PUBLIC SERVICES
WATER AND SEWER UTILITY EASEMENT

FOR: ________________________________

NAME OF PROJECT

On this ____ day of ________________, 20__, that ________________________________

___________________________________________ having an address of

___________________________________________

determined after (“Grantor”), expressly grants an easement to the City of Tamarac, a
municipal corporation of the State of Florida, having an address at 7525 Northwest 88th
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 ____________________________

Witness
Type Name ____________________________

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__________________    Type Name__________________
Corporate Secretary          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

________________________________
Type of Identification Produced:

( ) Personally known to me, or
( ) Produced identification

________________________________
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: _________________________________
Levent Sucuoglu
City Manager

By: _________________________________
Kimberly Dillon, CMC
City Clerk

Date: ________________________________

Approved as to form:

By: _________________________________
Hans Ottinot,
City Attorney

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,

( ) Personally known to me, or
( ) Produced identification

Type of Identification Produced:

________________________________________________________

Name of person Acknowledging

________________________________________________________

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 ________________________________ Type Name ________________________________

Corporate Secretary President

(Corporate Seal)

STATE OF FLORIDA : 

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,

( ) Personally known to me, or
( ) Produced identification

Type of Identification Produced:

______________________________

Name of person Acknowledging

______________________________

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,

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

________________________________________
Name of person Acknowledging

________________________________________
Signature of Notary Public – State of Florida

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

Name of Notary Typed, Printed or Stamped

980605 5 Water and Sewer Utility Easement