

Prepared by/Return to: Sumter County

PERPETUAL RIGHT OF WAY EASEMENT

COUNTY: Sumter
PARCEL No.: A Portion of Parcel D17-055

THIS PERPETUAL RIGHT OF WAY EASEMENT (the "**Perpetual Easement**") is made and entered into this _____ day of _____, 2020, by and between Murphy Oil USA, Inc., a Delaware corporation, whose post office address is PO Box 7300, El Dorado, AR 71730 ("**Grantor**"), and Sumter County, Florida, a subdivision of the State of Florida, whose post office address is 7375 Powell Road, Suite 206, Wildwood, Florida 34785 ("**Grantee**").

WHEREAS, Grantor is the owner of those certain lands lying and situated in Sumter County, Florida and more particularly described in Exhibit "A", attached hereto and incorporated herein by this reference (the "**Property**"); and

WHEREAS, Grantor and Grantee have agreed that it is in the best interest of the parties for the Grantor to grant the Grantee a non-exclusive perpetual easement over the Property; and

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS that, in consideration of the sum of one dollar and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor and Grantee agree as follows.

1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.
2. Grant of Easement. Grantor hereby grants to Grantee, its successors, and assigns a perpetual non-exclusive easement to be used for the operation, maintenance and repair of currently existing above ground and underground transportation components, including without limitation, underground lines, wires, conduit, pull boxes, signal control cabinets, signal mast arms, plus any above or underground attachments and appurtenant equipment therefor (collectively, the "**Facilities**"), under, above, in, across, and through the Property, together with the right and privilege from time to time, to reconstruct, inspect, alter, reduce, replace, remove, or relocate the Facilities or any part thereof within the Property. The intensity of the Facilities shall not expand beyond what is constructed as of the date of this Easement.

3. Grantor Reservations. Grantor reserves the right to use the Property for any purpose that is not in direct conflict with the rights granted to Grantee herein.

4. Damage. Grantee shall not disturb the landscaping or any Grantor improvements on the Property or surrounding property. In the event Grantee damages the Property, surrounding property, or any Grantor improvements or landscaping thereon, Grantee shall promptly repair or replace the damaged property to at least its condition prior to the damage. In the event Grantee does not promptly repair or replace the damaged property, Grantor may repair or replace the damaged property and Grantee shall reimburse Grantor for any costs expended in relation therewith.

5. Authority. By the execution hereof, Grantor covenants that it has the right to convey this easement by virtue of its ownership of the Property, and that the Grantee and its successors and assigns shall have peaceful possession and use of this easement and the rights granted hereby.

6. Indemnity. Grantee, together with its successors and assigns, agree to indemnify and hold Grantor, and its successors and assigns, harmless for, from and against any and all losses, claims or damages incurred by Grantor, or its successors and assigns, arising directly or indirectly from Grantee's negligence or failure to exercise reasonable care in exercising Grantee's rights under this Perpetual Easement. Nothing contained herein shall constitute a waiver of Grantee's sovereign immunity under Section 768.28, Florida Statutes, nor extend the limits of liability contained therein.

7. Approval. It is mutually acknowledged that this Perpetual Easement is subject to final acceptance by the Board of County Commissioners for Sumter County. Final Acceptance shall be evidenced by the signature of Grantee below.

Grantor:

Murphy Oil USA, Inc., ^{KAK}

a Delaware corporation

By: _____ 

Print name: Bob Chumley

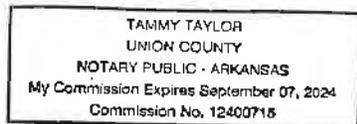
Title: SVP OPERATIONS

Date: March 17, 2020

STATE OF Arkansas

COUNTY OF Union

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this date (3-11-2020) by Rob Chunley, as SVP, Marketing of Murphy Oil USA, Inc., a Delaware who is personally known to me or who has produced _____ as identification.



Tammy Taylor

Grantee

COUNTY OF SUMTER, a subdivision of the State of Florida

By:

Bradley Arnold, County Administrator

Date:

FINAL COUNTY ACCEPTANCE

The Grantee has granted final acceptance this _____ day of _____ 2020.

By:

Bradley Arnold, County Administrator

Legal Review:

Date

SKETCH FOR DESCRIPTION (NOT A FIELD SURVEY)

EXHIBIT " "
SHEET 1 OF 2

PROJECT INFORMATION:

INTERSECTION: TBD
CR 466 AND CR 105 (SE CORNER)
PARENT PARCEL ID: D17-055
OWNER: MURPHY OIL USA INC

LEGAL DESCRIPTION (UTILITY EASEMENT):

A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2195, PAGE 190 OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, SAID LANDS LYING IN THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA.

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE RUN SOUTH 0°02'01" WEST, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17, A DISTANCE OF 24.89 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 466; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 89°44'35" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 20.23 FEET TO THE NORTHWEST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2195, PAGE 190; THENCE CONTINUE SOUTH 89°44'35" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 20.23 FEET TO A POINT ALONG THE EAST LINE OF THE VACATED RIGHT-OF-WAY PER OFFICIAL RECORDS BOOK 1477, PAGE 79B OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST LINE OF THE VACATED RIGHT-OF-WAY, CONTINUE SOUTH 89°44'35" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 12.00 FEET; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, RUN SOUTH 0°02'59" WEST, A DISTANCE OF 8.50 FEET; THENCE RUN NORTH 89°44'35" WEST, A DISTANCE OF 12.00 FEET TO A POINT ON THE AFORESAID EAST LINE OF THE VACATED RIGHT-OF-WAY; THENCE RUN NORTH 0°02'59" EAST, ALONG SAID EAST LINE OF THE VACATED RIGHT-OF-WAY, A DISTANCE OF 8.50 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 102 SQUARE FEET, MORE OR LESS.



The seal appearing on this document was authorized by James H. Blair, Professional Surveyor & Mapper #6917 on December 2, 2019

12/2/2019

DATE

JAMES H. BLAIR, FLORIDA LICENSED SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 6917

GENERAL NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE ORIGINAL OR ELECTRONIC SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THIS SKETCH PREPARED FOR DESCRIPTION PURPOSES ONLY AND DOES NOT REPRESENT A FIELD SURVEY.
3. BEARINGS ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983 WITH 2011 ADJUSTMENT. LINWORK SHOWN HEREON IS BASED ON PRIOR PROJECTS PERFORMED BY THIS FIRM.
4. THIS DESCRIPTION WAS CREATED PER REQUEST AND DIRECTION OF CLIENT.

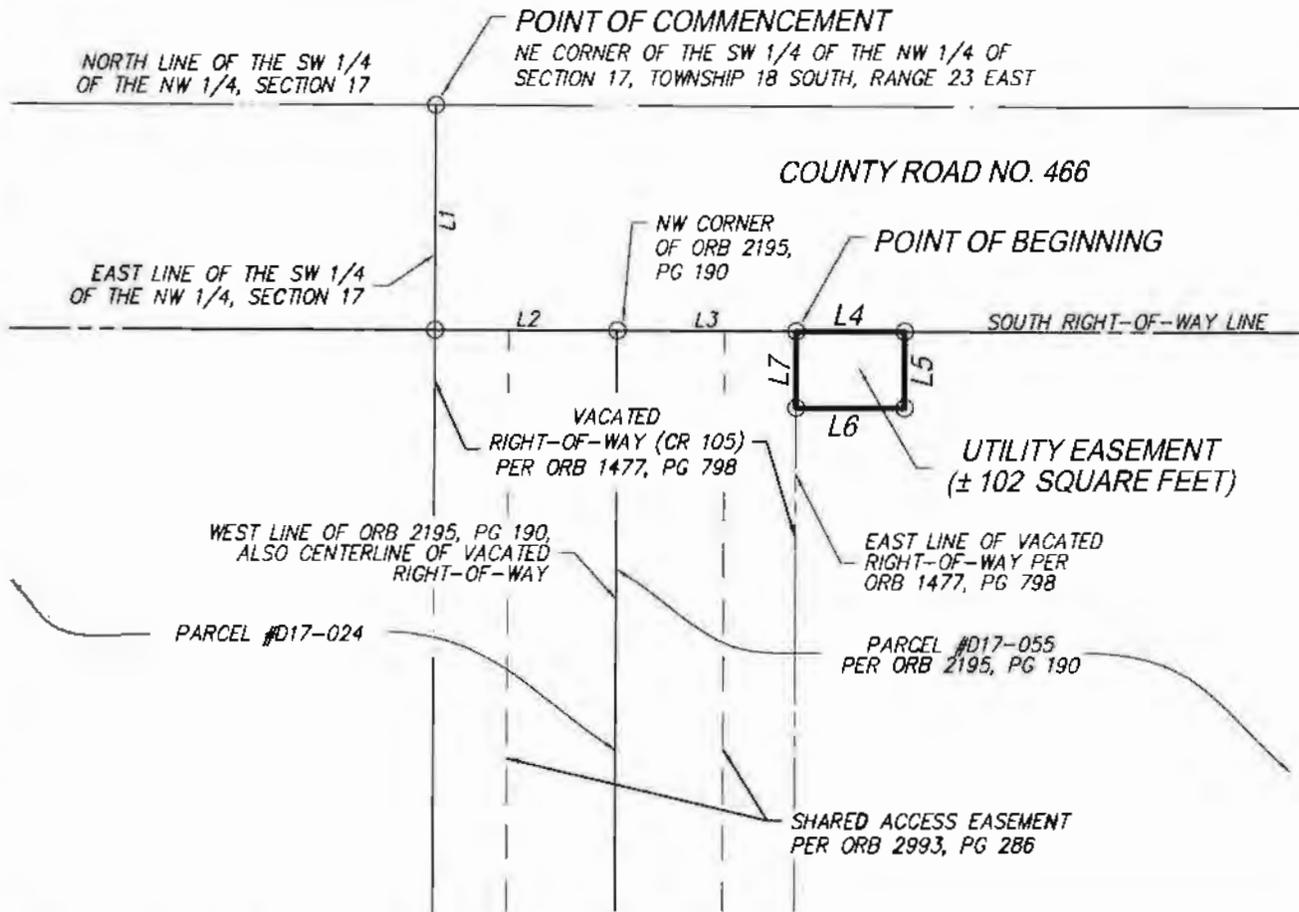
SEE SHEET 2 FOR SKETCH



SKETCH FOR DESCRIPTION (NOT A FIELD SURVEY)

EXHIBIT " "
 SHEET 2 OF 2

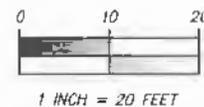
PROJECT INFORMATION:
 INTERSECTION: TBD
 CR 466 AND CR 105 (SE CORNER)
 PARENT PARCEL ID: D17-055
 OWNER: MURPHY OIL USA INC



| LINE TABLE | | |
|------------|-------------|----------|
| LINE TAG | BEARING | DISTANCE |
| L1 | S0°02'01"W | 24.89' |
| L2 | S89°44'35"E | 20.23' |
| L3 | S89°44'35"E | 20.00' |
| L4 | S89°44'35"E | 12.00' |
| L5 | S0°02'59"W | 8.50' |
| L6 | N89°44'35"W | 12.00' |
| L7 | N0°02'59"E | 8.50' |

LEGEND:

ORB = OFFICIAL RECORDS BOOK
 PG = PAGE
 O = CHANGE OF DIRECTION
 L# = LINE TAG (SEE LINE TABLE)
 CR = COUNTY ROAD



SEE SHEET 1 FOR LEGAL DESCRIPTION

FARNER BARLEY
 AND ASSOCIATES, INC.
 4450 NE 83RD ROAD - WILWOOD, FL 34785 - (352) 748-3126

▲ ENGINEERS
 ▲ SURVEYORS
 ▲ PLANNERS
 LB 4709

DRAWING NAME: C:\USERS\FARNER\BARLEY\APPROX\LOCAL\TEMP\ADPUB\US...T080\INTERSECTION.TBD SE QUAD.DWG - 2:12:27, 2019 2:49 PM BY: HELAIR