

**INSTRUCTIONS AND MINIMUM REQUIREMENTS FOR PREPARING SOUTH
MARTIN REGIONAL UTILITY EASEMENT DOCUMENTS, LEGAL DESCRIPTIONS
AND SKETCHES**

I. EXECUTION INSTRUCTIONS FOR EASEMENT DOCUMENTS

Note: A Title Insurance Policy for the benefit of SMRU should be delivered to SMRU upon conveyance of an easement demonstrating title to the easement in SMRU, where applicable.

A. SIGNING AND WITNESSING

1. For Individuals: Sign on the indicated lines in the presence of: (a) two (2) separate witnesses, who sign on the lines to the left and list their address, and (b) a Notary Public who completes the acknowledgment forms as described below.
2. For Corporations: The president or vice president and the secretary or an assistant secretary sign on the indicated lines, filling in their title below, in the presence of: (a) two (2) separate witnesses, who sign on the lines to the left and list their address, and (b) a Notary Public who completes the acknowledgment forms as described below.
3. For Partnerships: All general partners sign on the indicated lines in the presence of:
(a) two (2) separate witnesses, who sign on the lines to the left and list their address, and (b) a Notary Public who completes the acknowledgment forms as described below. The Notary Public may be one of the witnesses. In the event the general partner is itself a corporation, then the instructions for corporations as set forth above shall be completed in addition to the instructions for partnerships.

B. MORTGAGEE JOINDER AND CONSENT

The Property Owner(s) shall have any and all mortgagees sign the Mortgagee Consent and Joinder. The mortgagee shall sign as an individual, a corporation or a partnership as set forth hereinabove in the presence of: two (2) separate witnesses, who sign on the lines to the left and list their address, and (b) a Notary Public who completes the acknowledgment forms as described below.

C. ACKNOWLEDGMENTS

The Notary Public should fill in legibly all blanks, including state and county of execution, names of individuals or officers signing and their titles, state or county where empowered to act, expiration date of commission, fill in date, sign on line provided and affix seal adjacent to the signature of the Notary Public.

II. MINIMUM REQUIREMENTS FOR EASEMENT LEGAL DESCRIPTIONS AND SKETCHES

A. LEGAL DESCRIPTIONS

1. Legal Descriptions must be prepared by a Registered Surveyor and must bear a certification citing “Minimum Technical Standards pursuant to Florida Statutes, Chapter 472 and as defined in Florida Administrative Code 21-HH-06”, as amended from time to time.
2. The description must bear the Registered Land Surveyor’s name, certification number, company name, and must be signed and sealed.
3. The description must be prepared on an 8 1/2” x 11” size sheet.

B. EASEMENT SKETCHES

1. The sketch must appear on an 8 1/2” x 11” sheet, and must have the original Registered Land Surveyor’s signature and embossed seal imprint.
2. A location map must be included on the sketch showing the general location of the property within which the easement lies.
3. Sketch must contain a North arrow.

Prepared by and Return to
Town of Jupiter Island, Florida
Attn: Utility Director
2 Bridge Road
Hobe Sound, FL 33455

Parcel I.D. #
Property Address:

GRANT OF UTILITY EASEMENT AND CONSENT

THIS GRANT OF EASEMENT is made, granted and entered into this _____ day of _____, 20____, by _____, a _____, (hereinafter referred to as "**Grantor**"), whose address is _____, to the Town of Jupiter Island, Florida, a Florida municipal corporation, its successors and assigns (hereinafter referred to as "**Grantee**"), whose address is c/o the Utility Director, 2 Bridge Road, Hobe Sound, FL 33455.

WITNESSETH

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by the Grantee and other good and valuable consideration, the receipt of which is hereby acknowledged, grants to the Grantee, its successors and assigns, a perpetual utility easement (the "**Utility Easement**") which shall permit Grantee authority to enter upon the Easement Property (as defined below) at any time to install, operate, maintain, service, construct, reconstruct, remove, relocate, repair, replace, improve, expand, tie into, and inspect water, reclaimed water and/or wastewater lines, pipes, mains, pump stations, wells, hydrants, valves, meters, meter boxes, blow-off devices, backflow prevention devices, telemetry and communications equipment, signs, buffers, lights, slabs, enclosures and appurtenant facilities and equipment (collectively, the "**Easement Rights**"), in, on, over, under and across the Easement Premises, as defined below. This utility easement includes ingress and egress on, over and across Grantor's Dominant Property (as defined below) for Grantee to access the easement premises and to temporarily stage vehicles, equipment and materials necessary for Grantee to exercise its Easement Rights. This Utility Easement or portions thereof may be fenced in or enclosed for access control and regulatory purposes.

The Utility Easement covers a strip of land lying, situate and being in Martin County, Florida, and being more particularly described as follows (the "**Easement Premises**"):

SEE EXHIBIT "A", LEGAL DESCRIPTION AND SKETCH

Grantor hereby covenants with Grantee that it is the fee simple owner, and is lawfully seized and in possession of, the dominant property described as follows (the "**Dominant Property**"):

SEE EXHIBIT "B" LEGAL DESCRIPTION

and that it has good and lawful right to grant the aforesaid Utility Easement free and clear of mortgages and other encumbrances unless specifically stated to the contrary.

The benefits and obligations created in the Utility Easement shall run with the land and shall be binding upon Grantor, its successors and assigns, and any and all subsequent owners of the Easement Premises and the Dominant Property, and shall inure to the benefit of Grantee, and their successors and assigns.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and affixed its seal as of the date first above written.

[FOR INDIVIDUALS]

WITNESSES:

Witness Name _____
Witness Address _____

Witness Name _____
Witness Address _____

GRANTOR:

GRANTOR (Type or Print)

Signature of GRANTOR

[FOR CORPORATIONS]

WITNESSES:

Witness Name _____
Witness Address _____

Witness Name _____
Witness Address _____

GRANTOR:

By: _____

(Type or Print name)

Its: _____

[FOR PARTNERSHIPS]

WITNESSES:

Witness Name _____
Witness Address _____

Witness Name _____
Witness Address _____

GRANTOR:

By: _____

(Type or Print name)

Its: General Partner

NOTARY CERTIFICATE

For an individual acting in his or her own right:

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, _____ (date) by _____ (name of person acknowledging), who is personally known to me or who has produced _____ (type of identification) as identification.

[Notary Seal]

(Signature of person taking acknowledgment)

(Name typed, printed or stamped)

(Serial number, if any)

For a corporation:

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, _____ (date) by _____ (name of officer or agent, title of officer or agent) of _____ (name of corporation), a _____ (state or place of incorporation) corporation, on behalf of the corporation. He/she is personally known to me or has produced _____ (type of identification) as identification.

[Notary Seal]

(Signature of person taking acknowledgment)

(Name typed, printed or stamped)

(Serial number, if any)

For a limited liability company:

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, _____ (date) by _____ (name of member, manager, officer or agent, title of member, manager, officer or agent) of _____ (name of company), a _____ (state or place of formation) limited liability company, on behalf of the company, who is personally known to me or has produced (type of identification) as identification.

[Notary Seal]

(Signature of person taking acknowledgment)

(Name typed, printed or stamped)

(Serial number, if any)

For a partnership:

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, _____ (date) by _____ (name of acknowledging partner or agent), partner (or agent) on behalf of _____ (name of partnership), a _____ (state or place of formation) partnership. He/she is personally known to me or has produced (type of identification) as identification.

[Notary Seal]

(Signature of person taking acknowledgment)

(Name typed, printed or stamped)

(Serial number, if any)

CONSENT AND JOINDER OF MORTGAGEE FOR UTILITY EASEMENT

The undersigned mortgagee does hereby join in and consent to the granting of the above Utility Easement, across the lands therein described, and agrees that its mortgage, which is recorded in Official Record Book_____, Page_____, of the Public Records of Martin County, Florida, shall be subordinated to this Utility Easement.

IN WITNESS WHEREOF, the mortgagee has hereunto set its hand and affixed its seal as of the date first above written.

WITNESSES:

MORTGAGEE:

Signed, sealed and delivered
in the presence of:

Witness Signature

By: _____

Witness Name _____

Print Name

Witness Address

Its: _____

Witness Signature

Witness Name _____

Witness Address

NOTARY CERTIFICATE

For an individual acting in his or her own right:

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, _____ (date) by _____ (name of person acknowledging), who is personally known to me or who has produced _____ (type of identification) as identification.

[Notary Seal]

(Signature of person taking acknowledgment)

(Name typed, printed or stamped)

(Serial number, if any)

For a corporation:

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, _____ (date) by _____ (name of officer or agent, title of officer or agent) of _____ (name of corporation), a _____ (state or place of incorporation) corporation, on behalf of the corporation. He/she is personally known to me or has produced _____ (type of identification) as identification.

[Notary Seal]

(Signature of person taking acknowledgment)

(Name typed, printed or stamped)

(Serial number, if any)

For a limited liability company:

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, _____ (date) by _____ (name of member, manager, officer or agent, title of member, manager, officer or agent) of _____ (name of company), a _____ (state or place of formation) limited liability company, on behalf of the company, who is personally known to me or has produced (type of identification) as identification.

[Notary Seal]

(Signature of person taking acknowledgment)

(Name typed, printed or stamped)

(Serial number, if any)

For a partnership:

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, _____ (date) by _____ (name of acknowledging partner or agent), partner (or agent) on behalf of _____ (name of partnership), a _____ (state or place of formation) partnership. He/she is personally known to me or has produced (type of identification) as identification.

[Notary Seal]

(Signature of person taking acknowledgment)

(Name typed, printed or stamped)

(Serial number, if any)

EXHIBIT "A"

EASEMENT PREMISES LEGAL DESCRIPTION AND SKETCH

EXHIBIT "B"

GRANTOR DOMINANT PROPERTY LEGAL DESCRIPTION