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THIS INSTRUMENT REVISED BY:
Jack D. Little
9883 North U.S. Highway 301
Wildwood, FL 34785

Inst:201560019267 Date:6/12/2015 Time:2:44 PM
DC,Gloria R. Hayward,Sumter County Page 1 of 5 B:2971 P:643
av

APPURTENEANT EASEMENT AGREEMENT

R THIS ARGREEMENT entered into by and between Frank W. Nicholson, III, whose address is P.O. Box 3171, Ocala, FL 34478, hereinafter referred to as "Nicholson" and Robert J. Ballou, Jr. and Rachael L. Ballou, his wife, whose address is 9883 N. U.S. Hwy. 301, Wildwood, FL 34785, hereinafter referred to as "Ballou":

WHEREAS, Nicholson is the owner of the property more particularly described on Exhibit "A" attached hereto;

WHEREAS, Ballou would like to obtain access over and across Nicholson's property in order for Ballou to access their property as more particularly described on Exhibit "B" from County Road 114 located along the Northerly boundary of Nicholson's property. This easement shall be an appurtenant easement, and shall benefit any future owners of the property and deemed to run with the land;


WHEREAS, Nicholson is willing to grant Ballou access providing Ballou is agreeable with Nicholson clearing and realigning the fence along the Ballou's Southerly boundary of the property described on Exhibit "B" as determined by Wade Surveying, Inc.;

WHEREAS, the parties hereto desire to enter into this Agreement to effectuate the above objectives:

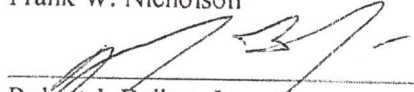
NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein the parties hereto agree as follows:

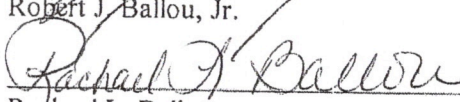
1. Ballou hereby agrees that Nicholson may erect a fence along the Southerly boundary of the property described on Exhibit "B" as determined by Wade Surveying, Inc. as well as clear and remove the fence and trees on Nicholson's property up to said boundary.
2. Nicholson hereby agrees to grant Ballou non-exclusive access over a portion of Nicholson's property described on Exhibit "A" from County Road 114 to the boundary of Ballou's property described on Exhibit "B". Such access shall be limited to fourteen (14) feet in width and may be relocated on Nicholson's property by Nicholson should Nicholson have a need to relocate same, at Nicholson's expense. Nicholson agrees not to unreasonably interfere with the exercise of the Easement Rights by Ballou or its guests, agents, invitees, or licensees. The access area, unless subsequently changed by Nicholson, is described on Exhibit "C".
3. Ballou hereby agrees to hold Nicholson harmless from all loss, damage, and other liability as a result of Ballou's use of the grant of access as set forth herein.

Dated this 8th day of ~~February~~ ^{April}, 2014.



Frank W. Nicholson



Robert J. Ballou, Jr.


Rachael L. Ballou

STATE OF FLORIDA
COUNTY OF Marion

The foregoing instrument was acknowledged before me this 8th day of ~~February~~ ^{April}, 2014, by Frank W. Nicholson, who did not take an oath.



NOTARY PUBLIC - STATE OF FLORIDA

NOTARY PUBLIC-STATE OF FLORIDA
Crystal L. Hood
Commission # EE083659
Expires: APR. 13, 2015
BONDED THRU ATLANTIC BONDING CO., INC.

Crystal L. Hood

Printed Name of Notary Public


Personally Known or _____ Produced Identification
_____ Type of Identification Produced

STATE OF FLORIDA
COUNTY OF Sumter

The foregoing instrument was acknowledged before me this 27 day of ~~February~~ ^{September}, 2014, by Robert J. Ballou, Jr. and Rachael L. Ballou, husband and wife, who did not take an oath.



NOTARY PUBLIC - STATE OF FLORIDA

 KIMBERLY K. REES
MY COMMISSION # FF 112618
EXPIRES: August 14, 2018
Bonded Thru Notary Public Underwriters

Kim Rees

Printed Name of Notary Public

_____ Personally Known or k Produced Identification
FLDL Type of Identification Produced

Exhibit A

Commence at the Northwest Corner of Section 29, Township 18 South, Range 23 East, Sumter County, Florida; thence run South 89 degrees 47' 30" East along the North line of the Northwest 1/4 of said Section 29, 725.48 feet; thence run South 01 degrees 23'38" West, 9.40 feet to the South right of way line of County Road 114 (Maintenance Right of Way) and the Point of Beginning; thence continue South 01 degrees 23'38" West 627.68 feet; thence run South 89 degrees 55'47" East 139.87 feet; thence run South 00 degrees 11' 51" West 122.22 feet; thence run North 89 degrees 47' 41" West 700.11 feet to the East right of way line of U.S. Highway 301; thence run North 01 degrees 57' 14" West along said right of way 29.90 feet; thence run South 89 degrees 40' 10" East 340.99 feet; thence run North 02 degrees 18'34" West 86.13 feet; thence run North 89 degrees 32' 10" East 84.00 feet; thence run North 01 degrees 23'38" East 393.13 feet; thence run North 87 degrees 39'50" West 127.87 feet; thence run North 00 degrees 21' 55" West 235.74 feet to the aforesaid South right of way line of County Road 114; thence run South 89 degrees 47'30" East along said right of way 275.04 feet to the Point of Beginning.

Parcel Identification Number: D29-002

EXHIBIT "B"

FROM THE NORTHWEST CORNER OF SECTION 29, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, RUN SOUTH 0° 20' 43" EAST FOR 528.0 FEET, THENCE SOUTH 89° 47' 30" EAST TO A CONCRETE MONUMENT, 62.53 FEET, LOCATED ON THE EAST RIGHT OF WAY OF U. S. HIGHWAY NO. 301 AND THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN NORTH 88° 24' 50" EAST 387.64 FEET, THENCE NORTH 0° 20' 20" WEST 270.72 FEET, THENCE SOUTH 87° 39' 50" EAST 127.48 FEET, THENCE SOUTH 01° 20' 10" WEST 393.14 FEET, THENCE SOUTH 89° 32' 10" WEST 84.00 FEET, THENCE SOUTH 02° 18' 34" EAST 86.13 FEET, THENCE NORTH 89° 40' 10" WEST 423.29 FEET TO THE EASTERLY RIGHT OF WAY OF U. S. HIGHWAY 301, THENCE NORTH 0° 15' 10" WEST ALONG SAID EASTERLY RIGHT OF WAY 201.20 FEET TO THE POINT OF BEGINNING. SUBJECT TO A 10.0 FT. POWER LINE EASEMENT, LOCATED ABOUT 600 FT. SOUTH FROM LAKE MIONA HEIGHTS ROAD.

EXHIBIT "C"

Beginning at the Northwest corner of Nicholson's property as more particularly described on Exhibit "A" attached hereto, run S 00°21'55" E along the Westerly boundary of Nicholson's property a distance of 235.74 feet, thence run S 87°39'50" E a distance of 14 feet, thence run N 00°21'55" W parallel with the West boundary of Nicholson's property to the South boundary of County Road 114, thence Westerly along the South boundary of County Road 114 14 feet to the point of beginning.