

PALM BEACH COUNTY
 BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

=====
 Meeting Date: August 19, 2008 Consent [X] Regular []
 Public Hearing []
 Submitted By: Water Utilities Department
 Submitted For: Water Utilities Department
 =====

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Partial Release of Utility Easement on land owned by Golfview Shopping Plaza Associates, LLP.

Summary: This document will release the County’s interest in a portion of a utility easement recorded in the official records of Palm Beach County in Book 9859, Page 1888. During re-development of the Golfview Shopping Plaza the property owner contacted Water Utilities Department to point out that a portion of a recorded utility easement does not follow alignment of existing utilities. Water Utilities department confirmed that the alignment of the utilities does not agree with the recorded utility easement. The owner now requests release of the portion of the original easement. The Water Utilities Department concurs with this request and, therefore, recommends the partial release. District 3 (MJ)

Background and Justification: On October 31, 1985, the owner, Golfview Shopping Plaza Associates, granted an exclusive utility easement to the County to accommodate water and sewer mains. The owner, Golfview Shopping Plaza Associates has granted a new utility easement over the field-confirmed location of the existing utilities that are in alignment with the water and sewer mains. The owner is now requesting the release of the portion of the easement that the County has determined that it no longer needs.

Attachments:

1. Two (2) original Partial Release of Utility Easement
2. Location Map
3. One (1) copy of original utility easement ORB 9859 Pg.1888
4. One (1) copy of the replacement utility easement ORB 22732 Pg.1628

Recommended By: Barbara 7/24/08
 Department Director Date

Approved By: Paul 8/13/08
 Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Budget Account No.: Fund _____ Dept _____ Unit _____ Object _____

Is Item Included in Current Budget? Yes ___ No ___

Reporting Category N/A

B. Recommended Sources of Funds/Summary of Fiscal Impact:

This item has no fiscal impact.

C. Department Fiscal Review: Debra M. Vest

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:

Atwillhite 8.1.08
OFMB
(UD) 7/21/08 CN 7/29/08

Don J. [Signature] 8/14/08
Contract Development and Control
B. Jones 8/14/08

B. Legal Sufficiency:

[Signature] 8/12/08
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

CHARGE #1023 RETURN VIA WILL CALL #133
ATTN: MARK FALLON, CONTRACT MANAGEMENT,
PBC WATER UTILITIES DEPT,
8100 FOREST HILL BLVD, WPB, FL 33413

RELEASE OF A PORTION OF A UTILITY EASEMENT

THIS RELEASE OF A PORTION OF A UTILITY EASEMENT, executed this _____ day of _____, 2007, by Palm Beach County, a political subdivision of the State of Florida, first party, c/o Water Utilities Department, 8100 Forest Hill Boulevard, West Palm Beach, Florida 33413-3336, to Golfview Shopping Plaza Associates, L.L.P. whose address is P. O. Box 20016, _____, West Palm Beach, FL 33416, second party:

WITNESSETH:

THAT the first party, for and in consideration of the sum of \$10.00 (Ten Dollars) in hand paid by the second party, the receipt of which is hereby acknowledged, wishes to terminate, renounce, and release a portion of that UTILITY EASEMENT recorded in Official Records Book 9859, Page 1888, Public Records of Palm Beach County, Florida.

THEREBY, the first party hereby releases any and all of its rights, title, and interest in that portion of the UTILITY EASEMENT as shown in the sketch and legal description attached hereto and incorporated herein as Exhibit "A."

IN WITNESS WHEREOF the first party has caused this RELEASE OF A PORTION OF A UTILITY EASEMENT to be executed as of the day and year first written above.

ATTEST:

Sharon R. Bock, Clerk & Comptroller

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY
COMMISSIONERS

By: _____
Clerk (or Deputy Clerk)

By: _____
Addie L. Greene, Chairperson

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

Legend



Portion of Easement
to be Vacated

Partial Vacation of Utility Easement Section 36, Township 43 South, 42 East Palm Beach County, Florida

Description: (As Written by Surveyor)

Partial Vacation of Easement

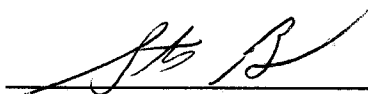
A parcel of land lying and being in the Northeast $\frac{1}{4}$ of Section 36, Township 43 South, Range 42 East, Palm Beach County, Florida, and being a portion of a 12.00' utility easement as described in O.R. Book 9859, Page 1888 of the Public Records of said County, being more particularly described as follows:

Commence at the Northwest corner of the Northeast $\frac{1}{4}$ of said Section 36, thence coincident with the West Boundary of the Northeast $\frac{1}{4}$ of said Section 36, S $00^{\circ}05'00''$ W a distance of 958.22 feet; thence departing said West Boundary, S $89^{\circ}55'00''$ E a distance of 311.33 feet; thence S $00^{\circ}05'00''$ W a distance of 25.00 feet; thence S $89^{\circ}55'05''$ E a distance of 41.00 feet; thence N $00^{\circ}05'00''$ E a distance of 316.53 feet; thence N $07^{\circ}55'00''$ W a distance of 35.35 feet to the POINT OF BEGINNING; thence S $72^{\circ}26'22''$ W a distance of 12.19 feet; thence N $07^{\circ}55'00''$ W a distance of 28.53 feet; thence N $38^{\circ}10'00''$ W a distance of 175.00 feet; thence N $89^{\circ}57'24''$ W a distance of 92.00 feet; thence N $00^{\circ}05'00''$ E a distance of 12.00 feet; thence S $89^{\circ}57'24''$ E a distance of 97.83 feet; thence S $38^{\circ}10'00''$ E a distance of 184.07 feet; thence S $07^{\circ}55'00''$ E a distance of 29.73 feet to the POINT OF BEGINNING.

Containing an area of 3645.14 square feet, 0.084 acres more or less.

SURVEYING TODAY WITH
TOMORROW'S TECHNOLOGY

- 1.) Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.
- 2.) The bearing structure for this survey is based on an assumed bearing of S $00^{\circ}05'00''$ W for the West Boundary of the NE $\frac{1}{4}$ of Section 36-43S-42E.
- 3.) This is not a Boundary Survey.


Stacy L. Brown P.S.M. No. 6516
SurvTech Solutions, Inc. L.B. No. 7340

SKETCH & DESCRIPTION

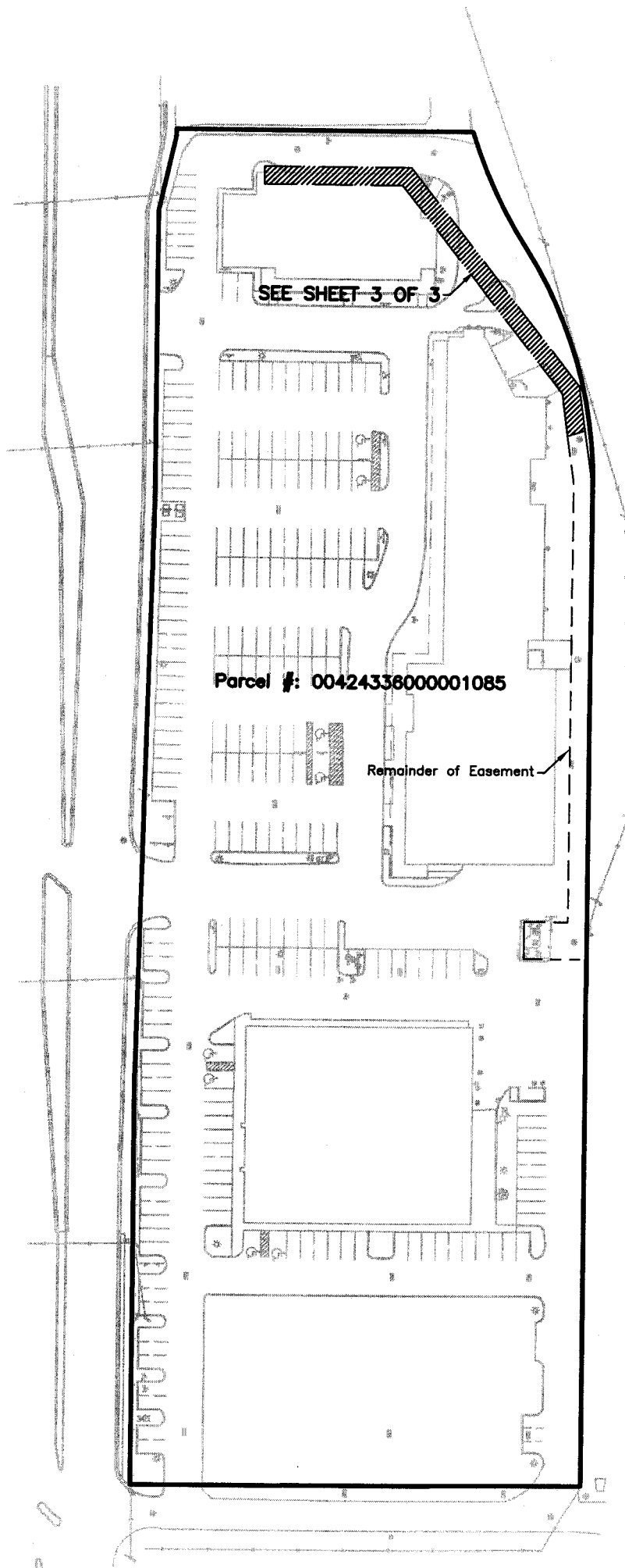
Drafted By: T. McClintic
Date Drafted: 9/13/07
Field Date: N/A
Field Book/Page: N/A
Checked By: S. Brown

Project No.: 20070154
Phase: 3
Revision Date: 9/27/07
Drawing Name: 20070154_3SK1
Scale: 1" = 60'

SURVTECH SOLUTIONS, INC. SURVEYORS AND MAPPERS
10220 U.S. Highway 92 East, Tampa, FL 33610
phone: (813)-621-4929, fax: (813)-621-7194, Licensed Business #7340
email: sbrown@survtechsolutions.com http://www.survtechsolutions.com



Sketch of Partial Vacation of Utility Easement



Scale: 1" = 100'

 Portion of Easement to be Vacated

SURVTECH SOLUTIONS, INC. SURVEYORS AND MAPPERS
10220 U.S. Highway 92 East, Tampa, FL 33610
phone: (813)-621-4929, fax: (813)-621-7194, Licensed Business #7340
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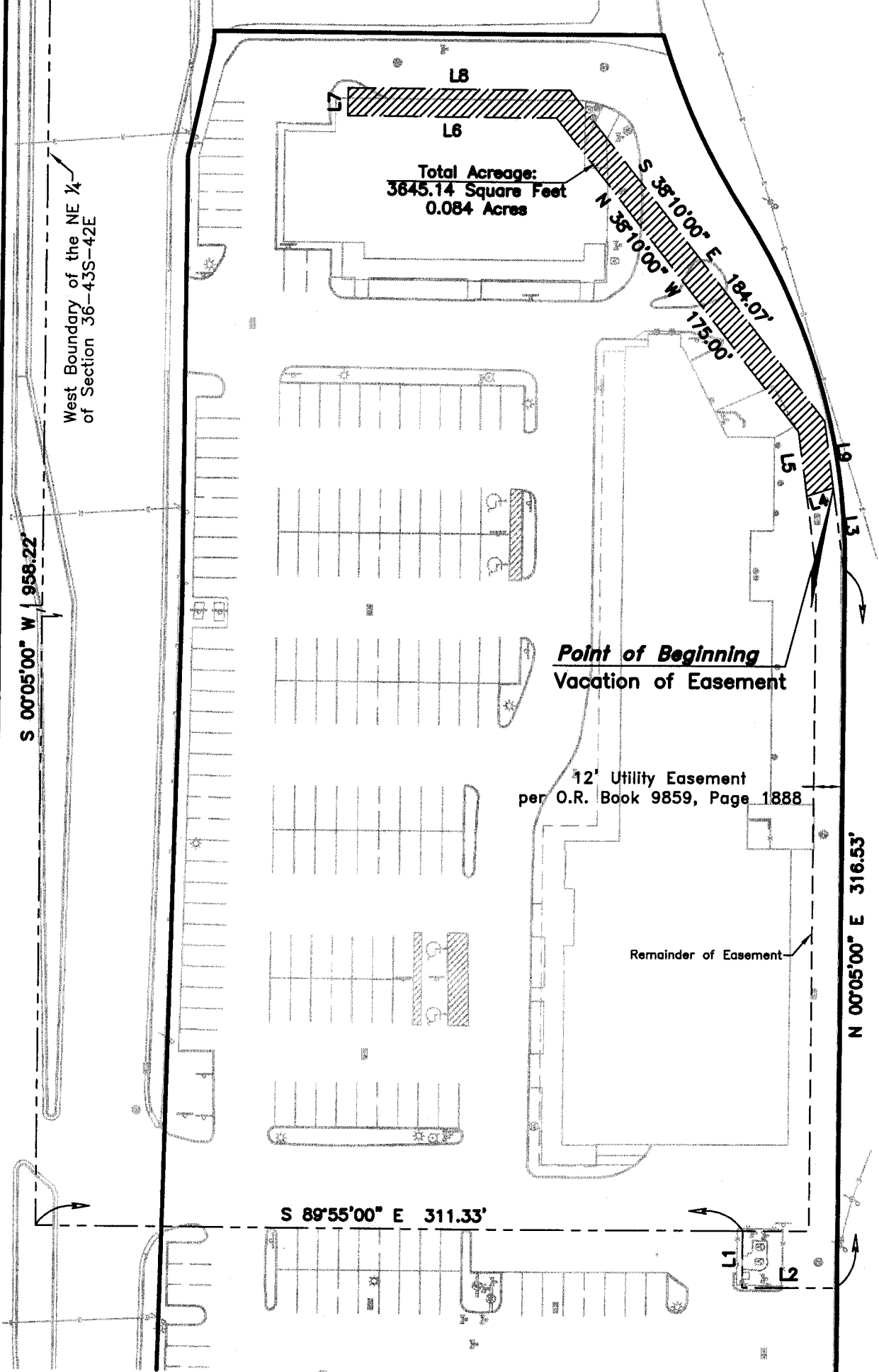


PROJECT NO.: 20070154
PHASE: 3
FIELD DATE: N/A

Sketch of Partial Vacation of Utility Easement

Point of Commencement

Northwest Corner
of the NE 1/4
of Section 36-43S-42E



Total Acreage:
3645.14 Square Feet
0.084 Acres

Point of Beginning
Vacation of Easement

12' Utility Easement
per O.R. Book 9859, Page 1888

Remainder of Easement



Scale: 1" = 60'

Line Information:

LINE	BEARING	DISTANCE
L1	S 00°05'00" W	25.00'
L2	S 89°55'05" E	41.00'
L3	N 07°55'00" W	35.35'
L4	S 72°26'22" W	12.19'
L5	N 07°55'00" W	28.53'
L6	N 89°57'24" W	92.00'
L7	N 00°05'00" E	12.00'
L8	S 89°57'24" E	97.83'
L9	S 07°55'00" E	29.73'

Portion of Easement to be Vacated

PROJECT NO.: 20070154
PHASE: 3
FIELD DATE: N/A

SURVTECH SOLUTIONS, INC. SURVEYORS AND MAPPERS
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phone: (813)-621-4929, fax: (813)-621-7194, Licensed Business #7340
email: sbrown@survtechsolutions.com <http://www.survtechsolutions.com>





**Palm Beach County
Water Utilities
Department
Service Area (SA) and
Major Facilities**

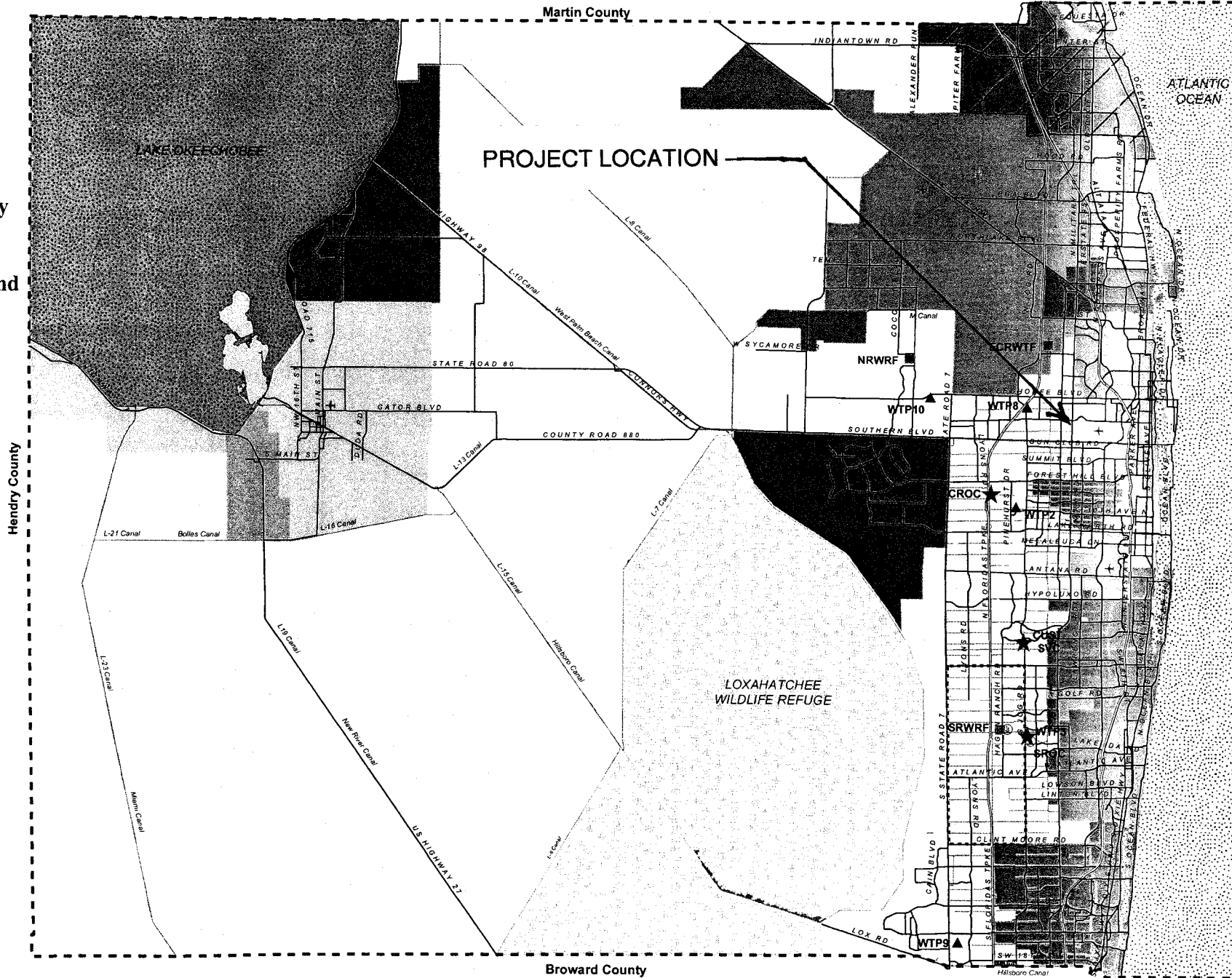
Attachment 2

Legend

- P.B.C.W.U.D. SA
- Mandatory Reclaimed SA
- - - - - Palm Beach County Limits
- ★ Administration
- Water Reclamation Facility
- ▲ Water Treatment Facility
- ⊕ Wetlands



NOT TO SCALE



Martin County

ATLANTIC OCEAN

PROJECT LOCATION

Hendry County

Broward County

WATER UTILITIES
ENGINEERING DIVISION
RECEIVED

JUN-25-1997 2:53 PM 97-225561
ORB 9859 Pg 1888
Con 10.00 Doc .50

NOV 18 1985

AM 7,8,9,10,11,12,1,2,3,4,5,6 PM

GRANT OF EASEMENT

THIS EASEMENT, made this 31 day of October, 1985 by M. LYNWOOD BISHOP, JR., GENE R. BARBATO, MOYE L. BISHOP, and LAWRENCE E. MURPHY, trading and doing business as GOLFVIEW SHOPPING PLAZA ASSOCIATES, a Florida partnership, party of the first part, and PALM BEACH COUNTY, a subdivision of the State of Florida, party of the second part.

WITNESSETH That the first party, in consideration of the sum of One Dollar and other valuable considerations paid, the receipt of which is hereby acknowledged, hereby grants unto the second party, and its successors and assigns, a non-exclusive perpetual easement for the purpose of entering upon to construct, reconstruct, lay, install, operate, maintain, relocate, repair, replace, improve, remove and inspect water transmission and distribution facilities and appurtenances thereto, and/or sewage transmission and collection facilities and all appurtenant equipment, with full right to ingress thereto and egress therefrom, the property of the party of the first part, described as follows, to wit:

Both parcels of land in Section 36, Township 43 South, Range 42 East, Palm Beach County, Florida, more particularly described as follows:

Commencing at the quarter corner of the North Line of said Section 36; Thence S00°05'00"W along the North-South quarter section line a distance of 958.22 feet to a point; thence S89°55'00"E a distance of 311.33 feet to the Point of Beginning; thence S00°05'00"W a distance of 25.00 feet; thence S89°55'00"E a distance of 41.00 feet; thence N00°05'00"E a distance of 316.53 feet; thence N07°55'00"W a distance of 65.08 feet; thence N38°10'00"W a distance of 184.07 feet; thence N89°57'24"W a distance of 97.83 feet; thence S00°05'00"W a distance of 12.00 feet; thence S89°57'24"E a distance of 92.00 feet; thence S38°10'00"E a distance of 175.00 feet; thence S07°55'00"E a distance of 61.00 feet; thence S00°05'00"W a distance of 290.69 feet; thence N89°55'00"W a distance of 29.00 feet to the Point of Beginning.

Commencing at the quarter corner of the North line of said Section 36; thence S00°05'00"W along the North-South quarter section line a distance of 958.22 feet to a point; thence S89°55'00"E a distance of 183.00 feet to the Point of Beginning; thence S00°05'00"W a distance of 45.00 feet; thence S89°55'00"E a distance of 12.00 feet; thence N00°05'00"E a distance of 414.00 feet; thence S89°55'00"E a distance of 25.00 feet; thence N00°05'00"E a distance of 12.00 feet; thence

✓
PBC. Water Util
P.O. Bx 16097
West Palm Beach
FL.
33416

N89°55'00"W a distance of 25.00 feet; thence
 N00°05'00"E a distance of 20.00 feet; thence
 S89°55'00"E a distance of 73.00 feet; thence
 N00°05'00"E a distance of 111.31 feet; thence
 S89°57'24"E a distance of 8.13 feet; to a point in a
 curve concave to the east, said curve having a central
 angle of 2°26'13.3", a radius of 315.37 feet and
 tangent of 6.70 feet; thence along the long chord of
 said curve on a chord bearing of N26°29'23"W a
 distance of 13.413 feet and an arc distance of 13.414
 feet to a point; thence N89°57'24"W a distance of
 14.13 feet; thence S00°05'00"W a distance of 93.31
 feet; thence N89°55'00"W a distance of 12.00 feet;
 thence S00°05'00"W a distance of 18.00 feet; thence
 N89°55'00"W a distance of 61.00 feet; thence
 S00°05'00"W a distance of 367.00 feet; thence
 N89°55'00"W a distance of 5.00 feet; thence
 S00°05'00"W a distance of 12.00 feet; thence
 S89°55'00"E a distance of 5.00 feet; thence
 S00°05'00"W a distance of 34.39 feet to the Point of
 Beginning.

IN WITNESS WHEREOF the said party of the first part has
 executed this Grant of Easement the day and year aforesaid.

Randy Cripp & Marian O. Hodges **GOLFVIEW SHOPPING PLAZA ASSOCIATES**
 By: M. Lynwood Bishop, Jr.
 M. LYNWOOD BISHOP, JR.
 Partner

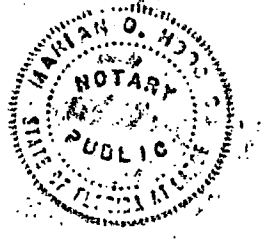
Randy Cripp & Marian O. Hodges **GOLFVIEW SHOPPING PLAZA ASSOCIATES**
 By: Gene R. Barbato
 GENE R. BARBATO
 Partner

Deborah L. Little & Charles Hill **GOLFVIEW SHOPPING PLAZA ASSOCIATES**
 By: Moye L. Bishop
 MOYE L. BISHOP
 Partner

Randy Cripp & Marian O. Hodges **GOLFVIEW SHOPPING PLAZA ASSOCIATES**
 By: Lawrence E. Murphy
 LAWRENCE E. MURPHY
 Partner

STATE OF FLORIDA
 COUNTY OF PALM BEACH

31st The foregoing instrument was acknowledged before me this
 day of October, 1985 by M. LYNWOOD BISHOP, JR., as Partner
 on behalf of GOLFVIEW SHOPPING PLAZA ASSOCIATES.

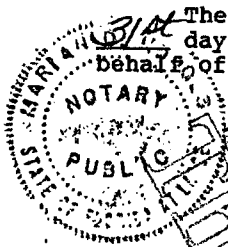


Marian O. Hodges
 Notary Public, State of
 Florida at Large
 My commission expires:

Notary Public, State of Florida
 My Commission Expires Aug. 17, 1988
 Bonded Thru Troy Fair - Insurance, Inc.

STATE OF FLORIDA
COUNTY OF PALM BEACH

DOROTHY H. WILKEN, CLERK PB COUNTY, FL



31st The foregoing instrument was acknowledged before me this day of October, 1985 by GENE R. BARBATO, as Partner on behalf of GOLFVIEW SHOPPING PLAZA ASSOCIATES.

Marian O. Hodges
Notary Public, State of Florida at Large
My commission expires:

Notary Public, State of Florida
My Commission Expires Aug. 17, 1988
Bonded Thru Troy Fair - Insurance, Inc.

STATE OF FLORIDA
COUNTY OF PALM BEACH

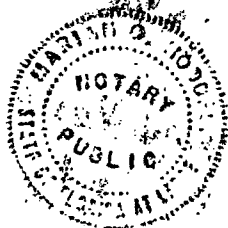


31st The foregoing instrument was acknowledged before me this day of October, 1985 by MOYE L. BISHOP, as Partner on behalf of GOLFVIEW SHOPPING PLAZA ASSOCIATES.

Deborah L. Little
Notary Public, State of Florida at Large
My commission expires:

Notary Public, State of Florida
My Commission Expires Dec. 19, 1985
Bonded Thru Troy Fair - Insurance, Inc.

STATE OF FLORIDA
COUNTY OF PALM BEACH



31st The foregoing instrument was acknowledged before me this day of October, 1985 by LAWRENCE E. MURPHY, as Partner on behalf of GOLFVIEW SHOPPING CENTER ASSOCIATES.

Marian O. Hodges
Notary Public, State of Florida at Large
My commission expires:

Notary Public, State of Florida
My Commission Expires Aug. 17, 1988
Bonded Thru Troy Fair - Insurance, Inc.

Not a Certified Copy



CFN 20080247717
OR BK 22732 PG 1628
RECORDED 07/01/2008 11:28:12
Palm Beach County, Florida
AMT 10.00
Doc Stamp 0.70
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 1628 - 1632; (5pgs)

CHARGE #1023 RETURN VIA WILL CALL #133
ATTN: MARK FALLON, CONTRACT MANAGEMENT,
PBC WATER UTILITIES DEPT. 8100 FOREST HILL BLVD.,
WPB, FLORIDA 33413 - AB 587

UTILITY EASEMENT

THIS EASEMENT is made, granted and entered into this 29th day of November, 2007 by Golfview Shopping Plaza Associates, LLP, (hereinafter referred to as "Grantor"), whose address is P. O. Box 20016, West Palm Beach, FL 33416 to Palm Beach County (hereinafter referred to as "Grantee"), c/o Water Utilities Department, P. O. Box 16097, West Palm Beach, FL 33416-6097.

WITNESSETH

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by the Grantee and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to the Grantee, its successors and/or assigns, a perpetual utility easement which shall permit Grantee authority to enter upon the property of the Grantor at any time to install, operate, maintain, service, construct, reconstruct, remove, relocate, repair, replace, improve, expand, tie into, and inspect potable water, reclaimed water and/or wastewater lines and appurtenant facilities and equipment in, on, over, under and across the easement premises. ~~This utility easement or portion thereof can also be utilized for a wastewater pump station and may be fenced in for access control purposes.~~ The easement hereby granted covers a strip of land lying, situate and being in Palm Beach County, Florida, and being more particularly described as follows:

SEE EXHIBIT "A", ATTACHD HERETO AND MAKE A PART HEREOF

Grantor hereby covenants with Grantee that it is lawfully seized and in possession of the real property herein described and that it has good and lawful right to grant the aforesaid easement free and clear of mortgages and other encumbrances unless specifically stated to the contrary, except mortgage to Genworth Life Insurance Company.

IN WITNESS WHEREOF, the Grantor has hereunto set it's hand and affixed its seal as of the date first above written.

WITNESSES:

Signed, sealed and delivered
In the presence of

[Handwritten signature]
Witness Signature

Print Name

SCOTT D. MILLER
Witness Signature

Witness Signature

Print Name

Steven L Craig
Print Name

GRANTOR: Golfview Shopping Plaza Associates, LLP

By: *[Handwritten signature]*
Signature M. Lynwood Bishop, Jr.
It's Managing Partner
Print Name (and Title if applicable)

Signature

Print Name (and Title if applicable)
(SEAL)

NOTARY CERTIFICATE

State of Florida
County of Palm Beach

The foregoing instrument was acknowledged before me this 29th day of Nov, 2007 by M. Lynwood Bishop, Jr.. He/she is personally known to me or has produced as identification.

Notary Public Serial Number

[Handwritten signature]
Signature of Notary Public

Steven L Craig
Typed, Printed, or Stamped Name of Notary



Steven L Craig
My Commission DD363253
Expires October 17, 2008

Legend



Easement

Sketch & Description of Utility Easement Section 36, Township 43 South, 42 East Palm Beach County, Florida

Proposed 12.00' Utility Easement Description: (As Written by Surveyor)

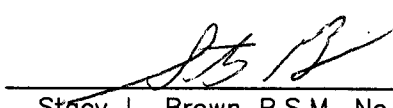
A 12.00' utility easement lying and being in the Northeast $\frac{1}{4}$ of Section 36, Township 43 South, Range 42 East, Palm Beach County, Florida, being more particularly described as follows:

Commence at the Northwest corner of the Northeast $\frac{1}{4}$ of said Section 36, thence coincident with the West Boundary of the Northeast $\frac{1}{4}$ of said Section 36, S 00°05'00" W a distance of 958.22 feet; thence departing said West Boundary, S 89°55'00" E a distance of 311.33 feet to a point on an existing 12.00' Utility Easement per O.R. Book 9859, Page 1888; thence coincident with the North and Westerly Boundary of said easement the following three (3) courses: 1) S 89°55'00" E a distance of 29.00 feet; 2.) thence N 00°05'00" E a distance of 290.69 feet; 3.) thence N 07°55'00" W a distance of 32.47 feet to the POINT OF BEGINNING; thence departing the Westerly Boundary of said easement, N 27°33'59" W a distance of 205.24 feet; thence N 89°13'38" W a distance of 97.51 feet; thence N 00°46'22" E a distance of 12.00 feet; thence S 89°13'38" E a distance of 104.67 feet; thence S 27°33'59" E a distance of 214.52 feet to a point on the Easterly Boundary of the aforementioned existing 12.00' Utility Easement per O.R. Book 9859, Page 1888; thence departing said Easterly Boundary, S 72°26'22" W a distance of 12.19 feet to the POINT OF BEGINNING.

Containing an area of 3731.55 square feet, 0.086 acres more or less.

SURVEYING TODAY WITH
TOMORROW'S TECHNOLOGY

- 1.) Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.
- 2.) The bearing structure for this survey is based on an assumed bearing of S 00°05'00" W for the West Boundary of the NE $\frac{1}{4}$ of Section 36-43S-42E.
- 3.) This is not a Boundary Survey.


Stacy L. Brown P.S.M. No. 6516
SurvTech Solutions, Inc. L.B. No. 7340

SKETCH & DESCRIPTION

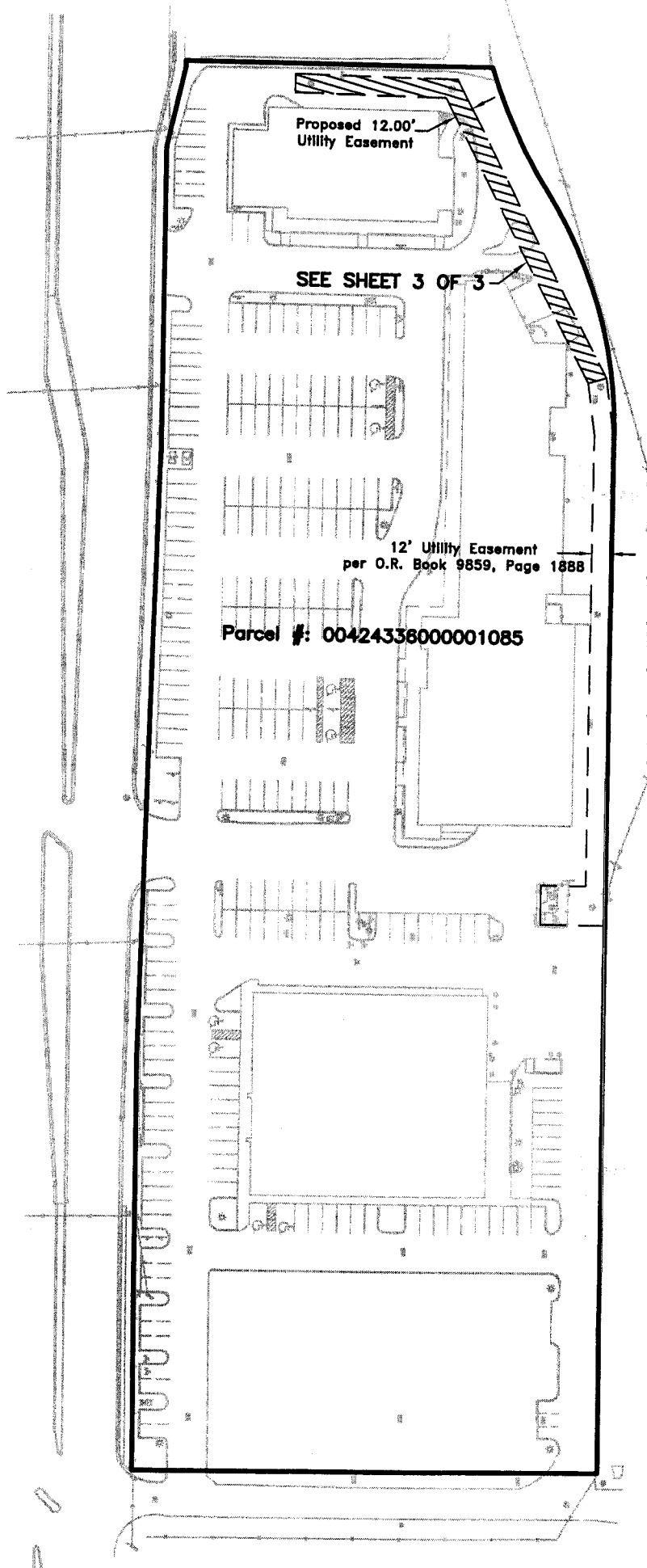
Drafted By: T. McClintic
Date Drafted: 9/13/07
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Field Book/Page: N/A
Checked By: S. Brown

Project No.: 20070154
Phase: 3
Revision Date: 11/8/07
Drawing Name: 20070154_3SK2
Scale: 1" = 60'

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phone: (813)-621-4929, fax: (813)-621-7194, Licensed Business #7340
email: sbrown@survtechsolutions.com <http://www.survtechsolutions.com>



Sketch of Utility Easement



Parcel #: 0042433800001085

12' Utility Easement
per O.R. Book 9859, Page 1888

SEE SHEET 3 OF 3

Proposed 12.00'
Utility Easement

 Proposed Utility Easement



Scale: 1" = 100'

SURVTECH SOLUTIONS, INC. SURVEYORS AND MAPPERS

10220 U.S. Highway 92 East, Tampa, FL 33610

phone: (813)-621-4929, fax: (813)-621-7194, Licensed Business #7340

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PROJECT NO.: 20070154

PHASE: 3

FIELD DATE: N/A

Sketch of Utility Easement

Point of Commencement

Northwest Corner
of the NE ¼ of
Section 36-43S-42E

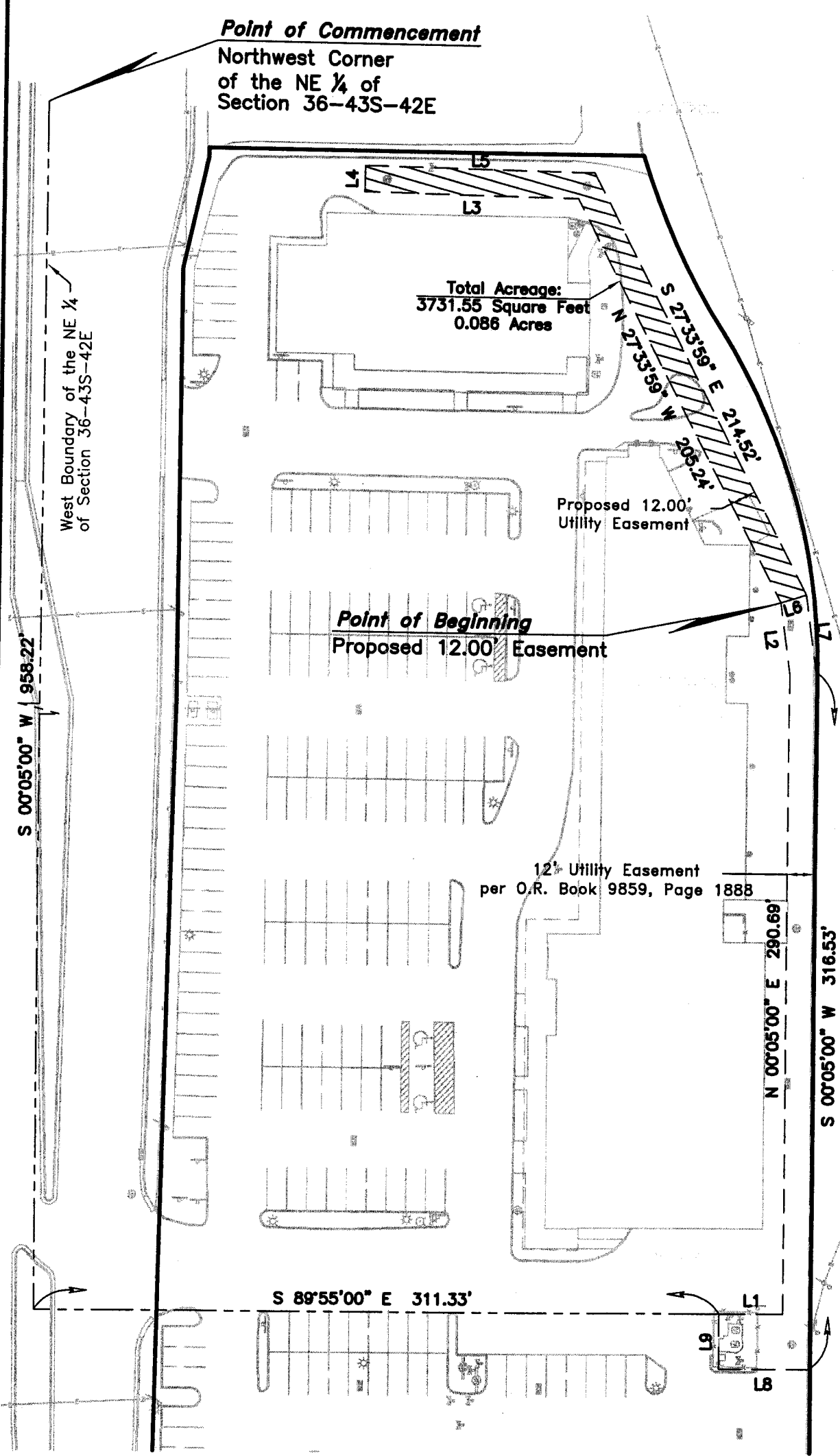
Total Acreage:
3731.55 Square Feet
0.086 Acres

Proposed 12.00'
Utility Easement

Point of Beginning
Proposed 12.00' Easement

12' Utility Easement
per O.R. Book 9859, Page 1888

Scale: 1" = 60'



Line Information:

LINE	BEARING	DISTANCE
L1	S 89°55'00" E	29.00'
L2	N 07°55'00" W	32.47'
L3	N 89°13'38" W	97.51'
L4	N 00°46'22" E	12.00'
L5	S 89°13'38" E	104.67'
L6	S 72°26'22" W	12.19'
L7	S 07°55'00" E	35.35'
L8	N 89°55'05" W	41.01'
L9	N 00°05'00" E	25.00'

Utility Easement

PROJECT NO.: 20070154
PHASE: 3
FIELD DATE: N/A

SURVTECH SOLUTIONS, INC. SURVEYORS AND MAPPERS

10220 U.S. Highway 92 East, Tampa, FL 33610

phone: (813)-621-4929, fax: (813)-621-7194, Licensed Business #7340

email: sbrown@survtechsolutions.com <http://www.survtechsolutions.com>



CHARGE #1023 RETURN VIA WILL CALL #133
ATTN: MARK FALLON, CONTRACT MANAGEMENT,
PBC WATER UTILITIES DEPT,
8100 FOREST HILL BLVD, WPB, FL 33413

CONSENT AND SUBORDINATION OF MORTGAGEE FOR UTILITY EASEMENT

The undersigned mortgagee does hereby consent to the granting of this Utility Easement, across the lands herein described, and agrees that its mortgage, which is recorded in Official Record Book 22175, Page 0840, of the Public Records of Palm Beach County, Florida, shall be subordinated to this Utility Easement.

IN WITNESS WHEREOF, the Grantor/Mortgagee has hereunto set its hand and affixed its seal as of the date first above written.

WITNESSES:

Signed, sealed and delivered
in the presence of:

James Preston
Witness Signature

James Preston
Print Name

Margery Ann Longsheet
Witness Signature

Margery Ann Longsheet
Print Name

GRANTOR/MORTGAGEE:
GENWORTH LIFE INSURANCE
COMPANY

By: Cindy J. Heidel
Signature
Cindy J. Heidel, Investment Officer
Print Name (and Title if applicable)

Signature

Print Name (and Title if applicable)

(SEAL)

NOTARY CERTIFICATE

STATE OF VIRGINIA
COUNTY HENRICO

The foregoing instrument was acknowledged before me this 13th day of February, 2008 by Cindy J. Heidel
He/she is personally known to me or has produced _____ as identification.

143149
Notary Public Serial Number

Rose MacDonald
Signature of Notary

Rose MacDonald
Typed, Printed, or Stamped Name of Notary

