

**CITY OF PORT ST. LUCIE UTILITY SYSTEMS DEPARTMENT
EASEMENT FORM PREPARATION INSTRUCTIONS**

Please complete the easement form according to the following instructions. Please note that a failure to completely fill out the form and have it properly executed will result in a need to have the form resubmitted.

1. Completely fill in the blanks: Fill in the date and Grantor(s) identity at the top of the form and mailing address. The Grantor(s) include all persons or entities shown on the deed reflecting ownership of the property.
2. Signing and Witnessing:
 - A. **For individuals:** All persons shown on the deed must sign the easement. You may need to add additional lines and notary blocks as needed depending upon the number of owners. All owners must sign in the presence of two witnesses and a notary must fully complete the acknowledgement form/notary block for each owner. The notary may be one of the two witnesses required; however, he/she must also sign on one of the witness lines in addition to her signature in the notary block.
 - B. **For Corporations or other Entities:** The President, Vice-President, Partner, Member, etc., having the authority to convey an interest in real property owned by the entity must sign and provide their title below their signature. Again, the document must be signed in the presence of two witnesses and acknowledged by a notary.
3. Acknowledgements: The Notary public should legibly fill in all blanks, including: state and county of execution; names of individuals of officers signing and their titles; expiration date of commission; fill in date; sign on line provided; and affix notary seal adjacent to the signature of the notary public.
4. Exhibits: Exhibit "A" should include the legal description of the Property of which the easement is a part. Please provide the Parcel ID# if one has been assigned. Exhibit "B" should include the sketch & legal description of the Easement Premises.
5. **Questions:** If there are any questions with regard to the easement, such as land held in trust, a need for modifications to the form, or other legal issues, etc., please contact the City of Port St. Lucie Legal Department at 772-871-5294 prior to having the document executed or recorded.

Easement form begins on next page

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 _____, 200____, 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