

INSTRUMENT PREPARED BY:

Strap #:

This space for recording

**CROSS ACCESS EASEMENT
SAMPLE**

This Cross Access Easement is created on _____ (date), by the GRANTOR, _____, whose (mailing) address is _____, for the benefit of the GRANTEE, The Village of Estero, a political subdivision of the State of Florida, 9401 Corkscrew Palms Circle, Estero, FL 33928.

WHEREAS, Estero Land Development Code (LDC) §10-285 establishes intersection spacing regulations providing for the public's health and safety; and

WHEREAS, the Grantor is the current titleholder of the property commonly known as (street address, city) _____, Florida, and legally described and depicted in attached Exhibit A (attach a legal description and sketch of the legal); and

WHEREAS, Grantor has filed an application to obtain approval for a lot split (Case # _____) applicable to the property described in Exhibit A; and

WHEREAS, Lee County has agreed to approve the Grantor's lot split request with the condition that Grantor create an easement for joint ingress and egress over the property described in Exhibit B to achieve compliance with the LDC §10-285 intersection spacing requirements.

NOW THEREFORE, in consideration of the above and other good and valuable consideration, the sufficiency of which is acknowledged, the Grantor provides as follows:

1. The recitals are true and correct and are hereby incorporated into this easement as though fully set forth below.
2. GRANTOR hereby grants and conveys to The Village of Estero an irrevocable non-exclusive access easement over and across the property described and depicted in attached Exhibit B. The purpose of this Easement is to create a common access easement for the benefit of the parcels created under The Village of Estero lot split approval (Case #_____)
3. GRANTOR affirmatively agrees that the Village of Estero has the right and authority to limit access to the lots created under the subject lot split approval to the easement location described in Exhibit B.
4. GRANTOR, his successors and assigns remain responsible for maintenance of the Cross Access Easement area.
5. This Cross Access Easement runs with the land and is binding upon, and inures to the benefit, of the parties, their successors, and assigns.
6. GRANTOR agrees this Cross Access Easement will be recorded in the public records.
7. GRANTOR warrants that he has the lawful right, title, and authority to convey this Cross Access Easement and will defend the title against any and all claims.

IN WITNESS OF THE ABOVE, this Cross Access Easement is executed.

Name of Grantor

[1st Witness' Signature]

BY: _____
[Signature]

[Type or Print Name]

[Type or Print Name]

[Corporate Title (put N/A if not a company)]

[1st Witness' Signature]

[Type or Print Name]

[The following acknowledgment is for a corporation. Attached at the end of this draft document are the other forms of acknowledgment from §695.25, F.S., for other types of ownership, e.g., individual, partnership, under a power of attorney, trustee or personal representative.]

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me on _____ (date) by _____ (name), the _____ (title) of _____ (name of company), as a Florida Corporation, on behalf of the corporation. He/She is personally known to me or has produced _____ (type of identification) as identification.

[Signature of Notary Public]

[Name typed, printed or stamped]

[Title]

[Serial Number, if any]

Approved and accepted for and on behalf of Village of Estero, Florida, on _____ (date).

ATTEST:

LINDA DOGGETT, CLERK

**VILLAGE MANAGER ON BEHALF OF
THE VILLAGE COUNCIL
OF THE VILLAGE OF ESTERO, FLORIDA**

Deputy Clerk Signature

Village Manager Signature

Printed Name

Printed Name

**APPROVED AS TO FORM FOR THE
RELIANCE OF VILLAGE OF ESTERO ONLY**

Office of the Village Attorney

Printed Name

695.25 Short form of acknowledgment.—The forms of acknowledgment set forth in this section may be used, and are sufficient for their respective purposes, under any law of this state. The forms shall be known as "Statutory Short Forms of Acknowledgment" and may be referred to by that name. The authorization of the forms in this section does not preclude the use of other forms.

(1) For an individual acting in his or her own right:

STATE OF
COUNTY OF

The foregoing instrument was acknowledged before me this (date) by (name of person acknowledging) , who is personally known to me or who has produced (type of identification) as identification.

(Signature of person taking acknowledgment)
(Name typed, printed or stamped)
(Title or rank)
(Serial number, if any)

(2) For a corporation:

STATE OF
COUNTY OF

The foregoing instrument was acknowledged before me this (date) by (name of officer or agent, title of officer or agent) of (name of corporation acknowledging) , a (state or place of incorporation) corporation, on behalf of the corporation. He/she is personally known to me or has produced (type of identification) as identification.

(Signature of person taking acknowledgment)
(Name typed, printed or stamped)
(Title or rank)
(Serial number, if any)

(3) For a partnership:

STATE OF
COUNTY OF

The foregoing instrument was acknowledged before me this (date) by (name of acknowledging partner or agent) , partner (or agent) on behalf of (name of partnership) , a partnership. He/she is personally known to me or has produced (type of identification) as identification.

(Signature of person taking acknowledgment)
(Name typed, printed or stamped)
(Title or rank)
(Serial number, if any)

(4) For an individual acting as principal by an attorney in fact:

STATE OF
COUNTY OF

The foregoing instrument was acknowledged before me this (date) by (name of attorney in fact) as attorney in fact, who is personally known to me or who has produced (type of identification) as identification on behalf of (name of principal) .

(Signature of person taking acknowledgment)
(Name typed, printed or stamped)
(Title or rank)
(Serial number, if any)

(5) By any public officer, trustee, or personal representative:

STATE OF
COUNTY OF

The foregoing instrument was acknowledged before me this (date) by (name and title of position) , who is personally known to me or who has produced (type of identification) as identification.

(Signature of person taking acknowledgment)
(Name typed, printed or stamped)
(Title or rank)
(Serial number, if any) .