

Return to:

\_\_\_\_\_  
City of Greenacres  
5800 Melaleuca Lane  
Greenacres, Florida 33463-3515

Property Control Number: Portion of 18-42-44-25-18-000-0020

## DECLARATION OF UTILITY EASEMENT

**THIS DECLARATION OF EASEMENT** is made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the **CITY OF GREENACRES**, a municipal corporation of the State of Florida ("City"), whose address is 5800 Melaleuca Lane, Greenacres, Florida 33463-3515.

**WHEREAS**, City is the owner of that certain real property located within Palm Beach County, Florida, as set forth as:

Municipal Reserved Area,  
Plat of PALM BEACH VILLAS II,  
Plat Book 31, Page 54,  
public records of Palm Beach County, Florida,  
(the "Property"); and

**WHEREAS**, City desires to create an easement over, upon and under such property for the purposes set forth hereinafter; and

**WHEREAS**, City desires that such easement not be extinguished by the doctrines of merger or unity of title and remain valid and in effect upon a subsequent conveyance of the Property by City.

### WITNESSETH:

**NOW THEREFORE**, City does hereby declare, grant and create a perpetual utility easement for the construction and maintenance of utilities upon the real property legally described in **Exhibit "A"**, attached hereto.

The easement created hereby shall not be extinguished by operation of law, including, without limitation, the doctrines of merger or unity of title and shall inure to the benefit of City and run with the land and encumber and burden the Property upon the conveyance thereof by City notwithstanding City's failure to specifically reserve or reference such easement in the instrument of conveyance.

IN WITNESS WHEREOF, the City has signed and sealed these presents the date first above written.

Signed, sealed and delivered in the presence of:

(Signature of two witnesses required by Florida law)

City:

**CITY OF GREENACRES**, a municipal corporation of the State of Florida

\_\_\_\_\_  
Witness Signature

By: \_\_\_\_\_  
Samuel J. Ferreri, Mayor

\_\_\_\_\_  
Witness Name Printed or Typed

\_\_\_\_\_  
Witness Signature

(Official Seal)

\_\_\_\_\_  
Witness Name Printed or Typed

STATE OF FLORIDA  
COUNTY OF PALM BEACH

Before me personally appeared Samuel J. Ferreri, who is personally known to me, or has produced \_\_\_\_\_ as identification, and who executed the foregoing instrument as Mayor of the City of Greenacres, a municipal corporation of the State of Florida, and severally acknowledged to and before me that he executed such instrument as such officer of said municipal corporation, and that said instrument is the free act and deed of said municipal corporation.

Witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

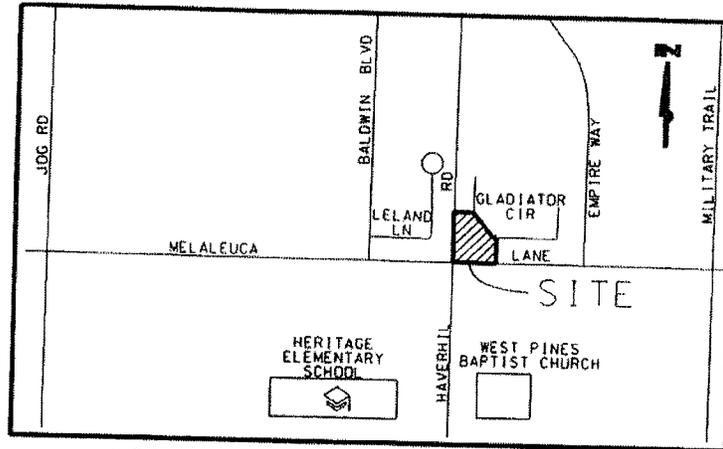
(Stamp/Seal)

\_\_\_\_\_  
Notary Signature  
Notary Public, State of Florida

\_\_\_\_\_  
Print Notary Name

\_\_\_\_\_  
Commission Number  
My Commission Expires: \_\_\_\_\_

**EXHIBIT "A"  
EASEMENT PREMISES**



LOCATION SKETCH (NOT TO SCALE)

**LEGAL DESCRIPTION**

A PARCEL OF LAND 10.00 FEET IN WIDTH FOR UTILITY EASEMENT PURPOSES, BEING A PORTION OF THE MUNICIPAL RESERVED AREA AS SHOWN ON THE PLAT OF PALM BEACH VILLAS II, PLAT BOOK 31, PAGE 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 25, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 25; THENCE NORTH 01° 19' 17" EAST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 25, SAID LINE ALSO BEING THE CENTERLINE OF HAVERHILL ROAD AS SHOWN ON ROAD PLAT BOOK 5, PAGE 16 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 1393.48 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY PROLONGATION OF THE NORTH RIGHT-OF-WAY LINE OF MELALEUCA LANE RECORDED IN OFFICIAL RECORD BOOK 2405, PAGE 1707, OF SAID PUBLIC RECORDS; THENCE SOUTH 86° 59' 47" EAST ALONG SAID LINE, A DISTANCE OF 40.02 FEET TO THE POINT OF INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF HAVERHILL ROAD AS RECORDED IN OFFICAL RECORD BOOK 2346, PAGE 788 AND THE SOUTH RIGHT-OF-WAY LINE OF MELALEUCA LANE AS RECORDED IN OFFICAL RECORD BOOK 2405, PAGE 1707 SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE MUNICIPAL RESERVED AREA AS SHOWN ON SAID PLAT OF PALM BEACH VILLAS II, RECORDED IN PLAT BOOK 31, PAGE 54 ALL OF SAID PUBLIC RECORDS; THENCE NORTH 01° 19' 17" EAST ALONG SAID EAST RIGHT-OF-WAY LINE OF HAVERHILL ROAD, A DISTANCE OF 40.03 FEET; THENCE SOUTH 42° 49' 45" EAST, A DISTANCE OF 14.36 FEET TO THE EAST LINE OF A 10 FOOT WIDE UTILITY EASEMENT AS SHOWN ON SAID PLAT OF PALM BEACH VILLAS II AND THE POINT OF BEGINNING; THENCE NORTH 01° 19' 17" EAST ALONG SAID EAST LINE, A DISTANCE OF 14.36 FEET; THENCE SOUTH 42° 49' 45" EAST, A DISTANCE OF 49.32 FEET TO THE INTERSECTION WITH THE NORTH LINE OF THE 10 FOOT WIDE UTILITY EASEMENT AS SHOWN ON SAID PLAT OF PALM BEACH VILLAS II; THENCE NORTH 86° 59' 47" WEST ALONG SAID NORTH LINE OF THE 10 FOOT WIDE UTILITY EASEMENT, A DISTANCE OF 14.35 FEET; THENCE NORTH 42° 49' 45" WEST, A DISTANCE OF 28.72 FEET TO SAID EAST LINE OF A 10 FOOT WIDE UTILITY EASEMENT AND THE POINT OF BEGINNING.

CONTAINING 391 SQUARE FEET OR 0.090 ACRES, MORE OR LESS

PROJECT NO. 2010503	SHEET 1	<b>PROJECT:</b> <b>HAVERHILL RD &amp; MELALEUCA LANE - CITY OF GREENACRES DECLARATION OF EASEMENT</b>	SCALE: 1" = 30' APPROVED: G. W. M. DRAWN: W. D. S. CHECKED: S. T. A. DATE: 6/08/15 FIELD BOOK NO.: 1223F	NO.	REVISION	BY	DATE	<b>PALM BEACH COUNTY</b> ENGINEERING AND PUBLIC WORKS  <b>ROADWAY PRODUCTION</b>  2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411
	OF 3			DESIGN FILE NAME S-1-16-3733.DGN	DRAWING NO. S-1-16-3733			

LEGEND

ORB = OFFICIAL RECORD BOOK  
SEC = SECTION  
TWP = TOWNSHIP  
RNG = RANGE  
CONC = CONCRETE  
SWK = SIDEWALK  
P.P. = POWER POLE  
PCN = PARCEL CONTROL NUMBER  
COR = CORNER  
UE = UTILITY EASEMENT  
EP = EDGE OF PAVEMENT

P.B. = PLAT BOOK  
PG. = PAGE  
P.O.C. = POINT OF COMMENCEMENT  
P.O.B. = POINT OF BEGINNING  
P.B.C. = PALM BEACH COUNTY  
R/W = RIGHT OF WAY  
REF = REFERENCE  
CBS = CONCRETE BLOCK STRUCTURE  
DB = DEED BOOK  
PROJ = PROJECT  
NO. = NUMBER  
C = CENTERLINE  
ORB = OFFICIAL RECORD BOOK

SURVEYOR'S REPORT

BEARINGS ARE BASED ON A GRID (83/90) BEARING OF NORTH 01°19'17" EAST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 44 SOUTH, RANGE 42 EAST, ALL OTHER BEARINGS ARE RELATIVE THERETO.

THIS INSTRUMENT PREPARED BY SCOTT T. ADAMS SR. & GLENN W. MARK, P.L.S. IN THE OFFICE OF THE COUNTY ENGINEER, 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411-2745.

TOPOGRAPHIC INFORMATION BASED ON A FIELD SURVEY PERFORMED ON 02/02/2016. INFORMATION LOCATED IN FIELD BOOK 1223F PAGE 2 AND 3

NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR. IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR.

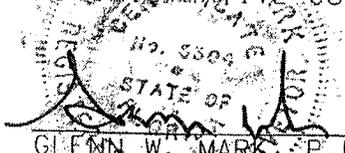
COORDINATES SHOWN ARE GRID  
DATUM = NAD 83, 1990 ADJUSTMENT  
ZONE = FLORIDA EAST  
LINEAR UNITS = US SURVEY FOOT  
COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION  
ALL DISTANCES ARE GROUND.  
PROJECT SCALE FACTOR = 1.000035503  
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

ALL FEATURE SYMBOLS SHOWN ARE NOT TO SCALE.

THIS IS NOT A SURVEY

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J-17.050 - .052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

  
GLENN W. MARK, P.L.S.  
FLORIDA CERTIFICATE #5304

6/9/16  
DATE

W 1/4 COR. 25/44/42  
 P.B.C. POSITION  
 N. 828940.690  
 E. 943055.133



SCALE: 1" = 30'

WESTERLY PROLONGATION  
 OF THE N. R/W LINE  
 PER ORB 2405, PG 1707

HAVERHILL ROAD  
 PER  
 ROAD PLAT BOOK 5,  
 PG 16

WEST LINE OF THE NW 1/4 OF  
 THE SW 1/4 OF SECTION 25/44/42

26 25

PER DB 62, PG 481

PER ORB 2346, PG 788

PCN: 18-42-44-25-18-000-0020  
 (DEDICATED TO GREENACRES)

MUNICIPAL RESERVED AREA  
 PALM BEACH VILLAS II  
 PLAT BOOK 31 PG 54

HAVERHILL ROAD  
 R/W PARCEL 110  
 BROWN & PHILLIPS  
 PROJ. NO. 11-007

S86°59'47"E  
 40.02'

N01°19'17"E  
 40.03'

S42°49'45"E  
 14.36'

N01°19'17"E  
 14.36'

S42°49'45"E  
 49.32'

N42°49'45"W  
 28.72'

N86°59'47"W  
 14.35'

P.O.B.

5' CBS WALL

10' UE PER  
 PB 31, PG 54

PER ORB 2405,  
 PG 1707

2' CONC CURB

PER ORB 1217,  
 PG 369

SW CORNER OF  
 MUNICIPAL RESERVE  
 AREA AND  
 POINT OF INTERSECTION  
 OF ORB 2346, PG 788  
 WITH ORB 2405, PG 1707

CONC. P.P.

SCHOOL  
 CROSSING  
 SIGN

CONC SLAB W/  
 TRAFFIC CONTROL BOX  
 GATE VALVE

MELALEUCA LANE

SOUTH LINE OF THE NW 1/4 OF  
 THE SW 1/4 OF SECTION 25/44/42

26 25  
 35 36

P.O.C.  
 S.W. COR. 25/44/42  
 P.B.C. POSITION  
 N. 826262.480  
 E. 942993.361