

1 RESOLUTION NO. 2018-

2 A RESOLUTION OF THE BOARD OF COUNTY  
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,  
4 ACCEPTING AN EASEMENT FROM  
5 LAWRENCE L. BENDER AND KATHLEEN M. BENDER,  
6 HUSBAND AND WIFE, FOR A PROPERTY LOCATED IN  
7 DANIA BEACH, FLORIDA; AND PROVIDING FOR  
8 SEVERABILITY AND AN EFFECTIVE DATE.

9 WHEREAS, Lawrence L. Bender and Kathleen M. Bender, husband and wife,  
10 are the owners of a certain real property located in Dania Beach, Florida, identified as  
11 folio number 5042-29-02-0152 ("Property"), which Property is more particularly described  
12 in the legal description and sketch made subject to the easement, attached hereto and  
13 made a part hereof as Exhibit A ("Easement"); and

14 WHEREAS, Lawrence L. Bender and Kathleen M. Bender are willing to grant the  
15 Easement to Broward County, Florida ("County"), in accordance with the terms of the  
16 attached Easement; and

17 WHEREAS, the Board of County Commissioners of Broward County, Florida  
18 ("Board"), has determined that acceptance of the Easement serves a public purpose and  
19 is in the best interest of the County, NOW, THEREFORE,

20 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
21 BROWARD COUNTY, FLORIDA:

22 Section 1. The recitals set forth in the preamble to this Resolution are true,  
23 accurate, and incorporated by reference herein as though set forth in full hereunder.

24 Section 2. The Board hereby accepts the Easement attached as Exhibit A.

1 Section 3. The Easement shall be properly recorded in the Public Records of  
2 Broward County, Florida.

3 Section 4. Severability.

4 If any portion of this Resolution is determined by any court to be invalid, the invalid  
5 portion will be stricken, and such striking will not affect the validity of the remainder of this  
6 Resolution. If any court determines that this Resolution, in whole or in part, cannot be  
7 legally applied to any individual, group, entity, property, or circumstance, such  
8 determination will not affect the applicability of this Resolution to any other individual,  
9 group, entity, property, or circumstance.

10 Section 5. Effective Date.

11 This Resolution is effective upon adoption.

12  
13 ADOPTED this day of , 2018.

14  
15 Approved as to form and legal sufficiency:  
16 Andrew J. Meyers, County Attorney

17  
18 By /s/ Annika E. Ashton 08/10/18  
19 Annika E. Ashton (date)  
20 Senior Assistant County Attorney

Exhibit A

Return to:  
Broward County Real Property Section  
115 South Andrews Avenue, Room 501  
Fort Lauderdale, FL 33301

Folio Number: 5042-29-02-0152

**EASEMENT**

THIS INDENTURE, made this 22 day of February, 2018, by Lawrence L. Bender and Kathleen M. Bender, husband and wife, having a principal residence at 4412 S.W. 27<sup>th</sup> Avenue, Dania Beach, FL 33312 ("GRANTOR"), to Broward County, a political subdivision of the State of Florida, whose address is 2555 West Copans Road, Pompano Beach, Florida 33069 ("GRANTEE"):

(Wherever used herein the terms, "GRANTOR" and "GRANTEE" shall include singular and plural, heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations wherever the context so admits or requires).

**W I T N E S S E T H**

**WHEREAS**, GRANTOR is the owner of the following described property situated, lying and being in Broward County, Florida:

**See Exhibit "A" with accompanying sketch of description attached hereto and made a part hereof ("Easement Area"); and**

**WHEREAS**, GRANTEE desires an unrestricted and perpetual non-exclusive easement in, over, under, through, upon, and across the Easement Area to construct, maintain, repair, install, and rebuild thereon water mains, wastewater gravity mains, wastewater force mains, reclaimed water mains, and/or any other water or wastewater facilities (collectively, "Water and Wastewater Facilities") for purposes of providing water supply service for domestic or other uses and collecting domestic or other kinds of wastewater to and from GRANTOR'S Property and other properties which may or may not abut and be contiguous to the Easement Area ("Easement"); and

**WHEREAS**, GRANTOR is willing to grant such Easement to GRANTEE.

**NOW THEREFORE**, for and in consideration of the mutual terms and conditions contained herein, and the sum of one dollar (\$1.00), and other good and valuable consideration, the sufficiency of which are hereby acknowledged, GRANTOR does hereby grant the Easement to GRANTEE, to be exercised by and through GRANTEE'S employees, agents, contractors, or other designated persons.

GRANTEE has approved the existing and proposed above ground structures, asphalt, paving, landscaping, walls, fences, underground piping, underground structures, duct banks, transformers, poles, retention areas, pavers, electric, cable, and other utility facilities within the Easement Area to the extent said improvements are shown on the plans and drawings presented to and approved by GRANTEE. Except as permitted above, GRANTOR agrees that no obstructions that would preclude maintenance or improvement of GRANTEE'S Water and Wastewater Facilities may be placed in the Easement Area by GRANTOR or any other easement holder without GRANTEE'S consent. In the exercise of its rights hereunder, GRANTEE shall, at its sole cost and expense, restore the surface of the Easement Area to a reasonably similar condition as it was in prior to the exercise of such rights.



FOR: B.C.W.W.S. ENGINEERING DIVISION

SKETCH AND DESCRIPTION  
25' UTILITY EASEMENT  
4412 S.W. 27th AVENUE

**LEGAL DESCRIPTION:**

THE WEST 25 FEET OF THE FOLLOWING DESCRIBED PARCEL OF LAND.

THE NORTH 120 FEET, OF THE SOUTH 490 FEET OF LOT 10, LESS THE EAST 495 FEET THEREOF, IN BLOCK 4 OF THE SUBDIVISION OF SECTION 29, TOWNSHIP 50 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 32 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

SAID LANDS SITUATE IN THE CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA, CONTAINING 3,000 SQUARE FEET OR 0.069 ACRES MORE OR LESS.

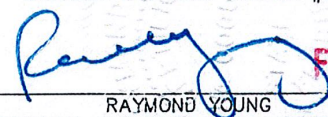
**NOTES:**

THIS SKETCH AND DESCRIPTION CONSISTS OF 2 SHEETS AND EACH SHEET SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS ATTACHED TO THE OTHER.

**CERTIFICATE:**

WE HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION AND OTHER PERTINENT DATA SHOWN HEREON, OF THE ABOVE DESCRIBED PROPERTY, CONFORMS TO THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS OUTLINED IN CHAPTER 5J-17, (FLORIDA ADMINISTRATIVE CODE) AS ADOPTED BY DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

CRAVEN THOMPSON & ASSOCIATES, INC.  
LICENSED BUSINESS NUMBER #271

  
RAYMOND YOUNG  
FEB 12 2018

PROFESSIONAL SURVEYOR AND MAPPER NO 5799  
STATE OF FLORIDA


THIS SKETCH AND DESCRIPTION OR COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR A UNIQUE ELECTRONIC SIGNATURE OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER UNDER CHAPTER RULES 14-0011-001-14\_SW 27 AVENUE\DRAWINGS\SKETCH\_AND\_DESC\14-0011-001-14\_SD5J-17.061 & 5J-17.062 FLORIDA ADMINISTRATIVE CODE.

R:\SURVEY\2014\14-0011-001-14-SW 27 AVENUE\DRAWINGS\SKETCH\_AND\_DESC\14-0011-001-14\_SD5J-17.061 & 5J-17.062 FLORIDA ADMINISTRATIVE CODE.

THIS IS NOT A SKETCH OF SURVEY, but only a graphic depiction of the description shown hereon. There has been no field work, viewing of the subject property, or monuments set in connection with the preparation of the information shown hereon.

The undersigned and CRAVEN-THOMPSON & ASSOCIATES, INC. make no representations or guarantees as to the information reflected hereon pertaining to easements, rights-of-way, set back lines, reservations, agreements and other similar matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for right-of-way and/or easements of record.

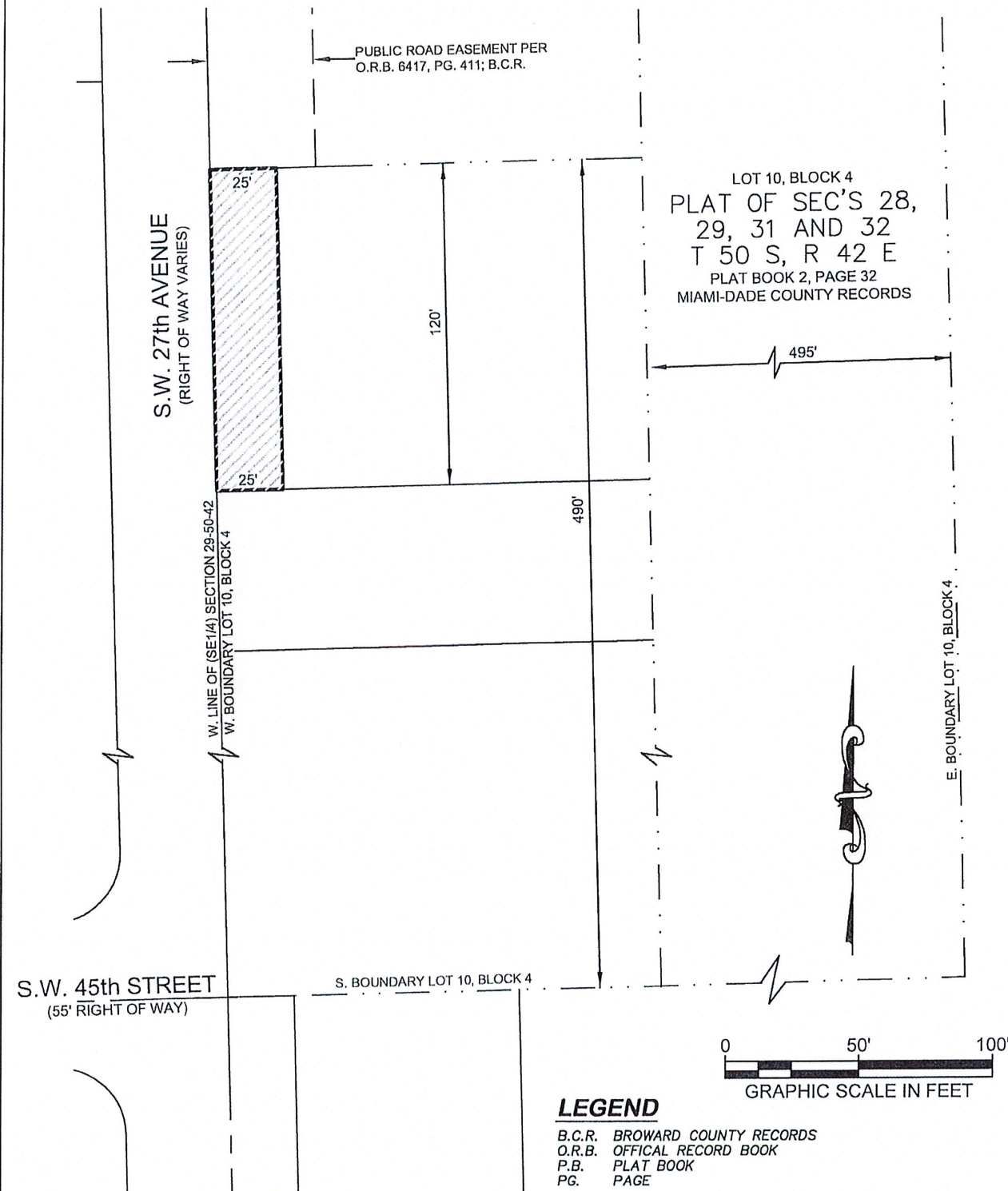
UPDATES and/or REVISIONS	DATE	BY	CK'D



**CRAVEN • THOMPSON & ASSOCIATES, INC.**  
ENGINEERS • PLANNERS • SURVEYOR'S  
3563 N.W. 53RD STREET, FORT LAUDERDALE, FLORIDA 33309 FAX: (954) 739-6409 TEL.: (954) 739-6400  
FLORIDA LICENSED ENGINEERING, SURVEYING & MAPPING BUSINESS No. 271  
MATERIAL SHOWN HEREON IS THE PROPERTY OF CRAVEN-THOMPSON & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION. COPYRIGHT (C) 2018

JOB NO.: 14-0011-001-26	SHEET 1 OF 2 SHEETS
DRAWN BY: RY	F.B. N/A PG. N/A
CHECKED BY: TCS	DATED: 12-27-17

**25' UTILITY EASEMENT  
4412 S.W. 27th AVENUE**



R:\SURVEY\2014\14-0011-001-14-SW 27 AVENUE\DRAWINGS\SKETCH\_AND\_DESC\14-0011-001-14\_SD

**FEB 12 2018**

**4417 CRAVEN • THOMPSON & ASSOCIATES, INC.**  
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JOB NO.: 14-0011-001-26	SHEET 2 OF 2 SHEETS
DRAWN BY: RY	F.B. N/A PG. N/A
CHECKED BY: TCS	DATED: 12-27-17