

Prepared by
Marcus Duffy, City Attorney

Return to:
City Clerk
City of Palm Coast
160 Lake Ave
Palm Coast, FL 32164



TERMINATION OF EASEMENT TO EFFECTUATE BINDING LOT AGREEMENT

THIS TERMINATION OF EASEMENT (hereinafter "Termination") is made and entered into this _____ day of _____, 20____ by and between _____

(hereinafter "Owner"), and the CITY OF PALM COAST, a Florida municipal corporation, whose address is 160 Lake Ave Palm Coast, FL 32164 (hereinafter "City").

WHEREAS, Owner, owns two lots that are bound by Binding Lot Agreement Number _____ As more fully described below:

Lots ____ and ____ of Block _____ of Palm Coast, Map of _____ Section _____ According to that plat thereof, as recorded in Plat Book _____ Page(s) _____, of the Public Records of Flagler County, Florida.

WHEREAS, City has agreed to terminate (a) (certain) (a portion of) utility easement(s) recorded in Plat book _____ Page(s) _____ of the Public Records of Flagler County, Florida, ("Easement") in connection with Grantor's execution of a Lot Binding Agreement, which will create one lot out of the pre-existing two contiguous lots; and

WHEREAS, Owner has made an application for a building permit to construct a structure upon the easement; and

WHEREAS, the City has no objection to termination, and the owner represents that all current users of the public easement have no objection to the action; and

WHEREAS, the City agrees to terminate (the portion of the) City's 5-foot Utility Easement that lies along each side of the adjoining lot lines of Lot _____ and Lot _____ of Block _____ of Palm Coast, Map of _____ Section _____, of the Public Records of Flagler County, Florida, but all other easements including the remaining portion of the City's 5 foot Utility Easement that lie around the perimeter of each of the Owner's lot will remain on Owner's property.

NOW, THEREFORE, in consideration of the foregoing premises set forth herein and the mutual benefit to be delivered therefrom, the receipt and adequacy of which are hereby acknowledged, the parties hereby agree as follows:

1. Recitals. The above referenced recitals are incorporated herein by this reference as true and correct.

City hereby acknowledges, agrees and confirms that the 5-foot utility easement lying along each side of the adjoining lot line of Lot ____ and Lot ____, shown in the sketch attached as EXHIBIT A, is terminated. The perimeter easement around the new Lot (lots that are bound) will remain, also shown on sketch, as will any other easements previously granted.

Witness #1

Signature

Printed Name

Address

Owner

Signature of property owner

Printed Name

Address

Witness # 2

Signature

Printed Name

Address

Owner

Signature of property owner

Printed Name

Address

_____ City Staff Initial & Date

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online
notarization, this _____ day of _____, 20____, by

_____ (check one) who is/are personally known to me or who provided _____ as identification.

Notary Public

Print Name

My commission expires

Witness #1

Signature

Printed Name

Address

Witness # 2

Signature

Printed Name

Address

CITY OF PALM COAST

BY: _____
City Manager

Printed Name

ATTEST:

City Clerk

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by ☐ physical presence or ☐ online notarization this
_____ day of _____, 20_____, by
_____, who ☐ is personally known to me
or ☐ has produced _____ as identification.

Notary Public

Printed Name: _____

My Commission Expires: _____