

Baseline of Survey for State Road 60 (20th Street), a distance of 50.55 feet; thence South 00°28'56" East along a line at a right angle to the previously described course, a distance of 67.68 feet to the intersection of the Southerly Existing Right of Way line of said State Road 60 (20th Street) and the Easterly Existing Right of Way line of said County Road 611 (43rd Avenue) and the POINT OF BEGINNING; being the beginning of a curve concave Southerly, having a chord bearing of North 85°27'09" East; thence Easterly along said Southerly Existing Right of Way line of State Road 60 (20th Street) and said curve, having a radius of 12.00 feet, through a central angle of 10°03'33", an arc distance of 2.11 feet to the end of said curve; thence South 89°31'04" East continuing along said Southerly Existing Right of Way line of State Road 60 (20th Street), a distance of 17.90 feet; thence South 45°14'59" West, a distance of 28.17 feet to a point on said Easterly Existing Right of Way line of County Road 611 (43rd Avenue); thence North 00°01'01" East along said Easterly Existing Right of Way line of County Road 611 (43rd Avenue), a distance of 19.82 feet to the POINT OF BEGINNING.

Containing 200 square feet, more or less.

RECORDED

INSTRUMENT	DATE	GRANTOR	GRANTEE	O.R.B. & PAGE
Easement	02/10/97	Heon Yong Kim and Aeja Kim, husband and wife	Indian River County, Florida, a political subdivision of the State of Florida	O.R.B. 1139, PG. 0458
Grant of Easement	10/08/99	Heon Yong Kim and Aeja Kim, husband and wife	Indian River County, Florida, a political subdivision of the State of Florida	O.R.B. 1298, PG. 2460

PROVIDED that the COUNTY has the following rights:

1. The COUNTY 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 COUNTY or require the COUNTY 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 COUNTY 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 COUNTY agrees to repair any damage to FDOT facilities and to indemnify the FDOT against any loss or damage resulting from the COUNTY exercising its rights outlined in Paragraphs 1 and 3 above.

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

Signed, sealed and delivered in the presence of witnesses

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

Print Name: _____

By: _____
Name: GERRY O'REILLY
Title: District Secretary
for District IV

Print Name: _____

Attorney approved as to form:

Name: DAWN RADUANO

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this _____ day of _____, 201____, by GERRY O'REILLY, District Secretary for District IV, who is personally known to me or who has produced as identification.

Print Name: _____
Notary Public in and for the
County and State last aforesaid.
My Commission Expires: _____

Serial No., if any: _____

23-UTL.02-06/93

This instrument prepared
under the direction of:
Dawn Raduano, Esq.
Legal Description prepared by:
Louis Cefolia, P.S.M. (04/15/16)
Document prepared by:
Grace K. Abel (07/15/16)
Department of Transportation
Right of Way Production Services
3400 W. Commercial Boulevard
Ft. Lauderdale, Florida 33309

Parcel No. 103.3
Item/Segment No. 4317591
Section: 88060-2526
Managing District: 04
S.R. No. 60
County: Indian River

IN WITNESS WHEREOF, the County has caused these presents to be
executed in its name by its Board of County Commissioners acting by
the Chairman of said Board, the day and year aforesaid.

BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA

BY: _____
Joseph E. Flescher, Chairman

BCC Approved: _____


Approved:

By _____
Jason E. Brown
County Administrator

Attest: Jeffrey R. Smith
Clerk of Court and Comptroller

By: _____
Deputy Clerk

Approved as to form and
legal sufficiency



William K. DeBraal
Deputy County Attorney

STATE OF FLORIDA

COUNTY OF INDIAN RIVER

The foregoing instrument was acknowledged before me this _____
day of _____, 2017, by Joseph E. Flescher, Chairman, who is
personally known to me or who has produced _____
as identification.

Print Name: _____
Notary Public in and for the
County and State last aforesaid.
My Commission Expires: _____
Serial No., if any: _____