

**TOWN OF DAVIE
DEVELOPMENT SERVICES DEPARTMENT ENGINEERING DIVISION
UTILITY EASEMENT AGREEMENT (SAMPLE)**

This document prepared by:
Town of Davie Engineering Div.
6591 Orange Drive
Davie, Florida 33314-3399

Return to:
Town of Davie Administrative Services
6591 Orange Drive
Davie, Florida 33314-3399

Utility Easement

This utility easement executed this _____ [date], 20____ -
_____, (Grantors) whose address is
_____ in which Grantors swear that Grantors are the
legal owners of the referenced property and convey to the Town of Davie, Florida, municipal
corporation, located in Broward County, Florida [Grantee] an utility easement.

Grantors warrant that Grantors are the fee owners of certain real estate situated in the Town
of Davie, County of Broward, State of Florida, which is legally described in Exhibit A attached
hereto and incorporated herein by reference, referred to hereinafter as the “easement premises”;
and

Grantors hereto have determined that it is in Grantors best interests for the grantors to grant
the Town of Davie an easement in and along the easement premises for utility purposes:

Therefore, in consideration of the foregoing:

1. The grantors hereby grant and convey to the Town of Davie a perpetual utility easement
(which can be over, under and across the easement premises), including the right to ingress
and egress to the easement, for construction, reconstruction, alteration, maintenance and
repair (to the extent the Town of Davie considers desirable) of pipes and other necessary or
desirable appurtenances to and/or for a utility system and/or utility facilities, the easement
premises being described as follows which are located in Broward County, Florida:

Exhibit A – easement premises legal description

2. All rights, title and privileges to the easement herein granted shall run with the land and
shall be binding upon Grantors and all persons claiming by, through or under Grantors and
inure to the benefit of the Town of Davie, Florida, its successors and assigns. Grantor will
defend the title to said easement against all persons claiming by, through or under Grantor.

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Consent (by Mortgagee) to Utility Easement

_____ whose address is _____
_____, the owner and holder of a mortgage dated _____, and recorded in
Official Records Book _____ at Page _____ of the Public Records of Broward County, Florida, encumbering the
lands more particularly described therein, consents to the grant of that certain Utility Easement by
_____, whose mailing address is _____
in favor of the Town of Davie dated _____ and recorded on _____ [date] in
Official Records Book _____, at Page _____, of the Public Records of Broward County, Florida, but such
consent is without recourse or warranty by _____, and
without _____, assuming any of the obligations of the Grantor of said Easement.
This consent shall not, in any way, affect the lien and operation of the Mortgage, and _____
_____, reserves all rights and remedies granted to it under the Mortgage.

WITNESSES:

_____ BY: _____
Print Name: _____, it's _____ President

Print Name: _____

STATE OF _____ :
SS:
COUNTY OF _____ :

I HEREBY CERTIFY that on this day before me, an officer duly authorized to take acknowledgments,
personally appeared _____, _____ President of _____,
well known to me to be the person named in the foregoing instrument, that he/she acknowledged executing same in
the presence of two subscribing witnesses freely and voluntarily and that he/she is personally known to me or has
produced _____ as identification and who did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of
_____, 20____.

Notary Public

Printed Name of Notary
My Commission Expires:

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Consent (by Mortgagee) to Utility Easement

_____, a _____ corporation of the State of _____ whose address is _____, the owner and holder of a mortgage dated _____, and recorded in Official Records Book __ at Page __ of the Public Records of Broward County, Florida, encumbering the lands more particularly described therein, consents to the grant of that certain Utility Easement by _____ whose mailing address _____ in favor of the Town of Davie dated _____ and recorded on _____ [date] in Official Records Book _____, at Page _____, of the Public Records of Broward County, Florida, but such consent is without recourse or warranty by _____, and without _____ assuming any of the obligations of the Grantor of said Easement. This consent shall not, in any way, affect the lien and operation of the Mortgage, and _____ reserves all rights and remedies granted to it under the Mortgage.

WITNESSES:

_____,
a _____ corporation of the State of _____

BY: _____

Print Name: _____

_____, it's _____

Print Name: _____

STATE OF _____ :

SS:

COUNTY OF _____ :

I HEREBY CERTIFY that on this day before me, an officer duly authorized to take acknowledgments, personally appeared _____, _____ of _____ well known to me to be the person named in the foregoing instrument, that he/she acknowledged executing same in the presence of two subscribing witnesses freely and voluntarily and that he/she is personally known to me or has produced _____ as identification and who did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 20____.

Notary Public

Printed Name of Notary
My Commission Expires: