

OAKLAND PARK NON-EXCLUSIVE PUBLIC UTILITY EASEMENT

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

This PUBLIC UTILITY EASEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ having an address of \_\_\_\_\_, (hereinafter "Grantor"), and the City of Oakland Park, a municipal corporation of the State of Florida, having an address at 3650 N.E. 12<sup>th</sup> Avenue, Oakland Park, Florida 33334, (hereinafter "Grantee"). (Whenever used herein, the term "Grantor" and "Grantee" shall include the respective successors and assigns of the parties hereto, whenever the context so admits or requires).

**WITNESSETH:**

WHEREAS, Grantor is the owner of that certain real property located in Broward County, more particularly described in Exhibit "A" attached hereto, (hereinafter referred to as "Servient Estate"); and

WHEREAS, Grantor desires to grant unto Grantee a non-exclusive easement to use a portion of the servient estate.

NOW, THEREFORE, in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable considerations paid by each of the parties hereto to the other party, receipt of which is hereby acknowledged by both parties, the parties hereto do hereby grant and agree as follows:

1. Grantor hereby grants and conveys to Grantee, its successors and assigns, a non-exclusive easement over and upon the servient estate for the installation and maintenance of public utilities.

2. Grantor reserves all rights not herein granted pursuant to this easement, including but not limited to, the right of free ingress and egress over and upon the servient estate and to grant further easements under, over and on the servient estate; provided that, in no event shall any of the rights herein reserved impede the easement herein granted or the exercise of the rights of use thereunder.

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

4. This easement shall not be released or altered without consent of the Grantee.

ALSO REQUIRED:

1. Opinion of Title from an attorney.
2. Sketch & legal description from a surveyor.

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

(GRANTOR)

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

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

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

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

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

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

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

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida  
at Large

\_\_\_\_\_  
(Name of Notary Public: Print, Stamp,  
or type as Commissioned)

( ) Personally known to me, or

( ) Produced Identification

\_\_\_\_\_  
Type of I.D. Produced

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

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

ATTEST:

GRANTOR

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

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

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

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

(Corporate Seal)

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

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

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

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida  
at Large

\_\_\_\_\_  
(Name of Notary Public: Print, Stamp,  
or type as Commissioned)

( ) Personally known to me, or

( ) Produced Identification

\_\_\_\_\_  
Type of I.D. Produced

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

ACCEPTED BY CITY OF OAKLAND  
PARK (GRANTEE)

ATTEST:

By: \_\_\_\_\_  
Janette Smith  
City Clerk

By: \_\_\_\_\_  
John Stunson  
City Manager

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

Approved as to form:

By: \_\_\_\_\_  
Donald J. Doody  
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\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida  
at Large

\_\_\_\_\_  
(Name of Notary Public: Print, Stamp,  
or Type as Commissioned)

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

\_\_\_\_\_  
Type of I.D. Produced

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

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\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida  
at Large

\_\_\_\_\_  
(Name of Notary Public: Print, Stamp,  
or type as Commissioned)

( ) Personally known to me, or

( ) Produced Identification

\_\_\_\_\_  
Type of I.D. Produced

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

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 Non-Exclusive Public Utility Easement with the City of Oakland Park for \_\_\_\_\_ project and that I am the owner of the property covered by said Non-Exclusive Public Utility Easement.

There are no mortgages held on the property, which is the subject of said Non-Exclusive Public Utility 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\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida  
at Large

\_\_\_\_\_  
(Name of Notary Public: Print, Stamp,  
or type as Commissioned)

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( ) Produced Identification

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