

UTILITY EASEMENT DEED

THIS INDENTURE, made this 13 day of Sept, 2024 between 1417 Avenue Associates, LLC whose mailing address is 2775 Burris Road, Davie, Florida 33314 as "**Grantor**," and the **CITY OF MARGATE, Florida**, a municipal corporation organized and existing under the laws of the State of Florida, whose mailing address is 5790 Margate Boulevard, Margate, FL 33063, as "**Grantee**."

WITNESSETH

WHEREAS, the "**Grantor**" is the owner of the property situated in Broward County, Florida, and described more appropriately as contained in **Exhibit "A"** attached hereto; and

WHEREAS, the "**Grantee**" desires an easement for water distribution lines and sewer collection lines, including hydrants, and/or other appropriate purposes incidental thereto, on, over and across the said property; and

WHEREAS, the "**Grantor**" is willing to grant such easement.

NOW, THEREFORE, for and in consideration of the mutual covenants each to the other running and one dollar (\$1.00) and other good and valuable considerations, the party of the "**Grantor**" hereby grants unto the "**Grantee**," its successors and assigns, full and free right and authority to construct, maintain, repair, install and rebuild utility lines including hydrants, and incidental improvements within the perpetual easement which is granted by this document as specifically set out in **Exhibit "B"** attached hereto.

IN WITNESS WHEREOF, the "**Grantor**" has set its hand and seal on the day first above written.

[Signature]
Witness

Print Name of Witness
2705 BURRIS RD DAVIE, FL 33314

[Signature]
By
1417 Avenue Associates, LLC
Print Name of "**Grantor**"
Manager
Title

[Signature]
Witness
Rosa M. Munoz
Print Name of Witness
2705 Burris Rd, Davie, Fl. 33314

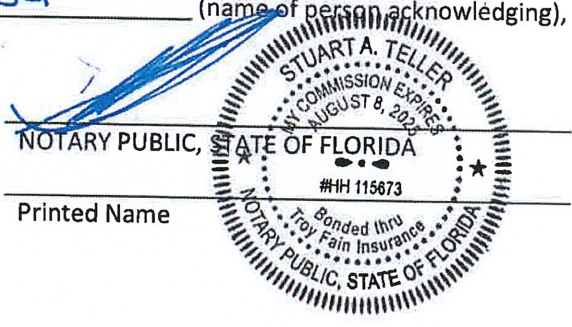
(Signature of two witnesses required by law.)

STATE OF: Florida
COUNTY OF: Broward

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 13 day of Sept, 2024 year, by Stavou Brauser (name of person acknowledging), and is personally known to me or has produced identification.

Notary Public Seal:

My Commission Expires:



Printed Name

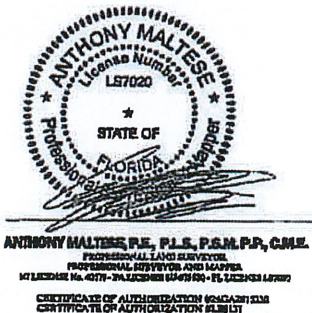
SKETCH OF DESCRIPTION EXHIBIT "A" - NOT A SURVEY -

LEGAL DESCRIPTION

A PORTION OF THE SHOPPING CENTER TRACT, MARGATE REALTY NO.1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 42, PAGE 42, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST 1/4 CORNER OF SECTION 36, TOWNSHIP 48 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA; THENCE ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 36, NORTH 89°48'34" WEST, A DISTANCE OF 746.71 FEET; THENCE NORTH 01°39'41" WEST, A DISTANCE OF 55.83 FEET TO THE NORTHWEST CORNER OF THAT CERTAIN RIGHT OF WAY WARRANTY DEED AS RECORDED IN OFFICIAL RECORDS BOOK 37291, PAGE 621, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 01°39'41" WEST, ALONG THE EAST LINE OF THE LANDS DESCRIBED IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 48992, PAGE 728 OF SAID PUBLIC RECORDS, A DISTANCE OF 167.20 FEET TO THE NORTHEAST CORNER OF THE LAST DESCRIBED DEED; THENCE NORTH 00°23'28" EAST, A DISTANCE OF 24.71 FEET; THENCE SOUTH 89°36'32" EAST, A DISTANCE OF 209.29 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 5.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 89°36'48" FOR AN ARC LENGTH OF 7.82 FEET TO A POINT OF TANGENCY; THENCE SOUTH 00°02'16" WEST, A DISTANCE OF 157.31 FEET TO THE NORTH LINE OF THE AFORESAID RIGHT OF WAY WARRANTY DEED; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING THREE COURSES AND DISTANCES; NORTH 89°48'52" WEST, A DISTANCE OF 19.00 FEET; THENCE SOUTH 00°11'08" WEST, A DISTANCE OF 25.08 FEET; THENCE SOUTH 89°04'22" WEST, A DISTANCE OF 190.42 FEET TO THE POINT OF BEGINNING.

CONTAINING 39,725 SQUARE FEET, OR 0.912 ACRES, MORE OR LESS.



SURVEYOR'S NOTES

- 1) BEARINGS BASED ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 46 SOUTH, RANGE 41 EAST, AS BEING NORTH 89°48'34" WEST.
- 2) SEE GEOMETRIC SKETCH OF THIS DESCRIPTION ON SHEET 2.

PREPARED FOR
CHIPOTLE SHELL
5671 W ATLANTIC BOULEVARD
MARGATE, FLORIDA

SITUATED IN
SECTION 36, TOWNSHIP 48 SOUTH, RANGE 41 EAST
BROWARD COUNTY, FLORIDA

DATE

REVISION



LAND SURVEYING
CONSTRUCTION SURVEYING

AMERICAN LAYOUT & LAND SURVEYING

5125 ADANSON STREET, SUITE 800
ORLANDO, FL 32804
TEL: (844) 787-8599

www.americansurveyors.us

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DATE 10/11/2023

SCALE N/A

SHEET NO. 1 OF 2

WG	CG	AM
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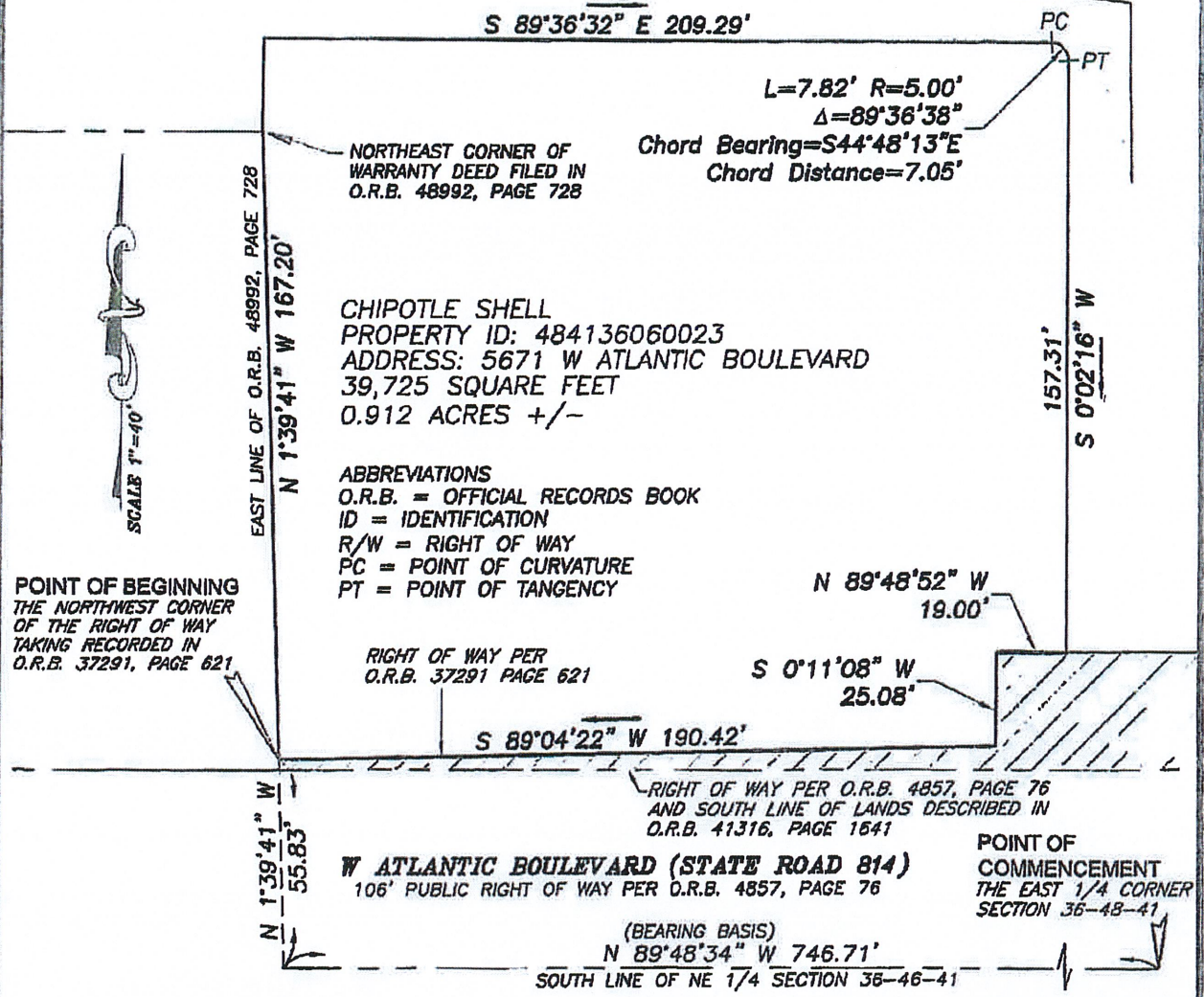
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CADD FILE 3605 SOD.DWG

PROJECT FILE NO. 3605

**SKETCH OF DESCRIPTION
EXHIBIT "A"
- NOT A SURVEY -**

MARGATE REALTY No.1
PLAT BOOK 42, PAGE 42



POINT OF BEGINNING
THE NORTHWEST CORNER
OF THE RIGHT OF WAY
TAKING RECORDED IN
O.R.B. 37291, PAGE 621

NORTHEAST CORNER OF
WARRANTY DEED FILED IN
O.R.B. 48992, PAGE 728

CHIPOTLE SHELL
PROPERTY ID: 484136060023
ADDRESS: 5671 W ATLANTIC BOULEVARD
39,725 SQUARE FEET
0.912 ACRES +/-

ABBREVIATIONS
O.R.B. = OFFICIAL RECORDS BOOK
ID = IDENTIFICATION
R/W = RIGHT OF WAY
PC = POINT OF CURVATURE
PT = POINT OF TANGENCY

RIGHT OF WAY PER
O.R.B. 37291 PAGE 621

$L=7.82'$ $R=5.00'$
 $\Delta=89^{\circ}36'38''$
Chord Bearing= $S44^{\circ}48'13''E$
Chord Distance= $7.05'$

$N 89^{\circ}48'52'' W$
 $19.00'$

$S 0^{\circ}11'08'' W$
 $25.08'$

$S 89^{\circ}04'22'' W 190.42'$

RIGHT OF WAY PER O.R.B. 4857, PAGE 76
AND SOUTH LINE OF LANDS DESCRIBED IN
O.R.B. 41316, PAGE 1641

W ATLANTIC BOULEVARD (STATE ROAD 814)
106' PUBLIC RIGHT OF WAY PER O.R.B. 4857, PAGE 76

POINT OF COMMENCEMENT
THE EAST 1/4 CORNER
SECTION 36-48-41

(BEARING BASIS)
 $N 89^{\circ}48'34'' W 746.71'$
SOUTH LINE OF NE 1/4 SECTION 36-46-41

PREPARED FOR
CHIPOTLE SHELL
5671 W ATLANTIC BOULEVARD
MARGATE, FLORIDA

SITUATED IN
SECTION 36, TOWNSHIP 48 SOUTH, RANGE 41 EAST
BROWARD COUNTY, FLORIDA

DATE	REVISION



**LAND SURVEYING
CONSTRUCTION SURVEYING**

AMERICAN LAYOUT & LAND SURVEYING

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DATE	10/11/2023	
SCALE	1" = 40'	
SHEET NO.	2 OF 2	
WG	CG	AM
DRAWN CAD FILE	CHECKED	RELEASED
FILE NO.	3605 SOD.DWG	
PROJECT FILE NO.	3605	

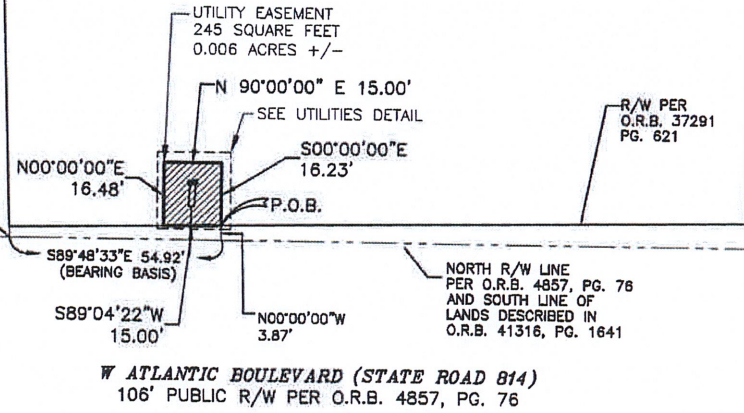
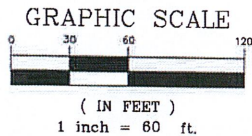
SKETCH OF DESCRIPTION EXHIBIT "B"

CHIPOTLE SHELL
PROPERTY ID. 484136060023
ADDRESS: 5671 W ATLANTIC BOULEVARD

LEGEND

P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT
O.R.B. OFFICIAL RECORDS BOOK
P.B. PLAT BOOK
PG. PAGE
S.F. SQUARE FEET
ESMT. EASEMENT
ID. IDENTIFICATION

P.O.C.
SW CORNER OF
LANDS DESCRIBED
IN CORRECTIVE
WARRANTY DEED
FOR WALMART
RECORDED IN
O.R.B. 41316,
PG. 1641



THIS IS NOT A BOUNDARY SURVEY

DESCRIPTION OF SKETCH:

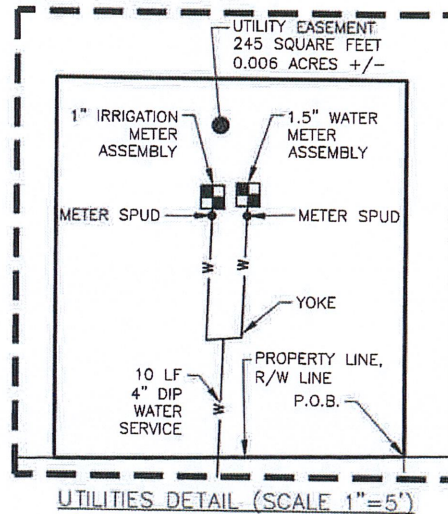
PERMANENT UTILITY EASEMENT

COMMENCE AT THE SOUTHWEST CORNER OF THE LANDS DESCRIBED IN CORRECTIVE WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 41316, PAGE 1641 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 89°48'33" EAST, ALONG THE SOUTH LINE OF SAID LANDS AND THE NORTH RIGHT-OF-WAY LINE OF W ATLANTIC BOULEVARD PER OFFICIAL RECORDS BOOK 4857, PAGE 76; PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, A DISTANCE OF 54.92 FEET; THENCE NORTH 00°00'00" WEST, A DISTANCE OF 3.87 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF SAID W ATLANTIC BOULEVARD PER OFFICIAL RECORDS BOOK 37291, PAGE 621; PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 89°04'22" WEST, A DISTANCE OF 15.00 FEET; THENCE NORTH 00°00'00" WEST, A DISTANCE OF 15.48 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 15.00 FEET; THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 16.23 FEET TO THE POINT OF BEGINNING.

CONTAINING 245 SQUARE FEET, OR 0.006 ACRES, MORE OR LESS.

GENERAL NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. ALL DIMENSIONS SHOWN ARE IN FEET AND DECIMALS THEREOF.
3. COORDINATES SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, ZONE 902 (FLORIDA EAST).
4. BEARINGS SHOWN HEREON ARE RELATIVE TO THE MONUMENTED NORTH RIGHT-OF-WAY OF W ATLANTIC BOULEVARD, HAVING A BEARING OF NORTH 89°48'33" EAST (ASSUMED).
5. EVIDENCE OF ANY COVENANTS AND/OR DEED RESTRICTIONS HAVE NOT BEEN FOUND OR SUPPLIED.
6. PROPERTY SUBJECT TO CHANGES ACCORDING TO THE FACTS AND DOCUMENTS OF RECORD A CURRENT TITLE REPORT MAY DISCLOSE.



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www.americanlayout.com
CERTIFICATE OF AUTHORIZATION #LB8131

I HEREBY AFFIRM THAT THIS MAP OR PLAN PREPARED ON 12/22/2023 REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 5J-12, FLORIDA ADMINISTRATIVE CODE PURSUANT TO CHAPTER 472, FLORIDA STATUTE. UNLESS THIS SKETCH OF DESCRIPTION BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

ANTHONY MALTESE
P.E., P.L.S., P.S.M., P.P., C.M.E.
PROFESSIONAL LAND SURVEYOR
AND MAPPER
FL LICENSE # LS7020

REV: 9/6/24	REVISED PER CITY COMMENTS
REV: 8/5/24	PAGE SIZE & DETAIL
REV: 7/8/24	ADDED UTILITIES
DATE:	12/26/2023
SCALE:	1"=60'
DRAWN BY:	YB
PROJECT NO.:	3605
SHEET NO.:	1 OF 1
FILE:	3605 SOD water rev1.dwg