

Prepared by and return to:

**Kenneth Dodge, Esquire
Lewis, Longman & Walker, P.A.
515 North Flagler Drive, Suite 1500
West Palm Beach, FL 33401
Telephone: (561) 640-0820**

[Space Above This Line For Recording Data]

UTILITY EASEMENT

THIS EASEMENT is made, granted and entered into this 2nd day of April, 2020, by **KH Westlake LLC**, a Delaware limited liability company (hereinafter referred to as "Grantor"), whose address is 105 NE 1st Street, Delray Beach, FL 33444, to **SEMINOLE IMPROVEMENT DISTRICT**, a political subdivision of the State of Florida (hereinafter referred to as "Grantee"), whose address is 4001 Seminole Pratt-Whitney Road, Westlake, Florida 33470.

WITNESSETH

That 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 successors and assigns, a perpetual, private, non-exclusive utility easement for the installation of a wastewater lift station and all related appurtenances, including the right to fence portions of the easement for access control purposes, and all other proper utility purposes; subject to those certain restriction of rights, covenants, and dedications as may hereafter be imposed by Grantor; provided further said grants or assignments shall not be deemed a public dedication of said rights or easements.

This easement is hereby granted over certain real property, situate and being in Westlake, Florida, and being more particularly described as follows:

SEE ATTACHED EXHIBIT "A" LEGAL DESCRIPTION

Grantor hereby covenants with Grantee that it is lawfully seized and in possession of the real property herein described and that it has good and lawful right to grant the aforesaid easement free and clear of mortgages and other encumbrances unless specifically stated to the contrary.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and affixed its seal as of the date first above written.

Signed, sealed and delivered
In the presence of:

Owner: KH Westlake LLC
a Delaware limited liability company

[Signature]

[Signature]

Printed Name: Chris Ring

By: Keith Berg

[Signature]

Its: Authorized Signatory

Printed Name: Scott A. Pasolli

ACKNOWLEDGEMENT

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 2nd day of April, 2020, by Keith Berg who is personally known to me or who has produced _____ as identification.

[Signature]

Signature of Notary Public



Angela Martin
Name of person taking acknowledgement

Commission No. _____

Commission Expiration _____

CONSENT AND JOINDER OF MORTGAGEE FOR UTILITY EASEMENT

The undersigned mortgagee does hereby join in and consent to the granting of this Utility Easement, across the lands herein described, and agrees that its mortgage, which is recorded in Official Record Book 31126, Page 486, of the Public Records of Palm Beach County, Florida, shall be subordinate to this Utility Easement; provided, however, this Consent and Joinder of Mortgagee for Utility Easement: (i) shall not be construed or operate as a consent and subordination to any amendment to or modification of the Utility Easement and shall not be construed or operate as a release of the lien and security interests of the Mortgage, but shall instead confirm that the lien and security interests of the Mortgage shall hereafter be upon and against all applicable portions of the property subject to the Utility Easement and made part of the Mortgage and (ii) shall not modify or amend the terms and provisions of the Mortgage.

IN WITNESS WHEREOF, the Grantor/Mortgagee has hereunto set its hand and affixed its seal as of the date first above written.

WITNESSES:

Signed, sealed and delivered
in the presence of:

[Handwritten Signature]
Witness Signature

Thomas G. WALLER
Print Name

[Handwritten Signature]
Witness Signature

CARL F. SWANSON
Print Name

STATE OF California

COUNTY OF Fresno

GRANTOR/MORTGAGEE:

**U.S. BANK NATIONAL ASSOCIATION, a
national banking association, d/b/a
Housing Capital Company**

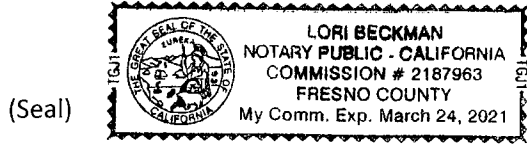
By: [Handwritten Signature]

Name: Rhonda Harold

Title: Vice President

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 3rd day of April, 2020, by Lori Beckman, as _____ of U.S. BANK NATIONAL ASSOCIATION, a national banking association, d/b/a Housing Capital Company, on behalf of said national banking association, who is personally known to me, or has produced Rhonda Harold as identification.

[Handwritten Signature]
Notary Public - State of California



(Print, Type, or Stamp Commissioned Name of Notary Public)

EXHIBIT "A"

Sketch and Legal Description attached on following pages

DESCRIPTION: LIFT STATION EASEMENT

A PORTION OF TRACT REC, CRESSWIND PALM BEACH PHASE 1, AS RECORDED IN PLAT BOOK 128, PAGES 96 THROUGH 105 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF SAID TRACT REC, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1,670.00 FEET (A RADIAL LINE FROM SAID POINT BEARS N.38°20'21"E.); THENCE NORTHWESTERLY ALONG THE ARC OF THE NORTHEASTLY LINE OF SAID TRACT REC, THROUGH A CENTRAL ANGLE OF 0°15'41", A DISTANCE OF 7.62 FEET; THENCE S.38°36'01"W., A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.38°36'01"W., A DISTANCE OF 52.09 FEET; THENCE N.50°48'32"W., A DISTANCE OF 38.45 FEET; THENCE N.39°11'28"E., A DISTANCE OF 52.12 FEET TO A POINT OF NON-TANGENCY WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 1,680.00 FEET (A RADIAL LINE FROM SAID POINT BEARS N.39°53'37"E.); THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 1°17'35", A DISTANCE OF 37.92 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.
CONTAINING 1,987 SQUARE FEET/0.0456 ACRES MORE OR LESS.

NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH A SURVEYOR'S SEAL.
2. LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS SHOWN HEREON ARE RELATIVE TO THE RECORD PLAT OF CRESSWIND PALM BEACH PHASE 1, AS RECORDED IN PLAT BOOK 128, PAGES 96 THROUGH 105 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
5. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENT OF RECORD AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON MARCH 25, 2020. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

SHEET 1 OF 2



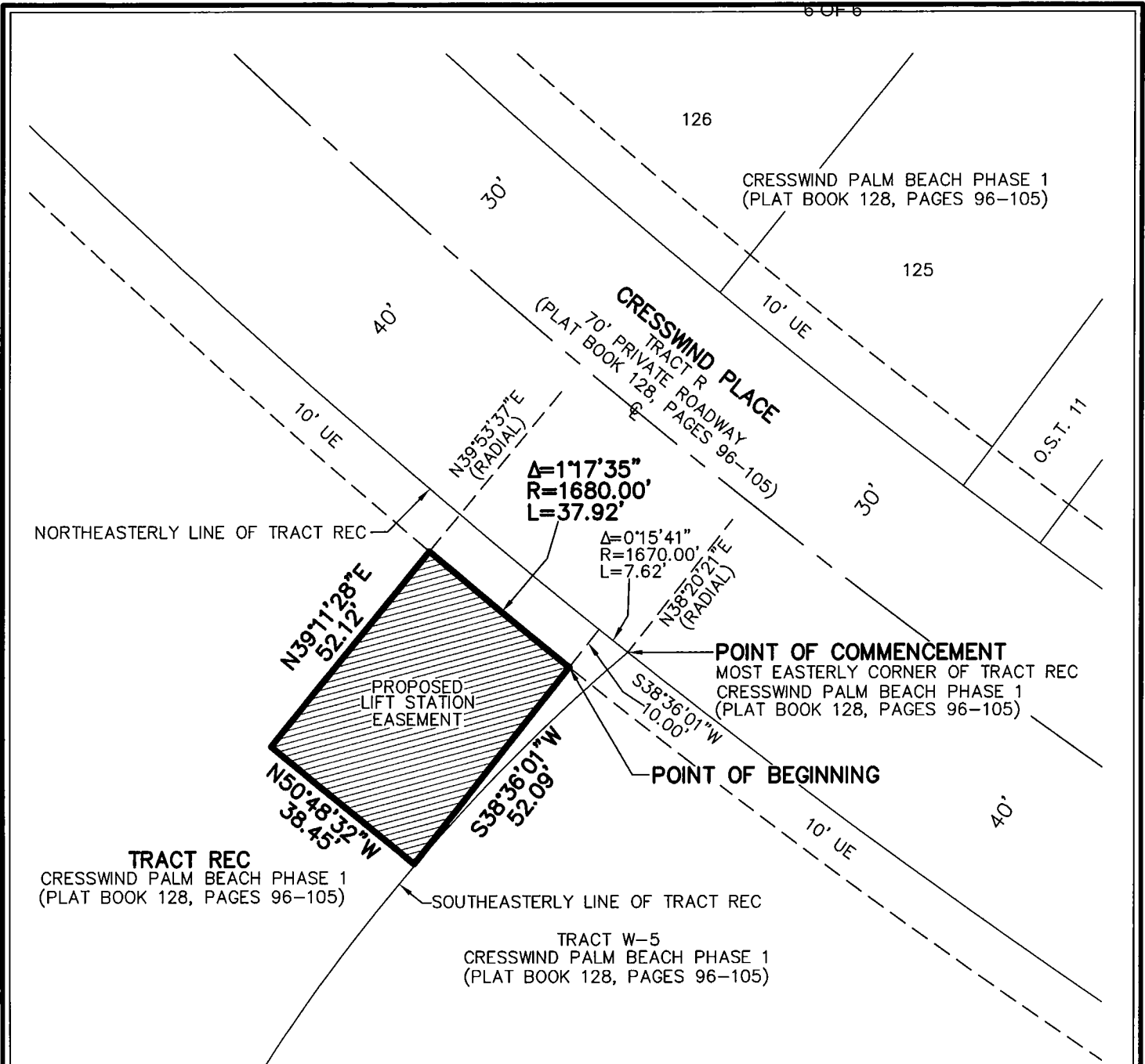
CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING - LAND PLANNING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452

David Lindley
Digitally signed by David Lindley
 DN: c=US, st=Florida, l=Boca Raton, ou=Surveying, o=Caulfield & Wheeler, Inc., cn=David Lindley, email=Dave@cwassoc.com
 Date: 2020.04.03 11:09:42 -0400

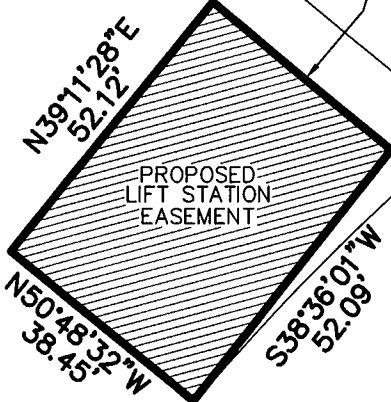
DAVID P. LINDLEY
 REGISTERED LAND
 SURVEYOR NO. 5005
 STATE OF FLORIDA
 L.B. 3591

DATE	3/25/20
DRAWN BY	JC
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	8272LSE

**CRESSWIND PALM BEACH PHASE 1
LIFT STATION EASEMENT
SKETCH OF DESCRIPTION**



NORTHEASTERLY LINE OF TRACT REC



PROPOSED
LIFT STATION
EASEMENT

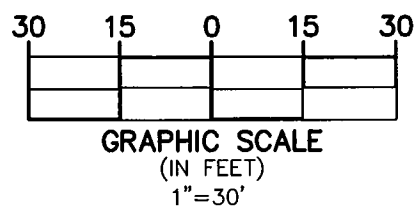
POINT OF COMMENCEMENT
 MOST EASTERLY CORNER OF TRACT REC
 CRESSWIND PALM BEACH PHASE 1
 (PLAT BOOK 128, PAGES 96-105)

POINT OF BEGINNING

TRACT REC
 CRESSWIND PALM BEACH PHASE 1
 (PLAT BOOK 128, PAGES 96-105)

SOUTHEASTERLY LINE OF TRACT REC

TRACT W-5
 CRESSWIND PALM BEACH PHASE 1
 (PLAT BOOK 128, PAGES 96-105)



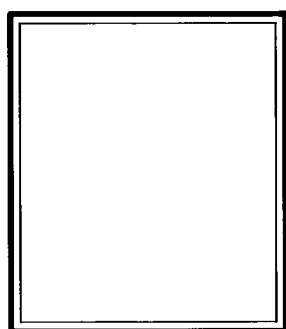
LEGEND/ABBREVIATIONS

- Ⓞ - CENTERLINE
- Δ - DELTA (CENTRAL ANGLE)
- R - RADIUS
- L - ARC LENGTH
- UE - UTILITY EASEMENT

SHEET 2 OF 2



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DATE	3/25/20
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**CRESSWIND PALM BEACH PHASE 1
 LIFT STATION EASEMENT
 SKETCH OF DESCRIPTION**