

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

**UTILITY 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, **WSSA PALM HARBOR VA, LLC**, a Florida Limited Liability Company, whose mailing address is 503 S. Saginaw St., Suite 600, Flint, Michigan 48502 ("Grantor"), does hereby grant and convey to the **City of Clearwater, Florida**, a Florida Municipal Corporation, whose mailing address is P.O. Box 4748, Clearwater, Florida 33758-4748 ("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" and Exhibit "B" appended hereto and by this reference made a part hereof ("Easement Premises")**

The **CITY OF CLEARWATER, FLORIDA**, shall have the right to enter upon the above-described premises and construct, reconstruct, install and maintain therein any and all utilities, 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 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 utility facilities constructed within the Easement Premises, and shall at Grantor's sole cost and expense reconstruct the utility 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.

IN WITNESS WHEREOF, the undersigned grantor has caused these presents to be duly executed  
this 2<sup>nd</sup> day of FEBRUARY, 2020. <sup>1</sup> OK

Signed, sealed and delivered  
in the presence of:

WSSA Palm Harbor VA, LLC

Witness signature

John Sabty - Member

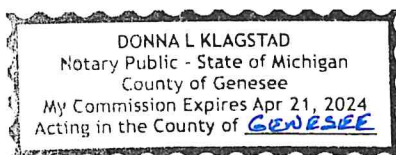
Print witness name

Witness signature

Print witness name

STATE OF MICHIGAN :  
: ss  
COUNTY OF GENESEE :

The foregoing instrument was acknowledged before me by means of ☒ physical  
presence or ☐ online notarization, this 2<sup>nd</sup> by FEBRUARY/MEMBER of WSSA Palm  
Harbor VA, LLC, a MICHIGAN limited liability company, on behalf of the company, who is  
personally known to me or has produced \_\_\_\_\_ as identification.



Signature of person taking acknowledgement

Type/Print Name

Title

## AFFIDAVIT OF NO LIENS

STATE OF <sup>MICHIGAN</sup>FLORIDA :  
                  <sup>GENESEE</sup>                  : ss  
COUNTY OF PINELLAS :

BEFORE ME, the undersigned authority, personally appeared JOHN SABTY,  
as Member of WSSA Palm Harbor VA, LLC., 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

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.)

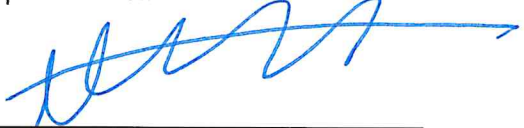
None

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.

IN WITNESS WHEREOF, the undersigned grantor has caused these presents to be duly executed  
this 2<sup>nd</sup> day of FEBRUARY, 2020. OK


Signed, sealed and delivered  
in the presence of:

WSSA Palm Harbor VA, LLC

  
Witness signature

  
John Sabty - Member

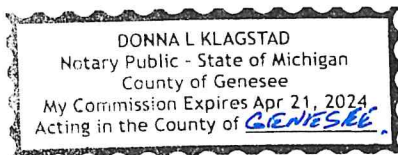
Tom FARA  
Print witness name

  
Witness signature

Gabriel Fara  
Print witness name

STATE OF MICHIGAN :  
: ss  
COUNTY OF GENESEE :

The foregoing instrument was acknowledged before me by means of ☒ physical  
presence or ☐ online notarization, this FEB 2 by JOHN SABTY / MEMBER of WSSA Palm  
Harbor VA, LLC, a Florida limited liability company, on behalf of the company, who is  
personally known to me or has produced \_\_\_\_\_ as identification.



Donna L. Klagstad  
Signature of person taking acknowledgement

DONNA L. KLAGSTAD  
Type/Print Name

NOTARY - STATE OF MICHIGAN  
Title

EXHIBIT A

SECTIONS 30 & 31, TOWNSHIP 28 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA

LEGAL DESCRIPTION:  
10' UTILITY EASEMENT

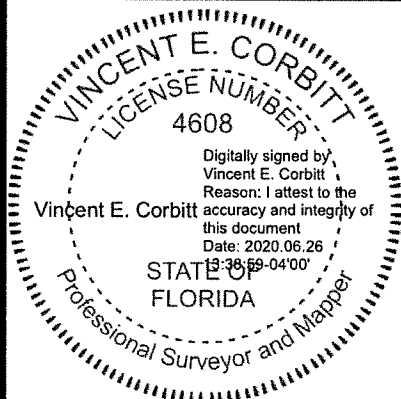
COMMENCING AT THE COMMON CORNER OF LOTS 2 AND 3, THE VILLAGE AT COUNTRYSIDE PARCEL 4 REPLAT, ALSO BEING THE SOUTHWEST LINE OF PARCEL 5 THE VILLAGE AT COUNTRYSIDE PLAT BOOK 86 PAGES 3-6. THENCE RUN ALONG THE SOUTHEASTERLY LINE OF SAID LOT 2, S 47°06'06" W, 30.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTHEASTERLY LINE OF LOT 2 S 47°06'06" W, 10.00 FEET; THENCE N 43°03'15" W, 375.34 FEET TO THE NORTHWESTERLY LINE OF SAID LOT 2; THENCE N 47°06'06" E, ALONG SAID NORTHWESTERLY LINE, 10.00 FEET; THENCE S 43°03'15" E, 375.34 FEET TO THE POINT OF BEGINNING.

SURVEYORS REPORT

- 1.) THIS IS A SKETCH AND DESCRIPTION ONLY, NOT A SURVEY. ITS PRIMARY PURPOSE IS TO SHOW / DOCUMENT THE LOCATION OF THE PARCEL & EASEMENTS.
- 2.) THIS SKETCH COMPLIES WITH THE FLORIDA STANDARDS OF PRACTICE PURSUANT TO 5J-17 FLORIDA ADMINISTRATIVE CODE FOR THIS TYPE OF SURVEY AND IS NOT INTENDED TO MEET THE NATIONAL STANDARDS.
- 3.) THE PROFESSIONAL SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- 4.) THE BEARING BASIS IS PER PLAT BOUNDARY. THE BEARING REFERENCE LINE IS EASTERLY LINE OF LOT 2 BEING N 42°53'54" W. NORTH ARROW IS BASED ON THE BEARING STRUCTURE.
- 5.) SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
- 6.) THIS SURVEY DOES NOT DETERMINE OR IMPLY OWNERSHIP. CERTIFICATION IS NOT TRANSFERABLE.
- 7.) COPYRIGHT © LAND PRECISION CORPORATION. ALL RIGHTS RESERVED. NO PART OF THIS DRAWING MAY BE REPRODUCED BY PHOTOCOPYING, RECORDING OR BY ANY OTHER MEANS, OR STORED, PROCESSED OR TRANSMITTED IN OR BY ANY COMPUTER OR OTHER SYSTEMS WITHOUT THE PRIOR WRITTEN PERMISSION OF THE SURVEYOR. COPIES OF THIS PLAN WITHOUT AN ORIGINAL SIGNATURE AND IMPRESSION SEAL ARE NOT VALID.

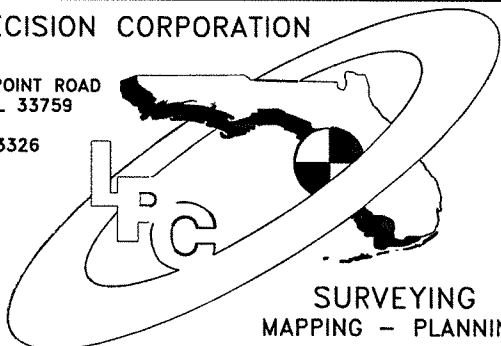
SHEET 1 OF 2

UPDATE:



LAND PRECISION CORPORATION

2683 SUNSET POINT ROAD  
CLEARWATER, FL 33759  
727-796-2737  
FAX 727-796-3326



LB#6168

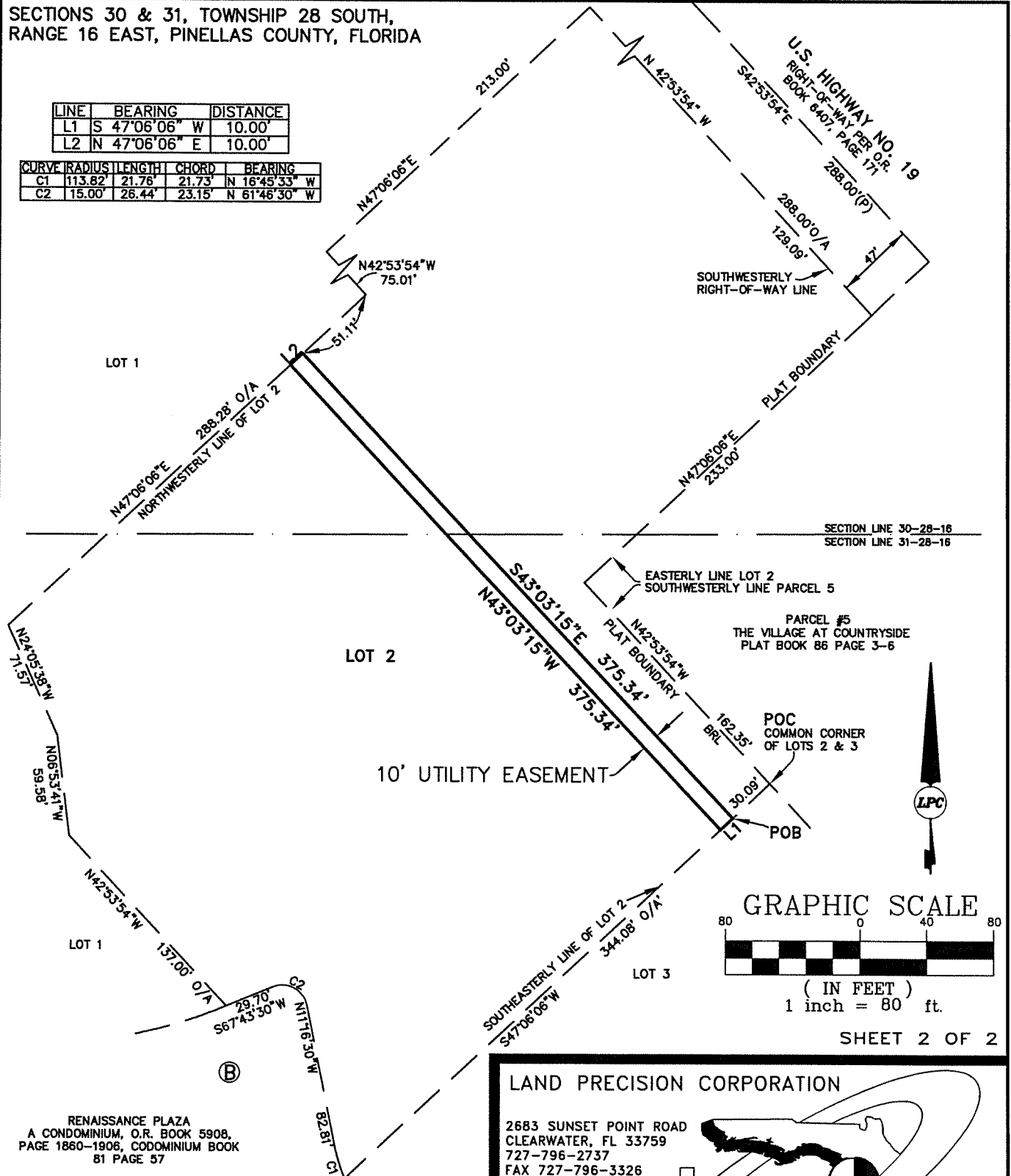
JOB NUMBER: 20037SD1.DWG

DATE: 6/11/20

SECTIONS 30 & 31, TOWNSHIP 28 SOUTH,  
RANGE 16 EAST, PINELLAS COUNTY, FLORIDA

LINE	BEARING	DISTANCE
L1	S 47°06'06" W	10.00'
L2	N 47°06'06" E	10.00'

CURVE	RADIUS	LENGTH	CHORD	BEARING
C1	113.82'	21.76'	21.73'	N 16°45'33" W
C2	15.00'	26.44'	23.15'	N 61°46'30" W



RENAISSANCE PLAZA  
A CONDOMINIUM, O.R. BOOK 5908,  
PAGE 1860-1906, CODOMINIUM BOOK  
81 PAGE 57

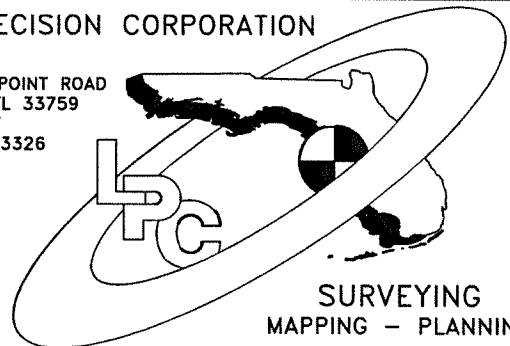
ABBREVIATION LEGEND

PG - PAGE	R/W - RIGHT-OF-WAY	C - Centerline
FIP - Found Iron Pipe	C/T - Curb Tie	PC - Point Of Curve
N&D - Nail and Disk	F/T - Fence Tie	POL - Point On Line
POB - Point Of Beginning	(M) - Measured	
PCP - Permanent Control Point	(P) - Plat	
POC - Point Of Commencement		
BRL - Bearing Reference Line	FCM - Found Concrete Monument	
FRL - Field Reference Line	PRM - Permanent Reference Monument	
Section Corner	O.R. - OFFICIAL RECORDS	NTS - NOT TO SCALE

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DATE: 6/11/20

# EXHIBIT B

## SECTIONS 30 & 31, TOWNSHIP 28 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA

### LEGAL DESCRIPTION:

#### EASEMENT "A" (10' UTILITY EASEMENT)

COMMENCING AT THE COMMON CORNER OF LOTS 2 AND 3 THE VILLAGE AT COUNTRYSIDE PARCEL 4 REPLAT, ALSO BEING THE SOUTHWEST LINE OF PARCEL 5 THE VILLAGE AT COUNTRYSIDE PLAT BOOK 86 PAGES 3-6; THENCE RUN ALONG THE EASTERLY OF SAID LOT 2, ALSO BEING THE WESTERN LINE OF SAID PARCEL 5, THE FOLLOWING TWO COURSES; 1) N 42°53'54" W, 162.35 FEET; 2) N 47°06'06" E, 233.00 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 19, AS RECORDED IN O.R. BOOK 6407, PAGE 171; THENCE N 42°53'54" W ALONG SAID SOUTHWEST RIGHT-OF-WAY LINE, 129.09 FEET TO THE POINT OF BEGINNING; THENCE S 46°45'35" W, 359.28; FEET, THENCE S 35°19'09" W 107.01 FEET; THENCE S 42°52'11" E, 16.91 FEET, THENCE S 47°07'49" W, 85.34 FEET, THENCE S 42°53'54" E, 81.79 FEET; THENCE S 47°06'06" W, 10.00 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 2; THENCE N 42°53'54" W, ALONG SAID SOUTHWESTERLY LINE, 90.61 FEET; THENCE CONTINUE ALONG SAID SOUTHWESTERLY LINE, N 06°53'41" W, 1.46 FEET; THENCE N 47°07'49" E, 84.48 FEET; THENCE N 42°52'11" W, 15.04 FEET; THENCE N 35°19'09" E, 116.14 FEET; THENCE N 46°45'35" E 360.34 FEET, TO THE AFORESAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF HIGHWAY U.S. 19, THENCE S 42°53'54" E, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, 10.00 FEET TO THE POINT OF BEGINNING.

### LEGAL DESCRIPTION:

#### EASEMENT "B" (10' UTILITY EASEMENT)

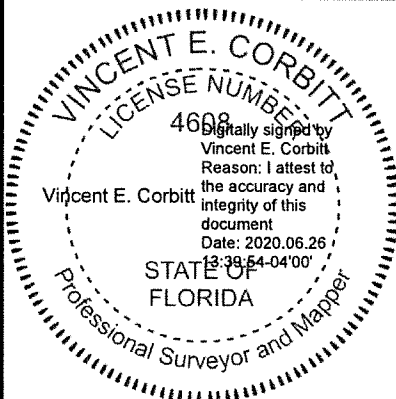
COMMENCING AT THE COMMON CORNER OF LOTS 2 AND 3, THE VILLAGE AT COUNTRYSIDE PARCEL 4 REPLAT, ALSO BEING THE SOUTHWEST LINE OF PARCEL 5, THE VILLAGE AT COUNTRYSIDE PLAT BOOK 86 PAGES 3-6; THENCE RUN ALONG THE SOUTHEASTERLY LINE OF SAID LOT 2, S 47°06'06" W, 333.32 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTHWESTERLY LINE OF LOT 2, S 47°06'06" W, 10.76 FEET; THENCE ALONG THE SOUTHWEST LINE OF SAID LOT 2 BEING A CURVE TO THE RIGHT, CONCAVE NORTHEAST, HAVING A RADIUS OF 113.82 FEET, AN ARC OF 21.76 FEET, BEARING N 16°45'33" W, 21.73 FEET; THENCE CONTINUE ALONG SAID SOUTHWESTERLY LINE OF LOT 2 N11°16'30"W, 82.81 FEET. THENCE N 78°43'30" E, 10.00 FEET. THENCE S 11°16'30" E, 82.81 FEET. THENCE ALONG A CURVE TO THE LEFT, CONCAVE NORTHEAST, HAVING A RADIUS OF 103.82 FEET, AN ARC OF 16.05 FEET, BEARING S 15°42'40" E, 16.04 FEET TO THE POINT OF BEGINNING.

## SURVEYORS REPORT

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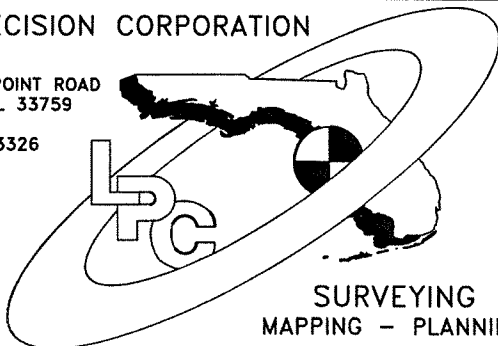
SHEET 1 OF 2

UPDATE:



### LAND PRECISION CORPORATION

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CLEARWATER, FL 33759  
727-796-2737  
FAX 727-796-3326



LB#6168

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JOB NUMBER: 20037SD2.DWG

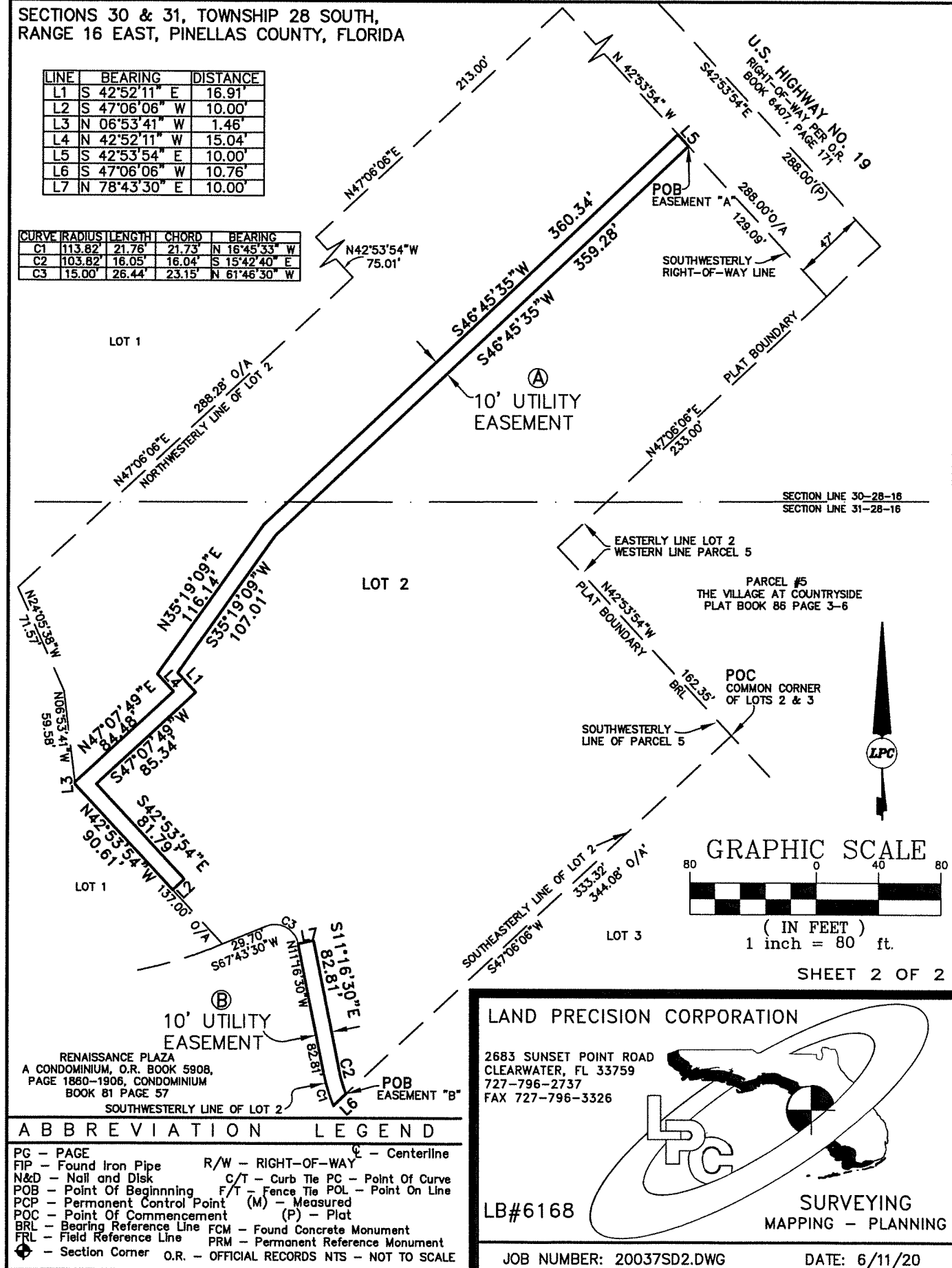
DATE: 6/11/20



SECTIONS 30 & 31, TOWNSHIP 28 SOUTH,  
RANGE 16 EAST, PINELLAS COUNTY, FLORIDA

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L2	S 47°06'06" W	10.00'
L3	N 06°53'41" W	1.46'
L4	N 42°52'11" W	15.04'
L5	S 42°53'54" E	10.00'
L6	S 47°06'06" W	10.76'
L7	N 78°43'30" E	10.00'

CURVE	RADIUS	LENGTH	CHORD	BEARING
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ABBREVIATION LEGEND

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