

Prepared by: RETURN:

City Attorney's Office
200 N.W. 1st Avenue
Delray Beach, Florida 33444

PCN 12-43-46-30-41-005-0000

Address _____

* Northeast
Master meter

WATER AND SEWER UTILITY EASEMENT AGREEMENT

THIS INDENTURE made this __ day of _____, 202_, between _____
Centerpointe Delray Owners Association Inc., a Florida Not-For Profit Corporation
with a mailing address of 2850 Tigertail Ave, Suite 701, Miami, FL 33133, GRANTOR,
and **CITY OF DELRAY BEACH, FLORIDA**, a Florida municipal corporation with a mailing
address of 100 N.W. 1st Avenue, Delray Beach, Florida 33444, GRANTEE.

(Whenever used herein the term "GRANTOR" and "GRANTEE" include singular and plural, heirs, legal
representatives, and assigns of individuals, and the successors and assigns of corporation, whenever the context so
admits or requires.)

WITNESSETH:

That GRANTOR, for and in consideration of the mutual promises herein contained and other good and
valuable considerations, does hereby grant, bargain, sell and release unto the GRANTEE, its successors
and assigns, a perpetual exclusive easement which shall permit the GRANTEE authority to enter upon
the property of the GRANTOR at any time to install, operate, maintain, service, construct, reconstruct,
remove, relocate, repair, replace, improve, expand, tie into, and inspect potable water, reclaimed water
and/or wastewater pipelines, appurtenant facilities, and equipment, including but not limited to
wastewater pump stations and fencing, with the full and free right, liberty, enter upon and to install,
operate and maintain such facilities under, across, through and upon, over or within the following
described property located in Palm Beach County, Florida, to-wit:

See Exhibit "A" attached hereto.

Concomitant and coextensive with this right is the further right in the Grantee, its successors and
assigns, of ingress and egress over and on that portion of land described above, to affect the purposes
of this Easement, as expressed hereinafter.

That this Easement shall be subject only to those easements, restrictions, and reservations of record.
That the GRANTOR agrees to provide for the release or subordination of any and all mortgages or
liens encumbering this Easement. The GRANTOR agrees to erect no building or affect any other kind
of construction or improvements upon the above-described property without prior consent of the
GRANTEE. The GRANTEE shall have the right to remove any permanent or temporary structure in
order to access the Easement for the installation, maintenance, or repair of the potable water, reclaimed
water, wastewater, and related facilities. GRANTEE shall not be responsible for repairing any
structures damaged or destroyed while accessing the easement for maintenance or repair. The
GRANTEE shall only be responsible for restoring the affected property area to a substantially similar
condition utilizing substantially similar materials which were existing before repairs or maintenance
took place, except for unapproved improvements and as to grass areas, the GRANTEE shall only be

required to restore grass areas with either Bahia or St Augustine sod, and no specialty sod shall be installed without payment for same by GRANTOR to GRANTEE prior to the restoration of the grass areas.

GRANTOR does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever claimed by, through or under it, that it has good right and lawful authority to grant the above-described Easement and that the same is unencumbered. Where the context of this Easement Agreement allows or permits, the same shall include the successors or assigns of the parties.

IN WITNESS WHEREOF, said Grantor has signed and sealed these presents the day and year first above written.

WITNESS #1



Signature

Elicanne Klein

Printed or Typed Name

2850 Tigertail Avenue, Suite 701

Miami, Florida 33133

Address

WITNESS #2:



Signature

AARON STOLAR

Printed or Typed Name

2850 Tigertail Avenue, Suite 701

Miami, Florida 33133

Address

GRANTOR

By: 

Name: Reynaldo Melendi

Title: Authorized Signatory

for

Company: Centerpointe Delray Owners Association Inc.,
a Florida Not-For-Profit Corporation

Date: 10-22-25

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 22 day of October, 2025 by Reynaldo Melendi (name of person), as Authorized signatory (type of authority) for Centerpointe Delray Owners Association (name of party on behalf of whom instrument was executed).

Personally known ☒ OR Produced Identification

Type of Identification Produced


Notary Public – State of Florida



ATTEST:

**GRANTEE/ CITY OF DELRAY BEACH,
FLORIDA**

By: _____
City Clerk

By: _____
City Mayor

Approved as to Form:

By: _____
City Attorney

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EXHIBIT “A”

EXHIBIT "A"

SURVEYOR'S NOTES:

1. SURVEY MAPS OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL SEAL, OR AN AUTHENTICATED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR AND MAPPER.
2. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. LANDS SHOWN HEREON WERE ABSTRACTED BY FIDELITY NATIONAL TITLE INSURANCE TITLE COMPANY, COMMITMENT NO. 11313492, COMMITMENT DATE: 08/15/2023 SAT: 11:00 PM. ALL PLOTTABLE EXCEPTIONS ARE SHOWN HEREON AND THAT ALL PLOTTABLE ENCUMBRANCES THAT AFFECT THE PROPERTY ARE SHOWN HEREON. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS OFFICE; IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS SURVEY.
4. THE DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
5. COORDINATES SHOWN HEREON ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, TRANSVERSE MERCATOR PROJECTION, NORTH AMERICAN DATUM OF 1983 WITH THE 1990 ADJUSTMENT (NAD 83/90).
6. BEARINGS SHOWN HEREON ARE RELATIVE TO THE NORTH LINE OF TRACT E4. BEARING N68°34'25"E.
7. DISTANCES SHOWN HEREON ARE BASED ON THE U.S. SURVEY FOOT, UNLESS OTHERWISE NOTED.
8. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENTS OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
9. INSTRUMENTS OF RECORD SHOWN HEREON ARE RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, UNLESS OTHERWISE NOTED.
10. ALL EASEMENTS, TRACTS AND PARCELS SHOWN HEREON PER PARKS AT DELRAY, RECORDED IN PLAT BOOK 134, PAGES 84 THROUGH 88, PALM BEACH COUNTY PUBLIC RECORDS, UNLESS NOTED OTHERWISE.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON NOVEMBER 8, 2024 I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES CHAPTER 472.027.

THIS IS NOT A SURVEY

SHEET 1 OF 4



CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING - LANDSCAPE ARCHITECTURE
LAND SURVEYING

7900 GLADES ROAD - SUITE 100

BOCA RATON, FLORIDA 33434

PHONE (561)-392-1991 / FAX (561)-750-1452

**UTILITY EASEMENT EAST
PARKS AT DELRAY
SKETCH AND DESCRIPTION**

Jeffrey R. Wagner

JEFFREY R. WAGNER
REGISTERED LAND
SURVEYOR NO. 5302
STATE OF FLORIDA
L.B. 3591

DATE 11/8/2024

DRAWN BY RFJ

F.B./ PG. N/A

SCALE NONE

JOB NO. 7678-6

EXHIBIT "A"

DESCRIPTION:

A PORTION OF TRACTS E4, PARKS AT DELRAY, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 134, PAGES 84 THROUGH 88 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT E4; THENCE S68°34'25"W, ALONG THE NORTH LINE OF TRACT E4, A DISTANCE OF 14.09 FEET TO THE POINT OF BEGINNING; THENCE S21°25'35"E, A DISTANCE OF 11.99 FEET; THENCE S68°34'25"W, A DISTANCE OF 37.23 FEET; THENCE N21°37'03"W, A DISTANCE OF 11.99 FEET; TO A POINT ON SAID NORTH LINE, THENCE N68°34'25"E, ALONG SAID NORTH LINE, A DISTANCE OF 37.27 FEET TO THE POINT OF BEGINNING.

CONTAINING 446.70 SQUARE FEET/0.0103 ACRES, MORE OR LESS.

SAID LANDS LYING AND BEING IN SECTION 30, TOWNSHIP 46 SOUTH, RANGE 43 EAST, CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA.

THIS IS NOT A SURVEY

SHEET 2 OF 4



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PHONE (561)-392-1991 / FAX (561)-750-1452

UTILITY EASEMENT EAST
PARKS AT DELRAY
SKETCH AND DESCRIPTION

DATE 11/8/2024

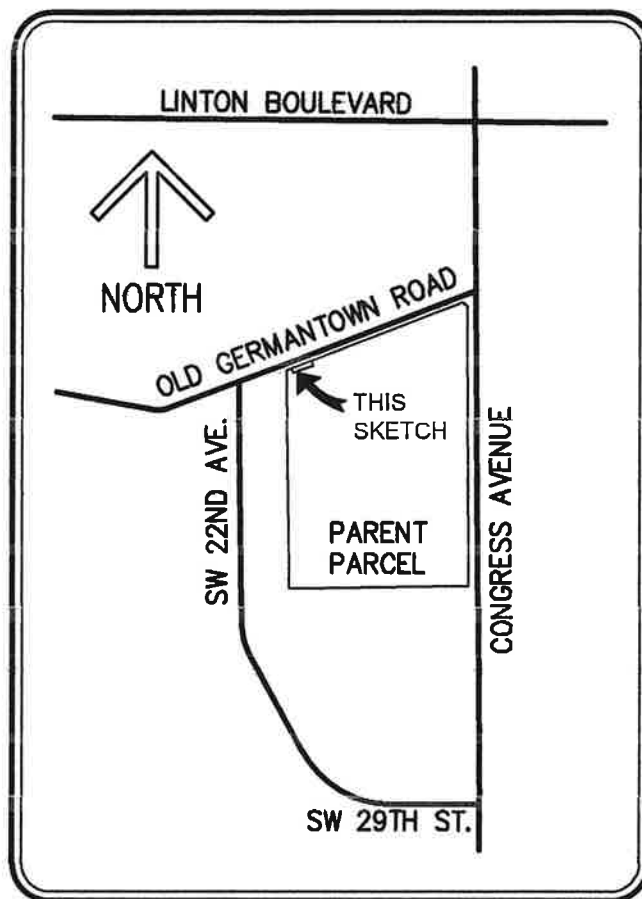
DRAWN BY RFJ

F.B./ PG. N/A

SCALE NONE

JOB NO. 7678-6

EXHIBIT "A"



SECTION 30, TOWNSHIP 46 SOUTH, RANGE 43 EAST
LOCATION MAP
(NOT TO SCALE)

THIS IS NOT A SURVEY

SHEET 3 OF 4



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UTILITY EASEMENT EAST
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DRAWN BY RFJ

F.B./ PG. N/A

SCALE NONE

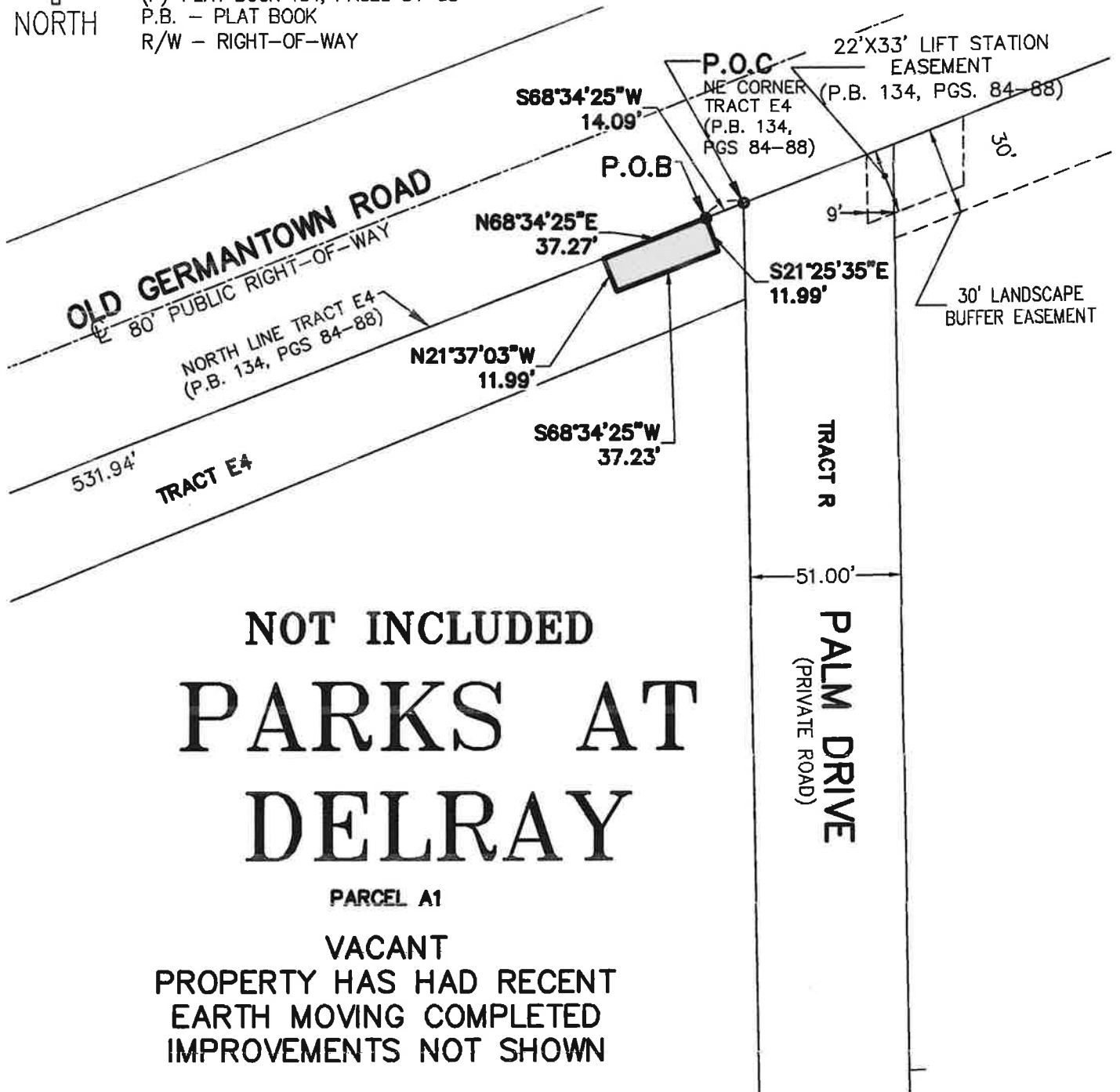
JOB NO. 7678-6

EXHIBIT "A"



LEGEND:

O.R.B. - OFFICIAL RECORDS BOOK
(P)-PLAT BOOK 134, PAGES 84-88
P.B. - PLAT BOOK
R/W - RIGHT-OF-WAY



THIS IS NOT A SURVEY

SHEET 4 OF 4



CAULFIELD & WHEELER, INC.

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PHONE (561)-392-1991 / FAX (561)-750-1452

UTILITY EASEMENT EAST
PARKS AT DELRAY
SKETCH AND DESCRIPTION

DATE 11/8/2024

DRAWN BY RFJ

F.B./ PG. N/A

SCALE AS NOTED

JOB NO. 7678-6