

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

DRAINAGE EASEMENT

THIS DRAINAGE EASEMENT made this _____ day of _____, 2019, by Eric Eickhorn, an individual, whose address is 1731 SW 5th Avenue, Pompano Beach Florida 33060 (hereinafter "OWNER") for the use and benefit of the CITY OF POMPANO BEACH, a municipal corporation of the State of Florida, whose address is 100 West Atlantic Boulevard, Pompano Beach, Florida 33060, (hereinafter "CITY").

WITNESSETH, that OWNER in and for the consideration of TEN DOLLARS (\$10.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, does for itself, its successors and assigns, hereby grant and convey to CITY a drainage easement in, over, under, across, through or upon the following described real property located in the City of Pompano Beach, Broward County, Florida, to wit:

SEE EXHIBIT "A" attached

for the purpose of drainage, flowage and retention of stormwater and for the purposes of installing, constructing, operating, maintaining, repairing and replacing drainage improvements, including without limitation, control structures and underground pipes to provide drainage, flowage and retention of storm water in or on said property which may be required for the full enjoyment of the rights herein granted together with the right of the CITY to assign the rights herein granted and conveyed to any recognized public utility or city; the right of ingress and egress to said real property at all times; the right to keep the land cleared of obstructions within

the easement area; the same rights as granted herein, to the extent that the undersigned has the power to grant, over, along, under and across the roads, streets or highway adjoining or through the said property described above; and further providing that the OWNER shall not erect or place any building or tree on the above-described real property.

As an inducement to OWNER to grant this Easement, CITY represents it is duly authorized as the exclusive water utility provider to the subject project. OWNER hereby warrants and covenants (a) that OWNER is the owner of the fee simple title to the property in which the above described Easement Area is located, (b) that OWNER has full right and lawful authority to grant and convey this Easement to CITY, and (c) that CITY shall have quiet and peaceful possession, use and enjoyment of this Easement. All covenants terms, provisions and conditions herein contained shall inure and extend to and be obligatory upon the heirs, successors, lessees and assigns of the respective parties hereto.

As consideration for permanent placement of this drainage easement, City shall be responsible for having a boat ramp designed, permitted, and constructed at 1731 SW 5th Avenue, Pompano Beach, Florida 33060, at City's expense. This Agreement is made on the express condition that OWNER agrees that CITY shall be held harmless and free from all claims for damages for injury or death to any person or property damage of any kind that occurs in connection with this Agreement. Further, OWNER shall indemnify CITY, its officials, its agents and employees against all liability, including legal and attorney's fees, resulting from any injury, death or damage described in this paragraph. Further, OWNER will be responsible for maintenance of boat ramp upon final completion.

IN WITNESS WHEREOF, the OWNER has executed this instrument on the 27th day of February, 2019.

"OWNER":

Witnesses:

[Signature]
JOHN S. FIDRPOULS
[Signature]
DAVID MCGILL

ERIC EICKHORN, an individual

By: [Signature]
Print Name: ERIC Eickhorn

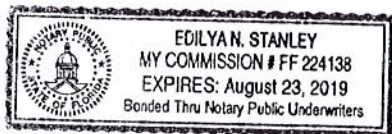
Date: 02/27/2019

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 27th day of February 2019 by ERIC Eickhorn, an individual who is personally known to me or who has produced FL DL (type of identification) as identification.

NOTARY'S SEAL:



[Signature]
NOTARY PUBLIC, STATE OF FLORIDA
(Signature of Notary Taking Acknowledgment)
Edilya N Stanley
(Name of Acknowledger Typed, Printed or Stamped)
FF224138
Commission Number

The foregoing Easement and all of its agreements, terms, conditions and representations are hereby accepted at Pompano Beach, Florida, this _____ day of _____, 2019.

"CITY":

Witnesses:

CITY OF POMPAÑO BEACH

By: _____
REFX HARDIN, MAYOR

By: _____
GREGORY P. HARRISON, CITY MANAGER

Attest:

ASCELETA HAMMOND, CITY CLERK

(SEAL)

Approved as to Form:

MARK E. BERMAN, CITY ATTORNEY

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this _____ day of _____, 2019 by REX HARDIN as Mayor of the City of Pompano Beach, a municipal Florida corporation, on behalf of the municipal corporation, who is personally known to me.

NOTARY'S SEAL:

NOTARY PUBLIC, STATE OF FLORIDA
(Signature of Notary Taking Acknowledgment)

(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this _____ day of _____, 2019 by GREGORY P. HARRISON as City Manager of the City of Pompano Beach, a municipal Florida corporation, on behalf of the municipal corporation, who is personally known to me.

NOTARY'S SEAL:

NOTARY PUBLIC, STATE OF FLORIDA
(Signature of Notary Taking Acknowledgment)

(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this _____ day of _____, 2019 by ASCELETA HAMMOND as City Clerk of the City of Pompano Beach, a municipal Florida corporation, on behalf of the municipal corporation, who is personally known to me.

NOTARY'S SEAL:

NOTARY PUBLIC, STATE OF FLORIDA
(Signature of Notary Taking Acknowledgment)

(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

MEB/cls
9/7/2016
L:agr/util/2016-