY / TRACT LINE SEGMENTS THAT INTERSECT THE ABOVE DESCRIBED APPARENT MAINTAINED LIMITS LINE (AND AS SHOWN ON THE ASSOCIATED SKETCH OF DESCRIPTION) SHALL ALWAYS BE LENGTHENED AND / OR SHORTENED (EXTENDED AND / OR TRIMMED) TO INTERSECT ANY ACTUAL MAINTAINED LIMITS LINE AS MAPPED BY AN ON THE GROUND SURVEY, RECORDED INTO THE PUBLIC RECORDS AND DEDICATED TO THE PUBLIC TO THE EXTENT IN WIDTH THAT HAS ACTUALLY BEEN MAINTAINED FOR THE PRESCRIBED PERIOD IN ACCORDANCE WITH THE PROVISIONS OF SECTION 95.361 (FORMERLY 337.31), FLORIDA STATUTES.





# SURVEYORS' NOTES:

LOCATION MAP ~ NOT TO SCALE

## **EXHIBIT 'B'**

1. THIS SKETCH AND DESCRIPTION IS NOT A SURVEY.
2. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SKETCH THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY KESHAVARZ & ASSOCIATES, INC.
3. THIS SKETCH MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17.050-.052, OF THE FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 472.027 OF THE FLORIDA STATUTES.
4. THE DESCRIPTION TEXT AND THE SKETCH OF DESCRIPTION COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
5. BEARINGS AND STATE PLANE COORDINATES SHOWN ARE REFERENCED TO GRID NORTH, BASED ON THE 1990 ADJUSTMENT OF THE NORTH AMERICAN DATUM OF 1983 (NAD 83/90) OF THE FLORIDA STATE PLANE COORDINATE SYSTEM (TRAVERSE MERCATOR PROJECTION), EAST ZONE. THE WEST LINE OF TRACT 13, BLOCK E, AS SHOWN ON THE BOUNDARY SURVEY OF PLATTED RIGHT-OF-WAY LOXAHATCHEE GROVES, PREPARED FOR THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, HAVING A DATE OF JUNE 18, 1998 AND A WORK ORDER No: 86053E, BEARS NORTH 02°16'46" EAST AND ALL OTHER BEARINGS SHOWN HEREON ARE RELATED THERETO.
6. THIS LEGAL DESCRIPTION AND SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR ITS AUTHENTICATED DIGITAL EQUIVALENT OF A LICENSED SURVEYOR AND MAPPER, EMPLOYED BY KESHAVARZ & ASSOCIATES, INC. THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

DATE OF LEGAL DESCRIPTION: SEPTEMBER 24, 2021

KESHAVARZ & ASSOCIATES, INC.

*Scott F. Bryson*

SCOTT F. BRYSON  
PROFESSIONAL SURVEYOR & MAPPER  
FLORIDA CERTIFICATE No.: 5991



Digitally signed by Scott F  
Bryson  
DN: c=US, o=KESHAVARZ AND  
ASSOCIATES,  
ou=A01410D0000016F1579D  
2E600000A97, cn=Scott F  
Bryson  
Date: 2021.09.28 11:16:19  
-04'00'

**13961 OKEECHOBEE BOULEVARD  
LOXAHATCHEE GROVES, FL.  
33470**

## LEGEND

C/L = CENTERLINE  
COR = CORNER  
LB = LICENSED BUSINESS  
LS = LICENSED SURVEYOR  
M.B. = MISCELLANEOUS BOOK  
O.R.B. = OFFICIAL RECORD BOOK  
P.B. = PLAT BOOK  
PG. = PAGE  
P.O.B. = POINT OF BEGINNING  
P.O.C. = POINT OF COMMENCEMENT  
R/W = RIGHT-OF-WAY  
R.B. = ROAD BOOK

P.R.P.B.C. = PUBLIC RECORDS, PALM  
BEACH COUNTY, FLORIDA



**KESHAVARZ & ASSOCIATES**

Civil Engineers • Land Surveyors

711 North Dixie Highway, Suite 201

West Palm Beach, Florida 33401

Tel: (561) 689-8600 Fax: (561) 689-7476

**DESCRIPTION & SKETCH PREPARED FOR:  
THE TOWN OF LOXAHATCHEE GROVES**

**ROAD & DRAINAGE EASEMENT**

DRAWN: SFB	DATE: 09/27/21	SCALE: N/A
CHECKED: SFB	PROJECT No: 17-1208	DWG No: 17-1208K
APPROVED: SFB	17-1208	SHEET No: 1 OF 4



# EXHIBIT 'B'

## LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF THE WEST 432.70 FEET OF TRACT 13, BLOCK E, REPLAT OF LOXAHATCHEE GROVES, PLAT BOOK 12, PAGE 29 AND ALSO BEING A PORTION OF THAT CERTAIN REAL PROPERTY DESCRIBED IN THAT CERTAIN WARRANTY DEED IN OFFICIAL RECORD BOOK 30937, PAGE 1495, ALL OF THE PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

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13961 OKEECHOBEE BOULEVARD  
LOXAHATCHEE GROVES, FL.  
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DESCRIPTION & SKETCH PREPARED FOR:  
THE TOWN OF LOXAHATCHEE GROVES

ROAD & DRAINAGE EASEMENT

DRAWN: SFB	DATE: 09/27/21	SCALE: N/A
CHECKED: SFB	PROJECT No: 17-1208	DWG No: 17-1208K
APPROVED: SFB		SHEET No: 2 OF 4



MATCH LINE A SEE NEXT PAGE

THAT CERTAIN REAL PROPERTY DESCRIBED  
IN O.R.B. 30937, PAGE 1495, P.R.P.B.C.

THE WEST LINE OF THE CANAL MAINTENANCE  
EASEMENT, M.B. 2, PAGE 1, P.R.P.B.C.  
THE WEST RIGHT-OF-WAY OF E  
ROAD, P.B. 12, PG. 29, P.R.P.B.C.

E ROAD  
60.0' RIGHT-OF-WAY  
(P.B. 12, PAGE 29)

(BASIS OF BEARINGS)  
N02°16'46"E 379.05'

S00°05'53"W 248.44'

THE WEST LINE OF TRACT 13, BLOCK E, THE EAST R/W  
LINE OF E ROAD, P.B. 12, PAGE 29, & THE WEST LINE  
OF THAT CERTAIN REAL PROPERTY DESCRIBED IN O.R.B.  
30937, PAGE 1495, ALL OF THE P.R.P.B.C.

CENTERLINE OF  
CONSTRUCTED SWALE

THE EAST EDGE OF THE  
APPARENT MAINTAINED LIMITS FOR 'E' ROAD

THE SOUTH LINE OF TRACT 13, BLOCK E, THE NORTH R/W  
LINE OF OKEECHOBEE BLVD, P.B. 12, PAGE 29, & THE  
SOUTH LINE OF THAT CERTAIN REAL PROPERTY DESCRIBED  
IN O.R.B. 30937, PAGE 1495, ALL OF THE P.R.P.B.C.

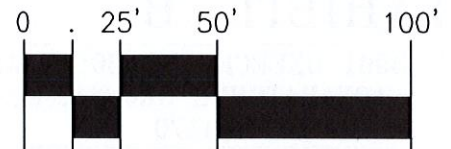
OKEECHOBEE BOULEVARD  
100.0' RIGHT-OF-WAY  
(P.B. 12, PAGE 29)

P.O.C.  
THE S.W. COR. OF TRACT 13, BLOCK E, P.B. 12, PG. 29,  
& THE S.W. COR. THAT CERTAIN REAL PROPERTY DESCRIBED  
IN O.R.B. 30937, PAGE 1495, ALL IN THE P.R.P.B.C.  
N:863186.23, E:895911.24

EXHIBIT 'B'

13961 OKEECHOBEE BOULEVARD  
LOXAHATCHEE GROVES, FL.  
33470

GRAPHIC SCALE



**KESHAVARZ & ASSOCIATES**

Civil Engineers • Land Surveyors

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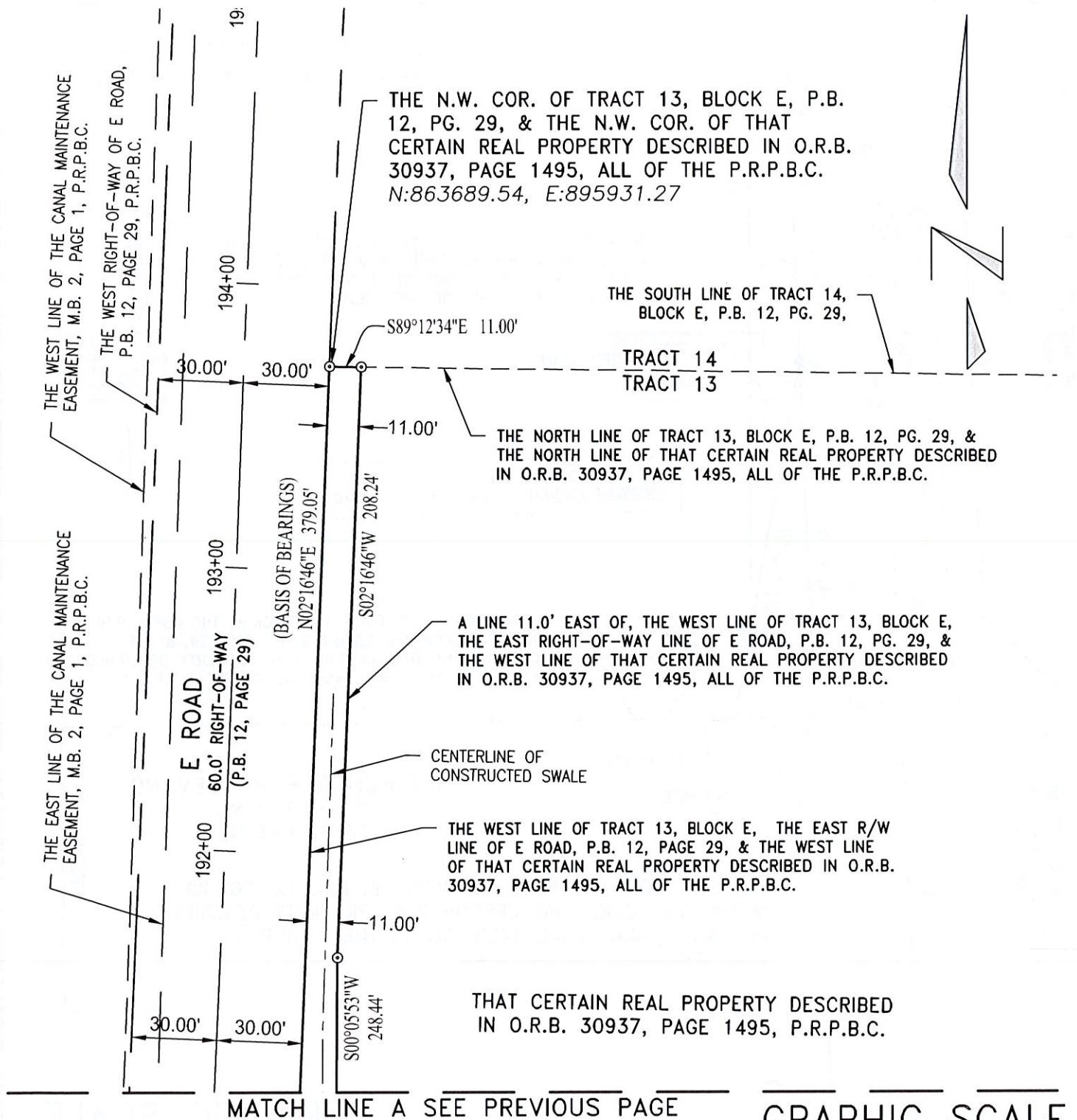
West Palm Beach, Florida 33401

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ROAD & DRAINAGE EASEMENT

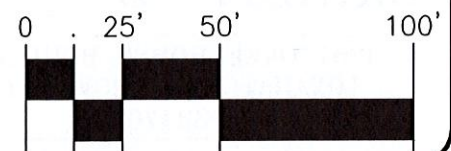
DRAWN: SFB	DATE: 09/27/21	SCALE: 1" = 50'
CHECKED: SFB	PROJECT No: 17-1208	DWG No: 17-1208K
APPROVED: SFB		SHEET No: 3 OF 4



## EXHIBIT 'B'

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## GRAPHIC SCALE



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APPROVED: SFB		SHEET No: 4 OF 4