

TEMPORARY CONSTRUCTION AGREEMENT

THIS AGREEMENT dated this 10th day of November, 2004, by and between the BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, a political subdivision of the State of Florida, hereinafter referred to as the "County", and DAVID W. KIRKPATRICK, JR., and PATRICIA T. KIRKPATRICK, his wife, whose address is 10214 Raider Lane, Fairfax, VA 22030, hereinafter referred to as "Grantor".

FOR and IN CONSIDERATION of ten and no/100 Dollars (\$10.00), and other mutually agreed upon consideration, the parties agree as follows:

1. Grantor hereby grants to the County a temporary construction easement to the real property set forth in the attached Exhibit "A".

2. This temporary construction easement shall be in full force and effect for six (6) months from the date of the joint execution of this Agreement.

3. County shall have the right to extend the temporary construction easement for two (2) additional three (3) months periods upon written notification to Grantor.

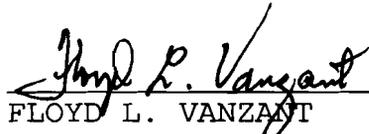
4. This Temporary Construction Easement is required due to the County's Scott Road Drainage project.

5. The County agrees to restore the area of the easement with sod of equal type.

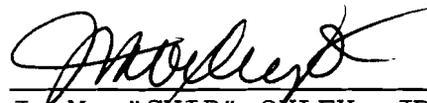
6. Grantor has read this Agreement and understands the provisions set forth herein.

7. Time is of the essence.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

  
\_\_\_\_\_  
FLOYD L. VANZANT  
Its: Chairman

ATTEST:

  
\_\_\_\_\_  
J. M. "CHIP" OXLEY, JR.  
Its: Ex-Officio Clerk

Approved as to form by the  
Nassau County Attorney

  
\_\_\_\_\_  
MICHAEL S. MULLIN

"GRANTOR"

  
\_\_\_\_\_  
DAVID W. KIRKPATRICK, JR.

  
\_\_\_\_\_  
PATRICIA T. KIRKPATRICK

STATE OF VIRGINIA

COUNTY OF Fairfax

The foregoing instrument was acknowledged before me this 4 day of November, 2004, by **DAVID W. KIRKPATRICK, JR.,** and **PATRICIA T. KIRKPATRICK,** his wife, who are personally known to me or who have produced driver's license as identification and who did take an oath.

Thonda L. Busch

NOTARY PUBLIC  
My Commission Expires: 7-31-08

z/aryers/scott-rd/Kirkpatrick-temp-const-easement

# MANZIE & DRAKE LAND SURVEYING

Michael A. Manzie, P.L.S. • Vernon N. Drake, P.S.M. • Frank L. Bowen, P.S.M.

## LEGAL DESCRIPTION DRAINAGE EASEMENT

A PORTION OF LOT 16, "OCEAN FOREST", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 124, OF THE OFFICIAL RECORDS OF NASSAU COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 16; THENCE NORTH 51°28'49" EAST, ALONG THE NORTHERLY LINE OF SAID LOT 16, A DISTANCE OF 21.87 FEET; THENCE SOUTH 36°59'30" EAST, A DISTANCE OF 14.59 FEET ; THENCE SOUTH 35°30'21" EAST A DISTANCE OF 75.52 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 16; THENCE SOUTH 51°28'49" WEST, ALONG THE SOUTHERLY LINE OF SAID LOT 16, A DISTANCE OF 17.81 FEET TO THE SOUTHWEST CORNER OF SAID LOT 16 ; THENCE NORTH 38°19'41" WEST, ALONG THE WESTERLY LINE OF SAID LOT 16, A DISTANCE OF 90.00 TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 1799.88 SQUARE FEET MORE OR LESS.

### EXHIBIT "A"



MICHAEL A. MANZIE, P.L.S.  
FLORIDA REGISTRATION NO. 4069  
JOB NO. 16023