

OCEAN BULKHEAD RELEASE

Due to high tides and beach erosion Requestor has requested to be allowed to construct a bulkhead on County Property described as follows:

St. Johns County Property – a ____ foot right-of-way known as _____, as recorded in _____ of the public records of St. Johns County, Florida.

As a condition of the County’s Authorization for Requestor to construct a bulkhead (and stairs, if required) on County Property, Requestor has agreed to execute a Release indemnifying the County. Such Authorization shall be made a part of and shall be read together with this Release.

In consideration for the County’s authorization for Requestor to construct and maintain a bulkhead on County Property, Requestor, Requestor’s successors, assigns, and contractors agree to protect, defend, indemnify, and hold St. Johns County and its tenants, elected officials, officers, employees, and agents, free and unharmed from and against any, and all, third party (including employees of owner and its contractors, and subcontractors) claims, liability, losses, and/or cause of action, which may arise from any negligent act or omission of Requestor’s staff, employees, or agents (including court costs and reasonable attorneys’ fees) associated with, or connected with, the bulkhead by Requestor, and its contractors, including ingress and egress thereto. Requestor will also reimburse the County for damages sustained as a result of negligence of Requestor’s employees, or the employees of Requestor’s contractors, or other subcontractors assisting requestor.

Requestor acknowledges that bulkhead Improvements in the right-of-way are under a license for permissive use only and does not operate to create or vest any property rights into the right of way. Nothing herein shall be interpreted as acceptance or ownership of any improvement or bulkhead placed in the County right-of-way. Bulkhead improvements in the right-of-way must be affirmatively accepted at the sole discretion of the Board of County Commissioners.

Requestor acknowledges that pursuant to Comprehensive Plan Objective E.1.1 and Section 2 of the St. Johns County Beach Code, Ordinance No. 2007-19, as amended, public access to the beach shall not be obstructed. The County retains the right to remove any structures on the property obstructing access and may provide an access walkway when funds are available.

Agreed to this ____ day of _____, _____.

Signed, sealed and delivered in our presence:

Witnesses:

Requestor:

Print Name:_____

Print Name:_____

State of Florida
County of _____

Signed and sworn before me on this ____ day of _____, 2018, by
_____, who is/are personally known to me or
has/have produced _____ as identification.

Notary Public
My Commission Expires:_____