

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

E A S E M E N T

NO. 26211(3177-56)

WHEREAS, pursuant to application made by the Florida Power and Light Company, for a right-of-way easement over and through sovereignty lands held by the Board of Trustees of the Internal Improvement Trust Fund and said Board did on January 12, 1982, agree to the granting of same:

THEREFORE, WITNESS THIS INDENTURE, made and entered into by and between the Board of Trustees of the Internal Improvement Trust Fund, as grantor, and Florida Power and Light Company, as grantee, does hereby grant unto said grantee, its successors, and assigns, subject to the conditions hereinafter set forth, a right-of-way easement for subaqueous pipeline installation, on under and across the following described land in St. Lucie County, Florida, to-wit:

An Easement 400.00 feet in width for a subaqueous intake pipe for Florida Power and Light Company's St. Lucie Plant, the centerline of which is more particular described as follows:

Commence at the point of intersection of the North line of Section 16, Township 36 South, Range 41 East, St. Lucie County, Florida, with the centerline of State Road 1A as shown on the State of Florida State Road Department Right of Way Map Section No. 9405-107; thence South 29°06'19" East along said centerline of State Road 1A 2852.73 feet; thence North 60°53'41" East 951.15 feet for the point of beginning; thence continue North 60°53'41" East 1702.00 feet to the Point of Termination of said Easement. Containing 15.63 acres more or less.

The conditions under which this easement is granted are as follows:

1. The rights hereby conferred shall be subject to (a) any and all prior right of the United States; and (b) any

and all prior grants by the Board of Trustees of the Internal Improvement Trust Fund in and to submerged lands situated within the limits of the right-of-way hereinabove described.

2. That no title to said land is conferred by this instrument.

3. That the above described parcel of land shall be used solely as right-of-way for the construction, maintenance and use of a subaqueous pipeline. In the event that land herein described shall cease to be used for said purposes, then the easement hereby granted covering said land shall terminate without notice from the Board of Trustees of the Internal Improvement Trust Fund.

4. That the grantee herein will not, in the construction/ installation and maintenance of said pipeline, damage said lands or unduly interfere with public or private rights therein.

5. That the grantee herein shall save, protect and hold harmless the State of Florida and the Board of Trustees of the Internal Improvement Trust Fund from all damages and claims arising out of the use of said easement by the grantee or any of its agents, servants, employees or contractors.

6. That the grantee by acceptance of this agreement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the grantee, its successors and assigns, running with the land.

TO HAVE AND TO HOLD said easement unto said grantee, its successors and assigns, for the purposes herein set forth.

IN TESTIMONY WHEREOF, by authority granted April 1, 1980, the legally designated agent of the Board of Trustees of the

Internal Improvement Trust Fund has hereunto subscribed his name and has caused the official seal of the Board of Trustees of the Internal Improvement Trust Fund to be hereunto affixed, in the City of Tallahassee, Florida, on this 1st day of February, A. D. 19 82.

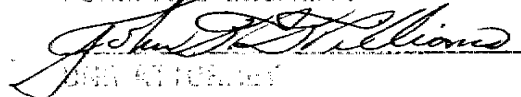
(SEAL)
BOARD OF TRUSTEES
OF THE INTERNAL
IMPROVEMENT TRUST
FUND

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BY 
EXECUTIVE DIRECTOR
DEPARTMENT OF NATURAL RESOURCES

This instrument was
prepared by:
Gloria C. Watson
Department of Natural
Resources
3900 Commonwealth Blvd.
Tallahassee, Florida 32303

APPROVED AS TO
FORM AND LEGALITY


ATTORNEY