

ORIGINAL

**BOARD OF COUNTY COMMISSIONERS  
LEE COUNTY  
EASEMENT PURCHASE AGREEMENT**

This Easement Purchase Agreement (the "*Agreement*") made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2019, by and between **JASON M. BRENNAN, a married man, and DEBORAH A. BURTON, joint tenants with full rights of survivorship**, whose address is 11410 Deal Road, North Fort Myers, FL 33917, (hereinafter referred to as "*Owner*"), and **LEE COUNTY, a political subdivision of the State of Florida**, for the use and benefit of Lee County (hereinafter referred to as "*County*").

Whereas, County requires a  $\pm 5,000$  square foot, temporary construction easement, located and described as set forth in attached Exhibit "A", hereinafter referred to as the "Easement Property". The Easement Property is being acquired for the North Lee County Wellfield Expansion 15 MGD Project No. 7619, in accordance with the following terms and conditions:

- a) Owner will grant said Easement Property to County for the sum of \$1,750; County to pay recording costs, documentary stamps, title insurance (if obtained by County), and customary closing charges of County's closing agent.
- b) Owner agrees that said temporary construction easement will be granted to County by execution of the *Temporary Construction Easement Agreement* in the form and substance set forth in attached Exhibit "B".
- c) County will pay Owner the amount agreed upon in item (a) of this Agreement by official bank check within 30 days of the execution and acceptance of this Agreement and *Temporary Construction Easement Agreement* by County.
- d) Owner agrees that County, its assigns will be allowed to use said Easement Property as specified in the *Temporary Construction Easement Agreement* instrument.
- e) County agrees to complete construction within the Easement Property in a timely manner.

IN WITNESS WHEREOF, the parties have caused these presents to be executed in their respective names on the date first above written.

Signed and Sealed in the presence of two separate witnesses:

Grantor:

Elaine Capps  
[1<sup>st</sup> Witness' Signature]

ELAINE CAPPS  
[Type or print name]

Joseph Keith Grayez  
[2<sup>nd</sup> Witness' Signature]

Joseph Keith Grayez  
[Type or print name]

By: Jason M. Brennan  
Jason M. Brennan, as Joint Tenant with Full  
Right of Survivorship  
5/22/72  
(Date)

Elaine Capps  
[1<sup>st</sup> Witness' Signature]

ELAINE CAPPS  
[Type or print name]

By: Deborah A. Burton  
Deborah A. Burton, as Joint Tenant with Full  
Right of Survivorship  
5/22/72  
(Date)

Joseph Keith Grayez  
[2<sup>nd</sup> Witness' Signature]

Joseph Keith Grayez  
[Type or print name]

Approved and accepted for and on behalf of Lee County, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:  
LINDA DOGGETT, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: \_\_\_\_\_

BY: \_\_\_\_\_  
[Signature]

\_\_\_\_\_  
[Type or Print Name]  
Deputy Clerk

\_\_\_\_\_  
[Type or print name]  
Chair / Vice-Chair

APPROVED AS TO FORM FOR THE  
RELIANCE OF LEE COUNTY ONLY

By: \_\_\_\_\_  
John J. Fredyma  
Senior Assistant County Attorney  
Lee County Attorney's Office

## EXHIBIT "A"

Page 1 of 1

A parcel of land located in Section 13, Township 43 South, Range 25 East, Lee County, Florida, being the North 50 feet of the West 100 feet of the following described property:

*The East Half (E ½) of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼), LESS the North 33 feet for road right of way, being in Section 13, Township 43 South, Range 25 East, Lee County, Florida*

This instrument prepared by:

Lee County  
Department of County Lands  
Post Office Box 398  
Fort Myers, Florida 33902-0398

**Exhibit "B"**

Page 1 of 4

Project No.: 7619/North Lee County Wellfield Expansion 15MGD  
Parcel No.: 110-TCE (11410 Deal Rd)  
STRAP No.: 13-43-25-00-00002.0020

### TEMPORARY CONSTRUCTION EASEMENT AGREEMENT

THIS AGREEMENT is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2019, between **JASON M. BRENNAN, a married man, and DEBORAH A. BURTON, an unmarried woman, as joint tenants with full rights of survivorship**, whose address is 11410 Deal Road, North Fort Myers, FL 33917, hereinafter collectively referred to as "Grantor", and **LEE COUNTY, a political subdivision of the State of Florida**, whose address is Post Office Box 398, Fort Myers, Florida 33902, hereinafter referred to as the "County".

Grantor is the owner of the lands described in attached Exhibit "A" ("Easement Area") and has the power to grant the County a temporary interest in these lands.

Grantor, for good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant to the County, permission to enter upon the Easement Area for the purpose of ingress and egress by workmen, machinery and vehicles, as necessary to conduct well drilling and water monitoring activities, including the right to permit, drill and utilize an irrigation well in the Easement Area, in conjunction with the North Lee County Wellfield Expansion Project No. 7619 ("Project").

County has the right to enter upon the Easement Area, at reasonable times with the necessary equipment, personnel and vehicles in order to exercise the rights granted. County's exercise of its rights may not unreasonably interfere with Grantor's use of the remaining parent tract property.

All rights granted to the County by this Agreement commence upon written notification to Grantor and terminate 45 days following commencement, but not later than November 22, 2019, unless extended by a written agreement between the parties.

Upon completion of the activities of the County enumerated herein, County will restore the Easement Area to a safe and aesthetic condition. The completed work includes restoring or replacing sod, fencing, vegetation and irrigation lines, if any. The County will be responsible for properly plugging the irrigation well.

IN WITNESS WHEREOF, the Grantor has caused this document to be signed on the date and year first above written.

Signed, sealed and delivered in  
presence of two separate witnesses:

**Grantor:**

\_\_\_\_\_  
[1<sup>st</sup> Witness' Signature]

By: \_\_\_\_\_  
Jason M. Brennan, a joint tenant with full  
right of survivorship

\_\_\_\_\_  
[Type or print name]

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
[2<sup>nd</sup> Witness' Signature]

\_\_\_\_\_  
[Type or print name]

**STATE OF** \_\_\_\_\_  
**COUNTY OF** \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by Jason M. Brennan, a married man, as a joint tenant with full rights of survivorship. He is personally known to  
me or has produced a \_\_\_\_\_ as identification.

Seal

\_\_\_\_\_  
**Notary Public**  
[Affix stamp/seal]

\_\_\_\_\_  
[1<sup>st</sup> Witness' Signature]

By: \_\_\_\_\_  
Amy J. Brennan

\_\_\_\_\_  
[Type or print name]

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
[2<sup>nd</sup> Witness' Signature]

\_\_\_\_\_  
[Type or print name]

**STATE OF** \_\_\_\_\_  
**COUNTY OF** \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by Jason M. Brennan, a married woman. She is personally known to me or has produced a \_\_\_\_\_ as  
identification.

Seal

\_\_\_\_\_  
**Notary Public**  
[Affix stamp/seal]

\_\_\_\_\_  
[1<sup>st</sup> Witness' Signature]\_\_\_\_\_  
[Type or print name]\_\_\_\_\_  
[2<sup>nd</sup> Witness' Signature]\_\_\_\_\_  
[Type or print name]

By: \_\_\_\_\_

Deborah A. Burton, a joint tenant with full  
right of survivorship\_\_\_\_\_  
(Date)STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by Deborah A. Burton, an unmarried woman, as a joint tenant with full rights of survivorship. She is personally  
known to me or has produced a \_\_\_\_\_ as identification.

Seal

\_\_\_\_\_  
Notary Public

[Affix stamp/seal]

Approved and accepted for and on behalf of Lee County, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:  
LINDA DOGGETT, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: \_\_\_\_\_

BY: \_\_\_\_\_  
[Signature]

\_\_\_\_\_  
[Type or Print Name]  
Deputy Clerk

\_\_\_\_\_  
[Type or print name]  
Chair / Vice-Chair

APPROVED AS TO FORM FOR THE  
RELIANCE OF LEE COUNTY ONLY

By: \_\_\_\_\_  
John J. Fredyma  
Senior Assistant County Attorney  
Lee County Attorney's Office