



Good afternoon Nathaniel

I was asked by our attorney Stephen Hoffman to drop this easement agreement off to you so that you may have it executed for us. This is the easement for our Siena @ Palm Aire community. If you would be so kind as to notify me when it is all signed I will come pick it up so that we may then get it recorded.

We appreciate all of your help with this matter

Sincerely

Joyce S Villar

Director of Operations

Stellar Communities

cell: 561.289.4551

Prepared by:

Stephen V. Hoffman, Esq.
Hackleman, Olive & Judd, P.A.
2426 East Las Olas Boulevard
Fort Lauderdale, Florida 33301

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 _____ day of August, 2018, by **SIENA PALM AIRE LLC**, a Florida limited liability company (the "Grantor"), having an address of 2700 West Cypress Creek Road, Suite D-118, Fort Lauderdale, Florida, 33309, to the **CITY OF POMPANO BEACH**, a municipal corporation of the State of Florida, (the "Grantee") having an address at 100 West Atlantic Avenue, Pompano Beach, Florida 33060:

(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" (Sketch & Description prepared by Winningham & Fradley, Inc., Project No. W15044, dated 8/2018) 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.

2. Grantee shall have the right and privilege from time to time to construct, reconstruct, improve, maintain, repair, replace, relocate, inspect, add to, enlarge, change pressure, as well as the size of, and to remove such utility facilities, accessories or any of them thereto, all for public utilities purposes, together with the right to permit any other person, firm or corporation to any of the said facilities or accessories hereunder along with the right of ingress and egress to said Easement Area and over portions of Grantor's adjoining property.

3. Grantee shall have the right to keep the Easement Area cleared of obstructions and Grantee shall have the right to trim, cut and/or remove from the Easement Area, at any time, trees, limbs, undergrowth, structures or other obstructions, which in the opinion of Grantee, might interfere or fall upon the said facilities.

4. Grantor shall not erect or place any building, structure, obstruction, landscaping or tree on or inside the Easement Area, without Grantee's prior written permission so as to not compromise the integrity of the CITY's public utility infrastructure.

5. The Easement granted shall be binding upon the Grantor and its successors and assigns. This Easement shall not be released or amended in any manner without the written consent of Grantee, except as otherwise provided herein.

6. All provisions of this Easement, including the benefits and burdens, run with the land and are binding upon and inure to the heirs, assigns, successors, tenants, and personal representatives of the parties hereto.

7. Grantor hereby warrants and covenants (a) that Grantor is the owner of the fee simple title to the property in which the above described Easement Area is located, (b) that Grantor has full right and lawful authority to grant and convey this Easement to Grantee, and (c) that Grantee shall have quiet and peaceful possession, use and enjoyment of this Easement.

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:

SIENA PALM AIRE LLC, a Florida limited liability company
By: Bauco Holdings 2 LLC, a Florida limited liability company, its Manager



Joyce S Villanar
Print Name

BY: 

Larry Baum, Manager

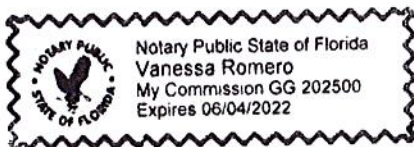


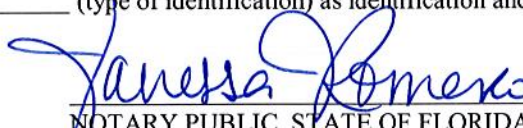
Kim Johnson
Print Name

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 3 day of October, 2018, Larry Baum, as Manager of Bauco Holdings 2 LLC, a Florida limited liability company, as the Manager of Siena Palm Aire LLC, a Florida limited liability company, on behalf of the company, who is known to me or who has produced _____ (type of identification) as identification and did not take an oath.

NOTARY'S SEAL:





NOTARY PUBLIC, STATE OF FLORIDA
Vanessa Romero

(Name of Acknowledger Typed, Printed or Stamped)
GG 202500

Commission Number

The foregoing Easement and all of its agreements, terms, conditions and representations are hereby accepted at Pompano Beach, Florida, this _____ day of _____, 2018.

"CITY":

Witnesses:

CITY OF POMPANO BEACH

By: _____
LAMAR FISHER, MAYOR

By: _____
GREG HARRISON, CITY MANAGER

Attest:

(SEAL)

ASCelta HAMMOND, CITY CLERK

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 _____, 2016 by **LAMAR FISHER** as Mayor, **DENNIS W. BEACH** as City Manager and **MARY L. CHAMBERS**, City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who are personally known to me.

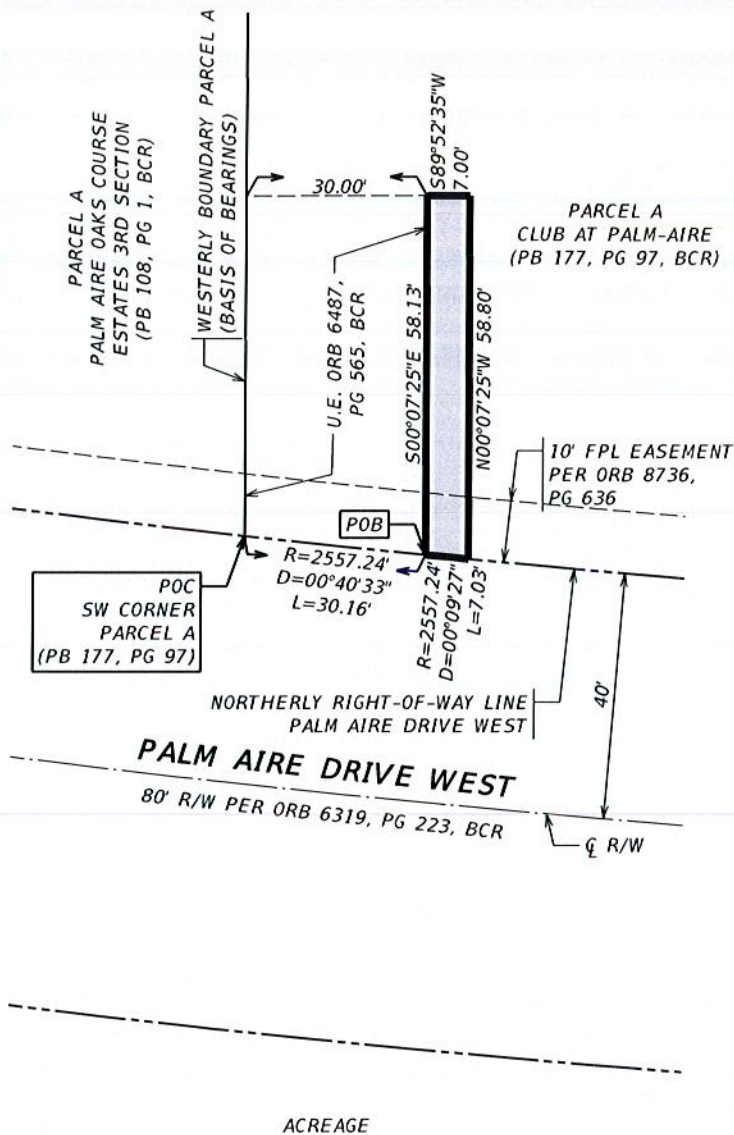
NOTARY'S SEAL:

NOTARY PUBLIC, STATE OF FLORIDA

(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

Cls
9/7/2016



DESCRIPTION

A PARCEL OF LAND LYING WITHIN PARCEL A OF THE CLUB AT PALM-AIRE PLAT AS RECORDED IN PLAT BOOK 177, PAGE 97 OF THE PUBLIC RECORDS OF BROWARD COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF PARCEL A OF SAID PLAT RUN SOUTHEASTERLY ALONG THE ARCH OF A CONCAVE CURVE TO THE NORTHEAST HAVING A RADIUS OF 2557.24 FEET AND A CENTRAL ANGLE OF 00°40'33" FOR A DISTANCE OF 30.16 FEET, SAID CURVE ALSO BEING THE NORTHERLY RIGHT-OF-WAY LINE OF PALM AIRE WEST DRIVE ACCORDING TO OFFICIAL RECORD BOOK 6319, PAGE 223 OF THE PUBLIC RECORDS OF BROWARD COUNTY, TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

THENCE CONTINUE SOUTHEASTERLY ALONG THE ARCH OF A CONCAVE CURVE TO THE NORTHEAST HAVING A RADIUS OF 2557.24 FEET AND A CENTRAL ANGLE OF 00°09'27" FOR A DISTANCE OF 7.03 FEET TO A POINT; THENCE RUN NORTH 00°07'25" WEST (BASIS OF BEARINGS) FOR A DISTANCE OF 58.80 FEET; THENCE RUN SOUTH 89°52'35" WEST FOR A DISTANCE OF 7.00; THENCE RUN SOUTH 00°07'25" EAST FOR A DISTANCE OF 58.13 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN THE CITY OF POMPAHO BEACH, BROWARD COUNTY FLORIDA AND CONTAINING 0.0094 ACRES.

LEGEND

O.R.B.	OFFICIAL RECORD BOOK
B.C.R.	BROWARD COUNTY RECORDS
P.B.	PLAT BOOK
U.E.	UTILITY EASEMENT
PG.	PAGE
R/W	RIGHT-OF-WAY
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
---	RIGHT -OF WAY LINE
---	EASEMENT LINE



This item has been electronically signed and sealed with a Digital Signature by:

Printed copies of this document are not considered signed and sealed and must be verified on any electronic copies.

CLUB AT PLAM-AIRE

CITY OF POPMANO BEACH, BROWARD COUNTY, FLORIDA

PARCEL TO BE DEDICATED

SKETCH & DESCRIPTION

WINNINGHAM & FRADLEY, INC.
ENGINEERS • PLANNERS • SURVEYORS
111 N.E. 44th STREET, OAKLAND PARK, FL 33334 954-771-7440 FAX: 954-771-0298 www.winfrad.com

EB-0002995
LB-0002995

DRAWN: AMF
CHECKED:

DATE: 08/2018
DATE:

PROJECT NUMBER
W15044

SHEET
1 OF 1