

EASEMENT

THIS GRANT OF EASEMENT, made and executed this ____ day of December, 2016, by Indian River County, a political subdivision of the State of Florida, whose mailing address is 1801 27th Street, Vero Beach, FL 32960, hereinafter called GRANTOR, to Datapath Tower, LLC, a Florida limited liability company, having a mailing address of 4515 Plaza Way, St. Pete Beach, FL 33706, hereinafter called GRANTEE.

WITNESSETH:

That GRANTOR for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration, receipt of which is hereby acknowledged by these presents does grant, bargain, sell, alien, remise, release, convey, and confirm unto the GRANTEE, its successors and assigns, a perpetual easement for ingress, egress and access over, across, and beneath the following described land, situate in Indian River County, Florida, with the maintenance responsibility being the responsibility of Grantor, to-wit:

See Exhibit "A" attached hereto.

And GRANTOR hereby covenants with said GRANTEE that the GRANTOR is lawfully seized of said servient land in fee simple, and that the GRANTOR has good right and lawful authority to convey the easement established hereby and will defend the same against the lawful claims of all persons whomsoever.

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

IN WITNESS WHEREOF, the GRANTOR has hereunto set GRANTOR'S hand and seal the day and year first above written.

**BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA**


By: _____
Joseph E. Flescher, Chairman

Date Approved by BCC _____

Approved:

Approved as to form and legal
sufficiency:

Jason E. Brown
County Administrator



William K. DeBraal
Deputy County Attorney

Attest: Jeffrey R. Smith, Clerk of Court
and Comptroller

By: _____
Deputy Clerk

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

The foregoing instrument was acknowledged before me this ____ day of December, 2016, by Joseph E. Flescher, Chairman of the Board of County Commissioners of Indian River County, Florida, who is either personally known to me or who has produced _____ as identification.

NOTARY PUBLIC

(SEAL):

printed name:
Commission No.:
Commission Expiration:

LEGAL DESCRIPTION: St. FRANCIS MANOR CELL TOWER INGRESS-EGRESS EASEMENT

A 20 FOOT WIDE STRIP OF LAND LYING UPON THE FOLLOWING PARCELS: THE BUD RILEY FIELD PARCEL AS DESCRIBED IN DEED BOOK 27, PAGE 150 AND A PARCEL OWNED BY INDIAN RIVER COUNTY, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2651, PAGE 1029; BOTH PARCELS LYING IN SECTION 2, TOWNSHIP 33 SOUTH, RANGE 39 EAST AND RECORDED IN THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 2; THENCE RUN N00°02'39"E, ALONG THE WEST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 2, A DISTANCE OF 730.75 FEET TO THE INTERSECTION OF SAID LINE AND THE WESTERLY EXTENSION OF THE NORTH LINE OF THE AFORESAID BUD RILEY FIELD PARCEL; THENCE RUN S89°25'35"E, A DISTANCE OF 80.00 FEET TO THE NORTHWEST CORNER OF SAID BUD RILEY FIELD PARCEL, SAID POINT ALSO LYING ON THE EAST RIGHT OF WAY LINE OF 20TH AVENUE, FOR A POINT OF BEGINNING; THENCE RUN S89°25'35"E, ALONG SAID NORTH LINE AND THE EASTERLY PROLONGATION THEREOF, A DISTANCE OF 403.62 FEET; THENCE RUN N40°10'25"E, A DISTANCE OF 78.40 FEET TO A POINT ON THE SOUTH PROPERTY LINE OF A PARCEL OF LAND OWNED BY INDIAN RIVER COUNTY, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2651, PAGE 1029, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA; THENCE RUN N00°56'58"E, A DISTANCE OF 118.87 FEET TO THE SOUTHEAST CORNER OF AN EIGHT FOOT HIGH CHAIN LINK FENCE; THENCE CONTINUE N00°56'58"E, ALONG THE EAST LINE OF THE AFORESAID CHAIN LINK FENCE LINE, A DISTANCE OF 24.75 FEET TO THE NORTHEAST CORNER OF SAID CHAIN LINK FENCE; THENCE DEPARTING SAID CHAIN LINK FENCE LINE RUN S89°03'02"E, A DISTANCE OF 20.00 FEET; THENCE RUN S00°56'58"W, PARALLEL WITH THE EAST LINE OF SAID CHAIN LINK FENCE, A DISTANCE OF 143.38 FEET TO A POINT ON THE SOUTH LINE OF THE AFORESAID INDIAN RIVER COUNTY PARCEL; THENCE CONTINUE S00°56'58"W, A DISTANCE OF 7.36 FEET; THENCE RUN S40°10'25"W, A DISTANCE OF 94.94 FEET; THENCE RUN N89°25'35"W, 20 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE AND EASTERLY EXTENSION THEREOF, OF THE AFORESAID BUD RILEY FIELD PARCEL, A DISTANCE OF 412.85 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF 20TH AVENUE, SAID POINT ALSO LYING ON THE WEST LINE OF THE AFORESAID BUD RILEY FIELD PARCEL; THENCE RUN N00°02'39"E, ALONG SAID EASTERLY RIGHT OF WAY LINE AND SAID WEST PROPERTY LINE, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 0.30 ACRES (12,842 SQUARE FEET), MORE OR LESS.

SURVEYOR'S NOTES:



1. THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA REGISTERED SURVEYOR AND MAPPER NAMED HEREON.
2. THIS SKETCH OF DESCRIPTION MEETS OR EXCEEDS ALL APPLICABLE REQUIREMENTS OF THE STANDARDS OF PRACTICE AS ESTABLISHED IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.
3. THIS SKETCH OF DESCRIPTION AND ADJOINING PARCELS MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND/OR RIGHT-OF-WAYS NOT SHOWN HEREON, BUT MAY BE FOUND IN THE PUBLIC RECORDS.
4. THIS SKETCH AND DESCRIPTION WAS PREPARED WITH THE BENEFIT OF A BOUNDARY SURVEY FOR BUD RILEY FIELD, PREPARED BY INDIAN RIVER COUNTY PERSONNEL ON THE DATE OF OCTOBER 1, 2013. THE FENCE, CELL TOWER AND GUY WIRES WERE LOCATED ON THE DATE OF OCTOBER 17, 2016.
5. THE BEARINGS SHOWN HEREON ARE BASED UPON THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT AND PROJECTED IN THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE. THIS SURVEY WAS TIED TO THE INDIAN RIVER COUNTY REAL-TIME KINEMATIC GLOBAL POSITIONING NETWORK; DERIVING A GRID BEARING OF N00°02'39"E ALONG THE WEST LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 2, TOWNSHIP 33 SOUTH, RANGE 39 EAST.

CERTIFICATION

SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE

David M. Silon
 DAVID M. SILON P.S.M. DATE 12-12-16
 FLORIDA REGISTRATION No. 6139
 INDIAN RIVER ASSISTANT COUNTY SURVEYOR

SYMBOLS AND ABBREVIATIONS:

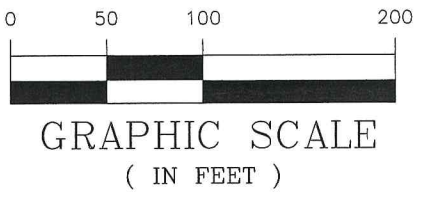
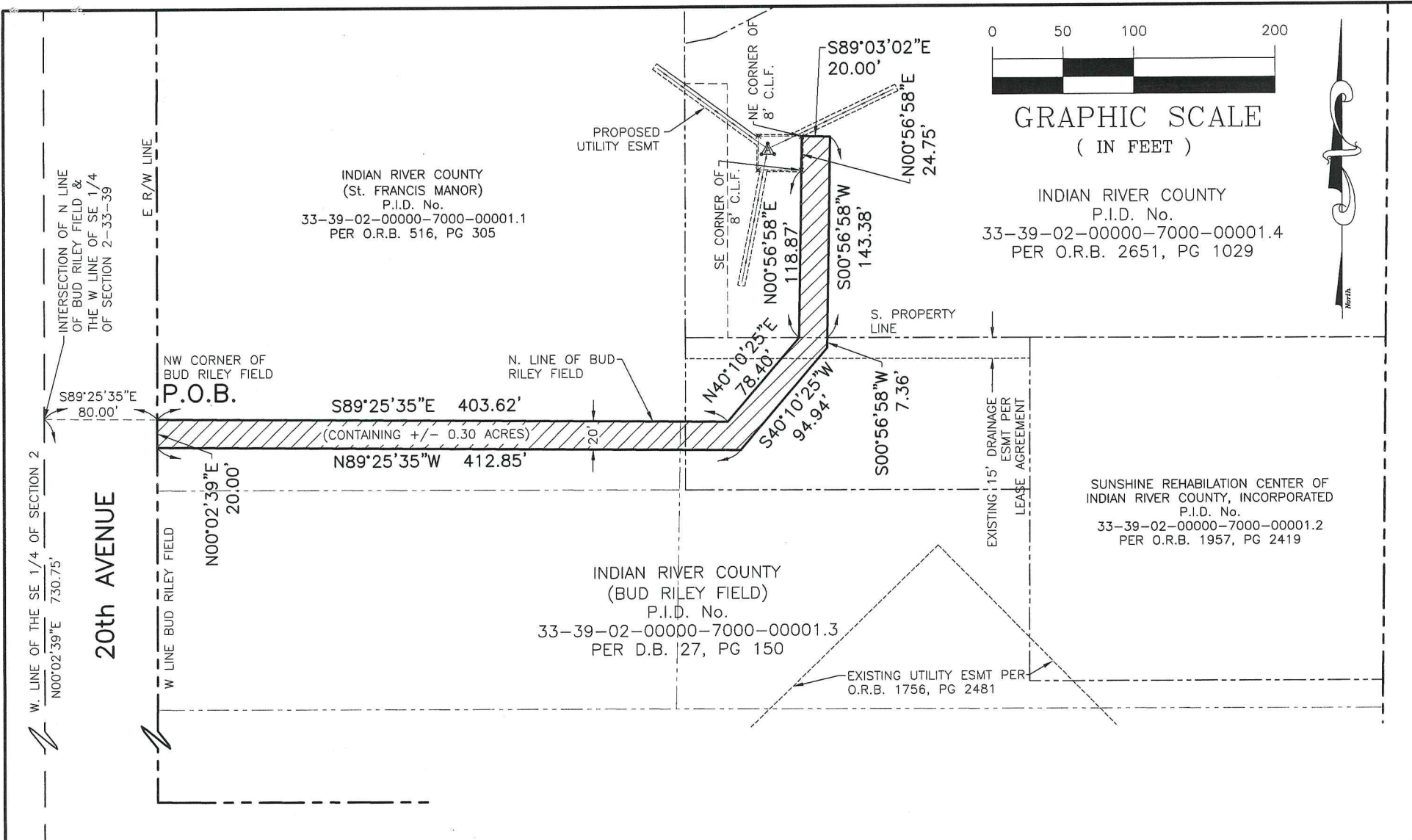
- C.L.F. = CHAIN LINK FENCE
- D.B. = DEED BOOK
- ESMT = EASEMENT
- O.R.B. = OFFICIAL RECORDS BOOK
- P.I.D. = PARCEL IDENTIFICATION PER PROPERTY APPRAISER
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- R/W = RIGHT OF WAY
- SEC = SECTION-TOWNSHIP-RANGE
-  = CELL TOWER
-  = GUY WIRE

NOT COMPLETE WITHOUT SHEET 2 OF 2.

THIS IS NOT A BOUNDARY SURVEY
 SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PREPARED FOR INDIAN RIVER COUNTY ENGINEERING DEPARTMENT

INDIAN RIVER COUNTY ADMINISTRATION BUILDING 1801 27th STREET VERO BEACH, FL 32960 (772) 567-8000	 INDIAN RIVER COUNTY Department of Public Works Engineering Division	DRAWN BY: <i>D.SILON</i>	SECTION 2	St. FRANCIS MANOR CELL TOWER INGRESS-EGRESS EASEMENT SKETCH OF DESCRIPTION	SHEET 1 OF 2
		APPROVED BY: <i>D.SILON</i>	TOWNSHIP 33S RANGE 39E		



INDIAN RIVER COUNTY
(St. FRANCIS MANOR)
P.I.D. No.
33-39-02-00000-7000-00001.1
PER O.R.B. 516, PG 305

INDIAN RIVER COUNTY
P.I.D. No.
33-39-02-00000-7000-00001.4
PER O.R.B. 2651, PG 1029

INDIAN RIVER COUNTY
(BUD RILEY FIELD)
P.I.D. No.
33-39-02-00000-7000-00001.3
PER D.B. 27, PG 150

SUNSHINE REHABILITATION CENTER OF
INDIAN RIVER COUNTY, INCORPORATED
P.I.D. No.
33-39-02-00000-7000-00001.2
PER O.R.B. 1957, PG 2419

NOT COMPLETE WITHOUT SHEET 1 OF 2.

THIS IS NOT A BOUNDARY SURVEY
SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PREPARED FOR INDIAN RIVER COUNTY ENGINEERING DEPARTMENT

INDIAN RIVER COUNTY ADMINISTRATION BUILDING
1801 27th STREET
VERO BEACH, FL 32960
(772) 567-8000



INDIAN RIVER COUNTY
Department of Public Works
Engineering Division

DRAWN BY:
D.SILON
APPROVED BY:
D.SILON

SECTION *2*
TOWNSHIP *33S.*
RANGE *39E.*

St. FRANCIS MANOR CELL
TOWER INGRESS-EGRESS EASEMENT
SKETCH OF DESCRIPTION

SHEET
2
OF *2*