



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 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, 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: _____
Jennifer Johnson, CMC
City Clerk

By: _____
Kathleen Gunn
Interim 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:

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- OR -
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Name of person Acknowledging

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