

INSTR # 1849308
 OR BK 02027 PG 1747
 RECORDED 06/21/2005 03:35:58 PM
 MARSHA EWING
 CLERK OF MARTIN COUNTY FLORIDA
 DEED DOC TAX 0.70
 RECORDED BY S Phoenix

This instrument prepared by:

Project Name: _____
 Parcel No: _____
 PCN: _____

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

UTILITY EASEMENT

THIS EASEMENT granted and executed this _____ day of _____, 2005, by Wal-Mart Stores East, LP, a corporation existing under the laws of the State of Delaware, whose address is 2001 SE 10th St.; Bentonville, AR 72716, Grantor, to MARTIN COUNTY, a political subdivision of the State of Florida, whose address is 2401 SE Monterey Road, Stuart, Florida 34996, Grantee.

(Wherever used herein the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, that the Grantor, for and in consideration of the sum of \$1.00 and other good and valuable consideration paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby grant unto the Grantee forever, a permanent non-exclusive Easement on certain lands located in Martin County, Florida as more particularly described in Exhibit "A" attached hereto and made a part hereof (the "Easement Premises") for the construction, reconstruction, replacement, operation, maintenance, and repair of utility related equipment, including, but not limited to lift stations, pumps, pipelines, fences, structures, and powerline hookups, if required, and for ingress and egress in, under, over, across, and through the Easement Premises as may be reasonably necessary, to carry out the purposes of this Easement.

The Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of the Easement Premises in fee simple and that Grantor has good right and lawful authority to grant and convey this Easement, and that Grantor fully warrants the title to the Easement Premises, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name by its duly authorized officer and caused its corporate seal to be affixed the day and year first above written.

Signed, sealed and delivered
 in the presence of:

Never accepted by the BOCC

Telephone Number: (479) 273-4000

OR BK 02027 PG 1748

ATTEST

WAL-MART STORES EAST, LP
a Delaware limited partnership

By: WSE Management, LLC, a Delaware limited liability
company, its General Partner

Joan Mladucky
Its Assistant Secretary

By: Robert M. Bedard
Robert M. Bedard, Assistant Vice President

Federal Tax ID: 0862119



STATE OF Arkansas,
COUNTY OF Benton,

The foregoing instrument was acknowledged before me this 8th day of June, 2005, by Robert M. Bedard ~~ASST. VP~~ President, and Joan Mladucky, as ~~ASST.~~ Secretary, of Wal-Mart Stores East Inc. a corporation existing under the laws of the State of Arkansas, on behalf of the corporation. Robert M. Bedard, is (X) personally known to me or has produced Joan Mladucky as identification and is (X) personally known to me or has produced as identification.

NOTARY PUBLIC

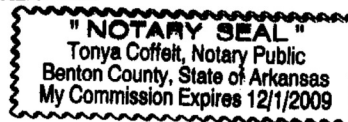
Tonya Coffelt
Signature

Tonya Coffelt
(Print or Type Name)

Commission No: RP-00-09945

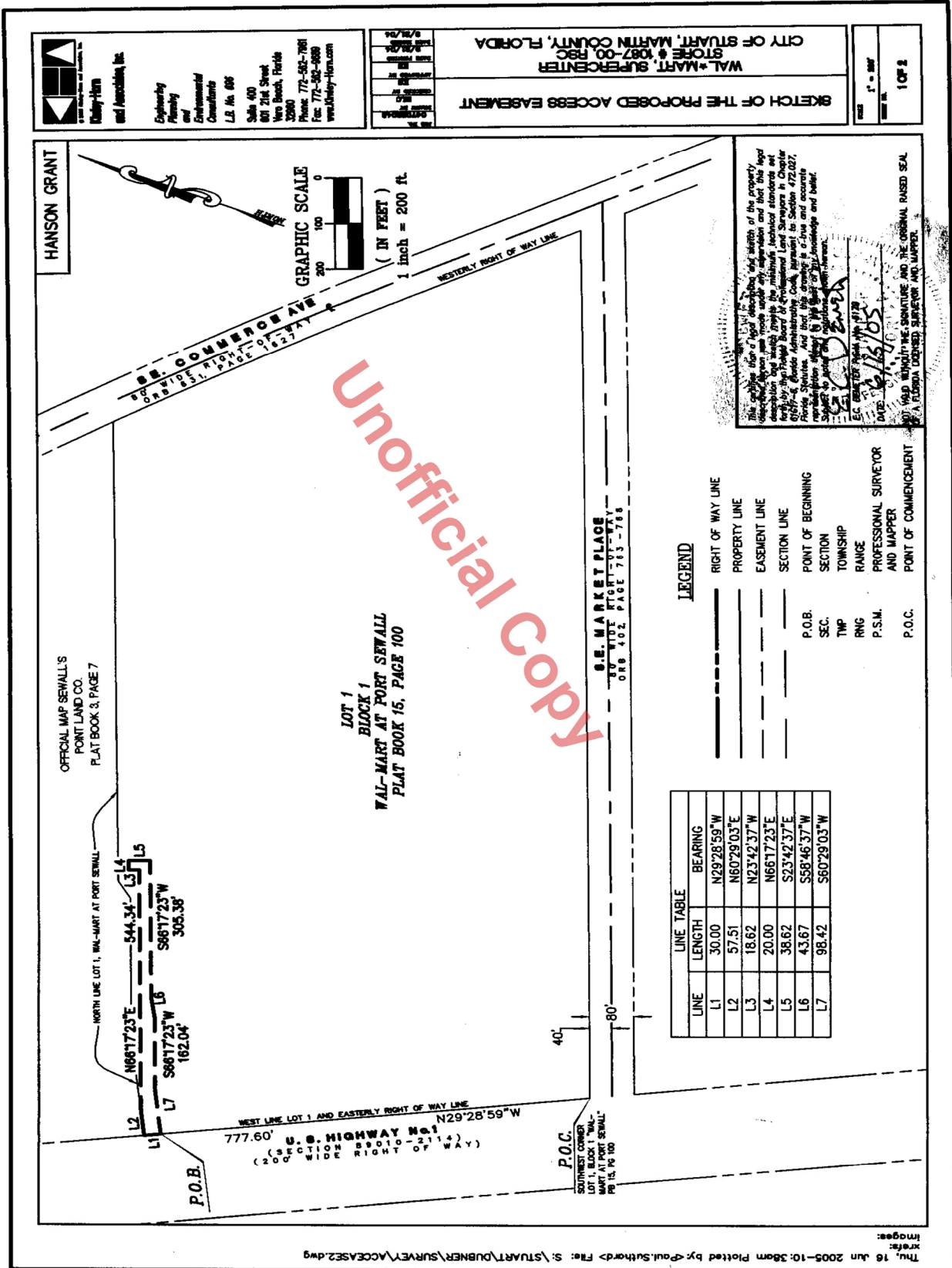
My Commission Expires: 12-1-2009

SEAL/STAMP



Approved as to legal terms only
by K W
WAL-MART LEGAL DEPT.
Date: 6-6-05

OR BK 02027 PG 1749



This instrument prepared by:
Martin County Property Management Division
2401 SE Monterey Road
Stuart, Florida 34996

Project Name: Utility Easement at Walmart
Corrects OR 2027, Pg1747
Parcel No: _____
PCN: 38-38-41-020-001-00010-0

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

CORRECTIVE UTILITY EASEMENT

THIS EASEMENT granted and executed this 3rd day of January, 2007, by WAL-MART STORES EAST, LP., a Delaware limited liability company, whose address is 2001 SE 10th St., Bentonville, AR 72716, Grantor, to MARTIN COUNTY, a political subdivision of the State of Florida, whose address is 2401 SE Monterey Road, Stuart, Florida 34996, Grantee.

(Wherever used herein the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, that the Grantor, for and in consideration of the sum of \$1.00 and other good and valuable consideration paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby grant unto the Grantee forever, a permanent non-exclusive Easement on certain lands located in Martin County, Florida as more particularly described in Exhibit "A" attached hereto and made a part hereof (the "Easement Premises") for the construction, reconstruction, replacement, operation, maintenance, and repair of utility related equipment, including, but not limited to lift stations, pumps, pipelines, fences, structures, and powerline hookups, if required, and for ingress and egress in, under, over, across, and through the Easement Premises as may be reasonably necessary, to carry out the purposes of this Easement.

The Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of the Easement Premises in fee simple and that Grantor has good right and lawful authority to grant and convey this Easement, and that Grantor fully warrants the title to the Easement Premises, and will defend the same against the lawful claims of all persons whomsoever.

That certain "Utility Easement" recorded on 6/21/2005 in OR Book 2027, Page 1747, public records of Martin County, Florida, purporting to grant a utility easement to Martin County is erroneous due to scrivener's errors in the legal description thereof, and is ineffective because it was never accepted and approved by resolution of the Martin County Board of County Commissioners in

Accepted Pursuant to Resolution
No 07-3.6
on 3-13-2007

accordance with Sec. 139.31 and 139.32, General Ordinances, Martin County Code.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name by its duly authorized officer and caused its corporate seal to be affixed the day and year first above written.

Signed, sealed and delivered
in the presence of:

WAL-MART STORES EAST, LP., a
Delaware limited liability company.

ATTEST:

By: Frances Cokerly
Title: Director, Realty Management
FRANCES COKERLY
Type or Print Name

By: Barri Tulgetske
Title: Senior Realty Manager
Barri Tulgetske
Type or Print Name

(Corporate Seal)

Federal Tax No. _____

STATE OF Arkansas)
COUNTY OF Benton) ss.

Approved as to legal terms only
by [Signature]
WAL-MART LEGAL DEPT.
Date: 1/3/2007

The foregoing instrument was acknowledged before me this 3rd day of January, 2007, by Barri Tulgetske, as Senior Realty Manager, and Frances Cokerly, as Director of Realty Management, of WAL-MART STORES EAST., a Delaware limited liability company, on behalf of the company. _____ is (X) personally known to me or () has produced _____ as identification. _____ is () personally known to me or () has produced _____ as identification.

NOTARY PUBLIC

Charlotte Sue Kerst
Signature
CHARLOTTE SUE KERST
(Print or Type Name)

Commission No: _____

My Commission Expires _____

SEAL/STAMP

CHARLOTTE SUE KERST
"NOTARY PUBLIC"
State of Arkansas, Benton County
My Commission Expires 10/1/2014

LINE TABLE		
LINE	LENGTH	BEARING
L1	10.00	N29°28'59"W
L2	111.61	N60°46'14"E
L3	52.80	N89°07'23"E
L4	137.54	N66°17'23"E
L5	89.32	N23°42'37"W
L6	44.57	N24°45'10"W
L7	10.00	N66°17'23"E
L8	44.57	S24°45'10"E
L9	19.10	N66°17'23"E
L10	10.00	S23°42'37"E
L11	19.10	S66°17'23"W
L12	140.37	S23°42'37"E

L13	43.69	S66°17'23"W
L14	10.00	S66°19'21"W
L15	30.00	S23°42'37"E
L16	10.00	S66°17'23"W
L17	30.00	N23°42'37"W
L18	159.55	S66°17'23"W
L19	29.63	S66°17'23"W
L20	10.00	N23°42'37"E
L21	29.63	N66°17'23"E
L22	62.83	N23°42'37"W
L23	149.56	S66°17'23"W
L24	52.29	S89°07'23"W
L25	109.04	S60°46'23"W
L26	10.00	N66°17'23"E
L27	89.32	S23°42'37"E

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
P.B.	PLAT BOOK
P.G.	OFFICIAL RECORDS BOOK
ORB	CENTERLINE
LB	LICENSED BUSINESS
SEC.	SECTION
TWP	TOWNSHIP
RNG	RANGE
P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
GPS	GLOBAL POSITIONING SYSTEM

LEGEND

REVISED LEGAL DESCRIPTION - 7/24/06

This certifies that a legal description and sketch of the property described herein was made under my supervision and that this legal description and sketch meets the minimum technical standards set forth by the Florida Board of Professional Land Surveyors in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes. And that this drawing is a true and accurate representation thereof to the best of my knowledge and belief.

E.C. DeMeyer
E.C. DEMETER P.S.L. No. 5178
DATE: 7-25-06

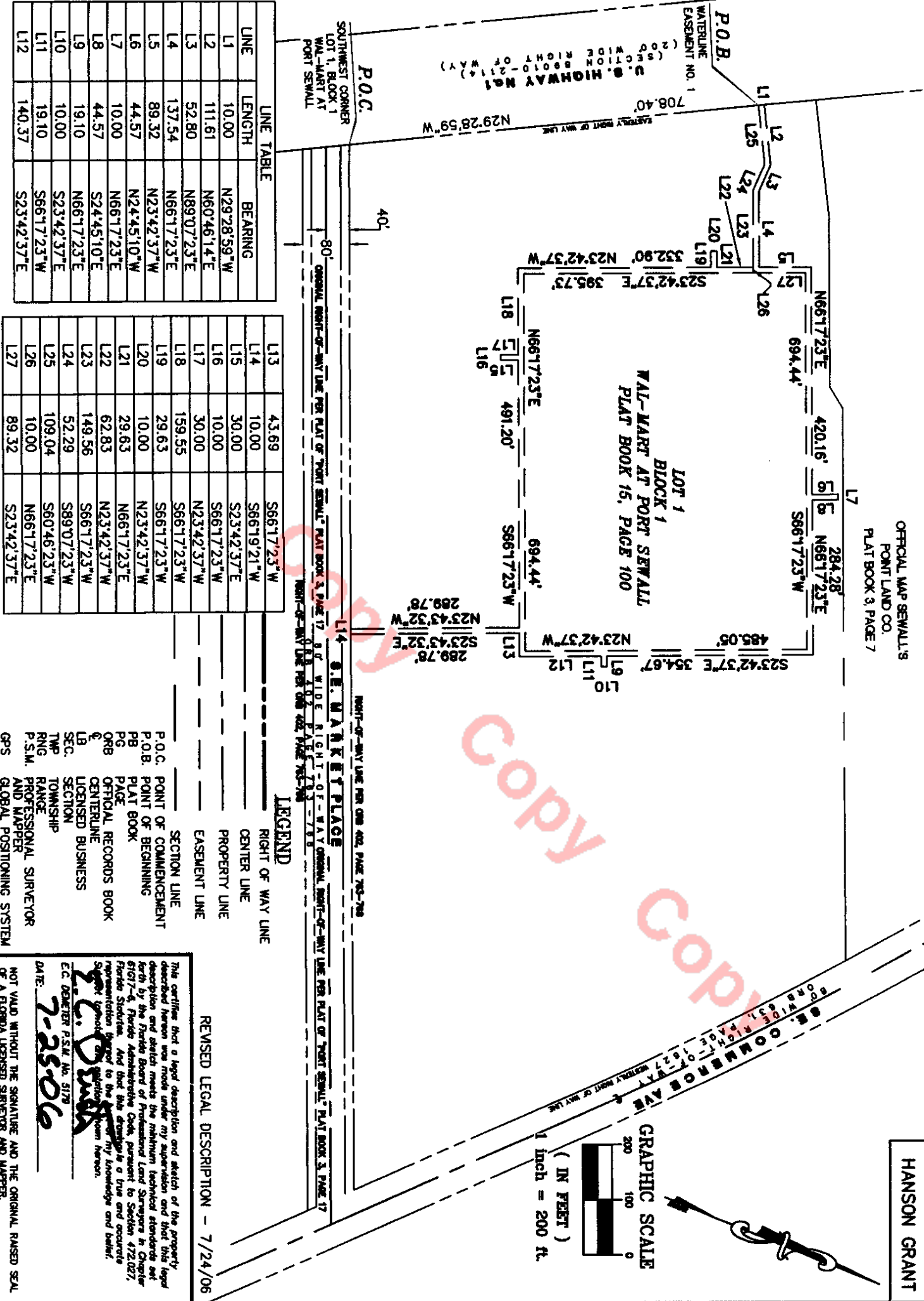
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SKETCH OF THE PROPOSED WATERLINE EASEMENT

WAL-MART, SUPERCENTER
STORE # 1087-00, PSC
CITY OF STUART, MARTIN COUNTY, FLORIDA

DATE	7/25/06
BY	E.C. DEMETER
CHECKED	
DATE	
BY	
CHECKED	
DATE	
BY	

HANSON GRANT
and Associates, Inc.
Engineering
Planning
and
Environmental
Consultants
L.B. No. 695
Suite 400
601 21st Street
Vero Beach, Florida
32960
Phone: 772-562-7961
Fax: 772-562-9888
www.hanson-grant.com



LEGAL DESCRIPTION: WATERLINE EASEMENT

HANSON GRANT

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING A PORTION OF LOT 1, BLOCK 1, WAL-MART AT PORT SEWALL ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 15, PAGE 100, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING FOR REFERENCE AT THE SOUTHWEST CORNER OF SAID LOT 1;

THENCE, BEARING NORTH 29°28'59" WEST, ALONG THE EASTERLY RIGHT OF WAY LINE OF US HIGHWAY No. 1 (A 200' WIDE RIGHT OF WAY) AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION No. 89010-2114, A DISTANCE OF 708.40 FEET TO THE POINT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE, BEARING NORTH 29°28'59" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 10.00 FEET TO A POINT;

THENCE, LEAVING SAID EASTERLY RIGHT OF WAY LINE, BEARING NORTH 60°46'14" EAST, A DISTANCE OF 111.61 FEET TO A POINT;

THENCE, BEARING NORTH 89°07'23" EAST, A DISTANCE OF 52.80 FEET TO A POINT;
THENCE, BEARING NORTH 66°17'23" EAST, A DISTANCE OF 137.54 FEET TO A POINT
THENCE, BEARING NORTH 23°42'37" WEST, A DISTANCE OF 89.32 FEET TO A POINT;
THENCE, BEARING NORTH 66°17'23" EAST, A DISTANCE OF 420.16 FEET TO A POINT;
THENCE, BEARING NORTH 24°45'10" WEST, A DISTANCE OF 44.57 FEET TO A POINT;
THENCE, BEARING NORTH 66°17'23" EAST, A DISTANCE OF 10.00 FEET TO A POINT;
THENCE, BEARING SOUTH 24°45'10" EAST, A DISTANCE OF 44.57 FEET TO A POINT;
THENCE, BEARING NORTH 66°17'23" EAST, A DISTANCE OF 284.28 FEET TO A POINT;
THENCE, BEARING SOUTH 23°42'37" EAST, A DISTANCE OF 354.67 FEET TO A POINT;
THENCE, BEARING NORTH 66°17'23" EAST, A DISTANCE OF 19.10 FEET TO A POINT;
THENCE, BEARING SOUTH 23°42'37" EAST, A DISTANCE OF 10.00 FEET TO A POINT;

SURVEYORS NOTES

- 1) THIS IS A SKETCH OF LEGAL DESCRIPTION ONLY, NOT A BOUNDARY RETRACEMENT SURVEY.
- 2) REFER TO THE BOUNDARY SURVEY PERFORMED BY KIMLEY-HORN AND ASSOCIATES, INC. SHEET S-1, DATED DECEMBER 10, 2003 PROJECT NUMBER 047053048
- 3) THE BEARING BASE FOR THIS SURVEY IS BASED UPON GRID NORTH, UTILIZING THE PUBLISHED MARTIN COUNTY GPS CONTROL POINTS GS 30 AND GS 31.
- 4) THE SCALE OF THIS DRAWING MAY HAVE BEEN DISTORTED DURING REPRODUCTION PROCESSES.

THENCE, BEARING SOUTH 66°17'23" WEST, A DISTANCE OF 19.10 FEET TO A POINT;
THENCE, BEARING SOUTH 23°42'37" EAST, A DISTANCE OF 140.37 FEET TO A POINT;
THENCE, BEARING SOUTH 66°17'23" WEST, A DISTANCE OF 43.69 FEET TO A POINT;
THENCE, BEARING SOUTH 23°43'32" EAST, A DISTANCE OF 289.78 FEET TO A POINT;
THENCE, BEARING SOUTH 66°19'21" WEST, A DISTANCE OF 10.00 FEET TO A POINT;
THENCE, BEARING NORTH 23°43'32" WEST, A DISTANCE OF 289.78 FEET TO A POINT;
THENCE, BEARING SOUTH 66°17'23" WEST, A DISTANCE OF 491.20 FEET TO A POINT;
THENCE, BEARING SOUTH 23°42'37" EAST, A DISTANCE OF 30.00 FEET TO A POINT;
THENCE, BEARING SOUTH 66°17'23" WEST, A DISTANCE OF 10.00 FEET TO A POINT;
THENCE, BEARING NORTH 23°42'37" WEST, A DISTANCE OF 30.00 FEET TO A POINT;
THENCE, BEARING SOUTH 66°17'23" WEST, A DISTANCE OF 159.55 FEET TO A POINT;
THENCE, BEARING NORTH 23°42'37" WEST, A DISTANCE OF 332.90 FEET TO A POINT;
THENCE, BEARING SOUTH 66°17'23" WEST, A DISTANCE OF 29.63 FEET TO A POINT;
THENCE, BEARING NORTH 23°42'37" WEST, A DISTANCE OF 62.83 FEET TO A POINT;
THENCE, BEARING NORTH 66°17'23" EAST, A DISTANCE OF 10.00 FEET TO A POINT;
THENCE, BEARING NORTH 23°42'37" WEST, A DISTANCE OF 29.63 FEET TO A POINT;
THENCE, BEARING NORTH 66°17'23" EAST, A DISTANCE OF 29.63 FEET TO A POINT;
THENCE, BEARING NORTH 23°42'37" WEST, A DISTANCE OF 29.63 FEET TO A POINT;
THENCE, BEARING NORTH 66°17'23" EAST, A DISTANCE OF 10.00 FEET TO A POINT;
THENCE, BEARING NORTH 23°42'37" WEST, A DISTANCE OF 62.83 FEET TO A POINT;
THENCE, BEARING NORTH 66°17'23" EAST, A DISTANCE OF 10.00 FEET TO A POINT;
THENCE, BEARING SOUTH 23°42'37" EAST, A DISTANCE OF 395.73 FEET TO A POINT;
THENCE, BEARING NORTH 66°17'23" EAST, A DISTANCE OF 694.44 FEET TO A POINT;
THENCE, BEARING NORTH 23°42'37" WEST, A DISTANCE OF 485.05 FEET TO A POINT;
THENCE, BEARING SOUTH 66°17'23" WEST, A DISTANCE OF 694.44 FEET TO A POINT;
THENCE, BEARING SOUTH 23°42'37" EAST, A DISTANCE OF 89.32 FEET TO A POINT;
THENCE, BEARING SOUTH 66°17'23" WEST, A DISTANCE OF 149.56 FEET TO A POINT;
THENCE, BEARING SOUTH 89°07'23" WEST, A DISTANCE OF 52.29 FEET TO A POINT;
THENCE, BEARING SOUTH 60°46'23" WEST, A DISTANCE OF 109.04 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF 31,135 SQUARE FEET OR 0.715 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

REVISED LEGAL DESCRIPTION - 7/24/06



Kimley-Horn
and Associates, Inc.

Engineering
Planning
and
Environmental
Consultants

L.E. No. 690

Suite 400
601 2nd Street
Vero Beach, Florida
32960
Phone: 772-562-7801
Fax: 772-562-6899
www.kimley-horn.com

LEGAL DESCRIPTIONS OF THE
PROPOSED WATERLINE EASEMENT

WAL-MART, SUPERCENTER
STORE # 1087-00, RSC
CITY OF STUART, MARTIN COUNTY, FLORIDA

1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
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1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12

DATE: 7/24/06

SHEET NO. 2 OF 2

BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

RESOLUTION NO. 07-3.6

WHEREAS, the Martin County Utilities and Solid Waste Department needs three Utility Easements across portions of the property owned by Wal-Mart Stores East, LP., a Delaware limited liability company for the installation and maintenance of certain utility facilities, and

WHEREAS, by three Corrective Utility Easements, each dated January 3, 2007, Wal-Mart Stores East, LP. granted the needed utility easements to Martin County, and

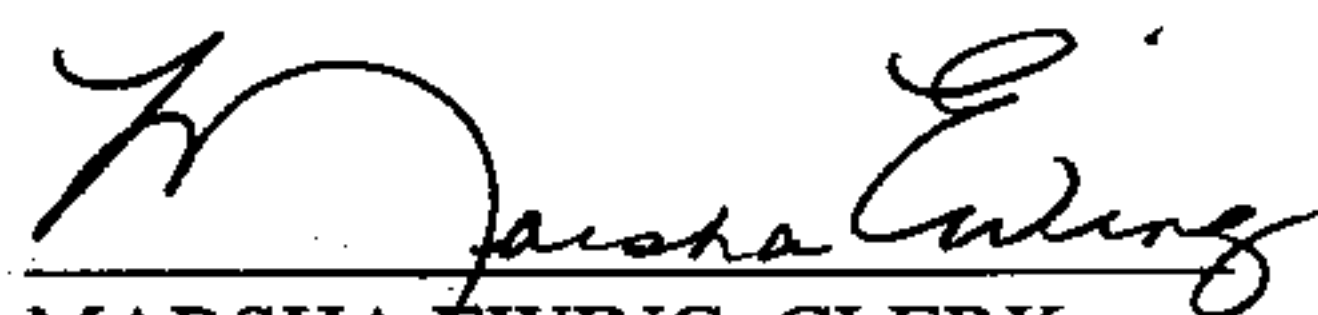
WHEREAS, Sec. 139.31 and 139.32, General Ordinances, Martin County Code require that any conveyance of land for any public purpose shall be accepted and approved by resolution by the Board of County Commissioners of Martin County.

NOW, THEREFORE, BE IT RESOLVED BY THE MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS, THAT:

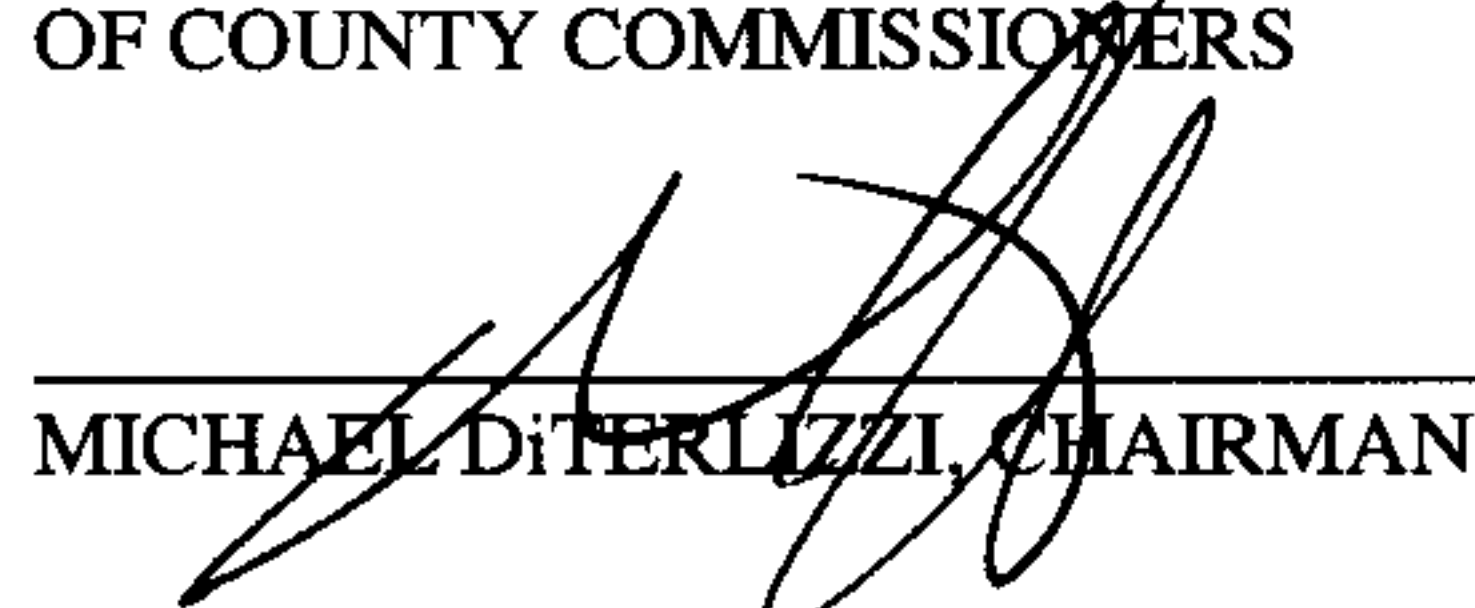
The Martin County Board of County Commissioners hereby accepts the foregoing described three Corrective Utility Easements conveyed to Martin County by Wal-Mart Stores East, LP.

DULY PASSED AND ADOPTED THIS 13th DAY OF MARCH 2007.

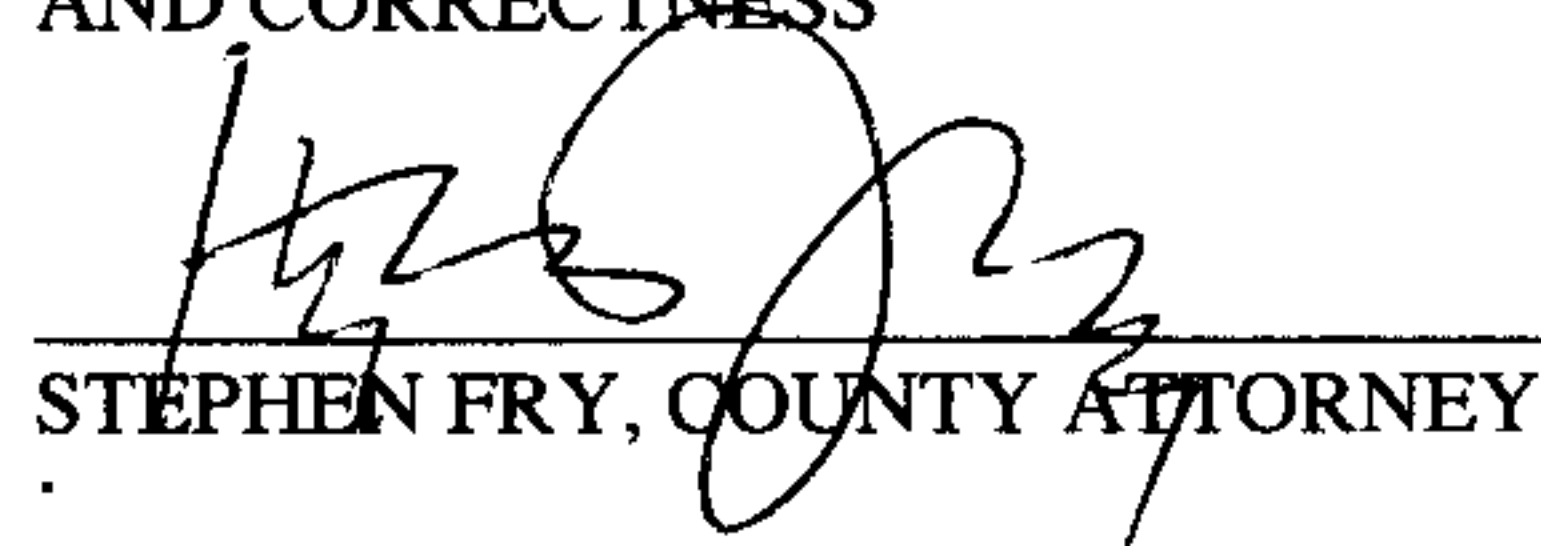
ATTEST:


MARSHA EWING, CLERK

MARTIN COUNTY BOARD
OF COUNTY COMMISSIONERS


MICHAEL DITERLIZZI, CHAIRMAN

APPROVED AS TO FORM
AND CORRECTNESS


STEPHEN FRY, COUNTY ATTORNEY

INSTR # 2004475 DR BK 02236 PG 2443 RECD 04/05/2007 03:46:19 PM
Pg 2443 (1pg)
MARSHA EWING MARTIN COUNTY DEPUTY CLERK C Burke