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*FORMERLY ADMITTED IN MICHIGAN

OF COUNSEL
JOHN W. PERLOFF, P.A.
JODIE SIEGEL, P.A.

June 23, 2017

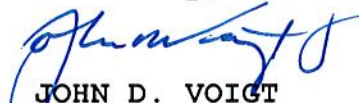
Mr. Nathaniel Watson
Water Distribution Supervisor
City of Pompano Beach
1201 N.E. 3rd Avenue
Pompano Beach, Florida 33060

Re: Oldcastle Coastal
1590 N. Andrews Avenue
Granting of Utility Easement

Dear Nathaniel:

As a follow-up to your emails and conversations with our engineer, Werner Vaughn, of Winningham & Fradley, enclosed please find an original Utility Easement dedicated by our client, Oldcastle APG South, Inc., in favor of the City of Pompano Beach with regard to their property. Please let me know what we need to do next to have this approved and recorded. Please contact me should you have any questions or need any additional information.

Sincerely,


JOHN D. VOIGT
For the Firm

JDV/kdr
encs.

cc: Oldcastle Coastal

Prepared by and return to:
City of Pompano Beach
100 West Atlantic Boulevard
Pompano Beach, Florida 33060

UTILITY EASEMENT

THIS UTILITY EASEMENT (this "Easement") is made and executed this 17 day of February, 2017, by Oldcastle APG South, Inc., a foreign corporation, (the "Grantor"), having an address of 1590 N. Andrews Avenue, Pompano Beach, Florida, 33069, to the CITY OF POMPANO BEACH, a municipal corporation of the State of Florida, (the "Grantee"):

(Wherever used herein the terms "Grantor" and "Grantee" include all parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, partnerships (including joint ventures), public bodies and quasi-public bodies.)

WITNESSETH:

WHEREAS, Grantor is lawfully seized in fee simple and is in possession of certain property situated in Broward County, Florida, (hereinafter referred to as "Property"); and

WHEREAS, Grantor desires to grant a non-exclusive utility easement in, on, over, under, through, and across the Property more particularly described in Exhibit "A" attached hereto and made a part hereof (the "Easement Area").

NOW, THEREFORE, in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby states as follows:

1. Grantor does hereby grant unto the Grantee, a perpetual non-exclusive utility easement to install, operate, repair and maintain in perpetuity such facilities and accessories as may be necessary to provide utility services in, on, over, under, through, and across the Easement Area, with the full and free right of ingress and egress over the Easement Area and portions of Grantor's adjoining property for the purpose of exercising the rights herein granted.

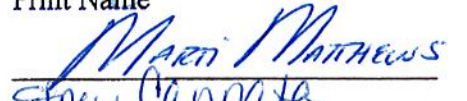
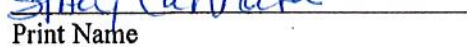
IN WITNESS WHEREOF, the Grantor has caused this Easement to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers or representatives hereunto duly authorized, as of the day and year first above written.

"GRANTOR":

Witnesses:



Print Name

Print Name

Oldcastle APG South, Inc.

A foreign corporation

BY:  PROJECT MANAGER

Print Name: JAMES R. BIRD

BY: _____


Print Name: _____

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 17 day of February, 2017, by James R. Bird, as project manager who is (known to me) or who has produced _____ (type of identification) as identification.

NOTARY'S SEAL:




NOTARY PUBLIC, STATE OF FLORIDA

Tricia Johnson

(Name of Acknowledger Typed, Printed or Stamped)

GG013366

Commission Number

The foregoing Easement and all of its agreements, terms, conditions and representations are hereby accepted at Pompano Beach, Florida, this _____ day of _____, 2017.

"CITY":

Witnesses:

CITY OF POMPANO BEACH

By: _____
LAMAR FISHER, MAYOR

By: _____
GREG HARRISON, CITY MANAGER

Attest:

ASCELTA HAMMOND, CITY CLERK

(SEAL)

Approved As To Form:

MARK E. BERMAN, CITY ATTORNEY

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instruments were acknowledged before me this _____ day of _____, 2018 by **LAMAR FISHER** as Mayor, **GREG HARRISON** as City Manager and **ASCELTA HAMMOND**, City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who are personally known to me.

NOTARY'S SEAL:

NOTARY PUBLIC, STATE OF FLORIDA

(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

Cls
9/7/2016



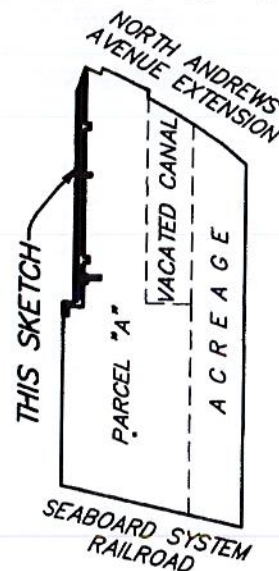
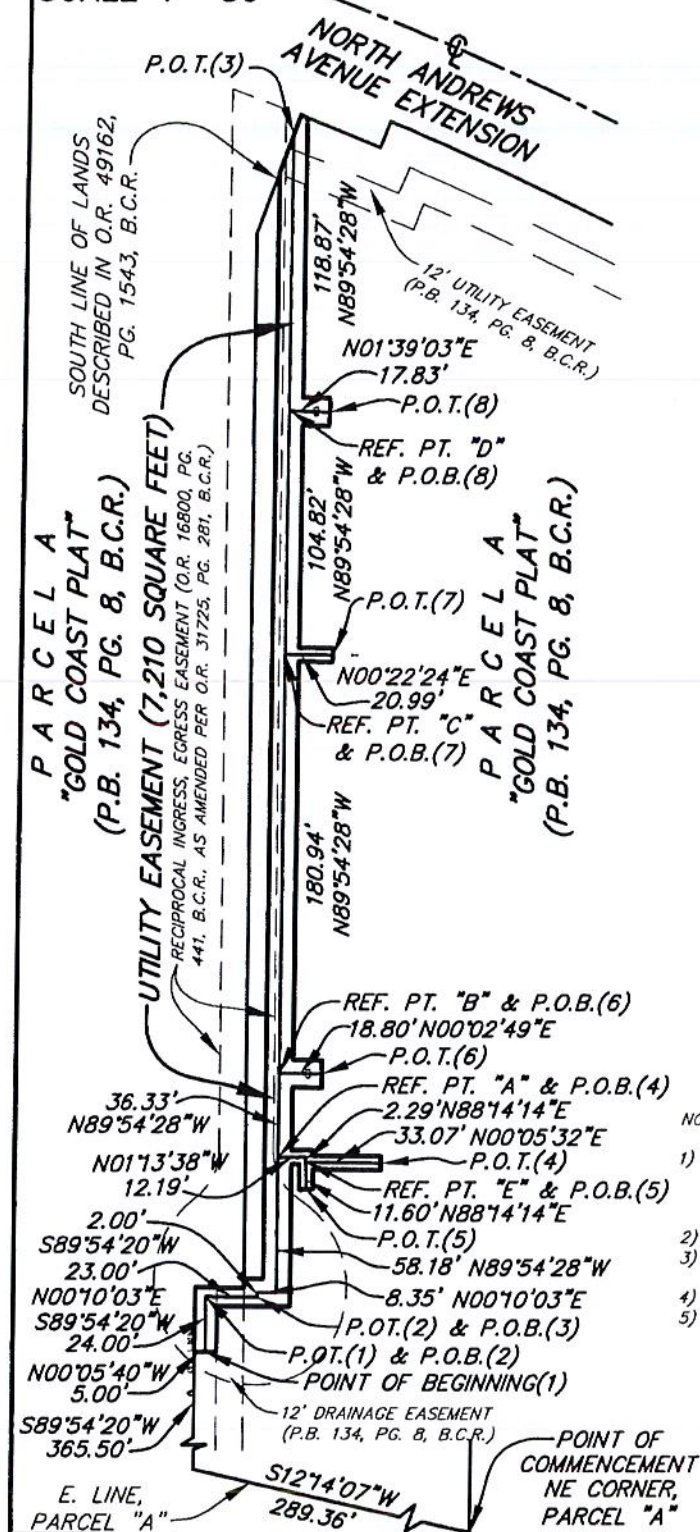
McLAUGHLIN ENGINEERING COMPANY

LB#285

ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA 33309
PHONE (954) 763-7611 * FAX (954) 763-7615

SCALE 1"=80'

SKETCH AND DESCRIPTION OLD CASTLE UTILITY EASEMENT SHEET 1 OF 3



SITE LAYOUT
NOT TO SCALE

LEGAL DESCRIPTION:

A portion of Parcel "A", GOLD COAST PLAT, according to the plat thereof, as recorded in Plat Book 134, Page 8, of the public records of Broward County, Florida, more fully described on Sheets 2 & 3 of 3 Sheets.

NOTES:

- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Legal description prepared by McLaughlin Engineering Co.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown assume the East line of Parcel "A", as South 12°14'07" West.

LEGEND:

P.O.T. = POINT OF TERMINATION
P.O.B. = POINT OF BEGINNING
REF. PT. = REFERENCE POINT
P.B. = PLAT BOOK
O.R. = OFFICIAL RECORDS
B.C.R. = BROWARD COUNTY RECORDS

FIELD BOOK NO. _____

DRAWN BY: JMMjr _____

JOB ORDER NO. V-2136 _____

CHECKED BY: _____

REF. DWG.: 97-3-016

C: \JMMjr\2017\V2136 (UE)



McLAUGHLIN ENGINEERING COMPANY

LB#285

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SKETCH AND DESCRIPTION OLD CASTLE UTILITY EASEMENT SHEET 2 OF 3 SHEETS

LEGAL DESCRIPTION:

Strips of land across and through a portion of Parcel "A", GOLD COAST PLAT, according to the plat thereof, as recorded in Plat Book 134, Page 8, of the public records of Broward County, Florida, more fully described as follows:

A strip of land 10.00 feet in width, lying 5.00 feet on each side of the following described centerline:

Commencing at the Northeast corner of said Parcel "A"; thence South 12°14'07" West, on the East line of said Parcel "A", a distance of 289.36 feet; thence South 89°54'20" West, on a South line of those lands described in Official records Book 49162, Page 1543, Broward County, Records, a distance of 365.50 feet; thence North 00°05'40" West, a distance of 5.00 feet to the Point of Beginning (1) of the herein described centerline; thence South 89°54'20" West, a distance of 24.00 feet to the Point of Termination (1) of said 10.00 foot Easement and to the Beginning (2) of a strip of land 8.00 feet in width lying 4.00 feet on each side of the following described centerline; thence North 00°10'03" East, a distance of 23.00 feet to the Point of Termination (2) of said 8.00 foot Easement and to the Beginning (3) of a strip of land 12.00 feet in width, lying 6.00 feet on each side of the following described centerline; thence South 89°54'20" West, a distance of 2.00 feet; thence North 00°10'03" East, a distance of 8.35 feet; thence North 89°54'28" West, a distance of 58.18 feet to a Reference Point "A"; thence continuing North 89°54'28" West, a distance of 36.33 feet to a Reference Point "B"; thence continuing North 89°54'28" West, a distance of 180.94 feet to a Reference Point "C"; thence continuing North 89°54'28" West, a distance of 104.82 feet to a Reference Point "D"; thence continuing North 89°54'28" West, a distance of 118.87 feet to a point on a South line of said lands described in Official records Book 49162, Page 1543, Broward County, Records and to the Point of Termination (3) of the herein described centerline.

TOGETHER WITH:

A strip of land 6.00 feet in width, lying 3.00 feet on each side of the following described centerline:

Beginning (4) at the aforementioned Reference Point "A"; thence North 01°13'38" West, a distance of 12.19 feet; thence North 88°14'14" East, a distance of 2.29 feet to a Reference Point "E"; thence North 00°05'32" East, a distance of 33.07 feet to the Point of Termination (4) of the herein described centerline.

TOGETHER WITH:

Beginning (5) at the aforementioned Reference Point "E"; thence North 88°14'14" East, a distance of 11.60 feet to the Point of Termination (5) of the herein described centerline.

LEGAL DESCRIPTION CONTINUED ON SHEET 3

FIELD BOOK NO. _____

DRAWN BY: JMMjr _____

JOB ORDER NO. V-2136 _____

CHECKED BY: _____

REF. DWG.: 97-3-016

C: \JMMjr\2017\V2136 (UE)



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SKETCH AND DESCRIPTION OLD CASTLE UTILITY EASEMENT SHEET 3 OF 3 SHEETS

LEGAL DESCRIPTION CONTINUED:

TOGETHER WITH:

A strip of land 12.00 feet in width, lying 6.00 feet on each side of the following described centerline:

Beginning (6) at the aforementioned Reference Point "B"; thence North 00°02'49" East, a distance of 18.80 feet to the Point of Termination (6) of the herein described centerline.

TOGETHER WITH:

A strip of land 6.00 feet in width, lying 3.00 feet on each side of the following described centerline:

Beginning (7) at the aforementioned Reference Point "C"; thence North 00°22'24" East, a distance of 20.99 feet to the Point of Termination (7) of the herein described centerline.

TOGETHER WITH:

A strip of land 12.00 feet in width, lying 6.00 feet on each side of the following described centerline:

Beginning (8) at the aforementioned Reference Point "D"; thence North 01°39'03" East, a distance of 17.83 feet to the Point of Termination (8) of the herein described centerline.

Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 7,210 square feet or 0.1655 acres more or less.

NOTE:

It is the intent of this description that the sidelines be lengthened or shortened to the point of intersection with each other and to the called out end points, to form one continuous strip of land.

NOTES:

- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Legal description prepared by McLaughlin Engineering Co.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown assume the East line of Parcel "A", as South 12°14'07" West.

CERTIFICATION

Certified Correct. Dated at
Fort Lauderdale, Florida this
4th day of April, 2017.

McLAUGHLIN ENGINEERING COMPANY


JERALD A. McLAUGHLIN
Registered Land Surveyor No. 5269
State of Florida.

FIELD BOOK NO. _____

DRAWN BY: JMMjr _____

JOB ORDER NO. V-2136 _____

CHECKED BY: _____

REF. DWG.: 97-3-016

C: \JMMjr\2017\V2136 (UE)