

Prepared by:  
Jessica Quintanilla  
Florida Public Utilities Company  
1635 Meathe Drive  
Royal Palm Beach, Florida 33411

## UTILITY EASEMENT

FOR AND IN CONSIDERATION of the mutual benefits, covenants and conditions contained herein City of Delray Beach, whose address is 100 NW 1st Street, Delray Beach, Florida 33444, their successors and assigns ("**GRANTOR**") hereby grants and conveys to FLORIDA PUBLIC UTILITIES COMPANY, whose address is 1635 Meathe Drive, West Palm Beach, Florida 33411, their successors and assigns ("**GRANTEE**"), an easement to lay, construct, install, operate, maintain, repair and remove, in perpetuity, or until the use thereof is abandoned, underground and aboveground pipelines and related appurtenances for the commodities (the "**FACILITIES**") located in the following described Easement Area within GRANTOR'S premises in Palm Beach County, Florida:

A strip of land, with a total width of ten feet (10'), extending five feet (5') on either side of the FACILITIES, fixed and determined by the FACILITIES as installed, as generally shown on the preliminary drawing, Exhibit "A", attached hereto, on a portion of the property within a certain tract of land lying in Section 16, Township 46 South, Range 43 East, of Palm Beach County, Florida, with property address of 802 NE 1<sup>st</sup> Street and further known and designated as Tax Parcel or Folio Number 12-43-46-16-D3-001-0000, described in Veterans Park TR a K/A Park in the Public Records of Palm Beach County, Florida.

The rights herein granted to GRANTEE by GRANTOR include such rights and privileges as are reasonably necessary for GRANTEE'S safe and efficient construction, installation, operation, maintenance, repair and removal of the FACILITIES and for the enjoyment and use of the Easement Area for the purposes described above. Specifically, GRANTEE shall have the right to (a) inspect, alter, improve, repair, rebuild, relocate, and remove the FACILITIES; and, (b) clear the Easement Area, of trees, limbs, undergrowth, and other physical objects which, in the opinion of GRANTEE, endanger or interfere with the safe and efficient installation, operation, maintenance, repair, or removal of the FACILITIES. GRANTEE shall make no use of the Easement Area except as expressly set forth herein.

Upon completion of the initial installation or any subsequent alteration, repair, maintenance, replacement or removal of the FACILITIES or any portion thereof, GRANTEE shall restore GRANTOR'S premises and permitted improvements as nearly as reasonably possible to the condition in which they existed immediately prior to the commencement of such work.

GRANTOR hereby covenants and agrees that no buildings, structures, or obstacles, except fences or walls, shall be located, constructed, excavated, or created within the Easement Area. If fences or walls are installed, they shall be placed so as to allow ready access to the FACILITIES. In accordance with Florida Statutes, Section 553.851(2), before any excavation in the easement area, the GRANTOR shall notify the Sunshine State One Call System.

GRANTOR hereby warrants and covenants (a) that GRANTOR is the owner of the fee simple title to the premises in which the Easement Area is located, (b) that GRANTOR has full right and lawful authority to grant and convey this easement to GRANTEE, and (c) that neither GRANTOR nor GRANTOR'S agents or employees shall interfere with GRANTEE'S quiet and peaceful nonexclusive possession, use, and enjoyment of this easement.

IN WITNESS WHEREOF, the GRANTOR has executed this Utility Easement in manner and form sufficient to bind it as of the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**Signed, sealed, and delivered in the presence of:**

\_\_\_\_\_  
WITNESS  
PRINT NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

\_\_\_\_\_  
Thomas F. Carney, Jr., Mayor  
City of Delray Beach, Grantor

\_\_\_\_\_  
WITNESS  
PRINT NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Alexis Givings, City Clerk

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Lynn Gelin, City Attorney

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by Thomas F. Carney, Jr., as Mayor for the City of Delray Beach.

Personally known \_\_\_\_ OR Produced Identification  
Type of Identification Produced \_\_\_\_\_

\_\_\_\_\_  
Notary Public – State of Florida

# EXHIBIT "A"

## 10 FEET UTILITY EASEMENT

SECTION 16, TOWNSHIP 46 SOUTH, RANGE 43 EAST  
PALM BEACH COUNTY, FLORIDA

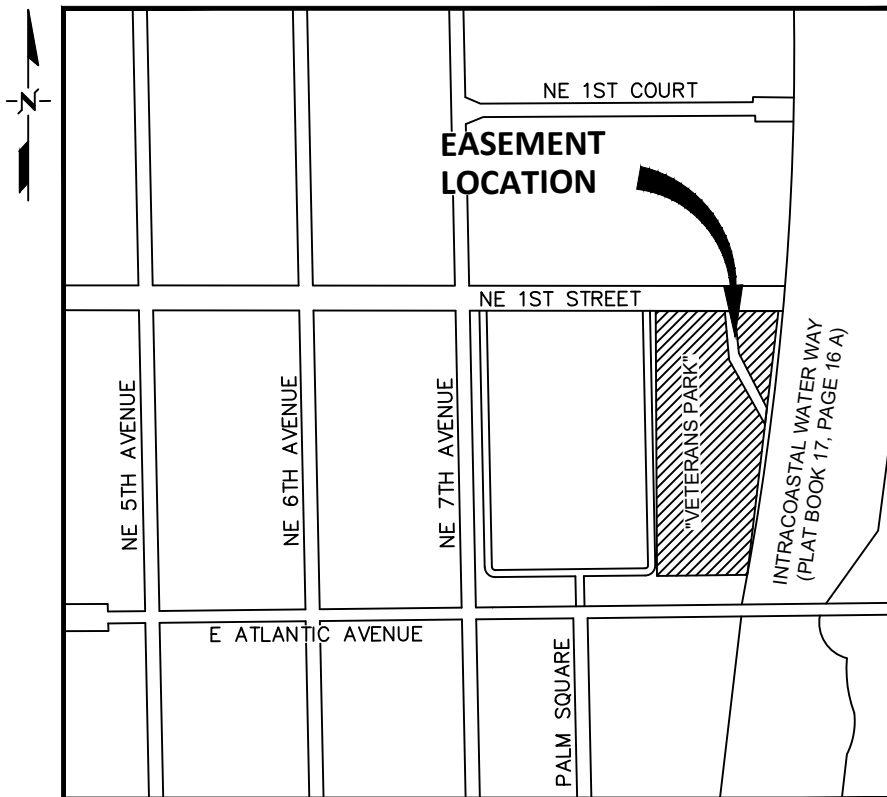
PROPERTY ADDRESS: 802 NE 1ST STREET DELRAY BEACH, FL 33444  
PARCEL CONTROL NUMBER: 12-43-46-16-D3-001-0000

### SURVEYOR'S NOTES:

- THIS IS NOT A BOUNDARY SURVEY
- LEGAL DESCRIPTION PROVIDED BASED ON RECORDED CONDITIONS
- BEARING AND DISTANCES ALONG WELL ESTABLISHED AND RECORDED LINE
- EASEMENT CALCULATED GEOMETRY USE THE BASIS OF BEARING AS PER PLAT BOOK BEARINGS SHOWN HEREON ARE BASED ON MERIDIAN ALONG THE CENTERLINE OF NE 1ST STREET AS SHOWN ON PLAT BOOK 116-172, OF PALM BEACH COUNTY PUBLIC RECORDS. (N89°58'26"E).
- MIN. VERTICAL CLEARANCE OF THIS EASEMENT IS 25FT. ABOVE FINISHED GROUND LEVEL
- THIS EASEMENT STRIP FORMS A CLOSED GEOMETRIC FIGURE

### LEGEND:

1. P.O.B denotes Point of Beginning
2. P.O.C denotes Point of Commencement.
3. P.O.T denotes Point of Termination
4. R/W Denotes Right of Way
5. P/L Property Line
6. C/L Centerline
7. M/L Monument Line
8. P.B. Denotes Plat Book
9. PG. Denotes Page
10. PC Denotes Point of Curve
11. PCC Denotes Point of Concave Curvature
12. R Denotes Curve Radius
13. L Denotes Length of Curve
14. Δ Denotes Angle of curve
15. MD-WASD Denotes Miami-Dade County Water and Sewer Department



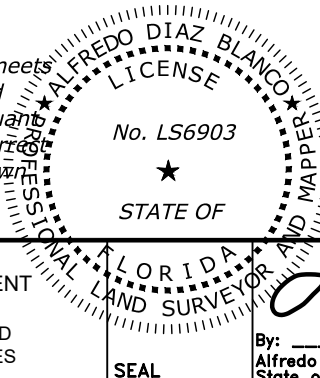
LOCATION MAP  
NOT TO SCALE



### ABBREVIATIONS

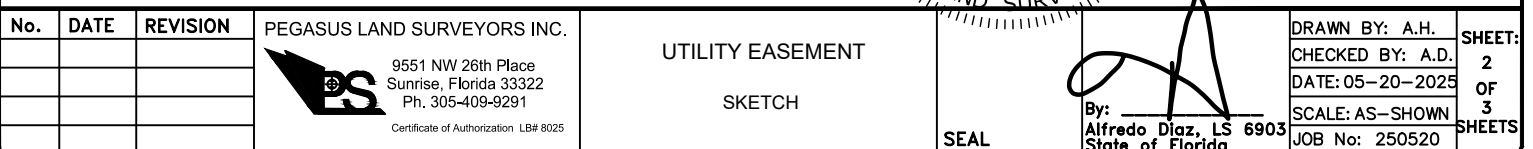
C	CENTERLINE
P	PROPERTY LINE
M	MONUMENT LINE
R/W	RIGHT-OF-WAY
PG.	PAGE
PB.	PLAT BOOK
EXIST.	EXISTING
PROP.	PROPOSED

### SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY: That the LEGAL AND SKETCH of the Property described hereon was made under my supervision and that the LEGAL AND SKETCH meets the Standards of Practice set forth by the Florida Board of Professional Land Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code pursuant to Section 472.027, Florida Statutes. That the Sketch hereon is true and correct to the best of my knowledge and belief. Subject to notes and notations shown hereon. This Sketch does not represent a Land Survey.



No.	DATE	REVISION	PEGASUS LAND SURVEYORS INC.  9551 NW 26th Place Sunrise, Florida 33322 Ph. 305-409-9291 Certificate of Authorization LB# 8025	UTILITY EASEMENT  LOCATION MAP AND SURVEYOR'S NOTES	By:  Alfredo Diaz, LS 6903 State of Florida	DRAWN BY: A.H. CHECKED BY: A.D. DATE: 05-20-2025 SCALE: AS-SHOWN JOB No: 250520	SHEET: 1 OF 3 SHEETS
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# EASEMENT LEGAL DESCRIPTION

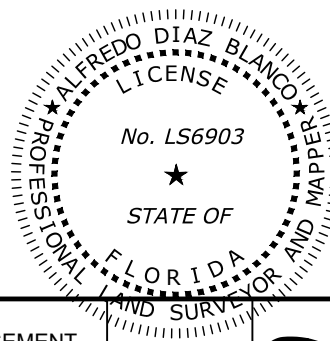
*A 10 foot wide Strip of Land laying in Section 16, Township 46 South, Range 43 East, within a portion of Block 132, as recorded in Plat Book 1-25 of the public records of Palm Beach County, Florida, Parcel Control Number 12-43-46-16-D3-001-0000, Location Address 802 N.E. 1st Street, Delray Beach, Florida 33444, more particularly described as follows:*




*Commence at the Intersection of the centerlines of N.E. 1st Street and U.S. Highway No. 1 (N.E. 6th Avenue), thence run N89°58'15"E along the centerline of N.E. 1st Street for a distance of 917.16 feet, thence run perpendicular to the previous curse S00°01'45"E for a distance of 25.00 feet to a point, said point also be the POINT OF BEGINNING of the centerline of the 10 foot wide Utility Easement, laying 5.00 feet on each side and parallel with the following described centerline: thence run S00°10'33"W for a distance of 54.69 feet, thence run S19°52'15"E for a distance of 67.58 feet to THE POINT OF TERMINATION of the Easement.*

*The side Lines of this Easement has to be lengthened and/or shortened to form a closed geometric figure.*

*All of the above laying and being in CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA.*

*Containing 1,222.75 square feet, or 0.03 Acres approximately.*



No.	DATE	REVISION	PEGASUS LAND SURVEYORS INC.	10 FEET UTILITY EASEMENT	LEGAL DESCRIPTION	SEAL	DRAWN BY: A.H.	CHECKED BY: A.D.	DATE: 05-20-2025	SCALE: AS-SHOWN	JOB No: 250520	SHEET: 3 OF 3 SHEETS
			 9551 NW 26th Place Sunrise, Florida 33322 Ph. 305-409-9291 Certificate of Authorization LB# 8025									
							By:  Alfredo Diaz, LS 6903 State of Florida					