

# UTILITY EASEMENT

**THIS INDENTURE**, Made this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2019, between **Matter Brothers Real Estate, L.C., a Florida limited liability company** Mailing Address 40528 US Highway 19 North, Tarpon Springs, Florida, 34689, Party of the First Part, and the **City of Pinellas Park**, located at 5141 78th Avenue North, Pinellas Park, Florida, 33781, (Party of the Second Part). (*“Party of the First Part” and “Party of the Second Part” are used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires.*)

**WITNESSETH**, That the said Party of the First Part hereby grants for and in consideration of the sum of ten dollars (\$10.00), and other valuable considerations, in hand paid by the said Party of the Second Part, the receipt whereof is hereby acknowledged, hereby grants and releases unto the Party of the Second Part a non exclusive **Utility Easement** over, under, across and through that portion of Parcel ID# 27/30/16/69840/100/2902, Property Address, 7801 US Highway 19 North, Pinellas Park, Florida, 33781, as further described in the legal description and sketch of easement area as depicted in Exhibit “A” which is attached hereto and made a part hereof.

See Attached Legal Description and Sketch, Exhibit “A”

This utility easement is granted for the purpose of maintaining, operating, repairing, and replacing utility service lines, meters, and related equipment and apparatus that serve the Grantor’s Parent Tract as described in Exhibit “A.”

It is the intention of the Grantor that, and this easement shall, run with the land described above, and be binding upon the Parties, their heirs, assigns, and successors in interest.

**IN WITNESS WHEREOF**, the Grantor has hereunto set his Hand and Seal the day and year first above written.

**SIGNED, SEALED, AND DELIVERED IN OUR PRESENCE:**

**Matter Brothers Real Estate, L.C.**  
**By: Thomas Matter, Managing Member**

\_\_\_\_\_  
(signature)

(Witness #1)

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(print name)

(Witness #2)

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(print name)

State of Florida

The foregoing instrument was acknowledged before me this \_\_\_\_\_, 2019, by

County of Pinellas

Thomas Matter, Managing Member of Matter Brothers Real Estate, L.C. (Name of person acknowledging and title of position)

\_\_\_\_\_ Notary Public signature

\_\_\_\_\_ (Name of Notary typed, printed or stamped)

Personally known \_\_\_\_\_ or produced identification \_\_\_\_\_

Type of identification produced \_\_\_\_\_

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to an unauthorized document.

THIS CERTIFICATE MUST BE  
ATTACHED TO THE DOCUMENT  
DESCRIBED AT RIGHT:

Title or Type of Document      **Utility Easement**  
Number of Pages   \_\_      Date of Document \_\_\_\_\_  
Signers Other than Named Above   NONE

5135918.v2

5169916.v1

# SKETCH AND DESCRIPTION – NOT A SURVEY

EXHIBIT "A"

THE DESCRIPTION ON THE UTILITY EASEMENT IS SHOWN ON PAGE 3 OF THIS EXHIBIT. BELOW IS THE DESCRIPTION FOR THE PARENT PARCEL IN WHICH THE UTILITY EASEMENT IS LOCATED.

DESCRIPTION: (PARENT TRACT)

PARCEL I

THE SOUTH 1/2 OF FARM 30 IN SECTION 27, TOWNSHIP SOUTH 30, RANGE 16 EAST AS SHOWN BY MAP OF PINELLAS FARMS RECORDED IN PLAT BOOK 7, PAGE(S) 4 AND 5, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA OF WHICH PINELLAS COUNTY WAS FORMERLY A PART.

PARCEL II

THAT PART OF FARM 29, LYING EAST OF U.S. HIGHWAY 19 (STATE ROAD 55) IN SECTION 27, TOWNSHIP 30 SOUTH, RANGE 16 EAST, AS SHOWN BY MAP OF PINELLAS FARMS RECORDED IN PLAT BOOK 7, PAGE(S) 4 AND 5, OF THE PUBLIC RECORDS HILLSBOROUGH COUNTY, FLORIDA OF WHICH PINELLAS COUNTY WAS FORMERLY A PART.

LESS AND EXCEPTING FROM PARCEL II THE FOLLOWING 3 PARCELS:

A) THAT PORTION OF SAID FARM 29, DESCRIBED IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 5911, PAGE 2186, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

B) THAT PORTION OF SAID FARM 29, DESCRIBED IN QUIT CLAIM DEED RECORDED IN DEED BOOK 1325. PAGE 511, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

C) THAT PORTION THEREOF LYING WITHIN 25 FEET OF THE SOUTH LINE OF THE NORTH 1/2 OF SECTION 27, TOWNSHIP 30 SOUTH, RANGE 16 EAST, OF THE PUBLIC RECORDS OF PINELLAS COUNTY. FLORIDA.

CONTAINING 6.022 ACRES, MORE OR LESS.

\_\_\_\_\_  
Aaron J. Murphy, PSM Date  
Florida Professional Surveyor and Mapper No. 6768  
for Hamilton Engineering and Surveying, Inc.  
Certificate of Authorization No. LB7013

INFORMATION NOT COMPLETE WITHOUT ALL SHEETS



3409 W. LEMON STREET  
Tampa, FL 33609

LB#7013

Tel (813) 250-3535  
Fax (813) 250-3636

MATTER BROTHERS  
PARENT PARCEL

SEC TWP RGE  
27-20-16

JOB NUMBER  
00198.0003

SCALE  
AS SHOWN

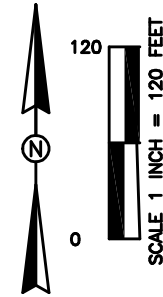
DATE  
7-17-2019

SHEET  
1/3

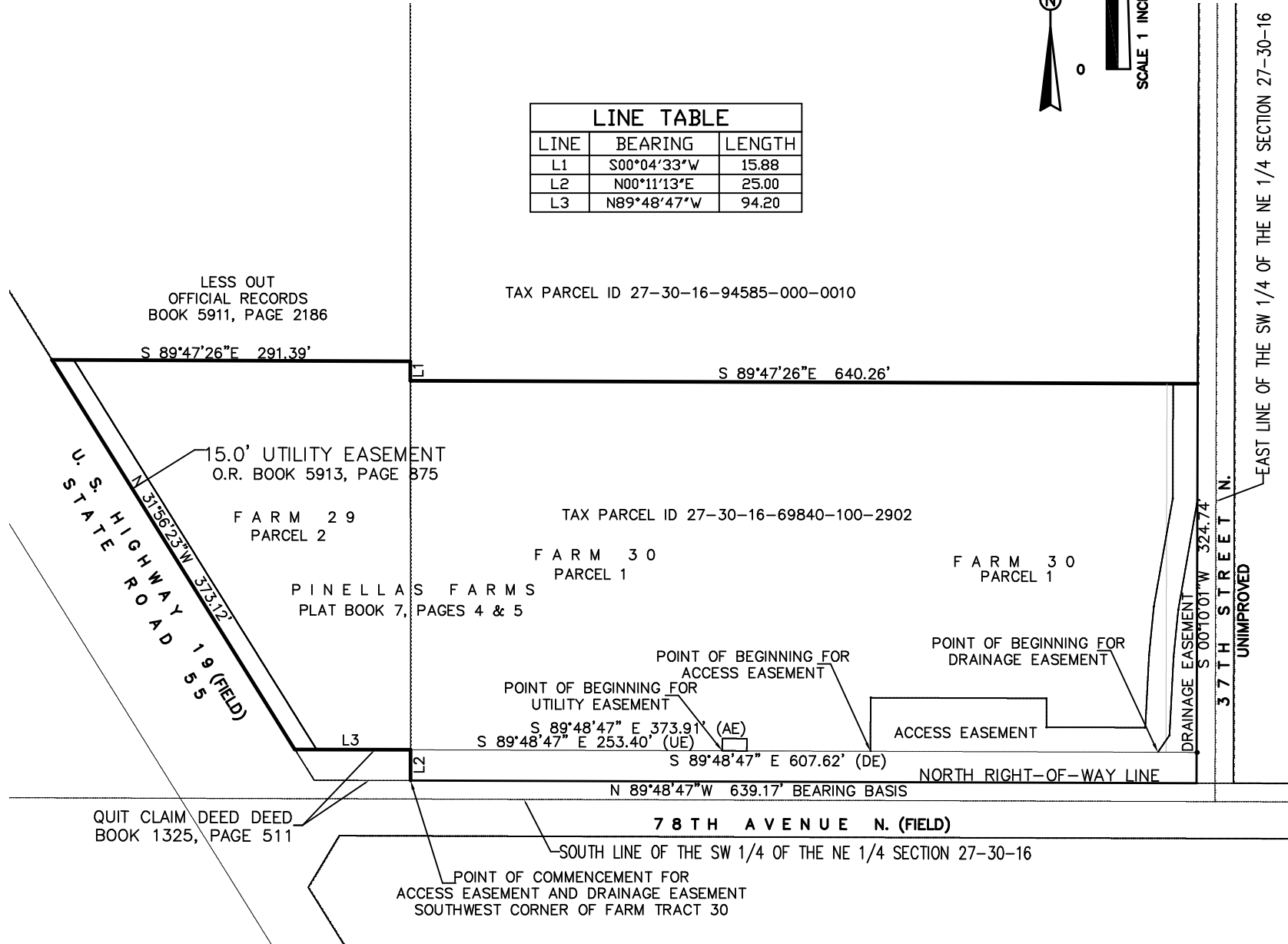
SKETCH AND DESCRIPTION - NOT A SURVEY

LEGEND	
DE	DRAINAGE EASEMENT
AE	ACCESS EASEMENT
UE	UTILITY EASEMENT

BEARINGS SHOWN HEREON ARE BASED ON THE NORTH RIGHT OF WAY LINE OF 78TH AVENUE HAVING A BEARING OF N 89°48'47" W.



LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°04'33"W	15.88
L2	N00°11'13"E	25.00
L3	N89°48'47"W	94.20



**HAMILTON**  
ENGINEERING & SURVEYING, INC.  
3409 W. LEMON STREET  
Tampa, FL 33609  
LB#7013  
Tel (813) 250-3535  
Fax (813) 250-3636

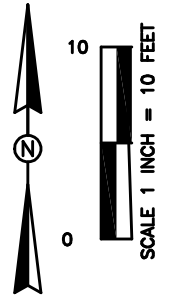
MATTER BROTHERS  
PARENT PARCEL

SEC TWP RGE	JOB NUMBER	SCALE	DATE	SHEET
27-20-16	00198.0003	AS SHOWN	7-17-2019	2/3

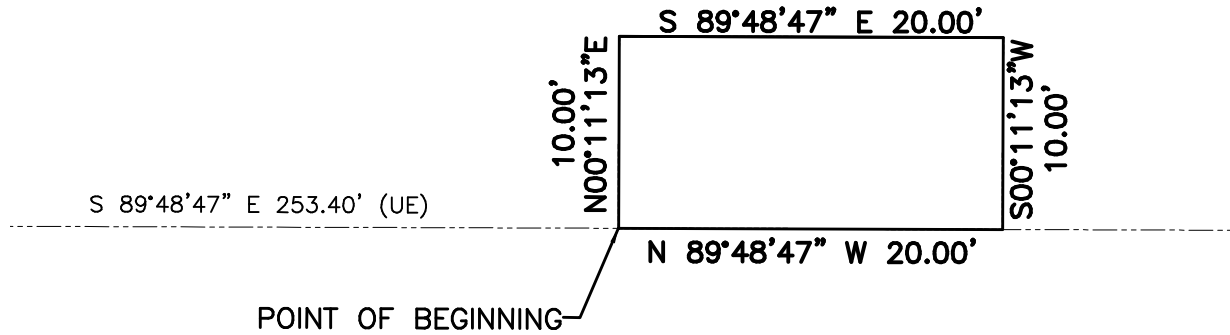
# SKETCH AND DESCRIPTION – NOT A SURVEY

EXHIBIT "A"

LEGEND	
DE	DRAINAGE EASEMENT
AE	ACCESS EASEMENT
UE	UTILITY EASEMENT



FARM 30



NORTH RIGHT OF WAY LINE

7 8 T H A V E N U E N.

**DESCRIPTION: (UTILITY EASEMENT)**

A TRACT OF LAND LYING WITHIN A PORTION OF FARM 30 IN SECTION 27, TOWNSHIP SOUTH 30, RANGE 16 EAST AS SHOWN BY MAP OF PINELLAS FARMS RECORDED IN PLAT BOOK 7, PAGE(S) 4 AND 5, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA OF WHICH PINELLAS COUNTY WAS FORMERLY A PART BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: AS A POINT OF REFERENCE COMMENCE AT THE SOUTHWEST CORNER OF SAID FARM 30 AND PROCEED N 00°11'13" E, A DISTANCE OF 25.00 FEET; THENCE S 89°48'47" E, A DISTANCE OF 253.40 FEET TO THE POINT OF BEGINNING; THENCE N 00°11'13" E, A DISTANCE OF 10.00 FEET; THENCE S 89°48'47" E, A DISTANCE OF 20.00 FEET; S 00°11'13" W, A DISTANCE OF 10.00 FEET; THENCE N 89°48'47" W, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING. THE ABOVE TRACT CONTAINING 200 SQUARE FEET, MORE OR LESS.

INFORMATION NOT COMPLETE WITHOUT ALL SHEETS



3409 W. LEMON STREET  
Tampa, FL 33609

LB#7013

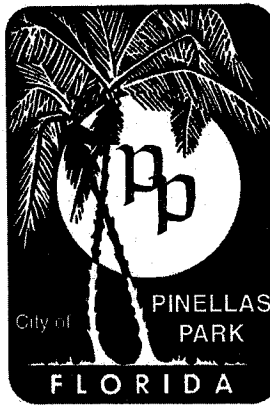
Tel (813) 250-3535  
Fax (813) 250-3636

MATTER BROTHERS  
UTILITY EASEMENT

SEC TWP RGE 27-20-16	JOB NUMBER 00198.0003	SCALE AS SHOWN	DATE 7-17-2019	SHEET 3/3
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City of  
**PINELLAS PARK**

5141 78TH AVE. • P.O. BOX 1100  
PINELLAS PARK, FL 33780-1100



**FLORIDA**

PHONE • (727) 369-0700  
FAX • (727) 544-7448

**Please Respond To:**

James W. Denhardt, City Attorney  
Lauren Christ Rubenstein, Assistant City Attorney  
Denhardt and Rubenstein, Attorneys at Law  
2700 First Avenue North  
St. Petersburg, Florida 33713  
(727) 327-3400 - Telephone  
(727) 323-0888 - Facsimile

July 24, 2019

Mr. Aaron Petersen  
Construction Services Director  
City of Pinellas Park  
P.O. Box 1100  
Pinellas Park, Florida 33780

**RE: City Document #19-225**  
**Utility Easement for 7801 U.S. Highway 19 (Matter Brothers)**

Dear Mr. Petersen:

I have received and reviewed the proposed Utility Easement with Matter Brothers at 7801 U.S. Highway 19, including the attachments.

I would approve of the proposed Easement as to form and correctness.

Very truly yours,

James W. Denhardt  
City Attorney

cc: Doug Lewis, City Manager  
Diane M. Corna, MMC, City Clerk  
Patrick Murphy, Deputy City Manager  
Bart Diebold, Public Works Administrator

JWD/dh

19-225.07252019.LAP.Utility Easement for 7801 US Hwy 19 Matter Bros.wpd



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