

**TOWN OF DAVIE
DEVELOPMENT SERVICES DEPARTMENT ENGINEERING DIVISION
DRAINAGE 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

Drainage Easement

This drainage easement executed this _____[date], 20__ by _____, (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] a drainage 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 drainage purposes:

Therefore, in consideration of the foregoing:

1. The grantors hereby grant and convey to the Town of Davie a perpetual drainage 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, manholes, catch basins, and other necessary or desirable appurtenances to and/or for a drainage system and/or drainage 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.

Drainage Easement Agreement (Sample)

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Consent (by Mortgagee) to Drainage 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 Drainage 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 Drainage 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 Drainage Easement _____, 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:

_____, 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: