

Prepared by and return to:
Port St. Lucie Utility Systems Dept.
900 SE Ogden Lane
Port St. Lucie, FL 34983

ACCESS & EXCLUSIVE UTILITY EASEMENT

THIS INDENTURE made and entered into this _____ day of _____, 200_____, by and between _____ (the "Grantor"), whose mailing address is _____ and the **CITY OF PORT ST. LUCIE**, a Florida municipal corporation (the "Grantee"), whose mailing address is 900 SE Ogden Lane, Port St. Lucie, Florida 34983:

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and their respective heirs, legal representatives, successors and assigns.)

WITNESSETH:

That Grantor is the owner in fee simple of that certain real property (the "Property") lying, situate and being in St. Lucie County, Florida and more particularly described in Exhibit "A", attached hereto and made a part hereof; and

That Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants and warrants to the Grantee, its successors and assigns, an exclusive easement in perpetuity for utility purposes, more particularly described in Exhibit "B" (the "Easement Premises"), attached hereto and incorporated herein by reference, which shall run with and be a burden upon the Property.

Grantor and Grantee agree that there shall be no improvement planted or constructed within the boundaries of the Easement Premises without the express written approval of the City of Port St. Lucie. Should the Grantor plant or construct such improvement, it shall be subject to removal or destruction by the Grantee, without liability or responsibility thereof on the part of the Grantee.

Grantor further grants to the Grantee, its agents, employees, contractors, and assigns, a general ingress/egress easement over and across its driveways, parking, common or open areas of the Property, described in Exhibit "A", for the purpose of access to, and/or maintenance of, any of the Grantee's utility pipelines and equipment.

The undersigned hereby covenants and warrants that Grantor owns the said land described herein and the undersigned, as or on behalf of Grantor, has the right to grant this easement.

IN WITNESS WHEREOF, the Grantor has duly authorized and caused this Indenture to be executed in its name as of the day and year first herein written.

WITNESSES:

GRANTOR:

Print Name: _____

Print Name/Title: _____

Print Name: _____

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____, and did not take an oath, who [] is known to me, or [] produced _____ as identification.

Notary Public

Print Name: _____

Notary Seal

My Commission Expires: _____

EXHIBIT "A"

Legal Description of the Property

(Please include Parcel ID#)

EXHIBIT "B"

Legal Description & Sketch of the Easement Premises