

Memorandum

From the Town of Juno Beach Planning & Zoning Department

To: Joseph Lo Bello, Town Manager
From: Ruben Cruz, Director of Planning & Zoning 
Date: May 18, 2016
Subject: Resolution -- Application for Abandonment of Utility Easement (Ocean Winds of Juno Beach Replat)

Background

The subject property is owned by Ocean Horizon Properties, LLC, and located at the address formerly known as 481 Floral Drive. The property was recently re-platted into three lots as the Ocean Winds of Juno Beach Replat. The easement abandonment application impacts Lot 3, the most easterly lot on the property.

Lot 3 is 130.81 feet long on the east and west sides and is 68.19 feet wide on the south and north sides. The property is 8,117 square feet and has a 23-foot utility easement running on the east side of the property. It is located on the north side of Ocean Ridge Way. The zoning district is Residential, Transient and Multiple-Family -- Moderate Density (RMT), and the property is currently vacant.

Discussion

In 2003, through Resolution No. 97-12, the Town of Juno Beach abandoned and discontinued any interest in approximately 151 linear feet of the Ocean Drive Right-of-Way (R-O-W) in the New Palm Beach Heights and Surfside Park Subdivisions, subject "to the receipt of properly executed blanket easements for utilities over the subject R-O-W." The adjacent property owners granted such easements, including the easement at issue, in 2003.

The Utility Easement includes a section which states that the property owners "*shall not construct any improvements, excluding grass or sod, on the Easement including but not limited to any type of structure, wall, landscape, building, surfacing, landscaping and the like without the prior written consent of Grantee [Town] which Grantee [Town] may withhold in its sole discretion*". The applicant is requesting abandonment because the 23-foot utility easement severely restricts the development of Lot 3 due to the limitations quoted above.

The applicant is proposing the abandonment of the 23-foot utility easement in its entirety. Staff received confirmation from all the required utility providers. If the Town Council grants the abandonment, the Resolution will be recorded in the public records.

Recommendation

Staff recommends that the Council approve Resolution No. 2016-05 abandoning the utility easement over Lot 3 of the Ocean Winds of Juno Beach Replat.



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RESOLUTION 2016-05

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, ABANDONING A UTILITY EASEMENT WITHIN A VACATED PORTION OF OCEAN DRIVE AS DEPICTED IN THE OCEAN WINDS OF JUNO BEACH REPLAT; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town received an application from Ocean Horizon Properties of Florida, LLC, seeking the abandonment of a Utility Easement encumbering Lot 3 of Ocean Winds of Juno Beach Replat, as recorded in Plat Book 121, Pages 40 and 41 of the public records of Palm Beach County ("Property"); and

WHEREAS, through the adoption of Resolution 97-12 on August 13, 1997, the Town abandoned, vacated and discontinued the Town's interest in approximately 151 linear feet of Ocean Drive, subject to the receipt of properly executed blanket easements for utilities over the subject rights-of-way; and

WHEREAS, the prior owners of the Property executed a Utility Easement in favor of the Town on January 21, 2003, as recorded in Official Record Book 14731, Page 442 of the Public Records of Palm Beach County, Florida ("Utility Easement") and as depicted on the Plat of the Property; and

WHEREAS, the Town Council has determined that the Utility Easement has never been and is not currently being utilized by any utility provider and serves no public purpose; and

WHEREAS, the Town Council has agreed to abandon, vacate and release the Utility Easement encumbering the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA as follows:

Section 1. The foregoing recitals are hereby ratified and incorporated herein.

Section 2. The Town Council hereby abandons, vacates and releases the Utility Easement dated January 21, 2003, as recorded in Official Record Book 14731, Page 442 of the public records of Palm Beach County, Florida encumbering the easternmost 23 feet of Lot 3, Ocean Winds of Juno Beach Replat, as recorded in Plat Book 121, Pages 40 and 41 of the public records of Palm Beach County, Florida. The Town Council authorizes the recordation of this Resolution in the public records.

Section 3. All resolutions or parts thereof in conflict with this Resolution are hereby repealed to the extent of such conflict.

L. WESLEY NICHOLS, P.A.

ATTORNEY AT LAW

11380 PROSPERITY FARMS ROAD, SUITE 204

PALM BEACH GARDENS, FLORIDA 33410

TELEPHONE (561) 691-2020

FAX (561) 622-5531

E-MAIL LWNPA@BELLSOUTH.NET

MEMBER
FLORIDA BAR
CONNECTICUT BAR

TOWN OF JUNO BEACH
RECEIVED
LYNNE A. MAGIDES, CLA
CERTIFIED LEGAL ASSISTANT
2016 FEB 25 PM 2:26

February 23, 2016

Ruben Cruz
Director of Planning and Zoning
Town of Juno Beach
340 Ocean Drive
Juno Beach, FL., 33408

Re: Application for Abandonment of Utility Easement

Dear Mr. Cruz:

This office represents Ocean Horizon Properties of Florida, LLC and Ms. Deborah Kassir its Managing Member. Ocean Horizon Properties of Florida is requesting an abandonment of a utility easement that runs along the length of one of its properties. Enclosed herewith please find the necessary application and attachments for your review. Ocean Horizon Properties has recently filed a replat of Ocean Winds of Juno Beach, a copy of which is enclosed. The replat includes 3 lots for single family development. Lot 3 is presently encumbered the entire length of its easterly border by a 23 foot utility easement which was created in 2003 when the old Ocean Drive was abandoned. The utility easement has never been used by any utility or by the Town. As it now exists, the easement severely restricts the development of Lot 3. The abandonment of the utility easement will allows construction of a single family residence and not otherwise affect the town, any utility or nearby property owners. The nearby property owners and their addresses are as follows:

Ocean Ridge Town Homes, HOA
c/o Capital Realty Advisors
600 Sandtree, Suite 109
Palm Beach Gardens, Fl., 33410

Jagi Juno, LLC
2300 NW Corporate Blvd., Suite 232
Boca Raton, Fl., 33431

Ruben Cruz, Director of Planning and Zoning
Page 2

Juno By The Sea North Condominium Association (The Manor) Inc.
911 Ocean Drive
Juno Beach, Fl., 33408

There are no existing utilities utilizing the easement and no relocation activity will be needed.

A copy of Resolution 97-12, which abandoned the old Ocean Drive and created several easements is attached. The easements which are herein sought to be abandoned were created at pages 0437-0445 of the recorded document.

Should you have any questions or require additional information to approve this application, please let me know.

Sincerely,



L. Wesley Nichols

enclosures

cc: Deborah Kassir, Ocean Horizon Properties of Florida, LLC

Town of Juno Beach
340 Ocean Drive; Juno Beach, FL 33408
Phone: (561) 626-1122; Fax: (561) 775-0812

Application for
Easement Abandonment

- Information regarding right-of-way abandonment petitions:

The procedure for filing an easement abandonment petition begins with obtaining an "Easement Abandonment Application" form and initiating a pre-application conference with an official from the Planning & Zoning Department. Following the pre-application conference, the Planning & Zoning official will inform the applicant of further options and/or whether the proposed abandonment could, or could not, take place based on the information provided by the applicant during the pre-application conference and current, applicable Town of Juno Beach regulations.

In all cases of a possible abandonment, the following application must be filled out completely by the applicant with the most current available data. This application will be distributed to other Town departments and officials for approval in order to continue the abandonment process.

- Please provide the following information regarding the easement being requested for abandonment:
 1. A letter requesting the abandonment, by the applicant or applicant's agent, including:
 - a. A complete reason for the requested abandonment;
 - b. Any other relevant information regarding the abandonment request;
 - c. A "Power of Attorney" form, attached to this application on page 2, authorizing an agent or representative for the applicant (only necessary if the applicant uses an agent or representative at any time for the petition/request).
 2. Scaled exhibits and documentation sufficient in scope to show:
 - a. Abandonment subject area (including a legal description for subject area);
 - b. Adjacent property owners (including names and addresses);
 - c. Letters of Consent from all appropriate utility companies (list provided on page 3 of this application).
 - d. Existing utilities or improvements, if any, in subject area. If utilities and improvements need to be relocated, all details regarding such activities should be identified, including dedication of new easement(s), legal description(s) and other actions, as required.

3. Six (6) copies of the complete application packet (including all of the required information indicated on this application form) must be submitted at least thirty (30) days prior to the public hearing date for which the easement abandonment petition will be heard by the Town Council. Each copy will be accompanied by a memorandum from the Planning & Zoning Department and will be distributed to various Town departments/officials, for administrative processing and review, and the Town Council.
4. Fee of \$1000.00, payable to the Town of Juno Beach.

Name of Applicant: Ocean Horizon Properties of Florida , LLC, Deborah Kassir, Managing Member

Address: 507 North Birdneck Road, Virginia Beach, FL., 23451

Contact Phone: (757)288-8501

Name of Right(s)-of-Way adjacent to or containing easement: Utility Easement over abandoned Ocean Drive
See the attached exhibit.

Reason for requested abandonment: Ocean Horizon Properties of Florida, LLC has recently filed a replat of Ocean Winds of Juno Beach. A copy of the replat is attached. The replat includes 3 lots for single family development. Lot 3 is presently encumbered the entire length of its easterly border by a 23 foot Utility Easement which was created in 2003 when the old Ocean Drive was abandoned. The Utility Easement has never been used by any utility or by the Town. As it now exists, the easement severely restricts the development of Lot 3. The abandonment of the utility easement will allow construction of a single family residence and not otherwise affect the town, any utility or nearby property owner. A copy of Resolution 97-12 which abandoned the old Ocean Drive and created several easements is attached. The easements which are herein sought to be abandoned were created at pages 0437-0445 of the recorded document.

Power of Attorney for Easement Abandonment

Name of Applicant: Ocean Horizon Properties of Florida, LLC Contact Phone (757) 288-8501
Mailing Address: 507 North Birdneck Road, Virginia Beach, VA., 23451
Property Address (description): _____
Name of Agent: L. Wesley Nichols, Esquire
Contact Phone of Agent: (561) 691-2020

The Undersigned, being the true Applicant for the real property described above, does hereby grant unto the Agent, stated above, the full right and power of attorney to make application to the Town of Juno Beach for an easement abandonment petition/request and act as the representing agent for any subsequent processes for said property. It is understood that limitations, conditions and restrictions may be placed upon the use or operation of the property. Misstatements upon application or in any hearing may result in the termination of any application/petition proceeding to limit the Applicant to only allow themselves the opportunity to apply for an abandonment petition/request. This power of attorney may be terminated only by a written and notarized statement of such termination effective upon receipt by the Planning & Zoning Department.

IN WITNESS WHEREOF THE UNDERSIGNED HAVE SET THEIR HANDS AND SEALS
THIS 23rd DAY OF February 20 16.

[Signature]
Applicant

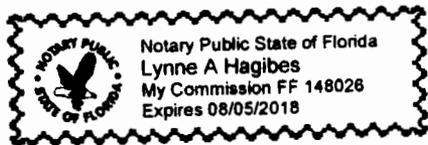
[Signature]
Witness Victoria White

Before me the undersigned authority personally appeared the Applicant named above who upon being duly sworn acknowledged before me that they are the true Applicant for the real property described above and that they executed the power of attorney for the purposes stated therein.

Sworn and subscribed this 23 day of February 20 16.

[Signature]
Notary Public Lynne A. Hagibes

SEAL



List of Utilities
(Which may be affected by requested abandonment)

Cable TV

<i>Comcast</i>	7201 N Federal Highway
Ph: (561) 454-5899	Boca Raton, FL 33487

Electrical

<i>Florida Power & Light</i>	100 Delaware Blvd
Ph: (561) 575-6335	Jupiter, FL 33458

Gas

<i>Florida Public Utilities</i>	401 South Dixie Highway
Ph: (561) 832-0872	West Palm Beach, FL 33401

<i>Teco Peoples Gas Systems</i>	1363 Jupiter Park Drive
Ph: (561) 262-1711	Jupiter, FL 33458

Telephone

<i>ATT/Bellsouth</i>	1529 N. Old Dixie Highway, Attention Engineering
Ph: (561) 745-5542	Jupiter, FL 33469

Water/Wastewater

<i>Seacoast Utilities</i>	4200 Hood Road
Ph: (561) 627-2900	Palm Beach Gardens, FL 33410

<i>Jupiter Water System</i>	P.O. Box 8900
Ph: (561) 746-5134	Jupiter, FL 33468

<i>ENCON</i>	2500 Jupiter Park Drive
Ph: (561) 747-5700	Jupiter, FL 33468

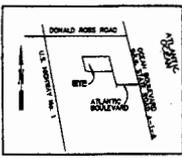
20160031480

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OCEAN WINDS OF JUNO BEACH - REPLAT

BEING A REPLAT OF
OCEAN WINDS OF JUNO BEACH
RECORDED IN PLAT BOOK 105, PAGES 77 & 78
LYING IN
SECTION 28, TOWNSHIP 41 SOUTH, RANGE 43 EAST,
TOWN OF JUNO BEACH
PALM BEACH COUNTY, FLORIDA

SHEET 1 OF 2



LOCALITY MAP NOT TO SCALE

STATE OF FLORIDA
COUNTY OF PALM BEACH
I, Ronald E. Stovall,
Surveyor, do hereby certify that the
above plat is a true and correct
copy of the original as shown to me
by Magellan Surveying & Mapping, Inc.
Surveyors
Magellan Surveying & Mapping, Inc.

This is not a certified copy

DEDICATION AND RESERVATIONS:
I HEREBY DEDICATE TO THE TOWN OF JUNO BEACH, PALM BEACH COUNTY, FLORIDA, ALL RIGHTS AND INTERESTS OF OCEAN WINDS OF JUNO BEACH, A FLORIDA LIMITED LIABILITY COMPANY, LOCATED TO DO BUSINESS IN FLORIDA, OWNERS OF THE LAND SHOWN HEREON AS OCEAN WINDS OF JUNO BEACH - REPLAT, BEING A REPLAT OF OCEAN WINDS OF JUNO BEACH, A PARCEL OF LAND LYING IN SECTION 28, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUNO BEACH, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

OCEAN WINDS OF JUNO BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 105, PAGES 77 AND 78, PALM BEACH COUNTY, FLORIDA, PUBLIC RECORDS.

HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DOES HEREBY MAKE THE FOLLOWING DEDICATIONS AND/OR RESERVATIONS:

THE 8 FOOT SIDEWALK EASEMENT AS SHOWN HEREON IS HEREBY DEDICATED IN PROPRIETY TO THE TOWN OF JUNO BEACH FOR PUBLIC ACCESS. IT SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE FEE SIMPLE TITLE OWNERS OF EACH LOT, THEIR SUCCESSORS, AND/OR ASSIGNEES, WITHOUT RECOURSE TO THE TOWN OF JUNO BEACH.

THE 8 FOOT PUBLIC WALKWAY AND STREET UTILITIES AND DRAINAGE EASEMENT AS SHOWN HEREON IS HEREBY DEDICATED IN PROPRIETY TO THE TOWN OF JUNO BEACH FOR PUBLIC STREET UTILITIES AND DRAINAGE AND OTHER PURPOSES NOT INCONSISTENT WITH THIS DEDICATION AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF THE FEE SIMPLE TITLE OWNERS OF EACH LOT, THEIR SUCCESSORS AND/OR ASSIGNEES, WITHOUT RECOURSE TO THE TOWN OF JUNO BEACH.

THE TOWN OF JUNO BEACH SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MAINTAIN ANY PORTION OF THE DRAINAGE SYSTEM ENCOMPASSED BY THIS PLAT WHICH IS ASSOCIATED WITH THE DRAINAGE OF PUBLIC STREETS, INCLUDING THE RIGHT TO COLLECT AND REMOVE ANY AND ALL DRAINAGE AND PRIVATE STREETS ASSOCIATED WITH SAID DRAINAGE SYSTEM.

THE FEE SIMPLE TITLE OWNERS OF EACH LOT SHALL BE RESPONSIBLE FOR MAINTAINING THAT PORTION OF ALL DRAINAGE IMPROVEMENTS CONTRIBUTED OR LOCATED ON THE LOT, INCLUDING BUT NOT LIMITED TO WALLS, ROOVINGS AND SIDEWALKS, WITHOUT RECOURSE TO THE TOWN OF JUNO BEACH.

IN WITNESS WHEREOF, THE ABOVE NAMED LIMITED LIABILITY COMPANY HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGING MEMBER, DEBORAH KASPER, OF OCEAN WINDS OF JUNO BEACH, A FLORIDA LIMITED LIABILITY COMPANY, LOCATED TO DO BUSINESS IN THE STATE OF FLORIDA, THIS 20th DAY OF DECEMBER, 2015.

WITNESSES: John B. Mays BY Deborah Kasper
WITNESS: John B. Mays BY Deborah Kasper
MANAGING MEMBER

ACKNOWLEDGEMENT
STATE OF FLORIDA
COUNTY OF PALM BEACH
BEFORE ME PERSONALLY APPEARED DEBORAH KASPER, WHO IS PERSONALLY KNOWN TO ME, AND HAS EXHIBITED THE FOREGOING INSTRUMENT TO ME. SHE HAS DECLARED THAT SHE IS THE MANAGING MEMBER OF OCEAN WINDS OF JUNO BEACH, A LIMITED LIABILITY COMPANY LOCATED TO DO BUSINESS IN THE STATE OF FLORIDA AND ACKNOWLEDGED TO HER BEFORE ME THAT SHE DELIVERED SAID INSTRUMENT FOR THE PURPOSES EXPRESSED THEREIN.

WITNESS MY HAND THIS 20th DAY OF DECEMBER, 2015.
MY COMMISSION EXPIRES: 12/31/2017
PRINTED NAME: Kevin M. Wilson
NOTARY PUBLIC
No. 00 58360

TITLE CERTIFICATION
STATE OF FLORIDA
COUNTY OF PALM BEACH
I, ANDREW PARRIS, A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY, THAT I FIND THE TITLE TO THE PROPERTY IS VESTED IN OCEAN WINDS OF JUNO BEACH, A FLORIDA LIMITED LIABILITY COMPANY, AND THAT ALL SPECIAL ASSESSMENT FEES AND ALL OTHER FEES DUE AGAINST SAID LANDS HAVE BEEN SATISFIED THAT THERE ARE NO MORTGAGES OF RECORD, AND THAT THERE ARE NO OTHER ENCUMBRANCES OF RECORD.
DATED: 1-25-2016 Andrew Parris
ANDREW PARRIS, ATTORNEY
BAR NO. 00000000000000000000
L. Wesley Nichols

SURVEYOR & MAPPER'S CERTIFICATE
STATE OF FLORIDA
COUNTY OF PALM BEACH
THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY PERSONAL SUPERVISION AND SUPERVISING THAT SAID SURVEY IS ACCORDANT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT MONUMENTS ACCORDING TO FLA. STAT. § 173.01(1) HAVE BEEN PLACED AS REQUIRED BY LAW; AND THAT MONUMENTS ACCORDING TO SEC. 173.01(1), FLORIDA STATUTES, SHALL BE SET UNDER THE GUARANTEES PROVIDED WITH THE TOWN OF JUNO BEACH FOR THE REQUIRED IMPROVEMENTS ARE, FURTHER, THAT THE SURVEY DATA COMPILED WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE TOWN OF JUNO BEACH, FLORIDA.

Ronald E. Stovall DATE: 12/15/2015
RONALD E. STOVALL, P.L.C.
STATE OF FLORIDA
LICENSE NO. 8006
MAGELLAN SURVEYING & MAPPING, INC.
BUSINESS LICENSE NO. 7871
STATE OF FLORIDA

SURVEYOR'S NOTES
IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE INTERFERE, EASEMENT GRANTEES SHALL HAVE FIRST PRIORITY. UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY. ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITY BEING DETERMINED BY USE RIGHTS GRANTED.

NO BUILDING OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT UNLESS FIRST WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE COUNTY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENT.

NOTICE: THIS PLAT, AS RECORDED IN ITS ORIGINAL FORM, IS THE OFFICIAL NOTIFICATION OF THE SUBDIVISION DESCRIBED HEREON AND WILL IN NO CIRCUMSTANCES BE SUPERSEDED BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT, THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

BEARING BARS:
THE NORTH LINE OF SECTION 28, TOWNSHIP 41 SOUTH, RANGE 43 EAST, IS TAKEN TO BEAR NORTH 87°12'18" WEST 125.00 FEET TO THE CORNER OF OCEAN WINDS OF JUNO BEACH RECORDED IN PLAT BOOK 105, PAGES 77 AND 78, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND ALL OTHER BEARING AREA RELATIVE THEREIN.

TOWN OF JUNO BEACH APPROVAL AND ACCEPTANCE
STATE OF FLORIDA
COUNTY OF PALM BEACH

THIS PLAT IS HEREBY APPROVED FOR RECORD PURSUANT TO THE ORDINANCES OF THE TOWN OF JUNO BEACH AND IN ACCORDANCE WITH SECTION 177.01(1), FLORIDA STATUTES AND COMPLETES WITH THE TOWN OF JUNO BEACH RESOLUTION NO. 87-12 AND 88-10. THIS INSTRUMENT HAS BEEN REVIEWED BY PROFESSIONAL SURVEYOR & MAPPER LICENSED BY THE STATE OF FLORIDA IN ACCORDANCE WITH SEC. 177.01(1), FLORIDA STATUTES.
BY: Kevin M. Wilson
TOWN CLERK
BY: John B. Mays
TOWN CLERK
PALM BEACH, P.L.C. (ORANGE & WHITE)
TOWN ENGINEER

THIS INSTRUMENT WAS PREPARED BY
RONALD E. STOVALL
FLORIDA SURVEYOR & MAPPER #8006
IN THE OFFICE OF MAGELLAN SURVEYING AND MAPPING, INC.
400 SOUTH OLD U.S. HIGHWAY, SUITE 10
JUPITER, FLORIDA, 33458



PROJECT: 14-008
MAGELLAN SURVEYING & MAPPING, INC.
1000 S. STATE ROAD, SUITE 10
JUPITER, FLORIDA 33458
TEL: 561-746-0746 FAX: 561-746-0745

OCEAN WINDS OF JUNO BEACH - REPLAT

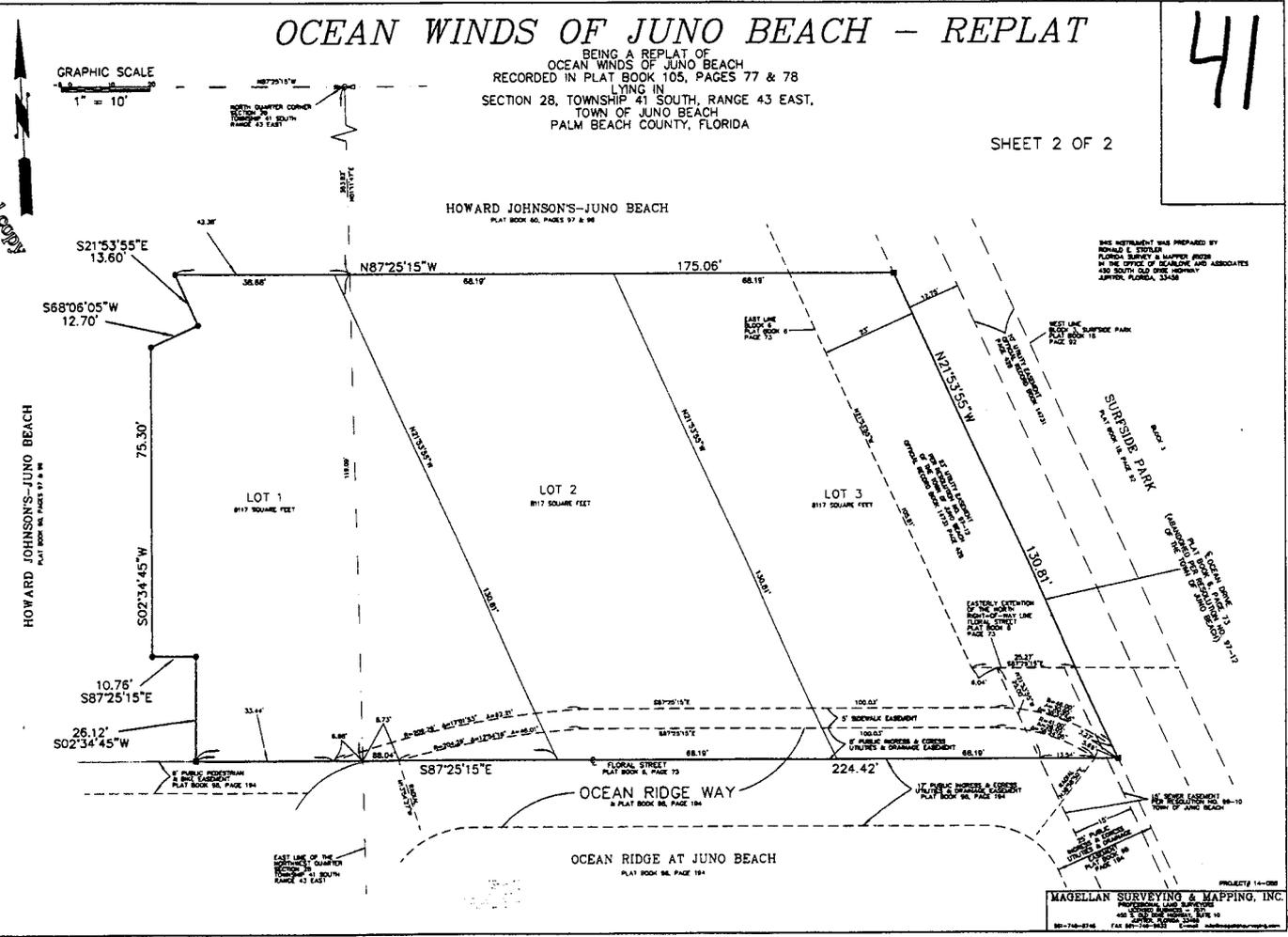
BEING A REPLAT OF
 OCEAN WINDS OF JUNO BEACH
 RECORDED IN PLAT BOOK 105, PAGES 77 & 78
 LYING IN
 SECTION 28, TOWNSHIP 41 SOUTH, RANGE 43 EAST,
 TOWN OF JUNO BEACH
 PALM BEACH COUNTY, FLORIDA

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SHEET 2 OF 2

This is not a certified copy

GRAPHIC SCALE
 1" = 10'



THIS INSTRUMENT WAS PREPARED BY
 MAGELLAN SURVEYING & MAPPING, INC.
 IN THE OFFICE OF LEONARDO AND ASSOCIATES
 400 SOUTH OLD WINE ROAD, SUITE 100
 JUNO BEACH, FLORIDA, 33408

PROJECT# 14-008
 MAGELLAN SURVEYING & MAPPING, INC.
 PROFESSIONAL LAND SURVEYOR
 400 S. OLD WINE ROAD, SUITE 100
 JUNO BEACH, FLORIDA 33408
 561-748-0246 FAX 561-748-0247



PREPARED BY AND RETURN TO:
TOWN OF JUNO BEACH
340 OCEAN DRIVE
JUNO BEACH, FL 33408

01/29/2003 16:22:49 20030053037
OR BK 14731 PG 0428
Palm Beach County, Florida

RESOLUTION NO. 97-12

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, ABANDONING, VACATING AND DISCONTINUING ANY TOWN OF JUNO BEACH INTEREST IN APPROXIMATELY 151 LINEAR FEET OF THE OCEAN DRIVE RIGHT-OF-WAY IN THE NEW PALM BEACH HEIGHTS AND SURFSIDE PARK SUBDIVISIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES

WHEREAS, the owners of the property abutting Ocean Drive within the New Palm Beach heights and Surfside Park Subdivisions, have petitioned the Town Council of the Town of Juno Beach, Florida to abandon, vacate and discontinue any Town interest in approximately 151 linear feet of the Ocean Drive Right-of-Way (R-O-W) in the New Palm Beach Heights and Surfside Park Subdivisions, located between the north boundary of Floral Street as shown on the Plat of New Palm Beach Heights and the south boundary of Lot 1 of the Plat of Surfside Park, more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Petitioners have demonstrated to the Town Council that the abandonment, vacation, and discontinuance of any Town interest in the above described right-of-way is in the public interest and will not adversely impact any public or private property rights, and

WHEREAS, the Town Council of the Town of Juno Beach, Florida has found that the R-O-W is not being used by the general public and serves no public purpose and has determined to abandon, vacate and discontinue any Town interest in the above described R-O-W;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA AS FOLLOWS:

Section 1. The above recitals are incorporated as though fully set forth herein.

Section 2. The Town Council of the Town of Juno Beach, Florida, vacates, abandons, and discontinues any interest the Town may have in approximately 151 linear feet of the Ocean Drive R-O-W in the New Palm Beach Heights and Surfside Park Subdivisions, located as described in Exhibit "A" attached hereto and incorporated herein by this reference, subject to the receipt of properly executed blanket easements for utilities over the subject R-O-W from petitioners.

Section 3. The Town Clerk is directed to provide Palm Beach County Board of County Commissioners and all other interested parties with copies of this Resolution after adoption.

Section 4. This Resolution shall take effect immediately upon receipt and recordation of a properly executed easement from all adjacent property owners as required by Section 2 above.

Adopted this 13th day of August, 1997.

RESOLUTION NO. 97-12 CONTINUED

ATTEST:

Frank W. Harris
Frank W. Harris, Mayor

Deborah Manzo
Deborah Manzo, Town Clerk

WITNESSES

[Signature]
Jean A. Ferris

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 14th day of August, 1997 by Frank W. Harris, Mayor, who is personally known to me and did not take any oath.



Allison J. Jaramillo
MY COMMISSION # CC540669 EXPIRES
March 17, 2000
BONDED THREE THOUSAND DOLLARS
TROY FAIR INSURANCE, INC.

Allison Jaramillo
Allison Jaramillo, Deputy Town Clerk

Not a Certified Copy

EXHIBIT "A"

LEGAL DESCRIPTION

Bounded on the south by the north Right-of-Way (R-O-W) line of Floral Street as shown on the plat of the New Palm Beach Heights Subdivision as recorded in Plat Book 6, Page 73, Public Records of Palm Beach County, Florida; bounded on the east by the west line of Block 3 as shown on the plat of the Surfside Park Subdivision, as recorded in Plat Book 18, Page 92, Public Records of Palm Beach County; bounded on the north by the south line of Lot 1 of the Surfside Park Subdivision as recorded in Plat Book 18, Page 92, Public Records of Palm Beach County, Florida, extended to a point in the east line of Block 6 of the Plat of the New Palm Beach Heights Subdivision, as recorded in Plat Book 6, Page 73, Public Records of Palm Beach County, Florida; and bounded on the west by the east line of Block 6 as shown on the plat of the New Palm Beach Heights Subdivision as recorded in Plat Book 6, Page 73, Public Records of Palm Beach County, Florida.

This is not a certified copy

UTILITY EASEMENT

THIS AGREEMENT is made and entered into this 26 th day of APRIL 2001, by and between THE MANOR CONDOMINIUM, whose legal title is Juno by the Sea North Condominium Association (The Manor), Inc., a Florida Not-For-Profit Corporation, hereinafter referred to as the "Grantor", with an address of 911 Ocean Drive, Juno Beach, Florida, 33408, and THE TOWN OF JUNO BEACH, a Florida municipal corporation with offices located at 340 Ocean Drive, Juno Beach, Florida, 33408, its successors and assigns, hereinafter referred to as the "Grantee".

WITNESSETH

That the Grantor, and all other persons claiming by, through or under the Grantor, their predecessors in title, or their heirs, assigns or legal representatives by virtue of any deeds of conveyances to the land described herein, for and in consideration of the sum of TEN DOLLARS (\$10.00), and other good and valuable consideration including the Grantee's granting of the Grantor's request for abandonment of the old Ocean Drive right-of-way, together with all covenants made by the Grantee and contained herein, has granted, bargained and sold to the Grantee, its successors and assigns, a permanent Utility Easement described in Exhibit "B" attached (hereinafter "Easement"), on, over and above the parcel of property described in Exhibit "A" attached hereto and made a part hereof for all purposes connected with the use, ingress, egress, construction, repair, replacement, installation, improvement and maintenance of only telephone, cable and power lines. Grantee or its assigns shall maintain and repair the Grantees' or its assigns' facilities as there shall be occasion from time to time hereafter, and the Grantee or its assigns shall restore the grass, sod or ground to the similar condition that was existent thereon prior to any entry or entries by the Grantee or its assigns pursuant to this Easement. The Grantor specifically acknowledges that it is the Grantor's responsibility to maintain the Easement by regular mowing and the like.

The Grantor shall not construct any improvements, excluding grass or sod, on the Easement including but not limited to any type of structure, wall, landscape, building, surfacing, landscaping and the like without prior written consent of the Grantee which the Grantee may withhold in its sole discretion. In the event any such improvement is permitted and needs to be removed in the opinion of the Grantee, or is removed or damaged by or on behalf of the Grantee, in connection with the Grantee or the Grantee's assigned use of the Easement, the Grantee shall not be liable for any such removal or damage to the improvement. Any expense of Grantee caused by the existence of any Grantor improvement shall be the responsibility of Grantor.

This Easement and the agreements contained herein are binding upon the Grantor, its administrators, successors and/or assigns, and such covenants shall run with the land.

IN WITNESS WHEREOF the parties have executed this Agreement on the date and year first above written. The Grantor is seized in fee simple and in possession of the lands described herein and does fully warrant title to said property and will defend the same against any lawful claims of all persons whomsoever.

Signed, sealed and delivered in the presence of:

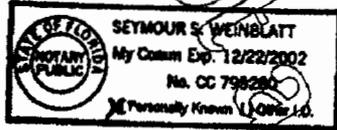
GRANTOR: Juno by the Sea North Condominium Association(The Manor),Inc.

By: William E. Dacosta By: Jack Reid
William E. Dacosta, President Jack Reid, Secretary

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me in the State and County aforesaid this 26th day of APRIL, 2001 by Jack Reid as Secretary of THE MANOR CONDOMINIUM ASSOCIATION whose legal name is Juno by the Sea North Condominium Association (The Manor), Inc., a Florida Not-For-Profit Corporation, who is personally known and who did not take an oath.

(SEAL)



Seymour S. Weinblatt
Notary Signature
My Commission Expires:

Certified Copy

DESCRIPTION:

A PARCEL OF LAND BEING A PART OF THE RIGHT OF WAY OF OCEAN DRIVE, NEW PALM BEACH HEIGHTS, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 6, PAGE 73; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 3, SURFSIDE PARK, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 18, PAGE 92, THENCE BEAR NORTH 22°22'51" WEST ALONG THE WEST LINE OF SAID LOT 3 AND THE EAST RIGHT OF WAY LINE OF SAID OCEAN DRIVE A DISTANCE OF 353.89 FEET MORE OR LESS TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE BEAR NORTH 87°56'23" WEST ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 25.26 FEET MORE OR LESS TO THE CENTERLINE OF SAID OCEAN DRIVE; THENCE BEAR SOUTH 22°22'51" EAST ALONG SAID CENTERLINE A DISTANCE OF 353.89 FEET MORE OR LESS TO THE POINT OF INTERSECTION WITH THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 3; THENCE BEAR SOUTH 87°56'21" EAST ALONG SAID WESTERLY EXTENSION A DISTANCE OF 25.26 FEET MORE OR LESS TO THE POINT OF BEGINNING.

LEGEND:

- C/L - CENTERLINE
- R/W - RIGHT OF WAY
- LP - LIGHT POLE
- TY - CABLE TELEVISION
- CB - CATCH BASIN
- WM - WATER METER
- SS - SEWER SERVICE
- PH - PHONE MARKER
- MH - MANHOLE
- UP - UTILITY POLE
- EL - ELECTRIC
- FH - FIRE HYDRANT
- WV - WATER VALVE
- CA - CENTRAL ANGLE
- R - RADIUS
- A - ARC LENGTH
- x-- - FENCE
- ||-- - OVERHEAD UTILITIES
- C---- - ANCHOR
- + 11.5 - EXISTING ELEVATION
- (D) - DESCRIPTION
- (P) - PLAT
- (M) - MEASURED

NOTES:

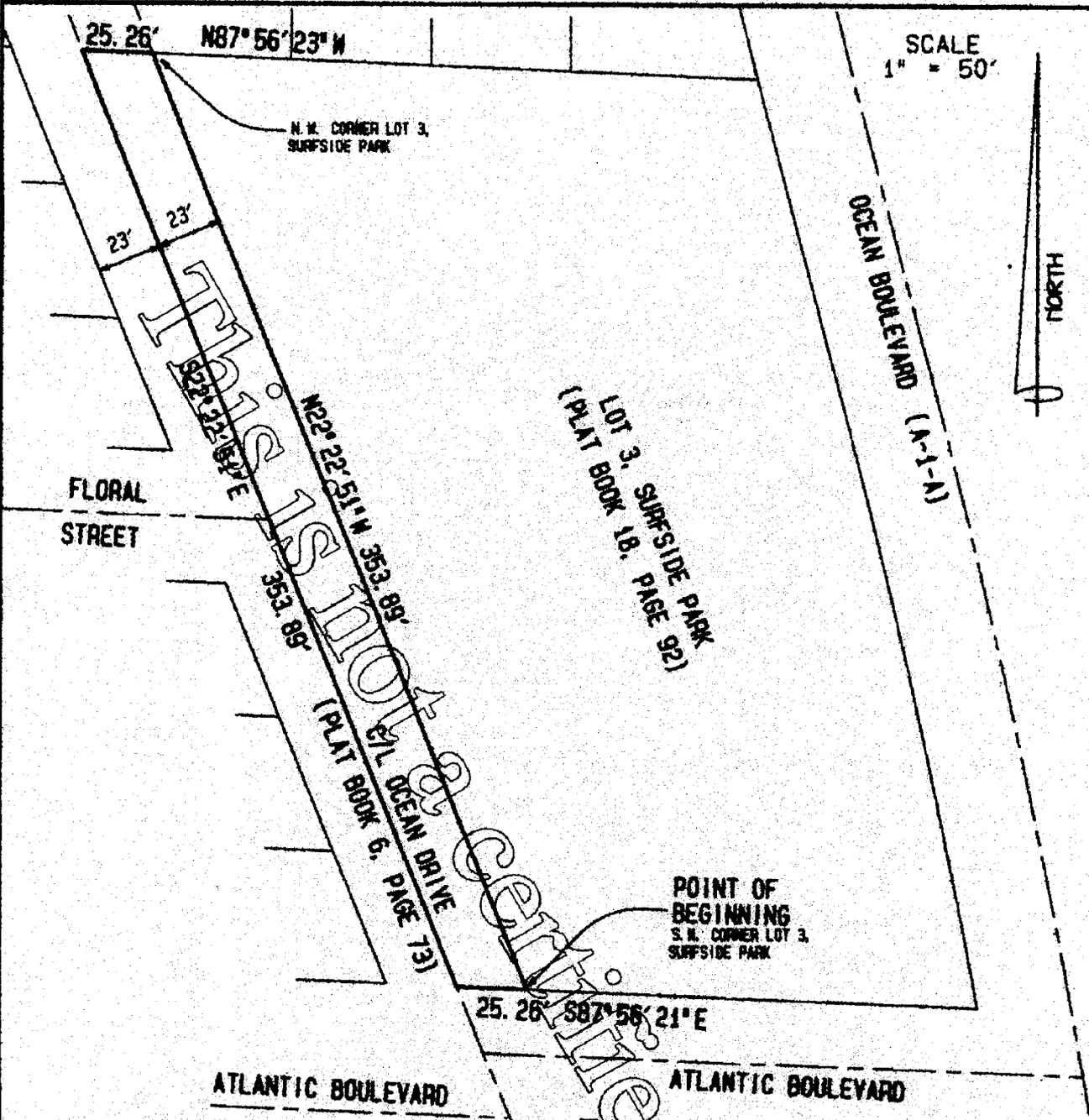
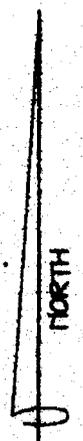
1. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
2. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE SKETCH OF DESCRIPTION SHOWN HEREON IS NOT A BOUNDARY SURVEY.

SKETCH OF DESCRIPTION
THIS IS NOT A BOUNDARY SURVEY

MIXON LAND SURVEYING, INC.

311 WEST INDIANTOWN ROAD, SUITE 3
JUPITER, FLORIDA 33458
561-747-6048
CERTIFICATE NO. LB 4199

SCALE
1" = 50'



NOTES:

- 1. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
- 2. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 3. THE SKETCH OF DESCRIPTION SHOWN HEREON IS NOT A BOUNDARY SURVEY.

SKETCH OF DESCRIPTION
THIS IS NOT A BOUNDARY SURVEY

[Signature]
 RICHARD A. MIXON
 MIXON LAND SURVEYING, INC.
 PROFESSIONAL LAND SURVEYOR
 STATE OF FLORIDA CERTIFICATE NO. LS 3335

MIXON LAND SURVEYING, INC.

311 WEST INDIANTOWN ROAD, SUITE 3
 JUPITER, FLORIDA 33468
 (888) 747-8048
 CERTIFICATE NO. LB 4199

EXHIBIT "B"

DESCRIPTION:

A PARCEL OF LAND BEING A PART OF THE RIGHT OF WAY OF OCEAN DRIVE, NEW PALM BEACH HEIGHTS, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 6, PAGE 73; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 3, SURFSIDE PARK, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 18, PAGE 92, THENCE BEAR NORTH 22°22'51" WEST ALONG THE WEST LINE OF SAID LOT 3 AND THE EAST RIGHT OF WAY LINE OF SAID OCEAN DRIVE A DISTANCE OF 353.89 FEET MORE OR LESS TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE BEAR NORTH 87°56'23" WEST ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 25.26 FEET MORE OR LESS TO THE CENTERLINE OF SAID OCEAN DRIVE; THENCE BEAR SOUTH 22°22'51" EAST ALONG SAID CENTERLINE A DISTANCE OF 10.98 FEET MORE OR LESS TO THE POINT OF INTERSECTION WITH A LINE 10.0 FEET (AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID LOT 3) SOUTH OF AND PARALLEL TO THE SAID WESTERLY EXTENSION; THENCE BEAR SOUTH 87°56'23" EAST ALONG SAID PARALLEL LINE A DISTANCE OF 14.28 FEET TO THE POINT OF INTERSECTION WITH A LINE 10.0 FEET (AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID LOT 3) WEST OF AND PARALLEL TO THE WEST LINE OF SAID LOT 3; THENCE BEAR SOUTH 22°22'51" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 342.91 FEET TO POINT OF INTERSECTION WITH THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 3; THENCE BEAR SOUTH 87°56'21" EAST ALONG SAID WESTERLY EXTENSION, A DISTANCE OF 10.98 FEET TO THE POINT OF BEGINNING.

LEGEND:

- C/L - CENTERLINE
- R/W - RIGHT OF WAY
- LP - LIGHT POLE
- TV - CABLE TELEVISION
- CB - CATCH BASIN
- WM - WATER METER
- SS - SEWER SERVICE
- PM - PHONE MARKER
- MH - MANHOLE
- UP - UTILITY POLE
- EL - ELECTRIC
- FH - FIRE HYDRANT
- WV - WATER VALVE
- A - CENTRAL ANGLE
- R - RADIUS
- A - ARC LENGTH
- x-- - FENCE
- ||-- - OVERHEAD UTILITIES
- C---- - ANCHOR
- + 11.5 - EXISTING ELEVATION
- [D] - DESCRIPTION
- [P] - PLAT
- [M] - MEASURED

NOTES:

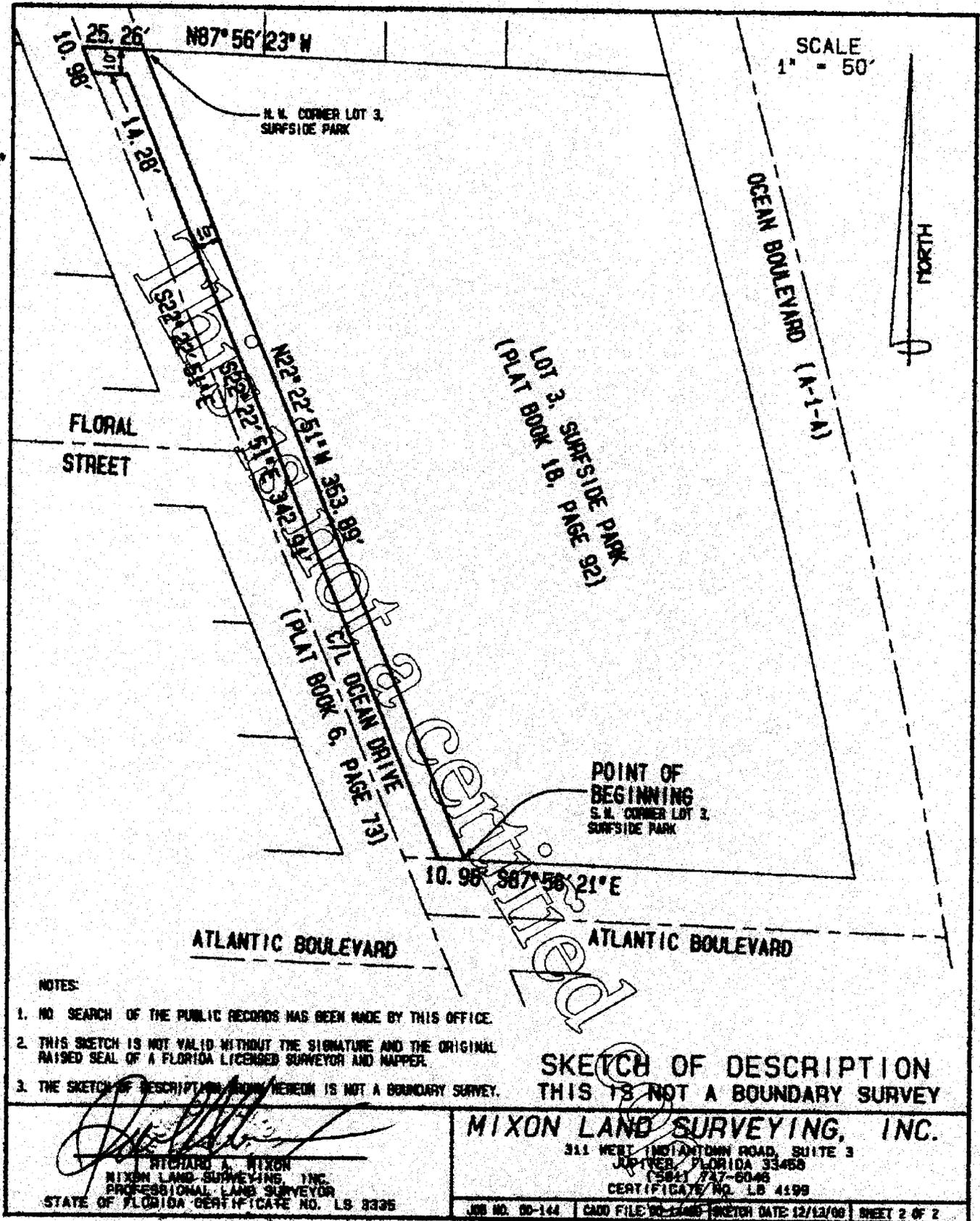
1. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
2. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE SKETCH OF DESCRIPTION SHOWN HEREON IS NOT A BOUNDARY SURVEY.

SKETCH OF DESCRIPTION
THIS IS NOT A BOUNDARY SURVEY

MIXON LAND SURVEYING, INC.

311 WEST MIDTOWN ROAD, SUITE 3
JUPITER, FLORIDA 33458
5612-747-6048
CERTIFICATE NO. LB 4199

JOB NO. 00-144 CAD FILE: 00-144SD SKETCH DATE: 12/13/00 SHEET 1 OF 2



Prepared by and Return to:
GREGORY S. KINO, ESQUIRE
BOOSE CASEY CIKLIN LUBITZ
MARTENS McBANE & O'CONNELL
515 N. Flagler Street, 17th Floor
W. Palm Beach, FL 33410

UTILITY EASEMENT

THIS UTILITY EASEMENT is made this 4 day of September, 2001, between JAGI Jung, LLC (hereinafter the "Grantor"), with an address of 2300 Corporate Blvd NW #232, Boca Raton, FL 33421 and the Town of Juno Beach, a Florida municipal corporation, of 340 Ocean Drive, Juno Beach, Florida 33408, its successors and assigns (hereinafter the "Grantee").

WITNESSETH:

That the Grantor, and all other persons claiming by, through or under Grantor, or either of them, their predecessors in title, or their heirs, assigns or legal representatives by virtue of any deeds of conveyances to the land described herein, for and in consideration of the sum of TEN DOLLARS (\$10.00), and other good and valuable consideration including the Grantee's granting of the Grantor's request for abandonment of the Ocean Drive right-of-way, together with all covenants made by the Grantee and contained herein, has granted, bargained and sold to the Grantee, its successors and assigns, a permanent Utility Easement (hereinafter "Easement"), on, over and above the parcel of property described in Exhibit "A" attached hereto and made a part hereof for all purposes connected with the use, ingress, egress, construction, repair, replacement, installation, improvement and maintenance of water, sewer, and gas pipes, telephone, cable, and power lines and poles and conduits for any public authority. Grantee or its assigns shall maintain and repair Grantee's or its assigns' facilities as there shall be occasion from time to time hereafter, and Grantee or its assigns shall restore the grass or sod to the similar condition that was existent thereon prior to any entry or entries by Grantee or its assigns pursuant to this Easement. Grantor specifically acknowledges that it is

Grantor shall not construct any improvements (excluding grass or sod) on the Easement including but not limited to any type of structure, wall, landscape, building, surfacing, landscaping and the like without the prior written consent of Grantee which Grantee may withhold in its sole discretion. In the event any such improvement is permitted and needs to be removed in the opinion of Grantee, or is removed or damaged by or on behalf of Grantee, in connection with Grantee or Grantee's assigned use of the Easement, Grantee shall not be liable for any such removal or damage of the improvement. Any expense of Grantee caused by the existence of any Grantor improvement shall be the responsibility of Grantor.

This Easement and the agreements contained herein are binding upon Grantor, its heirs, administrators, personal representatives, successors and/or assigns, and such covenants shall run with the land.

Grantor is seized in fee simple and in possession of lands described herein and does fully warrant title to said property and will defend the same against any lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the undersigned have executed this instrument the date and year

first above written:

Signed, sealed and delivered in the presence of:

Serenity Joy Miller
WITNESS
Serenity Joy Miller
PRINT NAME

WITNESS

PRINT NAME

GRANTOR:

By: [Signature]
Michael M. Nansky
PRINT NAME

By: _____
PRINT NAME

COUNTY OF Palm Beach)

STATE OF FLORIDA)
ss:

The foregoing instrument was acknowledged before me this 4th ^{September 2001} day of ~~January~~, 1998 by Michael M. Alauky name of personal acknowledging, who is personally known to me or who has produced _____ type of identification as identification.



[Signature]
Name typed, printed or stamped
Title or rank

COUNTY OF _____)

STATE OF FLORIDA)
ss:

The foregoing instrument was acknowledged before me this _____ day of January, 1998 by _____ name of personal acknowledging, who is personally known to me or who has produced _____ type of identification as identification.

Name typed, printed or stamped
Title or rank

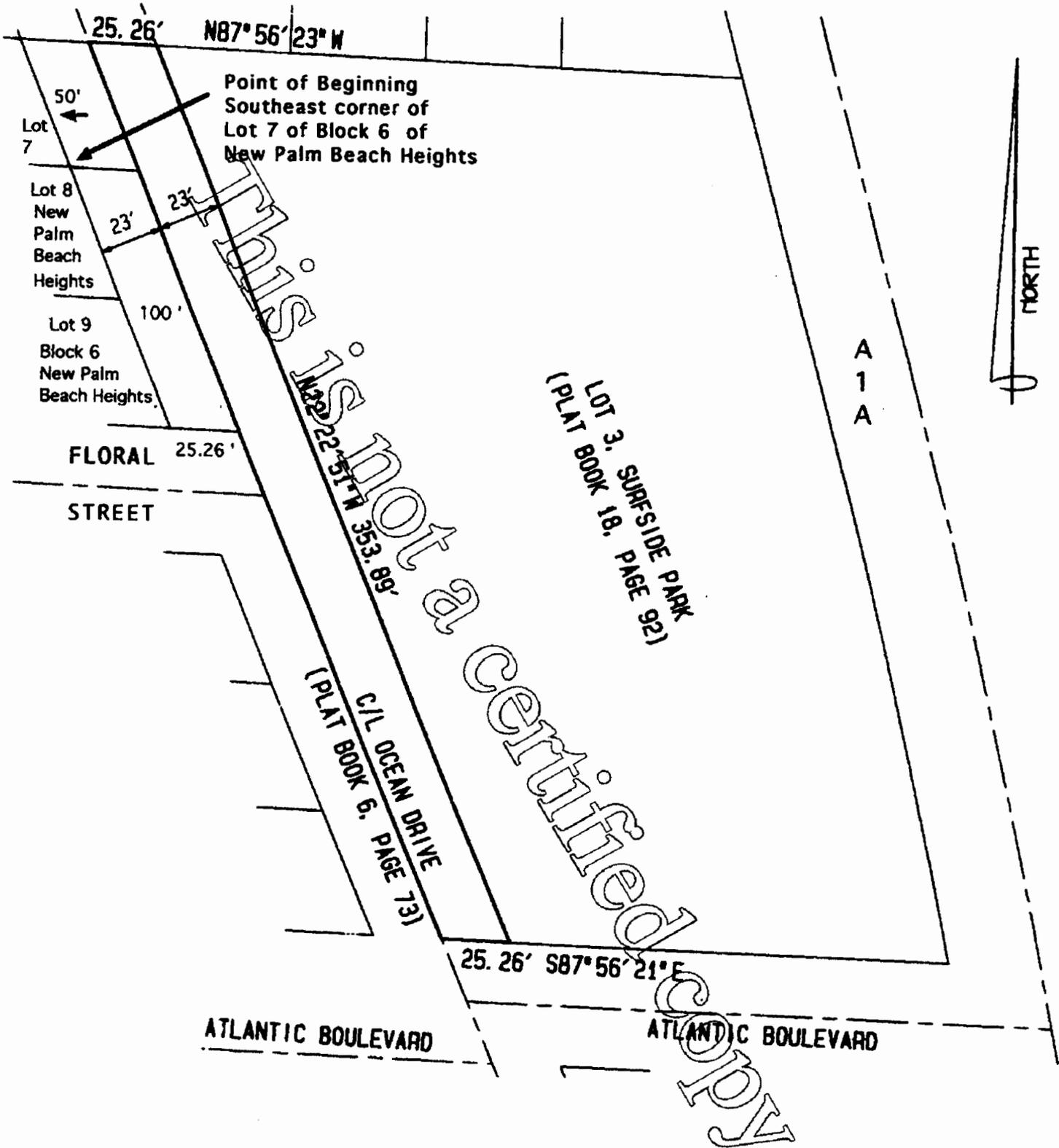
Not a certified copy

EXHIBIT "A"**LEGAL DESCRIPTION OF THE SECTION OF OLD OCEAN DRIVE WHICH WILL BE DEEDED TO THE JAGI JUNO, LLC.**

A portion of the abandoned Old Ocean Drive Right-of-Way, as shown on the plat of Surfside Park as recorded in Plat Book 18, Page 92 and also shown on the plat of the New Palm Beach Heights Subdivision as recorded in Plat Book 6, Page 73 of the Public Records of Palm Beach County, Florida and more particularly described as follows:

Beginning at the Southeast corner of Lot 7 of Block 6 of the New Palm Beach Heights Subdivision, as recorded in Plat Book 6, Page 73 of the Public records of Palm Beach County, Florida; thence, Easterly along the East extension of the South line of Lot 7, Block 6, New Palm Beach Heights, a distance of 25.26 feet to a point intersecting the centerline of the Old Ocean Drive Right-of-Way, as shown on the plat of Surfside Park, as recorded in Plat Book 18, Page 92 of the Public Records of Palm Beach County, Florida; thence, Northwesterly along said centerline of Old Ocean Drive and parallel to the East line of Block 6 of the New Palm Beach Heights Subdivision and the West Right-of-Way line of old Ocean Drive, a distance of 50 feet to a point on the Easterly extension of the North line of Lot 7 of Block 6, New Palm Beach Heights; thence, Westerly along the said Easterly extension of said North line of Lot 7 of Block 6, New Palm Beach Heights, a distance of 25.26 feet to the aforesaid East line of Block 6, New Palm Beach Heights; thence, Southeastarly along the East line of Block 6, New Palm Beach Heights and the West Right-of-Way line of Old Ocean Drive, as shown on the plat of the New Palm Beach Heights Subdivision and recorded in Plat Book 6, Page 73 of the Public Records of Palm Beach County, Florida, a distance of 50 feet to the Point of Beginning.

Exhibit A Utility Easement Sketch



*This sketch is an adaptation of a survey by Mixon Land Surveying (12/13/00) of that portion of Old Ocean Drive abandoned to the Manor and is to illustrate that portion to be abandoned to the Albrecht property.

UTILITY EASEMENT

THIS AGREEMENT is made and entered into this 21 day of JAN, 2003, by and between Eugene and Jean Albrecht, hereinafter referred to as the "Grantor", with an address of 481 Floral St., Juno Beach, Florida, 33408, and THE TOWN OF JUNO BEACH, a Florida municipal corporation with offices located at 340 Ocean Drive, Juno Beach, Florida, 33408, its successors and assigns, hereinafter referred to as the "Grantee".

WITNESSETH

That the Grantor, and all other persons claiming by, through or under the Grantor, their predecessors in title, or their heirs, assigns or legal representatives by virtue of any deeds of conveyances to the land described herein, for and in consideration of the sum of TEN DOLLARS (\$10.00), and other good and valuable consideration including the Grantee's granting of the Grantor's request for abandonment of the old Ocean Drive right-of-way, together with all covenants made by the Grantee and contained herein, has granted, bargained and sold to the Grantee, its successors and assigns, a permanent Utility Easement described in Exhibit "A" attached (hereinafter "Easement"), on, over and above the parcel of property also described in Exhibit "A" attached hereto and made a part hereof for all purposes connected with the use, ingress, egress, construction, repair, replacement, installation, improvement and maintenance of telephone, cable, power, water and sewer lines. Grantee or its assigns shall maintain and repair the Grantees' or its assigns' facilities as there shall be occasion from time to time hereafter, and the Grantee or its assigns shall restore the grass, sod or ground to the similar condition that was existent thereon prior to any entry or entries by the Grantee or its assigns pursuant to this Easement. The Grantor specifically acknowledges that it is the Grantor's responsibility to maintain the Easement by regular mowing and the like.

The Grantor shall not construct any improvements, excluding grass or sod, on the Easement including but not limited to any type of structure, wall, landscape, building, surfacing, landscaping and the like without prior written consent of the Grantee which the Grantee may withhold in its sole discretion. In the event any such improvement is permitted and needs to be removed in the opinion of the Grantee, or is removed or damaged by or on behalf of the Grantee, in connection with the Grantee or the Grantee's

assigned use of the Easement, the Grantee shall not be liable for any such removal or damage to the improvement. Any expense of Grantee caused by the existence of any Grantor improvement shall be the responsibility of Grantor.

This Easement and the agreements contained herein are binding upon the Grantor, its administrators, successors and/or assigns, and such covenants shall run with the land.

IN WITNESS WHEREOF the parties have executed this Agreement on the date and year first above written. The Grantor is seized in fee simple and in possession of the lands described herein and does fully warrant title to said property and will defend the same against any lawful claims of all persons whomsoever.

Signed, sealed and delivered in the presence of:

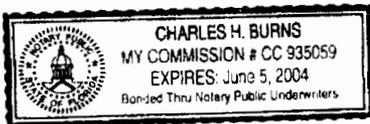
GRANTOR: Eugene & Jean Albrecht

Eugene Albrecht
Eugene Albrecht

Jean Albrecht
Jean Albrecht

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me in the State and County aforesaid this 21 day of Jan 2003, by Eugene and Jean Albrecht, who are personally known to me or who produced the following form of identification



[Signature]
Notary Signature
My Commission Expires:

Exhibit "A"

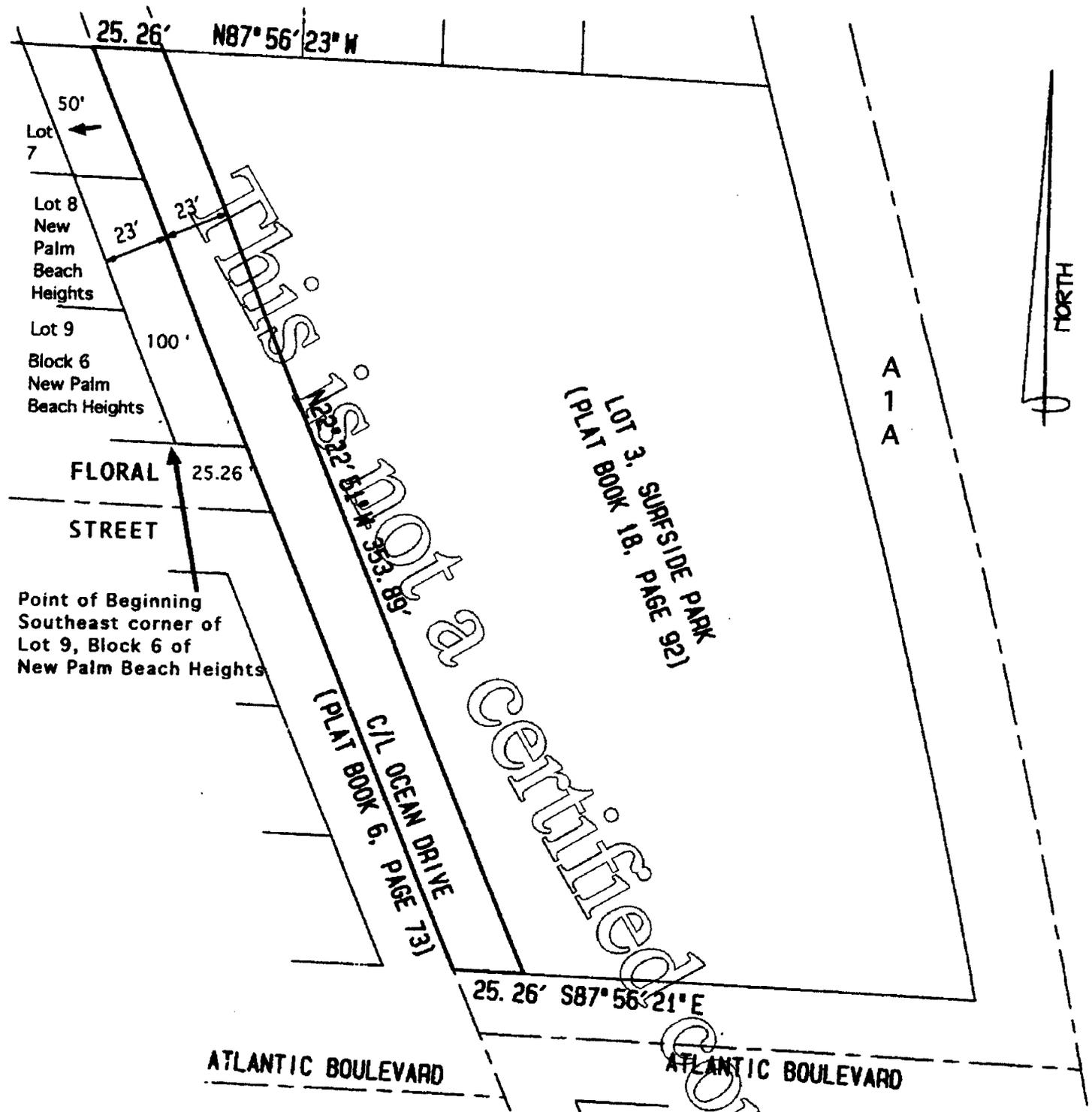
LEGAL DESCRIPTION OF THE SECTION OF OLD OCEAN DRIVE TO BE DEEDED
TO EUGENE & JEAN ALBRECHT

A portion of the abandoned Old Ocean Drive Right-of-Way, as shown on the plat of Surfside Park as recorded in Plat Book 18, Page 92 and also shown on the plat of the New Palm Beach Heights Subdivision as recorded in Plat Book 6, Page 73 of the Public Records of Palm Beach County, Florida and more particularly described as follows:

Beginning at the Southeast corner of Lot 9 of Block 6 of the New Palm Beach Heights Subdivision, as recorded in Plat Book 6, Page 73 of the Public Records of Palm Beach County, Florida; thence, Northwesterly along the East line of said Block 6, New Palm Beach Heights and the West Right-of-Way line of the abandoned Old Ocean Drive, as shown on the plat of Surfside Park as recorded in Plat Book 18, Page 92 of the Public Records of Palm Beach County, Florida, a distance of 100 feet to the Southeast corner of Lot 7 of Block 6 of the New Palm Beach Heights Subdivision; thence, Easterly along the extension of the said South line of Lot 7, Block 6, New Palm Beach Heights, a distance of 25.26 feet to a point intersecting the centerline of Old Ocean Drive as shown on the plat of Surfside Park, as recorded in Plat Book 18, Page 92; thence Southeasterny, along the said centerline of Old Ocean Drive and parallel to the East line of Block 6, New Palm Beach Heights, a distance of 100 feet to a point on the North Right-of-Way line of Floral Street as shown on the plat of the New Palm Beach Heights Subdivision, as recorded in Plat Book 6, Page 73, of the Public Records of Palm Beach County, Florida; thence Westerly along the said North Right-of-Way line of Floral Street a distance of 25.26 feet to the Point of Beginning.

Certified
copy

Exhibit A Utility Easement Sketch



*This sketch is an adaptation of a survey by Mixon Land Surveying (12/13/00) of that portion of Old Ocean Drive abandoned to the Manor and is to illustrate that portion to be abandoned to the Albrecht property.

Ruben Cruz

From: Lynne Hagibes <lhagibes@bellsouth.net>
Sent: Thursday, March 31, 2016 3:17 PM
To: Ruben Cruz
Cc: Deborah Kassir; Wes Nichols
Subject: Ocean Horizon Properties of Florida, LLC-Abandonment of Easement
Attachments: Utility Consents.pdf

Mr. Cruz:

Attached please find the consents we have received from various utility companies regarding the request of our client Ocean Horizon Properties of Florida for the easement abandonment.

Upon receipt of additional consents I will forward them to you.

Regards,

Lynne A. Hagibes, CLA
Licensed Title Agent
L. Wesley Nichols, P.A.
11380 Prosperity Farms Road
Suite 204
Palm Beach Gardens, Fl., 33410
(561) 691-2020 Phone
(561) 622-5531 Fax
lhagibes@bellsouth.net

*****CONFIDENTIALITY NOTE*****

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS LEGALLY PRIVILEGED AND CONFIDENTIAL, INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU RECEIVE THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE (COLLECT) AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE LISTED ADDRESS VIA THE U.S. POSTAL SERVICE. WE WILL REIMBURSE YOU FOR POSTAGE AND/OR TELEPHONE EXPENSES INVOLVED. THANK YOU.

*****CONFIDENTIALITY NOTE*****



March 31, 2016

REF: Easement of Abandonment of Utility to the town of Juno Beach

To Whom It May Concern:

In reference to the attached documents, we have no mains or service utilities on Ocean Ridge Way, Juno Beach, FL.

Thank you,

A handwritten signature in cursive script, appearing to read "Christina Patuleia".

Christina Patuleia, Administrative Assistant
TECO Peoples Gas

**UTILITY EASEMENT
ABANDONMENT CONSENT FORM**

I am the attorney for the record title holder of the property located on Lot 3, Ocean winds of Juno Beach. My client is applying to the Town of Juno Beach for an abandonment of a utility easement. The legal description of this property is OCEAN WINDS OF JUNO BEACH REPLAT LOT 3 being a replat of Ocean Winds of Juno Beach recorded in Plat Book 105, Pages 77 & 78, lying in Section 28, Township 41, South, Range 32 East, Town of Juno Beach, Palm Beach County, Florida.

In the event your company has no objection to this abandonment, please complete this form. Your company will not be responsible in any way for any costs associated with this abandonment. All expenses incurred will be done at the expense of the property owner or their successors in interest.

Property Owners Name: OCEAN HORIZON PROPERTIES OF FLORIDA, LLC.

By: 
L. Wesley Nichols, Esquire
Attorney for Ocean Horizon Prosperities of Florida, LLC

ACKNOWLEDGMENT:

WE AGREE TO THE PROPOSED ABANDONMENT UNDER THE CIRCUMSTANCES DESCRIBED ABOVE:

Name of Utility Company: COMCAST

By: 
Sign Name
MARK MILFORD
Print Name

Title: CONSTRUCTION COORDINATOR
Date: 3/31/16

UTILITY EASEMENT
ABANDONMENT CONSENT FORM

I am the attorney for the record title holder of the property located on Lot 3, Ocean winds of Juno Beach. My client is applying to the Town of Juno Beach for an abandonment of a utility easement. The legal description of this property is OCEAN WINDS OF JUNO BEACH REPLAT LOT 3 being a replat of Ocean Winds of Juno Beach recorded in Plat Book 105, Pages 77 & 78, lying in Section 28, Township 41, South, Range 32 East, Town of Juno Beach, Palm Beach County, Florida.

In the event your company has no objection to this abandonment, please complete this form. Your company will not be responsible in any way for any costs associated with this abandonment. All expenses incurred will be done at the expense of the property owner or their successors in interest.

Property Owners Name: OCEAN HORIZON PROPERTIES OF FLORIDA, LLC.

By: 
L. Wesley Nichols, Esquire
Attorney for Ocean Horizon Prosperities of Florida, LLC

ACKNOWLEDGMENT:

WE AGREE TO THE PROPOSED ABANDONMENT UNDER THE CIRCUMSTANCES DESCRIBED ABOVE:

Name of Utility Company: Florida Public Utilities Co.

By: 
Sign Name

LYAN Gibbs
Print Name

Title: ENGINEERING TECHNICIAN
Date: 3/25/2016

UTILITY EASEMENT
ABANDONMENT CONSENT FORM

I am the attorney for the record title holder of the property located on Lot 3, Ocean winds of Juno Beach. My client is applying to the Town of Juno Beach for an abandonment of a utility easement. The legal description of this property is OCEAN WINDS OF JUNO BEACH REPLAT LOT 3 being a replat of Ocean Winds of Juno Beach recorded in Plat Book 105, Pages 77 & 78, lying in Section 28, Township 41, South, Range 32 East, Town of Juno Beach, Palm Beach County, Florida.

In the event your company has no objection to this abandonment, please complete this form. Your company will not be responsible in any way for any costs associated with this abandonment. All expenses incurred will be done at the expense of the property owner or their successors in interest.

Property Owners Name: OCEAN HORIZON PROPERTIES OF FLORIDA, LLC.

By: L. Wesley Nichols
L. Wesley Nichols, Esquire
Attorney for Ocean Horizon Prosperities of Florida, LLC

ACKNOWLEDGMENT:

WE AGREE TO THE PROPOSED ABANDONMENT UNDER THE CIRCUMSTANCES DESCRIBED ABOVE:

Name of Utility Company: Town of Jupiter
By: Jenna Farley
Sign Name
Jenna Farley
Print Name
Title: Customer Service & Billing Manager
Date: 3/2/16