



*City of Vero Beach*  
17 17<sup>th</sup> Street  
Post Office Box 1389  
Vero Beach, Florida 32961  
(772) 978-5220 Fax: (772) 978-5215

Office of the Director  
Water and Sewer Dept.

June 16, 2020

Beth Powell  
Assistant Director  
Parks and Conservation Resources  
Indian River County  
5500 77<sup>th</sup> Street  
Vero Beach, FL 32967

**RE: Jones' Pier Utility Easement Deed (2020-EG-260)**

Dear Ms. Powell:

Attached, for Indian River County's execution, please find two (2) copies of the proposed Easement Deed, including sketch, for the sewer line related to the Jones' Pier project. Upon approval, please return both copies to me for final processing.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert J. Bolton", with a long horizontal line extending to the right.

Robert J. Bolton, P.E., Director  
Water and Sewer Department

RJB/sb  
Attachments (2 sets)

Prepared by and return to:  
City Attorney  
P.O. Box 1389  
Vero Beach, FL 32961-1389  
Property Appraiser's Parcel  
Identification No: 3139360000008000004.0

**UTILITY EASEMENT DEED  
(#2020-EG-260)**

**THIS INDENTURE** made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2020, (“Effective Date”) by and between **INDIAN RIVER COUNTY, a political subdivision of the state of Florida** (the “Grantor”), whose mailing address is 1801 27<sup>th</sup> Street, Vero Beach, Florida 32960, and the **CITY OF VERO BEACH, a Florida municipal corporation** (the “Grantee”), whose mailing address is P.O. Box 1389, Vero Beach, Florida 32961-1389.

(Wherever used herein the terms “Grantor” and “Grantee” include all the parties to this instrument and their respective heirs, legal representatives, successors, and assigns).

**WITNESSETH:**

That Grantor is the owner in fee simple of that certain real property located at **7770 Jungle Trail**, lying, situate, and being in Indian River County, Florida, more particularly described as:

The North 16.5 acres of the South 33 acres of Government Lots 8 and 9, Section 36, Township 31 South, Range 39 East, all lying and being in Indian River County, Florida. Less right of way for Jungle Trail survey baseline per maintenance map as recorded in Plat Book 9, Page(s) 40, Public Records of Indian River County, Florida, (hereinafter the “Property”).

That Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants to the Grantee an exclusive easement in perpetuity through, on, under and across the Property for utility purposes, which easement shall be as more particularly described in **Exhibit “A”** (hereinafter “Easement”), attached hereto and incorporated herein by reference, and which Easement shall run with and be a burden upon the Property.

Notwithstanding the foregoing, Grantor covenants to limit its improvements, construction, installations, equipment, and plantings (collectively hereinafter “Improvements”) on and in the Easement to those existing on the Effective Date hereof. In order to facilitate the orderly development of the Property, avoid damage or disruption to Grantee’s utility facilities, and avoid injury or death to persons, Grantor further covenants that it shall not construct, install, or allow the construction or installation of any other or additional improvements or installations of any kind or nature on or in the Easement without prior review and approval by Grantee’s planning and development, public works, and water & sewer departments.

Grantor further grants to the Grantee, as part of this Easement, a general easement for ingress, egress, and regress over and across the driveways, parking, common, and open areas of

the Property for the purpose of access to and maintenance, repair, or replacement of any or all of Grantee's equipment, water improvements, or related facilities. Grantee shall cause the restoration of any disturbance to or upon the Property and repair any damage to Grantor's Improvements (which shall only include those Improvements existing on the Effective Date and those subsequently constructed or installed with Grantee's approval pursuant hereto) caused by the acts or omissions of Grantee, its employees, agents, or contractors, which restoration and repair shall be completed without expense to Grantor. Grantee shall not be otherwise responsible for maintenance, restoration, or repair of the Property or Easement or any Improvement or other installation thereon or therein.

The undersigned hereby covenants and warrants that Grantor owns the said land described herein and the undersigned, as or on behalf of Grantor, has the right to grant this Easement.

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**SIGNATURE PAGES TO FOLLOW**  
**[Remainder of Page Intentionally Left Blank]**

**IN WITNESS WHEREOF**, the Grantor has duly authorized and caused this Indenture to be executed in its name as of the day and year first herein written.

**BOARD OF COUNTY COMMISSIONERS  
OF INDIAN RIVER COUNTY**

By: \_\_\_\_\_

By: \_\_\_\_\_

Susan Adams, Chairman

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

BCC Approved Date: \_\_\_\_\_

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

By: \_\_\_\_\_

Deputy Clerk

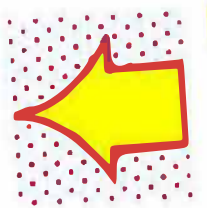
Approved: \_\_\_\_\_

Jason E. Brown, County  
Administrator

Approved as to form and legal sufficiency:

By: \_\_\_\_\_

Dylan Reingold, County Attorney



**ACCEPTANCE OF CONVEYANCE**

The foregoing conveyance is hereby accepted by the City of Vero Beach, Florida, as evidenced by the signature of the undersigned, who is authorized to accept this conveyance.

ATTEST:

**CITY OF VERO BEACH:**

\_\_\_\_\_  
Tammy K. Bursick  
City Clerk

By: \_\_\_\_\_  
Monte K. Falls, P.E.  
City Manager

SEAL

Date: \_\_\_\_\_

**ADMINISTRATIVE REVIEW**  
(For Internal Use Only—Sec. 2-77 COVB Code)

Approved as to form and legal sufficiency:

Approved as to technical requirements:

\_\_\_\_\_  
John S. Turner  
City Attorney

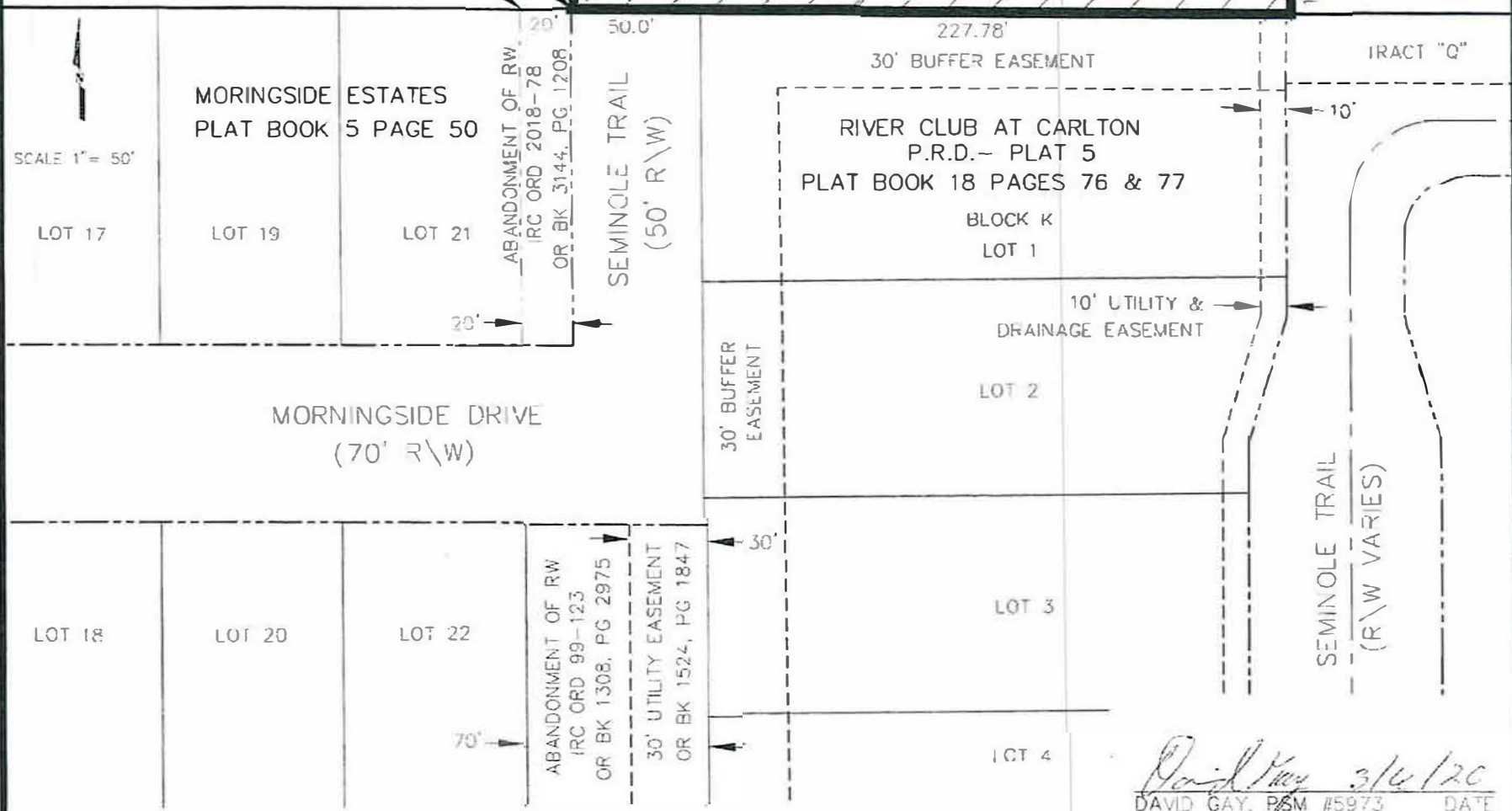
\_\_\_\_\_  
Robert J. Bolton, P.E.  
Director, Water & Sewer

POINT OF BEGINNING  
(15' UTILITY EASEMENT)

POINT OF COMMENCEMENT  
(NE CORNER OF LOT 21)

INDIAN RIVER COUNTY  
7770 JUNGLE TRAIL  
PARCEL # 31-39-36-00000-0060-00004.0

SUBJECT EASEMENT  
(15' x 277.78' UTILITY)



SCALE 1" = 50'

LOT 17

LOT 19

LOT 21

MORINGSIDE ESTATES  
PLAT BOOK 5 PAGE 50

ABANDONMENT OF RW  
IRC ORD 2018-78  
OR BK 3144, PG 1208

SEMINOLE TRAIL  
(50' R\W)

RIVER CLUB AT CARLTON  
P.R.D.- PLAT 5  
PLAT BOOK 18 PAGES 76 & 77

BLOCK K  
LOT 1

10' UTILITY &  
DRAINAGE EASEMENT

LOT 2

MORNINGSIDE DRIVE  
(70' R\W)

30' BUFFER  
EASEMENT

SEMINOLE TRAIL  
(R\W VARIES)

LOT 18

LOT 20

LOT 22

ABANDONMENT OF RW  
IRC ORD 99-123  
OR BK 1308, PG 2975

30' UTILITY EASEMENT  
OR BK 1524, PG 1847

LOT 3

LOT 4

THIS SKETCH IS NOT A SURVEY

*David Gay* 3/4/20  
DAVID GAY, PSM #5973 DATE

SHEET 2 OF 2

CITY OF VERO BEACH  
DEPARTMENT OF PUBLIC WORKS  
SURVEY & ENGINEERING DIVISION

SKETCH OF PROPERTY DESCRIPTION  
UTILITY EASEMENT  
PORTION OF GOVERNMENT LOTS 8 & 9  
SECTION 30-31-39

EXHIBIT "A"		REV. NO.	FEHR2023
CITY PROJECT NO. 2020-EG-260		DRWN BY	DAVID R. GAY
DATE 03/2020	DRWN BY DG	CHKD BY MTM	DESCRIPTION

