

Prepared by and return to:
Public Works Department, Land Acquisition
2725 Judge Fran Jamieson Way, A204, Viera, Florida 32940
A portion of Interest in Tax Parcel ID: 30-39-06-00-518

SIDEWALK EASEMENT

THIS INDENTURE, made this ____ day of _____, 2023, between Barefoot Bay Recreation District, a Special District of the State of Florida, whose address is 625 Barefoot Boulevard, Barefoot Bay, Florida 32976, as the first party, and Brevard County, Florida, a political subdivision of the State of Florida, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, as the second party, for the use and benefit of Brevard County, Florida.

WITNESSETH that the first party, in consideration of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is acknowledged, grants unto the second party, its successors and assigns, a perpetual easement commencing on the above date for the purposes of constructing, reconstructing, repairing, and reconfiguring a sidewalk, over, under, upon, above, and through the following lands:

The land affected by the granting of the easement is located in Section 6, Township 30 South, Range 39 East, Brevard County, Florida, and being more particularly described as follows:

A parcel of land being a portion of those lands described in Official Records Book 3633, Page 925 of the Public Records of Brevard County, Florida and being located within Section 6, Township 30 South, Range 39 East, Brevard County Florida and being more particularly described as follows:

The West 10.00 feet, measured by right angle to, lying parallel to and adjacent to State Road A-1-A, within the following described lands:

The North 200.00 feet of the South 300.00 feet of Government Lot 5, Section 6, Township 30 South, Range 39 East, Brevard County, Florida, lying east of State Road A-1-A.

Including the right of ingress and egress onto the easement area as may be necessary for the full use and enjoyment by the second party of its easement. The first party shall have full use and enjoyment of the easement area but shall not make any new improvements within the easement area which will conflict or interfere with the easement granted herein. The first party shall have the right to improve, modify, and reconstruct existing improvements in the easement area. Any such improvement, modification, and/or reconstruction activity undertaken by the first party that impacts the easement area, including the sidewalk, shall be the first party's responsibility to repair and restore the easement area, including the sidewalk, to a condition at least equal to its condition as it existed prior to such work taking place.

Any and all maintenance of the land over which the Easement is located shall be the responsibility of the owner of the land over which the Easement is located. The second party shall be responsible for the repair of the sidewalk located in the easement area.

This Easement is granted upon the condition that the second party will restore the easement area, in accordance with applicable standards, laws, rules, and regulations, for the work it conducts to a condition at least equal to the condition of the easement area as it existed prior to such work taking place.

TO HAVE AND TO HOLD said easement unto Brevard County, a political subdivision of the State of Florida, and to its successors and/or assigns. The first party does covenant with the second party that it is lawfully seized and possessed of the lands above described and that it has a good and lawful right to convey it or any part thereof.

IN WITNESS WHEREOF, the first party has caused this easement to be executed, the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness

Print Name

Witness

Print Name

Barefoot Bay Recreation District, a
Special District of the State of
Florida

BY: _____
Bruce Amoss, Chair

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization on this _____ day of _____, 2023, by Bruce Amoss, as Chair for the Board of Trustees of the Barefoot Bay Recreation District. Is ☐ personally known or ☐ produced _____ as identification.

Notary Signature

SEAL