

{insert Owner Name, Item #}
{insert project name}
Project #:
Site #: Land Unit:



Prepared By:
Manny R. Vilaret, Esquire
Vilaret Law, PLLC
10901 Danka Circle, Suite C
Saint Petersburg, Florida 33716

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, the undersigned, successors, and assigns (GRANTOR herein), in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, grant and convey to **DUKE ENERGY FLORIDA, LLC, a Florida limited liability company d/b/a DUKE ENERGY** (GRANTEE herein), Post Office Box 14042, St. Petersburg, Florida 33733, its successors, assigns, lessees, licensees, transferees, permittees, and apportionees, the right, privilege and easement to construct, remove, reconstruct, operate, and maintain in perpetuity overhead and/or underground electric transmission and distribution lines, communication systems and related facilities for providing electric energy services, and communications services (including services to telecommunication providers and other customers) and the transmission of any and all present or future form of communication by any present or future means or method (including, with respect to all grants herein, supporting structures, communication and other wires, fiber optics, guys, anchors, attachments and accessories desirable in connection therewith) all of which may be installed or constructed over, under, upon, across, through and within the following described lands in Pinellas County, Florida, and referred to hereinafter as the Easement Area to wit:

See Exhibit "A", attached hereto, incorporated herein, and by this reference made a part hereof.

Tax Parcel Number: **28-30-16-71064-000-0030**

Together with the right to construct, install, operate, utilize, patrol, inspect, alter, improve, repair, rebuild, relocate or remove such lines, systems and supporting structures (including poles) and related facilities, including the right to increase or decrease the number and type of supporting structures (including poles), wires and voltage, adjust the centerline within the Easement Area and to build, maintain and protect such roadways as may reasonably be required for these purposes.

GRANTEE shall have all other rights and privileges reasonably necessary or convenient for the safe and efficient operation and maintenance of said electric transmission and distribution lines, communication systems and related facilities, including (i) the right to trim, cut, remove, and keep clear trees, limbs and undergrowth within said Easement Area and the right to cut down at any time and from time to time, in GRANTEE'S sole discretion, any tree standing outside the Easement Area which if felled, or upon falling, could fall within five (5) feet of any conductor or other facility included within said Easement Area, and further including (ii) the reasonable right to enter upon adjoining lands of the GRANTOR by such route or routes, including private roads and ways then existing thereon, on foot or by conveyance, with materials, supplies, and equipment as may be desirable for the purpose of exercising all rights herein granted and further including (iii) the right to install gates a minimum of sixteen (16) feet in width if GRANTOR has installed a fence within or across the Easement Area, along with GRANTEE'S lock linked with GRANTOR'S lock and further including (iv) the right to relocate any listed or protected plant or animal species found within the Easement Area to another location within the Easement Area. As a result of said relocations, GRANTEE hereby agrees to restore the Easement Area to as near as practicable to the original condition.

GRANTOR covenants and agrees that no trees, buildings, structures, ponds, or obstacles will be located or constructed within the Easement Area nor shall ground elevation be altered more than two (2) feet.

GRANTOR shall have all other rights in and to said Easement Area not inconsistent with (i) GRANTEE'S right to the safe and efficient operation and maintenance of said electric transmission and distribution lines, communications systems and related facilities, including clear, continuous access within the Easement Area, (ii) GRANTEE'S right-of-way utilization or encroachment guidelines, or (iii) any federal, state, or local laws, rules, or regulations; including, but not limited to, the right to utilize said Easement Area for (a) ingress and egress, (b) general farming, (c) construction, maintenance and travel over roads and streets across the Easement Area.

Return to: Duke Energy
Attn: Land Services - Florida
3300 Exchange Place, NP04
Lake Mary, FL 32746

PROVIDED, HOWEVER, that as a condition precedent to the exercise of any such right other than ingress and egress, GRANTOR covenants and agrees to obtain from GRANTEE ((800) 700-8744, www.prgnprojectsolutions.com, or P.O. Box 14042, St. Petersburg, Florida 33733, Attention: Asset Protection Right-of-Way Specialist) a prior written determination that the exercise of such right is not inconsistent with the safe and efficient operation and maintenance of said electric transmission and distribution lines and communications systems or with any of the foregoing guidelines or laws.

GRANTOR warrants and covenants that they have the right to convey to GRANTEE this easement, and that GRANTEE shall have quiet and peaceful possession, use and enjoyment of same.

All covenants, terms, provisions and conditions herein contained shall inure and extend to and be obligatory upon the successors, lessees and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the said GRANTOR has hereunto affixed its hand and seal this _____ day of _____, 20__.

GRANTOR:
City of Pinellas Park

ATTEST:

City Clerk

Sandra Bradbury, Mayor

Print or Type Name

Print or Type Name

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Grantor's mailing address:

Signature of First Witness

Print or Type Name of First Witness

CORPORATE SEAL

Address: _____

Signature of Second Witness

Print or Type Name of Second Witness

Address: _____

(Names and addresses (street number, street, city, state and zip code) **must** be typed or printed clearly under each signature)

State of _____)
County of _____) ss

The foregoing Easement was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 20__, by Sandra Bradbury as Mayor of the City of Pinellas Park, Florida, a Municipal Corporation, who are personally known to me or who have produced _____ as identification.

NOTARY SEAL

Notary Public

Name typed, printed or stamped

My Commission Expires: _____

SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 30 SOUTH, RANGE 16 EAST

EXHIBIT "A"

**SKETCH AND DESCRIPTION FOR
DUKE ENERGY EASEMENT**

ASSOCIATED WITH 5851 PARK BOULEVARD
SUBJECT TAX PARCEL: 28-30-16-71064-000-0030

LEGAL DESCRIPTION:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA AND RUN THENCE N.89°47'07"W. A DISTANCE OF 400.41 FEET ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4 TO A POINT; THENCE RUN N.00°12'53"E. A DISTANCE OF 50.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF PARK BOULEVARD (100 FOOT WIDE PUBLIC RIGHT-OF-WAY) AND FOR A POINT OF BEGINNING; THENCE RUN N.44°23'43"W. ALONG A LINE 37 FEET SOUTHWESTERLY OF AND PARALLEL TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF RAILROAD AVENUE (50 FOOT WIDE RIGHT-OF-WAY, VACATED) A DISTANCE OF 560.11 FEET; THENCE RUN N.45°36'17"E. A DISTANCE OF 37.00 FEET TO A POINT ON THE AFORESAID NORTHEASTERLY RIGHT-OF-WAY LINE OF RAILROAD AVENUE; THENCE RUN S.44°23'43"E. ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF RAILROAD AVENUE A DISTANCE OF 596.60 FEET TO THE AFORESAID NORTH RIGHT-OF-WAY LINE OF PARK BOULEVARD; THENCE RUN N.89°47'07"W. ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 51.97 FEET TO THE POINT OF BEGINNING.

CONTAINING THEREIN 21,399.10 SQUARE FEET OR 0.491 ACRES MORE OR LESS.

**THIS DESCRIPTION AND SKETCH IS BASED ON THE
RECORDED PLAT, RECORDED RESOLUTION AND
FIELD DATA**

PREPARED: 12/03/24

FOR: CITY OF PINELLAS PARK

THIS IS NOT A SURVEY

This Description and Sketch was prepared without the benefit of a title search and is subject to all easements, rights-of-way, and other matters of record.

NOTE: Description and Sketch not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.

Job: 2405-69A
Drawn: DS

I hereby certify that the Description and Sketch represented hereon meets the requirements of Chapter 9J-17, Florida Administrative Code.
John O. Brendla
STATE OF FLORIDA
JOHN O. BRENDLA
Florida Surveyor's Registration No. 4601
Certificate of Authorization No. 760
LICENSED SURVEYOR & MAPPER

Prepared by:
JOHN C. BRENDLA AND ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS AND MAPPERS
4015 82nd Avenue North
Pinellas Park, Florida 33781
phone (727) 576-7546 ~ fax (727) 577-9932

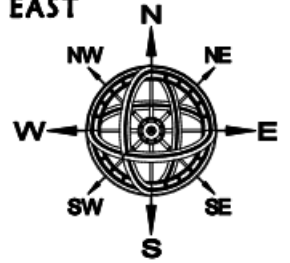
SHEET 1 OF 2

SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 30 SOUTH, RANGE 16 EAST

SKETCH OF DESCRIPTION FOR DUKE ENERGY EASEMENT

ASSOCIATED WITH 5851 PARK BOULEVARD
SUBJECT TAX PARCEL: 28-30-16-71064-000-0030

Prepared by:
JOHN C. BRENDA AND ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS AND MAPPERS
4015 82nd Avenue North
Pinellas Park, Florida 33781
phone (727) 576-7546 ~ fax (727) 577-9932



NORTH BASIS:
ASSUMED MERIDIAN

SCALE: 1" = 100'

60TH STREET NORTH
50' RIGHT-OF-WAY

59TH STREET NORTH
50' RIGHT-OF-WAY, PARTIALLY VACATED

ABBREVIATIONS:

- Ⓢ = CENTERLINE
- H = HILLSBOROUGH COUNTY PLAT
- N.E. = NORTHEAST
- O.R. = OFFICIAL RECORDS
- S.E. = SOUTHEAST

Lot B

N 45°36'17"E 37.00'

76TH AVENUE

50' PLATTED WIDTH VACATED PER
O.R. BOOK 10917, PAGES 293-296

PLAT OF PINELLAS PARK
Plat Book H2, Pages 91 & 92

Lot 8 Lot 7 Lot 6 Lot 5 Lot 4 Lot 3 Lot 2

Block 16

Lot 1

15' ALLEY (VACATED)

Lot 9 Lot 10 Lot 11 Lot 12 Lot 13 Lot 14 Lot 15 Lot 16 Lot 17

NORTH RIGHT-OF-WAY
LINE OF PARK BOULEVARD

STATE ROAD NO. 694
PARK BOULEVARD

100' RIGHT-OF-WAY
SOUTH LINE OF THE N.E. 1/4 OF THE
S.E. 1/4 OF SECTION 29-30-16

Point of Beginning

N 89°47'07"W
51.97'

Point of Commencement

SOUTHEAST CORNER OF THE N.E. 1/4 OF
THE S.E. 1/4 OF SECTION 29-30-16

RAILROAD AVENUE
50' RIGHT-OF-WAY
(VACATED)

SUBJECT AREA
21392.10 SQUARE FEET
OR 0.4912 ACRES

SEABOARD COASTLINE RAILROAD
NORTHEASTERLY 100' RIGHT-OF-WAY
LINE OF RAILROAD AVENUE
S 44°23'43"E 386.14'
N 44°23'43"W 348.85'

Job: 2405-69A
Drawn: DS

FOR: CITY OF PINELLAS PARK

Assumed Basis of Bearings:
SOUTH LINE OF THE N.E. 1/4 OF THE S.E. 1/4
OF SECTION 29-30-16 AS BEING N.89°47'07"W.

PREPARED: 12/03/24

THIS IS NOT A SURVEY

SHEET 2 OF 2



CITY HALL - P.O.Box 1100
PINELLAS PARK, FL 33780-1100

Please Respond To:

James W. Denhardt
City Attorney
Law Offices of James W. Denhardt
2700 First Avenue North
St. Petersburg, Florida 33713
(727) 327-3400 - Telephone

December 17, 2024

Mr. Todd Biron
Planning Coordinator
City of Pinellas Park
P. O. Box 1100
Pinellas Park, Florida 33780-1100

**RE: City Document #24-329
Duke Energy Easement - CSX Line
Parcel No. 28-30-16-71064-000-0030**

Dear Mr. Biron:

Our office has received and reviewed the above-referenced Easement from the City of Pinellas Park to Duke Energy for Parcel No. 28-30-16-71064-000-0030. Please note that the notary jurat will need to be updated to reflect that the Easement was acknowledged by Sandra Bradbury as Mayor of the City of Pinellas Park, Florida, a Municipal Corporation.

Other than the above-mentioned change, and assuming the sketch and legal description contained in Exhibit A are correct, our office would approve of the Easement as to form and correctness.

Very truly yours,

James W. Denhardt
City Attorney

cc: Bart Diebold, City Manager
Jennifer Carfagno, MMC, City Clerk
Dan Hubbard, Asst. City Manager
Nick Colonna, Community Development Administrator
Aaron Petersen, Asst. Community Development Administrator
Erica Lindquist, Planning & Development Services Director

JWD/pl

24-329.20241214.LTB.Eas to Duke part 1.wpd



Todd Biron <tbiron@pinellas-park.com>

FW: ESMT-2024-00003 - Duke Easement / GFY 23Y02850SS

2 messages

McKay, Michael <mmckay@georgefyoung.com>
To: Todd Biron <tbiron@pinellas-park.com>
Cc: "Hatch, Trevor" <thatch@georgefyoung.com>, Aaron Petersen <APetersen@pinellas-park.com>

Wed, Dec 4, 2024 at 10:47 AM

Todd,

No survey review comments.

Respectfully,

Michael McKay

Senior Survey Project Manager

Phone: (727) 822-4317

Cell: (727) 318-0306

GEORGE F YOUNG

299 Dr. Martin Luther King Jr. St. N., St. Petersburg, FL 33701

<https://link.edgepilot.com/s/d17bab09IG2-q0UdR70iCvtBQIXMsBw?u=http://www.georgefyoung.com/>

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From: Todd Biron <tbiron@pinellas-park.com>
Sent: Tuesday, December 3, 2024 10:52 AM
To: Hatch, Trevor <thatch@georgefyoung.com>
Cc: Aaron Petersen <APetersen@pinellas-park.com>
Subject: Re: ESMT-2024-00003 - Duke Easement

Hey Trevor,

We had to revise the sketch/legal for this project. Can you review again?

Thank you,

Todd Biron

Associate Planner

City of Pinellas Park

6051 78th Avenue N

Pinellas Park, FL 33781

Office: 727.369.5613



On Fri, Jun 21, 2024 at 3:00 PM Todd Biron <tbiron@pinellas-park.com> wrote:

Received, thank you!

On Fri, Jun 21, 2024 at 2:50 PM Hatch, Trevor <thatch@georgefyoung.com> wrote:

Good afternoon,

See attached closure report, it looks fine and we have no comments.

Trevor Hatch, PSM

Vice-President, Survey, St Petersburg



299 Dr. Martin Luther King Jr. St. N.

St. Petersburg, FL 33701

Phone: (727) 822-4317 1223

Direct:(727) 503-0077

Cell:(801) 541-3385

<https://link.edgепilot.com/s/cd321202/Yz4X2MeGcUOIxKUVAoi7tg?u=http://www.georgefyoung.com/>

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From: Todd Biron <tbiron@pinellas-park.com>
Sent: Thursday, June 20, 2024 11:30 AM
To: Hatch, Trevor <thatch@georgefyoung.com>
Cc: Aaron Petersen <APetersen@pinellas-park.com>
Subject: ESMT-2024-00003 - Duke Easement

You don't often get email from tbiron@pinellas-park.com. [Learn why this is important](#)

Good morning,

Please see attached for review. This is a sketch and legal description for a 37 foot utility easement along the southern portion of the CSX line from Park Blvd to 60th Street near 5851 Park Blvd. Let me know if you have any questions.

Thanks,

--

Todd Biron

Associate Planner

City of Pinellas Park

6051 78th Avenue N

Pinellas Park, FL 33781

Office:727.369.5613



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Todd Biron <tbiron@pinellas-park.com>
To: "McKay, Michael" <mmckay@georgeyoung.com>
Cc: "Hatch, Trevor" <thatch@georgeyoung.com>, Aaron Petersen <APetersen@pinellas-park.com>

Wed, Dec 4, 2024 at 11:31 AM

Hey Michael,

Confirming receipt. Thanks!

Thank you,
Todd Biron
Associate Planner
City of Pinellas Park
6051 78th Avenue N
Pinellas Park, FL 33781
Office: 727.369.5613



[Quoted text hidden]