

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

SIDEWALK 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 there from, **Central Properties, Inc., as Trustee of the Baymont Trust**, whose mailing address is 8405 N. Edison Avenue, Tampa, FL 33604 ("Grantor"), does hereby grant and convey to the **City of Clearwater, Florida**, a Florida Municipal Corporation, whose mailing address is 600 Cleveland Street, Suite 600, Clearwater, Florida 33756 ("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 **public sidewalk** installation, repair and maintenance. The **CITY OF CLEARWATER, FLORIDA**, shall have the right to enter upon the above-described premises and to maintain thereon such sidewalk and to inspect and alter and/or replace same 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 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.

The **GENERAL PUBLIC** shall have full and free use of said sidewalk at any time and all times for traveling purposes.

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 sidewalk 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 sidewalk constructed within the Easement Premises, and shall at Grantor's sole cost and expense reconstruct the sidewalk within the alternate easement. Upon completion of the sidewalk relocation Grantee shall cause this easement to be vacated and evidence of vacation duly recorded in the public records of Pinellas County, Florida.

Signed, sealed and delivered
in the presence of:

Witness signature

Print witness name

Witness signature

Print witness name

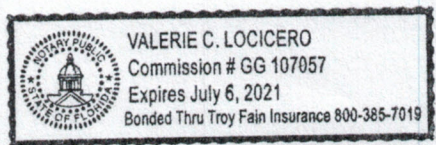
Signature of Officer

Printed Name & Title of Officer

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 7th day of August, 2020, by Tony Muniz (name of person acknowledging), who is ☒ personally known to me or ☐ who produced _____ as identification.

Name: Valerie C. Locicero
Notary Public State of Florida
(Seal)



AFFIDAVIT OF NO LIENS

STATE OF FLORIDA

:

: ss

COUNTY OF Hillsborough:

BEFORE ME, the undersigned authority, personally appeared., whom, being duly authorized does depose and say:

1. That aforesaid party is the owner of legal and equitable title to the following described property in Pinellas County, Florida, to wit:

See Exhibit "A" appended hereto and by this reference made a part hereof

2. That there has been no labor performed or materials furnished on said property for which there are unpaid bills for labor or materials against said property, other than those which will be paid during the normal course of business, except: (list, or if none, insert "**NONE**". If no entry, it will be deemed that "**NONE**" has been entered.)

None that I know of

3. That there are no liens or encumbrances of any nature affecting the title of the property herein described, except easements and restrictions of record, any encroachments, overlaps or other rights of third parties which would be shown by a current survey, except: (list, or if none, insert "**NONE**." If no entry, it will be deemed that "**NONE**" has been entered.)

None that I know of

4. That no written notice has been received for any public hearing regarding assessments for improvements by any government, and there are no unpaid assessments against the above described property for improvements thereto by any government, whether or not said assessments appear of record.
5. That there are no outstanding sewer service charges or assessments payable to any government.
6. That the representations embraced herein have been requested by the **CITY OF CLEARWATER**, its agents, successors and assigns to rely thereon in connection with the granting of the easement herein being conveyed to encumber the above-described property.

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.

IN WITNESS WHEREOF, the undersigned grantor has caused these presents to be duly executed this 7th day of August, 2020.

Signed, sealed and delivered
in the presence of:

Tony Muniz, Grantor

[Signature]
Witness signature

OMAR TORRES
Print witness name

[Signature]
Witness signature

Michelle Mateo
Print witness name

[Signature]
Signature of Officer

Tony Muniz, Jr. not
Printed Name & Title of Officer

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 7th day of August, 2020, by Tony Muniz (name of person acknowledging), who is ☒ personally known to me or ☐ who produced _____ as identification.

[Signature]
Name: Valene C. Lolicero
Notary Public State of Florida
(Seal)

THIS IS NOT A SURVEY.

SEC. 08, TWP. 29 S., RNG. 15 E.

PINELLAS COUNTY, FLORIDA

THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY
THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

LEGAL DESCRIPTION:

A PORTION OF LOTS 44 AND 45, BLOCK B, FIRST ADDITION TO CLEARWATER BEACH PARK, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 15, PAGE 80, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LYING IN SECTION 8, TOWNSHIP 29 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 44, FIRST ADDITION TO CLEARWATER BEACH PARK, RECORDED IN PLAT BOOK 15, PAGE 80, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N06°29'00"E ALONG THE WEST LINE OF LOTS 44 AND 45 OF SAID FIRST ADDITION TO CLEARWATER BEACH PARK, A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 45; THENCE N90°00'00"E, ALONG THE NORTH LINE OF SAID LOT 45 A DISTANCE OF 94.57 FEET TO THE INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EAST FACE OF THE EXISTING BUILDING; THENCE S00°21'22"W, ALONG SAID NORTHERLY EXTENSION, A DISTANCE OF 5.02 FEET TO THE NORTHEAST CORNER OF SAID BUILDING; THENCE ALONG THE FACE OF SAID BUILDING THE FOLLOWING FOUR (4) COURSES: 1) N89°35'34"W, A DISTANCE OF 88.27 FEET; 2) S80°26'26"W, A DISTANCE OF 2.69 FEET; 3) S45°30'12"W, A DISTANCE OF 5.57 FEET; 4) S09°02'19"W, A DISTANCE OF 2.69 FEET; THENCE S00°07'23"W, ALONG THE WEST FACE OF SAID BUILDING AND SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 38.28 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF SAID LOT 44; THENCE N90°00'00"W, ALONG SAID SOUTH LINE, A DISTANCE OF 4.78 FEET TO THE POINT OF BEGINNING.

CONTAINING 559 SQUARE FEET, (0.013 ACRE) MORE OR LESS

NOTES:

1. BEARINGS FOR THIS SKETCH OF DESCRIPTION ARE BASED ON THE NORTH LINE OF LOT 45, FIRST ADDITION TO CLEARWATER BEACH PARK, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 15, PAGE 80, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. HAVING AN ASSUMED BEARING OF N00°00'00"E (NO BEARINGS SHOWN ON PLAT).
2. ADDITIONS OR DELETIONS TO THIS SKETCH OF DESCRIPTION OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED.
3. THIS SKETCH OF DESCRIPTION IS BASED ON U.S. SURVEY FEET.
4. THIS SKETCH OF DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD. THE GEOMETRY AS DESCRIBED ON THE RECORDED DOCUMENTS AS NOTED HEREIN AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.
5. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/20 OR SMALLER.

DEUEL & ASSOCIATES
CONSULTING ENGINEERS LAND SURVEYORS LAND PLANNERS

565 SOUTH HERCULES AVENUE
CLEARWATER, FL 33764
PHONE 727.822.4151
WWW.DEUELENGINEERING.COM
CERTIFICATE OF AUTHORIZATION NUMBER 26320
LICENSED BUSINESS NUMBER 107

THIS DOCUMENT IS NOT VALID WITHOUT THE
SIGNATURE AND ORIGINAL RAISED SEAL OF A
FLORIDA LICENSED SURVEYOR AND MAPPER.

Dana A. Wyllie 8/17/2020
DANA A. WYLLIE, PSM, LS 5874

SKETCH OF DESCRIPTION
499 MANDALAY AVENUE
CLEARWATER

CITY OF CLEARWATER

FLORIDA

| | |
|------------|-----------|
| WORK ORDER | 2019-165 |
| DATE: | 8/17/2020 |
| DRAWN: | TBM/DAW |
| SCALE: | N/A |
| SHEET NO. | 1 OF 2 |

THIS IS NOT A SURVEY.
THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY
THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

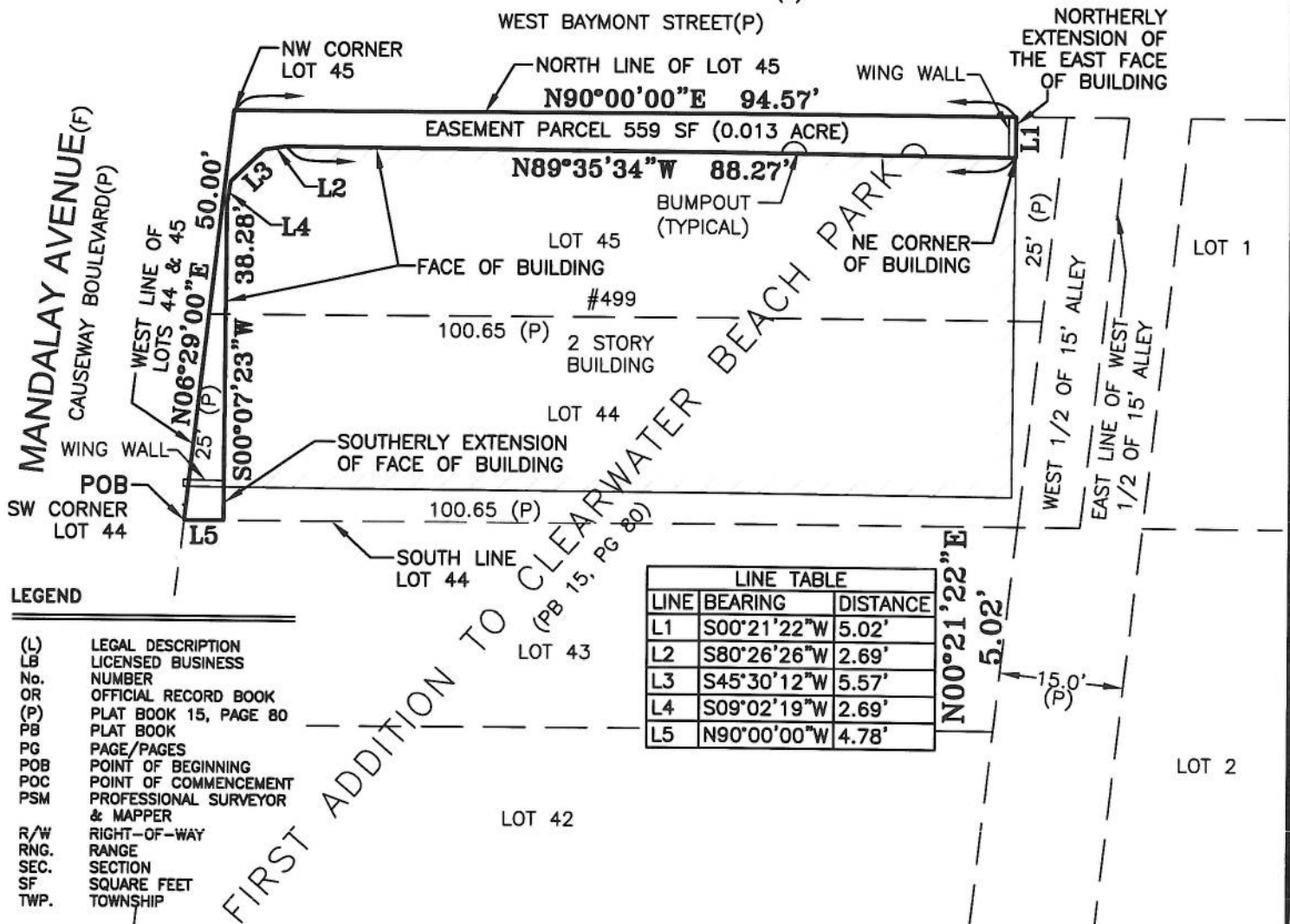
SEC. 08, TWP. 29 S., RNG. 15 E.
PINELLAS COUNTY, FLORIDA



0' 20'
SCALE: 1" = 20'

BAYMONT STREET^(F)

WEST BAYMONT STREET^(P)



LEGEND

(L) LEGAL DESCRIPTION
LB LICENSED BUSINESS
No. NUMBER
OR OFFICIAL RECORD BOOK
(P) PLAT BOOK 15, PAGE 80
PB PLAT BOOK
PG PAGE/PAGES
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
PSM PROFESSIONAL SURVEYOR & MAPPER
R/W RIGHT-OF-WAY
RNG. RANGE
SEC. SECTION
SF SQUARE FEET
TWP. TOWNSHIP

| LINE TABLE | | |
|------------|-------------|----------|
| LINE | BEARING | DISTANCE |
| L1 | S00°21'22"W | 5.02' |
| L2 | S80°26'26"W | 2.69' |
| L3 | S45°30'12"W | 5.57' |
| L4 | S09°02'19"W | 2.69' |
| L5 | N90°00'00"W | 4.78' |

NOTES:

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DEUEL & ASSOCIATES
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565 SOUTH HERCULES AVENUE
CLEARWATER, FL 33764
PHONE 727.822.4151
WWW.DEUELENGINEERING.COM
CERTIFICATE OF AUTHORIZATION NUMBER 26320
LICENSED BUSINESS NUMBER 107

THIS DOCUMENT IS NOT VALID WITHOUT THE
SIGNATURE AND ORIGINAL RAISED SEAL OF A
FLORIDA LICENSED SURVEYOR AND MAPPER.

I, DANA A. WYLLIE, THE SURVEYOR IN RESPONSIBLE CHARGE, CERTIFY THAT THE SKETCH REPRESENTED HEREON, WAS MADE UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS AND MAPPERS, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES AS PRESCRIBED IN CHAPTER 5J-17.052(6) DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES. THIS DOCUMENT IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SKETCH OF DESCRIPTION 499 MANDALAY AVENUE CLEARWATER

CITY OF CLEARWATER

FLORIDA

| | |
|------------|-----------|
| WORK ORDER | 2019-165 |
| DATE | 8/17/2020 |
| DRAWN | TBM/DAW |
| SCALE | 1" = 20' |
| SHEET NO. | 2 OF 2 |