

60- 83421

AGREEMENT

This Agreement made and entered into this 1<sup>st</sup> day of March, 1960, by and between the following: ALTON W. LICK and HILDA F. LICK, his wife; JAMES T. FULGHUM and ELIZABETH H. FULGHUM, his wife; WEIR REALTY COMPANY, a Florida corporation; THE PALM CLUB, INC., a Florida corporation; SOUTH-BEACH DEVELOPMENT COMPANY, a Florida corporation; and BROWARD NATIONAL BANK OF FORT LAUDERDALE, as Executor of the ESTATE OF M. A. HORTT, Deceased;

## W I T N E S S E T H :

WHEREAS, there has been dredged a certain private canal or waterway, which has not been dedicated to the public, more particularly described as follows:

A 30 foot easement lying in the Southwest one-quarter (SW $\frac{1}{4}$ ) of the Southeast one-quarter (SE $\frac{1}{4}$ ) of Section 6, Township 49 South, Range 43 East, Broward County, Florida, and being 15 feet on each side of a centerline described as follows:

COMMENCING at the Southeast corner of the said Southwest one-quarter (SW $\frac{1}{4}$ ) of the Southeast one-quarter (SE $\frac{1}{4}$ ) of Section 6; thence North 0°-34'-33" West along the East line of the said Southwest one-quarter (SW $\frac{1}{4}$ ) of the Southeast one-quarter (SE $\frac{1}{4}$ ) a distance of 50 feet to the Point of Beginning of centerline herein described; thence South 89°-01'-27" West parallel to the South line of the said Southwest one-quarter (SW $\frac{1}{4}$ ) of the Southeast one-quarter (SE $\frac{1}{4}$ ), a distance of 150 feet; thence South 76°-26'-33" West, a distance of 160.67 feet to a point 15 feet North of the said South line of the Southwest one-quarter (SW $\frac{1}{4}$ ) of the Southeast one-quarter (SE $\frac{1}{4}$ ); thence South 89°-01'-27" West parallel to the said South line a distance of 715.53 feet to a point on the East Right-of-Way line of the Intracoastal Waterway and the Point of Termination of said centerline.

WHEREAS, the parties hereto have entered into an agreement whereby there will be dredged a certain private canal, not dedicated to the public, more particularly described as follows:

RETURN TO: BROWN, H. & O'BRYAN  
300 FIRST FEDERAL BLDG., FT. LAUDERDALE, FLA.

JRG

60 AUG 23 PM 2:43

4-15

The West 100 feet of the East one-half ( $E\frac{1}{2}$ ) of the Southeast one-quarter ( $SE\frac{1}{4}$ ) of Section 6, Township 49 South, Range 43 East, Broward County, Florida, less the North 1850 feet and the South 35 feet thereof.

and

WHEREAS, the parties hereto are either owners or lessees or have some interest in the lands underlying said canals or adjacent thereto; and

WHEREAS, the parties hereto have agreed to grant each to the other certain rights to use and enjoy the said canals as hereinafter more particularly set forth; and

WHEREAS, such use shall be to the mutual benefit of the parties hereto;

NOW, THEREFORE, in consideration of the foregoing and in further consideration of the mutual covenants and agreements hereinafter contained, the parties hereto agree as follows:

1. The above recitations are true.
2. Each of the parties hereto, for himself, or itself, and for his or its heirs, successors or assigns, hereby grants unto each of the other parties hereto, his or its heirs, successors or assigns, the right to use in common with all of the parties hereto, his or its heirs, successors or assigns, the above described canals or waterways for the operation of pleasure boats, henceforth perpetually.
3. Each of the parties hereto agrees for himself or itself, and his or its heirs, successors and assigns, that he or it will not obstruct either of the above described canals or waterways, nor use the same for any purpose except for the operation of pleasure boats, nor in the use of the same for such purpose or in such manner, unreasonably annoy or interfere with the occupancy of the

lands adjacent to said canals or waterways.

IN WITNESS WHEREOF, the parties hereto have  
executed this agreement for the purposes therein ex-  
pressed on this the day and year first above written.

Signed, sealed and  
delivered in the  
presence of:

Alton W. Lick (SEAL)  
Alton W. Lick

Hilda F. Lick (SEAL)  
Hilda F. Lick

William T. Robbin  
James E. Lick

James T. Fulghum (SEAL)  
James T. Fulghum

Elizabeth H. Fulghum (SEAL)  
Elizabeth H. Fulghum

William T. Robbin  
James E. Lick

WEIR REALTY COMPANY

By William T. Robbin Vice President

ATTEST: William T. Robbin Secretary

William T. Robbin  
James E. Lick

SOUTH-BEACH DEVELOPMENT COMPANY

By William T. Robbin Vice President

ATTEST: William T. Robbin Secretary

William T. Robbin  
James E. Lick

THE PALM CLUB, INC.

By William T. Robbin Vice President

ATTEST: William T. Robbin Secretary

William T. Robbin  
James E. Lick

BR 2013

OFF. 2013 PAGE 826  
REC. 2013

BROWARD NATIONAL BANK OF FORT LAUDERDALE,  
As Executor of the Estate of M. A. HORTI,  
Deceased

By

*[Signature]*  
*Helen Fick*



STATE OF Florida )  
COUNTY OF Broward ) ss.:

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, ALTON W. LICK and HILDA F. LICK, his wife, to me well known and known to me to be the individuals described in and who executed the foregoing Agreement, and they acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal at Pompano Beach, Florida  
this 12th day of July, 1960.

(SEAL)

*Helen F. Fick*  
Notary Public

My Commission Expires:

Notary Public, State of Florida at Large  
My Commission Expires May 4, 1962  
Bonded by American Surety Co. of N. Y.

STATE OF Florida )  
COUNTY OF Broward ) ss.:

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, JAMES T. FULGHUM and ELIZABETH H. FULGHUM, his wife, to me well known and known to me to be the individuals described in and who executed the foregoing Agreement, and they acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal at  
this 17th day of July, 1960.

(SEAL)

*W. A. [Signature]*  
Notary Public

My Commission Expires:

STATE OF FLORIDA )  
                          : ss.:  
COUNTY OF BROWARD )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared MILTON N. WEIR, JR. and WILLIAM M. WEIR, as Vice President and Secretary respectively of WEIR REALTY COMPANY, a Florida corporation, to me known to be the persons described in and who executed the foregoing instrument, and they acknowledged before me that they executed the same as such officers of said corporation.

WITNESS my hand and official seal at Pompano Beach, said County and State, this 17th day of June, 1960.

(SEAL)

William M. Weir  
Notary Public

My Commission Expires:

Notary Public, State of Florida at Large  
My Commission Expires May 4, 1962  
Bonded by American Surety Co. of N. Y.

STATE OF FLORIDA )  
                          : ss.:  
COUNTY OF BROWARD )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared MILTON N. WEIR, JR. and WILLIAM M. WEIR, as Vice President and Secretary respectively of SOUTH-BEACH DEVELOPMENT COMPANY, a Florida corporation, to me known to be the persons described in and who executed the foregoing instrument, and they acknowledged before me that they executed the same as such officers of said corporation.

WITNESS my hand and official seal at Pompano Beach, said County and State, this 17th day of June, 1960.

(SEAL)

William M. Weir  
Notary Public

My Commission Expires:

Notary Public, State of Florida at Large  
My Commission Expires May 4, 1962  
Bonded by American Surety Co. of N. Y.

STATE OF FLORIDA )  
                          : ss.:  
COUNTY OF BROWARD )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared MILTON N. WEIR, JR. and WILLIAM M. WEIR, as Vice President and Secretary respectively of THE PALM CLUB, INC., a Florida corporation, to me known to be the persons described in and who executed the foregoing instrument, and they acknowledged before me that they executed the same as such officers of said corporation.

WITNESS my hand and official seal at Pompano Beach, said County and State, this 17th day of June, 1960.

(SEAL)

William M. Weir  
Notary Public

My Commission Expires:

Notary Public, State of Florida at Large  
My Commission Expires May 4, 1962  
Bonded by American Surety Co. of N. Y.

STATE OF FLORIDA     )  
                              ; ss.:  
COUNTY OF BROWARD    )

OFF. REC. 2013 PAGE 828

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared J. B. Richner as Vice President and Trust Officer of BROWARD NATIONAL BANK OF FORT LAUDERDALE, a national banking association, as Executor of the Estate of M. A. HORTT, Deceased, to me known to be the person described in and who executed the foregoing instrument, and he acknowledged before me that he executed the same as such officer of said Bank.

WITNESS my hand and official seal at Fort Lauderdale, said County and State, this 29th day of July, 1960.

(SEAL)

My Commission Expires:

Notary Public

RECORDED IN OFFICIAL RECORDS BOOK  
OF BROWARD COUNTY, FLORIDA  
FRANK H. MARKS  
CLERK OF CIRCUIT COURT