



Community Development Department – Engineering Division
10770 West Oakland Park Boulevard, Sunrise, FL 33351
P: 954.746.3270 F: 954.746.3287

PREPARED BY:
Thomas P. Moss, City Attorney
City of Sunrise
10770 West Oakland Park Boulevard
Sunrise, Florida 33351

RETURN TO:
City Engineer
City of Sunrise
10770 West Oakland Park Boulevard
Sunrise, Florida 33351

SIDEWALK EASEMENT

THIS EASEMENT is made and executed this _____ day of _____, 20_____, by _____, a Florida _____, whose mailing address is _____, (hereinafter referred to as the “Grantor”), to the **CITY OF SUNRISE**, a Florida municipal corporation, whose mailing address is 10770 West Oakland Park Boulevard, Sunrise, Florida 33351, (hereinafter referred to as the “Grantee”).

(Wherever used herein, the terms, “Grantor” and “Grantee” shall include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, partnerships (including joint ventures), public bodies and quasi-public bodies.

WITNESSETH:

WHEREAS, the Grantor is the owner of property situate, lying and being in Broward County, Florida, and described as follows:

See Exhibit “A” (“Grantor’s Land”) with accompanying sketch of description attached hereto and made a part hereof; and,

WHEREAS, the Grantee desires a perpetual, non-exclusive easement for public use and other appropriate purposes incidental thereto, in, on, over, under, and across the a portion of Grantor’s Land; and



WHEREAS, the Grantor is willing to grant a sidewalk easement on a portion of Grantor’s Land to the Grantee.

WHEREAS, the Grantor, at its expense, shall cause a sidewalk to be constructed, maintained, replaced, and repaired on a portion of Grantor’s Land, which portion is more particularly described in the attached Exhibit “B” (“Easement Land”); and

NOW, THEREFORE, for and in consideration of mutual covenants each to the other running and Ten Dollars (\$10.00) and other good and valuable considerations, the Grantor does hereby grant unto the Grantee, its successors and assigns, subject to the terms hereof, a sidewalk easement for the public use, in perpetuity, in, on, over, under, and across the Easement Land.

1. Recitals Incorporated. The foregoing recitals are incorporated by reference and made a part of this grant of easement.

2. Grant of Easement. The Grantor hereby grants Grantee a perpetual, non-exclusive easement in, on, over, under, and across the Easement Land described in Exhibit “B” for a public sidewalk, in perpetuity. This grant of easement shall not be construed as a dedication to the public of the underlying fee simple ownership of the Easement Land.

3. Construction and Maintenance of Sidewalk Improvements. At Grantor’s sole cost and expense, Grantor shall construct a sidewalk within the Easement Land pursuant to a site plan approved for Grantor’s Land, and maintain, replace, and repair the sidewalk as necessary.

4. Title Warranties. Grantor warrants that Grantor has good and indefeasible fee simple title to and possession of the Easement Land and that it has good and lawful right to grant this Easement.

5. Benefits and Burdens Runs with Land. All provisions of this Sidewalk Easement, including the benefits and burdens, run with the Easement Land and are binding upon and inure to the heirs, assigns, successors, tenants and personal representatives of the parties hereto.

6. Termination/Relocation. Should the Grantee cease using the Easement Land for a public sidewalk for a period of more than twelve (12) months, this easement shall automatically terminate. The Grantee, through its Planning and Development Department, in its reasonable discretion, may approve a request by Grantor to relocate this easement as described in Exhibit “B,” to other lands owned by the Grantor.

(The remainder of this page has been intentionally left blank.)



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ACKNOWLEDGEMENT OF INDIVIDUAL

IN WITNESS WHEREOF, the Grantor has caused this Sidewalk Easement to be executed in Grantor's name, and official seal by the proper officer(s) or representative(s) duly authorized, as of the day and year first above written.

Witnesses:

Witness Signature

Printed Name of Witness

Witness Address

Witness Signature

Printed Name of Witness

Witness Address

By: _____

Attest: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 20_____,
by _____(name of person acknowledging).

Signature of Notary Public – State of Florida

Print, type or stamp commissioned name
of Notary Public

Personally Known OR Produced Identification
Type of Identification Produced _____



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ACKNOWLEDGEMENT OF PARTNERSHIP

IN WITNESS WHEREOF, the Grantor has caused this Sidewalk Easement to be executed in Grantor's name, and official seal by the proper officer(s) or representative(s) duly authorized, as of the day and year first above written.

Witnesses:

Name of Partnership

Witness Signature

By:

Printed Name of Witness

Witness Address

General Partner

Witness Signature

Printed Name of Witness

Witness Address

STATE OF FLORIDA
COUNTY OF

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this day of, 20, by (name of person) as (type of authority, e.g. officer, trustee, attorney in fact) for (name of party on behalf of whom instrument was executed).

Signature of Notary Public – State of Florida

Print, type or stamp commissioned name of Notary Public

Personally Known OR Produced Identification
Type of Identification Produced



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ACKNOWLEDGEMENT OF CORPORATION

IN WITNESS WHEREOF, the Grantor has caused this Sidewalk Easement to be executed in Grantor's name, and official seal by the proper officer(s) or representative(s) duly authorized, as of the day and year first above written.

Witnesses:

Witness Signature
Printed Name of Witness
Witness Address

Name of Corporation
By:
Title:

Witness Signature
Printed Name of Witness
Witness Address

Attest:
Corporate Secretary
(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this day of, 20, by (name of person) as (type of authority, e.g. officer, trustee, attorney in fact) for (name of party on behalf of whom instrument was executed).

Signature of Notary Public – State of Florida

Print, type or stamp commissioned name of Notary Public

Personally Known OR Produced Identification
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JOINDER AND CONSENT OF MORTGAGEE

_____ , being the holder of that certain mortgage dated the
_____ day of _____, 20_____, and recorded the _____ day
of _____, 20_____, in Official Record Book _____, at Page _____, of
the Public Records of Broward County, Florida, hereby consents and subordinates its
mortgage to the foregoing Sidewalk Easement.

Witnesses:

Mortgage Holder

Witness Signature

By: _____

Printed Name of Witness

Title: _____

Witness Address

Witness Signature

Printed Name of Witness

Witness Address

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or
 online notarization, this _____ day of _____, 20_____,
by _____ (name of person)
as _____ (type of authority, e.g. officer, trustee, attorney in fact)
for _____ (name of party on behalf of whom instrument was
executed).

Signature of Notary Public – State of Florida

Print, type or stamp commissioned name
of Notary Public

Personally Known OR Produced Identification

Type of Identification Produced _____