

Prepared by:
Eversheds Sutherland (US) LLP
999 Peachtree Street NE, Suite 2300
Atlanta, Georgia 30309

Return to:
Maria Waldrop, City Clerk
City of Maitland
1776 Independence Lane
Maitland, Florida 32751

SIDEWALK AND UTILITY EASEMENT

THIS SIDEWALK AND UTILITY EASEMENT (this “Agreement”) is entered into as of this ____ day of _____, 2017 by and between **PSREG MAITLAND SHORES OWNER LLC**, a Delaware limited liability company (hereinafter referred to as “Grantor”), and **CITY OF MAITLAND**, a Florida municipal corporation, (hereinafter referred to as “Grantee”).

WITNESSETH

THAT GRANTOR, in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS paid by Grantee, the receipt of which is hereby acknowledged, does hereby grant unto Grantee and assigns the following:

1. **GRANT OF EASEMENT.** Grantor does hereby give, grant, and convey to Grantee, and its assigns, a perpetual non-exclusive sidewalk and utility easement over, under and across those areas described or depicted on Exhibit A attached hereto (the “Easement Area”) within Grantor’s real property described on Exhibit B attached hereto (the “Grantor Property”). Grantee has authority to enter upon, construct and maintain in the Easement Area sidewalk and utility facilities; provided, however Grantee shall not unreasonably interfere with Grantor’s use of the Easement Area or the Grantor Property.

2. **COVENANTS RUNNING WITH THE LAND.** All the covenants, terms, agreements, conditions and restrictions set forth in this Agreement are intended to be and shall be construed as covenants running with the land, binding upon, inuring to the benefit of and enforceable by the parties hereto, their respective successors-in-interest, devisees, grantees, heirs, and assignees upon the terms, provisions, and conditions herein set forth.

[Signature Page Follows]

IN WITNESS WHEREOF, the Grantor hereto has made and executed this Agreement on the date first above written.

GRANTOR:

Signed, sealed and delivered
In the presence of:

PSREG MAITLAND SHORES OWNER LLC,
a Delaware limited liability company

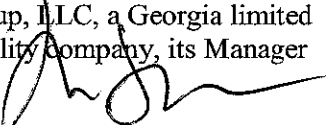


By: AB/PSREG Maitland Shores Venture, L.L.C.,
a Delaware limited liability company,
its Sole Member



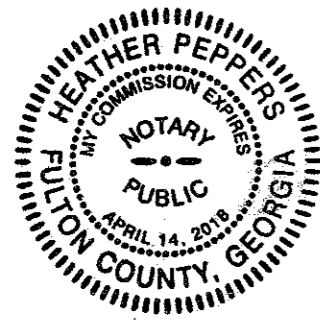
By: PSREG Maitland Shores, LLC, a Georgia
limited liability company,
its Managing Member

By: Pollack Shores Real Estate
Group, LLC, a Georgia limited
liability company, its Manager

By: 
Name: Marc Pollack
Title: Authorized Signatory

STATE OF Georgia
COUNTY OF Fulton

The foregoing instrument was acknowledged before me this 16 day of March, 2017, by Marc Pollack, as authorized signatory of Pollack Shores Real Estate Group, LLC, a Georgia limited liability company, the Manager of PSREG Maitland Shores, LLC, a Georgia limited liability company, the Managing Member of AB/PSREG Maitland Shores Venture, L.L.C., a Delaware limited liability company, the Sole Member of PSREG Maitland Shores Owner LLC, a Delaware limited liability company, on behalf of the limited liability company. He or She is personally known to me or provided _____ as identification.




NOTARY PUBLIC

CITY:

CITY OF MAITLAND

By: _____

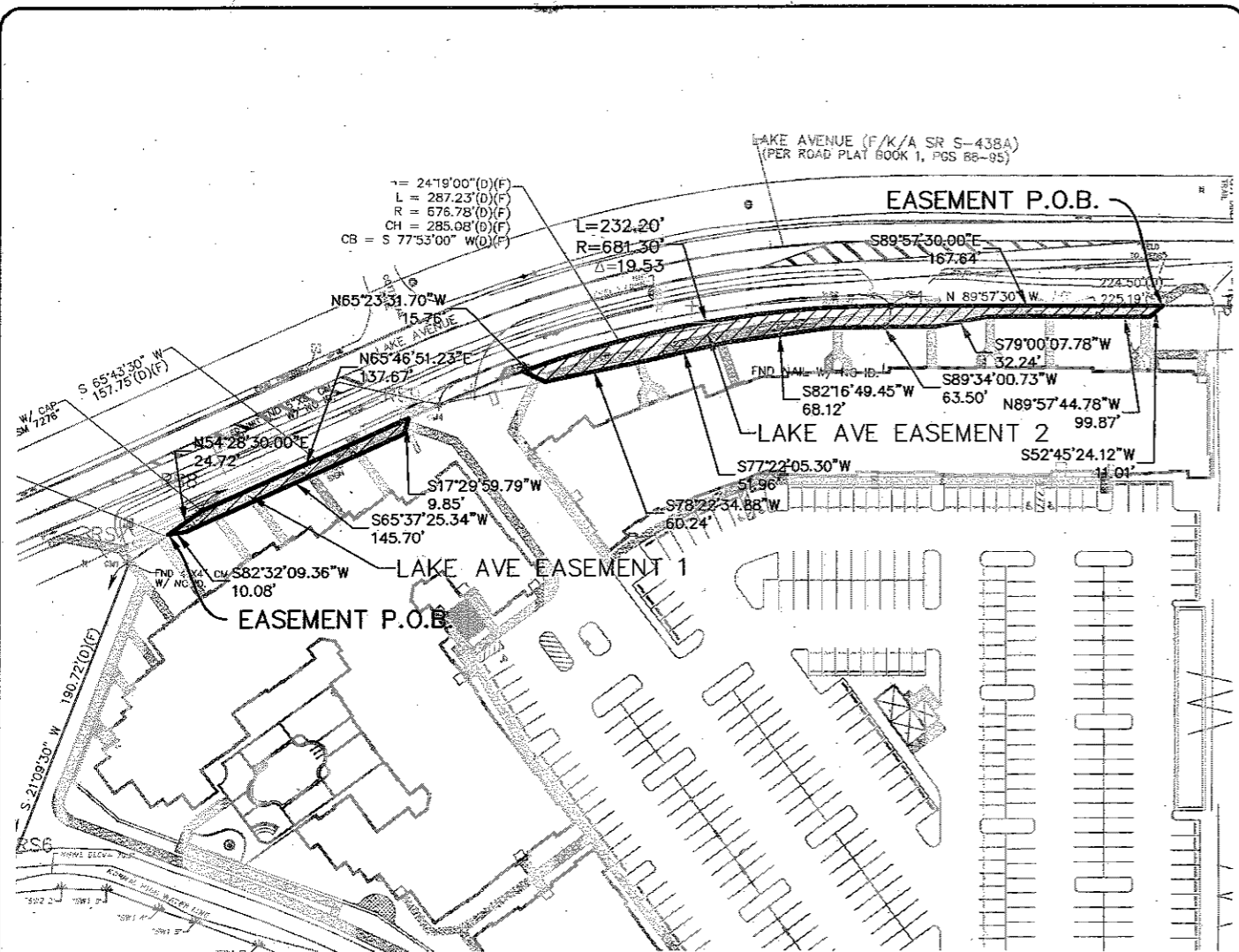
Name:

Title:

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this ____ day of _____, _____, by _____, _____ who is personally known to me on behalf of City of Maitland.

NOTARY PUBLIC

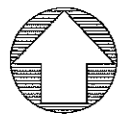


LAKE AVE EASEMENT 1

DESCRIPTION:
 POINT OF BEGINNING; THENCE, N 54° 28' 30" E FOR A DISTANCE OF 24.72 FEET TO A POINT ON A LINE. THENCE, N 65° 46' 51" E FOR A DISTANCE OF 137.67 FEET TO A POINT ON A LINE. THENCE, S 17° 30' 00" W FOR A DISTANCE OF 9.85 FEET TO A POINT ON A LINE. THENCE, S 65° 37' 25" W FOR A DISTANCE OF 145.70 FEET TO A POINT ON A LINE. THENCE S 82° 32' 09" W A DISTANCE OF 10.08 FEET TO THE POINT OF BEGINNING;

LAKE AVE EASEMENT 2

DESCRIPTION:
 POINT OF BEGINNING; THENCE, S 52° 45' 24" W FOR A DISTANCE OF 11.01 FEET TO A POINT ON A LINE. THENCE, N 89° 57' 45" W FOR A DISTANCE OF 99.87 FEET TO A POINT ON A LINE. THENCE, S 79° 00' 08" W FOR A DISTANCE OF 32.24 FEET TO A POINT ON A LINE. THENCE, S 89° 34' 01" W FOR A DISTANCE OF 63.50 FEET TO A POINT ON A LINE. THENCE, S 82° 16' 49" W FOR A DISTANCE OF 68.12 FEET TO A POINT ON A LINE. THENCE, S 77° 22' 05" W FOR A DISTANCE OF 51.96 FEET TO A POINT ON A LINE. THENCE, S 78° 22' 35" W FOR A DISTANCE OF 60.24 FEET TO A POINT ON A LINE. THENCE, N 65° 23' 32" W FOR A DISTANCE OF 15.76 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 19° 31' 37.3", HAVING A RADIUS OF 681.30 FEET, AND WHOSE LONG CHORD BEARS N 80° 10' 23" E FOR A DISTANCE OF 231.07 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE. THENCE S 89° 57' 30" E A DISTANCE OF 167.64 FEET TO THE POINT OF BEGINNING;



NORTH

C:\15065.20\EXHIBITS\EASEMENT DRAFT SKETCHES (030717).DWG

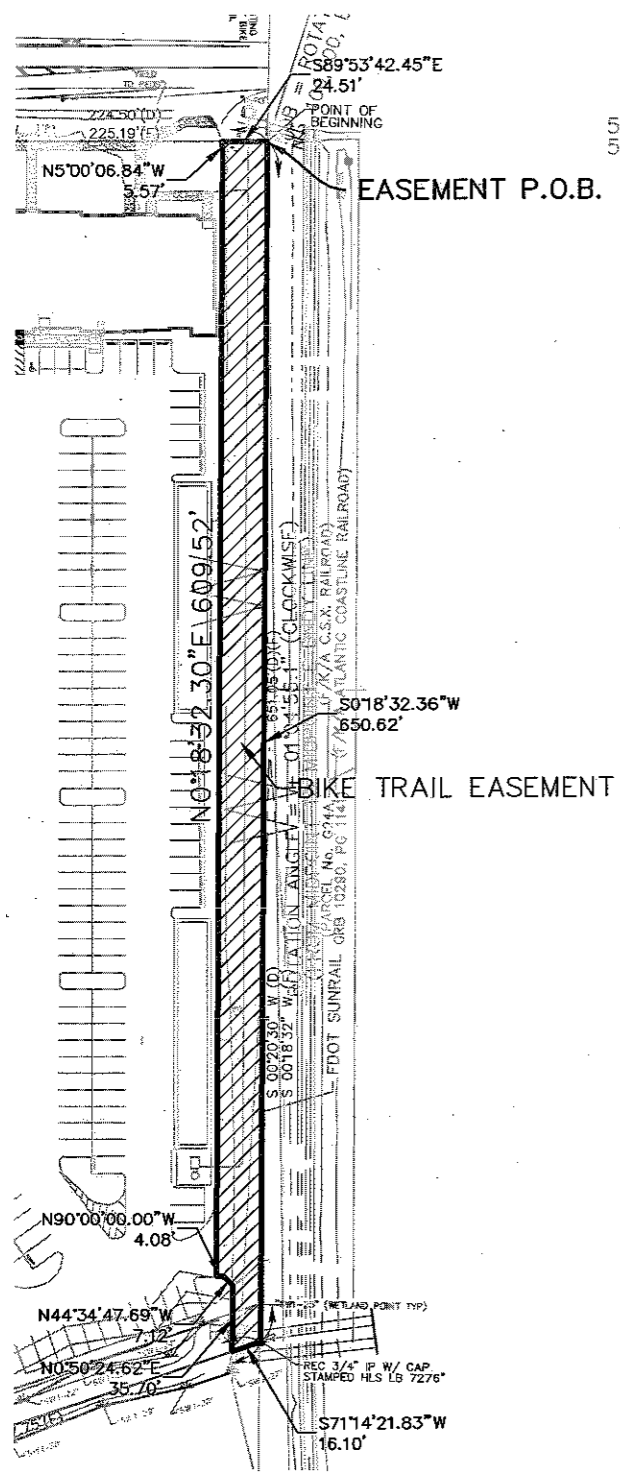
Small Business Enterprise 1979-2016

LOCHRANE Consulting Engineers Surveyors

201 SOUTH DUMBY AVENUE - ORLANDO, FL 32803
 PH: (407) 896-3317 | FAX: (407) 896-9167 | WWW.LOCHRANE.COM
 CERTIFICATE OF AUTHORIZATION # 00902856

LAKE AVENUE SIDEWALK &
 UTILITY EASEMENT
 PREPARED FOR:
 PSREG MAITLAND SHORES
 OWNER, LLC

JOB NO: 15065.20
 DATE: 3/7/17
 BY: F.PORTER
 SCALE: 1" = 100'



DESCRIPTION:

POINT OF BEGINNING; THENCE, S 89° 53' 42" E FOR A DISTANCE OF 24.51 FEET TO A POINT ON A LINE. THENCE, S 00° 18' 32" W FOR A DISTANCE OF 650.62 FEET TO A POINT ON A LINE. THENCE, S 71° 14' 22" W FOR A DISTANCE OF 16.10 FEET TO A POINT ON A LINE. THENCE, N 00° 50' 25" E FOR A DISTANCE OF 35.70 FEET TO A POINT ON A LINE. THENCE, N 44° 34' 48" W FOR A DISTANCE OF 7.12 FEET TO A POINT ON A LINE. THENCE, N 90° 00' 00" W FOR A DISTANCE OF 4.08 FEET TO A POINT ON A LINE. THENCE, N 00° 18' 32" E FOR A DISTANCE OF 609.52 FEET TO A POINT ON A LINE. THENCE N 05° 00' 07" W A DISTANCE OF 5.57 FEET TO THE POINT OF BEGINNING;



O:\15065.20\EXHIBITS\EASEMENT DRAFT SKETCHES (030717).DWG

Small Business Enterprise 1979-2016

LOCHRANE Consulting Engineers Surveyors

201 SOUTH BUMBY AVENUE - ORLANDO, FL 32803
 PH: (407) 896.3317 | FAX: (407) 896.9187 | WWW.LOCHRANE.COM
 CERTIFICATE OF AUTHORIZATION # 00002856

BIKE TRAIL/UTILITY EASEMENT

PREPARED FOR:
PSREG MAITLAND SHORES OWNER, LLC

JOB NO: 15065.20
 DATE: 3/7/17
 BY: F.PORTER
 SCALE: 1" = 100'