

Prepared by: RETURN:

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

PCN 12-43-46-32-12-008-0030
Address 3416 S. Federal Highway Delray Beach, FL 33483

GENERAL UTILITY EASEMENT AGREEMENT

THIS INDENTURE made this 12th day of February, 2025, between Franchise Headquarters LLC, A Florida Limited Liability Company with a mailing address of 1000 Clint Moore Road Suite 110 Boca Raton, FL33487, 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 non-exclusive easement for the purpose of the construction and maintenance of public utilities ("Utility Easement") with full and free right, liberty, and authority to 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 Utility 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 Utility 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 Utility Easement for maintenance or repair of the public utilities and 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.

CJB

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 Utility 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

Jeanette Bonfiglio
Signature
Jeanette Bonfiglio
Printed or Typed Name

1000 Clint Moore Rd.
Boca Raton, FL 33487
Address

GRANTOR

By: Charles Bonfiglio
Name: Charles J Bonfiglio

Title: CEO
for
Company: Franchise Headquarters LLC

Date: February 12, 2025

WITNESS #2:

Amanda Bonfiglio
Signature
Amanda Bonfiglio
Printed or Typed Name

1000 Clint Moore Rd #110
Boca Raton, FL 33487
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, 2025, by Charles Bonfiglio (name of person), as CEO (type of authority) for Franchise Headquarters LLC (name of party on behalf of whom instrument was executed).

Personally known X OR Produced Identification
Type of Identification Produced _____



Notary Public – State of Florida

Madison Belfour

ATTEST:

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

By: _____
City Clerk

By: _____
City Mayor

Approved as to Form:

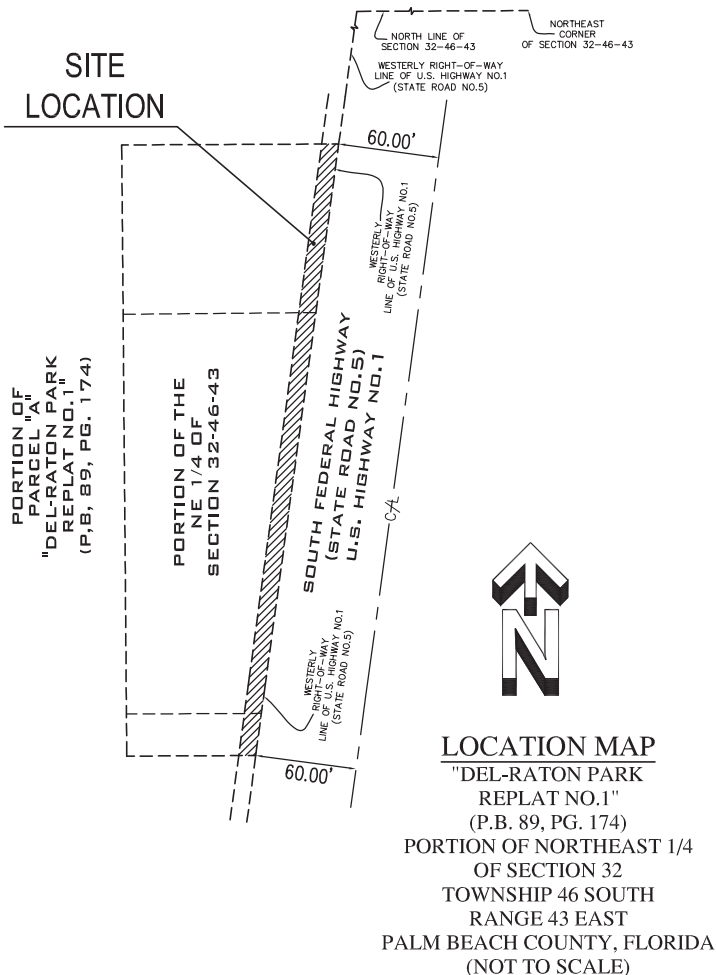
By: _____
City Attorney

[Remainder of Page Intentionally Left Blank]

CJB

EXHIBIT "A"

EXHIBIT "A"
10.00 FEET UTILITY EASEMENT
PARCEL CONTROL NUMBER:
12-43-46-32-12-008-0030



SURVEYOR'S NOTES:

1) This is not a Boundary Survey, but only a GRAPHIC DEPICTION of the description shown hereon. 2) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties. 3) There may be additional Restrictions not shown on this Sketch & Legal that may be found in the Public Records of this County, Examination of TITLE COMMITMENT will be made to determine recorded instruments, if any affecting this property. 4) North arrow direction and Bearings shown hereon are based assumed value of S07°44'00"W, along the Westerly Right-of-way Line of Northeasterly Line of State Road No. 5 (U.S. Highway NO.1) 5) No title research has been performed to determine if there are any conflict existing or arising out of the creation of the easements, Right of Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.

SURVEYOR'S CERTIFICATE:

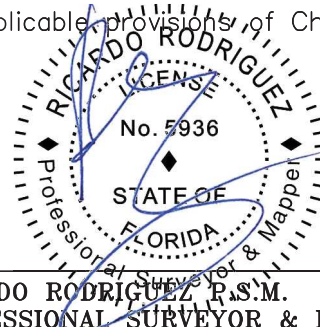
I Hereby Certify to the best of my knowledge and belief that this drawing is a true and correct representation of the SKETCH AND LEGAL DESCRIPTION of the real property described hereon.

I further certify that this sketch was prepared in accordance with the applicable provisions of Chapter 5J-17, Florida Administrative Code.

*Landmark Surveying & Associates,
Inc., LB #7633*

DATE: JANUARY 23rd, 2025

DATE: FEBRUARY 13TH, 2025 (REVISED SKETCH AND LEGAL)



RICARDO RODRIGUEZ P.S.M.
PROFESSIONAL SURVEYOR & MAPPER
STATE OF FLORIDA REG. No. 5936

PARCEL IDENTIFICATION: 12-43-46-32-12-008-0030

**LOCATION MAP, SURVEYOR'S NOTES
SURVEYOR'S CERTIFICATE**

Project No.: 2408.0042-01

Drawn by: R.R.

SKETCH AND LEGAL DESCRIPTION

Approved by: R.R.

SHEET 1 OF 3

DATE: 01-23-2025

Scale: AS SHOWN



8532 S.W. 8th STREET, SUITE "282"
MIAMI, FL 33144

PHONE: (305) 556-4002

FAX: (305) 556-4003

WWW.LMSURVEYING.COM

EMAIL-REQUEST@LMSURVEYING.COM

10.00 FEET UTILITY EASEMENT
PARCEL CONTROL NUMBER:
12-43-46-32-12-008-0030

LEGAL DESCRIPTION:

A 10.00 FEET UTILITY EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 10.00 FEET OF THE FOLLOWING DESCRIBED PARCEL OF LAND.

THAT PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, LYING WEST OF THE RIGHT OF WAY OF STATE ROAD NO.5 (U.S. HIGHWAY NO.1) LESS THE NORTH 400 FEET AND LESS THE SOUTH 25 FEET OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.

AND

THAT PART OF THE SOUTH 25 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 43 EAST, LYING WEST OF THE U.S. HIGHWAY NO.1, SITUATE IN PALM BEACH COUNTY, FLORIDA.

AND

THE SOUTH 100.00 FEET OF THE NORTH 400.00 FEET OF LOT 8, SUBDIVISION OF TOWNSHIPS 45 AND 46, A SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 4, LYING WEST OF U.S. HIGHWAY NO.1 (STATE ROAD NO.5) AND EAST OF DEL-RATON PARK, A SUBDIVISION AS RECORDED IN PLAT BOOK 14, PAGES 9 AND 10, IN THE PUBLIC RECORDS OF PALM BEACH COUNTY AND BEING IN SECTION 32, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; THENCE RUN SOUTH 86°28'18" WEST, ALONG THE NORTH LINE OF SAID SECTION 32, A DISTANCE OF 495.46 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO.1 (STATE ROAD NO.5); THENCE RUN SOUTH 11°31'07" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 302.94 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 100.98 FEET TO A POINT: THENCE RUN NORTH 86°28'18" WEST, A DISTANCE OF 112.86 FEET TO A POINT ON THE EAST LINE OF BLOCK 32 OF DEL-RATON PARK, A SUBDIVISION AS RECORDED IN PLAT BOOK 14, PAGES 9 AND 10, IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE RUN NORTH 03°03'23" EAST, ALONG SAID EAST LINE OF BLOCK 32, A DISTANCE OF 100.00 FEET TO A POINT; THENCE RUN SOUTH 86°28'18" EAST, A DISTANCE OF 127.72 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,663.58 SQUARE FEET MORE OR LESS.

PARCEL IDENTIFICATION NUMBER: 12-43-46-32-12-008-0030

PARCEL IDENTIFICATION: 12-43-46-32-12-008-0030

LEGAL DESCRIPTION TO ACCOMPANY TO SKETCH

Project No.: 2408.0042-01

Drawn by: R.R.

SKETCH AND LEGAL DESCRIPTION

Approved by: R.R.

SHEET 2 OF 3

DATE: 01-23-2025

Scale: N/A

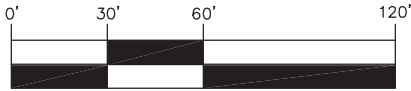


8532 S.W. 8th STREET, SUITE "282"
MIAMI, FL 33144
PHONE: (305) 556-4002
FAX: (305) 556-4003
WWW.LMSURVEYING.COM
EMAIL-REQUEST@LMSURVEYING.COM

10.00 FEET UTILITY EASEMENT
PARCEL CONTROL NUMBER:
12-43-46-32-12-008-0030



GRAPHIC SCALE



(IN FEET)
1 inch = 60 ft.

PORTION OF
PARCEL "A"
"DEL-RATON PARK
REPLAT NO. 1"
(P.B. 89, PG. 174)

PORTION OF
PARCEL "A"
"DEL-RATON PARK
REPLAT NO. 1"
(P.B. 89, PG. 174)

EAST LINE OF BLOCK 32
(P.B. 14, PG. 9)

N00°28'25"W 362.81'

PORTION OF THE
NE 1/4 OF
SECTION 32-46-43

SOUTH LINE OF THE NE 1/4
OF THE NE 1/4 OF THE
NE 1/4 OF
SECTION 32-46-43

SOUTH 25' OF THE NE 1/4
OF THE NE 1/4 OF THE
NE 1/4 OF SECTION 32-46-43

PORTION OF
PARCEL "A"
"DEL-RATON PARK
REPLAT NO. 1"
(P.B. 89, PG. 174)

NORTH LINE OF
SECTION 32-46-43

MATCH LINE
"A"

PARCEL LINE
OF PARCEL "A"
(P.B. 89, PG. 174)

10.00' UTILITY
EASEMENT
(P.B. 89, PG. 174)

N89°44'35"E 128.79'

127.72'
S86°28'18"E
(DEED)

SOUTH 100' OF THE NORTH 400'
OF LOT 8
(P.B. 1, PG. 4)

NEW
10.00' UTILITY
EASEMENT
(3,663.58 S/F+/-)

(DEED)
N86°28'18"W
112.86'

(DEED)
S11°31'07"W
100.98'

WESTERLY RIGHT-OF-WAY
LINE OF U.S. HIGHWAY NO.1
(STATE ROAD NO.5)

SOUTH FEDERAL HIGHWAY
(STATE ROAD NO.5)
U.S. HIGHWAY NO.1

S07°44'00"W 323.78'

NEW
10.00' UTILITY
EASEMENT
(3,663.58 S/F+/-)

WESTERLY RIGHT-OF-WAY
LINE OF U.S. HIGHWAY NO.1
(STATE ROAD NO.5)

R=22876.30'
Δ=0°06'24"
A=42.58'

60.00'

S89°44'35"W 76.45'

60.00'

P.O.B.
MOST NORTHERLY
NORTHEASTERLY
CORNER OF PARCEL "E"
(P.B. 165, PG. 2)

(DEED)
S11°31'07"W (DEED)
S07°44'00"W
302.94'

(DEED) P.O.C.
N86°28'18"W
NORTHEAST CORNER
OF SECTION 32-46-33

S89°44'35"W 495.46'

NORTH LINE OF SECTION 32-46-43

WESTERLY RIGHT-OF-WAY
LINE OF U.S. HIGHWAY NO.1
(STATE ROAD NO.5)

MATCH LINE
"A"

LEGEND/ABBREVIATION

CL - CENTERLINE
EASM'T - EASEMENT
P.B. - PLAT BOOK
PG. - PAGE
P.O.C. - POINT OF COMMENCE
P.O.B. - POINT OF BEGINNING
P.O.T. - POINT OF TERMINATION

PARCEL IDENTIFICATION: 12-43-46-32-12-008-0030

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

Project No.: 2408.0042-01

Drawn by: R.R.

SKETCH AND LEGAL DESCRIPTION

Approved by: R.R.

SHEET 3 OF 3

DATE: 01-23-2025

Scale: AS SHOWN



PROFESSIONAL SURVEYORS AND MAPPERS
L.B. No. 7633

8532 S.W. 8th STREET, SUITE "282"
MIAMI, FL 33144
PHONE: (305) 556-4002
FAX: (305) 556-4003
WWW.LMSURVEYING.COM
EMAIL-REQUEST@LMSURVEYING.COM