

Return To:

Michael P. Lehnert, Esquire
P. O. Box 280
Fort Myers, FL 33902-0280

UTILITY EASEMENT

THIS INDENTURE, made this _____ day of _____, A.D., 2019, between **38321 Pinellas Park, LLC**, a Florida limited liability company, located at 900 SW Pine Island Road, Suite 202, Cape Coral, Florida 33991, 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 **Utility Easement** over, across, under and through that portion of Parcel ID#21-30-16-69822-100-3101, Property Address 9401 49th Street N., Pinellas Park, Florida, as further described in the legal description and sketch of easement areas as depicted on **Exhibit "A"** which is attached hereto and made a part hereof for the purpose of providing access to the water meter bank situated on said Parcel and to make any and all necessary repairs, replacements and maintenance to the water meter assembly system situated within the easement area.

See Attached Legal Description and Sketch, Exhibit "A"

The Easement is not intended for the use by the general public.

It is the intention of the Grantor that this Utility Easement shall run with the land described above.

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

Signed, sealed and delivered in the presence of:

Signed, Sealed and Delivered in the presence of: **38321 Pinellas Park, LLC**, a Florida limited liability company

Witness Signature

M. Dan Creighton, Manager

Print/Typed Witness Name

Witness Signature

Print/Typed Witness Name

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2019, by M. Dan Creighton as Manager of 38321 Pinellas Park, LLC, a Florida limited liability company, on behalf of the company, and who is personally known to me or who has produced _____ as identification.

My Commission Expires:

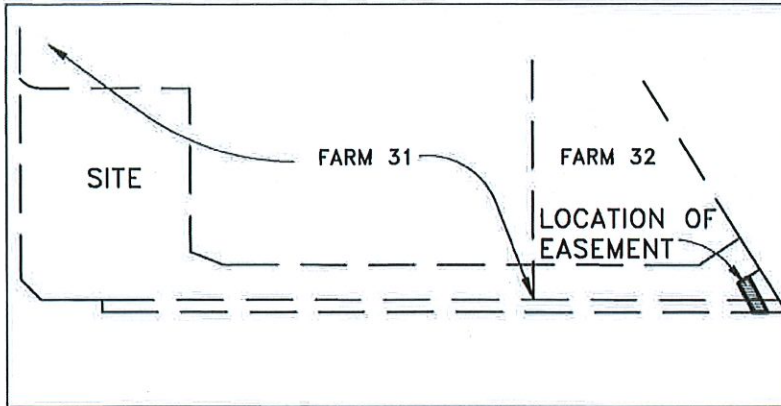
Notary Public

Print/Type Name of Notary

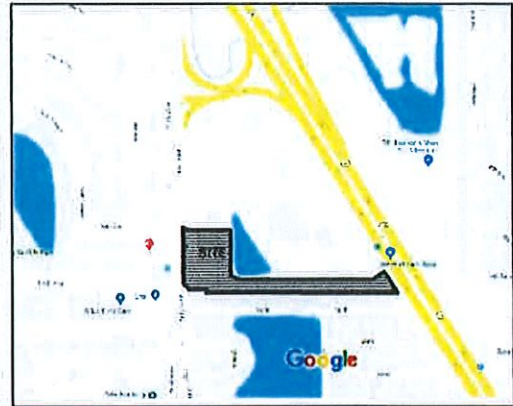
Commission No. _____

Exhibit "A"

SECTION 21, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA

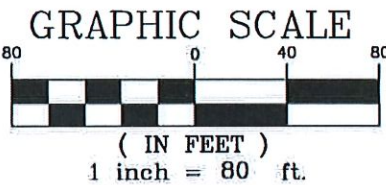


KEY MAP NTS



VICINITY MAP NTS

49TH STREET NORTH
EAST RIGHT-OF-WAY LINE



FARM 31

FARM 32

U.S. HIGHWAY 19
SOUTHWESTERLY R/W
OF U.S. HIGHWAY 19

15' UTILITY EASEMENT

SOUTH LINE OF
FARM 31 & 32

EAST/WEST CL SECTION 21

S89°56'03"E BRL 959.55'

POC
SOUTHWEST CORNER
OF THE SE1/4 OF
THE NE1/4 OF
21-30-16

N1/2 OF 94TH AVENUE
VACATED BY RESOLUTION
& PERPETUAL UTILITY &
DRAINAGE RETAINED PER
O.R. BOOK 12303, PAGE 1431

LINE TABLE		
LINE	LENGTH	BEARING
L1	40.91	N27°59'08"W
L2	15.04	N58°03'22"E
L3	49.94	S27°59'08"E
L4	17.00	N89°56'03"W

POB

LEGAL DESCRIPTION: 15' UTILITY EASEMENT

THAT PORTION OF FARM 32 PINELLAS FARMS AS RECORDED IN PLAT BOOK 7, PAGES 4 AND 5, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA OF WHICH PINELLAS COUNTY WAS FORMERLY A PART IN THE STATE OF FLORIDA AND THAT PORTION OF VACATED 94TH AVENUE RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 12303, PAGE 1431, PINELLAS COUNTY, FLORIDA;

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 30 SOUTH, RANGE 16 EAST, SOUTH 89°56'03" EAST, ALONG THE EAST/WEST CENTERLINE, 959.55 FEET FOR THE POINT OF BEGINNING; THENCE RUN NORTH 27°59'08" WEST, 40.91 FEET; THENCE NORTH 58°03'22" EAST, 15.04 FEET; THENCE SOUTH 27°59'08" EAST, 49.94 FEET TO THE AFORESAID EAST/WEST CENTERLINE; THENCE NORTH 89°56'03" WEST, ALONG SAID EAST/WEST CENTERLINE, 17.00 FEET TO THE POINT OF BEGINNING.

SURVEYORS REPORT

- 1.) THIS IS A SKETCH AND DESCRIPTION ONLY, NOT A SURVEY. IT'S PRIMARY PURPOSE IS TO SHOW / DOCUMENT THE LOCATION OF THE PARCELS TO EASEMENT.
- 2.) THIS SKETCH COMPLIES WITH THE FLORIDA STANDARDS OF PRACTICE PURSUANT TO 5J-17 FLORIDA ADMINISTRATIVE CODE FOR THIS TYPE OF SURVEY AND IS NOT INTENDED TO MEET THE NATIONAL STANDARDS.
- 3.) THE PROFESSIONAL SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- 4.) THE BEARING BASIS IS PER LEGAL DESCRIPTION PROVIDED. THE BEARING REFERENCE LINE IS THE EAST/WEST CENTERLINE OF SECTION 21, BEING S89°56'03"E. NORTH ARROW IS BASED ON THE BEARING STRUCTURE.
- 5.) COPYRIGHT © LAND PRECISION CORPORATION. ALL RIGHTS RESERVED. NO PART OF THIS DRAWING MAY BE REPRODUCED BY PHOTOCOPYING, RECORDING OR BY ANY OTHER MEANS, OR STORED, PROCESSED OR TRANSMITTED IN OR BY ANY COMPUTER OR OTHER SYSTEMS WITHOUT THE PRIOR WRITTEN PERMISSION OF THE SURVEYOR. COPIES OF THIS PLAN WITHOUT AN ORIGINAL SIGNATURE AND IMPRESSION SEAL ARE NOT VALID.
- 6.) ALIGNMENT FOR EASEMENT PROVIDED IN CADD FILE.

LAND PRECISION CORPORATION



2683 SUNSET POINT ROAD
CLEARWATER, FL 33759/LB #6168
727-796-2737
FAX 727-796-3326

SURVEYING - MAPPING - PLANNING

ABBREVIATION LEGEND

- | | |
|-------------------------------|------------------------------------|
| PG - PAGE | R/W - RIGHT-OF-WAY |
| FIP - Found Iron Pipe | C/T - Curb Tie |
| N&D - Nail and Disk | PC - Point Of Curve |
| POB - Point Of Beginning | F/T - Fence Tie |
| PCP - Permanent Control Point | POL - Point On Line |
| POC - Point Of Commencement | (M) - Measured |
| BRL - Bearing Reference Line | (P) - Plat |
| FRL - Field Reference Line | FCM - Found Concrete Monument |
| ⊕ - Section Corner | PRM - Permanent Reference Monument |
| | O.R. - OFFICIAL RECORDS |
| | NTS - NOT TO SCALE |

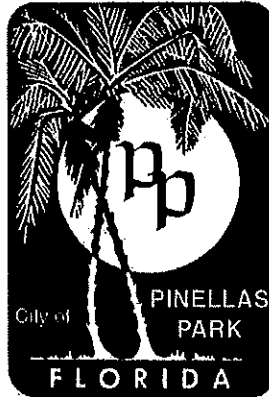
JOB #18101-UE-4

DATE: 5/6/19

VINCENT E. COBBITT, FLA. LICENSED SURVEYOR AND MAPPER No. 4608
(NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.)

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

May 28, 2019

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

RE: City Document #19-150
Utility Easement for 9401 49th Street

Dear Mr. Petersen:

I have received and reviewed the above-mentioned Utility Easement. Please note that this Utility Easement is solely for the purpose of providing access to the water meter bank situated on such parcel and to make any and all necessary repairs, replacements and maintenance to the water meter assembly system situated within the easement area.

Again, it is my understanding that 38321 Pinellas Park, LLC is purchasing the property located at 9401 49th Street, and was scheduled to close on such property last week. Upon such purchase being finalized, assuming that the legal description contained in the easement is correct, I would approve of the Utility 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/law

19-151.05282019.LAP.Easements 9401 49th Str.wpd



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