

NON-EXCLUSIVE WATER AND SEWER EASEMENT

THIS NON-EXCLUSIVE WATER AND SEWER EASEMENT executed and delivered this 25th day of September, 2012, by and between MARTIN COUNTY, a political subdivision of the State of Florida, whose post office address is 2401 S.E. Monterey Road, Stuart, Florida (hereinafter the "Grantor"), and the CITY OF STUART, FLORIDA, a municipal corporation of the State of Florida (hereinafter the "Grantee").

WITNESSETH

WHEREAS, Grantor intends to grant a non-exclusive water and sewer easement (the "Easement") to Grantee on that certain land described on Exhibit "A" attached hereto and made a part hereof (the "Easement Premises"), subject to certain terms and conditions as set forth herein.

NOW, THEREFORE, in consideration of Ten AND NO/100 DOLLARS (\$10.00) and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby grants to Grantee the Easement across and under the Easement Premises, subject to the following:

1. **Purposes and Permitted Uses.** The purpose of the Easement is to provide Grantee, its agents and employees, access to and use of the Easement Premises for the construction, operation, maintenance, repair, replacement and ownership of water and sewer lines and appurtenances by the Grantee within the Easement Premises.

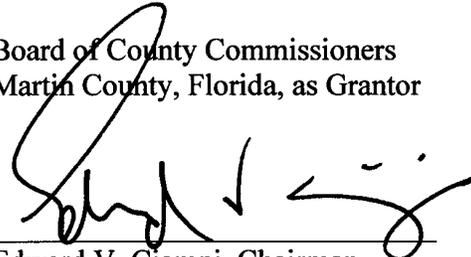
2. **Prohibition of Assignment.** Grantee shall not assign this Easement without the express, written consent of the Martin County Board of County Commissioners. Any attempt to assign the Easement without the required consent shall nullify the Easement and all rights thereto.

3. **Grantor's Rights.** The Grantor shall retain all rights over and upon the Easement Premises for paving, drainage, utilities, airport functions, and any other use which does not conflict with Grantee's use.

4. **Notice, Approval and Restoration of Easement Premises.** Prior to accessing the Easement Premises, the Grantee shall notify the Air Traffic Control Tower and the Airport Director or his designee, and receive approval to access the Easement Premises. The Grantee agrees that it will not alter or obstruct or allow the alteration or obstruction of the Easement Premises in any way without the express written consent of the Grantor. Grantee, its contractors, agents and employees shall have free access to the Easement Premises and every part thereof, at all times, for the purpose of exercising the rights granted herein; provided however in making any excavations on the Easement Premises, Grantee shall make the same in such manner as will cause the least injury to the surface of the ground and restore any improvements within such excavation to as near the same condition as it was prior to such excavation as soon as is practicable.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman of said Board on the day and year first above written.

Board of County Commissioners
Martin County, Florida, as Grantor



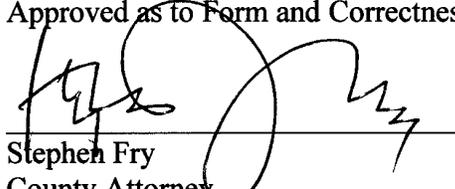
Edward V. Ciampi, Chairman

ATTEST:

Marsha Ewing by ASeg Counselor
Marsha Ewing, Clerk



Approved as to Form and Correctness:



Stephen Fry
County Attorney

Acknowledged and Accepted:
The City of Stuart, Florida, a municipal
Corporation of the State of Florida, as
Grantee

ATTEST:

Cheryl White
Cheryl White, Clerk

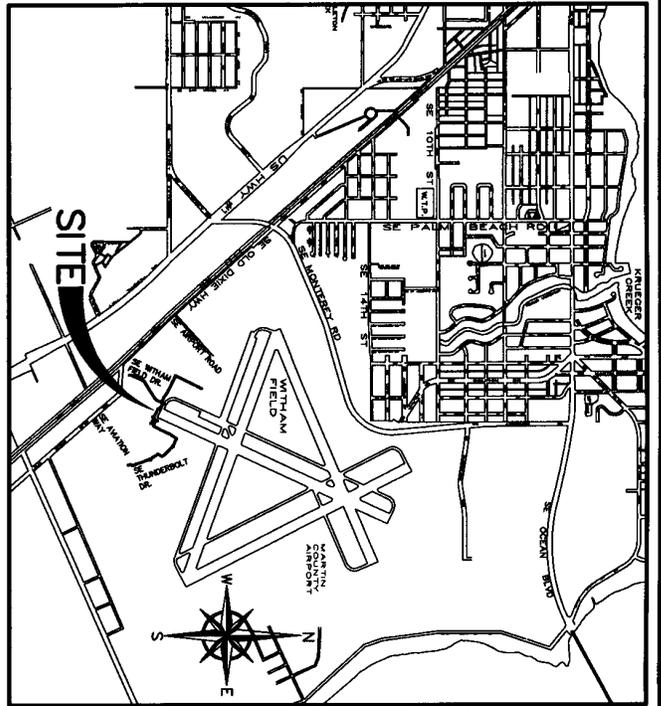
By: *James A. Christie, Jr.*
James Christie, Jr., Mayor

Approved as to form and
Correctness:

Michael Durham
Michael Durham, City Attorney



EXHIBIT "A"



LOCATION MAP
(NOT TO SCALE)

SURVEYOR'S NOTES

1. THE BEARINGS AS SHOWN HEREON ARE BASED ON STATE PLANE COORDINATES, NORTH AMERICAN DATUM OF 83/90, FLORIDA EAST ZONE, REFERENCE A BEARING OF N00°20'44"E ALONG THE WEST LINE OF SECTION 10-38-41, MARTIN COUNTY, FLORIDA.
2. THIS IS NOT A BOUNDARY SURVEY.
3. THIS SKETCH AND LEGAL DESCRIPTION SHALL NOT BE VALID UNLESS PROVIDED IN ITS ENTIRETY CONSISTING OF SHEETS 1 THROUGH 8.

ABBREVIATIONS

Q	CENTERLINE	P.O.T.	POINT OF TERMINUS
NO.	NUMBER	RNG.	RANGE
F.E.C.	FLORIDA EAST COAST	SEC.	SECTION
P.L.S.	PROFESSIONAL LAND SURVEYOR	S.R.	STATE ROAD
P.O.B.	POINT OF BEGINNING	TWP.	TOWNSHIP
P.O.C.	POINT OF COMMENCEMENT	U.E.	UTILITY EASEMENT

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" AS SHOWN HEREON WAS PREPARED UNDER MY DIRECTION AND CHARGE ON JANUARY 26, 2012, AND THAT SAID "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT IS FURTHER CERTIFIED THAT THIS "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 4720.07, FLORIDA STATUTES.

BETSY LINDSAY, INC.
SURVEYORS AND MAPPERS

ELIZABETH A. LINDSAY, P.L.S.
FLORIDA REGISTRATION NO. 47224

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

STATE OF FLORIDA

ELIZABETH A. LINDSAY, P.L.S.
FLORIDA REGISTRATION NO. 47224

SHEET NO. 1	DATE	REVISIONS
OF 8 SHEETS	02/15/12	REMOVED PER CLIENT COMMENTS
PROJECT NO. 10-20 A	05/25/12	EXTEND EASEMENT NO. 14 PER NEW CONSTRUCTION
	06/05/12	REVISED PER MARTIN CO. COMMENTS

A PORTION OF WITHAM FIELD AIRPORT IN SEC. 10 & 15, TWP. 38 S., RNG. 41 E. & THE HANSON GRANT, MARTIN COUNTY, FL

SKETCH AND LEGAL DESCRIPTION
UTILITY EASEMENT

DATE 01/26/2012	SCALE NOT TO SCALE
DRAWING BY D.B.	CHECKED BY E.A.L.

B BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7807 SW JACK JAMES DRIVE SUITE 100 CORONA 32007
704-446-5282 (720)961-0057 FAX
LICENSED BUSINESS NO. 0682

LEGAL DESCRIPTION

A 15.00 FOOT WIDE UTILITY EASEMENT BEING A PORTION OF THE WITHAM FIELD AIRPORT PROPERTY LYING IN A PORTION OF SECTIONS 10 AND 15, TOWNSHIP 38 SOUTH, RANGE 41 EAST, AND THE HANSON GRANT, MARTIN COUNTY, FLORIDA, LYING 7.5 FEET ON EACH SIDE OF THE CENTERLINE OF SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

UTILITY EASEMENT NO. 10

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 10, THENCE N00°20'44"E ALONG THE WEST LINE OF SAID SECTION 10 FOR A DISTANCE OF 2,197.93 FEET TO AN INTERSECTION WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF THE F.E.C. RAILWAY; THENCE ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE FOR THE FOLLOWING TWO (2) COURSES; (1) S42°00'14"E, A DISTANCE OF 831.51 FEET; (2) S41°59'52"E, A DISTANCE OF 3,410.63 FEET; THENCE N48°00'08"E, A DISTANCE OF 375.48 FEET TO AN INTERSECTION WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF S.R. A1A, BEING ON THE SOUTHWESTERLY BOUNDARY LINE OF THE WITHAM FIELD AIRPORT PROPERTY AND THE POINT OF BEGINNING; THENCE N09°33'16"W, A DISTANCE OF 36.55 FEET; THENCE N25°15'52"E, A DISTANCE OF 246.99 FEET TO POINT J; THENCE CONTINUE N25°15'52"E, A DISTANCE OF 37.54 FEET; THENCE N58°02'01"E, A DISTANCE OF 422.91 FEET; THENCE N31°44'58"E, A DISTANCE OF 66.78 FEET; THENCE N26°11'59"E, A DISTANCE OF 72.68 FEET TO POINT A; THENCE N27°33'42"E, A DISTANCE OF 29.49 FEET TO POINT B; THENCE CONTINUE N27°33'42"E, A DISTANCE OF 4.19 FEET; THENCE N00°58'02"E, A DISTANCE OF 10.37 FEET; THENCE N25°50'10"E, A DISTANCE OF 30.13 FEET TO THE POINT OF TERMINUS.

TOGETHER WITH:

UTILITY EASEMENT NO. 11

BEGINNING AT THE PREVIOUSLY DESCRIBED POINT A; THENCE N63°59'22"W, A DISTANCE OF 118.22 FEET; THENCE N54°18'42"W, A DISTANCE OF 110.98 FEET; THENCE N61°37'55"W, A DISTANCE OF 62.90 FEET; THENCE N64°14'34"W, A DISTANCE OF 307.47 FEET; THENCE N26°29'22"E, A DISTANCE OF 584.30 FEET TO THE POINT OF TERMINUS.

AND TOGETHER WITH:

UTILITY EASEMENT NO. 12

BEGINNING AT THE PREVIOUSLY DESCRIBED POINT B; THENCE S63°20'53"E, A DISTANCE OF 131.89 FEET; THENCE S23°57'53"W, A DISTANCE OF 35.26 FEET; THENCE S64°42'09"E, A DISTANCE OF 205.10 FEET TO POINT C; THENCE CONTINUE S64°42'09"E, A DISTANCE OF 23.31 FEET; THENCE N25°09'21"E, A DISTANCE OF 3.86 FEET TO POINT D; THENCE CONTINUE N25°09'21"E, A DISTANCE OF 54.96 FEET TO POINT F; THENCE CONTINUE N25°09'21"E, A DISTANCE OF 42.45 FEET TO THE POINT OF TERMINUS.

AND TOGETHER WITH:

UTILITY EASEMENT NO. 13

BEGINNING AT THE PREVIOUSLY DESCRIBED POINT C; THENCE S28°14'14"W, A DISTANCE OF 34.37 FEET TO THE POINT OF TERMINUS.

CONTINUED ON SHEET 3 OF 8

SHEET NO. 2		DATE 02/15/12		REVISIONS	
OF 8 SHEETS		02/15/12 REVISED PER CLIENT COMMENTS		02/15/12 REVISED PER CLIENT COMMENTS	
PROJECT NO. 10-20 A		06/25/12 EXTEND EASEMENT NO. 14 PER NEW CONSTRUCTION		06/05/12 REVISED PER MARTIN CO. COMMENTS	
A PORTION OF WITHAM FIELD AIRPORT IN SEC. 10 & 15, TWP. 38 S., RNG. 41 E. & THE HANSON GRANT, MARTIN COUNTY, FL				DATE 01/28/2012	
SKETCH AND LEGAL DESCRIPTION				SCALE NOT TO SCALE	
UTILITY EASEMENT				DRAWING BY O.B.	
UTILITY EASEMENT				CHECKED BY E.A.L.	
BETSY LINDSAY, INC.				7807 SW JACK JAMES DRIVE STUART FLORIDA 34907	
SURVEYING AND MAPPING				(772)286-5753 (772)286-9635 FAX	
				LICENSED BUSINESS NO. 0602	

CONTINUED FROM SHEET 2 OF 8

LEGAL DESCRIPTION

AND TOGETHER WITH:
 UTILITY EASEMENT NO. 14
 BEGINNING AT THE PREVIOUSLY DESCRIBED POINT D; THENCE S63°13'40"E, A DISTANCE OF 105.73 FEET TO POINT E;
 THENCE CONTINUE S63°13'40"E, A DISTANCE OF 98.67 FEET; THENCE S09°24'45"E, A DISTANCE OF 21.42 FEET TO THE
 POINT OF TERMINUS.

AND TOGETHER WITH:
 UTILITY EASEMENT NO. 15
 BEGINNING AT THE PREVIOUSLY DESCRIBED POINT E; THENCE S22°20'03"W, A DISTANCE OF 15.89 FEET TO THE POINT OF
 TERMINUS.

AND TOGETHER WITH:
 UTILITY EASEMENT NO. 16
 BEGINNING AT THE PREVIOUSLY DESCRIBED POINT F; THENCE S65°40'08"E, A DISTANCE OF 118.49 FEET; THENCE
 N67°52'29"E, A DISTANCE OF 11.50 FEET; THENCE N28°26'11"E, A DISTANCE OF 188.75 FEET; THENCE N24°32'05"E, A
 DISTANCE OF 152.19 FEET; THENCE N32°30'39"E, A DISTANCE OF 176.72 FEET; THENCE S63°56'10"E, A DISTANCE OF
 111.96 FEET; THENCE S59°45'43"E, A DISTANCE OF 51.32 FEET TO POINT G; THENCE CONTINUE S59°45'43"E, A DISTANCE
 OF 14.95 FEET; THENCE S46°02'04"E, A DISTANCE OF 233.21 FEET; THENCE S26°53'38"E, A DISTANCE OF 41.83 FEET;
 THENCE S04°52'04"E, A DISTANCE OF 21.55 FEET; THENCE S39°24'27"W, A DISTANCE OF 67.47 FEET; THENCE
 S02°16'45"W, A DISTANCE OF 11.29 FEET; THENCE S32°00'51"E, A DISTANCE OF 173.50 FEET; THENCE S61°32'24"E, A
 DISTANCE OF 13.94 FEET TO POINT H; THENCE S11°47'32"W, A DISTANCE OF 12.80 FEET; THENCE S20°48'12"E, A
 DISTANCE OF 162.35 FEET; THENCE S17°14'20"E, A DISTANCE OF 101.29 FEET; THENCE S22°12'30"E, A DISTANCE OF
 98.09 FEET; THENCE S30°33'38"W, A DISTANCE OF 45.25 FEET; THENCE S15°42'07"E, A DISTANCE OF 54.72 FEET TO THE
 POINT OF TERMINUS.

AND TOGETHER WITH:
 UTILITY EASEMENT NO. 17
 BEGINNING AT THE PREVIOUSLY DESCRIBED POINT G; THENCE N30°14'17"E, A DISTANCE OF 27.43 FEET TO THE POINT OF
 TERMINUS.

AND TOGETHER WITH:
 UTILITY EASEMENT NO. 18
 BEGINNING AT THE PREVIOUSLY DESCRIBED POINT H; THENCE S87°44'35"E, A DISTANCE OF 5.25 FEET; THENCE
 N70°33'45"E, A DISTANCE OF 16.43 FEET TO THE POINT OF TERMINUS.

AND TOGETHER WITH:
 UTILITY EASEMENT NO. 19
 BEGINNING AT THE PREVIOUSLY DESCRIBED POINT J; THENCE S64°44'08"E, A DISTANCE OF 18.14 FEET TO THE POINT OF
 TERMINUS.

SIDE LINES OF SAID EASEMENTS TO BE LENGTHENED AND/OR SHORTENED TO FORM A CONTINUOUS 15 FOOT WIDE STRIP.
 SAID EASEMENT BEING THE COMBINATION OF EASEMENTS 10 THROUGH 19 INCLUSIVE.
 CONTAINING 71,671 SQUARE FEET OR 1.65 ACRES MORE LESS.
 SAID EASEMENT BEING SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS OR RESTRICTIONS.

SHEET NO. 3	DATE	REVISIONS
OF 8 SHEETS	02/15/12	REVISED PER CLIENT COMMENTS
PRODUCT NO. 10-20 A	05/25/12	EXTEND EASEMENT NO. 14 PER NEW CONSTRUCTION
	06/05/12	REVISED PER MARTIN CO. COMMENTS

A PORTION OF WITHHAM FIELD AIRPORT IN SEC. 10 & 15, TWP. 38 S., RNG. 41 E. & THE HANSON GRANT, MARTIN COUNTY, FL

SKETCH AND LEGAL DESCRIPTION

UTILITY EASEMENT

DATE	01/26/2012
SCALE	NOT TO SCALE
DRAWING BY	DLB
CHECKED BY	EAL

B BETSY LINDSAY, INC.
 SURVEYING AND MAPPING
 7807 SW JACK JAMES DRIVE STUART FLORIDA 34997
 (787) 526-5752 (TOLL FREE)
 LICENSED BUSINESS NO. 0892

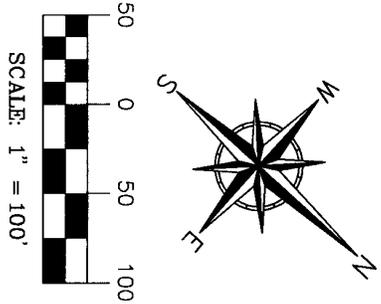
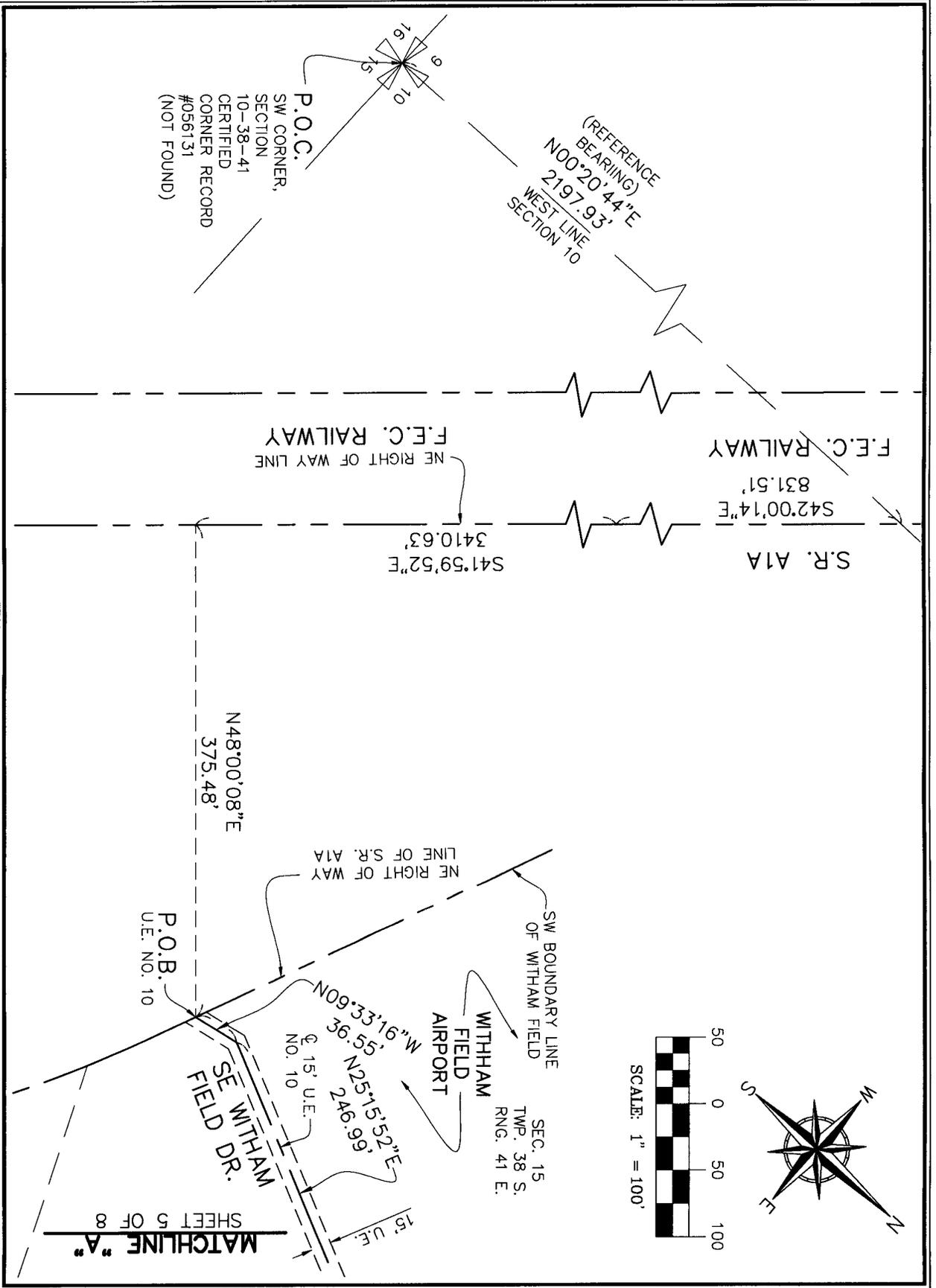
SHEET NO. 4
OF 8 SHEETS
PROJECT NO.
10-20 A

DATE	REVISIONS
02/15/12	REVISED PER CLIENT COMMENTS
05/25/12	EXTEND EASEMENT NO. 14 PER NEW CONSTRUCTION
06/05/12	REVISED PER MARTIN CO. COMMENTS

A PORTION OF WITHHAM FIELD AIRPORT IN SEC. 10 & 15, TWP. 38 S., RNG. 41 E. & THE HANSON GRANT, MARTIN COUNTY, FL
SKETCH AND LEGAL DESCRIPTION
UTILITY EASEMENT

DATE 01/26/2012
SCALE 1"=100'
DRAWING BY D.B.
CHECKED BY E.A.L.

B BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7807 SW 140TH AVENUE SUITE 1000 FORT LAUDERDALE FL 33407
(772) 296-5753
LICENSED BUSINESS NO. 8932



SHEET NO.	5
OF SHEETS	8
PROJECT NO.	10-20 A
DATE	02/15/12
REVISIONS	REVISED PER CLIENT COMMENTS
DATE	05/25/12
REVISIONS	EXTEND EASEMENT NO. 14 PER NEW CONSTRUCTION
DATE	06/05/12
REVISIONS	REVISED PER MARTIN CO. COMMENTS

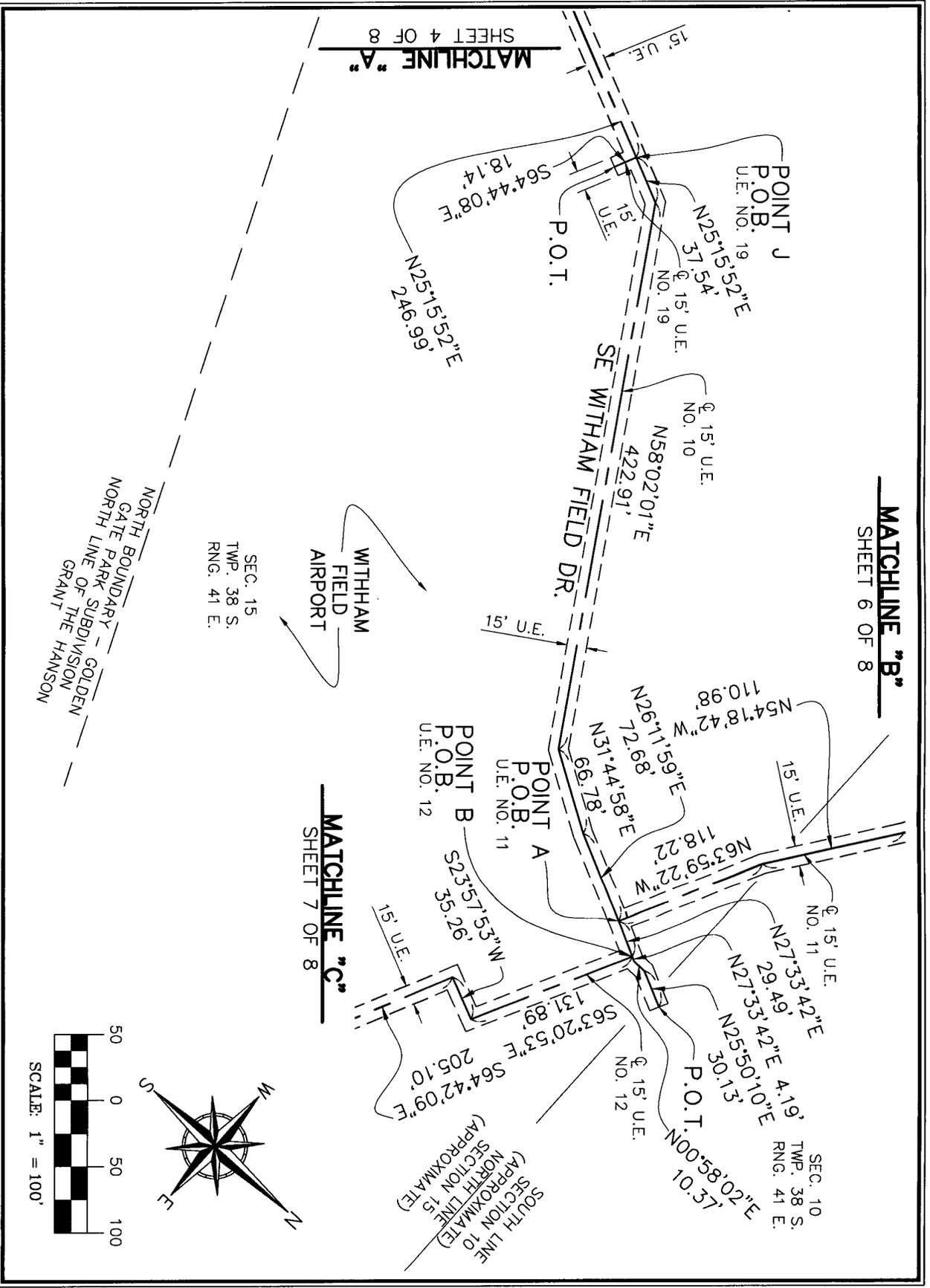
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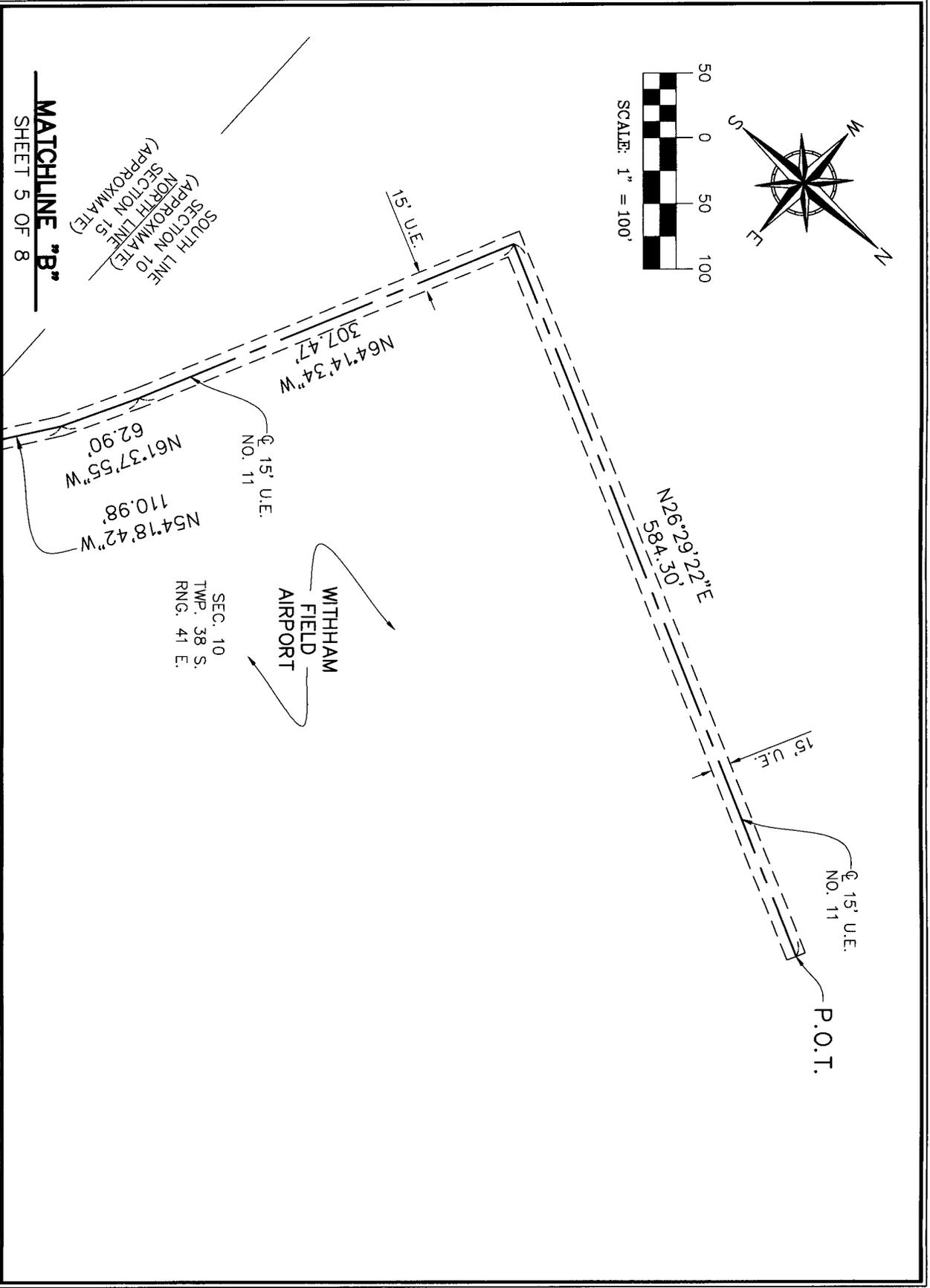
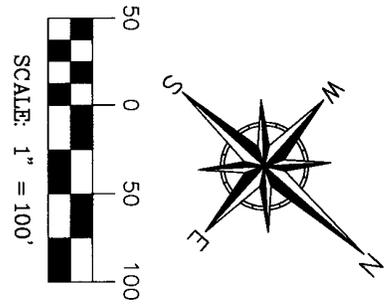
SKETCH AND LEGAL DESCRIPTION

UTILITY EASEMENT

DATE	01/26/2012
SCALE	1"=100'
FIELD BK.	
DRAWING BY	D.B.
CHECKED BY	E.A.L.

B BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7807 SW JACK JULESS DRIVE SUITE FLORIDA 34807
LAKELAND, FL 33809 (772) 206-4335 FAX
LICENSED BUSINESS NO. 0022





SOUTH LINE
SECTION 10
NORTH LINE
SECTION 15
(APPROXIMATE)

MATCHLINE "B"
SHEET 5 OF 8

WITHHAM
FIELD
AIRPORT

SEC. 10
TWP. 38 S.
RNG. 41 E.

SHEET NO. 6
OF 8 SHEETS
PROJECT NO.
10-20 A

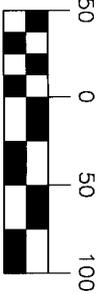
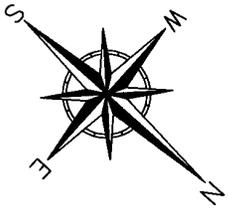
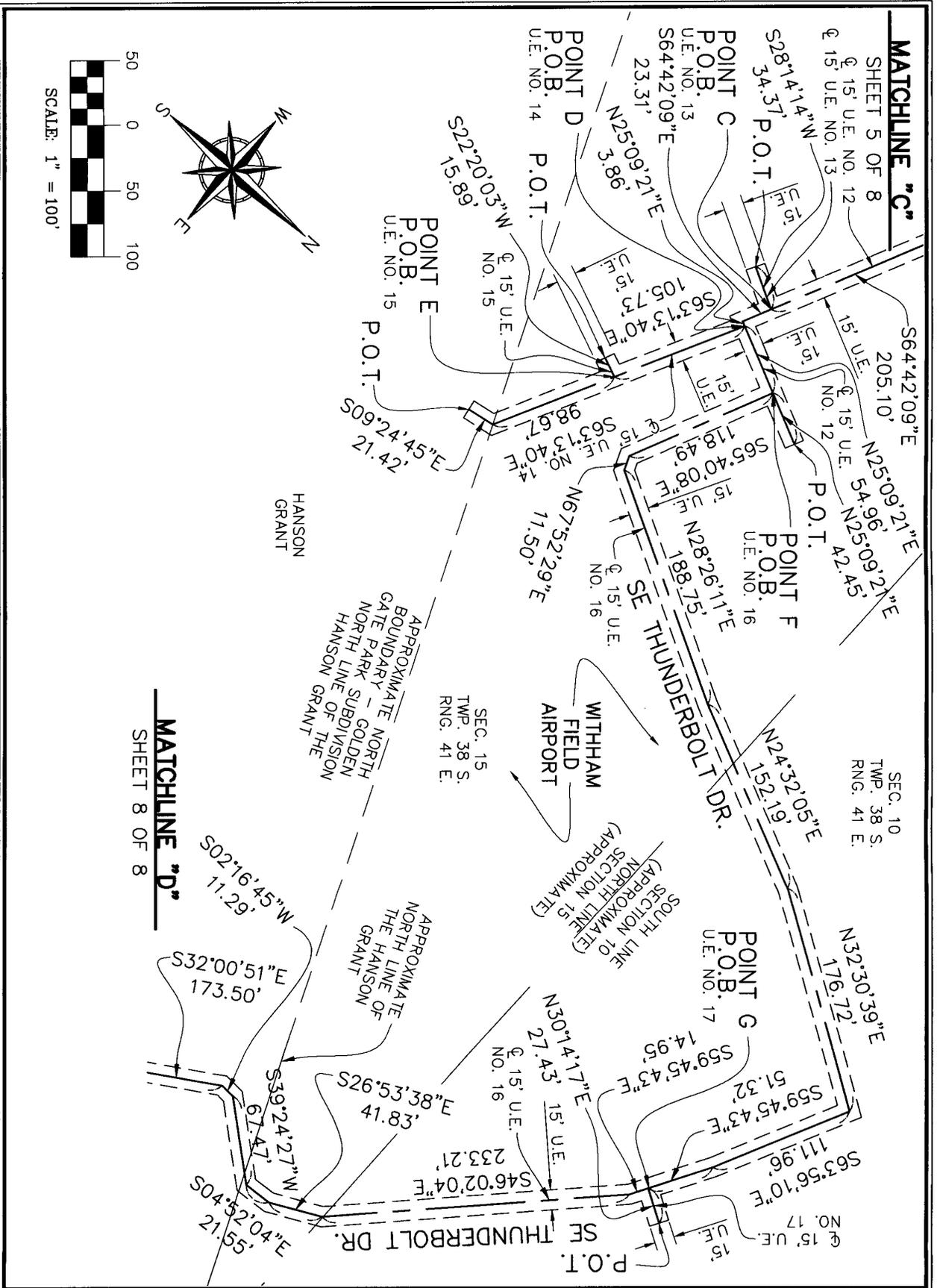
DATE	REVISIONS
02/15/12	REVISED PER CLIENT COMMENTS
05/25/12	EXTEND EASEMENT NO. 14 PER NEW CONSTRUCTION
06/05/12	REVISED PER MARTIN CO. COMMENTS

A PORTION OF WITHHAM FIELD AIRPORT IN SEC. 10 & 15, TWP. 38 S., RNG. 41 E. & THE HANSON GRANT, MARTIN COUNTY, FL

SKETCH AND LEGAL DESCRIPTION
UTILITY EASEMENT

DATE 01/28/2012
SCALE 1"=100'
FIELD BK. 08
DRAWING BY 08
CHECKED BY E.A.L.

B BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7907 SW JACK JAMES DRIVE STUART FLORIDA 34907
(772)286-5755 (772)286-6857 FAX
LICENSED BUSINESS NO. 0002



SHEET NO. 7
 OF 8 SHEETS
 PROJECT NO.
 10-20 A

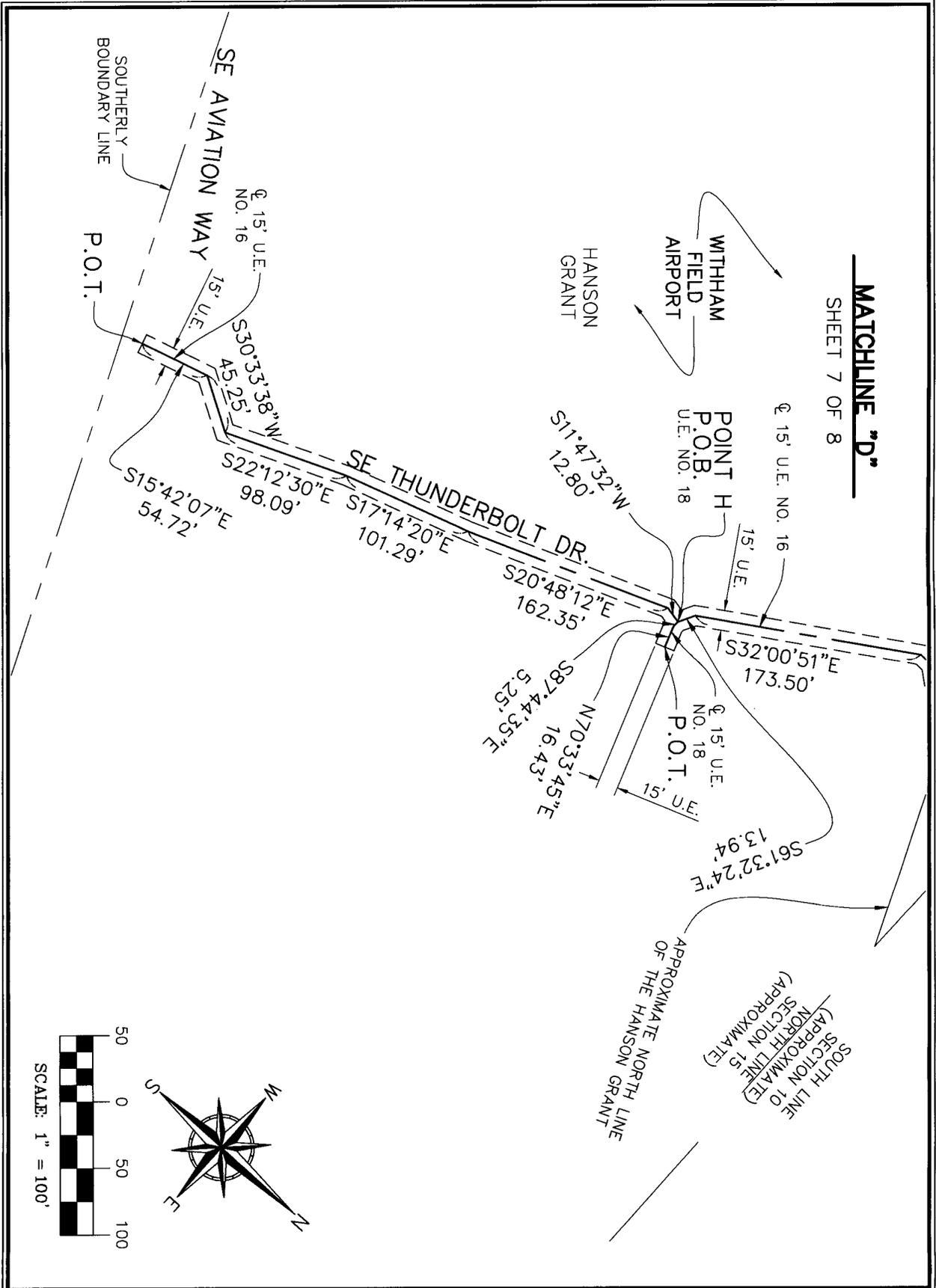
DATE	REVISIONS
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A PORTION OF WITHAM FIELD AIRPORT IN SEC. 10 & 15, TWP. 38 S., RNG. 41 E. & THE HANSON GRANT, MARTIN COUNTY, FL
 SKETCH AND LEGAL DESCRIPTION
 UTILITY EASEMENT

DATE 01/28/2012
 SCALE 1"=100'
 FIELD BK.
 DRAWING BY O.B.
 CHECKED BY E.A.L.

B BETSY LINDSAY, INC.
 SURVEYING AND MAPPING
 7807 SW JACK JAMES DRIVE STUART FLORIDA 34907
 (772)286-9755 (772)286-8887 FAX
 LICENSED BUSINESS NO. 0002

MATCHLINE "D"
SHEET 7 OF 8



SHEET NO. B	DATE	REVISIONS
OF 8 SHEETS	02/15/12	REVISED PER CLIENT COMMENTS
PROJECT NO. 10-20 A	05/25/12	EXTEND EASEMENT NO. 14 PER NEW CONSTRUCTION
	06/05/12	REVISED PER MARTIN CO. COMMENTS

A PORTION OF WITHHAM FIELD AIRPORT IN SEC. 10 & 15, TWP. 38 S., RNC. 41 E. & THE HANSON GRANT, MARTIN COUNTY, FL

SKETCH AND LEGAL DESCRIPTION
UTILITY EASEMENT

DATE	01/26/2012
SCALE	1"=100'
FIELD BK.	
DRAWING BY	D.B.
CHECKED BY	E.A.L.

B BETSY LINDSAY, INC.
SURVEYING AND MAPPING

7907 BW. JACK JAMES DRIVE STUART, FLORIDA 34987
(772)286-5753 (772)286-5005 FAX
LICENSED BUSINESS NO. 6652

