

Prepared by: RETURN:

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

PCN Portion of 12-43-46-29-51-001-0000
Address 510 W. Linton Blvd, Delray Beach, FL 33444

WATER AND SEWER UTILITY EASEMENT AGREEMENT

THIS INDENTURE made this ___ day of _____, 2026, between CCB Associates 21, LLC, a Florida limited liability company,
7978 Cooper Creek Blvd, University Park, FL 34201, 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

Julie Lapidés Daniel
Signature
Julie Lapidés Daniel
Printed or Typed Name

7978 Cooper Creek Boulevard
University Park, Florida 34201
Address

WITNESS #2:

Gina Holzer
Signature
Gina Holzer
Printed or Typed Name

7978 Cooper Creek Boulevard
University Park, Florida 34201
Address

GRANTOR

By: [Signature]

Name: Stephen C. Scalione

Title: Manager

for

Company: CCB Associates 21, LLC

Date: 3/2/2026

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 2nd day of March, 2026, by Stephen C. Scalione (name of person), as Manager (type of authority) for CCB Associates 21, LLC (name of party on behalf of whom instrument was executed).

Personally known X OR Produced Identification
Type of Identification Produced _____



Julie Lapidés Daniel
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 PARCEL A, NEW CENTURY COMMONS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 126, PAGES 21 THROUGH 23 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID PARCEL A; THENCE N52°34'23"E, A DISTANCE OF 91.07 FEET TO THE POINT OF INTERSECTION WITH THE SIDELINE OF A 12.00 FEET WIDE UTILITY EASEMENT, AS SHOW ON COSTCO - WHOLESALE DELRAY BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 65, PAGE 112, SAID PUBLIC RECORDS AND TO THE POINT OF BEGINNING#1; THENCE ALONG THE SIDELINE OF SAID EASEMENT FOR THE FOLLOWING FOUR (4) COURSES AND DISTANCES S87°08'00"W, A DISTANCE OF 33.00 FEET; THENCE N02°52'00"W, A DISTANCE OF 229.95 FEET; THENCE N87°08'00"E, A DISTANCE OF 2.91 FEET TO A POINT HEREINAFTER KNOWN AS REFERENCE POINT "Z"; THENCE S20°28'57"E, A DISTANCE OF 30.04 FEET; THENCE S02°52'00"E, A DISTANCE OF 192.82 FEET; THENCE N87°07'52"E, A DISTANCE OF 21.00 FEET; THENCE S02°52'00"E, A DISTANCE OF 8.50 FEET TO THE POINT OF BEGINNING#1.

TOGETHER WITH:

COMMENCING AT THE AFORESAID REFERENCE POINT "Z"; THENCE N36°38'29"E, A DISTANCE OF 14.29 FEET TO A POINT OF INTERSECTION WITH SAID SIDELINE OF SAID 12.00 FEET WIDE UTILITY EASEMENT AND TO THE POINT OF BEGINNING#2; THENCE ALONG SAID SIDELINE N20°28'57"W, A DISTANCE OF 1.02 FEET; THENCE N87°08'00"E, A DISTANCE OF 0.31 FEET; THENCE S02°52'00"E, A DISTANCE OF 0.98 FEET TO THE POINT OF BEGINNING#2.

TOGETHER WITH:

COMMENCING AT THE SOUTHWEST CORNER OF SAID PARCEL A; THENCE N45°39'59"E, A DISTANCE OF 56.05 FEET TO THE POINT OF INTERSECTION WITH SAID SIDELINE OF SAID 12.00 FEET WIDE UTILITY EASEMENT AND TO THE POINT OF BEGINNING#3; THENCE ALONG SAID SIDE LINE FOR THE FOLLOWING THREE (3) COURSES AND DISTANCES N02°52'00"W, A DISTANCE OF 2.55 FEET; THENCE N87°08'00"E, A DISTANCE OF 79.73 FEET; THENCE S20°28'57"E, A DISTANCE OF 6.60 FEET; THENCE S89°45'28"W, A DISTANCE OF 81.82 FEET TO THE POINT OF BEGINNING#3.

SAID LANDS LYING AND SITUATE IN THE CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA, CONTAINING 3,163 SQUARE FEET OR 0.07261 ACRES, MORE OR LESS.

LEGEND/ABBREVIATIONS:

- P.O.C. - POINT OF COMMENCEMENT
P.O.B. - POINT OF BEGINNING
P.B. - PLAT BOOK
PG. - PAGE
LB - LICENSED BUSINESS
NAD - NORTH AMERICAN DATUM
U.E. - UTILITY EASEMENT
PGS. - PAGES

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 JANUARY 8, 2026. 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 - SURVEYING 7900 GLADES ROAD - SUITE 100 BOCA RATON, FLORIDA 33434 PHONE (561)-392-1991 / FAX (561)-750-1452

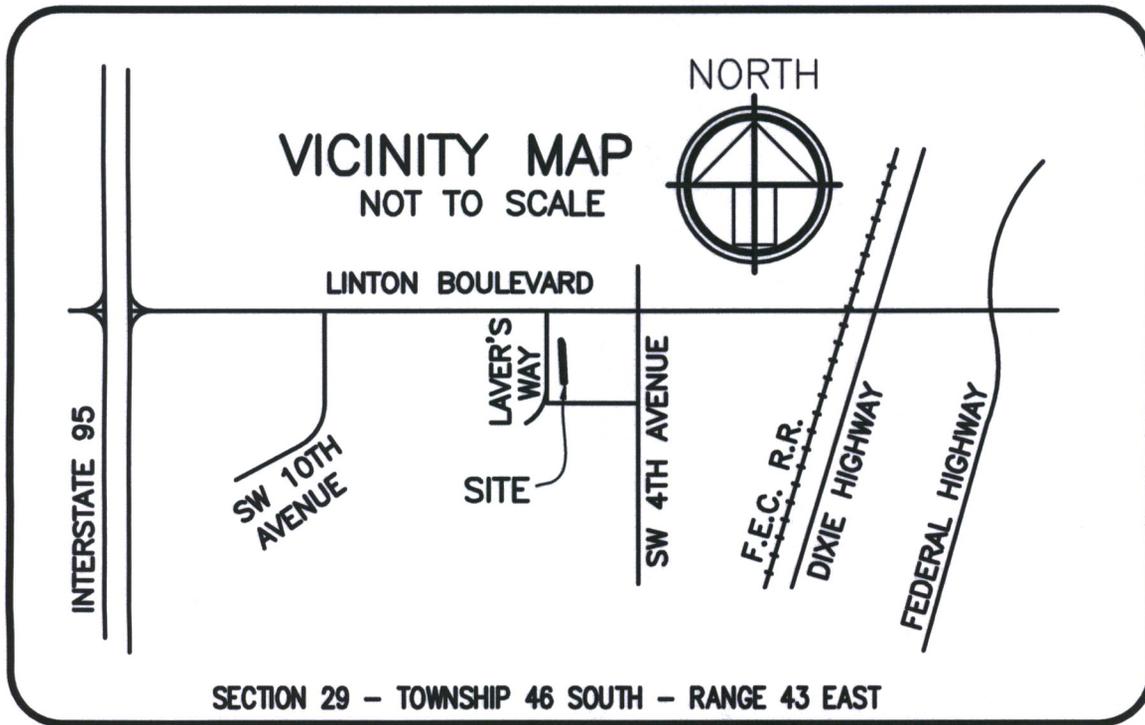
Digitally signed by Scott R. Langford Date: 2026.01.08 09:03:59 -05'00' SCOTT R. LANGFORD PROFESSIONAL SURVEYOR AND MAPPER SURVEYOR NO. LS7623 STATE OF FLORIDA LB 3591

Table with 2 columns: Field Name and Value. Fields include DATE (01/08/2026), DRAWN BY (sl), F.B./ PG. (N/A), SCALE (NONE), JOB NO. (5417-NEW USE)

LINTON COMMONS UTILITY EASEMENT SKETCH AND DESCRIPTION

1/13/26

EXHIBIT "A"



SURVEYOR'S NOTES:

1. SKETCH AND DESCRIPTIONS 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 SKETCH AND DESCRIPTIONS 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 S02°52'00"E, ALONG THE WEST LINE OF PARCEL A, NEW CENTURY COMMONS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 126, PAGES 21 THROUGH 23 OF OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RELATIVE TO THE 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.

THIS IS NOT A SURVEY

SHEET 2 OF 4



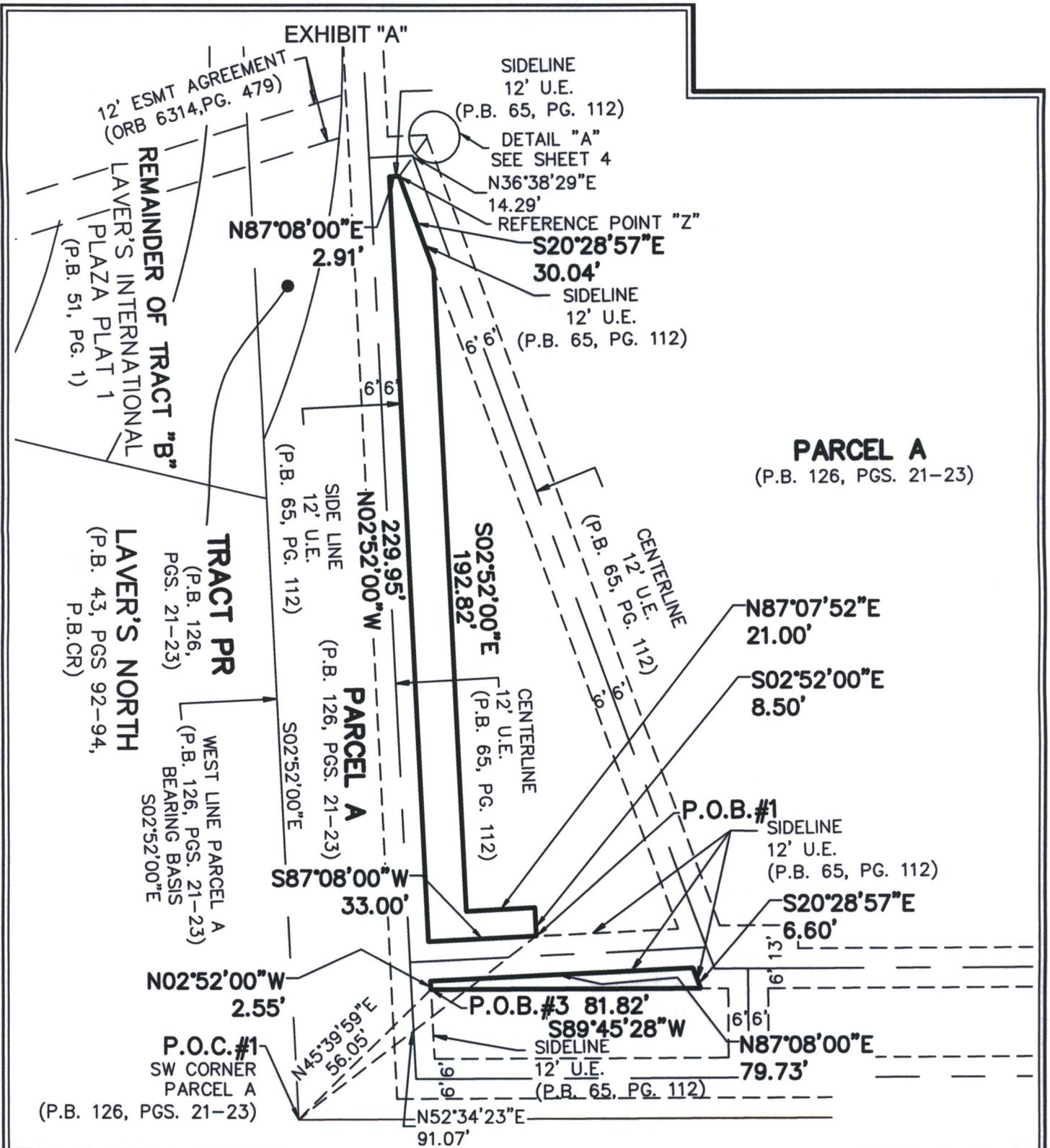
CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452

**LINTON COMMONS
 UTILITY EASEMENT
 SKETCH AND DESCRIPTION**



DATE	01/08/2026
DRAWN BY	sl
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	5417-NEW WSE

1/13/24



THIS IS NOT A SURVEY

SHEET 3 OF 4

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

NORTH

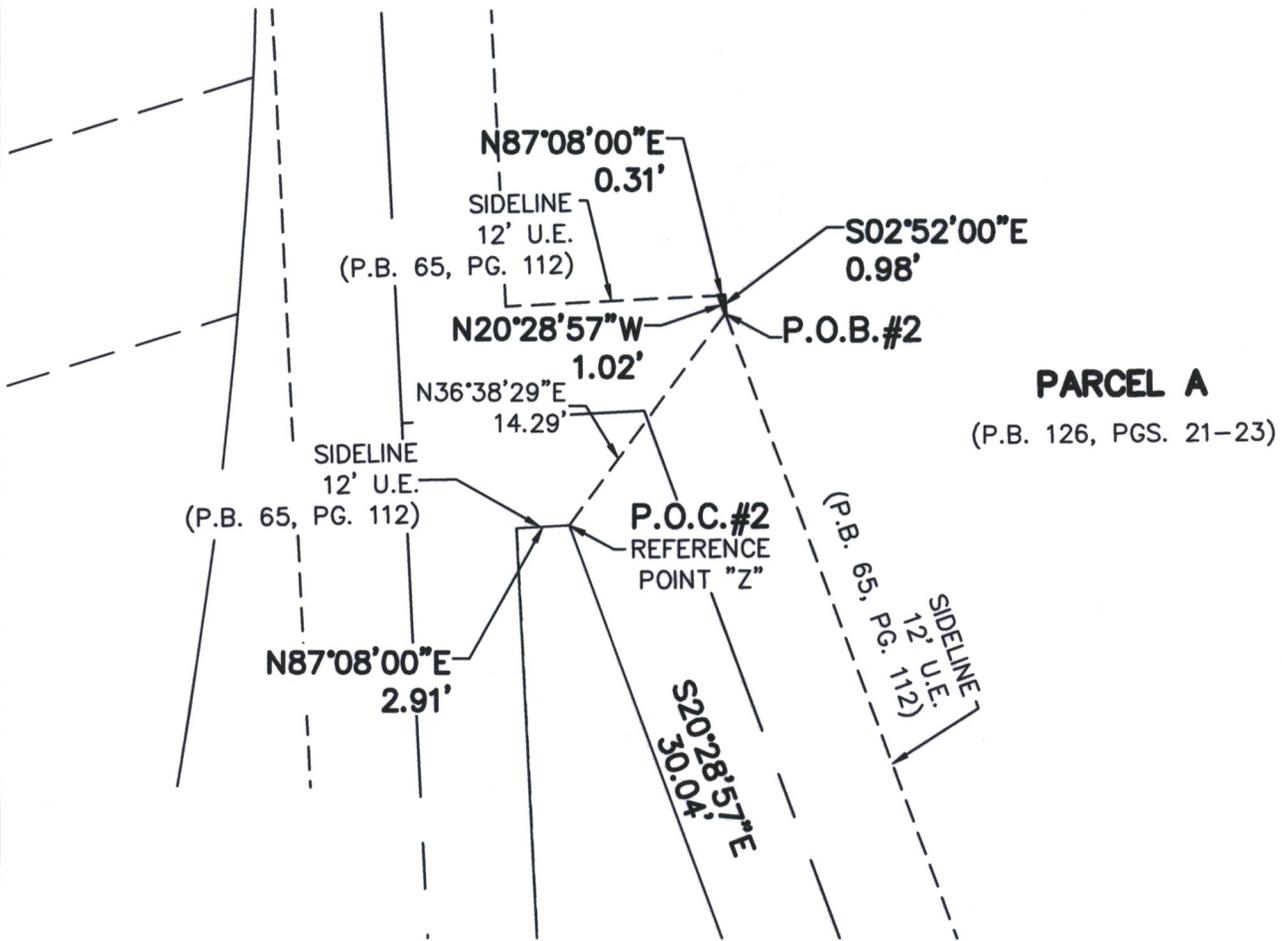
1 INCH = 40 FEET

DATE	01/08/2026
DRAWN BY	sl
F.B./ PG.	N/A
SCALE	1" = 40'
JOB NO.	5417-NEW WSE

**LINTON COMMONS
 UTILITY EASEMENT
 SKETCH AND DESCRIPTION**

3/13/20

EXHIBIT "A"



PARCEL A

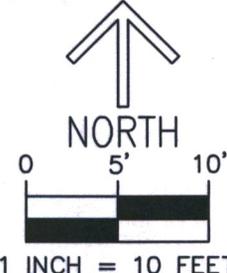
(P.B. 126, PGS. 21-23)

THIS IS NOT A SURVEY

SHEET 4 OF 4



CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE - SURVEYING
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NORTH

0 5' 10'

1 INCH = 10 FEET

DATE	01/08/2026
DRAWN BY	sl
F.B./ PG.	N/A
SCALE	1"=10'
JOB NO.	5417-NEW WSE

**LINTON COMMONS
 UTILITY EASEMENT
 SKETCH AND DESCRIPTION**

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