

23-UTL.04-06/93

This instrument prepared under the direction of:

Dawn Raduano, Esq. _____

Legal Description prepared by:

John E. Phillips, III, P.S.M. (01-11-18)

Brown & Phillips, Inc.

Document prepared by:

Grace K. Abel (01-25-18)

Department of Transportation

Right of Way Production Services

3400 W. Commercial Boulevard

Ft. Lauderdale, Florida 33309

Parcel No.	817.7
Item/Segment No.	4413231
Section:	86600-2175
Managing District:	04
S.R. No.	822 (Sheridan Street)
County:	Broward

SUBORDINATION OF CITY UTILITY INTERESTS

THIS AGREEMENT entered into this _____ day of _____, 201____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, and the **CITY OF HOLLYWOOD, a political subdivision of the State of Florida**, hereinafter called the CITY.

WITNESSETH:

WHEREAS, the CITY presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the CITY to the FDOT; and

WHEREAS, the FDOT is willing to pay to have the CITY'S facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, CITY and FDOT agree as follows:

CITY subordinates to the interest of FDOT its successors and assigns, any and all of its interest in the lands as follows, viz:

An easement for traffic signalization purposes in the North-One-Half (N. 1/2), of the Northwest Quarter (N.W. 1/4), of the Northeast Quarter (N.E. 1/4), of Section 10, Township 51 South, Range 42 East, lying in Parcel "A" of WEST LAKE COMMONS, recorded in Plat Book 180, Page 127, of the Public Records of Broward County, Florida, more particularly described as follows:

(Continued on the next page)

BEGIN at the Northwest corner of said Parcel "A"; thence along the North boundary of said Parcel "A", N88°13'37"E for 594.33 feet to the POINT OF BEGINNING; thence continue along said North boundary, N88°13'37"E for 100.00 feet; thence S01°46'23"E for 10.00 feet; thence S88°13'37"W for 100.00 feet; thence N01°46'23"W for 10.00 feet to the POINT OF BEGINNING.

Containing 1,000 square feet, more or less.

(More particularly described in the Exhibit A, sketch and legal description attached hereto)

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R.B. & PAGE
Utility Easement	03/18/2014	West Lake Commons, LLC	City of Hollywood, a political subdivision of the State of Florida	50631 / 1596

PROVIDED that the CITY has the following rights:

1. The CITY shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon the lands described herein in accordance with the FDOT'S current minimum standards for such facilities as required by the FDOT, Utility Accommodation Manual in the effect at the time the agreement is executed. Any new construction or relocation of facilities within the lands will be subject to prior approval by the FDOT. Should the FDOT fail to approve any new construction or relocation of facilities by the CITY or require the CITY to alter, adjust, or relocate its facilities located within said lands, the FDOT hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.
3. The CITY shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush, and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the FDOT's facilities.
4. The CITY agrees to repair any damage to FDOT facilities and to indemnify the FDOT against any loss or damage resulting from the CITY exercising its rights outlined in Paragraphs 1 and 3 above.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

Signed, sealed and delivered in the presence of witnesses

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

Print Name: _____

By: _____
Name: GERRY O'REILLY
Title: District Secretary for District Four

Print Name: _____

Attorney approved as to form:

Name: DAWN RADUANO

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this _____ day of _____, 201_____, by GERRY O'REILLY, District Secretary for District Four, who is personally known to me or who has produced _____ as identification.

(SEAL)

Notary Public

Typed, printed or stamped name of Notary Public

My Commission Expires: _____

IN WITNESS WHEREOF, the City has caused these presents to be executed in its name by its Board of City Commissioners acting by the Mayor or Vice-Mayor of said Board, the day and year aforesaid.

ATTEST: _____

CITY OF HOLLYWOOD

Print Name: _____
Its City Clerk

By: _____

Print Name: _____
Mayor or Vice-Mayor

STATE OF FLORIDA

COUNTY OF BROWARD

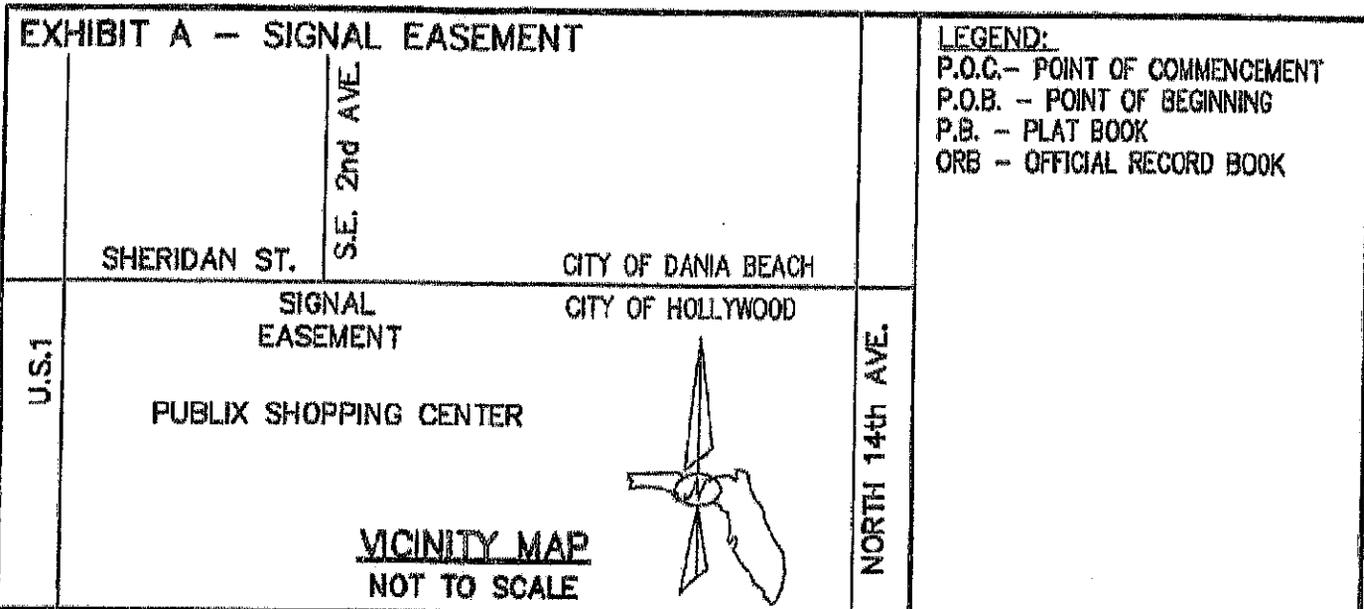
The foregoing instrument was acknowledged before me this _____ day of _____, 201____,
by _____, Its Mayor or Vice-Mayor, who is personally known to me or who has produced
_____ as identification.

(SEAL)

Notary Public

Typed, printed or stamped name of Notary Public

My Commission Expires: _____



NOTES:

- 1) THIS DESCRIPTION IS BASED ON THE PLAT OF WEST LAKE COMMONS, PLAT BOOK 180 PAGE 127.
- 2) BEARINGS ARE BASED ON N88°13'37"E (PLAT) ALONG THE NORTH LINE OF PARCEL 'A', WEST LAKE COMMONS, PLAT BDK 180, PAGE 127, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
- 3) TITLE INFORMATION SHOWN HEREON WAS FURNISHED PER A COMMITMENT FOR TITLE INSURANCE PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, ISSUING OFFICE FILE NUMBER: #1454; ORDER NO.: 6716418; PROPOSED INSURED: STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION; COMMITMENT DATE: 01/02/2018 5:00 PM.
- 4) THIS SKETCH EXISTS SOLELY FOR THE PURPOSE OF ILLUSTRATING THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED.
- 5) ALL BEARINGS AND DISTANCES ARE CALCULATED, UNLESS NOTED OTHERWISE.

STATE OF FLORIDA
 DEPARTMENT OF TRANSPORTATION
 3400 WEST COMMERCIAL BOULEVARD
 FT. LAUDERDALE, FL 33309
 (954) 777-4551

E-Mail: info@brown-phillips.com

B BROWN & PHILLIPS, INC.
 PROFESSIONAL SURVEYING SERVICES
 CERTIFICATE OF AUTHORIZATION # LB 6473
 1860 OLD OKEECHOBEE ROAD., SUITE 509,
 WEST PALM BEACH, FLORIDA 33409
 TELEPHONE (561)-615-3988, 615-3991 FAX

**SHERIDAN ST. PUBLIX
 DESCRIPTION NOTES**

PROJ. No. 18-105	DRAWN: MB
SIGNAL EASEMENT	SCALE: NONE
	DATE: 1/11/18
	SHEET 1 OF 4

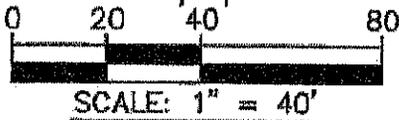
EXHIBIT A - SIGNAL EASEMENT

LOT 15
CITY OF
DANIA BEACH
PROPERTY

28'
S.E. 2nd AVENUE

ORB 43141 PAGE 1410
BLOCK 3
ST. JAMES PARK - NORTH
(PLAT BOOK 3 PAGE 33)
LOTS 16-17

ORB 45256 PAGE 1078
BLOCK 3
ST. JAMES PARK - NORTH
(PLAT BOOK 3 PAGE 33)
LOTS 12-14



SOUTH LINE OF THE S.E. 1/4 OF SECTION 3/51/42
NORTH LINE OF THE N.E. 1/4 OF SECTION 10/51/42

CITY OF DANIA BEACH
CITY OF HOLLYWOOD

60' SHERIDAN STREET

NORTH PLAT BOUNDARY
7' R/W (P.B.180 PAGE 127)

P.O.B.

N88°13'37"E 594.33'
NORTH LINE OF PARCEL 'A'

N88°13'37"E 100.00'

S88°13'37"W 100.00'

P.O.C.
N.W. CORNER
OF PARCEL 'A'

N01°46'23"W 10.00'

10.00'
S01°46'23"E

156.69'
LEASE PARCEL D
ORB 49850 PG.1210

25'
50' ACCESS OPENING
(P.B.180 PG.127)
25'

PARCEL 'A'
WEST LAKE COMMONS
PB 180 PG.127
REAL SUB, LLC
C/O PUBLIX SUPER
MARKETS, INC.
ID# 5142 10 62 0010
CIN#113020929

E-Mail: info@brown-phillips.com

BP
BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
1860 OLD OKEECHOBEE ROAD., SUITE 509,
WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)-615-3988, 615-3991 FAX

SHERIDAN ST. PUBLIX
(This sketch is not a survey)

PROJ. No. 15-105

DRAWN: MB

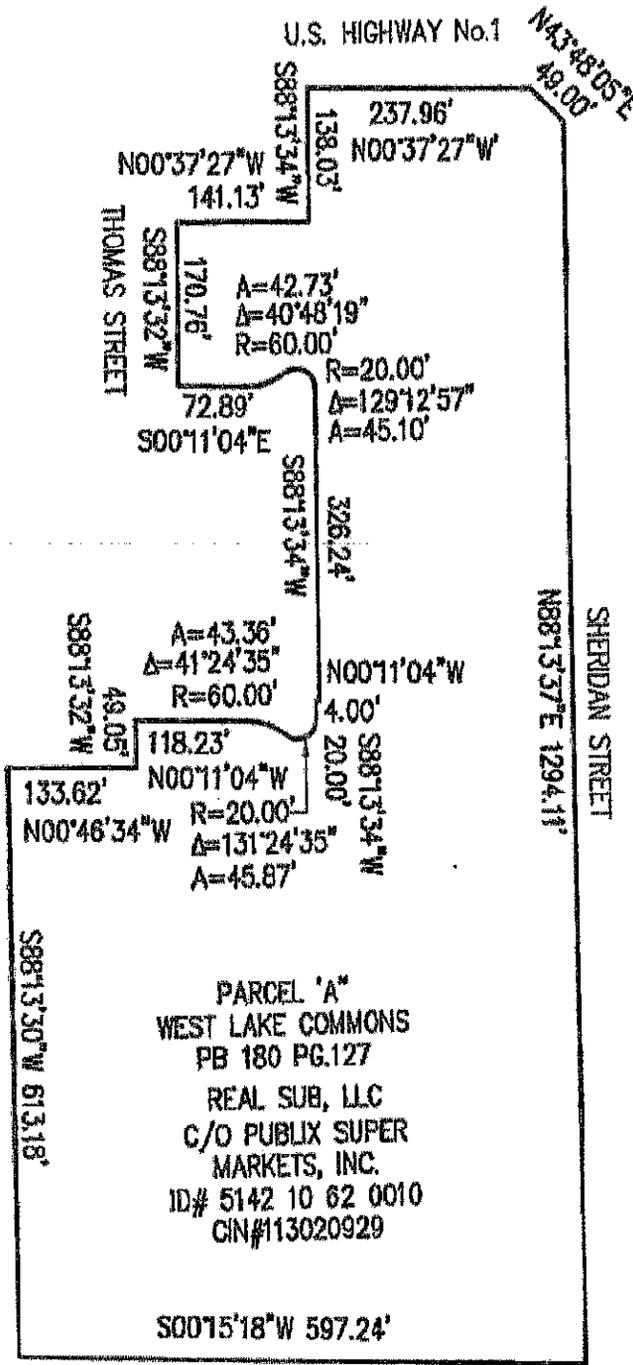
SKETCH TO ACCOMPANY
LEGAL DESCRIPTION
SIGNAL EASEMENT

SCALE: 1"=40'

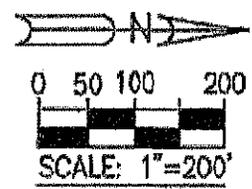
DATE: 1/9/18

SHEET 2 OF 4

EXHIBIT A - SIGNAL EASEMENT



PARCEL 'A'
 WEST LAKE COMMONS
 PB 180 PG.127
 REAL SUB, LLC
 C/O PUBLIX SUPER
 MARKETS, INC.
 ID# 5142 10 62 0010
 CIN#113020929



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PARENT TRACT SHERIDAN ST. PUBLIX	
PROJ. No. 16-105	DRAWN: MB
LEGAL DESCRIPTION SIGNAL EASEMENT	SCALE: 1"=200'
	DATE: 1/11/18
	SHEET 3 OF 4

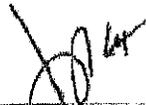
EXHIBIT A - SHERIDAN ST. PUBLIX

AN EASEMENT FOR TRAFFIC SIGNALIZATION PURPOSES IN THE NORTH ONE-HALF (N.1/2), OF THE NORTHWEST QUARTER (N.W.1/4), OF THE NORTHEAST QUARTER (N.E.1/4), OF SECTION 10, TOWNSHIP 51 SOUTH, RANGE 42 EAST, LYING IN PARCEL 'A', OF WEST LAKE COMMONS, RECORDED IN PLAT BOOK 180, PAGE 127, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID PARCEL 'A';
 THENCE ALONG THE NORTH BOUNDARY OF SAID PARCEL 'A', N88°13'37"E FOR 594.33 FEET TO THE POINT OF BEGINNING;
 THENCE CONTINUE ALONG SAID NORTH BOUNDARY, N88°13'37"E FOR 100.00 FEET;
 THENCE S01°46'23"E FOR 10.00 FEET;
 THENCE S88°13'37"W FOR 100.00 FEET;
 THENCE N01°46'23"W FOR 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,000 SQUARE FEET, MORE OR LESS.

I HEREBY CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION WAS PREPARED UNDER MY DIRECTION AND IS IN COMPLIANCE WITH THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.



 JOHN E. PHILLIPS, III
 PROFESSIONAL LAND SURVEYOR
 STATE OF FLORIDA NO. 4826
 DATE: 1/11/18

NOT VALID UNLESS SIGNED AND SEALED.



E-Mail: info@brown-phillips.com

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SHERIDAN ST. PUBLIX

PROJ. No. 18-105

DRAWN: MB

LEGAL DESCRIPTION
SIGNAL EASEMENT

SCALE: NONE

DATE: 1/11/18

SHEET 4 OF 4