



PUBLIC SERVICES  
WATER AND SEWER UTILITY EASEMENT

FOR: \_\_\_\_\_  
NAME OF PROJECT

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, that \_\_\_\_\_  
\_\_\_\_\_ having an address of \_\_\_\_\_

hereinafter ("Grantor"), expressly grants an easement to the City of Tamarac, a municipal corporation of the State of Florida, having an address at 7525 Northwest 88<sup>th</sup> Avenue, Tamarac, Florida, 33321, (hereinafter "Grantee"), subject to the following provisions and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations paid by Grantee to Grantor, receipt of which is hereby acknowledged by both parties.

Grantor is the fee simple owner of that parcel of real property, a legal description and sketch of which is attached hereto as Exhibit "A", and incorporated by reference herein, (hereinafter "the servient estate").

Grantor hereby grants, bargains and sells to Grantee, its successors and assigns, a perpetual easement under, over and upon a portion of the servient estate, a legal description and sketch of which is attached hereto as Exhibit "B" and incorporated by reference herein, (hereinafter "the easement area").

Grantee may use the easement area for laying, installing, maintaining, operating and altering of water lines and appurtenant facilities, sewer lines and appurtenant facilities as well as for surface water storm drainage, and for other comparable public utility purposes.

Grantee's right to utilize the easement area shall be exclusive to the extent that Grantor shall grant no easement or license, nor make any covenants, having the effect of permitting use of the easement area by one other than Grantee, except grantor may

furnish an easement to Florida Power and Light, Bell South, Sunrise Gas or franchised cable TV that crosses this easement at right angles.

Grantor may, for its own purposes, utilize the easement area and shall retain a right of free ingress and egress under, over and upon the easement area; provided that, in no event, shall any of the rights herein reserved to Grantor impede the easement herein granted or the exercise of the rights of use thereunder.

Grantee shall have the right to remove any natural or man-made obstructions placed on the easement, which impede the easement herein granted, or the exercise of the rights thereunder.

Grantor shall hold Grantee harmless from and against all claims, liability and expense arising from the aforesaid removal of obstructions, including the expense of removing, relocating, restoring and replacing same.

Grantor grants to the Grantee, a perpetual non-exclusive easement upon the servient estate whereby Grantee shall have reasonable access necessary to fully exercise Grantee's rights within the easement area.

The provisions of the easement shall be binding on the parties hereto and their respective successors and assigns as a covenant running with and binding upon the servient estate.

This easement shall not be released or amended without consent of the Grantee as evidenced by a document signed with the same formalities as this document.

Grantee shall record this document in the Public Records of Broward County, Florida.

This instrument contains the entire agreement between the parties relating to the rights granted and the obligations assumed pursuant to this instrument. Any oral representations or modifications concerning this instrument shall be of no force and effect, excepting a subsequent modification reduced to writing, signed by the party to be charged therewith.

IN WITNESS WHEREOF, Grantor has hereunto set his hand and seal on the day and year first above written.

(GRANTOR)

\_\_\_\_\_  
Witness  
Type Name \_\_\_\_\_

\_\_\_\_\_  
Type Name/Title \_\_\_\_\_

\_\_\_\_\_  
Witness  
Type Name \_\_\_\_\_

\_\_\_\_\_  
Type Name/Title \_\_\_\_\_

STATE OF FLORIDA :  
: SS  
COUNTY OF \_\_\_\_\_:

I HEREBY CERTIFY that on this day, before me, an Officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ to me known to be the person(s) described in and who executed the foregoing instrument and \_\_\_\_\_ acknowledged before me and under oath that \_\_\_\_\_ executed the same.

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

The foregoing instrument was acknowledged before me by means of:

- Physical Presence,
- OR -
- Online Notarization,

\_\_\_\_\_  
Name of person Acknowledging

- Personally known to me, or
  - Produced identification
- Type of Identification Produced:

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

- DID take an oath, or
- DID NOT take an oath

\_\_\_\_\_  
Name of Notary Typed, Printed or Stamped

IN WITNESS WHEREOF, Grantor has hereunto set his hand and seal on the day and year first above written.

ATTEST:

GRANTOR

By: \_\_\_\_\_

By: \_\_\_\_\_

Type Name \_\_\_\_\_  
Corporate Secretary

Type Name \_\_\_\_\_  
President

(Corporate Seal)

STATE OF FLORIDA :  
  : SS  
COUNTY OF \_\_\_\_\_:

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ to me known to be the person(s) described in and who executed the foregoing instrument and \_\_\_\_\_ acknowledged before me and under oath that \_\_\_\_\_ executed the same.

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

The foregoing instrument was acknowledged before me by means of:

- Physical Presence,
- OR -
- Online Notarization,

\_\_\_\_\_  
Name of person Acknowledging

- Personally known to me, or
  - Produced identification
- Type of Identification Produced: \_\_\_\_\_

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

- DID take an oath, or
- DID NOT take an oath

\_\_\_\_\_  
Name of Notary Typed, Printed or Stamped

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed on the day and year indicated below:

ACCEPTED BY CITY OF TAMARAC  
GRANTEE

ATTEST:

By: \_\_\_\_\_  
Kimberly Dillon, CMC  
City Clerk

By: \_\_\_\_\_  
Kathleen Gunn  
City Manager

Date: \_\_\_\_\_

Approved as to form:

STATE OF FLORIDA :  
: SS  
COUNTY OF \_\_\_\_\_:

By: \_\_\_\_\_  
John R. Herin, Jr.,  
City Attorney

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ to me known to be the person(s) described in and who executed the foregoing instrument and \_\_\_\_\_ acknowledged before me and under oath that \_\_\_\_\_ executed the same.

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

The foregoing instrument was acknowledged before me by means of:

- ( ) Physical Presence,
- OR -
- ( ) Online Notarization,

\_\_\_\_\_  
Name of person Acknowledging

- ( ) Personally known to me, or
  - ( ) Produced identification
- Type of Identification Produced:

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

- ( ) DID take an oath, or
- ( ) DID NOT take an oath

\_\_\_\_\_  
Name of Notary Typed, Printed or Stamped

IN WITNESS WHEREOF, Mortgagee has hereunto set his hand and seal on the day and year first above written.

ATTEST:

MORTGAGEE

By: \_\_\_\_\_

By: \_\_\_\_\_

Type Name \_\_\_\_\_  
Corporate Secretary

Type Name \_\_\_\_\_  
President

(Corporate Seal)

STATE OF FLORIDA :  
: SS  
COUNTY OF \_\_\_\_\_:

I HEREBY CERTIFY that on this day, before me, an Officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ to me known to be the person(s) described in and who executed the foregoing instrument and \_\_\_\_\_ acknowledged before me and under oath that \_\_\_\_\_ executed the same.

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

The foregoing instrument was acknowledged before me by means of:

- ( ) Physical Presence,
- OR -
- ( ) Online Notarization,

\_\_\_\_\_  
Name of person Acknowledging

- ( ) Personally known to me, or
  - ( ) Produced identification
- Type of Identification Produced: \_\_\_\_\_

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

- ( ) DID take an oath, or
- ( ) DID NOT take an oath

\_\_\_\_\_  
Name of Notary Typed, Printed or Stamped

AFFIDAVIT SHALL BE COMPLETED WHEN MORTGAGEE SIGNATURE IS NOT APPLICABLE

I, \_\_\_\_\_ do hereby affirm that I am the \_\_\_\_\_ of \_\_\_\_\_ and that I have executed a Tamarac Utilities Water and Sewer Easement with the City of Tamarac for \_\_\_\_\_ project and that I am the owner of the property covered by said Tamarac Utilities Water and Sewer Easement.

There are no mortgages held on the property, which is the subject of said Tamarac Utilities Water and Sewer Easement.

FURTHER AFFIANT SAYETH NOT.

\_\_\_\_\_  
(Signature)

This \_\_\_ day of \_\_\_\_\_, 20\_\_.

STATE OF FLORIDA :  
: SS  
COUNTY OF \_\_\_\_\_:

I HEREBY CERTIFY that on this day, before me, an Officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ to me known to be the person(s) described in and who executed the foregoing instrument and \_\_\_\_\_ acknowledged before me and under oath that \_\_\_\_\_ executed the same.

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

The foregoing instrument was acknowledged before me by means of:

- ( ) Physical Presence,  
- OR -
- ( ) Online Notarization,

\_\_\_\_\_  
Name of person Acknowledging

- ( ) Personally known to me, or
  - ( ) Produced identification
- Type of Identification Produced:

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

- ( ) DID take an oath, or
- ( ) DID NOT take an oath

\_\_\_\_\_  
Name of Notary Typed, Printed or Stamped