

Prepared by: RETURN:

Environmental Services Department  
434 Swinton Avenue  
Delray Beach, Florida 33444

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### EASEMENT DEED

THIS INDENTURE, made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between Delray Medical Center, Inc. with a mailing address of 5352 Linton Blvd., party of the first part, 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, party of the second part:

**WITNESSETH:** That the party of the first part, 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 party of the second part, its successors and assigns, a right of way and perpetual easement for the purpose of the construction and maintenance of a sewer main with full and free right, liberty, and authority to enter upon and to install, operate, and maintain such sewer main well under, across, through and upon, over, under or within the following described property located in Palm Beach County, Florida, to-wit:

#### DESCRIPTION

See Exhibit "A"

Concomitant and coextensive with this right is the further 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 hereinafter.

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 or subordination 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 construction, 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 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 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.

WITNESS #1:

MARIA MARMORA  
Mario Marmora  
(name printed or typed)

PARTY OF THE FIRST PART

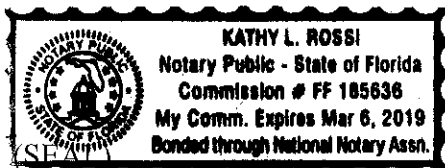
By: Mark H Bryan

WITNESS #2:

Gina M Lawrence  
Gina Lawrence  
(name printed or typed)

STATE OF Florida  
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of September, 2006 by Mark H Bryan (name of officer or agent), of Delray Medical Center (name of corporation), a Florida (State or place of incorporation) corporation, on behalf of the corporation. He/She is personally known to me or has produced NA (type of identification) as identification and did/did not take an oath.



Kathy L Rossi  
Signature of Notary Public -  
State of Florida

**DESCRIPTION & SKETCH  
PREPARED FOR:  
DELRAY MEDICAL CENTER**

**12'x9' SANITARY SEWER EASEMENT  
DELRAY MEDICAL CENTER**

**LEGAL DESCRIPTION**

A 12 FOOT BY 9 FOOT PIECE OF LAND, SITUATE IN SECTION 26, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, THE CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 26; THENCE ALONG THE NORTH LINE OF SAID SECTION 26 NORTH 89°56'07" WEST, A DISTANCE OF 1279.56 FEET TO THE NORTHEAST CORNER OF TRACT "E" AS DESCRIBED IN OFFICIAL RECORD BOOK 3442, PAGE 306, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE EASTERLY LINE OF SAID TRACT "E" SOUTH 45°03'53" WEST, A DISTANCE OF 35.38 FEET; THENCE CONTINUE ALONG THE SAID EASTERLY LINE OF TRACT "E" AND ALONG THE EASTERLY LINE OF TRACT "B" AS DESCRIBED IN OFFICIAL RECORD BOOK 3441, PAGE 389, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA SOUTH 00°02'08" WEST, A DISTANCE OF 45.86 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 199.06 FEET; THENCE CONTINUE ALONG SAID EASTERLY LINE OF TRACT "B" AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 57°33'23", A DISTANCE OF 199.97 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 57°35'31" WEST, A DISTANCE OF 78.60 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 147.06 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 57°31'42", A DISTANCE OF 147.66 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 00°03'49" WEST, A DISTANCE OF 268.35 FEET; THENCE DEPARTING SAID EASTERLY LINE, SOUTH 07°03'30" WEST, A DISTANCE OF 242.93 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED CENTERLINE; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 9.00 FEET TO THE POINT OF TERMINUS.

**SURVEYOR'S NOTES:**

1. THIS DRAWING IS NOT A SURVEY.
2. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
3. THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
4. THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY LIDBERG LAND SURVEYING, INC.
5. DATE OF LEGAL DESCRIPTION: AUGUST 10, 2016

LIDBERG LAND SURVEYING, INC.

BY: DAVID C. LIDBERG  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 3613

**ABBREVIATIONS:**

POB = POINT OF BEGINNING  
POC = POINT OF COMMENCEMENT  
ORB = OFFICIAL RECORD BOOK

07/11/17 REVISE LEGAL & SKETCH 97-115-303E L.J.C.



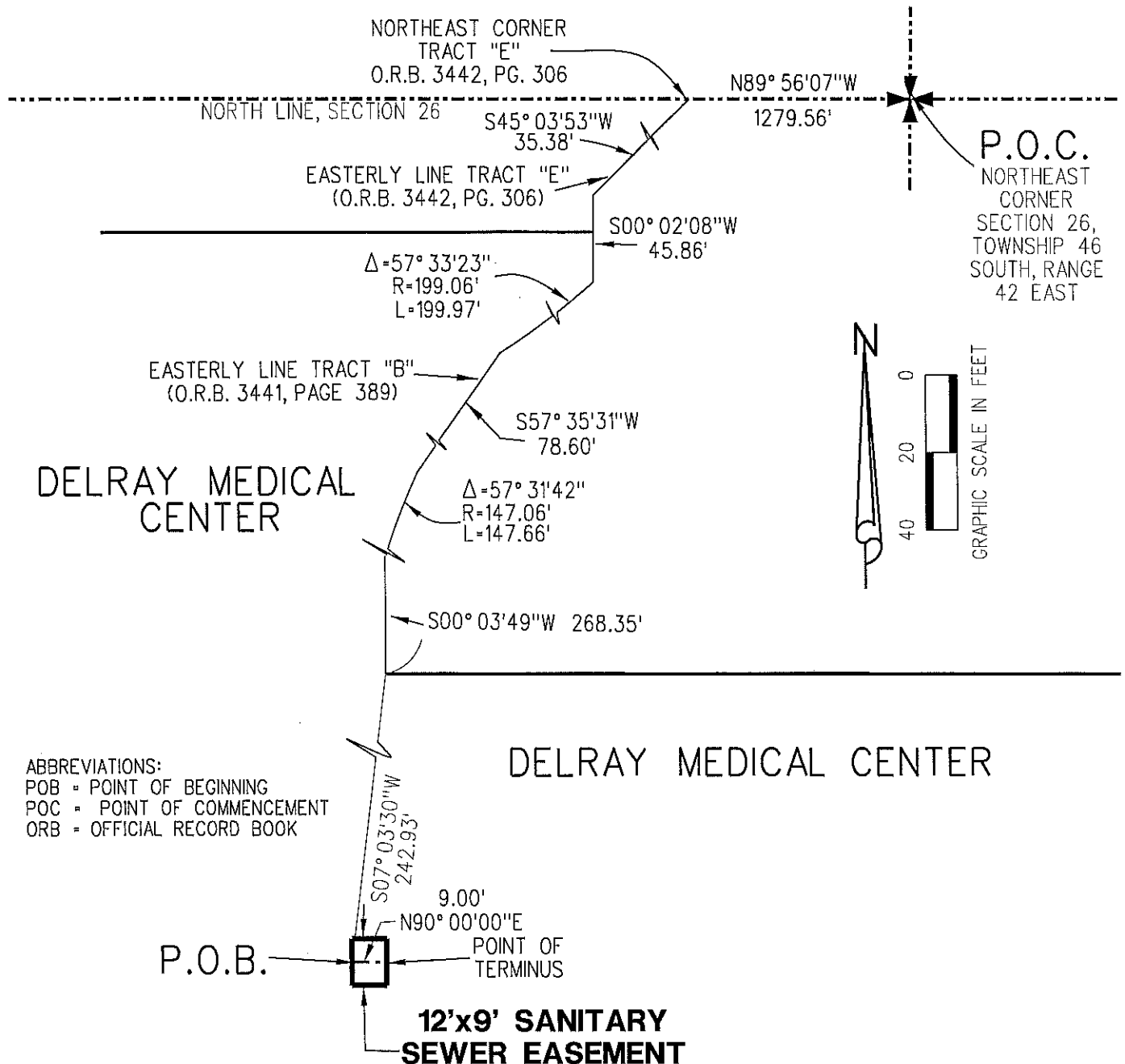
LB4431

675 West Indiantown Road, Suite 200,  
Jupiter, Florida 33458 TEL. 561-746-8454

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| CAD. K:\UST \ 264642 \ 97-115-303E \ 97-115-303E.DGN |         |      |                 |
| REF.                                                 |         |      |                 |
| FLD.                                                 | FB.     | PG.  | JOB 97-115-303E |
| OFF. L.J.C.                                          |         |      | DATE 08/10/16   |
| CKD. D.C.L.                                          | SHEET 1 | OF 2 | DWG. A97-1151   |

**DESCRIPTION & SKETCH  
PREPARED FOR:  
DELRAY MEDICAL CENTER**

**12'x9' SANITARY SEWER EASEMENT  
DELRAY MEDICAL CENTER**



**LIDBERG LAND  
SURVEYING, INC.**

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OFF. L.J.C.

CKD. D.C.L.

FB.

PG.

SHEET

2

OF

2

JOB 97-115-303E

DATE 08/10/16

DWG. A97-115I