



RETURN TO:  
LAKE WORTH DRAINAGE DISTRICT  
13081 Military Trail  
Delray Beach, FL 33484

09/12/2003 11:51:40 20030545037  
OR BK 15837 PG 1376  
Palm Beach County, Florida

PREPARED BY:  
MARK A. PERRY, ESQ.  
Perry & Kern, P.A.  
50 Fourth Avenue  
Delray Beach, FL 33483

Canal No. L-47

**EASEMENT DEED**

**THIS EASEMENT DEED**, made this 28th day of August, 2003, by and between **FAIRFIELD GARDENS HOLDINGS, LLC**, a corporation existing under the laws of the State of Florida, party of the first part, and **LAKE WORTH DRAINAGE DISTRICT**, a Special Taxing District of the State of Florida, party of the second part, whose mailing address is 13081 Military Trail, Delray Beach, Florida 33484-1105.

**WITNESSETH:** That party of the first part, for and in consideration of the sum of TEN (\$10.00) DOLLARS, and other good and valuable consideration to it in hand paid, receipt of which is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell and release unto the party of the second part, its successors and assigns, a perpetual exclusive easement for the purpose of providing an unencumbered right-of-way for utilities which may be granted to others by the second party, as well as providing an unencumbered right-of-way for use as a canal and canal related purposes including but not limited to the use of same for ingress and egress purposes, excavation, removal of vegetation, irrigation, water control structures, berm and areas for maintenance and deposit of spoil, all quasi-utility type purposes and for any such other purpose thereunto related or in anywise appertaining; over, across, through and upon, under or within that parcel of land located in Palm Beach County, Florida, described on Exhibit "A" attached hereto and made a part hereof as if recited at length.

All utilities shall be required to provide party of the second part with written consent from the underlying fee owner of the subject real property prior to the installation of any utility lines.

First party shall grant no other easements, erect no building or effect any other kind of construction or improvements or plant any trees or shrubs upon the property described in Exhibit "A".

Party of the first part does hereby specially warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever claiming by, through or under it, that it has good right and lawful authority to grant the above described easement and that the same is unencumbered. Where the context of this easement deed allows or permits, the same shall include the successors or assigns of the parties.

IN WITNESS WHEREOF, party of the first part has caused this instrument to be executed in its name by its undersigned, duly authorized officers, and its corporate seal to be hereunto affixed, the day and year first above written.

Signed, sealed and delivered in the presence of:

FAIRFIELD GARDENS HOLDINGS, LLC

By: Fairfield Gardens, Inc.

*Melissa Alexander*

(1) Witness Signature

*Melissa Alexander*

Printed Name

*Avery Klann*

(2) Witness Signature

*Avery Klann*

Printed Name

By: *M. deBaptiste*

President

*Marc deBaptiste*

Printed Name

2600 North Military Trail, Suite 160  
Boca Raton, Florida 33431

Post Office Address

[Seal]

STATE OF FLORIDA :  
COUNTY OF PALM BEACH :


I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Marc deBaptiste the President of FAIRFIELD GARDENS, INC., a Managing Member on behalf of the corporation. He is personally known to me or has produced \_\_\_\_\_ as identification, and did (did not) take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this the 28th day of August, 2003.

*Leslie Lawrence*

NOTARY PUBLIC

*Leslie Lawrence*

 **LESLIE LAWRENCE**  
MY COMMISSION # DD 207221  
EXPIRES: May 27, 2007  
Bonded thru Budget Notary Services

**SKETCH AND LEGAL DESCRIPTION  
FAIRFIELD GARDENS - L.W.D.D. RIGHT-OF-WAY DEDICATION  
(NOT A SURVEY)**

A PORTION OF THE NORTHEAST ONE-QUARTER OF SECTION 23, TOWNSHIP 47 SOUTH, RANGE 42 EAST AND A PORTION OF THE NORTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 47 SOUTH, RANGE 42 EAST, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID NORTHEAST ONE-QUARTER OF SECTION 23; THENCE SOUTH 89° 27' 53" WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST ONE-QUARTER, A DISTANCE OF 247.51 FEET; THENCE NORTH 01° 00' 45" WEST ALONG THE EAST LINE OF LOT 29, "FAIRFIELD AT BOCA PLAT NO. 3 OF CEDAR GROVE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 56 AT PAGES 75 AND 76 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 10.00 FEET; THENCE NORTH 89° 27' 53" EAST, ALONG A LINE 10.00 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 247.66 FEET; THENCE SOUTH 89° 45' 21" EAST, ALONG A LINE 10.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST ONE-QUARTER OF SECTION 24, A DISTANCE OF 89.41 FEET; THENCE SOUTH 01° 12' 09" EAST, ALONG THE WEST LINE OF THE C.S.X. RAILROAD RIGHT-OF-WAY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 93220-2403, A DISTANCE OF 10.00 FEET; THENCE NORTH 89° 45' 21" WEST, ALONG SAID SOUTH LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 24, A DISTANCE OF 89.59 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN THE CITY OF BOCA RATON, PALM BEACH COUNTY, FLORIDA, AND CONTAIN 3371 SQUARE FEET, MORE OR LESS.

**NOTES**

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. NO SEARCH OF THE PUBLIC RECORDS WAS MADE IN THE PREPARATION OF THIS SKETCH AND DESCRIPTION.
3. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 23-47-42, HAVING A BEARING OF SOUTH 89° 27' 53" WEST, ACCORDING TO THE STATE PLANE COORDINATE SYSTEM, STATE OF FLORIDA, EAST ZONE, NORTH AMERICAN DATUM OF 1983, 1990 ADJUSTMENT.

**ABBREVIATIONS**

- |          |   |                                |
|----------|---|--------------------------------|
| A        | : | ARC                            |
| CONC.    | : | CONCRETE                       |
| COR.     | : | CORNER                         |
| D        | : | DELTA (CENTRAL ANGLE)          |
| D.E.     | : | DRAINAGE EASEMENT              |
| I.R.     | : | IRON ROD                       |
| I.R.C.   | : | IRON ROD AND CAP               |
| L.B.     | : | LICENSED BUSINESS              |
| L.S.     | : | LICENSED SURVEYOR              |
| L.W.D.D. | : | LAKE WORTH DRAINAGE DISTRICT   |
| MON.     | : | MONUMENT                       |
| O.R.B.   | : | OFFICIAL RECORDS BOOK          |
| P.O.B.   | : | POINT OF BEGINNING             |
| P.B.     | : | PLAT BOOK                      |
| P.B.C.R. | : | PALM BEACH COUNTY RECORDS      |
| PG.      | : | PAGE                           |
| P.S.M.   | : | PROFESSIONAL SURVEYOR & MAPPER |
| R/W      | : | RIGHT-OF-WAY                   |
| U.E.     | : | UTILITY EASEMENT               |

**CERTIFICATION**

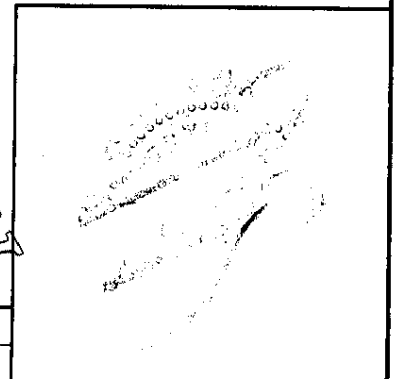
I HEREBY CERTIFY THAT THE SKETCH AND DESCRIPTION SHOWN HEREON COMPLIES WITH MINIMUM TECHNICAL STANDARDS AS CONTAINED IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THAT SAID SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION.

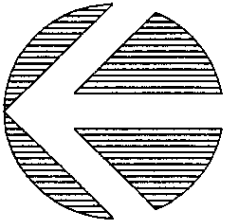
*Jeff S. Hodapp*  
JEFF S. HODAPP  
SURVEYOR AND MAPPER  
FLORIDA LICENSE NO. LS5111  
951 BROKEN SOUND PARKWAY SUITE 108  
BOCA RATON, FL. 33487  
561-241-9988

LAST DATE OF FIELD WORK : NOT A SURVEY

6-24-03	SCALE: 1"=50'	DRAWN: JSH	L.W.D.D. R/W DEDICATION
FAIRFIELD GARDENS		CHECKED: JM	SHEET 1 OF 2

*RLC/LAK 8/20/03*  
*58-109.P.07*

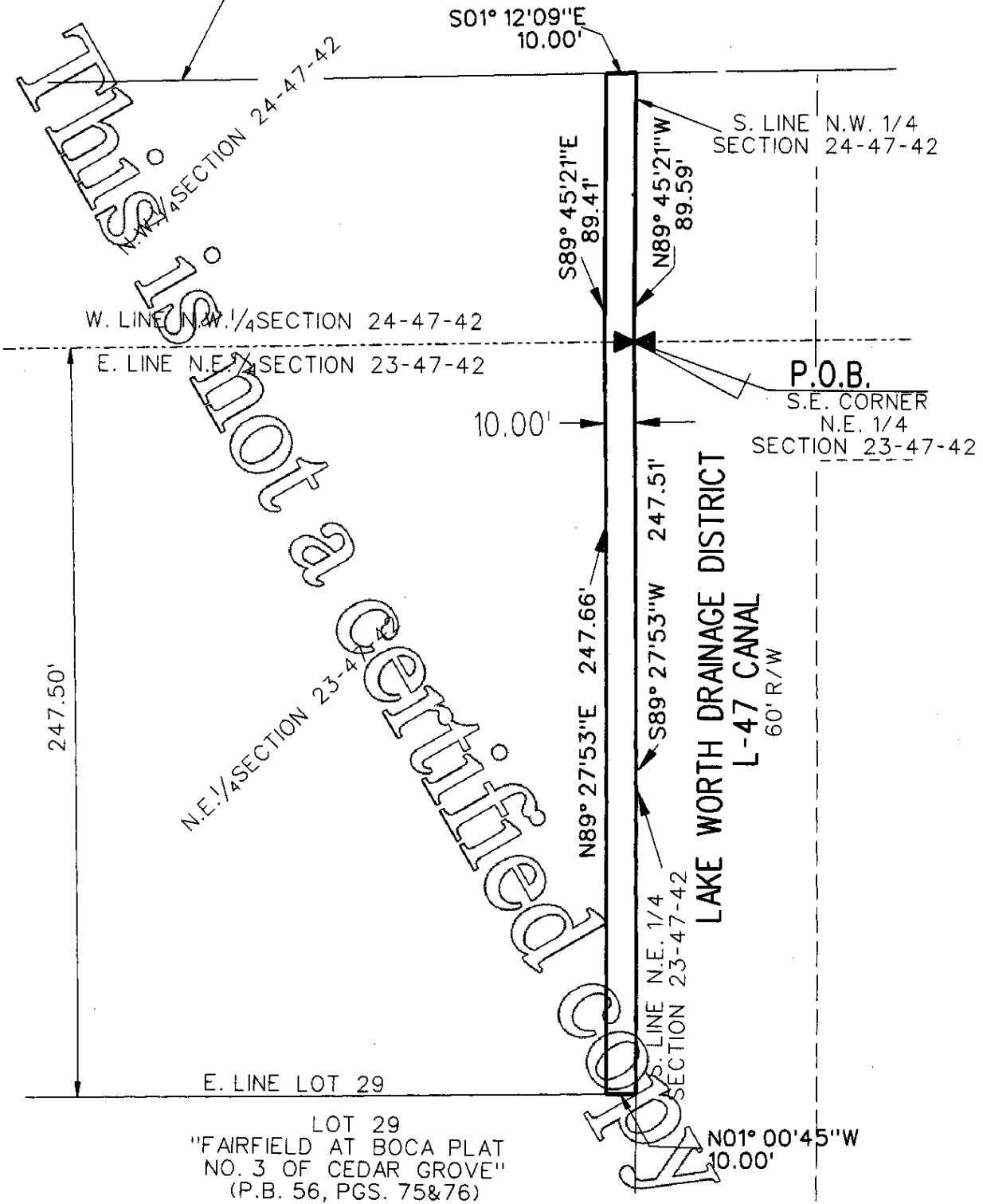




BOOK 15837 PAGE 1379  
 Dorothy H. Wilken, Clerk  
**C.S.X. RAILROAD**

100' R/W PER  
 F.D.O.T. R/W MAP  
 SECTION 93220-2403

This is not a Certified Plat



LOT 29  
 "FAIRFIELD AT BOCA PLAT  
 NO. 3 OF CEDAR GROVE"  
 (P.B. 56, PGS. 75&76)

6-24-03	SCALE: 1"=50'	DRAWN:JSH	L.W.D.D. R/W DEDICATION
FAIRFIELD GARDENS		CHECKED:JM	SHEET 2 OF 2

RICHAN 8/20/03  
 98-109 P.07