Prepared by: RETURN:

David N. Tolces, Esq. Ciry Attorney's Office 200 N.W. 1st Avenue Delray Beach, Florida 33444

Property Control 00 42 46 27 00000 7210

## **EASEMENT DEED**

THIS INDENTURE, made this st day of st day. 1998, by and between EUGENE H. MONNIER, JR. and JEAN E. MONNIER, as hysband and wife, with a mailing address of 6595 Monutain Park Road, Delray Beach, Florida 33446, party of the first part, and the CITY OF DELRAY BEACH, a Florida municipal corporation, with a mailing address of 100 N.W. 1st Avenue, Dehray Beach, Florida 33444, in Palm Beach County, State of Florida, party of the second part:

WITNESSETH: That he party of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable considerations to it in hand paid by the said party of the second part, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and release unto the many of the second part, its successors and assigns, a right of way and perpetual easement for the purpose of: installation and maintenance of public utilities with full and free right, liberty, and authority to enter upon and to install, operate, and maintain such utilities well under, across, through and upon, over, under or within the following described property located in Palm Beach County, Flored, to-wit:

DESCRIPTION

See Exhibit

Concomitant and coextensive with this right is the Jurther right in the party of the second party, its successors and assigns, of ingress and egress over and on that portion of land described above, to effect the purposes of the easement, as expressed hereinether.

That this easement shall be subject only to those easements, restrictions, and reservations of record. That the party of the first part agrees to provide for the release of any and all mortgages or liens encumbering this easement. The party of the first part also agrees to erect no building or effect any other kind of construction or improvements upon the above-described property.

It is understood that upon completion of such installation, all lands disturbed thereby as a result of such installation or spoilage deposited thereon, will be restored to its original condition or better without expense to the property owner.

Party of the first part 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 Deed allows or permits, the same shall include the successors or assigns of the parties.

It is further understood that in the event the above described premises are abandoned by the party of the second part and cease to be used for utility easement and maintenance purposes, that this easement shall terminate and the encumbrance shall become of the same status as if the easement had never been made,

m M etun & Cto, Carl, 100 n W 15 arome, allay Beach, Fe IN WITNESS WHEREOF, the parties to this Easement Deed set their bands and seals the day and year first above written.

WITNESS #1:	PARTY OF THE FIRST PART
721	alla.
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and Astrono	Eugene H. Monnier I
(name printed of typed)	Eugene H. Wohnie
WITNESS #2	
H- so	
WENT WICHEN BY	
(name printed or typed)	
STATE OF FLORIDA	
COUNTY OF HALL CONT	,
- , (2	vledged before me this / day of May.
1998 by EUGENE H. MONHIES L	who is personally known to me or who has
producedaz identil	fication.
	- KALI (1. Shilla
	Signature of Notary Public - State
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WITNESS #1:	PARFY OF THE FIRST PART
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STATE OF FLORIDA	2/2
COUNTY OF HAIR DEACH	and the same
	wledged before me this / day of 7/144,
	. who is personally known to me or who has
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	Signature of Notary Public - State
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MY COLDESSION I PLOY THE CONTROL OF	CC 425719 / r21, 1866

UTILITY EASEMENT

A Parcel of land in Secribo 27, Township 46 South, Range 42 East; described as follows:

BEGINNING at the Solutionst corner of the following described property:

A Parcel of land situate in Section 27, Township 46 South, Range 42 East. Palm Beach County, Florida; and being hore particularly described as follows:

The East one-half (E1/2) of the Hondwest one-quarter (NW1/4) of the Northeast one-quarter (NE1/4) of the Southwest one-quarter (SW1/4) of said Section 27, less the North 525.56 feet thereof.

TOGETHER WITH the West one-half (W1/2) of the East one-half (E1/2) of the Northeast one-quarter (NE1/4) of the Southwest one-quarter (SW1/4) of said Section 27, tess the following three parcels: the North 525.56 feet thereof, the South 30 feet thereof, and the East 20 feet thereof.

The above described parcel contains 7.066 Acres, more or less.

thence North 89°23'49" East along the souther value of said parcel, a distance of 13.30 feet; thence North 18°14'54" West, a distance of 17.34 feet; thence North 18°17'12" West, a distance of 2.24 feet thence South 89°42'59" West, a distance of 6.00 feet thence South 00°17'02" East along the westerly line of subproperty, a distance of 16.00 feet to the POINT OF BEGINNING.

SUBJECT TO easements, restrictions, reservations, colonaute and rights-of-way of record,

## NOTES:

1.- Bearings shown hereon are based on a bearing of North 00° 32' 00" West stong the West line of Section 27 -T465-R42E.

2.- Description derived from an original survey of the property by Stanley/Wantman/Anc., dated 6/10/88.

## CERTIFICATION:

I hereby certify that the Graphic Depiction and Legal Description shown hereon are true and correct to the best of my knowledge and beilef, based on field work performed on April 14<sup>th</sup>., 1998; and that said Depiction and Description conform to the Minimum Technical Standards adopted by the Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuam to Section 472,077, Florida Statutes.

Manuel & Guilérrez
Professional Surveyor & Mapper
Fla. Reg. #4102
SURVEY SOUTH, INC.
101 SE 6th Avenue
Delray Beach, FL 33483

Sheet 1 of 2

