

Appendix M

Private Lift Station License Template

This Document Prepared by: _____
After Recording Return to: Theresa Hunter
951 Martin Luther King Blvd.
Kissimmee, FL 32741

Parcel ID Number:

PRIVATE LIFT STATION LICENSE

THE UNDERSIGNED ("Grantor"), under penalty of perjury, represents that Grantor below is the duly authorized and record owner: _____ see Deed recorded in Official Record Book _____, at Page _____, Public Records of _____ County, Florida located at _____, Florida ("Property").

Grantor hereby grants an irrevocable license to the Tohopekaliga Water Authority ("TWA"), its employees, agents and any third party contractors involved in maintaining or repairing one or more wastewater lift stations and associated facilities located on the Property or any improvements or other construction activities in undertaking such utility work adjacent to the Property owned by Grantor.

Such license shall be for ingress/egress, inspection, construction, restoration and relocation of wastewater lines and connections and activities associated with lift station inspection, maintenance, and operation; and hereby authorizes entry upon and access to such parcels or property for such purposes and uses.

TWA may utilize this license and make such repairs or perform such maintenance if Grantor fails to perform such repairs or maintenance within thirty (30) days of notice to do so, unless emergency attention is required.

If emergency repairs or maintenance are otherwise required, in the sole judgment of TWA, TWA may, but does not have the duty to, make the needed repairs immediately without advance notice to Grantor (but providing notice as soon as practicable thereafter).

Grantor shall reimburse TWA for all of TWA's costs and expenses in making such repairs and/or maintenance, and such reimbursement shall be deemed to be a rate, fee or charge immediately due TWA.

Grantor agrees that it will fully indemnify and reimburse TWA for any and all liability or costs that TWA may incur as result of making such repairs and/or maintenance provided for in this license.

Any such rates, fees or charges provided for herein shall be due immediately upon demand, shall be a lien on any parcel or property affected thereby, and shall be subject to enforcement or collection as a rate, fee or charge due TWA by any legally available means, including termination of water or wastewater services. The applicability of the provisions of this

license also run with, touch and concern the affected parcels or property, and this license is a prerequisite to constructing any privately owned lift station on the affected parcels or property, connecting it to TWA facilities, and maintaining such connection to TWA facilities.

Grantor agrees to indemnify and hold TWA harmless from any claim occasioned by the entry or work performed on the affected parcels or property by any third party contractor. Grantor understands and acknowledges that TWA does not and cannot make any representation or warranty relative to compliance with any governmental, municipal or county code, regulation or similar provision concerning any restoration or relocation of plumbing on the affected parcels or property, but that as a result of any entering onto or access upon the affected parcels or property that TWA or any licensee hereunder upon acceptance hereof shall return the surface of the affected parcels or property to a condition equal to or better than that existing prior to entry or construction thereon.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, said parties of the first part have hereunto set their hands and seal the date first above written.

Signed, sealed and delivered in the presence of:

WITNESSES

x: _____
Print: _____

x: _____
Print: _____

GRANTOR

By: _____
Print: _____

Company: _____
Address: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20____,
by _____, of _____, a _____
_____ authorized to do business in the State of Florida, on
behalf of the corporation. S/He is personally known to me or has produced
as identification and did (did not) take an oath.

Signature of Person Taking Acknowledgment

Name of Acknowledger Typed, Printed or Stamped

Title or Rank

Serial Number, if any.