

Prepared By & Return To:
Henderson, Franklin, Starnes & Holt, P.A.
1715 Monroe St.
Fort Myers, FL 33901

UTILITY EASEMENT

THIS INDENTURE, made this _____ day of _____ A.D., 2019, between **38321 Pinellas Park, LLC, a Florida limited liability company**, Mailing Address 900 SW Pine Island Rd., Suite 202, Cape Coral, FL 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, under, across and through that portion of Parcel ID#21-30-16-69822-100-3101, Property Address 9401 49th Street N., Pinellas Park, Florida, 33782, 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.

See Attached Legal Description and Sketch, Exhibit “A”

It is the intention of said Party of the First Part 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 said Party of the First Part has hereunto set his Hand and Seal the day and year first above written.

SIGNED, SEALED, AND DELIVERED IN OUR PRESENCE:

Witness#1.)

38321 Pinellas Park, LLC, a Florida limited liability company

(Signature)

By: _____
M. Dan Creighton, Manager

(Print Name)

(Witness#2.)

(Signature)

(Print name)

State of Florida

County of Pinellas

The foregoing instrument was acknowledged before me this _____, 2019, by

_____(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

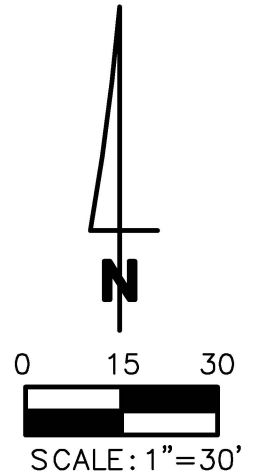
Utility Easement

Number of Pages ____ Date of Document _____

Signers Other than Named Above NONE

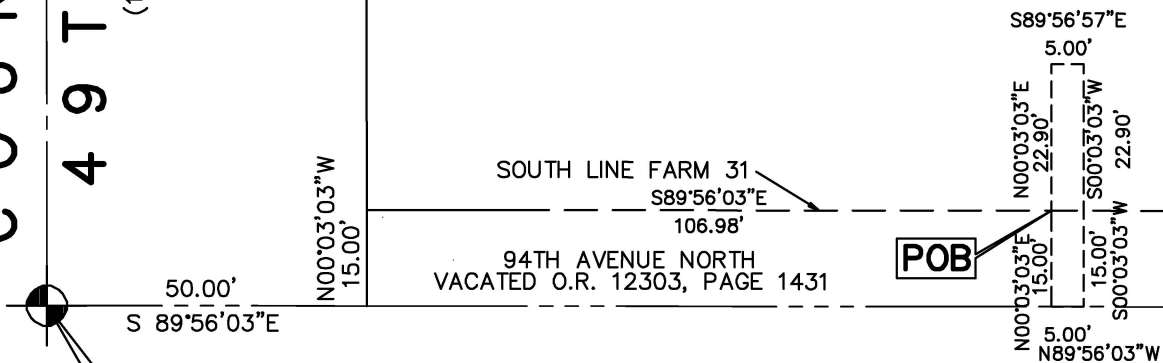
LEGEND

BNDY = BOUNDARY
COR = CORNER
OR = OFFICIAL RECORDS BOOK
PB = PLAT BOOK
PG = PAGE
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
R/W = RIGHT-OF-WAY
SR = STATE ROAD
US = UNITED STATES



COUNTY ROAD 611
49TH STREET NORTH
(100' RIGHT-OF-WAY)

EAST RIGHT-OF-WAY LINE



POC

SOUTHWEST CORNER OF THE
SOUTHEAST 1/4 OF THE NORTHEAST
1/4 OF SECTION 21, TOWNSHIP 30
SOUTH, RANGE 16 EAST

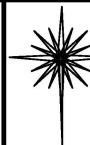
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NOT A SURVEY

SHEET 1 OF 2

| ITEM | DATE | BY | QC |
|-------------------------------|----------|-----|-----|
| SKETCH & DESCRIPTION | 11-22-19 | DHR | DHR |
| H: \JN\5028\DWG\4028SDRCL.DWG | | | |

**EXHIBIT A
UTILITY EASEMENT**



POLARIS ASSOCIATES INC.
PROFESSIONAL SURVEYING LB 6113
2165 SUNNYDALE BOULEVARD, SUITE D
CLEARWATER, FLORIDA 33765
(727) 461-6113

DESCRIPTION

THAT PORTION OF FARM 31, PINELLAS FARMS AS RECORDED IN PLAT BOOK 7, PAGES 4 AND 5 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART LYING IN THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.89°56'03"E., 50.00 FEET ALONG THE EAST WEST CENTERLINE OF SAID SECTION; THENCE N.00°03'03"W., 15.00 FEET TO THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF 49TH STREET NORTH AND THE NORTH RIGHT-OF-WAY LINE OF 94TH AVENUE NORTH; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, S.89°56'03"E., 106.98 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID LINE, N.00°03'03"E., 22.90 FEET; THENCE S.89°56'57"E., 5.00 FEET; THENCE S.00°03'03"W., 22.90 FEET; THENCE CONTINUE S.00°03'03"W., 15.00 FEET; THENCE N.89°56'03"W., 5.00 FEET; THENCE N.00°03'03"E., 15.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.004 ACRES, MORE OR LESS


NOTES

1. BEARINGS ARE BASED ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 30 SOUTH, RANGE 16 EAST, SAID LINE BEING ASSUMED AS S89°56'03"E.
2. LEGAL DESCRIPTION WAS PREPARED BY POLARIS ASSOCIATES, INC.
3. RE-USE OF THIS SKETCH FOR PURPOSES OTHER THAN WHICH IT WAS INTENDED, WITHOUT WRITTEN VERIFICATION, WILL BE AT THE RE-USERS SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR. NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE CERTIFIED TO.
4. THIS SKETCH IS NOT INTENDED TO SHOW THE LOCATION OR EXISTENCE OF ANY JURISDICTIONAL, HAZARDOUS OR ENVIRONMENTALLY SENSITIVE AREAS.
5. THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD.

CERTIFICATION

I HEREBY CERTIFY THAT THE SKETCH REPRESENTED HEREON MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

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DAN H. RIZZUTO
PROFESSIONAL LAND SURVEYOR
LS 5227, STATE OF FLORIDA

NOT A SURVEY

SHEET 2 OF 2

| ITEM | DATE | BY | QC |
|-------------------------------|----------|-----|-----|
| REVISE DESCRIPTION | 12-02-19 | DHR | DHR |
| SKETCH & DESCRIPTION | 11-22-19 | DHR | DHR |
| H: \JN\5028\DWG\4028SDRCL.DWG | | | |

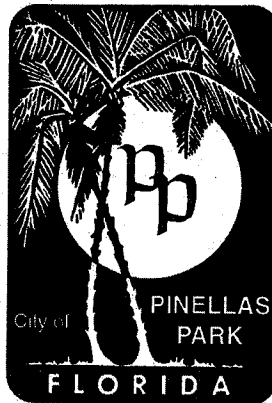
**EXHIBIT A
UTILITY EASEMENT**



POLARIS ASSOCIATES INC.
PROFESSIONAL SURVEYING LB 6113
2165 SUNNYDALE BOULEVARD, SUITE D
CLEARWATER, FLORIDA 33765
(727) 461-6113

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

December 31, 2019

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

RE: City Document #19-403
Utility Easement for 9401 49th Street (Reclaimed Water Meter)

Dear Mr. Petersen:

I have received and reviewed the Utility Easement for access to the Reclaimed Water Meter at 9401 49th Street. Assuming that the legal description contained in Exhibit A is correct, I would approve of the proposed Utility Easement as to form and correctness.

Very truly yours,

Lauren C. Rubenstein
Assistant City Attorney

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

LCR/dh

19-403.12312019.LAP.Utility Easement for 9401 49th St.wpd



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