



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**

**UTILITY EASEMENT**

**THIS UTILITY EASEMENT** is made and executed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_, by \_\_\_\_\_ 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”):

(Whenever used herein the terms “Grantor” and “Grantee” 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, Grantor is lawfully seized in fee simple and is in possession of that certain property situated in Broward County, Florida, as more particularly described on Exhibit “A,” which is attached to and by this reference made a part of this document (hereinafter referred to as the “Easement Land”).

NOW, THEREFORE, in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. Grantor does hereby grant unto the Grantee, an exclusive perpetual utility easement in, on, over, under, through, and across the Easement Land, with the full and free right of ingress and egress for the purposes of the construction, installation, reconstruction, rebuilding, replacement, repairing, operation, distribution and maintenance of lift stations, force mains, water lines, gravity sewers, storm drainage systems, reclaimed water systems, natural gas lines, LP gas lines and tanks, messages or telecommunications and all appurtenances relative to these facilities or systems (hereinafter referred to as "Facilities and Systems"). Grantee shall preclude the use by other utilities of this perpetual exclusive utility easement, such as for cable TV, telephone, communication, electric or gas; unless otherwise authorized in writing by the Grantor by way of amendment of this exclusive perpetual utility easement.



2. Grantee shall have the right and privilege from time to time to alter, improve, enlarge, add to, change the nature or physical characteristics or replace, remove or relocate such Facilities and Systems in, upon, over, under, through and across the Easement Land along with all rights and privileges necessary or convenient for the full benefit and use thereof for the purposes described in this instrument, including, but not limited to, the right to clear obstructions within the Easement Land that might interfere with the purposes for which such Facilities and Systems are or might be constructed, along with the right of ingress and egress for personnel and equipment of Grantee, its contractors, agents, successors, or assigns, over the adjoining lands of the Grantor, its successors and assigns, including successors in title, for the purpose of maintaining the above Facilities and Systems which are located in the Easement Area.

3. 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, and that the Grantee, its successors and assigns, shall have all of the rights to the Easement Land as stated herein.

4. Grantor hereby agrees that Grantee's sole obligation after the completion of any construction, installation, reconstruction, rebuilding, replacement, or repairing the Facilities and Systems served by the Easement Land shall be limited to adequately filling and compacting any excavation to a finished grade. Grantor agrees to be solely responsible for removing and restoring, and shall hold the Grantee harmless from, any damages to the improvements now or hereafter existing on the Easement Land including, without limitation, pavers, stamped concrete, landscaping, fencing and concrete pillars, or any other requirements imposed by the City's Code of Ordinances.

5. No change, alteration, modification or amendment may be made to this Easement without the express written consent of Grantor and Grantee.

6. Grantor warrants that to the best of Grantor's knowledge and belief, the Easement Land is free and clear of soil and ground water contamination. For and in consideration of ten dollars (\$10) receipt of which is hereby acknowledged, Grantor shall indemnify and hold Grantee harmless for all claims and damages resulting from any such contamination.

7. The provisions of Chapter 15 of the City Code of Grantee, as amended from time to time, are incorporated in this Easement.

*(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 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

By: \_\_\_\_\_

Attest: \_\_\_\_\_

\_\_\_\_\_  
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 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 Utility 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

By: \_\_\_\_\_

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
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 Utility 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 Corporation

\_\_\_\_\_  
Witness Signature

By: \_\_\_\_\_

\_\_\_\_\_  
Printed Name of Witness

Title: \_\_\_\_\_

\_\_\_\_\_  
Witness Address

\_\_\_\_\_  
Witness Signature

Attest: \_\_\_\_\_

\_\_\_\_\_  
Printed Name of Witness

Corporate Secretary

\_\_\_\_\_  
Witness Address

(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

Type of Identification Produced \_\_\_\_\_



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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 Utility 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 \_\_\_\_\_