

Prepared By and Return To:
John B. Moss, Esq.
Head, Moss, Fulton & Griffin, P.A.
1530 Business Center Drive, Suite 4
Fleming Island, FL. 32003

DECLARATION AND GRANT OF EASEMENT

This Declaration and Grant of Easement (hereinafter referred to as the "Easement") is made as of the 8 day of August, 2013 by Paul Bucci, whose address is 1963 Hickory Trace Drive, Fleming Island, Florida 32203, (hereinafter referred to as "Grantor"), all current and future Owners of the Via Mare Condominiums as described in Section 1 (below) and Via Mare Condominium Association, Inc., whose address is 1635 Eagle Harbor Parkway, Suite 4, Fleming Island, Florida 32003, (hereinafter referred to as "Grantee").

WITNESSETH:

WHEREAS, Grantor is the owner of that certain parcel of real property legally described on the attached Exhibit "A" ("the "Property"), and

WHEREAS, it is appropriate to establish an easement for ingress, egress, drainage and utilities in favor of Grantee. The Easement Property is legally described on Exhibit "B" (the "Access Easement Property"), and

NOW THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) in hand paid, the covenants herein contained and other good and valuable consideration, the receipt, adequacy, and sufficiency of which are hereby acknowledged, it its hereupon understood and agreed as follows:

1. Grant of Access Easement.

Grantor does hereby grant, declare and establish for the benefit of Grantee a perpetual, non-exclusive, alienable right of way and easement over the Access Easement Property for the use and benefit of Grantee and all current and future owners of the Via Mare Condominiums according to Declaration of Condominium recorded in Official Records Book 13927, Page 50 of the current public records of Duval County, Florida (hereinafter "Via Mare Condominium Owners"), occupants and their respective employees, agents, guests, invitees, customers, tenants, subtenants, licensees, sub-lessors, assigns, contractors and delivery, pick up and fire protection services, police and other authorities of law, mail carriers, and representatives of utility companies, for ingress, egress drainage and utilities by pedestrian and vehicular traffic, drainage or utilities over, under, through and across the Access Easement Property.

2. Indemnification.

Grantee, by acceptance of this Easement, shall indemnify, defend and hold Grantor harmless from and against all suits, enforcement actions, damages, liability and expenses resulting from or arising out of the use of the Easement set forth herein by such Grantee, its tenants, subtenants, occupants, customers, invitees, agents and contractors.

3. Successors and Assigns.

The Easement contained herein shall be perpetual, non-exclusive, and run and be appurtenant to the land herein described, shall run with said lands forever and be binding upon and inure to the benefit of and be enforceable by the Grantee of Via Mare Condominium Owners and the heirs, legal representatives, successors and assigns of the party hereto.

4. Not Homestead.

The above described property (Exhibit "A") is not the Homestead property of the Grantor.

Signature Pages to Follow

Signature Page of Grantor

Witnesses:

Sign Name: Esther D. Nichols
Print name: Esther D. Nichols

Sign name: Jean B Moore
Print Name: Jean B Moore

Paul Bucci
Paul Bucci

State of Florida
County of Clay

The foregoing instrument was acknowledged before me this 8 day of August, 2013 by Paul Bucci ☒ who is personally known to me or ☐ who produced _____ as identification.

Rebecca Kelley
Notary Public, State of Florida
My Commission Expires: 6/28/16



Exhibit "A"
Legal Description of the Property

**Lot 12 and the West 1/2 of Lot 10, Block 2, PLAT NO. 1
SUBDIVISION "A" ATLANTIC BEACH, according to the plat
thereof as recorded in Plat Book 5, Page 69, of the current public
records of Duval County, Florida.**

Exhibit "B"
The Access Easement Property

ACCESS EASEMENT

An easement for ingress, egress, drainage and utilities, covering the South 24 feet of the West 24 feet and the West 18 feet of Lot 12, Block 2, Plat No 1, Subdivision "A", Atlantic Beach, according to map recorded in Plat Book 5, page 69 of the current public records of Duval County, Florida.

