

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

## **SANITARY SEWER EASEMENT**

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**THIS SANITARY SEWER EASEMENT** made this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by KEVIN O'NEAL and MELISSA APOLINARIO, individuals, having an address of 1405 SW 4th Terrace, Pompano Beach FL 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 an easement for sewer utility purposes in, over, under, across, through or upon the following described real property located in the City of Pompano Beach, Broward County, Florida, hereinafter "Easement Property" to wit:

SEE EXHIBIT "A" attached

for the purposes of installing, excavating, constructing, operating, maintaining, inspecting, repairing, removing and replacing sanitary sewer improvements, including without limitation, control structures and underground pipes, equipment, and appurtenances 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 Easement Property at all times; the right to keep the

land cleared of obstructions within the Easement Property; 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 Easement Property described above; and further providing that the OWNER shall not erect or place any building or tree on the above-described Easement 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 property. 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 Property 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.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the OWNER has executed this instrument on the 8 day of November, 2016.

**"OWNER":**

Witnesses:

KEVIN O'NEAL & MELISSA APOLINARIO, individuals

By: [Signature]

Print Name: Kevin O'Neal

By: [Signature]

Print Name: Melissa Apolinario

Date: 11-9-16

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 15 day of November, 2016 by Kevin O'Neal, Melissa Apolinario, an individual who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

NOTARY'S SEAL:



[Signature]  
NOTARY PUBLIC, STATE OF FLORIDA

(Signature of Notary Taking Acknowledgment)

Regan Redington  
(Name of Acknowledger Typed, Printed or Stamped)

FF037315  
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: \_\_\_\_\_  
DENNIS W. BEACH, 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 \_\_\_\_\_, 2017 by **LAMAR FISHER** as Mayor, **DENNIS W. BEACH** as City Manager and **ASCELETA HAMMOND** as 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

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

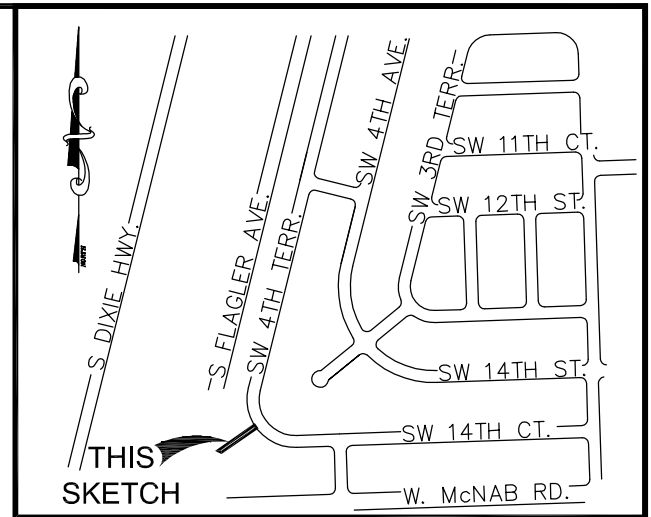
## EXHIBIT A

### LEGAL DESCRIPTION:

THE SOUTHERLY 7.5 FEET OF LOT 38, BLOCK 6, LYON'S PARK FIRST ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 40, PAGE 2, BROWARD COUNTY RECORDS, SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:.

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 38; THENCE ALONG THE SOUTH LINE OF SAID LOT 38, SOUTH 55°19'35" WEST, 182.34 FEET TO THE SOUTHERLYMOST SOUTHWEST CORNER OF SAID LOT 38; THENCE ALONG THE SOUTHWEST LINE OF SAID LOT 38, NORTH 61°57'23" WEST, 8.44 FEET; THENCE NORTH 55°19'35" EAST, 186.35 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF S.W. 4TH TERRACE, SAID POINT BEING ON THE ARC OF A CURVE CONCAVE TO THE NORTHEAST, WITH A RADIUS OF 200.00 FEET AND A RADIAL BEARING OF NORTH 57°28'32" EAST; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°08'57" AND AN ARC DISTANCE OF 7.50 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA AND CONTAINING 1382 SQUARE FEET, MORE OR LESS.



**LOCATION MAP:**  
NOT TO SCALE

### SURVEY NOTES:

1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#6860.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. IT IS A VIOLATION OF THE STANDARDS OF PRACTICE, AS SET FORTH IN RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
5. THIS SKETCH AND DESCRIPTION DOES NOT CONSTITUTE A BOUNDARY SURVEY.
6. BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF SOUTH 55°19'35" WEST ALONG THE SOUTH LINE OF LOT 38, BLOCK 6, LYON'S PARK FIRST ADDITION, AS RECORDED IN PLAT BOOK 40, PAGE 2 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
7. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
8. THE INTENDED DISPLAY SCALE FOR THIS SKETCH IS 1"= 30' OR SMALLER.

### CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH & DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS WRITTEN UNDER MY DIRECTION ON MARCH 15, 2016 MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.  
CONSULTING ENGINEERS

TIMOTHY H. GRAY  
PROFESSIONAL SURVEYOR AND MAPPER  
REGISTRATION No. 6604  
STATE OF FLORIDA

### SKETCH & DESCRIPTION

A PORTION OF LOT 38, BLOCK 6,  
LYON'S PARK FIRST ADDITION  
P.B. 40, PG. 2, B.C.R.

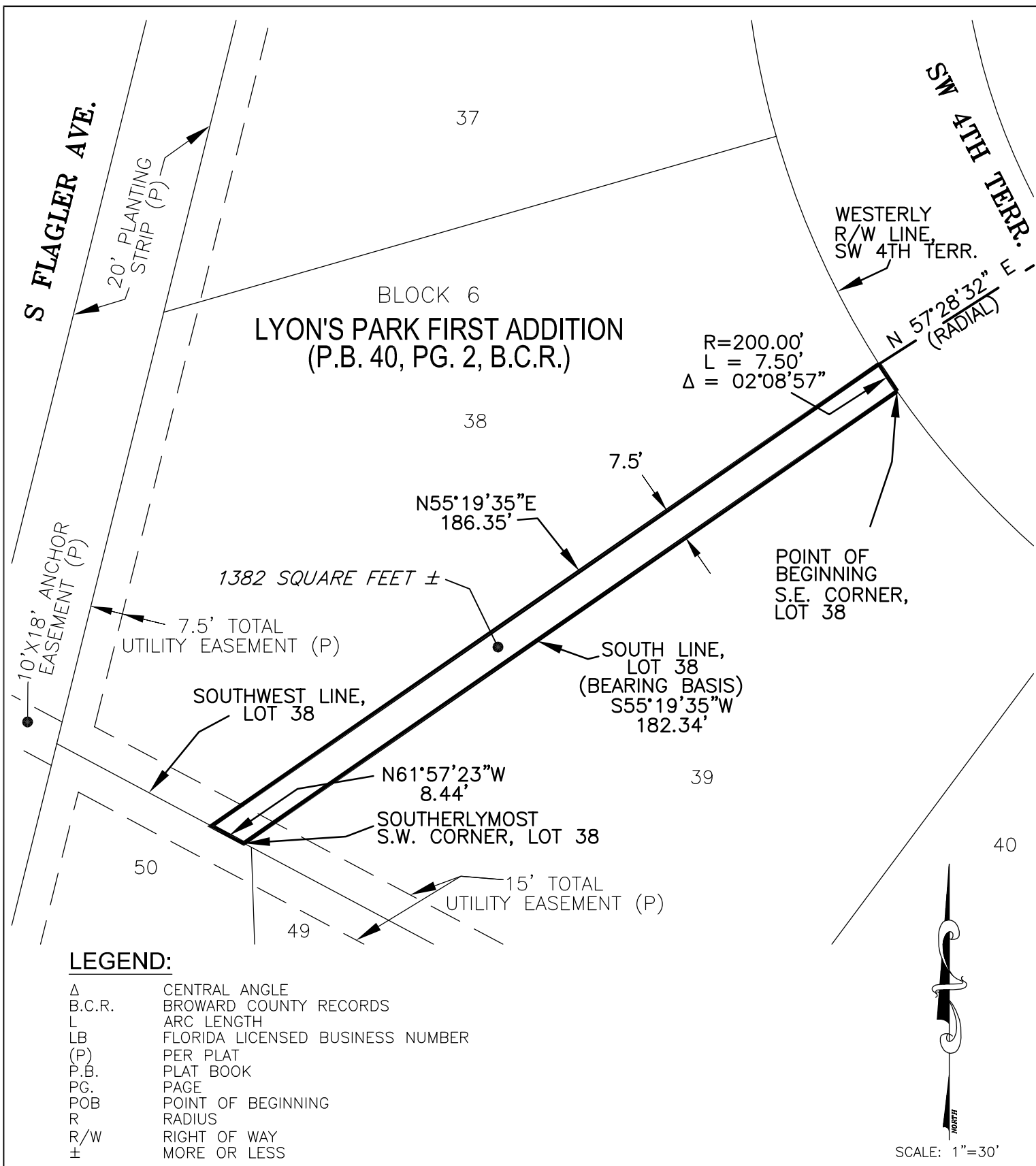
CITY OF POMPANO BEACH,  
BROWARD COUNTY, FLORIDA

**KEITH**  
ASSOCIATES, INC.  
consulting engineers  
301 EAST ATLANTIC BOULEVARD  
POMPANO BEACH, FLORIDA 33060-6643  
(954) 788-3400 FAX (954) 788-3500  
EMAIL: mail@keith-associates.com LB NO. 6860

SHEET 1 OF 2  
DRAWING NO. 07020.97 LOT 38 Easement-SKD.dwg

DATE 03/15/16  
SCALE N/A  
FIELD BK. N/A  
DWNG. BY THG  
CHK. BY MMM

DATE	REVISIONS



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LYON'S PARK FIRST ADDITION  
P.B. 40, PG. 2, B.C.R.

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SHEET 2 OF 2

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DATE 03/15/16

SCALE 1" = 30'

FIELD BK. N/A

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