

EASEMENT AGREEMENT

Name of Utility Company: F.P. & L. Address: P.O. Box D, W.R.B. 33402 Attention: Engineering Department

I propose to apply for a County Permit to erect landscaping in the Utility easement on my property at the legal description of this property being Lot Block, Meed Raquet Club Subdivision.

In the event that you have no objections to this project, will you please complete this form and return to me at:

(Street address or Box Number) (City)

I understand that your company will not be responsible in any way for repairs to, or replacement of, any portion of this landscaping, and that any removal or replacement of this construction necessary for your use of this easement will be done at my expense.

Owner's Signature: Alan A. Kurtis, Director

Name of Utility Company: F.P. & L.

BY: L.M. Ramsey

TITLE: Site Planning Super

DATE: 11-12-81

Agreements Required From: The Local Power Company, Southern Bell Telephone and Telegraph Co., Florida Public Utilities, Water and Sewer Company

Board of County Commissioners: Peggy B. Swatt, Ken Spillias, Dennis P. Koehler, Dorothy Wilken, Bill Bailey. County Administrator: John C. Sandoury. Department of Engineering and Public Works: H. F. Kahlert, County Engineer.



May 16, 1983

Mr. Bob Anderson, Rossi & Malavasi, 1675 Palm Beach Lakes Boulevard, Forum III, Suite 407, West Palm Beach, FL 33401

Subject: RESOLUTION TO ABANDON R-83-462 - VILLAS OF WILLOW BEND PLAT 7

Gentlemen:

Attached, please find a copy of the Resolution to abandon the subject area, adopted by the Board of County Commissioners on April 12, 1983. This document was recorded in the Office of the Clerk of the Circuit Court, Palm Beach County on April 29, 1983. This completes the requirements for abandonment and closes our file on this matter.

Your cooperation has been appreciated.

Sincerely,

H. F. Kahlert, P.E., County Engineer

Signature of Alan A. Kurtis

Alan A. Kurtis, P.E., Director Land Development Division

AAK:JHC:BHR:th Attachment: Recorded Resolution

cc: Minutes Department w/Enclosure, Land Acquisition Division w/Enclosure, Traffic Division w/Location Sketch, Road & Bridge Division w/Location Sketch, Zoning Division w/Enclosure

WEST PALM BEACH, FLORIDA 33402 (305) 684-4000

RECEIVED BY: PALM BEACH COUNTY DEPT. ENGINEERING/PUBLIC WORKS. RECEIVED FROM: Radica Construction Corp. Amount: \$200.00. RECEIVED FROM: Abandonment - Hwy Exempt Villages of Willow Bend Plat No 7. Amount: \$200.00. RECEIVED FROM: Two Hundred Dollars. RECEIVED FROM: No 425.

RESOLUTION NO. R-83-462. RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, VACATING A TWELVE (12) FOOT DRAINAGE EASEMENT LYING WITHIN LOTS 40-41, 54-55 AND 68-69 IN VILLAS OF WILLOW BEND PLAT 7, RECORDED IN PLAT BOOK 43, PAGES 184-186, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, pursuant to authority in Section 336.09, Florida Statutes, and Ordinance No. 71-3, known as the Palm Beach Road Abandonment and Plat Vacation Ordinance, and upon the petition of Willow Bend, Inc., called a public hearing to be held in the County Commissioners Chambers, at the Palm Beach County Courthouse, West Palm Beach, Florida, on April 12, 1983, to consider and determine whether or not Palm Beach County would vacate, abandon, discontinue and close, renounce and disclaim any right or interest of the County to that twelve (12) foot drainage easement described hereinafter; and

WHEREAS, in accordance with Ordinance No. 71-3, notice of the holding of such meeting was duly published in the Palm Beach Post/Times on March 27, 1983, and April 3, 1983; and

WHEREAS, this Board did hold said hearing as advertised and determined that such action will not materially interfere with the approved drainage design within the Villas of Willow Bend Plat 7.

WHEREAS, the approval of the vacation of the hereinafter described easement is subject to the conveying of realigned drainage easement within Lots 40-41, 54-55, and 68-69 of the Villas of Willow Bend Plat 7, to Palm Beach County to continue legal positive drainage outfall; and

WHEREAS, the realigned drainage easement within said lots has been made a part of this resolution for the purpose of acceptance and recordation; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

- 1. The foregoing recitals are hereby affirmed and ratified. 2. The following described drainage easement is hereby abandoned and closed as public easement, and this Board does hereby renounce and disclaim any right or interest of Palm Beach County and the public in and to the following:

-1-

RETURN TO: B. SLIDER, ENGR. DEPT., LAND DEV. DIV., S-1170 P.B.I.A.

Being the South 6.0 feet of Lots 69, 54 and 41 and the North 6.0 feet of Lots 68, 55 and 40, as recorded in the Plat of Villas of Willow Bend Plat No. 7, in Plat Book 43, Pages 184 thru 186 of the Public Records of Palm Beach County, Florida.

3. The attached drainage easement be accepted and approved by the Board and said easement be made a part of this Resolution for recordation purposes.

4. Notice of the adoption of this Resolution shall be published once in the Palm Beach Post/Times within thirty (30) days of the date of adoption of this Resolution in accordance with Section 336.10, Florida Statutes, and Ordinance No. 71-3.

The foregoing Resolution was offered by Commissioner BAILEY, who moved its adoption. The motion was seconded by Commissioner KOEHLER, and upon being put to a vote, the vote was as follows:

PEGGY B. SWATT AYE, KENNETH SPILLIAS ABSENT, DENNIS P. KOEHLER AYE, DOROTHY WILKEN AYE, BILL BAILEY AYE.

The Chairman thereupon declared the Resolution duly passed and adopted this 12th day of April, 1983.

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Trust Chisler, Deputy Clerk

APR 12 1983

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PROOF OF PUBLICATION

STATE OF FLORIDA, COUNTY OF PALM BEACH

Before the undersigned authority personally appeared Joseph A. Ernst who on oath says that he is Class. Adv. Mfr. of The Post, a daily and Sunday newspaper published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising, being a Notice in the matter of Villas of Willow Bend in the Court, was published in said newspaper in the issues of March 27, April 3, 1983. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 4th day of April, A.D. 1983

Notary Public State of Florida at Large, My Commission Expires Sept 9 1984

Published Daily and Sunday West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA, COUNTY OF PALM BEACH

Before the undersigned authority personally appeared Joseph A. Ernst who on oath says that he is Class. Adv. Mfr. of The Post, a daily and Sunday newspaper published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising, being a Resolution in the matter of R-83-462 in the Court, was published in said newspaper in the issues of April 24, 1983.

Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

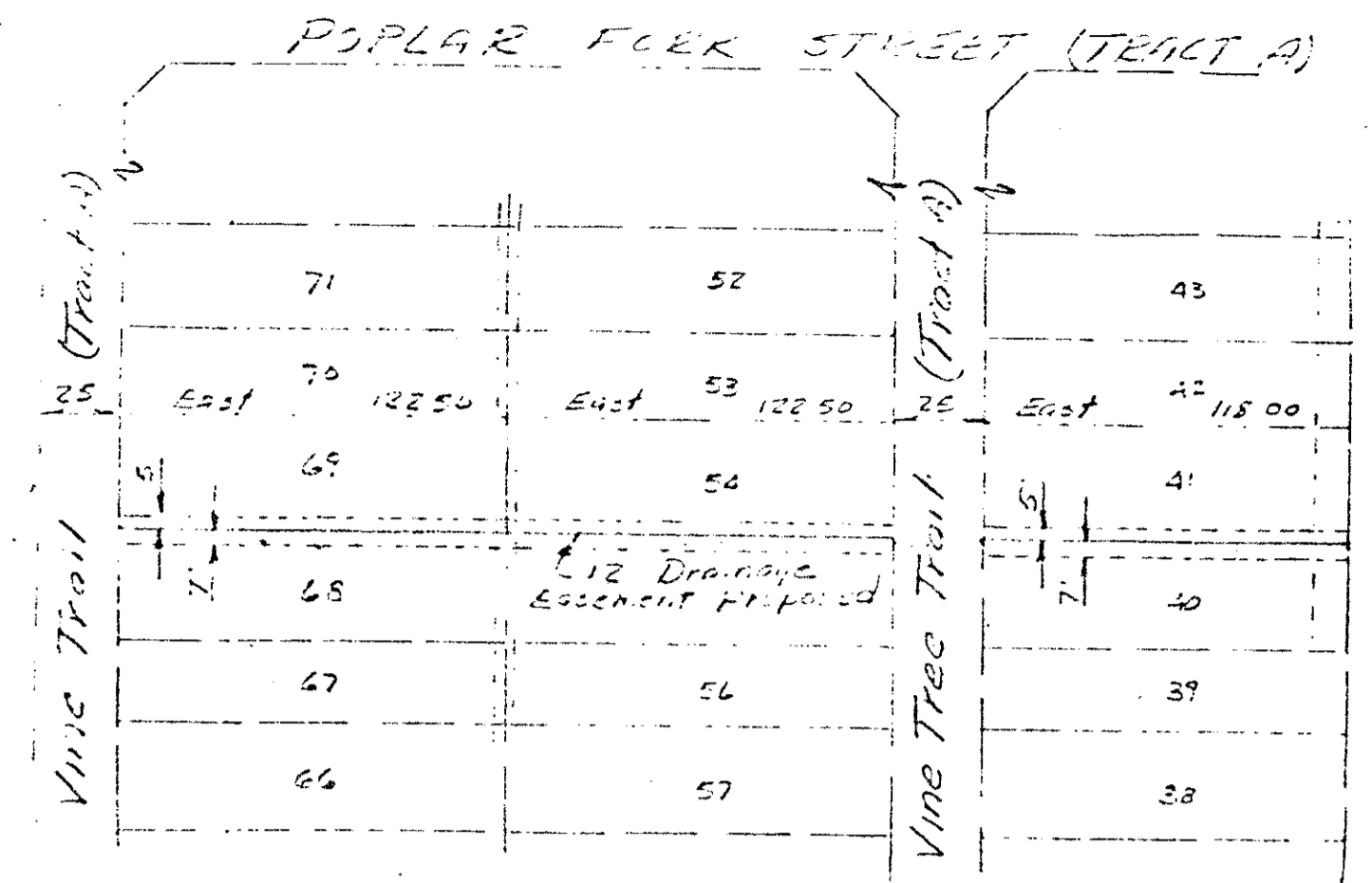
Sworn to and subscribed before me this 25th day of April, A.D. 1983

Notary Public State of Florida at Large, My Commission Expires Sept 9 1984

NOTICE OF INTENTION TO ABANDON/VACATE PUBLIC NOTICE is hereby given in compliance with Chapter 125, Florida Statutes, that the Board of County Commissioners of Palm Beach County, Florida, at its regular meeting in the County Commissioners Chambers, Court House, West Palm Beach, Florida on April 2, 1983, called a public hearing on the abandonment/vacation of the following described drainage easement to wit: That 12 foot drainage easement lying between Lots 68, 55, and 40, and Lots 69, 54, and 41, as recorded in Plat Book 43, Pages 184-186, Public Records of Palm Beach County, Florida, and the realigned drainage easement within said lots as recorded in Plat Book 43, Pages 184-186, Public Records of Palm Beach County, Florida, was duly passed and adopted by the Board of County Commissioners of Palm Beach County, Florida on April 12, 1983. H. F. Kahlert, P.E., County Engineer, Publish: March 27, April 3, 1983

NOTICE OF INTENTION TO ABANDON/VACATE PUBLIC NOTICE is hereby given in compliance with Chapter 125, Florida Statutes, that the Board of County Commissioners of Palm Beach County, Florida, at its regular meeting in the County Commissioners Chambers, Court House, West Palm Beach, Florida on April 2, 1983, called a public hearing on the abandonment/vacation of the following described drainage easement to wit: That 12 foot drainage easement lying between Lots 68, 55, and 40, and Lots 69, 54, and 41, as recorded in Plat Book 43, Pages 184-186, Public Records of Palm Beach County, Florida, and the realigned drainage easement within said lots as recorded in Plat Book 43, Pages 184-186, Public Records of Palm Beach County, Florida, was duly passed and adopted by the Board of County Commissioners of Palm Beach County, Florida on April 12, 1983. H. F. Kahlert, P.E., County Engineer, Publish: April 2, 1983

RECORD VERIFIED PALM BEACH COUNTY, FLA JOHN B. DUNKLE CLERK CIRCUIT COURT



THE VILLAS OF WILLOW BEND PLAT NO. 7 PROPOSED EASEMENT

AN EASEMENT FOR DRAINAGE PURPOSES BEING DESCRIBED AS THE SOUTH 5.00 FEET OF LOTS 69, 54, AND 41, AND THE NORTH 7.00 FEET OF LOTS 68, 55, AND 40, AS RECORDED IN THE VILLAS OF WILLOW BEND PLAT NO. 7 IN THE PLAT BOOK 43, PAGES 184 THRU 186 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA.

Notes: Property shown hereon has not been title searched by the surveyor for easements, rights-of-ways, or reservations of record. Legal description shown herein furnished by the client. Survey shown hereon meets the Minimum Technical Standards for Land Surveys - Rule 12B-1.01.

DRAINAGE EASEMENT ROAD THIS EASEMENT, made this 2nd day of February, 1983 between WILLOW BEND, INC.

as part of the first part, and the COUNTY OF PALM BEACH, in the State of Florida, as party of the second part.

WITNESSETH: That the said party of the first part, in consideration of the sum of One (\$1.00) Dollar and other valuable considerations paid, the receipt of which is hereby acknowledged, hereby grant unto the second party, its successors and assigns, a perpetual easement and right-of-way for the purpose of a Drainage easement, over, upon, under, through, and across the following described land, situate, lying and being in the County of Palm Beach and State of Florida, to wit:

AN EASEMENT FOR DRAINAGE PURPOSES BEING DESCRIBED AS THE SOUTH 5.00 FEET OF LOTS 69, 54, AND 41, AND THE NORTH 7.00 FEET OF LOTS 68, 55, AND 40, AS RECORDED IN THE PLAT OF THE VILLAS OF WILLOW BEND PLAT NO. 7 IN THE PLAT BOOK 43, PAGES 184 THRU 186 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TO HAVE AND TO HOLD THE SAME unto the second party, its successors and assigns forever.

IN WITNESS WHEREOF, said party of the first part has hereunto set his hand (s) and seal (s) the date first above written.

Signed, sealed and delivered in the presence of: WILLLOW BEND, INC. BY: [Signature]

STATE OF FLORIDA, COUNTY OF BROWARD

BEFORE ME, the undersigned authority, personally appeared L. W. Schock Vice President and Treasurer of Willow Bend, Inc. and he acknowledged before me that he executed the foregoing instrument as such Officer (s) on behalf of the said Corporation (s) for the uses and purposes therein expressed.

WITNESS my hand and official seal this 2nd day of February, 1983

Notary Public in and for the County of Broward, State of Florida. My Commission Expires Dec. 21, 1986

This Instrument was prepared by Joseph M. Tucker in the offices of Rossi & Malavasi Engineers, Inc., 1675 Palm Beach Lakes Blvd., West Palm Beach, Fla. 33401 (737-6546)