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October 2, 2013

Public Works Department – Engineering Services
City of Fort Lauderdale
100 N Andrews Avenue
4th & 5th Floor
Fort Lauderdale, Florida 33301

Subject: Utility Easement and Future Utility Relocation

To whom it may concern:

An affiliate of Florida East Coast Industries is purchasing land from Florida Power and Light with the intent to dedicate a portion of the property to the City of Fort Lauderdale for Right of Way. As discussed, please acknowledge the following statement regarding future relocation costs that may be **incurred because of the City of Fort Lauderdale’s request to relocate existing utilities.**

In the event that any portion of the Easement Area described in the Easement Agreement attached as Exhibit A is used or conveyed to the City of Fort Lauderdale for roadway purposes, City of Fort Lauderdale agrees that, notwithstanding Chapter 337, Florida Statutes, any permit, franchise agreement or other law, regulation, statute or rule, the Easement shall not be deemed subordinate to the **City of Fort Lauderdale’s** rights and privileges in and to the Easement Area and the City of Fort Lauderdale shall accept the conveyance of all or a portion of the Easement Area with the express understanding and agreement that the City of Fort Lauderdale shall pay for any relocation or adjustment of existing or future facilities, if such relocation or adjustment is caused by present or future uses or occupancy of the Easement Area by the City of Fort Lauderdale, including, but not limited to, the cost of acquiring replacement easements. The City of Fort Lauderdale shall have the right to maintain pavement or other roadway improvements upon the Easement Area in a manner that does not interfere **with Florida Power and Light’s** easement rights hereunder.

If you are in agreement with the above, please sign below where indicated.

Please let us know if you have any questions or would like to discuss further.

Sincerely,

Jose Gonzalez
Vice President – Corporate Development
Florida East Coast Industries, Inc.

Acknowledged and agree this day of ___ October, 2013:

City of Fort Lauderdale

By: _____

Title: _____

EXHIBIT "B"

To Easement

Site Map

