



# TOWN OF MELBOURNE BEACH

BREVARD COUNTY'S OLDEST BEACH COMMUNITY ESTABLISHED 1883

## RIGHT-OF-WAY DRIVEWAY COVENANT FOR MATERIAL OTHER THAN BROOM FINISHED CONCRETE OR ASPHALT

STATE OF FLORIDA  
COUNTY OF BREVARD

THIS COVENANT, made by \_\_\_\_\_, legal owners (hereinafter  
"The Owners") of the property described as:

\_\_\_\_\_  
(Street address)

WHEREAS, the Owners have applied for a permit to construct a driveway of \_\_\_\_\_  
construction, a portion of which will be constructed in the Town right-of-way, and such (materials)  
construction will not be of asphalt or regular broom finish concrete, typical for driveways in  
right-of-way as authorized by the Town of Melbourne Beach, or of driveway materials which the  
Town constructs, repairs, or replaces when it performs activities in its rights-of way; and

WHEREAS, the Owners desire to construct or replace a driveway and wish to recognize that the  
Town of Melbourne Beach shall have no responsibility to replace that portion of the driveway, in  
the right-of-way, should the Town perform any activity within their right-of-way.

NOW THEREFORE, in return for the benefits that will accrue from the construction of the  
driveway, and in accordance with the criteria for permits for construction of driveways, other than  
those types aforementioned through this land covenant right-of-way, The Owners of the above  
described property hereby agree and covenant that the Town of Melbourne Beach shall not bear  
any responsibility for replacement of such driveway, located within the right-of-way, on this  
property, should the need arise.

The Owners agree and covenant that the cost of replacement of that portion of the driveway, if  
required, will be borne by the Owners, their heirs, assigns and successors. This Covenant shall  
run with the land.

OWNER \_\_\_\_\_ DATE \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of  
\_\_\_ physical presence or \_\_\_ online notarization, on this \_\_\_ day of \_\_\_\_\_, 20\_\_\_  
By \_\_\_\_\_ of  
\_\_\_\_\_ who is personally known to me \_\_\_\_\_ or has  
Produced identification \_\_\_\_\_.

\_\_\_\_\_  
Notary Signature & Stamp