

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, **FT HARRISON PROP CO LLC**, a Florida Limited Liability Company, whose mailing address is 24671 US HWY 19 N., Clearwater, Florida 33763 ("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" 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 20th day of March, 2021.

Signed, sealed and delivered
in the presence of:

FT HARRISON PROP CO LLC

[Signature]
Witness signature

[Signature]
Ben Atkins Managing Member

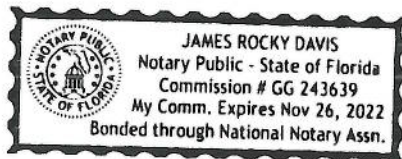
Virginia Hines
Print witness name

[Signature]
Witness signature

TYLER LEHART
Print witness name

STATE OF Florida :
COUNTY OF Pinella : ss

The foregoing instrument was acknowledged before me by means of ☒ physical
presence or ☐ online notarization, this 20th by March 21, Ben Atkins, FT HARRISON
PROP CO LLC, a Florida limited liability company, on behalf of the company, who is
personally known to me or has produced _____ as identification.



[Signature]
Signature of person taking acknowledgement

Type/Print Name

Title

AFFIDAVIT OF NO LIENS

STATE OF FLORIDA :
: ss
COUNTY OF PINELLAS :

BEFORE ME, the undersigned authority, personally appeared Benjamin Atkins,
as Manager of FT HARRISON PROP CO 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 20 day of March, 2021.

Signed, sealed and delivered
in the presence of:

FT HARRISON PROP CO LLC

[Signature]
Witness signature

Virginia Hines
Print witness name

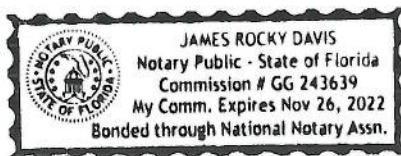
[Signature]
Witness signature

TYLER LERNARD
Print witness name

[Signature]
Ben Atkins, Managing Member

STATE OF Florida :
COUNTY OF Duval : ss

The foregoing instrument was acknowledged before me by means of ☒ physical
presence or ☐ online notarization, this 20th by March 2021, Ben Atkins, of FT HARRISON
PROP CO LLC, a Florida limited liability company, on behalf of the company, who is
personally known to me or has produced _____ as identification.



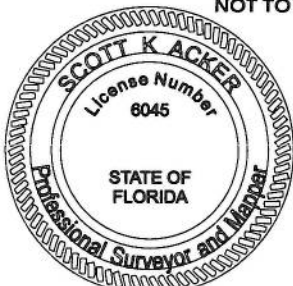
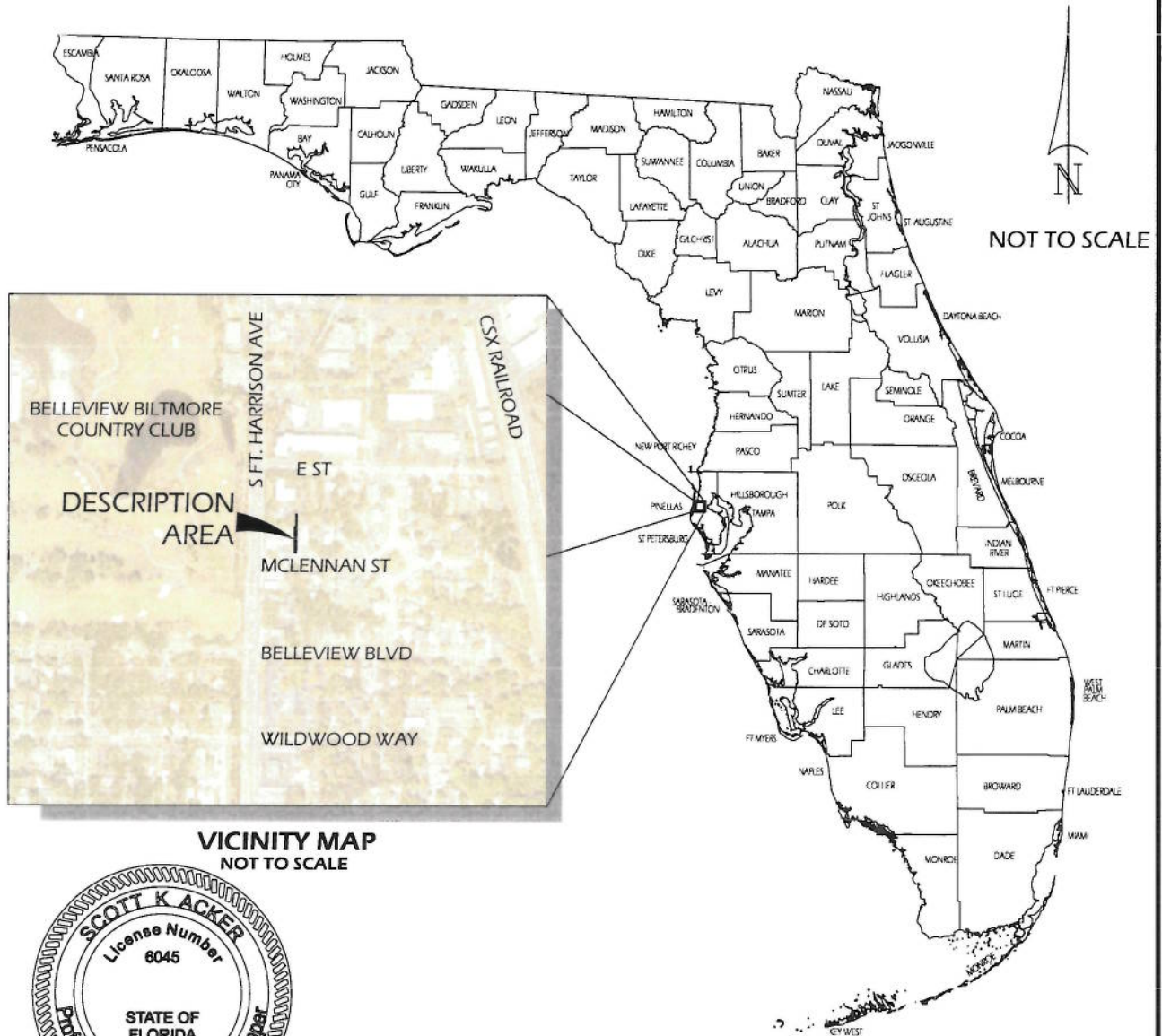
[Signature]
Signature of person taking acknowledgement

Type/Print Name

Title

DESCRIPTION & SKETCH


Section 21, Township 29 S, Range 15 E
City of Clearwater, Pinellas County, Florida



The seal appearing on this document was authorized
by Scott K. Acker, LS 6045 on 01/18/2021

NOT A SURVEY

Sheet 1 of 3

Scott K. Acker Professional Surveyor and Mapper License Number LS 6045 State of Florida	FLS Project: 19067-A2		Project Manager: Scott
	For: Stellar Construction		Drawn By: Jason
	Date: 01/15/2021		File: 19067ds.dwg
806 Franklin Street, Clearwater, FL 33756 - Ph. 727.230.9606 Fax 727.230.9234 - LB No.: 8128			

DESCRIPTION & SKETCH

Section 21, Township 29 S, Range 15 E
City of Clearwater, Pinellas County, Florida

Description:

The East 5.00 feet of Lot 5 and Lot 6 together with the West 5.00 feet of Lot 7, Block A, according to the plat of Belleview Court as recorded in Plat Book 10, page 43 of the Public Records of Pinellas County, Florida.


Containing 1,250 Square feet, more or less.

Notes:

1. Belleview Court, Plat Book 10, Page 43 of the public records of Pinellas County, Florida, was utilized in the preparation of this description and sketch.
2. This description and sketch was prepared without the benefit of a title commitment.
3. Re-use of the description and sketch for purposes other than which it was intended, without the written verification, will be at the re-users sole risk and without liability to the Surveyor. Nothing herein shall be construed to give any rights or benefits to anyone other than those prepared for.
4. This description and sketch is not intended to show the location of any jurisdictional hazards.
5. This description and sketch was prepared for Stellar Construction Management, LLC, 1728 Coral Way, Suite 711, Miami, FL 33145, Tel: 305-500-2408

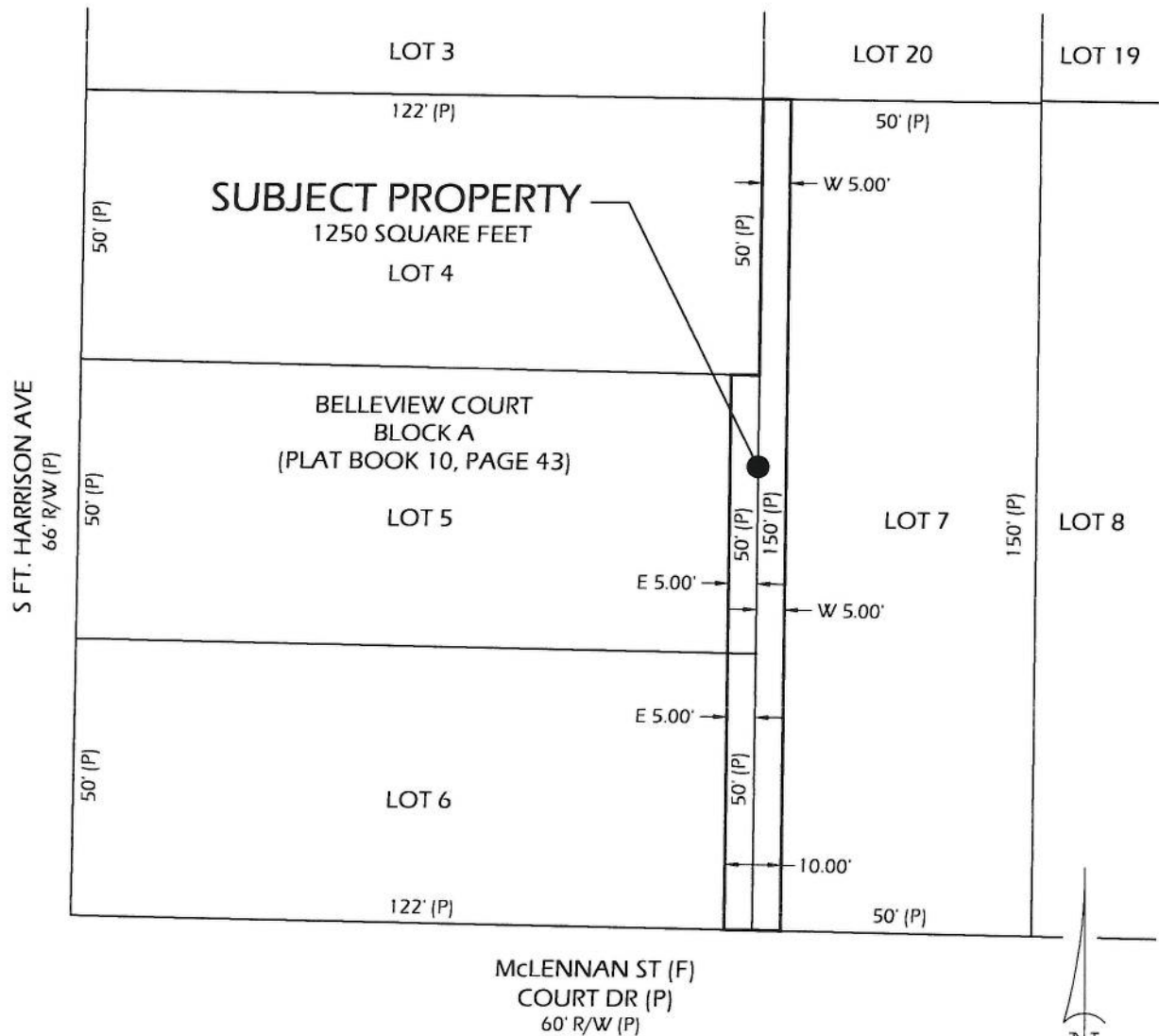
NOT A SURVEY

Sheet 2 of 3

	FLS Project: 19067-A2		Project Manager: Scott
	For: Stellar Construction		Drawn By: Jason
	Date: 01/15/2021		File: 19067ds.dwg
	806 Franklin Street, Clearwater, FL 33756 - Ph. 727.230.9606 Fax 727.230.9234 - LB No.: 8128		

DESCRIPTION & SKETCH

Section 21, Township 29 S, Range 15 E
City of Clearwater, Pinellas County, Florida



ABBREVIATIONS:

(F) FIELD DATA
(P) PLAT DATA
R/W RIGHT-OF-WAY

0' 30'
SCALE: 1"=30'

NOT A SURVEY

Sheet 3 of 3

FLS Project: 19067-A2
For: Stellar Construction
Date: 01/15/2021

Ferguson
Land Surveyors

Project Manager: Scott
Drawn By: Jason
File: 19067ds.dwg

806 Franklin Street, Clearwater, FL 33756 - Ph. 727.230.9606 Fax 727.230.9234 - LB No.: 8128