

RETURN TO: COURTHOUSE BOX 145

EASEMENT
FROM GENERAL PARTNERSHIP

THIS INSTRUMENT PREPARED BY:
R. N. KOBLEGARD, III, ESQUIRE
200 S. INDIAN RIVER DRIVE, #201
FORT PIERCE, FL 34950

PROPERTY APPRAISERS PARCEL ID (FOLIO) NUMBER(S):
2310-500-0001-000-0; 2310-500-0002-000-7; 2310-500-0006-000-5;
2310-500-0005-000-8; 2310-500-0003-000-4; 2310-500-0186-000-0; AND
OTHER INDIVIDUALLY PLATTED LOTS

Know All Men by These Presents, that the undersigned

PALM BREEZES PROPERTY OWNERS ASSOCIATION, INC., A FLORIDA CORPORATION

for and in consideration of the sum of One Dollar, to them in hand paid by the Fort Pierce Utilities Authority of the City of Fort Pierce, Florida (located at 206 South Sixth Street), a municipal corporation under the laws of the State of Florida, receipt whereof is hereby acknowledged, do hereby convey and grant to the City of Fort Pierce, Florida, for the use and benefit of the Fort Pierce Utilities Authority, the privilege and easement for the installation maintenance, operation, repair, replacement and/or removal of their municipal-owned electric, water, sewer and natural gas utilities, in, under, upon, along, over and across the following-described land in St. Lucie County, Florida, to wit:

SEE ATTACHED EXHIBIT'S "A", "B" AND "C".

THE ABOVE-DESCRIBED PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR.

Access to the above strip of land over the adjoining lands of the GRANTORS is hereby granted. The GRANTEE may cut or trim trees, bushes and saplings growing upon or extending over said strip of land so far as may be reasonably necessary in the installation, maintenance, operation, repair, replacement and/or removal of said utilities. Patrolling said easement shall not constitute grounds for a claim for damage.

The GRANTORS reserve the use of said strip of land for any use not inconsistent herewith, but no buildings or structures shall be erected or placed on said strip of land by GRANTORS. The rights herein granted may be assigned in whole or in part.

The GRANTEE will indemnify and save the GRANTOR harmless from any damages, injuries, losses, claims, demands or costs proximately caused by the sole fault or negligence of the GRANTEE, its representatives, subcontractors or agents in the installation, maintenance, operation, repair, replacement and/or removal of said utilities and the equipment and facilities connected therewith, over and across said strip of land. Provided, however, that regardless of whether any such obligations are based on a tort, contract, statute, strict liability, negligence, product liability or otherwise, the obligations of the FPUA under this indemnification provision shall be limited in the same manner that would have applied if such obligations were based on, or arose out of, an action at law to recover damages in tort and were subject to Section 768.28, Florida Statutes, as that section existed at the inception of this Contract, and that the maximum amount of indemnity to be paid under this provision, for a single claim or occurrence by any one person, shall not exceed the sum of \$100,000.00 for any claim or judgment, or portions thereof, subject to the maximum sum of \$200,000.00 as the result of all claims and judgments arising out of the same incident or occurrence.

The undersigned hereby covenant and warrant that they own the said land and have the right to grant this easement.

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, by its proper member thereunto duly authorized this

29 day of August, 2008.

PALM BREEZES PROPERTY OWNERS ASSOCIATION, INC.,
A Florida corporation
GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

By:

Witness Signature

Printed Witness Signature

Witness Signature

Printed Witness Signature

Kevin Borkenhagen, Director (Signature)

Printed Signature

3301 Quantum Blvd.

Address

Boynton Beach, FL 33426

City, State, Zip

STATE OF FLORIDA

COUNTY OF Palm Beach

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared JEREMY RURY, known to me to be one of the Directors of PALM BREEZES PROPERTY OWNERS ASSOCIATION, INC., a Florida corporation, the entity in whose name the foregoing instrument was executed, and that he acknowledged executing the same for such entity, freely and voluntarily, under authority duly vested in him by said entity, that I relied upon the following form of identification of the above-named person: Driver's License, and that an oath was not taken.

WITNESS my hand and official seal in the County and State last aforesaid this 29 day of August, 2008,

(NOTARY SEAL)



Notary Signature

Erika Etchison
Notary's Printed Name

EXHIBIT A

LEGAL DESCRIPTIONPARCEL 1:

The North 1/2 of the Northeast 1/4; The North 1/2 of the Northwest 1/4 lying East of Easterly Right-Of-Way of Florida Sunshine State Parkway and the Southwest 1/4 of the Northeast 1/4, Except therefrom the following:

From the Southwest Corner of the Southwest 1/4 of the Northeast 1/4 run North along the West line of said Southwest 1/4 of the Northeast 1/4 85.00 feet, more or less, to the North Right-Of-Way line of North St. Lucie River Drainage Canal No. 45 for POINT OF BEGINNING; thence continue North along said West line a distance of 465.00 feet to a point; thence run East parallel with the South line of said Southwest 1/4 of the Northeast 1/4 793.60 feet; thence run South parallel with aforementioned West line 465.00 feet to the North Right-Of-Way line of said Canal No. 45; thence run West along said North Right-Of-Way line a distance of 793.60 feet to the POINT OF BEGINNING. FURTHER EXCEPTING the North 39.50 feet of the Northwest 1/4 of the Northeast 1/4, the North 41.00 feet of the Northeast 1/4 of the Northwest 1/4, the North 100.00 feet of the North 1/2 of the Northeast 1/4, the East 48.50 feet of the Northeast 1/4 of the Northwest 1/4, 1/4 and the South 85.00 feet of the Southwest 1/4 of the Northeast 1/4, All lying in Section 10, Township 35 South, Range 39 East, St. Lucie County, Florida.

PARCEL 2:

All that certain lands lying in St. Lucie County, Florida; located in Section 10, Township 35 South, Range 39 East; situated and lying Easterly of Florida's Turnpike (State Road 91) as per Sunshine State Parkway Right-of-Way Map Station 140+00 to Station 202+36.70, St. Lucie County, Contract 7.1, Sheet 3 of 5 and being more particularly described as follows:

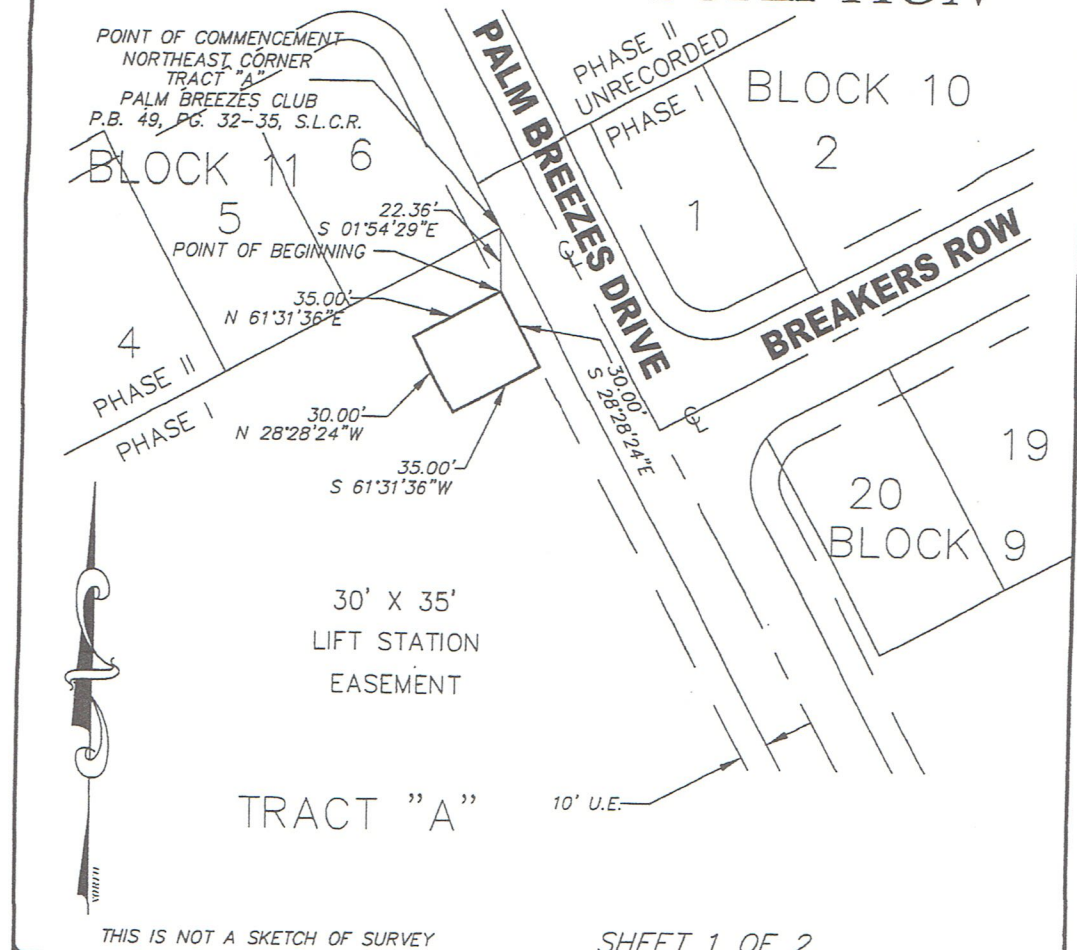
Commence at a wooden hub marking the center of said Section 10, thence N00°15'41"E along the East line of the Northwest 1/4 of said Section, a distance of 1333.21 feet to the Northeast corner of the South 1/2 of the Northwest 1/4 of Section 10; thence N89°35'21"W along the North line of the South 1/2 of the Northwest 1/4 of Section 10, a distance of 311.05 feet to the Northeast corner of the West 1/2 of the East 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 10, for a POINT OF BEGINNING, thence continue N89°35'21"W along said North line, a distance of 954.07 feet, to a point on the Easterly right-of-way line of Florida's Turnpike (State Road 91), thence S14°33'00"E along said Easterly right-of-way line, a distance of 1238.60 feet; thence departing said right-of-way N89°39'22"E, a distance of 15.42 feet; thence N00°15'17"E, a distance of 696.62 feet; thence S89°35'21"E, a distance of 622.06 feet to a point on the East line of the West 1/2 of the East 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section; thence N00°15'33"E, along said East line a distance of 500.00 feet to the POINT OF BEGINNING.

Reserving all rights of Ingress, egress, light, air, and view between the above described parcel and Florida's Turnpike (State Road 91)

Said parcel contains 151.66 acres, more or less.

EXHIBIT B

SKETCH AND DESCRIPTION



THIS IS NOT A SKETCH OF SURVEY

SHEET 1 OF 2

REVISIONS	DATE	BY	CKD	FB/PG

A SECTION OF LAND LYING
WITHIN TRACT "A"
PALM BREEZES CLUB
PLAT BOOK 49, PAGES 32- 35
S.L.C.R.

 THEODORE J. DAVID FOR THE FIRM PROFESSIONAL SURVEYOR AND MAPPER FLORIDA REGISTRATION NO. 5821 DAVID & GERCHAR, INC. LB #6935	SCALE: 1" = 50'	JOB NO: 06-038E4	<div style="font-size: 2em; font-weight: bold; margin-bottom: 5px;">D</div> DAVID & GERCHAR, INC. SURVEYORS AND MAPPERS 10750 Wiles Road Coral Springs, Florida 33076 (954) 340-4025 • Fax: (954) 255-0735
	FB/PG N/A	CAD FILE: F:\PALMBREEZES\S&D	
	DRAWN BY: SN	DATE: 02/07/06	
	CKD BY: TJD	PROJ. FILE: PALMBREEZES	

SKETCH AND DESCRIPTION

LEGAL DESCRIPTION:

A PORTION OF LAND LYING WITHIN TRACT "A", PALM BREEZES CLUB, P.B. 49, PG. 32-35, S.L.C.R., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT "A"; THENCE SOUTH 01°54'29" EAST, A DISTANCE OF 22.36 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 28°28'24" EAST, A DISTANCE OF 30.00 FEET; THENCE SOUTH 61°31'36" WEST, A DISTANCE OF 35.00 FEET; THENCE NORTH 28°28'24" WEST, A DISTANCE OF 30.00 FEET; THENCE NORTH 61°31'36" EAST, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA. CONTAINING 1,050 SQUARE FEET MORE OR LESS.

LEGEND:

P.B.	PLAT BOOK
PG.	PAGE
O.R.B.	OFFICIAL RECORD BOOK
S.L.C.R.	ST. LUCIE COUNTY RECORDS

SURVEY NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF PALM BREEZES CLUB, P.B. 49, PG. 32-35 S.L.C.R..
2. THE UNDERSIGNED AND DAVID & GERCHAR, INC. MAKE NO REPRESENTATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS AND OTHER MATTERS, AND FURTHER, THIS INSTRUMENT IS NOT INTENDED TO REFLECT OR SET FORTH ALL SUCH MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY AND OR EASEMENTS OF RECORD.
3. THERE HAS BEEN NO SEARCH OF THE PUBLIC RECORDS PERFORMED BY THIS FIRM.
4. THIS SKETCH & DESCRIPTION IS NOT VALID WITHOUT A SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

THIS IS NOT A SKETCH OF SURVEY

SHEET 2 OF 2

REVISIONS

	DATE	BY	CKD	FB/PG

A SECTION OF LAND LYING
WITHIN TRACT "A"
PALM BREEZES CLUB
PLAT BOOK 49, PAGES 32-35
S.L.C.R.

SCALE:
1" = 50'

FB/PG
N/A

DRAWN BY:
SN

CKD BY:
TJD

JOB NO:
06-038E4

CAD FILE:
F:\PALMBREEZES\S&D

DATE:
02/07/06

PROJ. FILE:
PALMBREEZES

**DAVID &
GERCHAR, INC.**
SURVEYORS AND MAPPERS

10750 Wiles Road
Coral Springs, Florida 33076
(954) 340-4025 Fax: (954) 255-0735

Exhibit C

A 12 foot utility easement centered over those water facilities, a 15 foot utility easement centered over those wastewater facilities, along with a 30' x 35' foot easement for the lift station (Exhibit B) that have been installed for the project known as Palm Breezes/Morningside, and as more accurately depicted on the record drawings dated 4/13/2007 and certified by the design engineer HSQ Group, Inc. on 4/20/2007, all lying within the following described property (legal description attached Exhibit A).