

This Instrument prepared by:  
Herbert W.A. Thiele, Esq., County Attorney  
Leon County Attorney's Office  
301 South Monroe Street, Suite 202  
Tallahassee, Florida 32301

National Guard Armory Property  
Parcel ID No. 1127209020000

### RIGHT-OF-WAY EASEMENT

**THIS EASEMENT**, made and entered into this \_\_\_ day of \_\_\_\_\_, 2008, between **LEON COUNTY, FLORIDA**, a charter county and political subdivision of the State of Florida, having a mailing address of 301 South Monroe Street, Tallahassee, Florida 32301, joined by **ARMORY BOARD OF THE STATE OF FLORIDA**, a public body corporate under the laws of the State of Florida, having a mailing address of P. O. Box 1008, St. Augustine, Florida 32085-1008, hereinafter collectively called "**GRANTOR**", and the **CITY OF TALLAHASSEE**, a Florida municipal corporation, having a mailing address 300 South Adams Street, Tallahassee, Florida 32301 hereinafter called "**GRANTEE**".

#### **WITNESSETH:**

That **GRANTOR**, for and in consideration of the sum of Ten Dollars (\$10.00), and other valuable consideration, the receipt of which is hereby acknowledged, hereby grants, bargains and sells to **GRANTEE**, its successors and assigns, a non-exclusive easement in perpetuity for right-of-way and associated improvements including but not limited to sidewalks, utilities, traffic control system, curb, gutter and drainage improvements, in, over, across, under and through the following described parcel, piece or strip of land, situate, lying and being in the County of Leon, State of Florida, hereinafter the "Easement Property", to wit:

**See legal description attached hereto as Exhibit "A" and made a part hereof**

That **GRANTEE**, its successors and assigns, shall have the right to enter upon the Easement Property and construct and maintain public roadway, slopes, sidewalk, utilities, traffic control system, curb, gutter and drainage improvements thereon, with all such fills, cuts, drains, slopes, ditches, appurtenances and other incidents which **GRANTEE** may deem necessary or convenient in connection therewith. **GRANTEE** shall notify **GRANTOR** of any construction activities, and shall reconstruct any existing or proposed driveways, fences, sidewalks and landscaping impacted, to harmonize with proposed right of way improvements constructed by **GRANTEE**.

That **GRANTEE** shall assume all maintenance and repair obligations and costs for all improvements constructed in, over, across, under and through the Easement Property.

That **GRANTEE** shall further preserve all driveway cuts as exist on **GRANTOR**'s property underlying and adjacent to the Easement Property prior to the construction of any improvements on the Easement Property as authorized herein.

**IN WITNESS WHEREOF**, **GRANTOR** has caused these presents to be executed in its collective name by its own Board of County Commissioners acting by the Chairperson or Vice

Chairperson of said Board and by the Armory Board of the State of Florida acting by the State Quartermaster of said Board on the date first above written

**LEON COUNTY, FLORIDA**

By: \_\_\_\_\_  
Jane Sauls, Chairman  
Board of County Commissioners

ATTEST:  
Clerk of the Circuit Court  
Leon County, Florida

APPROVED AS TO FORM:  
County Attorney's Office  
Leon County, Florida

By: \_\_\_\_\_  
Clerk of the Court

By: \_\_\_\_\_  
County Attorney

**ARMORY BOARD OF THE STATE OF FLORIDA**

Witnessess  
(as to the Armory Board)

By: \_\_\_\_\_  
Jesse D. Kinghorn, Jr.  
Colonel, Florida Air National Guard  
State Quartermaster

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(typed or printed name)

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(typed or printed name)

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_ 200\_\_, by Jesse D. Kinghorn, Jr., whose title is State Quartermaster for Armory Board of the State of Florida, and who is personally known to me and who did take an oath.

NOTARY PUBLIC  
Signature \_\_\_\_\_  
Typed or printed name \_\_\_\_\_  
My Commission expires \_\_\_\_\_