

This instrument prepared by
and return to:

Daniel W. Langley, Esquire
Fishback Dominick
1947 Lee Road
Winter Park, Florida 32789

Volusia County Tax Parcel Identification # 04-19-30-16-00-000I

AMENDMENT TO ACCESS EASEMENT

THIS AMENDMENT TO ACCESS EASEMENT (hereinafter this "Amendment") is made and entered into this ___ day of _____, 2015, by and between PREFERRED MATERIALS, INC., whose address is 4636 Scarborough Drive, Lutz, Florida 33559 ("Grantor") and CITY OF DEBARY, a Florida municipal corporation, whose address is 16 Columba Road, DeBary, Florida 32713 ("Grantee").

WITNESSETH:

WHEREAS, Grantee and Grantor's predecessor in interest entered into that certain Access Easement recorded on November 14, 2006 at Official Records Book 5698, Pages 1524, et. seq., Public Records of Volusia County, Florida, which granted Grantee certain ingress and egress, drainage and utility easement rights in perpetuity (herein "Access Easement Agreement"); and

WHEREAS, Grantor represents and warrants the Grantor is the current fee simple owner of that certain parcel of real property located in Volusia County, Florida, more particularly described to wit:

Tract I, SPRINGVIEW INDUSTRIAL PARK UNIT 2, according to the plat thereof as recorded in Map Book 49, Pages 19 and 20 of the Public Records of Volusia County, Florida.

And being the same property described in the Access Easement Agreement as the Servient Parcel; and

WHEREAS, Grantee remains the fee simple owner of the Dominant Parcel described in the Access Easement Agreement; and

WHEREAS, Grantor had requested that Grantee agree to a modified location of the Access Easement described in the Access Easement Agreement.

NOW THEREFORE, for and in good and just consideration, the above recitals, and other good and valuable consideration set forth herein, the receipt and sufficiency of which are hereby acknowledged, Grantor and Grantee hereby covenant and agree as follows:

1. Recitals. The above recitals are true and correct and are incorporated herein as material provisions of this Agreement.

2. Amendment. The sketch and legal description of the Access Easement attached to the Access Easement Agreement as Exhibit "C" is hereby replaced with Exhibit "1" attached hereto and incorporated herein, thus constituting the relocated boundaries of the Access Easement.

3. Ratified. Except as modified by this Amendment, the terms and conditions of Access Easement Agreement are hereby ratified by the Grantor and Grantee and remain in full force and effect.

Signed, sealed and delivered
in the presence of:

GRANTOR

PREFERRED MATERIALS, INC.

(Witness Signature)

By: _____

(Print Name)

Its: _____

(Witness Signature)

(Print Name)

State of Florida

County of _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2015, by _____, as _____ of PREFERRED MATERIALS INC., which is personally known by me ___or produced the following identification_____.

Signature of Notary Public

Print, Type or Stamp Commissioned Name
of Notary Public

GRANTEE

CITY OF DEBARY, a Florida municipal corporation

(Witness Signature)

(Print Name)

(Witness Signature)

(Print Name)

Clint Johnson, Mayor

State of Florida

County of _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2015, by _____, as _____ of _____, which is personally known by me ___ or produced the following identification_____.

Signature of Notary Public

Print, Type or Stamp Commissioned Name of Notary Public