

EASEMENT MAINTENANCE AGREEMENT

This Easement Maintenance Agreement (the "Agreement") is made this 6 day of July, 2021, by and between Health First, Inc., a Florida not for profit corporation, whose address is 6450 US Highway 1, Rockledge, Florida 32955, as the first party (referred to herein as "Health First"), and Brevard County, a political subdivision of the State of Florida, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, as the second party (referred to herein as the "County").

WHEREAS, the parties have entered into the Force Main Easement, dated April 21, 2021, and the Temporary Construction Easement, dated April 21, 2021 (collectively referred to herein as the "Easements");

WHEREAS, the parties seek to clarify each party's responsibilities relating to the Easements;

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. The land affected by the Easements shall be referred to herein as the "Easement Area".
2. The County shall be responsible for the prompt repair of any damage or destruction to any portion of the Easement Area arising from the County's work, access, ingress, egress, or use related to the Easements. Examples shall include, but are not limited to, damage or destruction to the Easement Area resulting from the structural failure of underlying infrastructure or collapse of land.
3. The County acknowledges and agrees that Health First shall have the right to determine the timeline in which any such repairs to the Easement Area are to be completed by the County.
4. The term of the Temporary Construction Easement shall commence upon i) the beginning of the project as described in the Temporary Construction Easement, or ii) the first day the County places equipment or utilizes parking on the Easement Area, whichever is earlier. The term of this Agreement shall expire upon the completion of the project or 365 days from the commencement of the project, whichever occurs first.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the date first above written.

BREVARD COUNTY

By: _____

Name: Rita Pritchett

Title: Chair

HEALTH FIRST, INC.

By: _____

Name: Michael Scialdone

Title: EVP / Chief Financial Officer