

Inter-Office Communication
PALM BEACH COUNTY

TO Burt Smith, Asst. Director,
Land Development Division
FROM Christopher J. Paull, Asst. County Atty.
RE Square Lake Property of Ed Fortaw

DATE October 27, 1981
FILE Utility Easements
Abandonments

This office has received a request to determine whether any abandonment proceeding is required with respect to a 100 foot utility easement indicated on the original plat of Square Lake, as recorded in Plat Book 23, Page 141.

Shortly after the plat was recorded, the owners of the property filed a separate document, recorded at O.R. Book 1037, Page 571, adding additional dedicatory language and specifically correcting the description of certain utility easements shown on the plat. It is my belief that the clear intent of this document was to serve as the equivalent of the present statutory affidavit of correction, and at the time the instrument was executed and recorded, it would seem to have been sufficient to accomplish its intended purpose.

It is the opinion of this office, therefore, that the original platted easement incumbering Mr. Fortaw's property need not be abandoned as that easement has apparently been revoked by the original owners of the property.

CJP/mej
cc: Mr. Ed Fortaw
Encl.

RECEIVED
OCT 23 1981
LAND DEVELOPMENT
PALM BEACH COUNTY

SIGNED *Christopher J. Paull*

1037 571

STATE OF FLORIDA
COUNTY OF PALM BEACH

The undersigned, K. L. Inc., a Florida corporation, being the owner of all of the lots in Square Lake, a subdivision of Section 2, Township 42, South, Range 42, East, in Palm Beach County, Florida, the plat thereof duly recorded in Plat Book 23, page 141, said Square Lake, Florida public records, except the lot 21, which said lot 21, is owned by Richard W. and Lella M. Stephens, his wife, and join in this declaration, do hereby dedicate to the public for streets and thoroughfares (in addition to the dedication on the face of said plat) the streets and thoroughfares hereinafter set out.

And said parties do also, in lieu of and as a correction of the easements for public utilities set out in said plat, hereby dedicate for public utilities, easements as set out hereinafter, viz:

An easement to serve for public utilities, over and across the lots in Square Lake subdivision, in Palm Beach County, Florida, according to the duly recorded plat thereof, in Plat Book 23, page 141, as follows, viz:

The southerly two and one-half feet of lot 18; the north two and one-half feet and south two and one-half feet of lots 19 to 23, inclusive; the north two and one-half feet of lot 24; the south two and one-half feet of lot 25; the north two and one-half feet and south two and one-half feet of lots 26 to 33, inclusive; the north two and one-half feet of lots 34 and 35; the north two and one-half feet and south two and one-half feet of lots 36 to 41, inclusive; the south two and one-half feet of lot 42; the north two and one-half feet of lot 43; the north two and one-half feet and south two and one-half feet of lots 44 to 46, inclusive; the south two and one-half feet of lots 47 and 48; the north two and one-half feet and south two and one-half feet of lot 49; the north two and one-half feet and south two and one-half feet of lot 50; the north two and one-half feet and south two and one-half feet of lot 51; the north two and one-half feet and south two and one-half feet of lot 52; the north two and one-half feet and south two and one-half feet of lots 53 to 59, inclusive; the north two and one-half feet and south two and one-half feet of lots 60 to 65, inclusive; the south two and one-half feet and north two and one-half feet of lots 66 to 70, inclusive; the south two and one-half feet and north two and one-half feet of lots 71 to 76, inclusive; the north two and one-half feet and south two and one-half feet of lot 77; the south two and one-half feet and north two and one-half feet of lot 78; the north two and one-half feet and south two and one-half feet of lot 79; the north two and one-half feet and south two and one-half feet of lot 80; the north two and one-half feet and south two and one-half feet of lot 81; the north two and one-half feet and south two and one-half feet of lot 82; the north two and one-half feet and south two and one-half feet of lot 83; the north two and one-half feet and south two and one-half feet of lot 84; the north two and one-half feet and south two and one-half feet of lot 85; the north two and one-half feet and south two and one-half feet of lot 86; the north two and one-half feet and south two and one-half feet of lot 87; the north two and one-half feet and south two and one-half feet of lot 88; the north two and one-half feet and south two and one-half feet of lot 89; the north two and one-half feet and south two and one-half feet of lot 90; the north two and one-half feet and south two and one-half feet of lot 91; the north two and one-half feet and south two and one-half feet of lot 92; the north two and one-half feet and south two and one-half feet of lot 93; the north two and one-half feet and south two and one-half feet of lot 94; the north two and one-half feet and south two and one-half feet of lot 95; the north two and one-half feet and south two and one-half feet of lot 96; the north two and one-half feet and south two and one-half feet of lot 97; the north two and one-half feet and south two and one-half feet of lot 98; the north two and one-half feet and south two and one-half feet of lot 99; the north two and one-half feet and south two and one-half feet of lot 100.

1037 572

the north two and one-half feet and south two and one-half feet of lot 56; the north two and one-half feet of lots 57 and 58; the north two and one-half feet and south two and one-half feet of lots 59 to 61, inclusive; the south two and one-half feet and north two and one-half feet of lot 62; the southerly two and one-half feet of lot 63; the northerly two and one-half feet of lot 64; the north two and one-half feet and south two and one-half feet of lot 65; the north two and one-half feet and south two and one-half feet of lots 66 to 69, inclusive; the south two and one-half feet and north two and one-half feet of lots 70 to 76, inclusive; the north two and one-half feet and south two and one-half feet of lot 77; the south two and one-half feet and north two and one-half feet of lot 78; the north two and one-half feet and south two and one-half feet of lot 79; the north two and one-half feet and south two and one-half feet of lot 80; the north two and one-half feet and south two and one-half feet of lot 81; the north two and one-half feet and south two and one-half feet of lot 82; the north two and one-half feet and south two and one-half feet of lot 83; the north two and one-half feet and south two and one-half feet of lot 84; the north two and one-half feet and south two and one-half feet of lot 85; the north two and one-half feet and south two and one-half feet of lot 86; the north two and one-half feet and south two and one-half feet of lot 87; the north two and one-half feet and south two and one-half feet of lot 88; the north two and one-half feet and south two and one-half feet of lot 89; the north two and one-half feet and south two and one-half feet of lot 90; the north two and one-half feet and south two and one-half feet of lot 91; the north two and one-half feet and south two and one-half feet of lot 92; the north two and one-half feet and south two and one-half feet of lot 93; the north two and one-half feet and south two and one-half feet of lot 94; the north two and one-half feet and south two and one-half feet of lot 95; the north two and one-half feet and south two and one-half feet of lot 96; the north two and one-half feet and south two and one-half feet of lot 97; the north two and one-half feet and south two and one-half feet of lot 98; the north two and one-half feet and south two and one-half feet of lot 99; the north two and one-half feet and south two and one-half feet of lot 100.

1037 573

The south five feet of lot 50; and the north five feet of lot 51.

An easement for streets, thoroughfares, ditches and public utilities (including the previously dedicated, in some instances ten foot easement for such purposes) as follows: the west thirty feet of lots 48 to 50, inclusive; the west thirty feet of lot 51; the west thirty feet of lots 52 to 57, inclusive; the west thirty feet of lot 58; the east thirty feet of lot 59; and they do also hereby restrict said lots and the use and occupation thereof as follows, viz:

1. No building shall be erected closer than fifty feet to the edge of Square Lake as shown on said plat.

2. All lots shall be sold as a whole and may not be subdivided into fractional lots.

3. No way, tunnel, or driveway shall be maintained upon the property, no dog except as a pet may be kept upon the property.

4. All premises shall not be used for a landing place for airplanes, nor any hangar for airplanes placed thereon.

5. Buildings located thereon shall be erected at least thirty feet from the front line of the lots and at least twenty feet from the side line of the lots; except that on lots 21 to 112, inclusive, buildings may be not less than ten feet from side lot lines.

6. All structures erected thereon shall be according to plat first submitted to and approved in writing by K. L. Inc. and must be completed within the period of time specified at the time of such written approval.

7. No manufacture shall be conducted on said premises for the goods, wares, merchandise and things, nor any trade or business, except such as may be conducted in connection with the operation of a business, and no other business shall be conducted on said premises.

1037 574

These provisions shall be covenants running with the land, and shall bind upon purchasers, their heirs, successors, legal representatives and assigns; provided however, that said covenants shall not reserve unto itself, its successors or assigns, the right to amend, revoke, alter or modify any and all of the covenants, reservations and restrictions set forth herein, and that the necessity of obtaining the consent of the owner of any lot in said subdivision.

In WITNESS WHEREOF, K. L. Inc., has caused this instrument to be signed in its corporate name, by its president and its corporate seal to be affixed, at West Palm Beach, Florida, this December 21, 1973.

James B. Bello
AS PRESIDENT

FLORIDA POWER & LIGHT COMPANY

March 9, 1987

Mr. Tom Mullins
8735 N. Elizabeth Ave.
Lake Park, FL 33410

Re: Florida Power & Light Transmission /Distribution Easement along West Property Line of N Lot 74, Square Lake Subdivision also known as 8735 N. Elizabeth Ave.

Dear Mr. Mullins:

A review of the above easement by Mr. James Weeks of our Right-of-Way department revealed that it is a 50' wide right-of-way from 1924 measured fifty feet (50') from the left side of the section line with our pole on or very near the section line.

In essence, a 100' right of way, half of which is on the west side of your property.

Very truly yours,
John N. Carroll
John N. Carroll
Service Planner

Office Communication
PALM BEACH COUNTY

IO Zoning Technicians
FROM Zoe Pickren, Supervisor
RE Square Lake Subd. Plat 23/141

DATE June 23, 1978
FILE

Match for plans coming in on less than 2 1/2 acres in Square Lake Subd. We need proof, by recorded deed, before Feb. 1979, if less than 2 1/2 Acres - whether it is an owner or contractor. Square Lake is zoned RE.

SIGNED *Zoe Pickren*
PICKREN

*3/27/78
- 20' right of way
- 50' right of way
- 100' right of way*