

Prepared by: RETURN:

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

PCN 12-42-46-24-00-000-5050
Address 3902 Sherwood Boulevard

WATER AND SEWER UTILITY EASEMENT AGREEMENT

THIS INDENTURE made this ___ day of _____, 202_, between **THE MOST REVEREND GERALD M. BARBARITO, D.D., J.C.L., AS BISHOP OF THE DIOCESE OF PALM BEACH, HIS SUCCESSORS IN OFFICE, A CORPORATION SOLE**, with a mailing address of PO Box 109650, Palm Beach Gardens, Florida 33410-9650, 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

Laurie Herter
Signature
Laurie Herter
Printed Or Typed Name

9995 N Military Trail
Palm Beach Gardens, FL 33410
Address

GRANTOR

By: Gerald M. Barbarito

Name: **The Most Reverend Gerald M. Barbarito, D.D., J.C.L., as Bishop of the Diocese of Palm Beach, His Successors In Office, A Corporation Sole**

Date: 2/12/26

WITNESS #2:

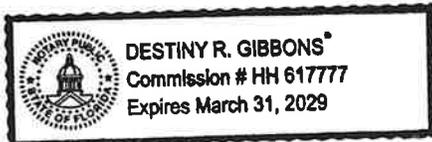
Johanna Franco
Signature
Johanna Franco
Printed or Typed Name

9995 N Military Trail
Palm Beach Gardens FL 33410
Address

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 12th day of February, 2026, by Gerald M. Barbarito
(name of person acknowledging).

Personally known OR Produced Identification
Type of Identification Produced _____



D. P. Gibbons
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"

DESCRIPTION:

A PORTION OF LAND LYING IN THE SOUTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 46 SOUTH, RANGE 42 EAST, CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 7, BLOCK 7, REPLAT OF BLOCKS 7-8-9-10, SHERWOOD PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGE 161 OF OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE SOUTH LINE OF SAID LOT 7, N89°04'49"E, A DISTANCE OF 65.03 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°04'49" EAST CONSTINUING ALONG THE SAID SOUTH LINE, A DISTANCE OF 12.00 FEET; THENCE SOUTH 01°27'43" EAST, A DISTANCE OF 14.40 FEET; THENCE NORTH 89°15'40" EAST, A DISTANCE OF 74.94 FEET; THENCE SOUTH 01°27'43" EAST, A DISTANCE OF 12.00 FEET; THENCE SOUTH 89°15'40" WEST, A DISTANCE OF 70.02 FEET; THENCE SOUTH 00°42'29" EAST, A DISTANCE OF 14.69 FEET; THENCE SOUTH 89°17'31" WEST, A DISTANCE OF 12.00 FEET; THENCE NORTH 00°42'29" WEST, A DISTANCE OF 14.68 FEET; THENCE SOUTH 89°15'40" WEST, A DISTANCE OF 11.36 FEET; THENCE NORTH 00°44'20" WEST, A DISTANCE OF 10.33 FEET; THENCE SOUTH 88°32'17" WEST, A DISTANCE OF 4.25 FEET; THENCE NORTH 01°27'43" WEST, A DISTANCE OF 12.00 FEET; THENCE NORTH 88°32'17" EAST, A DISTANCE OF 10.55 FEET; THENCE NORTH 01°27'43" WEST, A DISTANCE OF 3.95 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND SITUATE IN OF SECTION 24, TOWNSHIP 46 SOUTH, RANGE 42 EAST, AND CONTAINING 1,585 SQUARE FEET OR 0.0364 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. SURVEY MAPS OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND ORIGINAL SEAL, OR THE 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. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF N89°04'49"E, ALONG THE SOUTH LINE OF BLOCK 7, REPLAT OF BLOCKS 7-8-9-10, SHERWOOD PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGE 161 OF OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, STATE PLANE COORDINATE SYSTEM, EAST ZONE, TRANSVERSE MERCATOR PROJECTION, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT) AND BASED ON FIELD MEASUREMENTS.
4. THE LAND DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
5. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENTS OF RECORD RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
6. INSTRUMENTS OF RECORD SHOWN HEREON ARE RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, UNLESS OTHERWISE SHOWN.

CERTIFICATE:

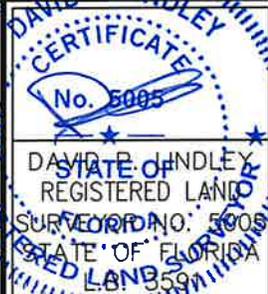
I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON NOVEMBER 19, 2025. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 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 3



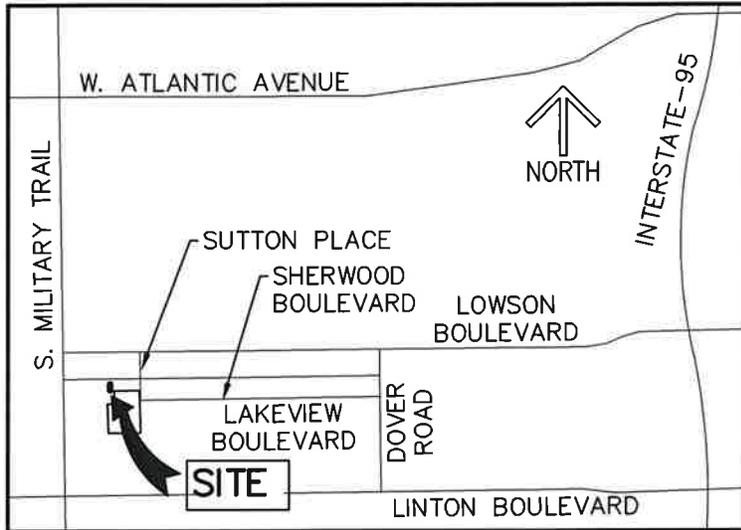
CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452



DAVID P. LINDLEY
 CERTIFICATE
 No. 5005
 STATE OF FLORIDA
 REGISTERED LAND SURVEYOR
 SURVEYOR NO. 5005
 STATE OF FLORIDA

DATE	11/19/2025
DRAWN BY	SAS
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	8551-New SE

**A PORTION OF SECTION 24-46-42
 DIOCESE CITY WATER EASEMENT
 SKETCH AND DESCRIPTION**



LOCATION MAP
(NOT TO SCALE)

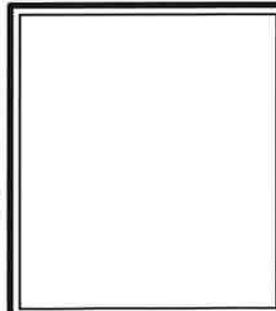
LEGEND/ABBREVIATIONS:

- P.O.C. – POINT OF COMMENCEMENT
- P.O.B. – POINT OF BEGINNING
- P.O.T. – POINT OF TERMINUS
- P.B. – PLAT BOOK
- O.R.B. – OFFICIAL RECORD BOOK
- PG(S). – PAGE(S)
- PBC – PALM BEACH COUNTY
- LB – LICENSED BUSINESS
- NAD – NORTH AMERICAN DATUM
- R/W – RIGHT-OF-WAY
- 24-46-42 – SECTION 24, TOWNSHIP 46 SOUTH,
RANGE 42 EAST

THIS IS NOT A SURVEY

SHEET 2 OF 3

	CAULFIELD & WHEELER, INC.
	CIVIL ENGINEERING
	LANDSCAPE ARCHITECTURE - SURVEYING
	7900 GLADES ROAD - SUITE 100 BOCA RATON, FLORIDA 33434
	PHONE (561)-392-1991 / FAX (561)-750-1452



DATE	11/19/2025
DRAWN BY	SAS
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	8551-New SE

**A PORTION OF SECTION 24-46-42
DIOCESE CITY WATER EASEMENT
SKETCH AND DESCRIPTION**

SHERWOOD BOULEVARD
(60' PUBLIC R/W)(P.B. 26, PAGE 11)

NORTH LINE OF BLOCK 7
(P.B. 27, PAGE 161)
REPLAT OF BLOCKS 7-8-9-10, SHERWOOD PARK
(P.B. 27, PAGE 161)

LOT 8, BLOCK 7

LOT 7, BLOCK 7

LOT 6, BLOCK 7

SOUTH LINE OF BLOCK 7
(P.B. 27, PAGE 161)
(BEARING BASIS)
N89°04'49"E

N1°27'43"W
3.95'

P.O.B.

N89°04'49"E
12.00'

S1°27'43"E
14.40'

6' EASEMENT
(P.B. 27, PG. 161)

N89°04'49"E
65.03'

N88°32'17"E
10.55'

N89°15'40"E
74.94'

S1°27'43"E
12.00'

N1°27'43"W
12.00'

S88°32'17"W
4.25'

N0°44'20"W
10.33'

S89°15'40"W
11.36'

N0°42'29"W
14.68'

70.02'
S89°15'40"W

S0°42'29"E
14.69'

S89°17'31"W
12.00'

UNPLATTED

A PORTION OF SECTION 24-46-42

P.O.C.
SOUTHWEST CORNER OF LOT 7, BLOCK 7
REPLAT OF BLOCKS 7-8-9-10, SHERWOOD PARK
(P.B. 27, PAGE 161)

PARCEL "A" EMMANUEL CATHOLIC CHURCH PLAT TWO
(PLAT BOOK 77, PAGE 135)

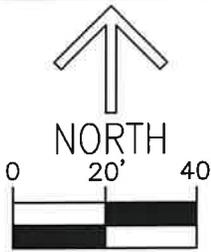
EAST LINE OF PARCEL "A"
(P.B. 77, PAGE 135)

THIS IS NOT A SURVEY

SHEET 3 OF 3



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NORTH

0 20' 40'

1 INCH = 40 FEET

DATE	11/19/2025
DRAWN BY	SAS
F.B./ PG.	N/A
SCALE	1"=40'
JOB NO.	8551-New SE

**A PORTION OF SECTION 24-46-42
DIOCESE CITY WATER EASEMENT
SKETCH AND DESCRIPTION**

DESCRIPTION:

A PORTION OF LAND LYING IN THE SOUTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 46 SOUTH, RANGE 42 EAST, CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SAID LANDS LYING AND SITUATE IN OF SECTION 24, TOWNSHIP 46 SOUTH, RANGE 42 EAST, AND CONTAINING 140 SQUARE FEET OR 0.0032 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. SURVEY MAPS OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND ORIGINAL SEAL, OR THE 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. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF N89°04'49"E, ALONG THE SOUTH LINE OF BLOCK 7, REPLAT OF BLOCKS 7-8-9-10, SHERWOOD PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGE 161 OF OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, STATE PLANE COORDINATE SYSTEM, EAST ZONE, TRANSVERSE MERCATOR PROJECTION, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT) AND BASED ON FIELD MEASUREMENTS.
4. THE LAND DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
5. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENTS OF RECORD RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
6. INSTRUMENTS OF RECORD SHOWN HEREON ARE RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, UNLESS OTHERWISE SHOWN.

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 OCTOBER 1, 2025. 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 3

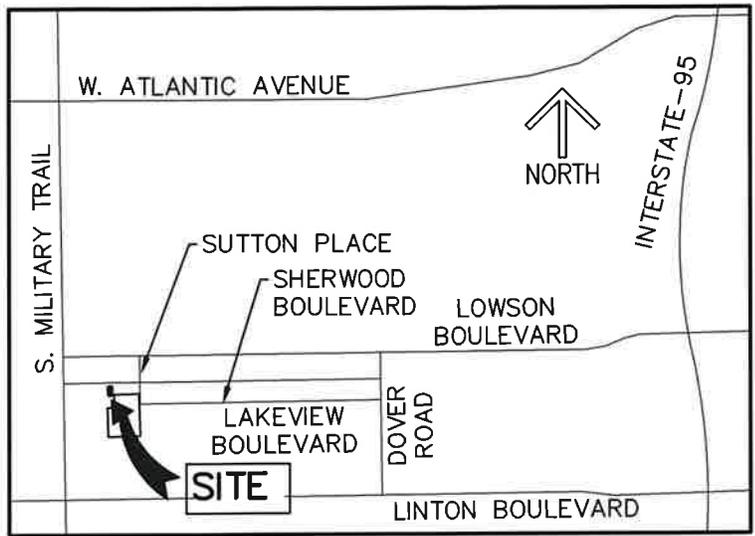


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DATE	10-1-2025
DRAWN BY	SAS
F.B. / PG.	N/A
SCALE	NONE
JOB NO.	8551-New SE

**A PORTION OF SECTION 24-46-42
 DIOCESE CITY SEWER EASEMENT
 SKETCH AND DESCRIPTION**



LOCATION MAP
(NOT TO SCALE)

LEGEND / ABBREVIATIONS:

- P.O.C. - POINT OF COMMENCEMENT
- P.O.B. - POINT OF BEGINNING
- P.O.T. - POINT OF TERMINUS
- P.B. - PLAT BOOK
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- PBC - PALM BEACH COUNTY
- LB - LICENSED BUSINESS
- NAD - NORTH AMERICAN DATUM
- R/W - RIGHT-OF-WAY
- 24-46-42 - SECTION 24, TOWNSHIP 46 SOUTH,
RANGE 42 EAST
- ⊕ - CENTERLINE

THIS IS NOT A SURVEY

SHEET 2 OF 3



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**A PORTION OF SECTION 24-46-42
 DIOCESE CITY SEWER EASEMENT
 SKETCH AND DESCRIPTION**



DATE	10-1-2025
DRAWN BY	SAS
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	8551-New SE

SHERWOOD BOULEVARD
 (60' PUBLIC R/W)(P.B. 26, PAGE 187)

**REPLAT OF BLOCKS
 7-8-9-10, SHERWOOD PARK**
 (P.B. 27, PAGE 161)

NORTH LINE
 OF BLOCK 7
 (P.B. 27,
 PAGE 161)

**LOT 8,
 BLOCK 7**

**LOT 6,
 BLOCK 7**

**LOT 7,
 BLOCK 7**

SOUTH LINE
 OF BLOCK 7
 (P.B. 27,
 PAGE 161)

SOUTH LINE
 OF BLOCK 7
 (P.B. 27,PAGE 161)
 (BEARING BASIS)

**N89°04'49"E
 21.60'**
**N89°04'49"E
 77.03'**

6' EASEMENT
 (P.B. 27,
 PG. 161)

P.O.C.
 SOUTHWEST CORNER OF
 LOT 7, BLOCK 7
 REPLAT OF BLOCKS
 7-8-9-10, SHERWOOD PARK
 (P.B. 27, PAGE 161)

P.O.B.

**N01°27'43"W
 6.50'**

**S01°01'04"E
 6.50'**

**S89°04'49"W
 21.55'**

UNPLATTED
 A PORTION OF SECTION 24-46-42

EAST LINE OF
 PARCEL "A"
 (P.B. 77,
 PAGE 135)

**PARCEL "A"
 EMMANUEL CATHOLIC
 CHURCH PLAT TWO**
 (PLAT BOOK 77, PAGE 135)

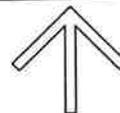
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SHEET 3 OF 3



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NORTH



1 INCH = 40 FEET

DATE 10-1-2025

DRAWN BY SAS

F.B./ PG. N/A

SCALE 1"=40'

JOB NO. 8551-New SE

**A PORTION OF SECTION 24-46-42
 DIOCESE CITY SEWER EASEMENT
 SKETCH AND DESCRIPTION**