

Prepared by and Return to:  
Minto Communities Inc..  
4400 W. Sample Road, Suite 200  
Coconut Creek, Florida 33073.



**DRAINAGE EASEMENT**

**THIS EASEMENT** is made, granted and entered into this 6 day of April, 2005, by Olympia Master Association, Inc. (hereinafter referred to as "Grantor"), c/o Minto Communities Inc. 4400 W. Sample Road, Suite 200, Coconut Creek, Florida 33073, to the Shaughnessy Village Homeowners Association, Inc. (hereinafter referred to as "Grantee"), c/o Minto Communities Inc. 4400 W. Sample Road, Suite 200, Coconut Creek, Florida 33073.

FILE NUM 20050218937 OR BOOK/PAGE 184160326 DATE: 04/14/2005 16:21:05 Pgs 0326 - 332. (7pgs)  
DOC STAMP 0.70  
Sharon R. Beck, CLERK & CONTROLLER

**WITNESSETH**

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by the Grantee and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to the Grantee, its successors and assigns, a perpetual drainage easement which shall permit Grantee authority to enter upon the property of the Grantor at any time to construct and maintain a drainage system in, on, over, under and across the easement premises. The easement hereby granted covers a strip of land lying, situate and being in Palm Beach County, Florida, and being more particularly described as follows:

**SEE EXHIBIT "B2", ATTACHED HERETO AND MADE A PART HEREOF**

Grantor hereby covenants with Grantee that it is lawfully seized and in possession of the real property herein described and that it has good and lawful right to grant the aforesaid easement free and clear of mortgages and other encumbrances unless specifically stated to the contrary.

**IN WITNESS WHEREOF**, the Grantor has hereunto set its hand and affixed its seal as of the date first above written.

**WITNESSES:**  
Signed, sealed and delivered  
in the presence of:

**GRANTOR:**

Linda Yonke  
Witness Signature

T.M.  
Signature

LINDA YONKE  
Print Name

T.R. Beer, Pres.  
Print Name

Michelle Steelman  
Witness Signature

Michelle Steelman  
Print Name

**NOTARY CERTIFICATE**

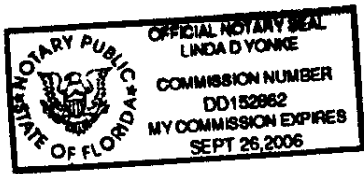
**STATE OF FLORIDA  
COUNTY OF PALM BEACH**

The foregoing instrument was acknowledged before me this 6th day of April, 2005 by T.R. Beer, Pres. and \_\_\_\_\_ who is/are personally known to me or who has produced \_\_\_\_\_ as identification.

My Commission Expires:

Linda D Yonke  
Notary Signature

LINDA D YONKE  
Typed, Printed or Stamped Name of Notary



Return to  
Founders Title  
5100 West Copans Road  
Suite 600  
Margate, Florida 33063

This instrument prepared by and returned to:  
Name: Harry Binnie  
Address: Founders Title  
5100 W. Copans Road, Suite 600  
Margate, Florida 33063

## CONSENT OF MORTGAGEE

The undersigned BANK OF AMERICA, N.A., a national banking association, as Agent for itself and for THE TORONTO-DOMINION BANK (collectively the "Mortgagee"), the owner and holder of a certain Real Estate Mortgage, Assignment and Security Agreement dated as of March 27, 2001 and recorded in Official Records Book 12416, Page 832, together with First Mortgage Modification Agreement, dated November 30, 2001, filed of record July 10, 2002, in Official Records Book 13890, Page 1697; Public Records of Palm Beach County, Florida (as amended from time to time the "Mortgage"), relating to the real property located in said County and more particularly described in the attached and foregoing Drainage Easement (the "Easement"), does hereby consent to the Easement and acknowledge that the lien of the Mortgage on said property is subordinate to the provisions of the Easement and that the Easement shall survive any foreclosure of the Mortgage or deed in lieu thereof and shall be binding upon all persons and their successors in title claiming said property by, through or by virtue of the Mortgage; provided, however, that at no time before the Mortgagee becomes the owner of said property shall this Consent (i) obligate the Mortgagee to perform any of the obligations of the grantor or grantee contained in the Easement, (ii) impose any liability on the Mortgagee for any failure by any other person(s) to perform such obligations, nor (iii) be deemed a limitation on the operation or effect of the Mortgage except as specifically set forth herein.

WITNESS the due execution hereof on behalf of the Mortgagee on April 14, 2005, to be effective as of the date of the Easement.

Signed and delivered in the

BANK OF AMERICA, N.A., a national banking association, for itself and as Attorney-in-Fact for THE TORONTO-DOMINION BANK, pursuant to the power of attorney contained in the Mortgage

presence of these witnesses:

Print Name: Harry Binnie

By: Steven B. King  
Name: Steven B. King  
Title: Vice Pres.

Print Name: Lois Cozzan

Address: 150 East Palmetto Park Road, 8<sup>th</sup> Floor  
Boca Raton, Florida 33432

STATE OF FLORIDA  
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 14 day of April, 2005 by Steven B. King as Vice Pres. of BANK OF AMERICA, N.A., a national banking association, as agent for itself and for THE TORONTO-DOMINION BANK. He/she is personally known to me or produced a \_\_\_\_\_ as identification.

[NOTARIAL SEAL]

Notary: [Signature]  
Print Name: \_\_\_\_\_  
Notary Public, State of Florida  
My Commission expires \_\_\_\_\_

HARRY BINNIE  
NOTARY PUBLIC - STATE OF FLORIDA  
COMMISSION #20138648  
EXPIRES 02/28/2008  
BONDED THRU 1-888-NOTARY1

cons.oly



EXHIBIT B2

**DESCRIPTION – UTILITY EASEMENT**

STRIPS OF LAND, 3.0 FEET IN WIDTH, LYING WITHIN OLYMPIA – PLAT II, AS RECORDED IN PLAT BOOK 98, PAGES 1 THROUGH 24 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**EASEMENT 12**

A STRIP OF LAND, 3.0 FEET IN WIDTH, LYING WITHIN TRACT B – 1 AS SHOWN ON OLYMPIA – PLAT II, AS RECORDED IN PLAT BOOK 98, PAGES 1 THROUGH 24 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; BOUNDED ON THE SOUTHWEST BY THE NORTHEAST BOUNDARY OF LOTS 851 AND 852, BLOCK B, AS SHOWN ON SAID OLYMPIA – PLAT II, BOUNDED ON THE NORTHEAST BY A LINE 3.0 FEET NORTHEAST OF AND PARALLEL WITH THE NORTHEAST BOUNDARY OF SAID LOTS 851 AND 852; BOUNDED ON THE NORTHWEST BY THE NORTHEASTERLY EXTENSION OF THE NORTHWEST BOUNDARY OF SAID LOT 851; BOUNDED ON THE SOUTHEAST BY THE NORTHEASTERLY EXTENSION OF THE SOUTHEAST BOUNDARY OF SAID LOT 852; TOGETHER WITH:

**EASEMENT 13**

A STRIP OF LAND, 3.0 FEET IN WIDTH, LYING WITHIN TRACT B – 1 AS SHOWN ON OLYMPIA – PLAT II, AS RECORDED IN PLAT BOOK 98, PAGES 1 THROUGH 24 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; BOUNDED ON THE NORTH BY THE SOUTH BOUNDARY OF LOT 869, BLOCK B, AS SHOWN ON SAID OLYMPIA – PLAT II, BOUNDED ON THE SOUTH BY A LINE 3.0 FEET SOUTH OF AND PARALLEL WITH THE SOUTH BOUNDARY OF SAID LOT 869; BOUNDED ON THE EAST BY THE SOUTHERLY EXTENSION OF THE EAST BOUNDARY OF SAID LOT 869; BOUNDED ON THE WEST BY THE SOUTHERLY EXTENSION OF THE WEST BOUNDARY OF SAID LOT 869; TOGETHER WITH:

1008.031-7  
December 21, 2004  
SHEET 1 OF 5



EASEMENT 14

A STRIP OF LAND, 3.0 FEET IN WIDTH, LYING WITHIN TRACT B – 1 AS SHOWN ON OLYMPIA – PLAT II, AS RECORDED IN PLAT BOOK 98, PAGES 1 THROUGH 24 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; BOUNDED ON THE NORTH BY THE SOUTH BOUNDARY OF LOT 892, BLOCK B, AS SHOWN ON SAID OLYMPIA – PLAT II, BOUNDED ON THE SOUTH BY A LINE 3.0 FEET SOUTH OF AND PARALLEL WITH THE SOUTH BOUNDARY OF SAID LOT 892; BOUNDED ON THE EAST BY THE SOUTHERLY EXTENSION OF THE EAST BOUNDARY OF SAID LOT 892; BOUNDED ON THE WEST BY THE SOUTHERLY EXTENSION OF THE WEST BOUNDARY OF SAID LOT 892.

Date: December 21, 2004

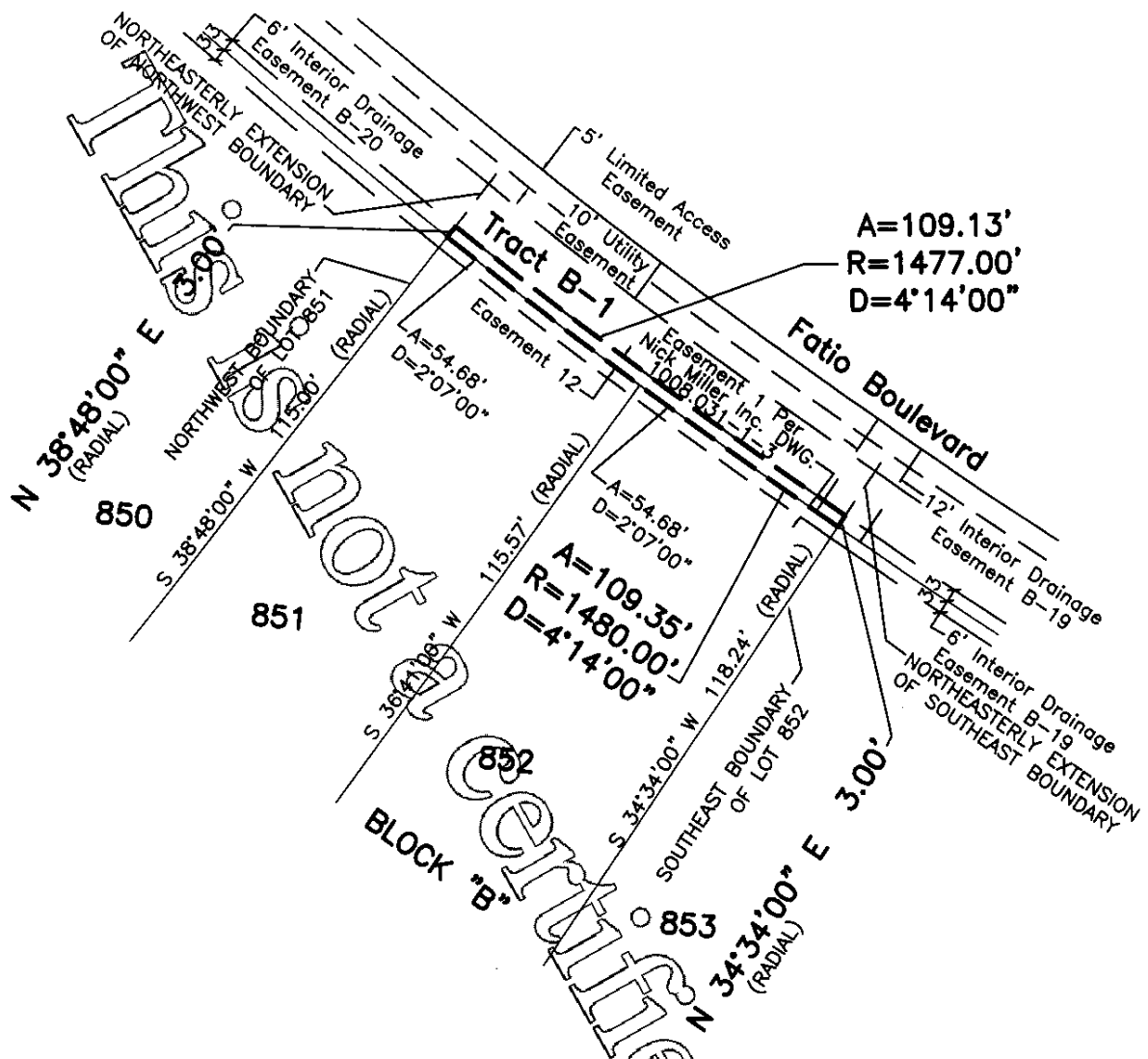
GARY A. RAGER  
PROFESSIONAL SURVEYOR AND MAPPER  
CERTIFICATE No. 4828  
STATE OF FLORIDA

Not a Certified Copy

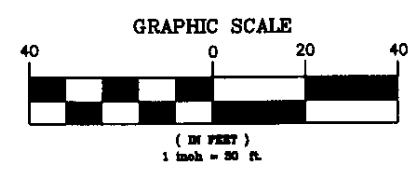
1008.031-7  
December 21, 2004  
SHEET 2 OF 5

**LEGEND**

- CL = CENTERLINE
- R = RADIUS
- D = DELTA (CENTRAL ANGLE)
- A = ARC LENGTH
- O.R.B. = OFFICIAL RECORD BOOK



NOTE: ALL EASEMENTS, ROADS, TRACTS, LOTS AND BLOCKS PER OLYMPIA PLAT II PER PLAT BOOK 98, PAGES 1-24.




**NICK MILLER, INC.**

SUITE 105  
2560 RCA BLVD.  
PALM BEACH GARDENS,  
FLORIDA 33410  
TEL: 561.627.5200  
FAX: 561.627.0983  
D.B.P.R. BUSINESS  
LICENSE No. 4318

SKETCH OF DESCRIPTION PREPARED FOR:

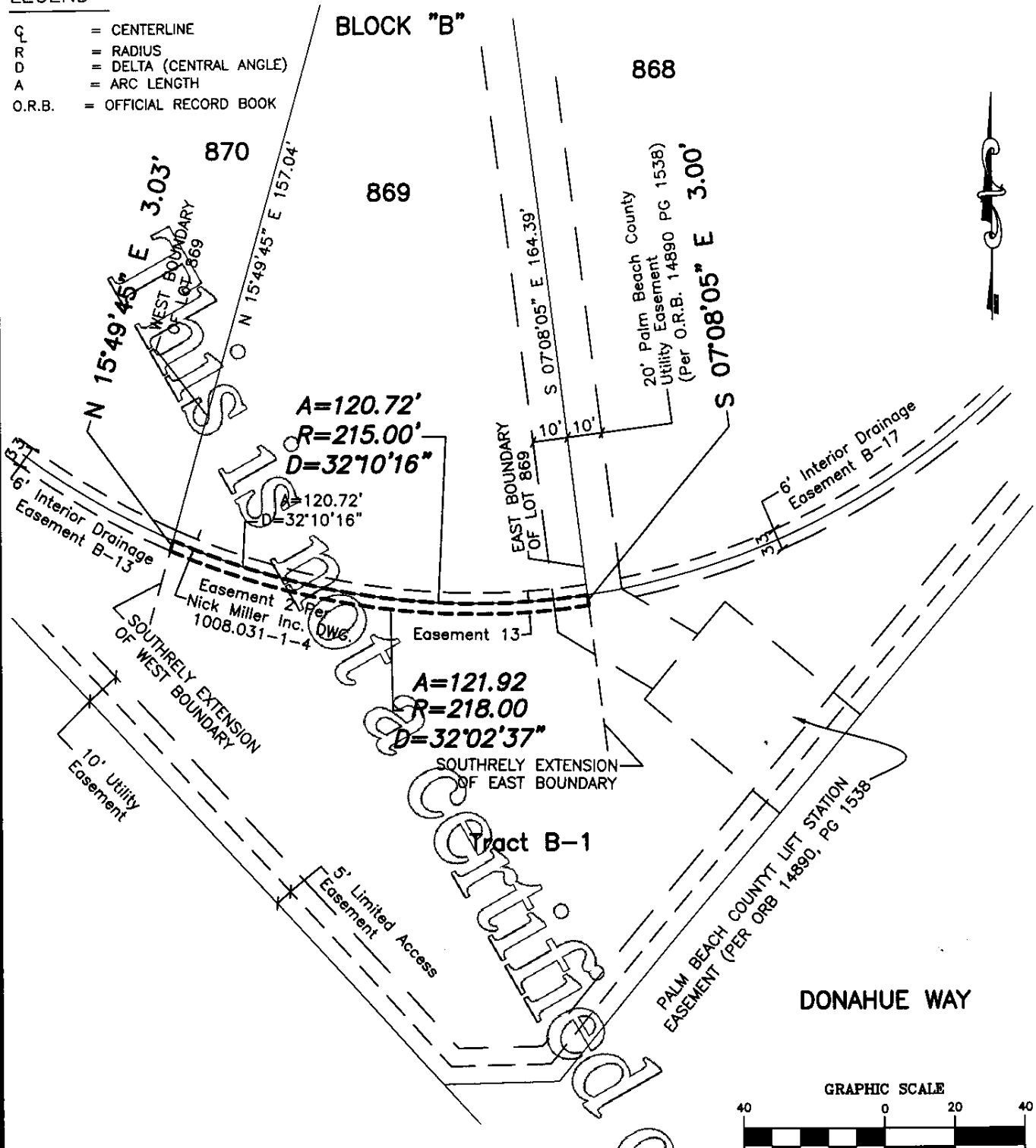
**MINTO COMMUNITIES, INC.**

SHEET 3 OF 5

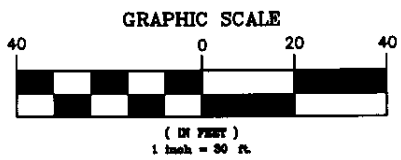
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DATE: 12/21/04	FILE: 1008.031-7

**LEGEND**

- C = CENTERLINE
- R = RADIUS
- D = DELTA (CENTRAL ANGLE)
- A = ARC LENGTH
- O.R.B. = OFFICIAL RECORD BOOK



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SKETCH OR DESCRIPTION PREPARED FOR:

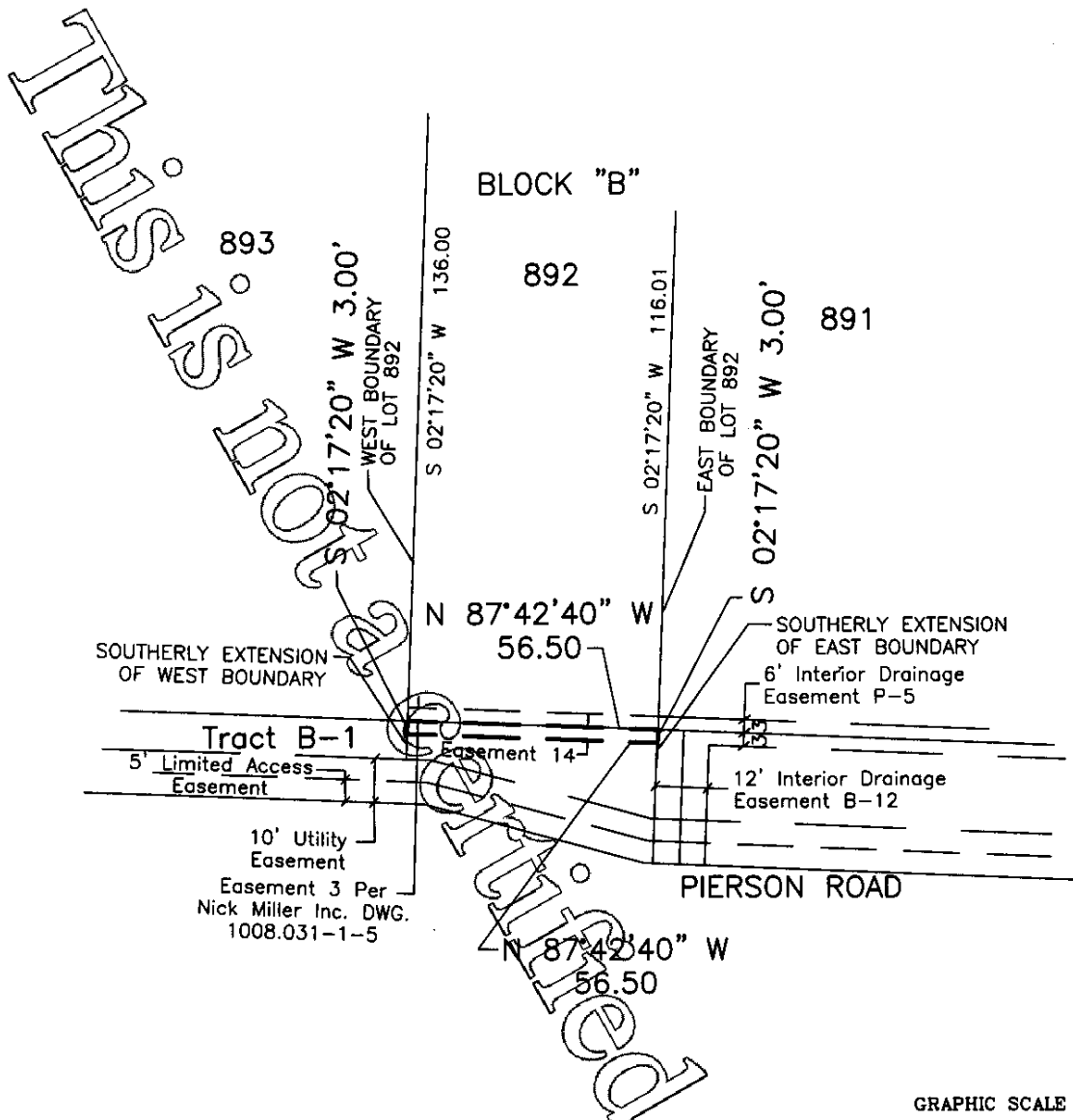
**MINTO COMMUNITIES, INC.**

SHEET 4 OF 5

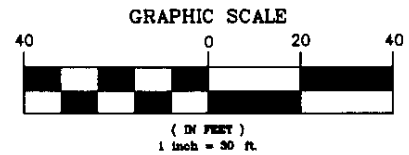
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DATE: 12/21/04	FILE: 1008.031-7

**LEGEND**

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 LICENSE No. 4318

SKETCH OF DESCRIPTION PREPARED FOR:

**MINTO COMMUNITIES, INC.**

SHEET 5 OF 5

SCALE: 1"=40'	JOB NO. 1008.108
DATE: 12/21/04	FILE: 1008.031-7