

This Instrument Prepared By:

Hamilton Mikes, P.A.
3301 Bonita Beach Road, Suite 200
Bonita Springs, FL 34134
(239) 594-7227

EASEMENT

THIS GRANT OF EASEMENT made on _____, 2022, by and between BONITA BEACH CLUB ASSOCIATION, INC., a Florida not-for-profit corporation (the "Grantor") to BBC CLUB BOAT SLIPS, INC., a Florida not-for-profit corporation (the "Grantee").

WITNESSETH that:

WHEREAS, the Grantor is the entity which governs the Bonita Beach Club, a condominium (the "Condominium"), having a mailing address of 25730 Hickory Boulevard, Building C, Bonita Springs, Florida 34134, which Condominium includes all of the property submitted to the condominium form of ownership as reflected in the Declaration of Condominium recorded December 9, 1977, in Official Records Book 1239, at Pages 437, *et seq.*, of the Public Records of Lee County, Florida, as such document has and is subsequently amended from time to time (the "Declaration of Condominium"); and

WHEREAS, the Grantee whose mailing address is c/o Hamilton Mikes, P.A., 3301 Bonita Beach Road, Suite 200, Bonita Springs, Florida 34134, is the entity that operates the BBC Club Boat Slips, Inc. (the "Boat Slips"), a membership based dockage facility located adjacent to the Condominium, whose members are owners of units in the Condominium and owners of the use rights to dockage space in the boat slips; and

WHEREAS, the Grantee desires an easement over a portion of the property submitted to the condominium form of ownership under and pursuant to the Declaration of Condominium, which portion of property is more specifically described on the sketch attached hereto as **Exhibit A**, the "Easement," in order that Grantee shall have satisfactory evidence of "sufficient upland interest" as defined in Rule 18-21.003(60), Florida Administrative Code, for purposes of obtaining a sovereignty submerged lands lease from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida; and

WHEREAS, Grantor has agreed to grant a non-exclusive easement to Grantee over and across that portion of the property that is more specifically described on the sketch attached hereto as **Exhibit A** which is attached hereto and made a part hereof under the terms and conditions set forth herein, for the purpose operating a membership based dockage facility located adjacent to the Condominium.

NOW, THEREFORE, Grantor, for and in consideration of the sum of \$10.00 and other valuable consideration paid by Grantee to Grantor, does hereby grant to Grantee and Grantee's successors, and assigns, a perpetual non-exclusive easement, together with riparian rights, over and across the real property described in **Exhibit A**.

IN WITNESS WHEREOF, the Parties by and through their authorized officers, have executed this Agreement this _____ day of _____, 2022.

WITNESSES:

GRANTOR:

BONITA BEACH CLUB ASSOCIATION, INC.

By: _____

By: Harlan Stueven

President and Director

By: _____

(Corporate Seal)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 2022, by Harlan Stueven as President and Director for Bonita Beach Club Association, Inc.

Signature of Notary Public

Print Name: _____

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

WITNESSES:

GRANTOR:

BONITA BEACH CLUB ASSOCIATION, INC.

By: _____

By: _____

Its: _____

By: _____

(Corporate Seal)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 2022, by _____ as _____ for Bonita Beach Club Association, Inc.

Signature of Notary Public

Print Name: _____

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

WITNESSES:

GRANTOR:

BONITA BEACH CLUB ASSOCIATION, INC.

By: _____

By: _____

Its: _____

By: _____

(Corporate Seal)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 2022, by _____ as _____ for Bonita Beach Club Association, Inc.

Signature of Notary Public

Print Name: _____

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

WITNESSES:

GRANTEE:

BBC CLUB BOAT SLIPS, INC.

By: _____

By: Donna Luke

President and Director

By: _____

(Corporate Seal)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 2022, by Donna Luke as President and Director for BBC Club Boat Slips, Inc.

Signature of Notary Public

Print Name: _____

Personally Known _____ OR Produced Identification ____
Type of Identification Produced _____

WITNESSES:

GRANTEE:

BBC CLUB BOAT SLIPS, INC.

By: _____

By: Brian Morisseau

Secretary, Treasurer, and Director

By: _____

(Corporate Seal)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 2022, by Brian Morisseau as Secretary, Treasurer and Director for BBC Club Boat Slips, Inc.

Signature of Notary Public

Print Name: _____

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

Exhibit "A"

Easement

