

Return to:
Chuck Lane
Engineering Department
City of Clearwater
P. O. Box 4748
Clearwater, FL 33758-4748

DRAINAGE EASEMENT

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) in hand paid, the receipt of which is hereby acknowledged, and the benefits to be derived therefrom, **A. & S. Kulach, Inc.**, a Florida corporation, whose principal address 330 Harbor Passage, Clearwater, FL 33767 ("Grantor") does hereby grant and convey to the **City of Clearwater, Florida**, a Florida Municipal Corporation ("Grantee"), its licensees, agents, successors and assigns a non-exclusive easement over, under, across and through the following described land lying and being situate in the County of Pinellas, State of Florida, to wit:

See Exhibit "A" appended hereto and by this reference made a part hereof ("Easement Premises")

This easement is for **drainage facilities installation and maintenance only**. The **CITY OF CLEARWATER, FLORIDA**, shall have the right to enter upon the above-described premises to construct, reconstruct, install and maintain therein the herein referenced drainage facilities, together with appurtenances thereto (collectively, "Facilities"), and to inspect and alter such Facilities from time to time. Grantee shall be solely responsible for obtaining all governmental and regulatory permits required to exercise the rights granted herein.

The **CITY OF CLEARWATER, FLORIDA** covenants and agrees with Grantor that it shall maintain the Facilities installed hereunder and promptly restore the Easement Premises and any affected areas surrounding the Easement Premises upon completion of any work activities undertaken in the exercise of these rights to at least the same quality of condition that existed as of the date Grantee first exercised any of its rights hereunder, and on each and every succeeding occasion thereafter. Grantee further represents and warrants that it shall diligently pursue the completion of all work activities in a timely manner.

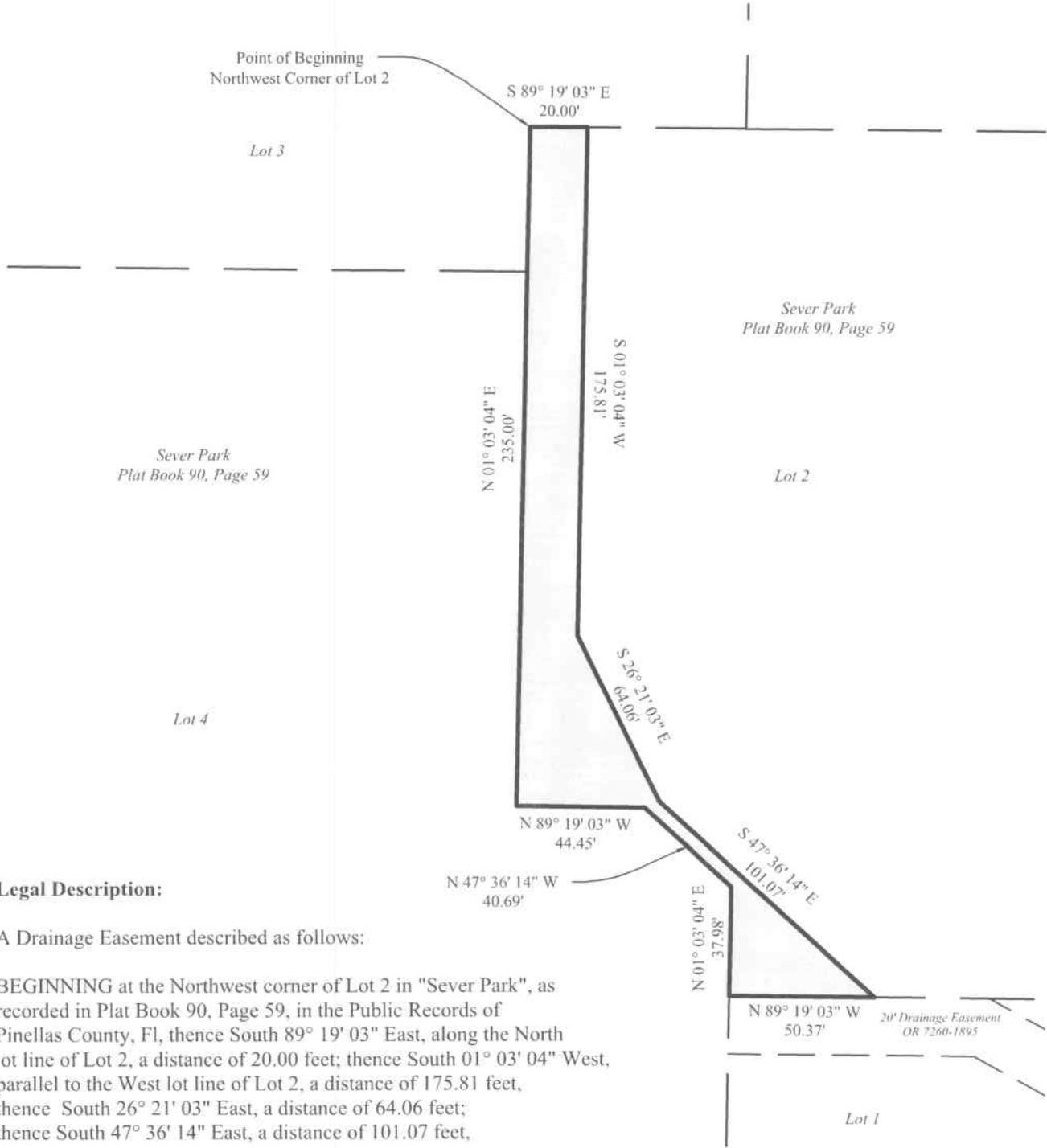
Grantor warrants and covenants with Grantee that Grantor is the owner of fee simple title to the herein described Easement Premises, and that Grantor has full right and lawful authority to grant and convey this easement to Grantee, and that Grantee shall have the non-exclusive, limited purpose quiet and peaceful possession, use and enjoyment of this easement. It is expressly understood that Grantor reserves all rights of ownership of the Easement Premises not inconsistent with the easement rights granted herein.

In the event Grantor, its successors or assigns, should ever determine it necessary to relocate Grantee's facilities constructed within the Easement Premises to facilitate further development or redevelopment of the property encumbered hereby; then Grantor, its successors or assigns, in consultation with and upon approval of Grantee, shall provide an alternate easement for the Facilities constructed within the Easement Premises, and shall, at Grantor's sole cost and expense, reconstruct the Facilities within the alternate easement. Upon completion of the Facilities relocation, Grantee shall cause this easement to be vacated and evidence of vacation duly recorded in the public records of Pinellas County, Florida.

This easement is binding upon the Grantor, the Grantee, their heirs, successors and assigns. The rights granted herein shall be perpetual and irrevocable and shall run with the land, except by the written mutual agreement of both parties, or by abandonment of the Easement Premises by Grantee.

Scale 1" = 50'
This is not a survey

EXHIBIT "A"



Legal Description:

A Drainage Easement described as follows:

BEGINNING at the Northwest corner of Lot 2 in "Sever Park", as recorded in Plat Book 90, Page 59, in the Public Records of Pinellas County, Fl, thence South 89° 19' 03" East, along the North lot line of Lot 2, a distance of 20.00 feet; thence South 01° 03' 04" West, parallel to the West lot line of Lot 2, a distance of 175.81 feet, thence South 26° 21' 03" East, a distance of 64.06 feet; thence South 47° 36' 14" East, a distance of 101.07 feet, to a point on the South lot line of Lot 2; thence North 89° 19' 03" West, along the South lot line of Lot 2, a distance of 50.37 feet; thence North 01° 03' 04" East, a distance of 37.98 feet; thence North 47° 36' 14" West, a distance of 40.69 feet; thence North 89° 13' 03" West, a distance of 44.45 feet; thence North 01° 03' 04" East, along the West lot line of Lot 2, a distance of 235.00 feet to the POINT OF BEGINNING.

CITY OF CLEARWATER, FLORIDA ENGINEERING DEPARTMENT		
DRAWN BY L. Cheek	Drainage Easement at Quality Inn	DWG. NO. Lgl-2014-15
CHECKED BY T. Mahony		SHEET 1 OF 1
DATE 8/1/14	20162 US Highway 19	SECT-TWSP-RNG 18-29S-16E

Exhibit "A"

Parcel 1

Lot 2, SEVER PARK, according to the map or plat thereof as recorded in Plat Book 90, Page 59, of the Public Records of Pinellas County, Florida.

LESS AND EXCEPT THE FOLLOWING:

Commence at the southeast corner of Section 18, Township 29 South, Range 16 East, Pinellas County, Florida; thence N. 01 deg 03 04 E., 838.97 feet, along the east boundary of said Section 18, the centerline of U.S. Highway No. 19 (State Road N. 55); thence N. 88 deg 56 56 W., 169.96 feet, to a point on the Westerly right-of-way line of U.S. Highway No. 19 (State Road No. 55), also being the easterly boundary of Lot 2, Sever Park, as recorded in Plat Book 90, Page 59 of the Public Records of Pinellas County, Florida, for a Point of Beginning; thence along said westerly right-of-way line, along a curve to the left that has a radius of 78.00 feet, an arc length of 50.50 feet, a chord length of 49.63 feet, a chord bearing of S. 20 deg 12 30 E., to a point on the south boundary of said Lot 2; thence N. 89 deg 19 03 W., 22.99 feet, along said south boundary; thence N. 07 deg 11 44 E., 46.67 feet, to the Point of Beginning.

Parcel 2

Commence at the southeast corner of Section 18, Township 29 South, Range 16 East, Pinellas County, Florida, and go North 01 deg 03 04 East, 1093.27 feet along the East boundary of said Section 18, the centerline of U.S. Highway 19, thence North 89 deg 19 03 West, 115.30 feet to the northeast corner of Lot 2 of the Plat of Sever Park as recorded in Plat Book 90, Page 59 of the Public Records of Pinellas County, Florida; thence, continue along the North boundary of said Lot 2, North 89 deg 19'3" West, 184.71 feet, to the Point of Beginning; thence, along the South and East boundary lines of Lot 3 of aforementioned Sever Park the following three courses: North 89 deg 19'03" West, 75.00 feet; thence, South 01 deg 03'04" West, 50.00 feet; thence North 89 deg 19'03" West, 125.84 feet; thence, North 01 deg 22'22" East, 250.02 feet to the South right-of-way line of Druid Road; thence, along said right-of-way South 89 deg 19 03 East, 199.44 feet, to the intersection of the South right-of-way line of Druid Road and the extended most easterly property line of Lot 3 of aforementioned Sever Park; thence, South 01 deg 03 04 West, 200.01 feet along said line to the Point of Beginning. A portion of the above is now known as the East 200 feet of Lot 3, SEVER PARK, according to the map or plat thereof as recorded in Plat Book 90, Page 59, of the Public Records of Pinellas County, Florida.

Parcel 3

Commence at the southeast corner of Section 18, Township 29 South, Range 16 East, Pinellas County, Florida; thence N. 01 deg 03 04 E., 856.77 feet, along the east boundary of said Section 18, the centerline of U.S. Highway No. 19 (State Road No. 55); thence N. 88 deg 56 56 W., 300.00 feet, to a point on the easterly boundary of Lot 4, Sever Park, as recorded in Plat Book 90, Page 59, of the Public Records of Pinellas County, Florida, for a Point of Beginning; thence S. 01 deg 03 04 W., 27.02 feet, along said easterly boundary; thence No. 46 deg 37 13 W., 39.85 feet, to a point on the northerly boundary of said Lot 4; thence S. 89 deg 19 03 E., 29.47 feet, along said northerly boundary, to the Point of Beginning.

LESS AND EXCEPT That portion of land as taken by the State of Florida Department of Transportation by Order of Taking as recorded in O.R. Book 16005, page 2670, of the public records of Pinellas County, Florida.

Parcel # 18/29/16/80353/000/0020, Parcel # 18/29/16/80353/000/0031, Parcel # 18/29/16/00000/440/0400.