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the County Attorney's Office,  
1840 25th St., Vero Beach,  
Florida 32960

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

583713

GRANT OF EASEMENT

195/554

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;

DOC. ST. - AMT. \$ 55  
J.K. BARTON, Clerk of Circuit Court  
Indian River County - by

*William A. MacWilliam*

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:

*William A. MacWilliam*  
Witness

*William A. MacWilliam*  
Witness

*Kenneth L. Earnheart*  
Kenneth L. Earnheart

William S. Collins Jr  
Witness

William A. May Jr  
Witness

Brenda E. Earnheart  
Brenda E. Earnheart

William S. Collins Jr  
Witness

William A. May Jr  
Witness

James Robert Jordan  
James Robert Jordan

William S. Collins Jr  
Witness

William A. May Jr  
Witness

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

My Commission Expires:  
5-15-92

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

My Commission Expires:  
5-15-92

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

FILED FOR RECORD  
BOOK AND PAGE ABOVE  
RECORD VERIFIED  
89 JAN 24 PM 12:12  
J. K. BARTON  
CLERK OF CIRCUIT COURT  
INDIAN RIVER CO., FLA.  
BY John D.C.

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. Harris  
Notary Public

My Commission Expires:

5-15-92

NOTARY PUBLIC, STATE OF FLORIDA  
MY COMMISSION EXPIRES 5-15-1992  
DO NOT SIGN THROUGH AGENT'S FEE

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. Harris  
Notary Public

My Commission Expires:

5-15-92

NOTARY PUBLIC, STATE OF FLORIDA  
MY COMMISSION EXPIRES 5-15-1992  
DO NOT SIGN THROUGH AGENT'S FEE

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY William G. Collins II  
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° 08' East along the centerline of Old Dixie Highway a distance of 1068.63 feet for a POINT OF BEGINNING. Then run*

*North 59° 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° 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"**