

Prepared By:  
Office of the County Attorney  
Walton County, Florida  
161 E. Sloss Avenue  
DeFuniak Springs, FL 32433

## EASEMENT

THIS EASEMENT made this 11<sup>th</sup> day of December, 2007, by and between **WALTON COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose principal address is 117 Montgomery Circle, P.O. Box 1355, DeFuniak Springs, FL 32435, hereinafter referred to as "Grantor" and John R. Makar ("Makar"), whose principal address 1124 Sweetbriar Station, Fort Walton Beach, Florida 32547, hereinafter referred to as "Grantee".

WITNESSETH: That the Grantor for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the Grantee, his heirs, successors and assigns a non-exclusive easement and right-of-way for the purpose of providing to Grantee, his heirs, successors, and assigns ingress and egress and utilities access over and across that certain parcel of real property situated in Walton County, Florida, and more particularly described as follows:

Commencing at the Southwest corner of Section 21, Township 4 North, Range 20 West, Walton County, Florida; Thence proceed South 88° 51' 08" East for a distance of 657.09 feet; Thence proceed North 01° 14' 38" East 14.01 feet to the Point of Beginning; Thence proceed South 88° 45' 21" East for a distance of 540.57 feet; Thence proceed North 01° 39' 38" East for a distance of 1297.55 feet to the South maintenance line of Deer Trail Road; Thence proceed North 88° 40' 39" West for a distance of 20.00 feet along said maintenance line; Thence proceed South 01° 39' 38" West for a distance of 1277.58 feet; Thence proceed North 88° 45'

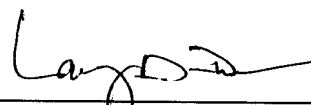
21" West for a distance of 520.72 feet; Thence proceed South 01° 14' 39" West for a distance of 20 feet to the Point of Beginning, containing 0.88 acres, more or less.

TO HAVE AND TO HOLD the same unto said Grantee, his heirs, successors, and assigns forever, upon and subject to the following terms:

1. Grantee, his heirs, successors, and assigns shall maintain the easement and shall waive any and all claims for injury to his and their persons and property against Grantor.
2. Indemnification. It is agreed by both parties that neither assumes any liability for the acts, omissions, and negligence of the other. Both parties shall indemnify and hold the other harmless from all claims, damages, losses, and expenses arising out of or resulting from the performance of their respective operations under this Easement. However, nothing contained herein shall constitute a waiver by the County of its sovereign immunity or the limitations set forth in Section 768.28, Florida Statutes.
3. Termination. This easement may be revoked by the County, at any time with or without cause, upon THIRTY (30) days' written notice.

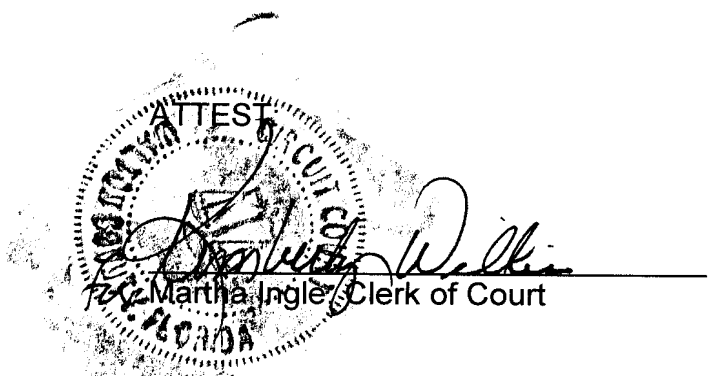
IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

WALTON COUNTY BOARD  
OF COUNTY COMMISSIONERS




By: Larry Jones, Chair

Date: 12-14-07



ATTEST  
Martha Ingle, Clerk of Court

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



Office of the County Attorney  
Walton County, Florida

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( EXHIBIT A )

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