

TRAIL EASEMENT

THIS TRAIL EASEMENT is made and entered into this _____ day of _____, 2004 by and between _____ (hereinafter referred to as "Grantor"), and COLLIER COUNTY, a political subdivision of the State of Florida (hereinafter referred to as "Grantee"). Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and their respective heirs, legal representatives, successors and assigns. Grantor is used for singular or plural, as the context requires.

WITNESSETH:

Grantor, for and in consideration of TEN DOLLARS (\$10.00) and other valuable consideration paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, hereby conveys, grants, bargains and sells unto the Grantee, a perpetual, non-exclusive easement for the purpose of construction and maintenance of a public pedestrian and bicycling trail upon and across the following described lands located in Collier County, Florida, to wit:

See attached Exhibit "A" which is incorporated herein by reference.
Subject to easements, restrictions, and reservations of record.

The trail shall be constructed and maintained in conformance with generally accepted design standards, and may include paved and unpaved trail surfaces, at-grade shoulders, vegetative buffers (with irrigation), benches, and such improvements as necessary to comply with all lawful requirements, including the Americans with Disabilities Act. Grantor hereby declares and covenants that the general public shall have and be allowed regular access to the Trail Easement Area, for the purpose of walking, jogging, running, bicycling and like activities, but specifically excluding all motorized vehicles except as authorized by Grantee for maintenance, management, police and emergency purposes.

Grantee shall have the right to regulate public access to, and activities within, the Trail Easement Area, and shall further have the right to require Grantor to keep the Trail Easement Area free from obstructions which prevent reasonable public access to and along the Trail Easement Area, including but not limited to structures, fences and fallen trees.

The easement granted herein shall constitute an easement running with the land in perpetuity and shall burden the lands described above.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the date and year first above written.

Signed, sealed and delivered
in our presence as witnesses:

Grantor(s)

(1) _____
Signature
Printed/Typed Name: _____

Signature
Printed/Typed Name: _____

(2) _____
Signature
Printed/Typed Name: _____

Signature
Printed/Typed Name: _____

**STATE OF FLORIDA
COUNTY OF COLLIER**

The foregoing Easement was acknowledged before me, the undersigned authority, on this _____ day of _____, 2004, by _____ who () are personally known to me or () produced _____ as identification.

Notary Public/State of Florida
Name: _____
My Commission expires: