

CS-13-235

This instrument prepared by:  
Nassau County Road and Bridge Department  
96161 Nassau Place  
Yulee, FL 32097

**GRANT OF EASEMENT AND  
PERPETUAL MAINTENANCE AGREEMENT**

THIS EASEMENT AGREEMENT dated this <sup>22nd</sup> ~~21~~ day of <sup>September</sup> ~~August~~, 2014, by <sup>BW</sup>  
and between **KENNETH M. DYAL**, hereinafter referred to as "Grantors", and the  
**BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA**, a political  
subdivision of the State of Florida, hereinafter referred to as the "County".

**WHEREAS** Grantors are the owners of certain lands identified in Nassau  
County Official Record Book 1319, Page 1073 as Parcel Number 10-2N-23-0000-  
0008-0060 (the "Subject Property"); and

**WHEREAS** Grantors desire to convey to the County a Temporary  
Construction Easement for the construction of proposed improvements within  
their property, which Temporary Construction Easement Area is more particularly  
described in Exhibit "A" attached hereto; and

**WHEREAS** Grantors desire to convey to the County a Permanent Drainage  
Easement for the perpetual maintenance of the proposed improvement, which  
Permanent Drainage Easement Area is more particularly described in Exhibit "B"  
attached hereto; and

**WHEREAS** the County shall construct the aforementioned drainage improvements that will include double 54-inch cross drains sand cement end walls, and associated roadway and erosion control measures within the Temporary Construction Easement in order to replace the existing culverts and endwalls; and

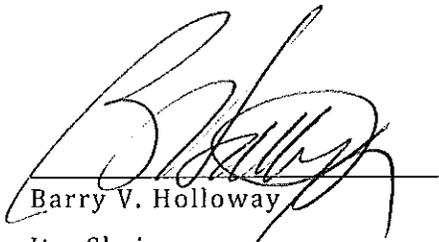
**WHEREAS** the County shall maintain in perpetuity the aforementioned drainage improvements with the Permanent Drainage Easement.

**FOR and IN CONSIDERATION** of the mutual covenants and agreements hereinafter contained, the parties hereto agree as follows:

1. Grantor hereby dedicates to the County for public use a non-exclusive Temporary Construction Easement as well as a non-exclusive Perpetual Drainage Easement in, over, under, upon, and through the Easement Areas fully described in Exhibits "A" and "B" attached hereto.
2. The County shall contain all proposed construction activities lying within the Temporary Construction Easement areas and maintain, in perpetuity all proposed drainage improvements lying within the Permanent Drainage Easement area. Except during construction or in emergency circumstances, the County shall enter upon the easement area during normal business hours, for maintenance purposes.

3. In the event any maintenance performed by the County, modifies, damages or disturbs the surface of the Easement Area, the County will make reasonable repairs to restore the surface area.
4. This Agreement shall run with title to the Subject Property and shall be binding on the Grantors' successors, assigns, and heirs. This Agreement shall inure to the benefit of the County, its successors and assigns.
5. This Agreement shall be recorded in the public records of Nassau County, Florida.
6. This Agreement is to be governed by the laws of Florida in all respects without reference to the laws of any other state or nation. The venue of any action taken pursuant to this Contract shall be in Nassau County, Florida.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

  
\_\_\_\_\_  
Barry V. Holloway  
Its: Chairman

Attest as to Chair's  
Signature:

  
\_\_\_\_\_  
JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

Approved as to form by the  
Nassau County Attorney

  
\_\_\_\_\_  
DAVID A. HALLMAN

MES  
09/23/14

"GRANTORS"

Witnesses:

Rebecca K. Hiers

Print Name: Rebecca K. Hiers

Kenneth M. Dyal

Kenneth M. Dyal

Karen M. Austin

Print Name: Karen M. Austin

STATE OF FL

COUNTY OF Nassau

The foregoing instrument was acknowledged before me this 21 day of August, 2014, by Kenneth Dyal, who is personally known to me or who has produced D400-513-58-123-0 as identification and who did take an oath.

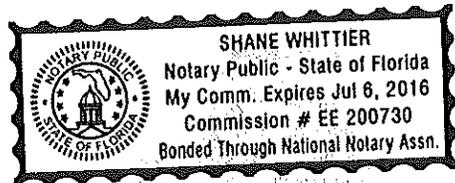
Shane Whittier

Shane Whittier

NOTARY PUBLIC

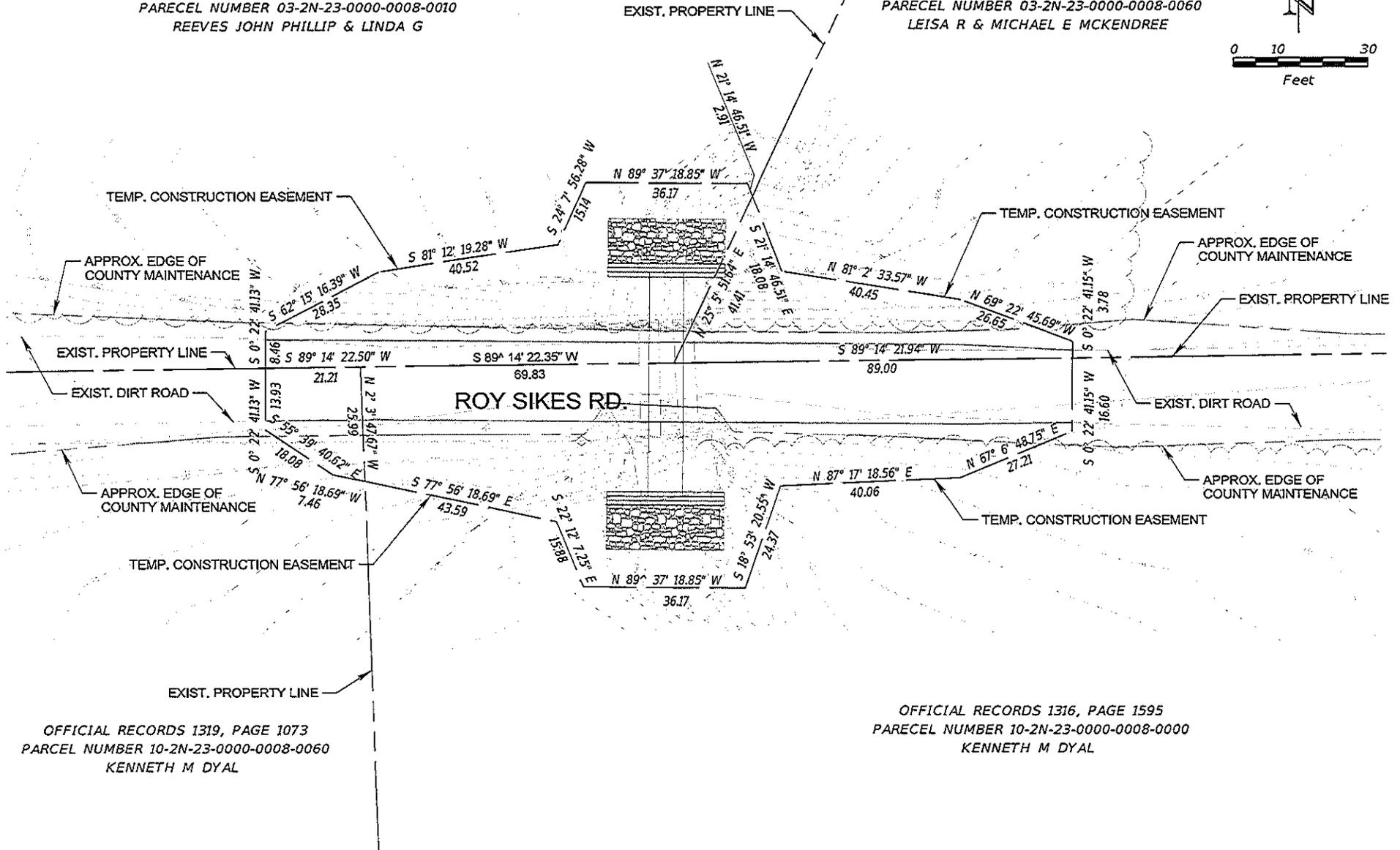
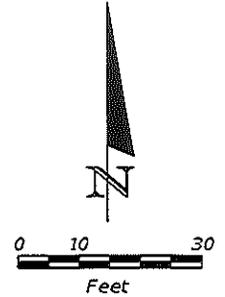
State of FL at Large

My Commission Expires: 7/6/16



OFFICIAL RECORDS 1081, PAGE 438  
 PARCEL NUMBER 03-2N-23-0000-0008-0010  
 REEVES JOHN PHILLIP & LINDA G

OFFICIAL RECORDS 1025, PAGE 1824  
 PARCEL NUMBER 03-2N-23-0000-0008-0060  
 LEISA R & MICHAEL E MCKENDREE



OFFICIAL RECORDS 1319, PAGE 1073  
 PARCEL NUMBER 10-2N-23-0000-0008-0060  
 KENNETH M DYAL

OFFICIAL RECORDS 1316, PAGE 1595  
 PARCEL NUMBER 10-2N-23-0000-0008-0000  
 KENNETH M DYAL

Engineer of Record:

**EltonAlan**  
 Consulting Engineers | General Contractors  
 Certificate of Authorization No. 30320

Michael E. Holcomb  
 P.E. # 40147  
 3653 Regent Blvd.  
 Unit 606  
 Jacksonville, FL 32224  
 (904) 891-0306  
 www.EltonAlan.com



NASSAU COUNTY  
 ENGINEERING

CONSTRUCTION PLANS FOR:

**ROY SIKES RD.**

Paul

**TEMP. CONSTRUCTION EASEMENT  
 EXHIBIT A**

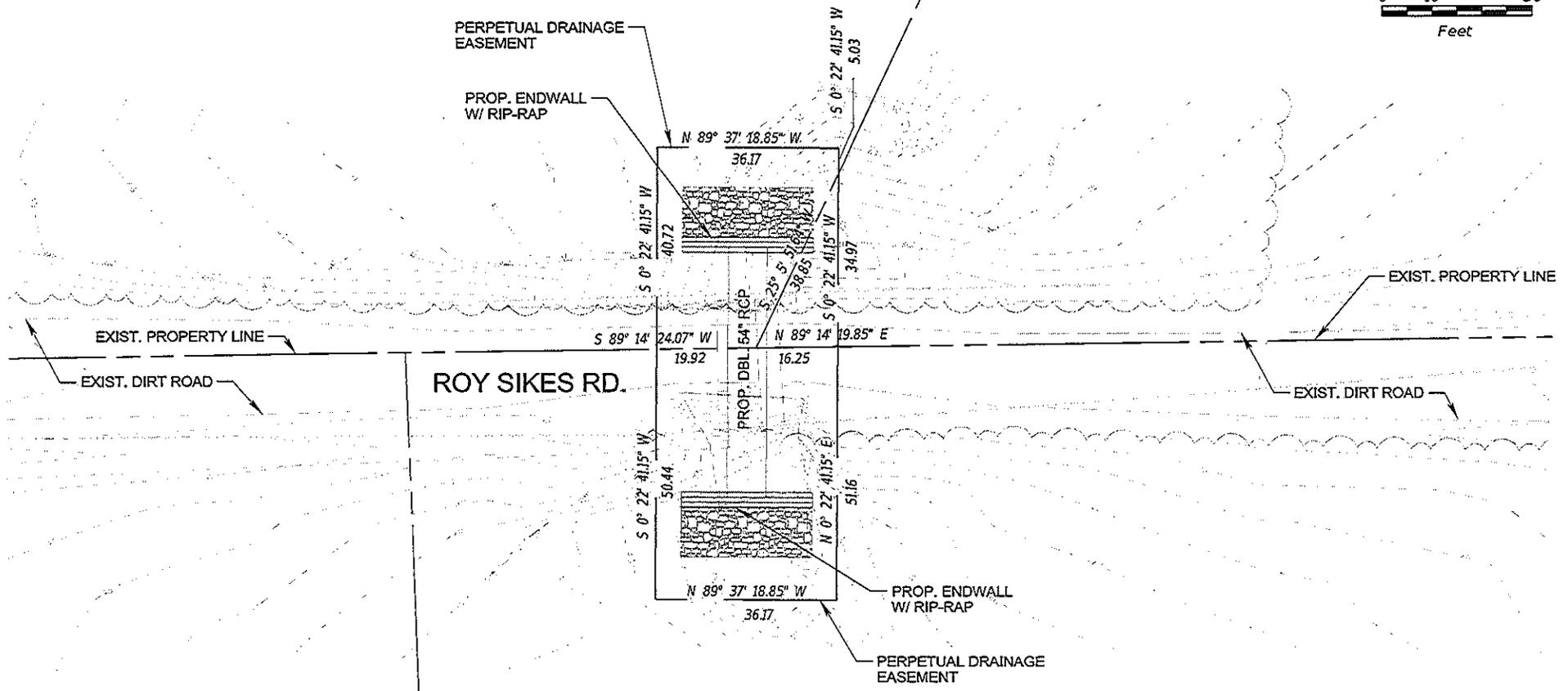
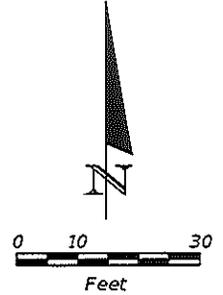
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 ENGINEERING

CONSTRUCTION PLANS FOR:

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**PERPETUAL DRAINAGE EASEM  
 EXHIBIT B**