

Return to:

Environmental Services Department
434 S. Swinton Avenue
Delray Beach, Florida 33444

EASEMENT DEED

THIS INDENTURE, made this ____ day of January, 2018, by and between **WAL-MART STORES EAST, LP**, a Delaware limited partnership, with a mailing address of 2001 S.E. 10th Street, Bentonville, Arkansas 72716-5560, as 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, as 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 Grantee, its successors and assigns, a right of way and perpetual easement for the purpose of the construction and maintenance of a water main with full and free right, liberty, and authority to enter upon and to install, operate, and maintain such water 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 Grantee, 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 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 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.

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.

WITNESSES:


Signature
Sheri Fiel-Torbett
Print Name


Signature
Peggy L. Ayers
Print Name

GRANTOR:

WAL-MART:

WAL-MART STORES EAST, LP,
a Delaware limited partnership

By: **WSE MANAGEMENT, LLC,**
a Delaware limited liability company
and general partner

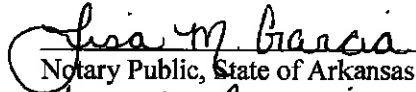
By: 
Name: Brian Frazier

Title: Senior Director

Date: _____

**STATE OF ARKANSAS
COUNTY OF BENTON**

The foregoing instrument was acknowledged before me this 31 day of February, 2018, by Brian Frazier, as Senior Director of WSE MANAGEMENT, LLC, a Delaware limited liability company, general partner of Wal-Mart Stores East, LP, a Delaware limited partnership, on behalf of said limited liability company and limited partnership. He/she is personally known to me.


Notary Public, State of Arkansas
Lisa M Garcia
Print/type name of Notary Public

My Commission Expires: 5/1/27

OFFICIAL SEAL
LISA M. GARCIA
WASHINGTON COUNTY
NOTARY PUBLIC - ARKANSAS
MY COMMISSION EXP. MAY 01, 2027
COMMISSION # 12360574

EXHIBIT A

LEGAL DESCRIPTION

A portion of PARCEL "A" of WAL-MART CENTER, according to the plat thereof, as recorded in Plat Book 66 at Page 41 of the Public Records of Palm Beach County, Florida. Said lands being more particularly described as follows;

Commence at the Southwest Corner of said PARCEL "A", thence N01°12'41"W, along the West line of said PARCEL "A" for a distance of 92.69 feet to a point, thence N88°47'19"E for a distance of 85.29 feet to a point on the 12' Water Easement recorded in Official Records Book 23124 at Page 741 of the Public Records of Palm Beach County, Florida; thence N88°56'47"E along said easement for a distance of 228.56 feet to a point, thence leaving said easement line S01°03'13"E for a distance of 41.89 feet to a point, thence N88°56'47"E for a distance of 119.24 feet to a point, thence N01°22'37"W for a distance of 0.87 feet to a point of the Utility Easement AS shown on the said Plat of WAL-MART CENTER, thence N88°37'23"E along said easement line for a distance of 12.00 feet to a point, thence N01°22'37"W for a distance of 20.45 feet to a point, thence N88°37'23"E for a distance of 5.00 feet to the Point of Beginning, thence S04°42'39"W for a distance of 26.50 feet to a point, thence S85°17'21"E for a distance of 12.00 feet to a point, thence N04°42'39"E for a distance of 27.78 feet to a point, thence S88°37'23"W for a distance of 12.07 feet to the Point of Beginning. The above described easements contains 326 Square Feet or 0.007 Acres more or less.

COUNTY-WIDE LAND SURVEYORS, INC.

LAND SURVEYORS - PLANNERS

15358 SW 140 St. Miami, Fl. 33196 LB#4680
P.O. BOX 823271 South Florida, Fl. 33082-3271 (305) 772-0766

11-10-2017