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1840 25th St., Vero Beach,
Florida 32960

9/88(PLAN2)LEGAL(WCC/nhm)

583713

GRANT OF EASEMENT

195/554

22nd THIS GRANT OF EASEMENT, made and executed this day of December, 1988, by KENNETH L. EARNHEART and BRENDA E. EARNHEART, his wife, and JAMES ROBERT JORDAN and DORIS MAY JORDAN, his wife, whose mailing address is 13622 Indian River Drive, Sebastian, Florida 32958, hereinafter called GRANTORS, to INDIAN RIVER COUNTY, a political subdivision of the State of Florida, whose mailing address is 1840 25th Street, Vero Beach, Florida 32960, hereinafter called GRANTEE.

(Whenever used herein, the terms GRANTORS and GRANTEE include all the parties to this instrument and their heirs, legal representatives, successors, and assigns.)

WITNESSETH: That Grantors, for and in consideration of the following:

1. Indian River County's agreement to pay the sum of four thousand two hundred dollars (\$4,200.00) as the fair market value of repair and reconstruction of a carport and utility structure currently situated over this stormwater and drainage easement;

2. Indian River County's agreement that the County will replace, at the County's expense in the event that any damages to the well are caused by the construction of the drainage structure being replaced; and

3. Indian River County's agreement to remove the existing structure and debris and to restore and sod the construction area upon completion of the culvert replacement;

and with the understanding that all outside contracting for the replacement of the structure and temporary relocation of the water pump will be the responsibility of the Grantors, and hereby acknowledging the receipt of the \$4,200.00 fair market value as stated above in paragraph 1, the Grantors by these presents do grant, bargain, sell, alienate, remise, release, convey, and confirm unto the Grantee, a perpetual 20-foot easement for DRAINAGE along, over, across and beneath the following described land, situate in Indian River County, Florida, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

AND Grantors hereby covenant with said Grantee that they are lawfully seized of said servient land, and that they have good right and lawful authority to convey the easement established hereby and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered
in the presence of:

Wilfrid P. Collier
Witness

Kenneth L. Earnheart

William A. May
Witness

William S. Collins
Witness

William A. May
Witness

William S. Collins
Witness

William A. May
Witness

William S. Collins
Witness

William A. May
Witness

Brenda E. Earnheart
Brenda E. Earnheart

James Robert Jordan
James Robert Jordan

Doris May Jordan
Doris May Jordan

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

BEFORE ME, the undersigned authority, this day appeared KENNETH L. EARNHEART, well known to me to be the person described in and who executed the foregoing instrument, and he acknowledged before me that he executed the same for the purposes therein expressed.

Lee R. Keller
Notary Public

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES MAY 15, 1992
BONDED THRU AGENT'S NOTARY BROKERAGE

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

BEFORE ME, the undersigned authority, this day appeared BRENDA E. EARNHEART, well known to me to be the person described in and who executed the foregoing instrument, and she acknowledged before me that she executed the same for the purposes therein expressed.

Lee R. Keller
Notary Public

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES MAY 15, 1992
BONDED THRU AGENT'S NOTARY BROKERAGE

BY *[Signature]*
CLERK OF CIRCUIT COURT
INDIAN RIVER CO., FLA.

J K BARTON

RECORD VERIFIED

SEARCHED INDEXED

FILED FOR RECORD

RECEIVED
FEB 24 1989
89 JAN 24 PM 12

O.R. 0820 PG 2268

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

BEFORE ME, the undersigned authority, this day appeared JAMES ROBERT JORDAN, well known to me to be the person described in and who executed the foregoing instrument, and he acknowledged before me that he executed the same for the purposes therein expressed.

Lea R. Kelleher
Notary Public
NOTARY PUBLIC, STATE OF FLORIDA, #14-0000000000000000
MY COMM'S OF EXP. ES. 5-15-1992
OO DEO THRU AG NY N.Y. HY BROKERAGE
STATE OF FLORIDA

My Commission Expires:
5-15-92

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

BEFORE ME, the undersigned authority, this day appeared DORIS MAY JORDAN, well known to me to be the person described in and who executed the foregoing instrument, and she acknowledged before me that she executed the same for the purposes therein expressed.

Lea R. Kelleher
Notary Public
NOTARY PUBLIC, STATE OF FLORIDA, #14-0000000000000000
MY COMM'S OF EXP. ES. 5-15-1992
OO DEO THRU AG NY N.Y. HY BROKERAGE

My Commission Expires:
5-15-92

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
BY *W.G. Collins*
WILLIAM G. COLLINS II
ASST. COUNTY ATTORNEY

DRAINAGE EASEMENT

The South 20 feet, measured perpendicular to the South line of the South 100 feet of that part of the following described tract lying between Old U.S. #1 Highway (now known as Indian River Drive) and the Indian River.

Commence at an iron pipe on the north edge of the paving of the road leading from State Road Number Four to the Town of Roseland and on the centerline of the Old Dixie Highway and run

South $20^{\circ} 08'$ East along the centerline of Old Dixie Highway a distance of 1068.63 feet for a POINT OF BEGINNING. Then run

North $59^{\circ} 09'$ East to the shore of the Indian River; then run

Southeasterly on a straight line along the shore of the Indian River a distance of 200 feet. Then run

South $59^{\circ} 09'$ West to the center of Old Dixie Highway. Then run

North on the centerline of Old Dixie Highway to the POINT OF BEGINNING, said property being in (Government) Lots 5 and 7, Section 25, Township 30 South, Range 38 East, in Indian River County, Florida.

EXHIBIT "A"

O.R. 0820 PG 2270