

23-UTL.04-01/25

This instrument prepared under the direction of:

Elizabeth S. Quintana, Esq.

District 4 Assistant General Counsel

Legal Description prepared by:

David P. Lindley (07-10-2025)

Document prepared by:

Melissa Williams

Florida Department of Transportation

Right of Way Production Services

3400 W. Commercial Boulevard

Parcel No. 231.4 (02/06/2026)

Item/Segment No. 4413231

Section: 86120-2508

Managing District: 04

S.R. No. 810 (Hillsboro Blvd.)

County: Broward

SUBORDINATION OF CITY UTILITY INTERESTS

THIS AGREEMENT entered into this _____ day of _____, 20____, by and between the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, hereinafter called the FDOT, and the **CITY OF COCONUT CREEK, A MUNICIPALITY OF THE STATE OF FLORIDA**, hereinafter called the CITY.

W I T N E S S E T H:

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:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE PART HEREOF

[This space intentionally left blank]

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R.B. & PG./ INSTR #
Easement	10/18/1990	Hillsboro Boulevard Development Corporation	City of Coconut Creek, a Municipal Corporation of Broward County	17848 / 478

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.

[This space intentionally left blank]

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

Attorney approved as to form:

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

Name: **ELIZABETH S. QUINTANA**
District 4 Assistant General Counsel

BY: _____
Name: **STEVEN C. BRAUN, P.E.**
District 4 Secretary

Signed, sealed and delivered in the presence of: (Two witnesses required by Florida Law)

Witness (1) Information:

Witness (2) Information:

Signature

Signature

Print Name: _____

Print Name: _____

3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309

3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 20____, by **STEVEN C. BRAUN, P.E., District 4 Secretary**, who is personally known by me or who has produced _____ as identification.

(SEAL)

Notary Public

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: _____

Print Name: _____
Clerk (or Deputy Clerk)

**CITY OF COCONUT CREEK,
a municipality of the State of Florida
By Its Board of City Commissioners**

By: _____

Print Name: _____
Its Mayor
(or Vice-Mayor)

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

(Official Seal)

By: _____
City Attorney

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 20____, by _____, **Mayor (or Vice-Mayor) on behalf of the City of Coconut Creek, a municipality of the State of Florida**, who is personally known by me or who has produced _____ as identification.

(SEAL)

Notary Public

Printed or stamped name of Notary Public

My Commission Expires: _____

EXHIBIT "A"

Parcel No. 231

Item/Segment No. 4413231

EXHIBIT "A"

DESCRIPTION:

A PORTION OF PARCEL "A", "HILLSBORO CENTER", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 133, PAGE 4 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING IN SECTION 5, TOWNSHIP 48 SOUTH, RANGE 42 EAST, CITY OF COCONUT CREEK, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL "A"; THENCE ALONG THE SOUTH LINE OF SAID PARCEL "A", THE FOLLOWING THREE (3) COURSES AND DISTANCES: THENCE S89°36'38"W, A DISTANCE OF 82.50 FEET; THENCE N85°48'56"W, A DISTANCE OF 150.48 FEET; THENCE S89°36'38"W, A DISTANCE OF 5.00 FEET; THENCE N00°24'40"W, A DISTANCE OF 10.10 FEET; THENCE N86°03'21"E, A DISTANCE OF 60.43 FEET; THENCE N90°00'00"E (EAST), A DISTANCE OF 24.55 FEET; THENCE SOUTH 82°03'05" EAST, A DISTANCE OF 96.94 FEET; THENCE N90°00'00"E (EAST), A DISTANCE OF 56.72 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID PARCEL "A"; THENCE ALONG SAID EAST LINE, S00°24'40"E, A DISTANCE OF 11.24 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,555 SQUARE FEET (0.0816 ACRES), MORE OR LESS.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON JULY 10, 2025. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES CHAPTER 472.027.

THIS IS NOT A SURVEY

SHEET 1 OF 4



CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452



Digitally signed by
 David Lindley
 Date: 2025.07.10
 07:43:43 -04'00'
 Adobe Acrobat
 version:
 2025.001.20531

DAVID P. LINDLEY
 PROFESSIONAL LAND
 SURVEYOR NO. 5005
 STATE OF FLORIDA
 L.B. 3591

DATE	7-10-2025
DRAWN BY	sl
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	8071-SE ROW

**F.D.O.T. RIGHT-OF-WAY DONATION
 "HILLSBORO CENTER"
 SKETCH AND DESCRIPTION**

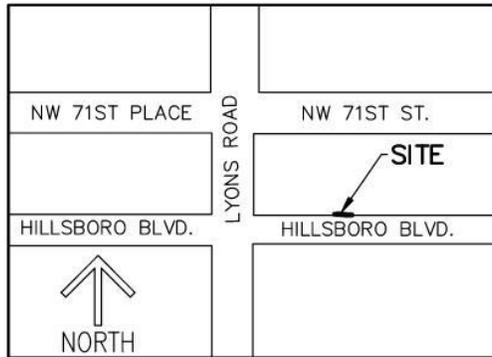
Parcel No. 231

Item/Segment No. 4413231

EXHIBIT "A"

SURVEYOR'S NOTES:

1. SURVEY MAPS OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND ORIGINAL SEAL, OR THE AUTHENTICATED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR AND MAPPER.
2. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. TITLE MATTERS SHOWN HEREON WERE OBTAINED FROM KELLEY, GRANT & TANIS; PREPARED BY WESTCOR TITLE INSURANCE COMPANY; FILE NUMBER: WTS-25-054772; DATED 5/26/2025. (SEE SHEET 3 FOR SCHEDULE B, PART II, EXCEPTIONS)
4. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF S00°24'40"E, ALONG THE EAST LINE OF PARCEL "A", "HILLSBORO CENTER", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 133, PAGE 4 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, TRANSVERSE MERCATOR PROJECTION, NORTH AMERICAN DATUM OF 1983, (1990 ADJUSTMENT). THE ROTATION FROM PLAT BEARINGS TO GRID BEARINGS IS 00°02'08" COUNTER CLOCKWISE.
5. THE LAND DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
6. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENTS OF RECORD RECORDED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
7. INSTRUMENTS OF RECORD SHOWN HEREON ARE RECORDED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, UNLESS OTHERWISE SHOWN.



LOCATION MAP
(NOT TO SCALE)

LEGEND/ABBREVIATIONS

- | | |
|--------------------------------|---|
| P.O.B. - POINT OF BEGINNING | BLVD - BOULEVARD |
| L.B. - LICENSED BUSINESS | F.D.O.T. - FLORIDA DEPARTMENT OF TRANSPORTATION |
| P.B. - PLAT BOOK | D.O.T. - DEPARTMENT OF TRANSPORTATION |
| R/W - RIGHT-OF-WAY | S.R. - STATE ROAD |
| PG(S). - PAGE(S) | ☒ - CENTERLINE |
| O.R.B. - OFFICIAL RECORDS BOOK | |
| UE - UTILITY EASEMENT | |

THIS IS NOT A SURVEY

SHEET 2 OF 4

CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452



DATE	7-10-2025
DRAWN BY	sl
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	8071-2 SE ROW

**F.D.O.T. RIGHT-OF-WAY DONATION
 "HILLSBORO CENTER"
 SKETCH AND DESCRIPTION**

Parcel No. 231

Item/Segment No. 4413231

EXHIBIT "A"

WESTCOR LAND TITLE INSURANCE COMPANY -- SEE SHEET 2, NOTE 3.

SCHEDULE B, PART - II EXCEPTIONS

ALL ENCUMBRANCES AND EXCEPTIONS WHICH PHYSICALLY OVERLAP OR TOUCH AND CONCERNS THE AREA OF THE DONATED PROPERTY ARE PLOTTED OR IDENTIFIED ON THIS SKETCH.

- 8.) A 12' UTILITY EASEMENT AND 50' WIDE ACCESS EASEMENT PER PLAT BOOK 133, PAGE 4. [SHOWN HEREON]
- 9.) RESTRICTIONS, DEDICATIONS, RESERVATIONS, SETBACKS AND EASEMENTS PER OFFICIAL RECORDS BOOK 18324, PAGE 341. [THE DECLARATION IS BLANKET IN NATURE AND IS NOT PLOTTABLE]
- 10.) RECIPROCAL INGRESS AND EGRESS, PARKING AREA, UTILITIES AND SURFACE DRAINAGE EASEMENTS PER OFFICIAL RECORDS BOOK 25852, PAGE 350. [AFFECTS - NOT PLOTTABLE]
- 15.) A 12' CITY WATER & SEWER EASEMENT PER OFFICIAL RECORDS BOOK 17848, PAGE 478. [SHOWN HEREON]
- 16.) RECIPROCAL EASEMENT AGREEMENT FOR PARKING AND INGRESS/EGRESS, UTILITIES, AND STORM WATER RETENTION AREAS PER OFFICIAL RECORDS BOOK 18324, PAGE 333. [AFFECTS - NOT PLOTTABLE]
- 17. A NON-EXCLUSIVE EASEMENT FOR THE RIGHT-OF-WAY OF PEDESTRIANS AND VEHICULAR INGRESS AND EGRESS ACROSS DRIVEWAYS, PARKING, SURFACE WATER MANAGEMENT AND DRAINAGE PER INSTRUMENT NUMBER 117767691. [AFFECTS - NOT PLOTTABLE]

ALL OF THE ABOVE INSTRUMENTS ARE RECORDED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

THIS IS NOT A SURVEY

SHEET 3 OF 4



CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452



DATE	7-10-2025
DRAWN BY	sl
F.B./ PG.	N/A
SCALE	1"=30'
JOB NO.	8071-2 SE ROW

**F.D.O.T. RIGHT-OF-WAY DONATION
"HILLSBORO CENTER"
SKETCH AND DESCRIPTION**

Parcel No. 231

Item/Segment No. 4413231

