



**BEFORE THE CITY COMMISSION  
CITY OF STUART, FLORIDA**

**RESOLUTION NUMBER 08-2026**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ACCEPTING A UTILITIES EASEMENT GRANTED BY MARTIN COUNTY, FLORIDA; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A PARTIAL RELEASE OF NON-EXCLUSIVE WATER AND SEWER EASEMENT AGREEMENT BETWEEN THE CITY OF STUART, FLORIDA AND MARTIN COUNTY, FLORIDA RELATED TO HANGAR #10 LOCATED AT WITHAM FIELD AIRPORT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

\* \* \* \* \*

**WHEREAS**, pursuant to Section 42-791 of the City's Code of Ordinances, no facilities will be installed and/or accepted by the City for maintenance unless the facilities are in a public right-of-way or dedicated easement; and

**WHEREAS**, Martin County, Florida is the fee simple owner of real property located at Witham Field Airport, 2240 SE Witham Field Drive, Stuart, Florida, 34996; and

**WHEREAS**, the City of Stuart, Florida entered into a Non-Exclusive Water and Sewer Easement with Martin County on September 25, 2012, for the construction, operation, maintenance, repair, replacement and ownership of water and sewer lines and appurtenances within the Easement Premises; and

**WHEREAS**, currently a project known as Hangar #10 at Witham Field Airport has been constructed within the subject utilities easement and atop of City of Stuart owned and maintained infrastructure and utilities; and

**WHEREAS**, Martin County had new utilities infrastructure installed so as to reroute the utilities infrastructure around Hangar #10; and

**WHEREAS**, on September 9, 2025, Martin County granted the City a new utilities easement for the new, rerouted utilities infrastructure redirected around Hangar #10; and

**WHEREAS**, the City of Stuart will no longer own, maintain and/or be responsible for the utilities infrastructure located under Hangar #10; and

**WHEREAS**, the City Commission believes that it is in the best interest of the City of Stuart to enter into and execute the Partial Release of Non-Exclusive Water and Sewer Easement with Martin County, Florida.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:**

**SECTION 1:** The above recitals are hereby incorporated as if fully set forth herein.

**SECTION 2:** The dedicated utilities agreement granted by Martin County, Florida at Hangar #10 at Witham Field Airport on September 9, 2025 is hereby formally accepted. In addition, the Mayor is authorized to execute the Partial Release of Non-Exclusive Water and Sewer Easement, subject to review and approval of the City Attorney, with Martin County, Florida.

**SECTION 3:** This resolution shall take effect immediately upon adoption.

Commissioner CLARKE offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner GIOBBI and upon being put to a roll call vote, the vote was as follows:

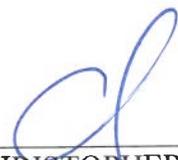
CHRISTOPHER COLLINS, MAYOR  
SEAN REED, VICE MAYOR  
EULA R. CLARKE, COMMISSIONER  
LAURA GIOBBI, COMMISSIONER  
CAMPBELL RICH, COMMISSIONER

YES	NO	ABSENT	ABSTAIN
Y			
Y			
Y			
Y			
Y			

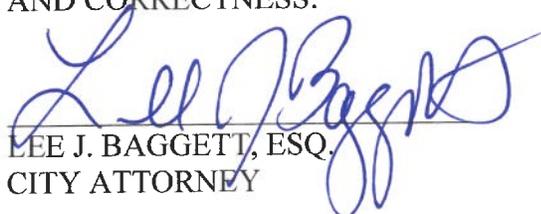
ADOPTED this 26<sup>th</sup> day of January, 2026.

ATTEST:

  
MARY R. KINDEL, MMC  
CITY CLERK

  
CHRISTOPHER COLLINS  
MAYOR

APPROVED AS TO FORM  
AND CORRECTNESS:

  
LEE J. BAGGETT, ESQ.  
CITY ATTORNEY

