

PREPARED BY AND RETURN TO:

City Attorney's Office
Lynn Solomon, Assistant City Attorney
City of Fort Lauderdale
100 N Andrews Avenue
Fort Lauderdale, Florida 33301

Folio No: 5042 13 19 0010

(Space Reserved for Recording Information)

DRAINAGE EASEMENT

THIS INDENTURE, made this ^{12th} day of ~~January~~^{January}, 202~~1~~², by and between:

Harbor Beach Property, LLC, a foreign limited liability company, C/O The Mack CO., a Delaware limited liability company, whose principal address is, One Bridge Plaza, Room 260, Fort Lee, New Jersey 07024, hereinafter "Grantor",

In Favor of

CITY OF FORT LAUDERDALE, a municipal corporation existing under the laws of the State of Florida, whose Post Office is 100 North Andrews Avenue, Fort Lauderdale, FL 33301, its successors and assigns, hereinafter the "Grantee".

WITNESSETH:

That said Grantor(s), for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable considerations to said Grantor(s) in hand paid by said Grantee, the receipt of which is hereby acknowledged, has granted, bargained and sold unto the said Grantee, its successors and assigns, subject to all matters of record, an exclusive easement for stormwater drainage and drainage facilities, improvements or infrastructure in the Easement Area and the right to maintain, operate, construct, place, repair and replace such facilities, improvements or infrastructure and have access to City facilities or infrastructure within the Easement Area more particularly described below, and all other public purposes related thereto, as Grantee may deem necessary over, along, through, in, above, within and under the "Easement Area", said Easement Area lying and being in Fort Lauderdale, Broward County, Florida, described as follows:

**SEE SKETCH & LEGAL DESCRIPTION
ATTACHED HERETO AS EXHIBIT "A"
(hereinafter, the "Easement Area")**

Grantor(s) hereby covenants with said Grantee that said Grantor(s) is lawfully seized of fee simple title to the Easement Area and that Grantor(s) hereby fully warrants and defends the title to this Easement Area hereby granted and conveyed against the lawful claims of all persons whomsoever.

Grantor(s) shall not make or construct any improvements within the Easement Area, or conduct any activities which will conflict or interfere with the Easement granted herein. Further, Grantor will not construct any walls or other permanent structures within the Easement Area.

Grantor shall not grant any other easements to any other party within the Easement Area.

Notwithstanding the foregoing, Grantor shall be permitted to use the Easement Area in the normal course of Grantor's business provided such use does not interfere with the Easement granted herein.

*("Grantor" and "Grantee" are used for singular or plural, as context requires.)

TO HAVE AND TO HOLD the same unto the Grantee, its successors and assigns forever.

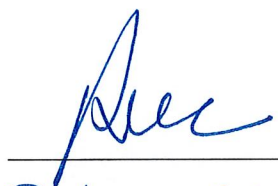
IN WITNESSES WHEREOF, the Grantor has hereunto set Grantor's hand and seal the day and year first above written.

WITNESSES:

GRANTOR:

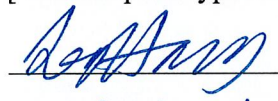
By: Harbor Beach Property, LLC, a Delaware limited liability company.

By: WRS Advisors II, LLC a Delaware limited liability company, its sole member


Richard Bilette
[Witness print/type name]

By:


Print Name: Richard Mack
Print Title: Authorized Signer

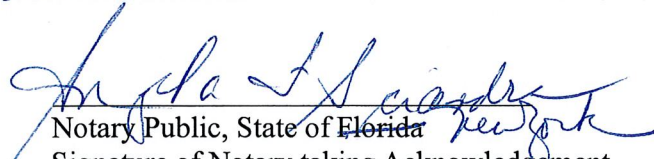

Logan Homsey
[Witness print/type name]

STATE OF New York

COUNTY OF New York

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online, this 12th day of January, 2021, by WRS Advisors II, LLC a Delaware limited liability Company, its sole member as Richard Mack as Authorized Representative of Harbor Beach Property, LLC, a Delaware limited liability company. He/She is personally known to me or has produced Personally Known as identification and did not (did) take an oath.

(SEAL)


Notary Public, State of Florida
Signature of Notary taking Acknowledgement

APPROVED AS TO FORM:

Lynn Solomon, Esq.
Assistant City Attorney

Angela F. Sciandra

Name of Notary Typed,
Printed or Stamped
My Commission Expires:

Commission Number

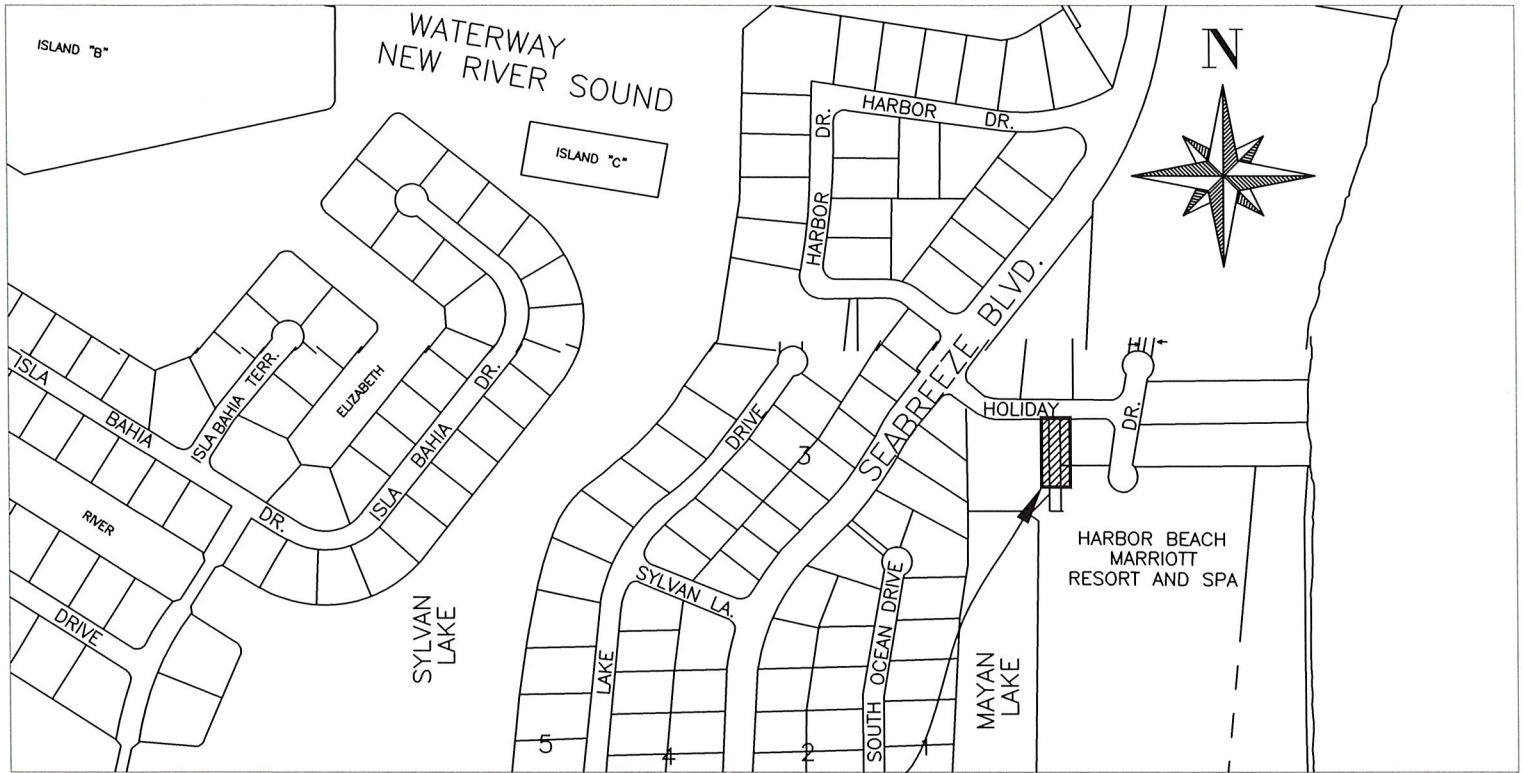
ANGELA F. SCIANDRA
Notary Public, State of New York
Registration No: 01SC6294897
Qualified in New York County
Commission Expires December 23, 2021

SKETCH AND DESCRIPTION

THIS IS NOT A SURVEY

DRAINAGE EASEMENT

LOCATION MAP
(NOT TO SCALE)



DESCRIPTION: DRAINAGE EASEMENT

THAT PORTION OF PARCEL "A" "POINSETTIA PLAT" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 114 AT PAGE 43 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

COMMENCING AT THE SOUTHWEST CORNER OF PARCEL "A" "HOLIDAY BEACH" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 27 AT PAGE 39 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE NORTH $01^{\circ}50'25''$ WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH $01^{\circ}50'25''$ WEST, A DISTANCE OF 15.00 FEET TO A POINT ON THE MOST WESTERLY NORTH LINE OF SAID "POINSETTIA PLAT"; THENCE SOUTH $88^{\circ}09'34''$ WEST, A DISTANCE OF 10.00 FEET; THENCE SOUTH $45^{\circ}30'35''$ WEST, A DISTANCE OF 64.13 FEET; THENCE SOUTH $49^{\circ}29'23''$ EAST, A DISTANCE OF 24.48 FEET; THENCE NORTH $39^{\circ}10'01''$ EAST, A DISTANCE OF 59.56 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA. CONTAINING 1375 SQUARE FEET MORE OR LESS.

NOTES:

- 1) THIS IS NOT A SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 2) SUBJECT TO EXISTING EASEMENTS, RIGHT-OF WAYS, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD, IF ANY
- 3) BEARINGS ARE BASED ON SAID "POINSETTIA PLAT" THE MOST WESTERLY NORTH LINE BEING $S88^{\circ}09'34''W$
- 4) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

CERTIFIED TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES IN CHAPTER 5J-17.05 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES MADE UNDER MY RESPONSIBLE CHARGE

SHEET 1 OF 2

DATED:
OCTOBER 28th, 2020
MICHAEL W. DONALDSON
PROFESSIONAL SURVEYOR AND MAPPER NO. 6490
STATE OF FLORIDA

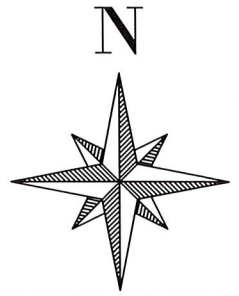
Michael W. Donaldson

3/30/22

CITY OF FORT LAUDERDALE	
EXHIBIT 1	
SEC. 13, TWP. 50 S., RGE. 42 E.	
DRAINAGE EASEMENT	
BY: M.D.	ENGINEERING DATE: 10/28/20
CHK'D M.D.	DIVISION 22-0365 SCALE: N.T.S.

SKETCH AND DESCRIPTION

DRAINAGE EASEMENT



THIS IS NOT A SURVEY

HOLIDAY BEACH
P.B. 27, PG. 39, B.C.R.

LOT 10

MOST WESTERLY
NORTH LINE
PER "POINSETTIA PLAT"

PARCEL "A"
POINSETTIA PLAT
P.B. 114, PG. 43, B.C.R.

HOLIDAY DR.

LOT 11

S88° 09' 34"W
10.00'

N01° 50' 25"W
15.00'

S45° 30' 35"W
64.13'

P.O.B.
N01° 50' 25"W
20.00'

S49° 29' 23"E
24.48'

P.O.C.
SW CORNER
PARCEL "A" HOLIDAY BEACH

25' EASEMENT
DEED BOOK 586, PG. 446 & 961, PG. 543
B.C.R.

20' FPL EASEMENT

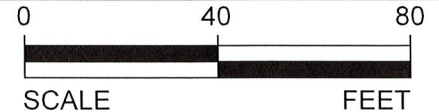
25' UTILITY EASEMENT
O.R.B. 12098 PG. 599 B.C.R.

N39° 10' 01"E
59.56'

MAYAN
LAKE

PORTION OF NE 1/4
SEC. 13, TWP. 50 S.,
RGE. 42 E.

MARRIOTT
HARBOR BEACH
RESORT & SPA



LEGEND:

P.G. DENOTES PAGE
P.B. DENOTES PLAT BOOK
P.O.B. DENOTES POINT OF BEGINNING
P.O.C. DENOTES POINT OF COMMENCEMENT
N.T.S. DENOTES NOT TO SCALE
RGE. DENOTES RANGE
SEC. DENOTES SECTION
TWP. DENOTES TOWNSHIP
B.C.R. DENOTES BROWARD COUNTY RECORDS
O.R.B. DENOTES OFFICIAL RECORDS BOOK

SHEET 2 OF 2

CITY OF FORT LAUDERDALE		
EXHIBIT 1		
SEC. 13, TWP. 50 S., RGE. 42 E.		
DRAINAGE EASEMENT		
BY: M.D.	ENGINEERING	DATE: 10/28/20
CHK'D M.D.	DIVISION	SCALE: 1"=40'