

EASEMENT AGREEMENT

**THIS EASEMENT AGREEMENT** dated this 24th day of August, 2009, by and between **GREGORY ALAN POPE** and **JAMIE M. POPE** hereinafter referred to as "Grantors" and **BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA**, a political subdivision of the State of Florida, hereinafter referred to as the "County".

**WHEREAS** the County intends to make repairs to Grantors' property located at 241889 County Road 121, Hilliard, Florida 32046 (Parcel Identification No.14-4N-23-0000-0016-0140) and more particularly as described in Exhibit "A" attached hereto (hereinafter the "Subject Property");

**WHEREAS** the requisite repairs to the pond and surrounding areas located on the Subject Property are necessary in order to keep public roadways safe from damage by erosion;

**NOW THEREFORE** in consideration of mutual covenants the receipt and sufficiency of which are hereby acknowledged the parties agree as follows:

1. Grantor hereby grants to the County a temporary construction easement across the Subject Property in order to make the repairs it deems necessary for the installation, restoration and repair of the pond and drainage facilities in order to insure the integrity of the public right of way.

2. This temporary construction easement shall be in full force and effect for one year from the date that the construction will commence. This Agreement may be extended by mutual consent of the parties.

3. The County shall make reasonable efforts to minimize access to the subject land not essential in either the transportation of materials or repairs to dam.

4. The County agrees that in the event of construction under this temporary construction easement, wherein the surface condition of the property is substantially disturbed or damage to structures occur, outside of the agreed upon restoration and repairs, that the County will ensure the surface condition of the land or structure is returned to a comparable state to that prior to the commencement of construction.

**[SIGNATURES ON FOLLOWING PAGE]**

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

*[Handwritten Signature]*  
BARRY V. HOLLOWAY  
Its: Chairman

ATTEST AS TO CHAIRMAN'S  
SIGNATURE:

*[Handwritten Signature]*  
JOHN A. CRAWFORD  
Its: Ex-Officio Clerk *PK 9/8/09*

Approved as to form by the  
Nassau County Attorney

*[Handwritten Signature]*  
DAVID A. HALLMAN

"GRANTORS"

*[Handwritten Signature]*  
Witness Monica Allen

*[Handwritten Signature]*  
Witness Connie Laurendine

*[Handwritten Signature]* 8-7-09  
GREGORY ALAN POPE

*[Handwritten Signature]*  
JAMIE M. POPE

STATE OF Florida  
COUNTY OF Nassau

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of August, 2009, by Gregory Alan + Jamie M. who is (are) personally known to me or who have produced personally known as identification and who did take an oath.

*[Handwritten Signature]*  
Doris A. Hodges  
NOTARY PUBLIC  
State of Florida at Large  
My Commission Expires:

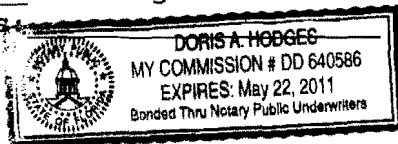


EXHIBIT "A"

That certain piece, parcel or tract of land situate, lying and being part of Section 12, Township 4 North, Range 23 East in Nassau County, Florida, and more fully described as follows:

Commence at the intersection of the southeasterly right of way line of Sate Road 121 (a 100 foot right of way as now established) with the southwesterly right of way line of the Seaboard Coast Line Railroad (a 200 foot right of way as now established); thence along the southeasterly right of way line of said State Road No. 121, South 16 degrees 47 minutes 00 seconds West 1345.67 feet to a Point of Beginning; thence continue along said southeasterly right of way line South 16 degrees 47 minutes 00 seconds West, 250.00 feet; thence North 82 degrees 34 minutes 28 seconds East, 1622.62 feet to the aforementioned southwesterly right of way line of the Seaboard Coast Line Railroad; thence South 74 degrees 39 minutes 15 seconds West 347.20 feet; thence North 89 degrees 37 minutes 42 seconds West, 465.16 feet; thence South 16 degrees 47 minutes 00 seconds West, 300 feet; thence North 89 degrees 37 minutes 42 seconds West 290.0 feet to the Point of Beginning.

This being the same property described in Warranty Deed Dated August 29, 1996, from Benjamin Cassidy and Joy Cassidy to Gregory Alan Pope and Jamie M. Pope, and recorded in Book 770, Page 799, Official Records of Nassau County, Florida.