

Prepared by: RETURN:

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

EASEMENT DEED

THIS INDENTURE, made this 19th day of February, 2016, by and between Samantha and Stephan Gehrig, with a mailing address of 401 NE Mizner Blvd, PH906, Boca Raton FL 33432, 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 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, Florida, to-wit:

DESCRIPTION

See Exhibit "A"

Concomitant and coextensive with this right is the further right in the party of the second part, its successors and assigns, of ingress and egress over and on that portion of land described above, to affect 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 affect 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:

Jane A. Eberhart as to both
Jane A. Eberhart as to both
(name printed or typed)

PARTY OF THE FIRST PART

By: [Signature]
Print Name: Samantha and Stephan Gehrig

WITNESS #2:

Kathryn L. Johnston as to both
Kathryn L. Johnston as to both
(name printed or typed)

STATE OF Florida
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 19 day of Feb, 2016 by Stephan Gehrig (name of officer or agent), of N/A (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 _____ (type of identification) as identification and did/did not take an oath.



MATTHEW WOLF
MY COMMISSION # FF 958178
EXPIRES: February 1, 2020
Bonded Thru Budget Notary Services

[Signature]
Signature of Notary Public -
State of Florida

(SEAL)

STATE OF Florida
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 19 day of Feb, 2016 by Samantha Gehrig (name of officer or agent), of N/A (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 _____ (type of identification) as identification and did/did not take an oath.



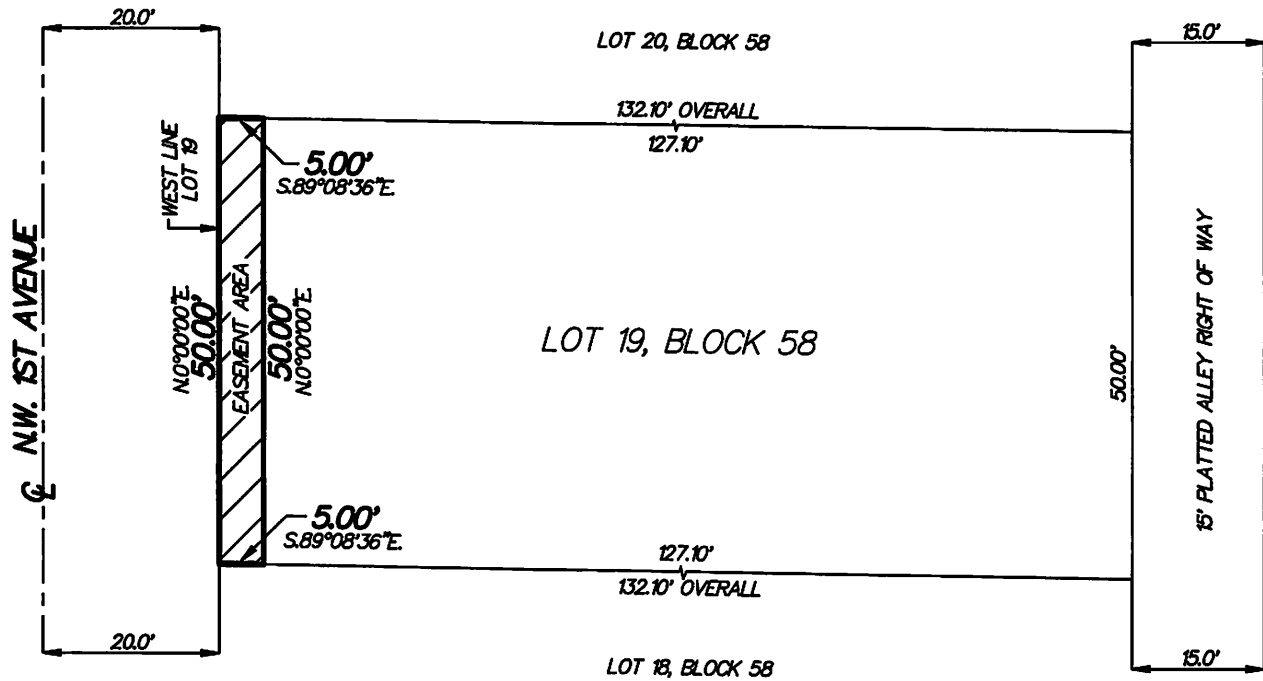
MATTHEW WOLF
MY COMMISSION # FF 958178
EXPIRES: February 1, 2020
Bonded Thru Budget Notary Services

[Signature]
Signature of Notary Public -
State of Florida

(SEAL)

SKETCH OF DESCRIPTION

EXHIBIT "A"
SHEET 1 OF 1



DESCRIPTION:

THE WEST 5.0 FEET OF LOT 19, BLOCK 58, METCALF'S SUBDIVISION OF BLOCKS 50 & 58, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 47, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

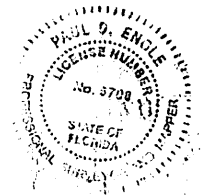
NOTES:

THIS IS NOT A SURVEY

THE WEST LINE OF LOT 19 IS ASSUMED TO BEAR N.0°00'00"E.

CL = CENTERLINE

ORDER NO. 71-1167"EA"



Paul D. Engle

PAUL D. ENGLE
SURVEYOR & MAPPER NO. 5708

DATE: AUGUST 6, 2015

O'BRIEN, SUITER & O'BRIEN, INC.
CERTIFICATE OF AUTHORIZATION #LB353
SURVEYOR AND MAPPER IN RESPONSIBLE
CHARGE: PAUL D. ENGLE
955 N.W. 17TH AVENUE, SUITE K-1
DELRAY BEACH FLORIDA 33445
(561) 276-4501 (561) 732-3279