

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: November 3, 2015 Consent [X] Regular [ ]  
Public Hearing [ ]

Department: Water Utilities Department

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: the Partial Release of a Utility Easement over property owned by Dixie Arbors LLC.

**Summary:** The proposed Partial Release of a Utility Easement will release the County's interest in a portion of a utility easement recorded in the Official Records of Palm Beach County, OR BK 27278, PG 1920-1923, over property owned by Dixie Arbors LLC. Water Utilities Department (WUD) determined that a portion of easement inaccurately described the location of the utility improvements within the Shopping Center as portions of the improvements were located outside of the easement. WUD subsequently secured replacement easements that correctly describe the location of the improvements. As the replacement easements have been received and recorded, WUD recommends the release of the outdated and inaccurate easement. District 5 (MJ)

**Background and Justification:** On January 15, 2015, a utility easement was granted to the County for public water and wastewater facilities on the property identified by PCN 00-42-46-14-00-000-7040. WUD determined that this easement inaccurately describes the location of the utility improvements within the Shopping Center. Dixie Arbors LLC has executed and delivered to WUD replacement easements that correctly describe the location of the utility improvements on the property. Those replacement easements have been recorded in the Official Records of Palm Beach County OR BK 27369, PG 1423 and OR BK 27369, PG 1431. Dixie Arbors LLC is therefore requesting a release of the portion of the prior easement that was incorrectly located.

**Attachments:**

1. Location Map
2. Two (2) Original Partial Release of Utility Easement
3. One (1) Certified Copy of Original Utility Easement (OR BK 27278, PG 1920 thru 1923)
4. One (1) Certified Copy of Corrected Replacement Easements (OR BK 27369, PG 1423 and OR BK 27369, PG 1431)

Recommended By: Jim Stee 10-15-15  
Department Director Date

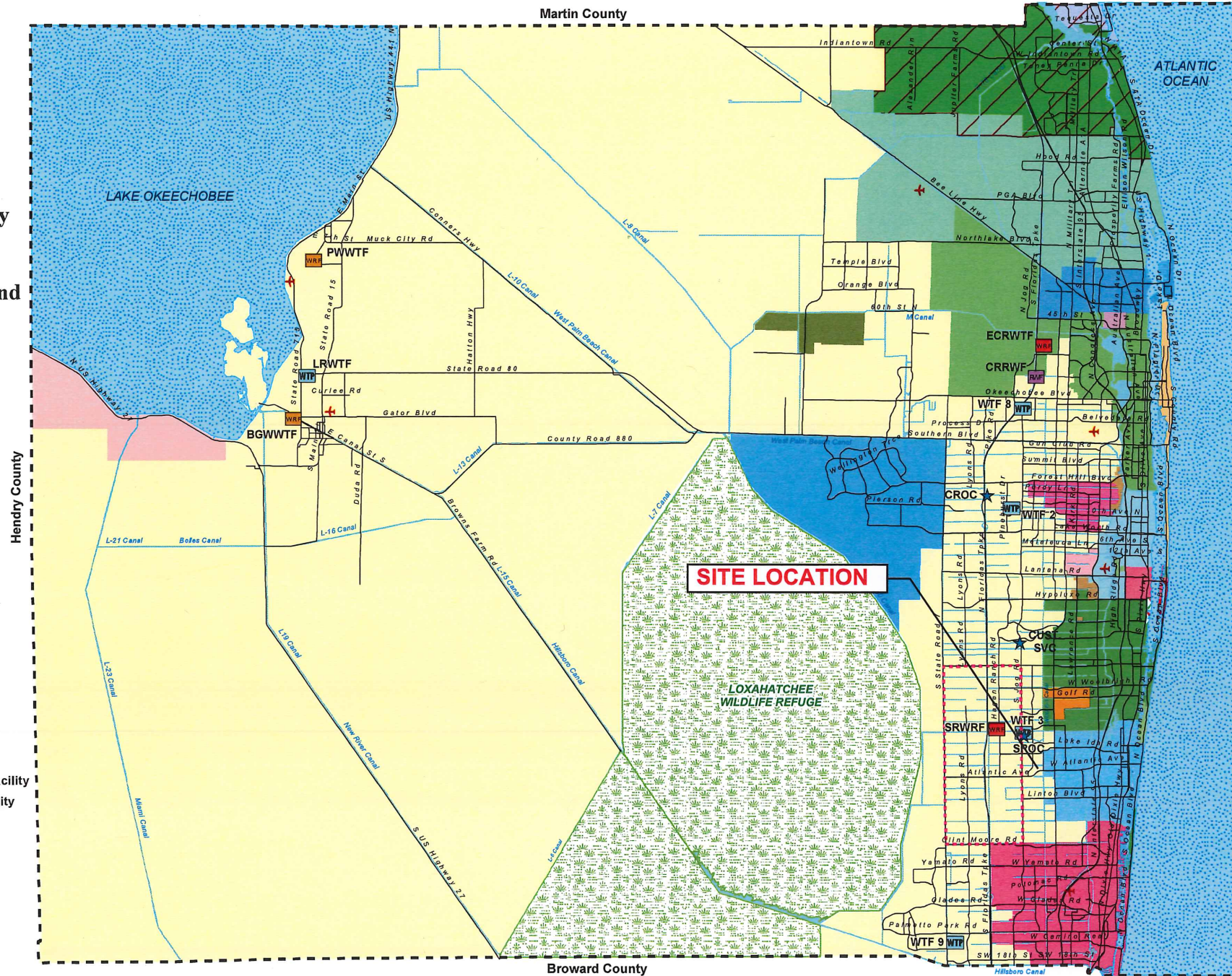
Approved By: Sharon Q. By 10-27-15  
Assistant County Administrator Date



# ATTACHMENT 1



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



### Legend

- ★ Administration
- WTF Water Treatment Facility
- RWF Reclamation Facility
- WRRF Wastewater Reclamation Facility
- WRR Wastewater Treatment Facility
- Mandatory Reclaimed SA
- - - Palm Beach County Limits
- P.B.C.W.U.D. Service Area



NOT TO SCALE

ATTACHMENT 2

THIS INSTRUMENT PREPARED BY  
AND WHEN RECORDED RETURN TO:

Barbara A. Hall  
Greenberg Traurig, P.A.  
401 East Las Olas Blvd., Suite 2000  
Fort Lauderdale, Florida 33301

(For Recorder's Use Only)

**PARTIAL RELEASE OF UTILITY EASEMENT**

THIS PARTIAL RELEASE OF UTILITY EASEMENT ("**Partial Release**"), granted by the Board of County Commissioners of Palm Beach County, a political subdivision of the State of Florida, with an address of 301 N. Olive Avenue #1201, West Palm Beach, Florida (the "**County**").

**RECITALS**

A. GN Associates ("**GN Associates**"), as the then owner of a certain parcel of land known as the Peachtree Plaza, more particularly described in **Exhibit A** ("**Shopping Center**") and the then owner of the adjacent vacant outparcel ("**Outparcel**"), executed and delivered to the County that certain Utility Easement dated June 24, 1995, now recorded in the Official Records Book 27278, Page 1920 of the Public Records of Palm Beach County, Florida (the "**Prior Easement**").

B. Dixie Arbors, LLC ("**Arbors**") has succeeded to the interest of GN Associates in the Shopping Center.

C. The Prior Easement inaccurately describes the location of the utility improvements within the Shopping Center.

D. Arbors has executed and delivered to Palm Beach County replacement Water and Wastewater Easements, dated January 13, 2015, which correctly describe the location of the utility improvements within the Shopping Center ("**Replacement Easements**"). Those Replacement Easements are recorded in the Official Records Book 27369, Page 1423 of the Public Records of Palm Beach County, Florida and Official Records Book 27369, Page 1431 of the Public Records of Palm Beach County, Florida.

E. The County has no objection to releasing the portion of the Prior Easement which has been replaced by the Replacement Easements.

NOW, THEREFORE, in consideration of \$10.00 and other good and valuable consideration, receipt and sufficiency of which is acknowledged, County agrees as follows:

1. Those portions of the Prior Easement described in **Exhibit B** are hereby released from Prior Easement ("**Release Area**"). The Release Area shall no longer be subject to the Prior Easement.

2. Except as specifically modified by this Partial Release, the Prior Easement shall remain unmodified and in full force and effect.

3. This Partial Release shall not modify or release the easements created by the Replacement Easements.

IN WITNESS WHEREOF, the County has made and executed this Partial Release of Utility Easement as authorized by action of the BOARD OF COUNTY COMMISSIONERS, on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, signing by and through its \_\_\_\_\_ authorized to execute the same.

(COUNTY SEAL BELOW)

PALM BEACH COUNTY, through its  
BOARD OF COUNTY COMMISSIONERS

By \_\_\_\_\_  
Shelley Vana, Mayor

ATTEST: Clerk & Comptroller  
Sharon R. Brock

\_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_ day of \_\_\_\_\_, 2015

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

APPROVED AS TO TERMS AND  
CONDITIONS:

\_\_\_\_\_  
Assistant County Attorney

\_\_\_\_\_  
Deputy Director, Water Utilities Department of  
Economic Sustainability

\_\_\_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_ day of \_\_\_\_\_, 2015

**EXHIBIT A**

**Legal Description of the Shopping Center**

**Exhibit "A"**  
**Arbors Parcel**

Commence at the Southwest corner of Section 14, Township 46 South, Range 42 East, Palm Beach County, Florida; thence run Northerly along the West line of said Section 14, a distance of 127.54 feet to a point on the Southerly right of way line of State Road 806, as recorded in Road Plat Book 3, Page 25, Public Records of Palm Beach County, Florida; thence run Northeasterly along the said Southerly right of way line of State Road 806, being a curve concave to the Northwest and having a radius of 1,832.27 feet, a distance of 682.61 feet to the end of said curve; thence continue Northeasterly along the tangent of said curve, being also the said Southerly right of way line of State Road 806, a distance of 17.39 feet to the Point of Beginning; thence continue Northeasterly along the said Southerly right of way of State Road Number 806, a distance of 397.26 feet to the beginning of a curve concave to the Southeast, said curve having a radius of 1,751.73 feet; thence continue Northeasterly along the arc of said curve, being also the said Southerly right of way line of State Road 806, a distance of 375.27 feet to an intersection with a line 215.00 feet West of and parallel with the East line of the Southwest quarter (SW ¼) of the Southwest quarter (SW ¼) of said Section 14; thence Southerly along said line, a distance of 1,061.52 feet to an intersection with the South line of said Section 14; thence Westerly along the said South line of Section 14, a distance of 557.18 feet to an intersection with a line 566.76 feet East of, as measured at right angles, and parallel with the said West line of Section 14; thence Northerly along said parallel line, a distance of 534.10 feet to the Point of Beginning.

LESS AND EXCEPT, therefrom the following described property:

A parcel of land in Section 14, Township 46 South, Range 42 East, Palm Beach County, being more particularly described as follows:

Commencing at the Southwest corner of said Section 14, thence South 89°42'03" East along the South line of said Section 14, a distance of 1,123.94 feet to a point in a line 215.00 feet West of, as measured at right angles, and parallel with the East line of the Southwest quarter (SW ¼) of the Southwest quarter (SW ¼) of said Section 14; thence North 00°24'27" East, along said parallel line, a distance of 565.52 feet to the Point of Beginning; thence continue North 00°24'27" East along said parallel line a distance of 496.00 feet to a point in the Southerly right of way line of State Road Number 806, as recorded in Road Plat Book 3, Page 25, Public Records of Palm Beach County, Florida; thence run Southwesterly along the Southerly right of way line of State Road Number 806, being a curve concave to the Southeast, having a radius of 1,751.73 feet and a chord bearing of South 51°43'05" West, a distance of 287.00 feet to a point; thence South 27°58'32" East, a distance of 75.03 feet to a point of curvature of a curve concave to the West having a radius of 5.00 feet and a central angle of 28°22'59"; thence Southeasterly and Southerly along the arc of said curve, a distance of 2.48 feet to a point in a line 402.50 feet West of, as measured at right angles, and parallel with the said East line of the Southwest quarter (SW ¼) of the Southwest quarter (SW ¼) of Section 14; thence South 00°24'27" West, along said parallel line a distance of 248.77

Exhibit A-1

feet; thence South 89°42'03" East, a distance of 187.50 feet to the Point of Beginning aforescribed.

ALSO LESS AND EXCEPT the following described property:

A parcel of land in Section 14, Township 46 South, Range 42 East, Palm Beach County, Florida, being more particularly described as follows:

Commence at the Southwest corner of Section 14, Township 46 South, Range 42 East, Palm Beach County, Florida; thence run Northerly along the West line of said Section 14, a distance of 127.54 feet to a point on the Southerly right of way line of State Road 806, as recorded in Road Plat Book 3, Page 25, Public Records of Palm Beach County, Florida; thence run Northeasterly along the said Southerly right of way line of State Road 806, being a curve concave to the Northwest and having a radius of 1,832.27 feet, a distance of 682.61 feet to the end of said curve; thence continue Northeasterly along the tangent of said curve, being also the said Southerly right of way line of State Road 806, a distance of 172.39 feet to the Point of Beginning; thence North 44°08'14" East continuing along the said Southerly right-of-way line of State Road Number 806, a distance of 242.26 feet to the beginning of a curve concave to the Southeast, said curve having a radius of 1,751.73 feet; thence continue Northeasterly along the arc of said curve, being also the said Southerly right-of-way line of State Road Number 806, through a central angle of 02°53'14", a distance of 88.27 feet; thence South 27°58'32" East, a distance of 75.03 feet to the point of curvature of a curve to the right having a radius of 5.00 feet and a central angle of 28°22'59"; thence Southerly, along the arc of said curve, a distance of 2.48 feet to an intersection with a line 402.50 feet West of and parallel with the East line of the Southwest quarter (SW ¼) of the Southwest quarter (SW ¼) of said Section 14, thence South 00°24'27" West, along said parallel line, a distance of 197.89 feet; thence due West, a distance of 168.25 feet; thence South 44°08'14" West, a distance of 45.99 feet; thence North 45°51'46" West, a distance of 91.75 feet to the Point of Beginning.

Exhibit A-2

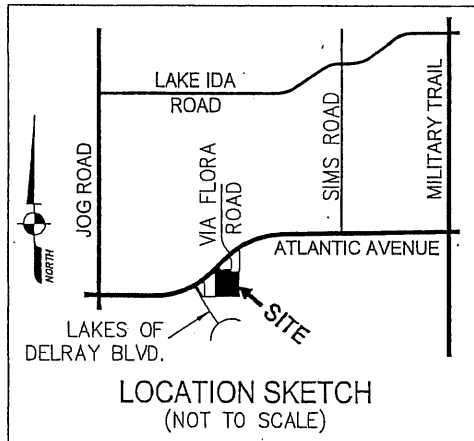


**EXHIBIT B**

**Sketch and Legal Description of the Release Area**

SKETCH & DESCRIPTION FOR:  
**12' UTILITY EASEMENT ABANDONMENT**

A PORTION OF EASEMENT NO. 1 & 2 (O.R.B. 27278, PAGE 1920, P.B.C.R.)  
 LYING IN SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST - PALM BEACH COUNTY, FLORIDA



**SURVEYOR'S NOTES:**

1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon is based on the legal description recorded in Official Records Book 27278, Page 1920 of the Public Records of Palm Beach County, Florida.
4. Bearings shown hereon are assumed based on the south line of Section 14-46-42 having a bearing of S89°42'03"E.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: = Centerline; L.B. = Licensed Business; L.W.D.D. = Lake Worth Drainage District; O.R.B. = Official Records Book; P.B.C.R. = Palm Beach County Records; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement; R/W = Right-of-Way; U.E. = Utility Easement.

**CERTIFICATION:**

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17.050 through 5J-17.052, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 7/08/15

MICHAEL D. AVIOM, P.L.S.  
 Florida Registration No. 3268  
 AVIOM & ASSOCIATES, INC.  
 L.B. No. 3300  
 EMAIL: mike@aviromsurvey.com

REVISIONS



**AVIROM & ASSOCIATES, INC.**  
**SURVEYING & MAPPING**  
 50 S.W. 2nd AVENUE, SUITE 102  
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 TEL. (561) 392-2594, FAX (561) 394-7125  
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JOB #:	7144-5
SCALE:	N/A
DATE:	07/08/2015
BY:	M.M.K.
CHECKED:	M.D.A.
F.B.	N/A
PG.	N/A
SHEET:	1 OF 4

**SKETCH & DESCRIPTION FOR:  
12' UTILITY EASEMENT ABANDONMENT**  
A PORTION OF EASEMENT NO. 1 & 2 (O.R.B. 27278, PAGE 1920, P.B.C.R.)  
LYING IN SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST - PALM BEACH COUNTY, FLORIDA

**LAND DESCRIPTION:**

**A PORTION OF EASEMENT NO. 1**

A portion of Easement No. 1, described in Exhibit B as recorded in Official Records Book 27278, Page 1920 of the Public Records of Palm Beach County, Florida, being a portion of a 12 foot Utility Easement over a parcel of land in Section 14, Township 46 South, Range 42 East, Palm Beach County, Florida, lying 6.00 feet on each side of the following described centerline:

COMMENCING at the Southwest corner of said Section 14; thence run northerly along the west line of said Section 14, a distance of 127.54 feet to a point on the southerly right-of-way line of State Road No. 806, as recorded in Road Plat Book 3, Page 25, Public Records of Palm Beach County, Florida; thence run northeasterly along said southerly right-of-way line of State Road No. 806, being a curve concave to the northwest, having a radius of 1832.27 feet and a radial bearing at said point of North 24°31'02" West, a distance of 682.61 feet to the end of said curve; thence continue northeasterly along the tangent of said curve, being also the said southerly right-of-way of State Road No. 806, a distance of 29.39 feet to the POINT OF BEGINNING of the herein described centerline; thence South 45°51'43" East, a distance of 5.08 feet; thence South, a distance of 112.73 feet to POINT "A"; thence continue South, a distance of 267.06 feet; thence South 49°55'00" East, a distance of 20.00 feet to POINT "B"; thence continue South 49°55'00" East, a distance of 91.72 feet; thence East, a distance of 225.00 feet to POINT "C"; thence continue East, a distance of 80.00 feet; thence North 51°56'31" East, a distance of 184.03 feet; thence North, a distance of 339.70 feet; thence North 45°00'01" West, a distance of 14.14 feet; thence West, a distance of 132.67 feet to POINT "D"; thence continue West, a distance of 53.62 feet; thence North 44°59'18" West, a distance of 55.00 feet; thence North, a distance of 24.98 to the end of herein described centerline, said point being the northerly limits of said lands described in Special Warranty Deed recorded in Official Records Book 22139, Page 343 of the Public Records of Palm Beach County Florida.

**TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENT:**

BEGINNING at previously described POINT "A"; thence East, a distance of 131.72 feet; thence South, a distance of 27.00 feet to the end of herein described centerline.

**TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENT:**

BEGINNING at previously described POINT "B"; thence South 40°05'00" West, a distance of 33.00 feet to the end of herein described centerline.

**TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENT:**


BEGINNING at previously described POINT "C"; thence South, a distance of 16.00 feet to the end of herein described centerline.

**TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENT:**

BEGINNING at previously described POINT "D"; thence South, a distance of 47.00 feet to the end of herein described centerline.

(Sidelines of said easement to be extended or shortened to intersect at angle points and to coincide with the northerly limits of said lands described in Special Warranty Deed as recorded in Official Records Book 22139, Page 343 of the Public Records of Palm Beach County, Florida)

Said lands situate and being in Palm Beach County, Florida.

<b>REVISIONS</b>		<b>AVIROM &amp; ASSOCIATES, INC.</b> <b>SURVEYING &amp; MAPPING</b> 50 S.W. 2nd AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 TEL. (561) 392-2594, FAX (561) 394-7125 www.AVIROMSURVEY.com <small>© 2015 AVIROM &amp; ASSOCIATES, INC. all rights reserved.          This sketch is the property of AVIROM &amp; ASSOCIATES, INC.          and should not be reproduced or copied without written permission.</small>	JOB #:	<b>7144-5</b>
			SCALE:	N/A
			DATE:	07/08/2015
			BY:	M.M.K.
			CHECKED:	M.D.A.
			F.B.	N/A PG. N/A
SHEET:	<b>2 OF 4</b>			

**SKETCH & DESCRIPTION FOR:  
12' UTILITY EASEMENT ABANDONMENT**  
A PORTION OF EASEMENT NO. 1 & 2 (O.R.B. 27278, PAGE 1920, P.B.C.R.)  
LYING IN SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST - PALM BEACH COUNTY, FLORIDA

**LAND DESCRIPTION:**

**A PORTION OF EASEMENT NO. 2**

A portion of Easement No. 2, described in Exhibit B as recorded in Official Records Book 27278, Page 1920 of the Public Records of Palm Beach County, Florida, being a portion of a 12 foot Utility Easement over a parcel of land in Section 14, Township 46 South, Range 42 East, Palm Beach County, Florida, lying 6.00 feet on each side of the following described centerline:


COMMENCING at the Southwest corner of said Section 14; thence run northerly along the west line of said Section 14, a distance of 127.54 feet to a point on the southerly right-of-way line of State Road No. 806, as recorded in Road Plat Book 3, Page 25, Public Records of Palm Beach County, Florida; - thence run northeasterly along said southerly right-of-way line of State Road No. 806, being a curve concave to the northwest, having a radius of 1832.27 feet and a radial bearing at said point of North 24°31'02" West, a distance of 682.61 feet to the end of said curve; thence continue northeasterly along the tangent of said curve, being also the said southerly right-of-way of State Road No. 806, a distance of 287.39 feet; thence South 45°51'47" East, a distance of 8.00 feet; thence South 03°25'41" West, a distance of 128.41 feet to POINT OF BEGINNING of the herein described centerline, said point being on the northerly limits of lands described in Special Warranty Deed as recorded in Official Records Book 22139, Page 343 of the Public Records of Palm Beach County, Florida; thence continue South 03°25'41" West, a distance of 164.97 feet; thence South, a distance of 170.00 feet; thence East, a distance of 236.00 feet to the end of herein described centerline.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S45°51'43"E	5.08'
L2	SOUTH	112.73'
L3	SOUTH	267.06'
L4	S49°55'00"E	20.00'
L5	S49°55'00"E	91.72'
L6	EAST	225.00'
L7	EAST	80.00'
L8	N51°56'31"E	184.03'
L9	NORTH	339.70'
L10	N45°00'01"W	14.14'
L11	WEST	132.67'
L12	WEST	53.62'
L13	N44°59'18"W	55.00'
L14	NORTH	24.98'
L15	EAST	131.72'
L16	SOUTH	27.00'
L17	S40°05'00"W	33.00'
L18	SOUTH	16.00'
L19	SOUTH	47.00'
L20	S03°25'41"W	164.97'
L21	SOUTH	170.00'
L22	EAST	236.00'

SEE SHEET 4 OF 4  
FOR SKETCH

(Sidelines of said easement to be extended or shortened to intersect at angle points and to coincide with the northerly limits of said lands described in Special Warranty Deed as recorded in Official Records Book 22139, Page 343 of the Public Records of Palm Beach County, Florida)

Said lands situate and being in Palm Beach County, Florida.

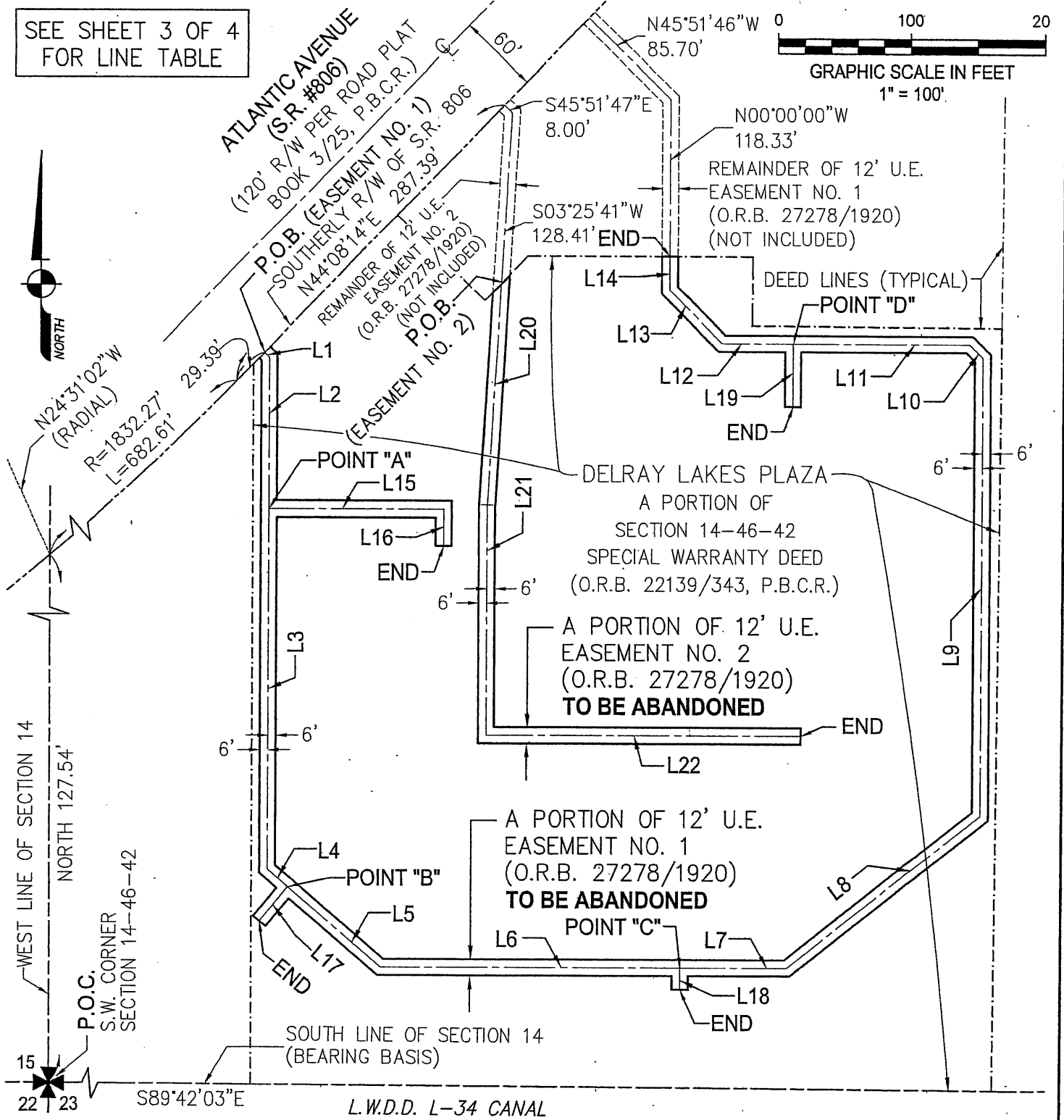
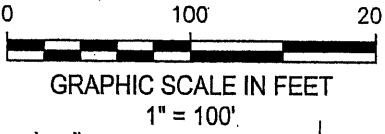
<b>REVISIONS</b>	 <p><b>AVIROM &amp; ASSOCIATES, INC.</b> <b>SURVEYING &amp; MAPPING</b> 50 S.W. 2nd AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 TEL. (561) 392-2594, FAX (561) 394-7125 www.AVIROMSURVEY.com <small>© 2015 AVIROM &amp; ASSOCIATES, INC. all rights reserved. This sketch is the property of AVIROM &amp; ASSOCIATES, INC. and should not be reproduced or copied without written permission.</small></p>	<table border="1"> <tr><td>JOB #:</td><td><b>7144-5</b></td></tr> <tr><td>SCALE:</td><td>N/A</td></tr> <tr><td>DATE:</td><td>07/08/2015</td></tr> <tr><td>BY:</td><td>M.M.K.</td></tr> <tr><td>CHECKED:</td><td>M.D.A.</td></tr> <tr><td>F.B.</td><td>N/A</td></tr> <tr><td>PG.</td><td>N/A</td></tr> <tr><td>SHEET:</td><td><b>3 OF 4</b></td></tr> </table>	JOB #:	<b>7144-5</b>	SCALE:	N/A	DATE:	07/08/2015	BY:	M.M.K.	CHECKED:	M.D.A.	F.B.	N/A	PG.	N/A	SHEET:	<b>3 OF 4</b>
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SHEET:	<b>3 OF 4</b>																	

SKETCH & DESCRIPTION FOR:

**12' UTILITY EASEMENT ABANDONMENT**

A PORTION OF EASEMENT NO. 1 & 2 (O.R.B. 27278, PAGE 1920, P.B.C.R.)  
 LYING IN SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST - PALM BEACH COUNTY, FLORIDA

SEE SHEET 3 OF 4  
 FOR LINE TABLE



REVISIONS

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JOB #:	<b>7144-5</b>
SCALE:	1" = 100'
DATE:	07/08/2015
BY:	M.M.K.
CHECKED:	M.D.A.
F.B.	N/A PG. N/A
SHEET:	<b>4 OF 4</b>

ATTACHMENT 3

AB617

PBC Water Utilities/Engineering  
Account #1023

CFN 20150016097  
OR BK 27278 PG 1920  
RECORDED 01/15/2015 12:39:04  
Palm Beach County, Florida  
ANT 10.00

WATER UTILITIES  
ENGINEERING DIVISION  
RECEIVED

WATER UTILITIES  
ENGINEERING DIVISION  
RECEIVED

JAN 17 1986

JAN 16 1986

AM PM  
GRANT 20150016097 1,2,3,4,5,6

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

Doc Stamp 0.70  
Sharon R. Bock, CLERK & COMPTROLLER  
Pgs 1920 - 1923; (4pgs)

THIS INDENTURE, made this 24th day of June, 1985,  
between GH ASSOCIATES  
party of the first part, and PALM BEACH COUNTY, a political subdivision  
of the State of Florida, whose address is 2030 South Congress Avenue,  
West Palm Beach, FL 33406, party of the second part;

WITNESSETH:

THAT, the party of the first part, for and in consideration of the  
sum of Ten (\$10.00) Dollars and other good and valuable considerations;  
the receipt of which is hereby acknowledged by the party of the first  
part, has granted and does hereby grant, to the party of the second part,  
its successors and assigns, forever, the right, privilege and easement  
to construct, reconstruct, lay, install, operate, maintain, relocate,  
repair, replace, improve, remove and inspect water transmission and  
distribution facilities and all 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:

SEE EXHIBIT A & B

The party of the first part does hereby fully warrant that it has  
good title to the above described property and that it has full power and  
authority to grant this easement.

IN WITNESS WHEREOF, the party of the first part by its proper officials  
has hereunto set its hands and seals the year and day first above written.

IN WITNESS WHEREOF, the party of the first part by its proper officials has hereunto set its hands and seals the year and day first above written.

Signed and Sealed in the Presence of:

*Donald Inman*  
*Jeffrey Bloom*

*[Signature]*  
By: G. N. ASSOCIATES  
Partnership  
General Partner Allan J. Gluckstern

STATE OF FLORIDA }  
COUNTY OF PALM BEACH } SS.

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of December, 19 85, by Allan J. Gluckstern, General Partner, on behalf of G. N. Associates, a partnership.

*Donald Inman*  
NOTARY PUBLIC - State of Florida  
at large

My commission expires:  
Notary Public, State of Florida at Large  
My Commission Expires May 15, 1988  
BONDED THRU HUCKLEBERRY SIBLEY  
& HARVEY INSURANCE & BONDS, INC.



This instrument prepared by: ALLAN J. GLUCKSTERN  
Address 2101 Palm Beach Lakes  
BLVD.  
WEST PALM BEACH, FL. 33402  
471-8111  
GENERAL PARTNER



**Dailey-Fotorny, inc.**  
land surveyors, planners, engineers

WATER UTILITIES  
ENGINEERING DIVISION

WATER UTILITIES  
ENGINEERING DIVISION  
RECEIVED

JAN 17 1986

AM

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

JAN 16 1986

PM

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

EXHIBIT B

EASEMENT NO. 1

DESCRIPTION OF PROPOSED  
12.00 FOOT UTILITY EASEMENT

A PROPOSED 12.00 FOOT UTILITY EASEMENT OVER A PARCEL OF LAND IN SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING 6.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14, THENCE RUN NORTHERLY ALONG THE WEST LINE OF SAID SECTION 14, A DISTANCE OF 127.54 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 806, AS RECORDED IN ROAD PLAT BOOK 3, PAGE 25, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE RUN NORTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 806, BEING A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 1832.27 FEET AND A RADIAL BEARING AT SAID POINT OF NORTH 24°31'02" WEST, A DISTANCE OF 682.61 FEET TO THE END OF SAID CURVE; THENCE CONTINUE NORTHEASTERLY ALONG THE TANGENT OF SAID CURVE, BEING ALSO THE SAID SOUTHERLY RIGHT-OF-WAY OF STATE ROAD NO. 806, A DISTANCE OF 29.39 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED CENTERLINE; THENCE SOUTH 45°51'43" EAST, A DISTANCE OF 5.08 FEET; THENCE SOUTH A DISTANCE OF 112.73 FEET TO POINT "A"; THENCE CONTINUE SOUTH A DISTANCE OF 267.06 FEET; THENCE SOUTH 49°55'00" EAST A DISTANCE OF 20.00 FEET TO POINT "B"; THENCE CONTINUE SOUTH 49°55'00" EAST, A DISTANCE OF 91.72 FEET; THENCE EAST A DISTANCE OF 225.00 FEET TO POINT "C"; THENCE CONTINUE EAST A DISTANCE OF 80.00 FEET; THENCE NORTH 51°56'31" EAST, A DISTANCE OF 184.03 FEET; THENCE NORTH A DISTANCE OF 339.70 FEET; THENCE NORTH 45°00'01" WEST, A DISTANCE OF 14.14 FEET; THENCE WEST A DISTANCE OF 132.67 FEET TO POINT "D"; THENCE CONTINUE WEST A DISTANCE OF 53.62 FEET; THENCE NORTH 44°59'18" WEST A DISTANCE OF 55.00 FEET; THENCE NORTH A DISTANCE OF 143.31 FEET; THENCE NORTH 45°51'46" WEST, A DISTANCE OF 85.70 FEET TO THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 806 AND THE END OF HEREIN DESCRIBED CENTERLINE.

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENT:

BEGINNING AT PREVIOUSLY DESCRIBED POINT "A"; THENCE EAST A DISTANCE OF 131.72 FEET; THENCE SOUTH A DISTANCE OF 27.00 FEET TO THE END OF HEREIN DESCRIBED CENTERLINE.

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENT:

BEGINNING AT PREVIOUSLY DESCRIBED POINT "B"; THENCE SOUTH 40°05'00" WEST A DISTANCE OF 33.00 FEET TO THE END OF HEREIN DESCRIBED CENTERLINE.

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENT:

BEGINNING AT PREVIOUSLY DESCRIBED POINT "C"; THENCE SOUTH A DISTANCE OF 16.00 FEET TO THE END OF HEREIN DESCRIBED CENTERLINE.

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENT:

BEGINNING AT PREVIOUSLY DESCRIBED POINT "D"; THENCE SOUTH A DISTANCE OF 47.00 FEET TO THE END OF HEREIN DESCRIBED CENTERLINE.

(SIDELINES OF SAID EASEMENTS TO BE EXTENDED OR SHORTENED TO INTERSECT AT ANGLE POINTS)

SUBJECT TO EXISTING EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

83-0161 H  
M H  
06-12-85

SHEET 2 OF 3

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**Dailey-Fotopny, inc.**  
land surveyors, planners, engineers

EASEMENT NO. 2

DESCRIPTION OF PROPOSED  
12.00 FOOT UTILITY EASEMENT

A PROPOSED 12.00 FOOT UTILITY EASEMENT OVER A PARCEL OF LAND IN SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING 6.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14, THESE RUN NORTHERLY ALONG THE WEST LINE OF SAID SECTION 14, A DISTANCE OF 127.54 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 806, AS RECORDED IN ROAD PLAT BOOK 3, PAGE 25, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE RUN NORTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 806, BEING A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 1832.27 FEET AND A RADIAL BEARING AT SAID POINT OF NORTH 24°31'02" WEST, A DISTANCE OF 682.61 FEET TO THE END OF SAID CURVE; THENCE CONTINUE NORTHEASTERLY ALONG THE TANGENT OF SAID CURVE, BEING ALSO THE SAID SOUTHERLY RIGHT-OF-WAY OF STATE ROAD NO. 806, A DISTANCE OF 287.39 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED CENTERLINE; THENCE SOUTH 45°51'47" EAST, A DISTANCE OF 8.00 FEET; THENCE SOUTH 03°25'41" WEST, A DISTANCE OF 293.38 FEET; THENCE SOUTH A DISTANCE OF 170.00 FEET; THENCE EAST A DISTANCE OF 236.00 FEET TO THE END OF HEREIN DESCRIBED CENTERLINE. (SIDELINES OF SAID EASEMENT TO BE EXTENDED OR SHORTENED TO INTERSECT AT ANGLE POINTS).

SUBJECT TO EXISTING EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

83-0161 H

M H

06-12-85

SHEET 3 OF 3

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Book 27278/Page 1923

Page 4 of 4

I hereby certify that the foregoing is a true copy  
of the record in my office this day, Jul 15, 2015.  
Sharon B. Bock, Clerk Circuit Court, Palm Beach County, Florida  
BY Sharon B. Bock Deputy Clerk



w/c  
42



Prepared by and Return to:  
Palm Beach County Water Utilities Department  
P.O. Box 16097  
West Palm Beach, Florida 33416-6097

CFN 20150073539  
OR BK 27369 PG 1423  
RECORDED 03/02/2015 12:12:36  
Palm Beach County, Florida  
AMT 10.00  
Doc Stamp 0.70  
Sharon R. Bock, CLERK & COMPTROLLER  
Pgs 1423 - 1430; (8pgs)

**UTILITY EASEMENT**

(Existing Potable Water Facilities)

**THIS EASEMENT** is made, granted and entered into this 13<sup>th</sup> day of January 2015, by Dixie Arbors, LLC (hereinafter referred to as "Grantor"), whose address is 4800 North Federal Highway, Boca Raton, Fl 33431, to Palm Beach County (hereinafter referred to as "Grantee"), c/o Water Utilities Department, 8100 Forest Hill Boulevard, West Palm Beach, Florida 33413.

**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 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 underground potable water lines and appurtenant facilities and equipment all within the "Easement Premises" as described below. 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", ATTACHED HERETO AND MADE A PART HEREOF**

("Easement Premises")

Grantor hereby covenants with Grantee that it is lawfully seized and is 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, other than the mortgage in favor of the mortgagee which has executed the Consent and Joinder attached hereto; and other encumbrances unless specifically stated to the contrary.

**IN WITNESS WHEREOF**, the Grantor 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:

[Signature]  
 Witness Signature  
Beverley Pingel  
 Print Name  
[Signature]  
 Witness Signature  
Amy S. Schlosser  
 Print Name

**GRANTOR:**

**DIXIE ARBORS, LLC a Florida limited liability company**

By: [Signature]  
Harry Ziker  
 Print Name  
Manager  
 Title

**NOTARY CERTIFICATE**

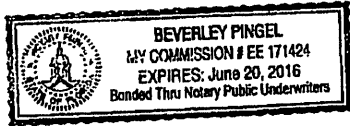
STATE OF Florida  
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 13 day of January, 2015 by Harry Ziker who is personally known to me or who has produced \_\_\_\_\_ as identification.

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

[Signature]  
Signature of Notary

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



CONSENT

U.S. Bank National Association, as Trustee for Morgan Stanley Capital I Inc. Morgan Stanley Bank of America Merrill Lynch Trust 2014-C14 Commercial Mortgage Pass-Through Certificates, Series 2014-C14 ("Noteholder"), successor in interest to Bank of America, N.A., a national banking association ("Original Lender"), is the beneficiary of that certain Amended, Restated and Consolidated Mortgage, Assignment of Leases and Rents, and Security Agreement, dated January 15, 2014, and recorded on January 15, 2014, in the Official Public Records of Palm Beach County, Florida, at Book 26561, Page 1092 (the "Security Instrument"), given to Original Lender, and is the holder of that certain Promissory Note made by Dixie Arbors L.L.C., a Florida limited liability company ("Borrower"), in favor of Original Lender, which is secured by the Security Instrument, and as such beneficiary and holder, joins in the execution of the annexed easement (the "Easement") for the sole purpose of consenting and subordinating the lien of its Security Instrument to the Easement and imposing the covenants, restrictions, conditions and easements contained in the Easement upon Borrower's property. Notwithstanding the immediately prior sentence, nothing contained in this Consent shall be deemed to subordinate the Security Instrument to any financial obligation set forth in the Easement nor shall anything in this Consent be deemed to obligate Noteholder with respect to any financial obligation or payment for any lien that may arise from the Easement, and the Security Instrument shall remain prior and superior to any liens or covenants created by the Easement and any and all financial obligations set forth or created therein.

Except as expressly stated herein, nothing contained herein shall be deemed to modify or amend the terms of the Security Instrument, and the Security Instrument shall remain in full force and effect without change. The Easement shall not be amended without the prior written consent of Noteholder.

Dated: February 24, 2015.

**NOTEHOLDER:**

U.S. BANK NATIONAL ASSOCIATION, as Trustee for Morgan Stanley Capital I Inc. Morgan Stanley Bank of America Merrill Lynch Trust 2014-C14 Commercial Mortgage Pass-Through Certificates, Series 2014-C14

By: Wells Fargo Bank, National Association, as Master Servicer

By: David Weiss  
Name: David Weiss  
Title: Director

STATE OF CALIFORNIA )  
 ) §.  
COUNTY OF SAN FRANCISCO )

On the \_\_\_ day of February, 2015, before me, the undersigned, a Notary Public in and for said state, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, as \_\_\_\_\_ of Wells Fargo Bank, National Association, as Master Servicer for U.S. Bank National Association, as Trustee for Morgan Stanley Capital I Inc. Morgan Stanley Bank of America Merrill Lynch Trust 2014-C14 Commercial Mortgage Pass-Through Certificates, Series 2014-C14, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument, and that such individual made such appearance before the undersigned.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

US2008 6360080 1

**ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of San Francisco )

On February 24, 2015 before me, C. Mostaghim  
(insert name and title of the officer)

personally appeared David E. Weiss, Director of Asset Management, Wells Fargo  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *C. Mostaghim* (Seal)



**SKETCH & DESCRIPTION FOR:  
12' WATER EASEMENT**

A PORTION OF SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST  
PALM BEACH COUNTY, FLORIDA

**LAND DESCRIPTION:**

A portion of Section 14, Township 46 South, Range 42 East, Palm Beach County, Florida, described as follows:

A 12 foot strip of land for a Water Easement being 6 feet on each side of the following described centerline:

COMMENCE at the Southwest corner of said Section 14; thence S89°42'03"E, along the south line of said Section 14, a distance of 566.76 feet to an intersection with a line 566.76 feet east of, as measured at right angles, and parallel with the west line of Section 14; thence N00°00'00"W, along said parallel line, a distance of 534.10 feet to the southerly right-of-way of State Road No. 806 (also known as Atlantic Avenue), as recorded in Road Plat Book 3, Page 25 of the Public Records of Palm Beach County, Florida; thence N44°08'14"E, along said southerly right-of-way, 12.18 feet to the POINT OF BEGINNING of said centerline; thence S45°51'46"E, 3.41 feet; thence S00°08'02"E, 17.27 feet to a point hereinafter referred to as Point 'A'; thence continue S00°08'02"E, 96.21 feet to a point hereinafter referred to as Point 'B'; thence continue S00°08'02"E, 133.86 feet to a point hereinafter referred to as Point 'C'; thence continue S00°08'02"E, 135.00 feet; thence S49°21'25"E, 19.89 feet to a point hereinafter referred to as Point 'D'; thence continue S49°21'25"E, 90.84 feet; thence N89°22'04"E, 138.68 feet to a point hereinafter referred to as Point 'E'; thence continue N89°22'04"E, 87.25 feet to a point hereinafter referred to as Point 'F'; thence continue N89°22'04"E, 79.88 feet; thence N51°39'33"E, 101.22 feet to a point hereinafter referred to as Point 'G'; thence N53°33'33"E, 83.61 feet; thence N00°10'42"E, 216.80 feet to a point hereinafter referred to as Point 'H'; thence continue N00°10'42"E, 120.26 feet; thence N41°50'46"W, 15.92 feet; thence S89°39'12"W, 134.80 feet to a point hereinafter referred to as Point 'J'; thence continue S89°39'12"W, 55.03 feet; thence N48°34'41"W, 50.80 feet; thence N00°00'00"E, 31.26 feet, more or less, to the northerly limits of lands described in Special Warranty Deed recorded in Official Records Book 22139, Page 343 of the Public Records of Palm Beach County Florida and to the POINT OF TERMINATION of said centerline.

**TOGETHER WITH:**

A 12 foot strip of land for a Water Easement being 6 feet on each side of the following described centerline:

BEGIN at the aforementioned Point 'A'; thence N89°51'58"E, 29.00 feet; thence S00°08'02"E, 9.00 feet to the POINT OF TERMINATION of said centerline.

**TOGETHER WITH:**

A 12 foot strip of land for a Water Easement being 6 feet on each side of the following described centerline:


BEGIN at the aforementioned Point 'B'; thence N89°51'58"E, 9.89 feet; thence S32°38'03"E, 9.37 feet; thence S00°04'23"E, along a line being 6.00 feet west of and parallel with the west face of an existing building, 19.00 feet to the POINT OF TERMINATION of said centerline.

**TOGETHER WITH:**

A 12 foot strip of land for a Water Easement being 6 feet on each side of the following described centerline:

BEGIN at the aforementioned Point 'C'; thence N89°51'58"E, 7.00 feet; thence S60°58'26"E, 33.55 feet; thence N89°51'58"E, 11.00 feet to the POINT OF TERMINATION of said centerline.

LAND DESCRIPTION continue on Sheet 2 of 4

<b>REVISIONS</b> REVISED PER COUNTY COMMENTS (M.M.K.) 12/19/14     		<b>AVIROM &amp; ASSOCIATES, INC.</b> <b>SURVEYING &amp; MAPPING</b> 50 S.W. 2ND AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 TEL. (561) 392-2594, FAX (561) 394-7125 www.AVIROM-SURVEY.com	JOB #: 7144-4Wa SCALE: N/A DATE: 11/13/2014 BY: M.M.K. CHECKED: M.D.A.
		©2014 AVIROM & ASSOCIATES, INC. all rights reserved. This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.	F.B. N/A PG. N/A SHEET 1 OF 4

**SKETCH & DESCRIPTION FOR:  
12' WATER EASEMENT**  
A PORTION OF SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST  
PALM BEACH COUNTY, FLORIDA

LAND DESCRIPTION continue from Sheet 1 of 4

TOGETHER WITH:

A 12 foot strip of land for a Water Easement being 6 feet on each side of the following described centerline:

BEGIN at the aforementioned Point 'D'; thence S40°38'35"W, 32.00 feet to the POINT OF TERMINATION of said centerline.

TOGETHER WITH:

A 12 foot strip of land for a Water Easement being 6 feet on each side of the following described centerline:

BEGIN at the aforementioned Point 'E'; thence N00°00'00"W, 26.97 feet, more or less, to the face of an existing building and the POINT OF TERMINATION of said centerline.

TOGETHER WITH:

A 12 foot strip of land for a Water Easement being 6 feet on each side of the following described centerline:

BEGIN at the aforementioned Point 'F'; thence S00°37'56"E, 17.00 feet to the POINT OF TERMINATION of said centerline.

TOGETHER WITH:

A 12 foot strip of land for a Water Easement being 6 feet on each side of the following described centerline:

BEGIN at the aforementioned Point 'G'; thence N38°03'36"W, 12.51 feet, more or less, to the face of an existing building and the POINT OF TERMINATION of said centerline.

TOGETHER WITH:

A 12 foot strip of land for a Water Easement being 6 feet on each side of the following described centerline:

BEGIN at the aforementioned Point 'H'; thence N90°00'00"W, 16.36 feet, more or less, to the face of an existing building and the POINT OF TERMINATION of said centerline.

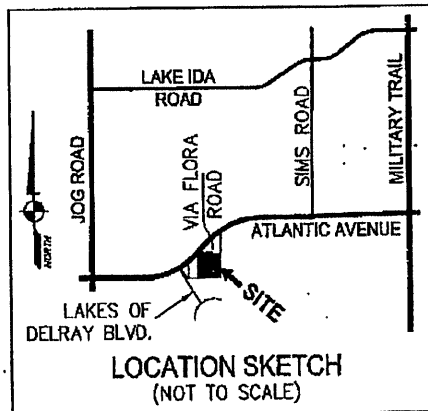
TOGETHER WITH:

A 12 foot strip of land for a Water Easement being 6 feet on each side of the following described centerline:

BEGIN at the aforementioned Point 'J'; thence S00°20'48"E, 35.00 feet to the POINT OF TERMINATION of said centerline.

Side lines of said 12 Foot Water Easement are to be prolonged or shortened to coincide with the southerly right-of-way of State Road No. 806 (also known as Atlantic Avenue) and the northerly limits of said lands described in Special Warranty Deed recorded in Official Records Book 22139, Page 343.

Said lands situate and being in Palm Beach County, Florida.



REVISIONS
REVISED PER COUNTY COMMENTS (M.M.K.) 12/19/14



**AVIROM & ASSOCIATES, INC.**  
**SURVEYING & MAPPING**  
50 S.W. 2ND AVENUE, SUITE 102  
BOCA RATON, FLORIDA 33432  
TEL. (561) 392-2594, FAX (561) 394-7125  
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JOB #:	7144-4Wa
SCALE:	N/A
DATE:	11/13/2014
BY:	M.M.K.
CHECKED:	M.D.A.
F.B.	N/A PG. N/A
SHEET	2 OF 4

**SKETCH & DESCRIPTION FOR:  
12' WATER EASEMENT**  
A PORTION OF SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST  
PALM BEACH COUNTY, FLORIDA

**SURVEYOR'S NOTES:**

1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. Bearings shown hereon are assumed based on the south line of Section 14-46-42 having a bearing of S89°42'03"E.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: C = Centerline; L.B. = Licensed Business; L.W.D.D. = Lake Worth Drainage District; O.R.B. = Official Records Book; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement; P.O.T. = Point of Termination; P.S.M. = Professional Surveyor & Mapper; R/W = Right-of-Way.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S45°51'46"E	3.41'
L2	S00°08'02"E	17.27'
L3	S00°08'02"E	96.21'
L4	S00°08'02"E	133.86'
L5	S00°08'02"E	135.00'
L6	S49°21'25"E	19.89'
L7	S49°21'25"E	90.84'
L8	N89°22'04"E	138.68'
L9	N89°22'04"E	87.25'
L10	N89°22'04"E	79.88'
L11	N51°39'33"E	101.22'
L12	N53°33'33"E	83.61'
L13	N00°10'42"E	216.80'
L14	N00°10'42"E	120.26'
L15	N41°50'46"W	15.92'
L16	S89°39'12"W	134.80'
L17	S89°39'12"W	55.03'
L18	N48°34'41"W	50.80'
L19	N00°00'00"E	31.26'
L20	N89°51'58"E	29.00'
L21	S00°08'02"E	9.00'
L22	N89°51'58"E	9.89'
L23	S32°38'03"E	9.37'
L24	S00°04'23"E	19.00'
L25	N89°51'58"E	7.00'
L26	S60°58'26"E	33.55'
L27	N89°51'58"E	11.00'
L28	S40°38'35"W	32.00'
L29	N00°00'00"W	26.97'
L30	S00°37'56"E	17.00'
L31	N38°03'36"W	12.51'
L32	N90°00'00"W	16.36'
L33	S00°20'48"E	35.00'

**CERTIFICATION:**

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17.050 through 5J-17.052, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.



Date: 12/19/14

MICHAEL D. AVROM, P.L.S.  
Florida Registration No. 3268  
AVIROM & ASSOCIATES, INC.  
L.B. No. 3300

REVISIONS
REMOVED PER COUNTY COMMENTS (M.M.K.) 12/19/14



**AVIROM & ASSOCIATES, INC.  
SURVEYING & MAPPING**

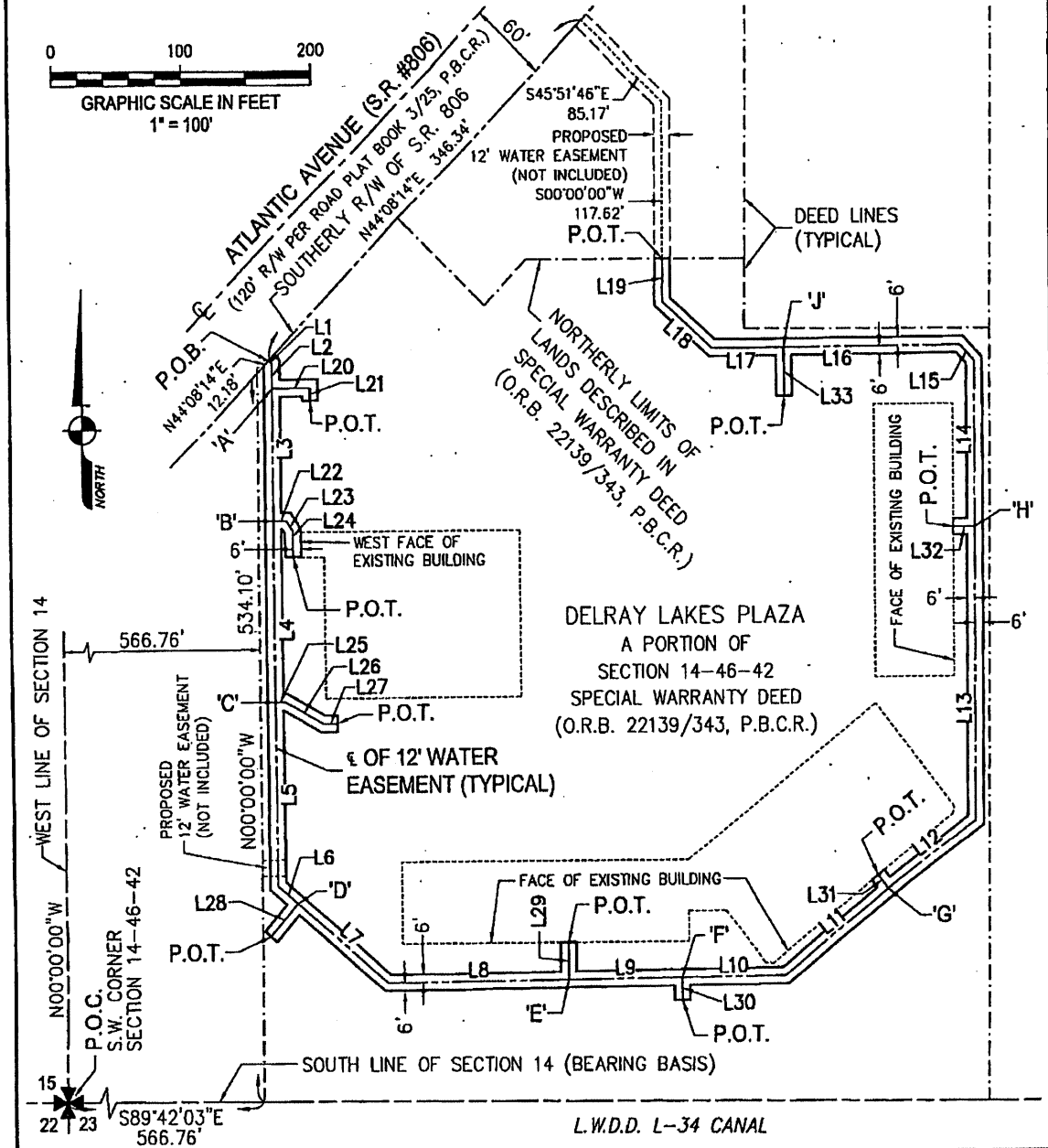
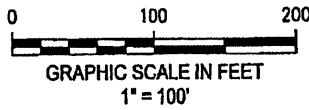
50 S.W. 2ND AVENUE, SUITE 102  
BOCA RATON, FLORIDA 33432  
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JOB #:	7144-4Wa
SCALE:	N/A
DATE:	11/13/2014
BY:	M.M.K.
CHECKED:	M.D.A.
F.B.	N/A
PG.	N/A
SHEET	3 OF 4



SKETCH & DESCRIPTION FOR:  
**12' WATER EASEMENT**  
 A PORTION OF SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST  
 PALM BEACH COUNTY, FLORIDA



REVISIONS
REVISED PER COUNTY COMMENTS (M.M.K.) 12/19/14



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JOB #:	7144-4Wa
SCALE:	1" = 100'
DATE:	11/13/2014
BY:	M.M.K.
CHECKED:	M.D.A.
F.B.	N/A PG. N/A
SHEET	4 OF 4



7369/Page1430

Page 8 of 8

I hereby certify that the foregoing is a true copy  
 of the record in my office this day, Jun 02, 2015.  
 Sharon R. Bock, Clerk Circuit Court, Palm Beach County, Florida  
 BY Sharon R. Bock Deputy Clerk

w/e  
42



Prepared by and Return to:  
Palm Beach County Water Utilities Department  
P.O. Box 16097  
West Palm Beach, Florida 33416-6097

CFN 20150073540  
OR BK 27369 PG 1431  
RECORDED 03/02/2015 12:12:36  
Palm Beach County, Florida  
AMT 10.00  
Doc Stamp 0.70  
Sharon R. Bock, CLERK & COMPTROLLER  
Pgs 1431 - 1436; (6pgs)

**UTILITY EASEMENT**

(Existing Wastewater Facilities)

**THIS EASEMENT** is made, granted and entered into this 13<sup>th</sup> day of January 2015, by Dixie Arbors, LLC (hereinafter referred to as "Grantor"), whose address is 4800 North Federal Highwa, Boca Raton, Fl 33431, to Palm Beach County (hereinafter referred to as "Grantee"), c/o Water Utilities Department, 8100 Forest Hill Boulevard, West Palm Beach, Florida 33413.

**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 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 underground (other than manholes which are at grade) wastewater lines and appurtenant facilities and equipment all within the "Easement Premises" as described below. 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", ATTACHED HERETO AND MADE A PART HEREOF**

("Easement Premises")

Grantor hereby covenants with Grantee that it is lawfully seized and is 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, other than the mortgage in favor of the mortgagee which has executed the Consent and Joinder attached hereto; and other encumbrances unless specifically stated to the contrary.

**IN WITNESS WHEREOF**, the Grantor 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:

Witness Signature

Print Name

Witness Signature

Print Name

*[Signature]*  
Beverly Pingel  
Amy Schlosser  
AMY S. Schlosser

**GRANTOR:**

**DIXIE ARBORS, LLC a Florida limited liability company**

By: *[Signature]*

Harry Zucker  
Print Name

Manager  
Title

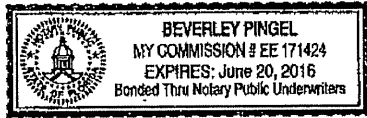
**NOTARY CERTIFICATE**

STATE OF Florida  
COUNTY OF Valm Beach

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of January, 2015 by Harry Zucker who is personally known to me or who has produced \_\_\_\_\_ as identification.

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

*[Signature]*  
Signature of Notary



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



**ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of San Francisco )

On February 24, 2015 before me, C. Mostaghim  
(insert name and title of the officer)

personally appeared David E. Weiss, Director of Asset Management, Wells Fargo,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.:

Signature *C. Mostaghim* (Seal)



**SKETCH & DESCRIPTION FOR:  
12' SEWER EASEMENT**

A PORTION OF SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST  
PALM BEACH COUNTY, FLORIDA

**LAND DESCRIPTION:**

A portion of Section 14, Township 46 South, Range 42 East, Palm Beach County, Florida, described as follows:

A 12 foot strip of land for a Sewer Easement being 6 feet on each side of the following described centerline:

COMMENCE at the Southwest corner of said Section 14; thence S89°42'03"E, along the south line of said Section 14, a distance of 566.76 feet to an intersection with a line 566.76 feet east of, as measured at right angles, and parallel with the west line of Section 14; thence N00°00'00"W, along said parallel line, a distance of 258.52 feet; thence N89°48'25"E, 223.18 feet to the POINT OF BEGINNING of said centerline; thence continue N89°48'25"E, 189.00 feet to the POINT OF TERMINATION of said centerline.

**TOGETHER WITH:**

A 12 foot strip of land for a Sewer Easement being 6 feet on each side of the following described centerline:

From the aforementioned POINT OF BEGINNING; thence N00°37'48"W, 242.89 feet; thence N27°15'59"W, 76.10 feet; thence N03°35'41"E, 25.58 feet, more or less, to the northerly limits of lands described in Special Warranty Deed recorded in Official Records Book 22139, Page 343 of the Public Records of Palm Beach County Florida and the POINT OF TERMINATION of said centerline.

Side lines of said 12 foot Sewer Easement are to be prolonged or shortened to coincide with the northerly limits of said lands described in Special Warranty Deed recorded in Official Records Book 22139, Page 343, to form a continuous strip of land.

Said lands situate and being in Palm Beach County, Florida.


**SURVEYOR'S NOTES:**


1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. Bearings shown hereon are assumed based on the south line of Section 14-46-42 having a bearing of S89°42'03"E.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend:  $\text{C}$  = Centerline; L.B. = Licensed Business; L.W.D.D. = Lake Worth Drainage District; O.R.B. = Official Records Book; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement; P.O.T. = Point of Termination; P.S.M. = Professional Surveyor & Mapper; R/W = Right-of-Way.

**CERTIFICATION:**

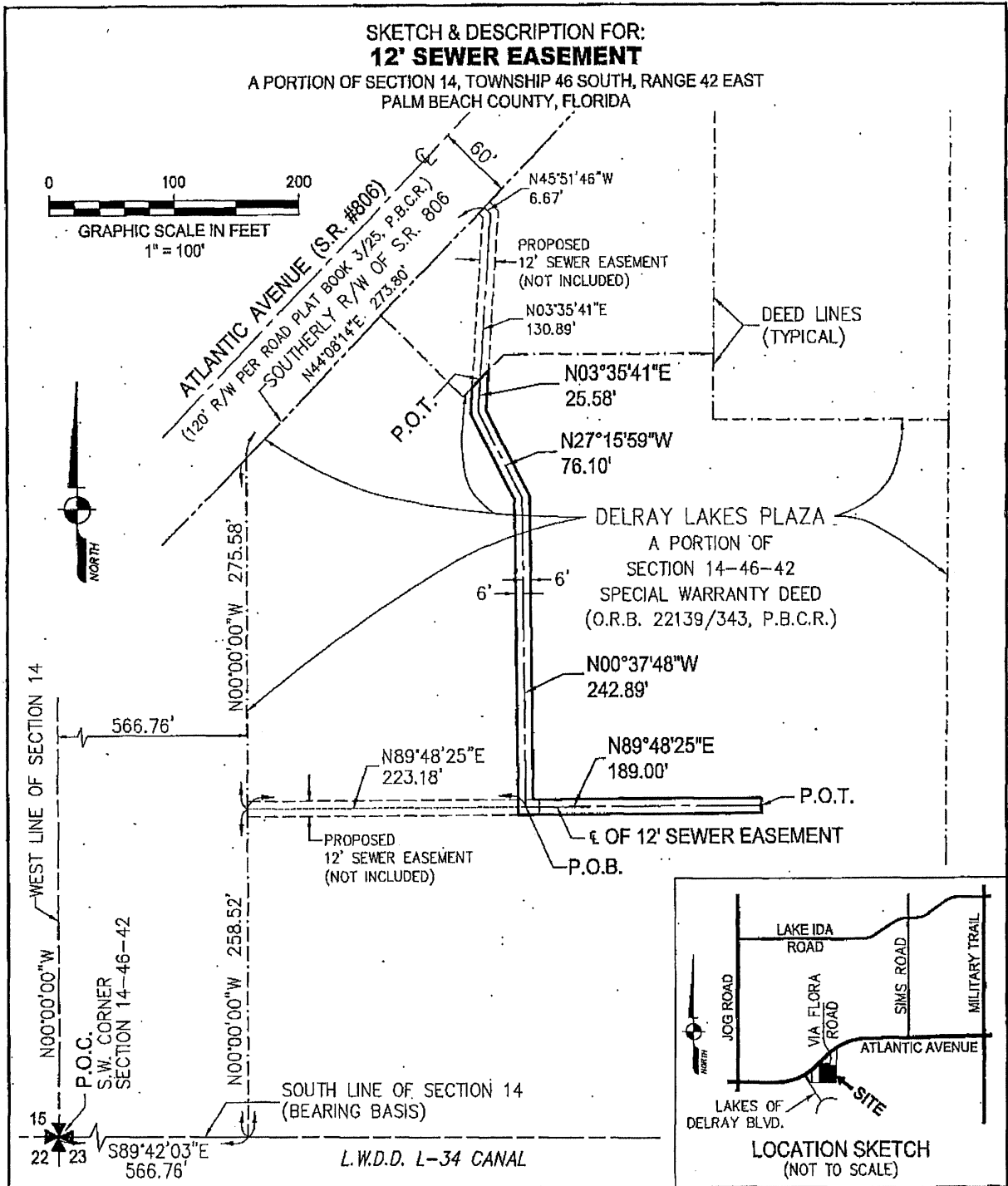
I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17.050 through 5J-17.052, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 12/19/14

  
MICHAEL D. AVIOM, P.L.S.  
Florida Registration No. 3268  
AVIOM & ASSOCIATES, INC.  
L.B. No. 3300

<b>REVISIONS</b> REVISED PER COUNTY COMMENTS (M.M.K.) 12/19/14     	 <p><b>AVIOM &amp; ASSOCIATES, INC.</b>  <b>SURVEYING &amp; MAPPING</b>                  50 S.W. 2ND AVENUE, SUITE 102                  BOCA RATON, FLORIDA 33432                  TEL. (561) 392-2594, FAX (561) 394-7125                  www.AVIOM-SURVEY.com  <small>©2014 AVIOM &amp; ASSOCIATES, INC. all rights reserved.                  This sketch is the property of AVIOM &amp; ASSOCIATES, INC.                  and should not be reproduced or copied without written permission.</small></p>	JOB #:	<b>7144-4Sa</b>
		SCALE:	N/A
		DATE:	11/13/2014
		BY:	M.M.K.
		CHECKED:	M.D.A.
		F.B. N/A PG. N/A	
SHEET	<b>1 OF 2</b>		

**SKETCH & DESCRIPTION FOR:  
12' SEWER EASEMENT**  
A PORTION OF SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST  
PALM BEACH COUNTY, FLORIDA



REVISIONS
REVISED PER COUNTY COMMENTS (M.M.K.) 12/19/14



**AVIROM & ASSOCIATES, INC.**  
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 50 S.W. 2ND AVENUE, SUITE 102  
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JOB #:	7144-4Sa
SCALE:	1" = 100'
DATE:	11/13/2014
BY:	M.M.K.
CHECKED:	M.D.A.
F.B.	N/A
PG.	N/A
SHEET	2 OF 2



Doc# 27369/Page1436

Page 6 of 6

I hereby certify that the foregoing is a true copy of the record in my office this day, Jun 02, 2015.  
 Sharon R. Bock, Clerk Circuit Court, Palm Beach County, Florida  
 BY Sharon R. Bock Deputy Clerk