

PERMANENT FIRE HYDRANT EASEMENT AGREEMENT

(HERON CREEK MIDDLE SCHOOL)

THIS EASEMENT AGREEMENT is made this __ day of _____, 2009 by and between **The School Board of Sarasota County, Florida**, a body corporate under the laws of the State of Florida, hereinafter called Grantor, whose address is 1960 Landings Boulevard, Sarasota, Florida 34231, and the **City of North Port, Florida**, a municipal subdivision of the State of Florida, hereinafter called Grantee, whose mailing address is 4970 City Hall Boulevard, North Port, Florida 34286.

WITNESSETH

Grantor, for and in consideration of Ten Dollars (\$10.00) and other valuable considerations, does hereby grant unto Grantee a non-exclusive permanent easement in and over that certain property as described in "Sketch of Description – Fire Hydrant Easement" consisting of three pages prepared by Strayer Surveying & Mapping Inc. and dated October 13, 2009, a copy of which is attached hereto as Exhibit "A" and by its reference made a part hereof. Said easement, located in the City of North Port, Sarasota County, Florida, is for the purposes of constructing, maintaining or repairing a fire hydrant and underground utility improvements servicing that hydrant.

RESERVING UNTO GRANTOR, however, all right, title, interest and privilege in the full enjoyment of such property, and the use thereof, for all purposes not inconsistent with the use hereinabove specified.

This Easement is granted by Grantor and accepted by Grantee subject to the following conditions which Grantee covenants and agrees to perform:

1. To exercise due care in the use of the easements.
2. To cause no unnecessary or unreasonable obstruction or interruption of travel over or upon the same.
3. To limit the use of the easements for the purposes set forth herein.
4. To use the easements hereby granted so as to prevent the creation of any obstruction or condition which is or may become dangerous to Grantor, its guests, employees, invitees, licensees or the public in general, and to use the easement with due regard to the rights of the Grantor.
5. Grantee understands this easement is a non-exclusive easement and agrees to use the same with due consideration of the rights of Grantor and other easement holders.

This Easement shall be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name by its undersigned duly authorized officers the day and year first above written.

The School Board of Sarasota County,
Florida

Witness No. 1

Caroline Zucker, Chair

Printed Name

Witness No. 2

Printed Name

APPROVED FOR LEGAL CONTENT
October 20, 2009

By:

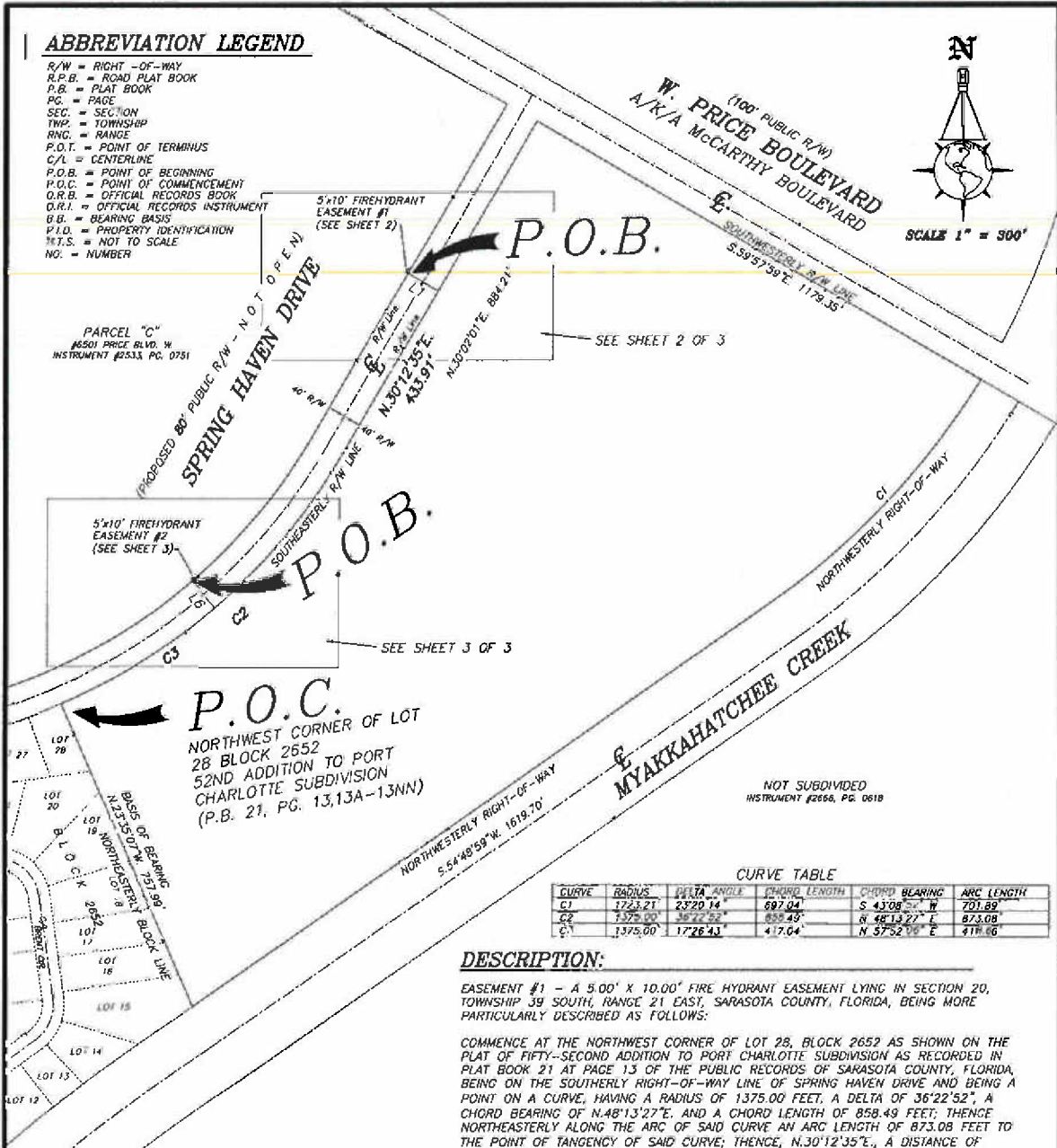


Jeffrey A. Grebe, Esq.
WILLIAMS PARKER HARRISON
DIETZ & GETZEN
200 S. Orange Avenue
Sarasota, Florida 34236

ATTORNEYS FOR THE SCHOOL
BOARD OF SARASOTA COUNTY

ABBREVIATION LEGEND

- R/W = RIGHT-OF-WAY
- R.P.B. = ROAD PLAT BOOK
- P.B. = PLAT BOOK
- PG. = PAGE
- SEC. = SECTION
- TWP. = TOWNSHIP
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- %T.S. = NOT TO SCALE
- NO. = NUMBER



CURVE TABLE

| CURVE | RADIUS | DELTA ANGLE | CHORD LENGTH | CHORD BEARING | ARC LENGTH |
|-------|---------|-------------|--------------|---------------|------------|
| C1 | 1263.21 | 37°20'14" | 697.04' | S 43°08'00" W | 701.89' |
| C2 | 1375.00 | 36°22'52" | 858.49' | N 48°13'27" E | 873.08' |
| C3 | 1375.00 | 17°26'43" | 417.04' | N 57°52'10" E | 418.66' |

DESCRIPTION:

EASEMENT #1 - A 5.00' X 10.00' FIRE HYDRANT EASEMENT LYING IN SECTION 20, TOWNSHIP 39 SOUTH, RANGE 21 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 28, BLOCK 2652 AS SHOWN ON THE PLAT OF FIFTY-SECOND ADDITION TO PORT CHARLOTTE SUBDIVISION AS RECORDED IN PLAT BOOK 21 AT PAGE 13 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SPRING HAVEN DRIVE AND BEING A POINT ON A CURVE, HAVING A RADIUS OF 1375.00 FEET, A DELTA OF 36°22'52", A CHORD BEARING OF N.48°13'27"E, AND A CHORD LENGTH OF 858.49 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 873.08 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE, N.30°12'35"E, A DISTANCE OF 433.91 FEET; THENCE N.59°47'25"W, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING; THENCE N.59°47'25"W, A DISTANCE OF 5.00 FEET; THENCE N.30°12'35"E, A DISTANCE OF 10.00 FEET; THENCE S.59°47'25"E, A DISTANCE OF 5.00 FEET; THENCE S.30°12'35"W, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 50 SQUARE FEET±

TOGETHER WITH,

EASEMENT #2 - A 5.00' X 10.00' FIRE HYDRANT EASEMENT LYING IN SECTION 20, TOWNSHIP 39 SOUTH, RANGE 21 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 28, BLOCK 2652 AS SHOWN ON THE PLAT OF FIFTY-SECOND ADDITION TO PORT CHARLOTTE SUBDIVISION AS RECORDED IN PLAT BOOK 21 AT PAGE 13 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SPRING HAVEN DRIVE AND BEING A POINT ON A CURVE, HAVING A RADIUS OF 1375.00 FEET, A DELTA OF 17°26'43", A CHORD BEARING OF N.57°52'06"E, AND A CHORD LENGTH OF 417.04 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 418.66 FEET; THENCE N.40°51'15"W, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.40°51'15"W, A DISTANCE OF 5.00 FEET TO A POINT ON A CURVE, HAVING A RADIUS OF 1290.00 FEET, A DELTA OF 00°26'39", A CHORD BEARING OF N.48°55'26"E, AND A CHORD LENGTH OF 10.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 10.00 FEET; S.41°17'34"E, A DISTANCE OF 5.00 FEET TO A POINT ON A CURVE, HAVING A RADIUS OF 1295.00 FEET, A DELTA OF 00°26'39", A CHORD BEARING OF S.48°55'26"W, AND A CHORD LENGTH OF 10.04 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 10.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 50 SQUARE FEET±

ALL OF THE ABOVE PROPERTY LYING AND BEING IN THE CITY OF NORTH PORT, SARASOTA COUNTY, FLORIDA.

**SKETCH OF DESCRIPTION
FIRE HYDRANT EASEMENT**
(NOT A BOUNDARY SURVEY)

PREPARED FOR: CHARLOTTE ENGINEERING
FILE NO. 08-04-09P

DATE OF SKETCH: 07/06/09, REVISED 10/13/09
**THIS SKETCH DOES NOT REPRESENT A
BOUNDARY SURVEY**

STRAYER SURVEYING & MAPPING, INC.
LICENSED SURVEYOR BUSINESS NO. 6639

B. GREGORY RIETH
FLORIDA SURVEYOR & MAPPER REG'N NO. 5228

"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL
OF A FLORIDA LICENSED SURVEYOR AND MAPPER."

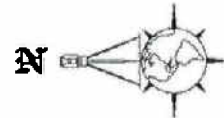


742 Shamrock Boulevard Venice,
Florida 34293
(941) 496-9488
Fax (941) 497-6186

335 Tamiami Trail
Port Charlotte, Florida 33953
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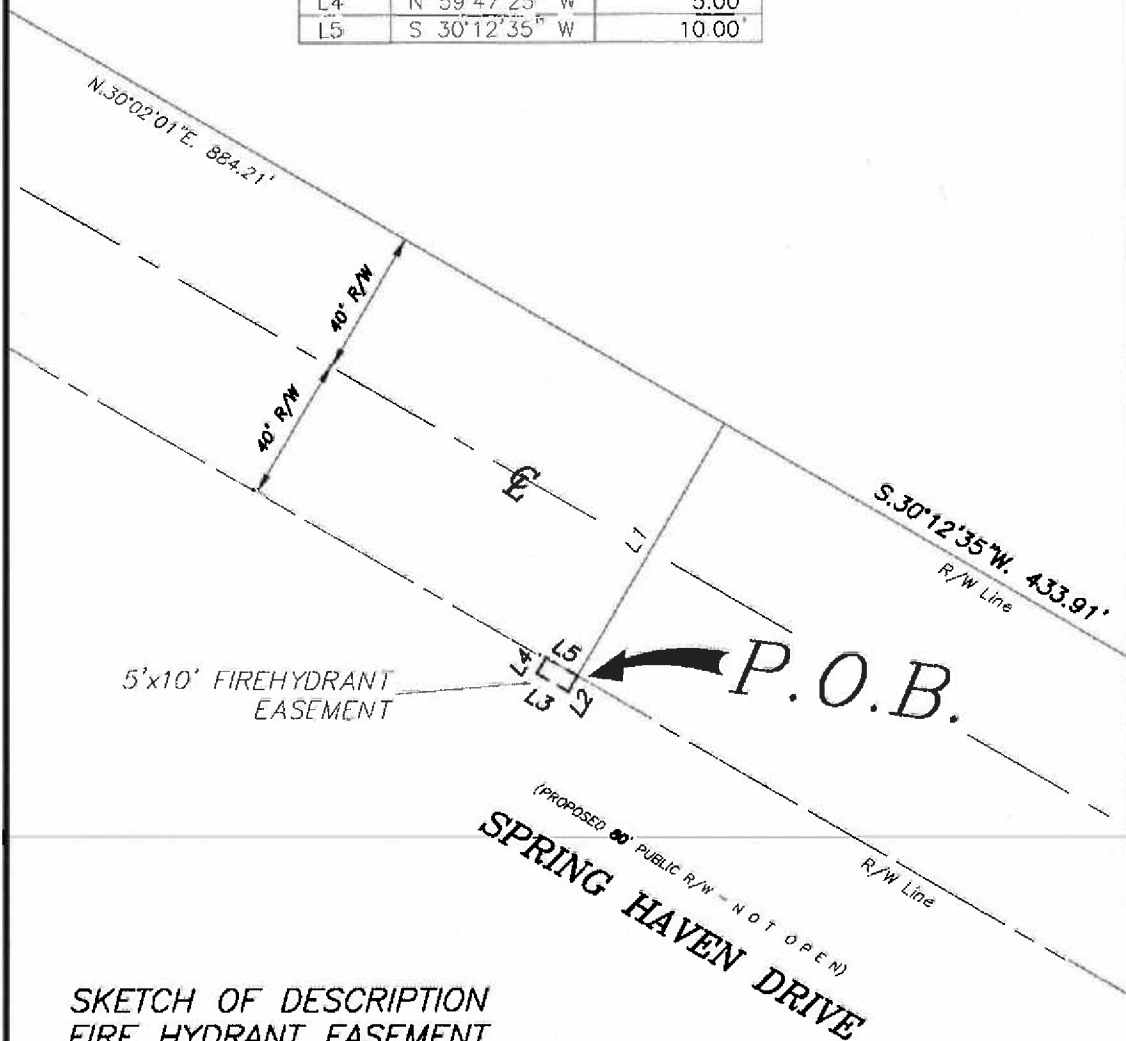
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SCALE 1" = 40'

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | N 59°47'25" W | 80.00' |
| L2 | N 59°47'25" W | 5.00' |
| L3 | N 30°12'35" E | 10.00' |
| L4 | N 59°47'25" W | 5.00' |
| L5 | S 30°12'35" W | 10.00' |



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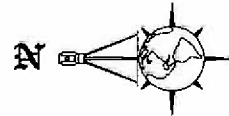
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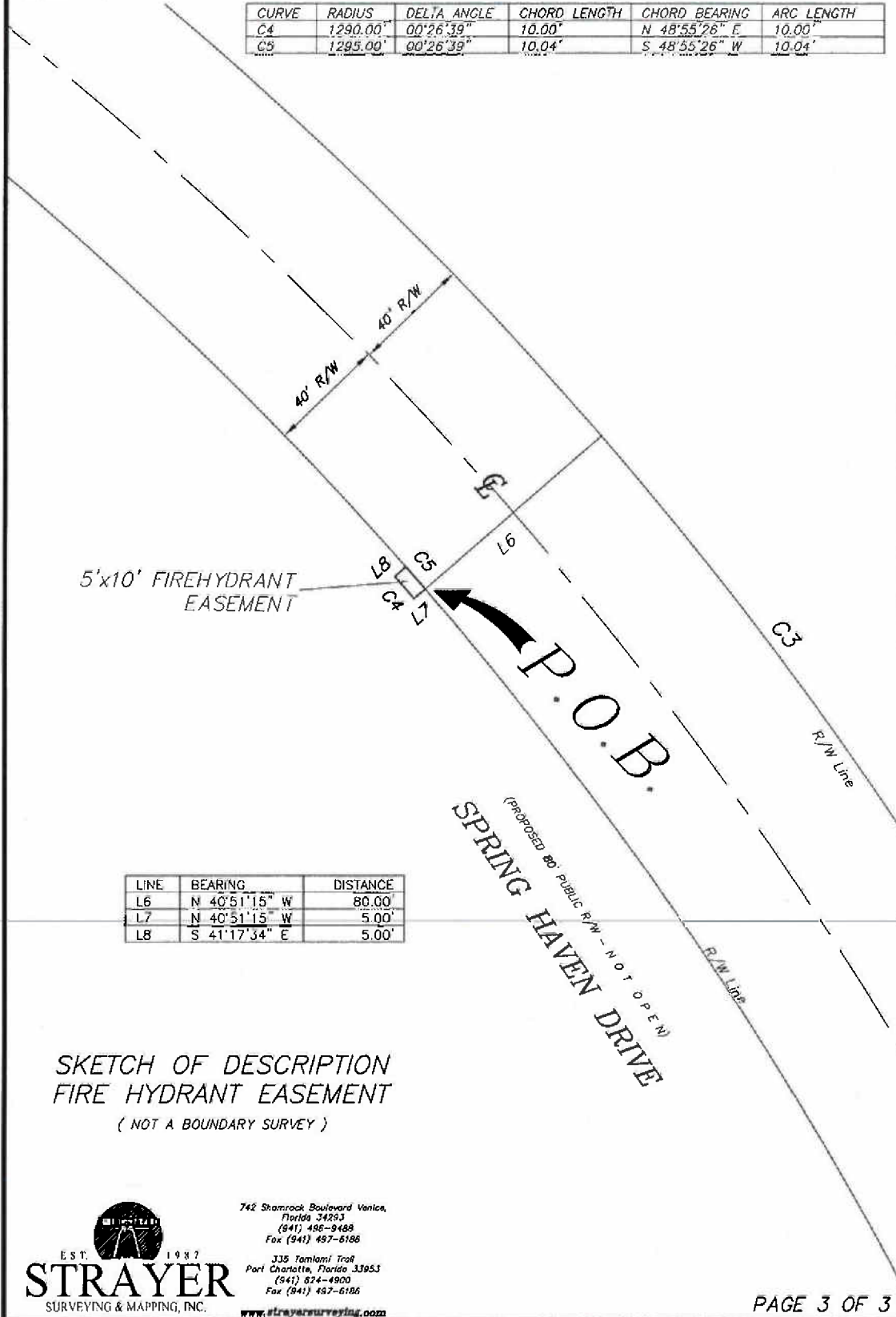
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|-------|----------|-------------|--------------|---------------|------------|
| C4 | 1290.00' | 00°26'39" | 10.00' | N 48°55'26" E | 10.00' |
| C5 | 1295.00' | 00°26'39" | 10.04' | S 48°55'26" W | 10.04' |



5'x10' FIREHYDRANT EASEMENT

(PROPOSED 80' PUBLIC R/W - NOT OPEN)
 SPRING HAVEN DRIVE

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L6 | N 40°51'15" W | 80.00' |
| L7 | N 40°51'15" W | 5.00' |
| L8 | S 41°17'34" E | 5.00' |

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