



CITY OF DELRAY BEACH  
CITY ATTORNEY'S OFFICE  
200 NW 1<sup>ST</sup> Avenue, Delray Beach, FL 33444  
561-243-7090



## LEGAL REVIEW FORM

This form is to be used solely for the legal review of documents not including procurement agreements. Procurement Agreements are reviewed under a separate cover. This form shall only be completed by a member of the City Attorney's Office.

**Date of Review:** 07/24/2024

**Document Name:** Sewer Easement Deed

**Document Type:** City standard Sewer Easement Deed for unaddressed common area owned by Bexley Park Master Association, Inc.

**Submitted by:** Savannah Santiago

**This document is approved as to form and legal sufficiency.**

**This document is approved as to form and legal sufficiency; however, the undersigned made the following change(s):**

**This document is not approved as to form and legal sufficiency for the following reason(s):**

**Notes:**

Sewer Easement over unaddressed common area owned by Bexley Park Master Association, Inc., to provide a connection between City sewer infrastructure and 13029 Barwick Road.

s/William M. Bennett, Esq.  
Assistant City Attorney

**Copy to:**

City Attorney's Office (with a copy of the approved document)

Other: Savannah Santiago, Michael Rezk, and Rosa Walls

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

PCN: 12-42-46-12-22-002-0000

---

SEWER EASEMENT DEED

THIS INDENTURE, made this \_\_\_\_ day of \_\_\_\_\_, 2024, by and between **BEXLEY PARK MASTER ASSOCIATION, INC.**, a Florida not-for-profit corporation, with a mailing address of c/o Brock Property Management, 7401 Wiles Road, Coral Springs, Florida 33067, Grantor, and the **CITY OF DELRAY BEACH**, with a mailing address of 100 N.W. 1st Avenue, Delray Beach, Florida 33444, a municipal corporation in Palm Beach County, State of Florida, Grantee:

**WITNESSETH:** That the 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 right of way and perpetual exclusive easement for the purpose of the construction, operation, repair, replacement, and maintenance of a sewer main, with full and free right, liberty, and authority to enter upon and to construct, operate, repair, replace and maintain such sewer main across, through and upon, over, under or within the following described property (the "Easement Area") located in Palm Beach County, Florida, to-wit:

DESCRIPTION

See Exhibit "A"

Concomitant and coextensive with this right is the further right in Grantee, its successors and assigns, of ingress and egress over and on the Easement Area, to effect the purposes of the 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 also agrees to erect no building or effect any other kind of construction or improvements upon the Easement Area.

It is understood that upon completion of any permitted activities by the Grantee, all lands disturbed thereby as a result of such construction performed thereon, will be restored to its original or like condition without expense to the Grantor.

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 except as provided above. Where the context of this Easement Deed allows or permits, the same shall include the successors or assigns of the parties.

**IN WITNESS WHEREOF**, the parties to this Easement Deed set their hands and seals the day and year first above written.

ATTEST:

CITY OF DELRAY BEACH, FLORIDA

\_\_\_\_\_

By: \_\_\_\_\_

Katerri Johnson, City Clerk

Tom Carney, Mayor

Approved as to Form and Legal Sufficiency:

\_\_\_\_\_

Lynn Gelin, City Attorney

WITNESS #1:



Signature

Catherine Alvarez

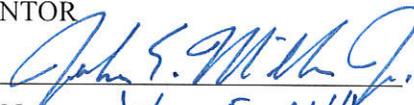
Print Name

400 S Dixie Highway, Suite 420

Address

Boca Raton, FL 33432

GRANTOR

By: 

Print Name: John E. Miller, Sr.

Its: President of Bexley Park Master Association, Inc.

Date: 4/22/2024

WITNESS #2:



Signature

Jan Yellin

Print Name

11679 NW 12th St, Coral Springs

Address

Florida.

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 April, 2024, by

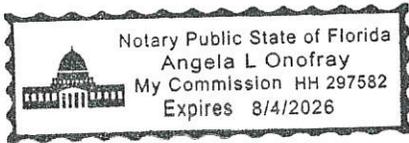
John E Miller, Jr. (name of person), as President  
(type of authority) for Bexley Park (name of party on behalf of whom instrument was executed).

Personally known \_\_\_ OR Produced Identification

Type of Identification Produced Drivers license

Angela L Onofray  
Notary Public – State of FL

(SEAL)



**LEGEND:****EXHIBIT "A"**

C - CENTERLINE  
 D.B. - DEED BOOK  
 L.W.D.D. - LAKE WORTH DRAINAGE DISTRICT  
 O.R.B. - OFFICIAL RECORDS BOOK  
 PG. - PAGE  
 P.O.B. - POINT OF BEGINNING  
 P.O.C. - POINT OF COMMENCEMENT  
 P.B.C.R. - PALM BEACH COUNTY PUBLIC RECORDS  
 L.B. - LICENSED BUSINESS

R/W - RIGHT-OF-WAY  
 23-47-42 - SECTION 23, TOWNSHIP 47 SOUTH, RANGE 42 EAST  
 LAE - LIMITED ACCESS EASEMENT  
 UE - UTILITY EASEMENT  
 Δ - DELTA (CENTRAL ANGLE)  
 L - LENGTH  
 R - RADIUS  
 RB - RADIAL BEARING  
 - UTILITY EASEMENT

**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, 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 NOT ABSTRACTED, BY THE SURVEYOR, FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
4. BEARINGS SHOWN HEREON ARE RELATIVE TO AN ASSUMED MERIDIAN. THE NORTH LINE OF SECTION 12, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, IS ASSUMED TO BEAR SOUTH 89°02'23" EAST.
5. THE LAND DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
6. 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.
7. INSTRUMENTS OF RECORD SHOWN HEREON ARE RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, UNLESS OTHERWISE NOTED.

**DESCRIPTION:**

A PORTION OF TRACT B-2, BEXLEY PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 102, PAGE 48 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF BEXLEY PARK (PLAT BOOK 102, PAGE 48), THENCE S 01°14'48" E ALONG THE EAST LINE THEREOF, A DISTANCE OF 100.24 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 01°14'48" E, ALONG SAID EAST LINE, A DISTANCE OF 12.00 FEET; THENCE N 90°00'00" W, A DISTANCE OF 17.70 FEET; THENCE S 45°00'00" W, A DISTANCE OF 8.63 FEET; THENCE S 86°53'00" W, A DISTANCE OF 21.21 FEET TO A POINT ON A CURVE WHOSE RADIUS POINT BEARS S 45°01'55" W; THENCE NORTHWESTERLY ALONG SAID CURVE TO THE LEFT ALONG (ALSO BEING THE NORTH RIGHT-OF-WAY OF DANSON WAY), HAVING A RADIUS OF 87.00 FEET, A CENTRAL ANGLE OF 11°46'18" AND AN ARC LENGTH OF 17.87 FEET; THENCE N 86°53'00" E, A DISTANCE OF 29.82 FEET; THENCE N 45°00'00" E, A DISTANCE OF 9.01 FEET; THENCE N 90°00'00" E, A DISTANCE OF 22.41 FEET TO THE POINT OF BEGINNING.

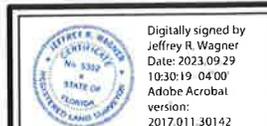
CONTAINING 647.18 SQUARE FEET OR 0.0149 ACRES, MORE OR LESS.

**CERTIFICATE:**

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON SEPTEMBER 15, 2023. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES CHAPTER 472.027.

**THIS IS NOT A SURVEY****SHEET 1 OF 2****CAULFIELD & WHEELER, INC.**

CIVIL ENGINEERING - LAND PLANNING  
 LANDSCAPE ARCHITECTURE - SURVEYING  
 7900 GLADES ROAD - SUITE 100  
 BOCA RATON, FLORIDA 33434  
 PHONE (561)-392-1991 / FAX (561)-750-1452



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

DATE 9/15/2023

DRAWN BY RFJ

F.B./ PG. N/A

SCALE NONE

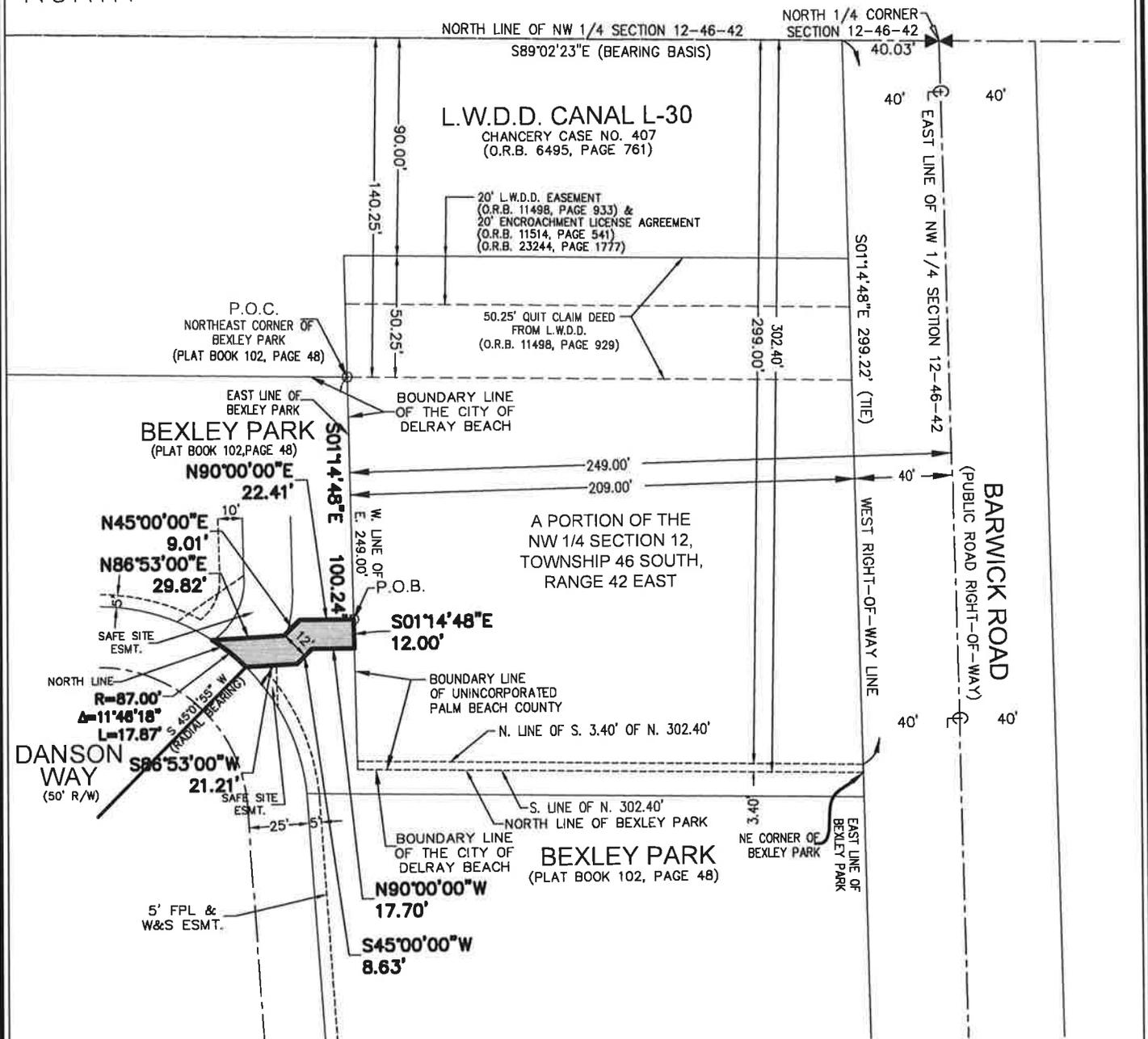
JOB NO. 5508

BEXLEY PARK  
 UTILITY EASEMENT  
 SKETCH OF DESCRIPTION



0 25' 50'  
1 INCH = 50 FEET

**EXHIBIT "A"**



**THIS IS NOT A SURVEY**

**SHEET 2 OF 2**

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

**BEXLEY PARK  
 UTILITY EASEMENT  
 SKETCH OF DESCRIPTION**



DATE	9/15/2023
DRAWN BY	RFJ
F.B./ PG.	N/A
SCALE	AS NOTED
JOB NO.	5508