

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

**GRANT OF EASEMENT AND  
PERPETUAL MAINTENANCE AGREEMENT**

**20th**  
THIS EASEMENT AGREEMENT dated this \_\_\_day of **January**, 201**6**, by  
and between **JODY ALLEN SPIVEY** hereinafter referred to as "Grantors", their  
successors and assigns, 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 more fully showing  
Exhibit "A" attached hereto (the "Subject Property"); and

**WHEREAS** Grantors desire to convey to the County a 30 foot wide Easement  
for drainage purposes, which Easement Area more particularly described in  
Exhibit "B" attached hereto; and

**WHEREAS** the Easement is to accommodate runoff in existing outfall onto  
the Subject Property and an existing prescriptive interest in said lands pursuant  
thereto; and

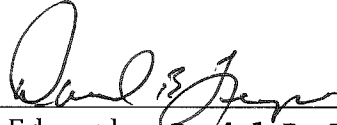
**WHEREAS**, the County has determined that the easement and maintenance  
of the easement, as set forth herein, is a benefit to the citizens of Nassau County;  
and

**WHEREAS** the County shall construct the necessary improvements on The Easement Area to accommodate drainage of storm water runoff from the public right of way.

**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 perpetual drainage easement in, over, under, upon, and through the Easement Area fully described in Exhibit "B" attached hereto.
2. The County shall maintain all necessary improvements, based on County's discretion, lying within the Easement Area. Except in emergency circumstances, the County shall enter upon the Easement Area during normal business hours, for maintenance purposes.
3. 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.
4. This Agreement shall be recorded in the public records of Nassau County, Florida.
5. This Agreement is to be governed by the laws of the State of Florida. The venue of any action taken pursuant to this Contract shall be in Nassau County, Florida.
6. Both parties have contributed to the drafting of this Agreement.

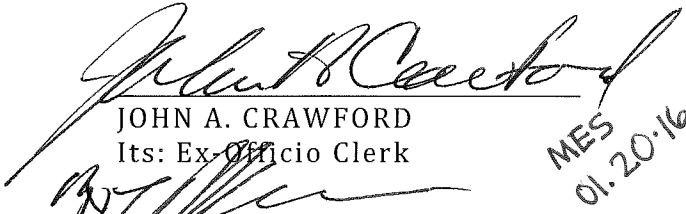
BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA



~~Pat Edwards~~ **Daniel B. Leeper**

~~Its: Chairman~~ **Vice Chairman**

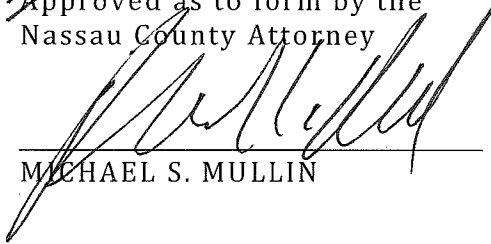
Attest as to Chairman's  
Signature:



**JOHN A. CRAWFORD**  
Its: Ex-Officio Clerk

MES  
01.20.16

Approved as to form by the  
Nassau County Attorney



**MICHAEL S. MULLIN**

"GRANTORS"

Witnesses:

Doreen D. Rae

Print Name: Doreen D. Rae

Jody Allen Spivey  
JODY ALLEN SPIVEY

Patricia A. McCrae  
Print Name: PATRICIA A. MCCRAE

STATE OF FLORIDA  
COUNTY OF NASSAU

The foregoing instrument was acknowledged before me this 3 day of November 2015, by Jody Spivey, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

Karla Milton

NOTARY PUBLIC  
State of Florida at Large  
My Commission Expires: \_\_\_\_\_



②

Exhibit "A"

This instrument was prepared by and when recorded, return to:  
\* Joseph Clay Meux, Jr., Attorney At Law  
Cooke & Meux, P.A.  
501 Riverside Avenue, Suite 903  
Jacksonville, Florida 32202

**AMENDED WARRANTY DEED**

**THIS INDENTURE**, made effective the 26<sup>th</sup> day of December 2007, by **MONROE G. SPIVEY and JOANN A. SPIVEY**, husband and wife, whose address is 34307 Ballpark Road, Callahan, Florida 32011-6244 ("Grantors"), and **JODY ALLEN SPIVEY**, a single man, whose address is 34273 Ballpark Road, Callahan, Florida 32011, ("Grantee").

**WITNESSETH:** That the Grantors, for and in consideration of love and affection and as a gift to Grantee, the receipt whereof is hereby acknowledged, have granted, bargained and conveyed to the Grantee, his successors and assigns forever, the following described parcel of land situate lying and being in the County of Nassau, State of Florida, to wit:

A portion, part or tract of land, located in the Southwest (1/4) of the Northwest (1/4) of Section 35, Township 2 North, Range 24 East, Nassau County, Florida, being more particularly described as follows: Commence at the Northwest corner of said Section 35; thence South 0°30'35" East along the Westerly Boundary of said Section 35, 1362.76 feet to the Northwest corner of the Southwest (1/4) Quarter of the North (1/4) Quarter; thence North 88°57'25" East 774.0 feet along the Northerly Boundary of the said Southwest (1/4) Quarter to the Point of Beginning; thence continue along said Northerly Boundary North 88°57'25" East, 175.01 feet to a point; thence South 0°12'05" East, 529.85 feet to a point; thence South 88°52'02" West, 175.01 feet to a point; thence North 0°12'05" West, 530.12 feet to the point of beginning, containing 2.0 acres more or less.

**Together with a 2003 JACO Double Wide Mobile Home Vin #JAC FL 23907A and JAC FL 23907B.**

Also known as: 34273 Ballpark Road, Callahan, Florida 32011.

**THIS AMENDED DEED IS EXECUTED TO INCLUDE THE SPECIFIC DESCRIPTION OF THE ABOVE MOBILE HOME WHICH WAS PREVIOUSLY INADVERTENTLY OMMITTED.**

**SUBJECT** to the following:

1. Real estate taxes for the current year and subsequent years;
2. Easements, covenants, conditions, restrictions and reservations of record, reference to which shall not operate to reimpose same;
3. Matters which a current survey or careful inspection of the property and any improvements thereon would reveal;

R. 18.50  
D. .70  
CC 3.50  
22.70

Exhibit "A"

4. Laws, codes, rules and regulations of any governmental authority having jurisdiction over the property.

Grantors do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantors have caused these presents to be executed the day and year first above written.

Signed, sealed and delivered in our presence:

Nancy C. Stapleton  
Sign Name **Nancy C. Stapleton**

Print Name

Monroe G. Spivey  
**MONROE G. SPIVEY**  
34307 Ballpark Road  
Callahan, Florida 32011-6244

Kellie Stapleton  
Sign Name **Kellie Stapleton**

Print Name

JoAnn A. Spivey  
**JOANN A. SPIVEY**  
34307 Ballpark Road  
Callahan, Florida 32011-6244

**STATE OF FLORIDA  
COUNTY OF DUVAL**

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of June, 2008, by Monroe G. Spivey and JoAnn A. Spivey, husband and wife.

Nancy C. Stapleton  
Sign Name  
**Nancy C. Stapleton**

Print Name

Notary Public in and for the County and State aforesaid

My commission expires:

Personally known  or produced Identification   
Type of Identification Produced - a current State driver's license or other: \_\_\_\_\_

KIND OF I.D.

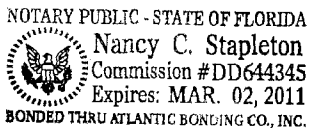
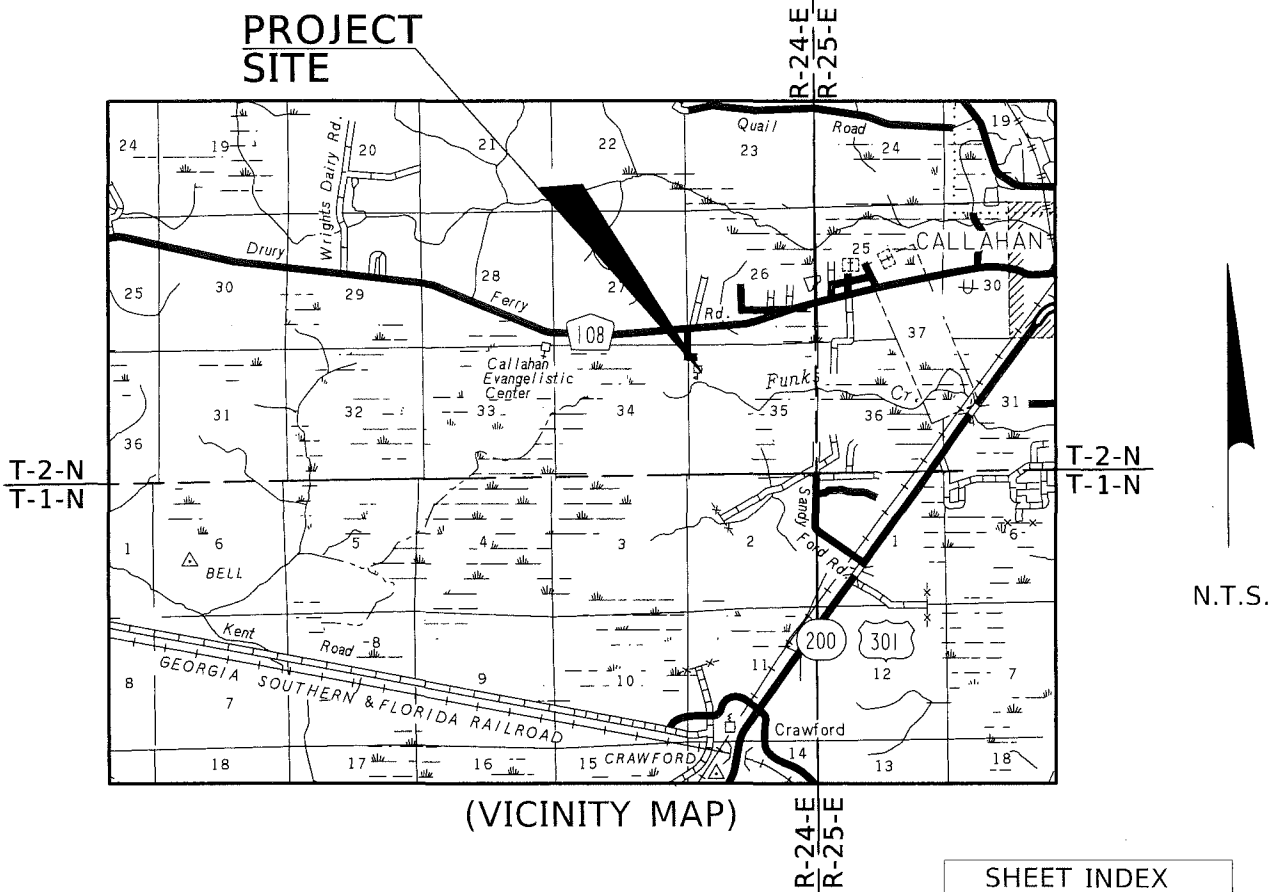


Exhibit "B"

**SKETCH AND DESCRIPTION  
BALL PARK ROAD  
DRAINAGE EASEMENT  
SECTION 35  
TOWNSHIP 2 NORTH, RANGE 24 EAST  
PARCEL 2**



SHEET INDEX	
1	COVER SHEET
2	LEGEND SHEET
3	DETAIL SHEET
4	DESCRIPTION
5	CERTIFICATION

1. THIS SKETCH IS NOT A BOUNDARY SURVEY.
2. THE SOLE PURPOSE OF THIS SKETCH IS TO GRAPHICALLY ILLUSTRATE THE PROPOSED EASEMENT.
3. THE BEARINGS SHOWN HEREON ARE BASED ON THE DEED BEARING OF S 00°30'35" E, ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 2 NORTH, RANGE 24 EAST.

		<b>NASSAU COUNTY, FLORIDA</b>	
		<b>SKETCH AND DESCRIPTION - NOT A FIELD SURVEY</b>	
		<b>34273 BALL PARK ROAD</b>	
		<b>NASSAU COUNTY</b>	
	BY	DATE	PREPARED BY: DRMP, INC. 8001 BELFORT PARKWAY, SUITE 200 JACKSONVILLE, FLORIDA 32256 LB#2648
	DRAWN	S.NELMS	07-22-15
	CHECKED	C.FAUST	07-25-15
REVISION	BY	DATE	DRMP JOB NO. 15-0276.000
			SECTION N/A
			SHEET 1 OF 5

# LEGEND

*Exhibit B*

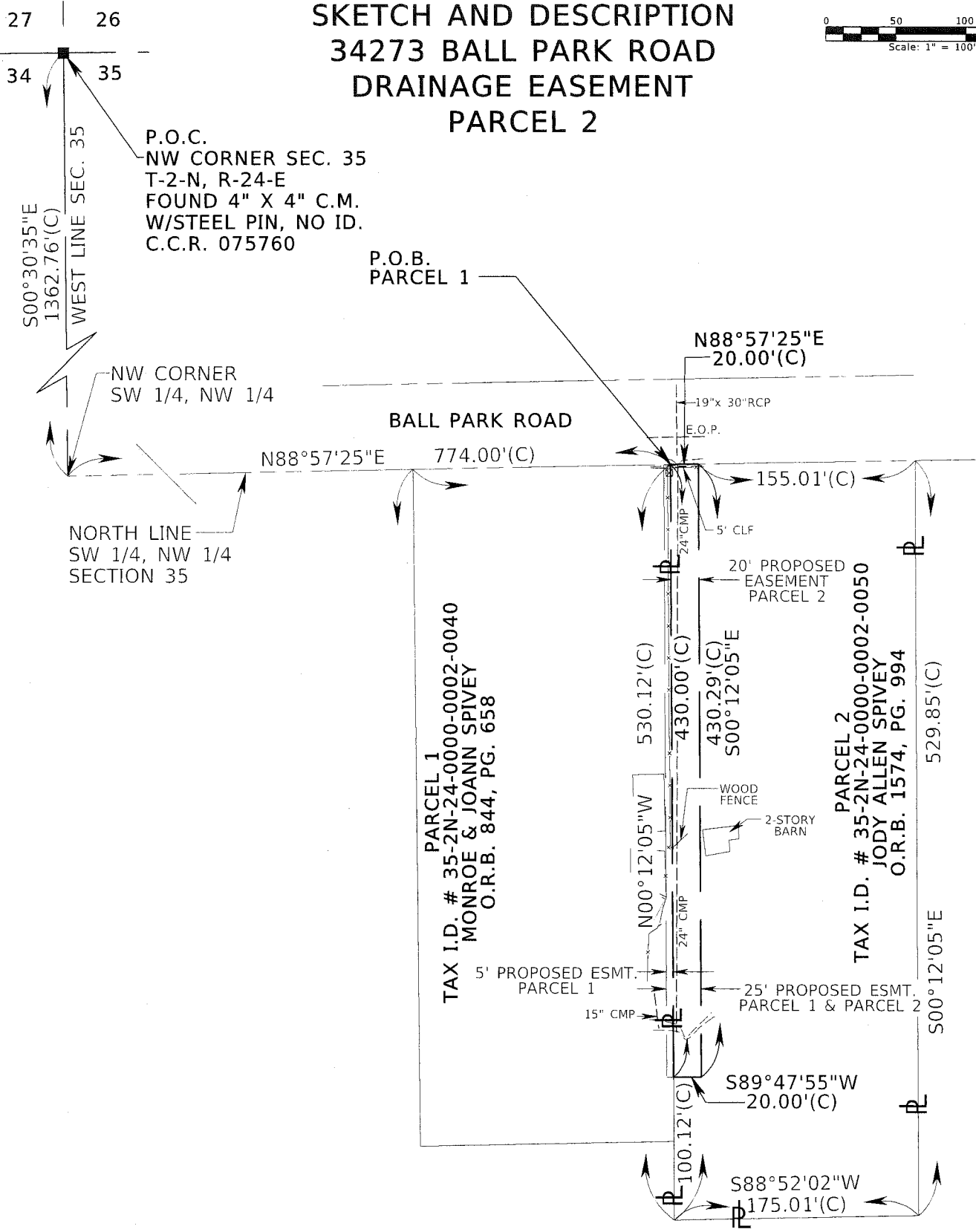
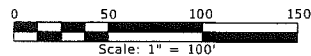
- |   |  |
|---|--|
| <p>ALUM. = ALUMINUM<br/>         A.P. = ASPHALT PAVEMENT<br/>         &amp; = AND<br/>         B = BASELINE<br/>         (C) = CALCULATED<br/>         C1 = CURVE DATA<br/>         C.B. = CHORD BEARING<br/>         C.D. = CHORD DISTANCE<br/>         CLF = CHAIN LINK FENCE<br/>         C.M. = CONCRETE MONUMENT<br/>         CMP = CORRUGATED METAL PIPE<br/>         COR. = CORNER<br/>         C.C.R. = CERTIFIED CORNER RECORD<br/>         C.R. = COUNTY ROAD<br/>         Δ = DELTA<br/>         E: = EASTING<br/>         E.O.P. = EDGE OF PAVEMENT<br/>         ESMT. = EASEMENT<br/>         EXIST. = EXISTING<br/>         (F) = FIELD DATA<br/>         F.P. = FINANCIAL PROJECT<br/>         FDEP = FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION<br/>         F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION<br/>         FKA = FORMERLY KNOWN AS<br/>         FND. = FOUND<br/>         GOV. = GOVERNMENT<br/>         HWF = HOGWIRE FENCE<br/>         INC. = INCORPORATED<br/>         ID. = IDENTIFICATION<br/>         I.R.&amp;C. = IRON ROD &amp; CAP<br/>         L.B. = LICENSED (SURVEY) BUSINESS<br/>         L.A. = LIMITED ACCESS<br/>         L = ARC DISTANCE<br/>         LT. = LEFT<br/>         M.B. = MAP BOOK<br/>         N: = NOTHING</p> | <p>N.A.D. = NORTH AMERICAN DATUM<br/>         N.T.S. = NOT TO SCALE<br/>         NO. = NUMBER<br/>         O.R.B. = OFFICIAL RECORD BOOK<br/>         (P) = PLAT<br/>         P.B. = PLAT BOOK<br/>         P.C. = POINT OF CURVATURE<br/>         P.E. = PERPETUAL EASEMENT<br/>         PG. = PAGE<br/>         P.K. = "PARKER-KALON" BRAND<br/>         P. = PROPERTY LINE<br/>         P.O.B. = POINT OF BEGINNING<br/>         P.O.C. = POINT OF COMMENCEMENT<br/>         P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER<br/>         P.T. = POINT OF TANGENCY<br/>         R = RANGE/RADIUS<br/>         RCP = REINFORCED CONCRETE PIPE<br/>         R/W = RIGHT OF WAY<br/>         RT. = RIGHT<br/>         SJRWMD = ST. JOHNS RIVER WATER MANAGEMENT DISTRICT<br/>         SEC. = SECTION<br/>         S.R. = STATE ROAD<br/>         STA. = STATION<br/>         T = TOWNSHIP<br/>         T.I.I.T.F. = TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND<br/>         W/ = WITH</p> |
|---|--|

		<b>NASSAU COUNTY, FLORIDA</b>	
		<b>SKETCH AND DESCRIPTION - NOT A FIELD SURVEY</b>	
		<b>34273 BALL PARK ROAD</b>	<b>NASSAU COUNTY</b>
	BY	DATE	PREPARED BY: DRMP, INC. 8001 BELFORT PARKWAY, SUITE 200 JACKSONVILLE, FLORIDA 32256 LB#2648
	DRAWN	S.NELMS	07-22-15
	CHECKED	C.FAUST	07-25-15
REVISION	BY	DATE	DATA SOURCE: 15-0246.000
			DRMP JOB NO. 15-0276.000      SECTION N/A      SHEET 2 OF 5



Exhibit "B"

# SKETCH AND DESCRIPTION 34273 BALL PARK ROAD DRAINAGE EASEMENT PARCEL 2



NASSAU COUNTY, FLORIDA				
SKETCH AND DESCRIPTION - NOT A FIELD SURVEY				
34273 BALL PARK ROAD			NASSAU COUNTY	
	BY	DATE	PREPARED BY: DRMP, INC. 8001 BELFORT PARKWAY, SUITE 200 JACKSONVILLE, FLORIDA 32256 LB#2648	DATA SOURCE: 15-0246.000
	DRAWN	S.NELMS	07-22-15	
REVISION	BY	DATE	CHECKED	C.FAUST
			07-25-15	
			DRMP JOB NO. 15-0276.000	SECTION N/A
			SHEET 3 OF 5	

Exhibit B

PARCEL 2  
PARCEL NO. 35-2N-24-0000-0002-0050  
JODY ALLEN SPIVEY  
OFFICIAL RECORDS BOOK 1574, PAGE 994

BEING A PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 35,  
TOWNSHIP 2 NORTH, RANGE 24 EAST, NASSAU COUNTY, FLORIDA, AND BEING MORE PARTICULARLY  
DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 4"x4" CONCRETE MONUMENT, WITH NO IDENTIFICATION, MARKING THE  
NORTHWEST CORNER OF SECTION 35, TOWNSHIP 2 NORTH, RANGE 24 EAST, NASSAU COUNTY,  
FLORIDA; THENCE SOUTH 00°30'35" WEST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF  
SAID SECTION 35, A DISTANCE OF 1362.76 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST  
QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH 88°57'25" EAST, ALONG THE NORTH LINE OF  
SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 774.00 FEET TO THE  
NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1574, PAGE 994 OF THE  
PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA BEING THE **POINT OF BEGINNING**; THENCE CONTINUE  
NORTH 88°57'25" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 20.00 FEET; THENCE SOUTH  
00°12'05" EAST, A DISTANCE OF 430.29 FEET; THENCE SOUTH 89°47'55" WEST, A DISTANCE OF 20.00  
FEET TO THE WEST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1574, PAGE 994;  
THENCE NORTH 00°12'05" WEST, ALONG SAID WEST LINE, A DISTANCE OF 430.00 FEET TO THE **POINT  
OF BEGINNING**.

CONTAINING 8,603 SQUARE FEET (0.197 ACRE) OF LAND, MORE OR LESS.

			NASSAU COUNTY, FLORIDA			
			SKETCH AND DESCRIPTION - NOT A FIELD SURVEY			
			34273 BALL PARK ROAD		NASSAU COUNTY	
			BY	DATE	PREPARED BY: DRMP, INC. 8001 BELFORT PARKWAY, SUITE 200 JACKSONVILLE, FLORIDA 32256 LB#2648	DATA SOURCE: 15-0246.000
			DRAWN	S.NELMS	07-22-15	
REVISION	BY	DATE	CHECKED	C.FAUST	07-25-15	DRMP JOB NO. 15-0276.000
						SECTION N/A
						SHEET 4 OF 5

Exhibit 'B'

**SURVEYOR'S CERTIFICATION:**

I HEREBY CERTIFY THAT THE SKETCH AND DESCRIPTION SHOWN HEREON MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS AND CONTAINED IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027 FLORIDA STATUTES AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION

*C. William Faust III*      7/29/15  
 \_\_\_\_\_  
 CLYDE WILLIAM FAUST, III, P.S.M.      DATE  
 FLORIDA PROFESSIONAL LAND SURVEYOR AND MAPPER No. 6600

THIS SKETCH AND DESCRIPTION AND COPIES THEREOF ARE NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND ORIGINAL RAISED SEAL.

			<b>NASSAU COUNTY, FLORIDA</b>			
			<b>SKETCH AND DESCRIPTION - NOT A FIELD SURVEY</b>			
			<b>34273 BALL PARK ROAD</b>		<b>NASSAU COUNTY</b>	
				BY	DATE	PREPARED BY: DRMP, INC. 8001 BELFORT PARKWAY, SUITE 200 JACKSONVILLE, FLORIDA 32256 LB#2648
						DATA SOURCE: 15-0246.000
			DRAWN	S.NELMS	07-22-15	
			CHECKED	C.FAUST	07-25-15	
REVISION	BY	DATE	DRMP JOB NO. 15-0276.000		SECTION N/A	SHEET 5 OF 5