1789096

INSTR #

	OR BK Ø1951 PG 1474
This instrument prepared by:	RECORDED 11/01/2004 10:58:14 A MARSHA EWING CLERK OF HARTIN COUNTY FLORIDA DEED DOC TAX 6.70 RECORDED BY L Wood
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 _______, 2002 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.

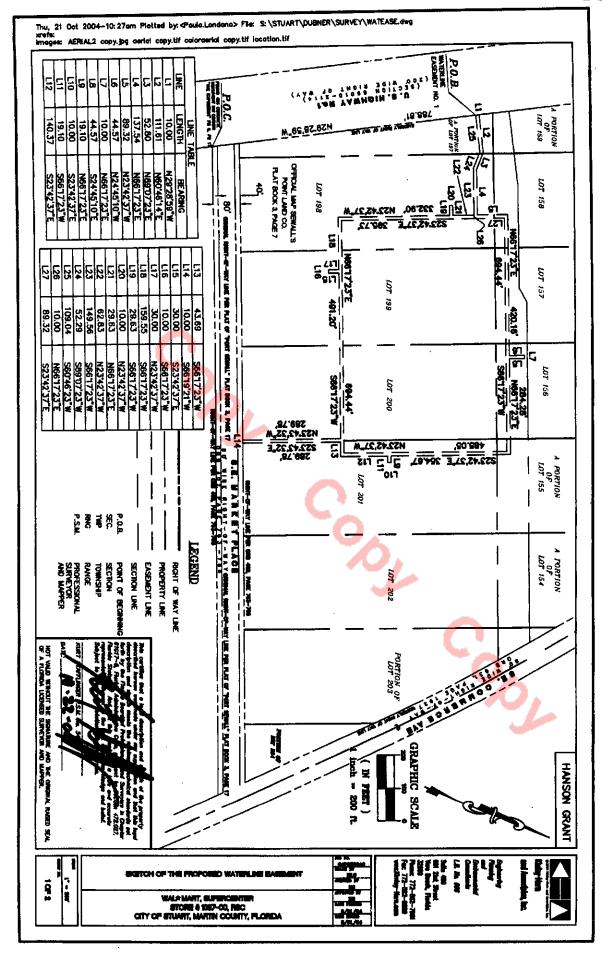
(Wherever used herein the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

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:	Wal-Mart Stores East, LP Name of Corporation
ATTEST:	
De her St Whose	BY: WHM. Reday
SECRETARY	Assistant Vice President - Wal-Mart Stores East, LP
Deborah K Wager	Robert M. Bedard
Type or Print Name	Type or Print Name
C ₂	Federal Tax No. 71-0862119
% .	Company of the state of the sta
	(Corporate Seal)
Aaka aa	
. STATE OF ARKAUSAS, COUNTY OF Bentin,	
The foregoing instrument was ack	nowledged before me this
A = A = A = A = A = A = A = A = A = A =	L III (La II A III) and Dungidout and
existing under the laws of the State of	of Carbonaton on behalf of the corporation
Robent m. Bedard, is (2	personally known to me or has produced is
es identification (V) personally known to me or has produced	as identification.
	NOTARY PUBLIC
	Jonno Correll
	Signature
	Tonya Coffelt
	(Deint Manne)
	Commission No: NP-000-99024 My Commission Expires: 12-1-2009
	" NOTARY SEAL " Tonya Coffelt, Notary Public Series Comp. State of Arkansas My Commission Expires 12/1/2009
~	



21 Oct 2004-11:33am Plotted by: @aula.Londono> File: S:\STUART\DUBNER\SURVEY\WATEASE.dwg

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HQ.

DESCRIPTION

WATERLAN

EASEMENT

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING A PORTION OF LOTS 155, 156, 157, 158, 159, 197, 198, 199, 200 AND 201, OFFICIAL NAP SCWALL'S POINT LAND CO., PLAT BOOK 3, PAGE 7, LYING WITHIN LOT 3 OF THE MILES OR HANSON GRANT, PALM BEACH COUNTY, FLORIDA (SAID LAND NOW LYING AND BEING A PART OF MARTIN COUNTY, FLORIDA), BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING FOR REFERENCE AT THE NORTHWEST CORNER OF "THE EXPOSITION" AS RECORDED IN PLAT BOOK 9, PAGE 17, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA;

THENCE, BEARING NORTH 29728'59" WEST, ALONG THE EASTERLY RIGHT OF WAY LINE OF US HIGHWAY No. 1 (A 200" WIDE RIGHT OF WAY) AS SHOWN ON FLORED. DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION No. 89010-2114, A DISTANCE 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 111.51 FEET TO A POINT; THENCE, BEARING NORTH 89°07'23" EAST, A DISTANCE OF 52.80 FEET TO A POINT. HENCE BEARING NORTH 6617'23" EAST, A DISTANCE OF 420.16 FEET TO A POINT, BEARING NORTH 5617'23" EAST, A DISTANCE OF 284.28 FEET TO A POINT; BEARING BEARING NORTH 24"45"10" WEST, A DISTANCE OF 44.57 FEET TO A POINT; BEARING NORTH 23'42'37" WEST, A DISTANCE OF 89.32 FEET TO A POINT; BEARING NORTH 6617'23" EAST, A DISTANCE OF 137.54 FEET TO A POINT BEARING SOUTH 23'42'37" BEARING BEARING SOUTH 24'45'10" EAST, A DISTANCE OF 44.57 FEET TO A POINT; NORTH 6617'23" EAST, A DISTANCE OF 19,10 FEET TO A POINT; SOUTH 23'42'37" EAST, A DISTANCE OF 354.67 FEET TO A POINT: NORTH 6617'23" EAST, A DISTANCE OF 10.00 FEET TO A POINT; EAST, A DISTANCE OF 10.00 FEET TO A POINT;

SURVEYORS NOTES

REFER TO THE BOUNDARY SURVEY PERFORMED BY KNIMEY-HORN AND ASSOCIATES, SHEET S-1, DATED DECEMBER 10, 2003 PROJECT NUMBER 047053048 THIS IS A SKETCH OF LEGAL DESCRIPTION ONLY, NOT A BOUNDARY RETRACEMENT SURVEY. 풁

ಶ್ರ 鱼 THE BEARING BASE FOR THIS SURVEY IS BASED UPON GRID NORTH, UTILIZING THE PUBLISHED MARTIN COUNTY GPS CONTROL POINTS GS 30 AND GS 31.

THE SCALE OF THIS DRAWING MAY HAVE BEEN DISTORTED DURING REPRODUCTION PROCESSES

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THENCE, BEARING SOUTH 60"46"23" WEST, A DISTANCE OF 109.04 FEET TO THE POINT OF BEGINNING. 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 19.10 FEET TO A POINT, THENCE, BEARING SOUTH 89'07'23" WEST, A DISTANCE OF 52.29 FEET TO A POINT, HONCE THENCE, BEARING SOUTH 66"17"23" WEST, A DISTANCE OF 43.69 FEET TO A POINT, HENCE. HENCE, HONCE HONG. NOW. NO NO NO HENCE. HOUCE. HENCE HOK. HENCE. BEARING SOUTH 6677'23" WEST, A DISTANCE OF 149.56 FEET TO A POINT: BEARING SOUTH 23'42'37" EAST, A DISTANCE OF 89.32 FEET TO A POINT, BEARING NORTH 6617'23" EAST, A DISTANCE OF 694.44 FEET TO A POINT BEARING NORTH 6617"23" EAST, A DISTANCE OF 29.63 FEET TO A POINT, BEARING SOUTH 66"17"23" WEST, A DISTANCE OF 10.00 FEET TO A POINT, BEARING SOUTH 66"19"21" WEST, A DISTANCE OF 10.00 FEET TO A POINT. BEARING SOUTH 23'43'32" EAST, A DISTANCE OF BEARING NORTH 6617'23" EAST, A DISTANCE OF 10.00 FEET TO A POINT, BEARING SOUTH 6617'23" WEST, A DISTANCE OF 29.63 FEET TO A POINT BEARING NORTH 23'42'37" BEARING NORTH 25'42'37" WEST, A DISTANCE OF 30.00 FEET TO A POINT BEARING SOUTH 23'42'37" EAST, A DISTANCE OF 30.00 FEET TO A POINT, BEARING SOUTH 5617'23" WEST, A DISTANCE OF BEARING NORTH 23'43'32" WEST, A DISTANCE OF 289.78 FEET TO A POINT BEARING NORTH 23'42'37" BEARING NORTH 23'42'37" WEST, A DISTANCE OF 62.83 FEET TO A POINT BEARING NORTH 23'42'37" BEARING SOUTH BEARING BEARING SOUTH 23"42"37" EAST, A DISTANCE OF HI 700 6617'23" 6617'23" WEST, A DISTANCE OF 694.44 FEET TO A POINT WEST, A DISTANCE OF 332.90 FEET TO A POINT WEST, A DISTANCE OF 159.55 FEET TO A POINT WEST, A DISTANCE OF WEST, A DISTANCE OF 10.00 FEET TO A POINT; 485.05 FEET TO A POINT 491.20 FEET TO A POINT 395.73 FEET TO A POINT 289.78 FEET TO A POINT

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

HANSON GRANT

LINGAL DESCRIPTIONS OF THE PROPOSED WATERLINE BASING 2022 Ž

WAL-MARIT, SUPERCONTER STORE & 1967-00, PSC CITY OF STUART, MARTIN COUNTY, PLORIDA

INSTR # 2004478
OR BK 02236 PG 2452
Pss 2452 - 2455; (4pgs)
RECORDED 04/05/2007 03:46:19 PM
MARSHA EWING
CLERK OF MARTIN COUNTY FLORIDA
RECORDED BY C Burkey

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

Project Name: Utility Easement at Walmart Corrects OR 1951, Pg1474

Parcel No: PCN: 88-38-41-020-001-00010-0

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

CORRECTIVE UTILITY EASEMENT

THIS EASEMENT granted and executed this ______ day of _______, 200__, 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 11/01/2004 in OR Book 1951, Page 1474, 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 $\frac{0.7-3.6}{3.13.2007}$

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

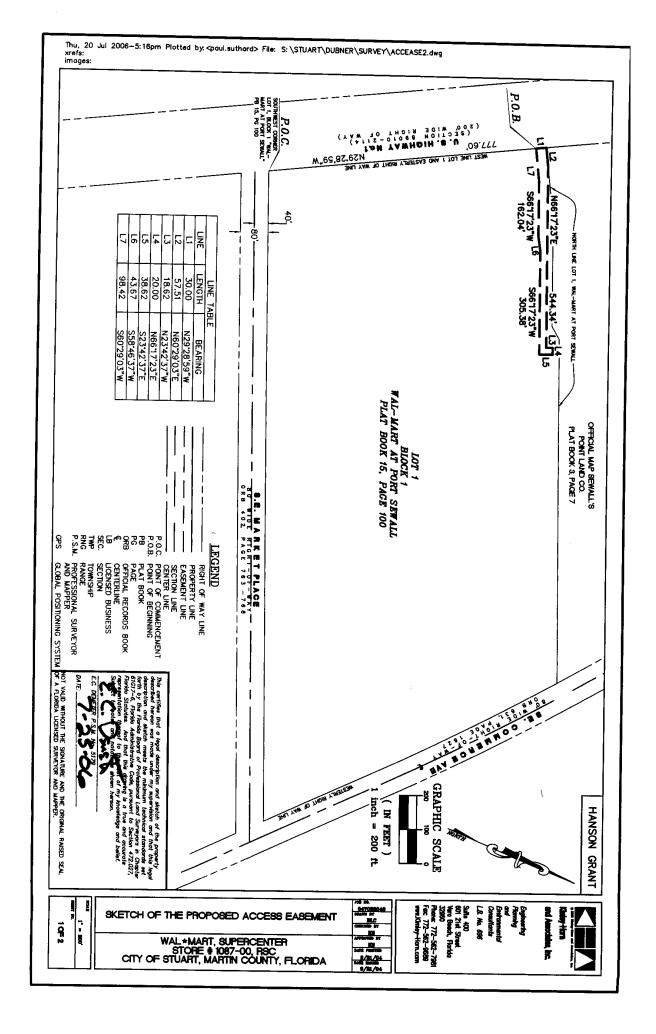
IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name by its duly authorized officer and caused its corporate seal to be affixed the day and year first above written.

Signed, sealed and delivered

in the presence of: WAL-MART STORES EAST, LP., a Delaware limited liability company. Federal Tax No. (Corporate Seal) Approved as to legal terms only The foregoing instrument was acknowledged before me this anexamp, 2007, by Barri Tulgetake, as Linear __, 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. personally known to me or () has produced identification. **NOTARY PUBLIC** CHANGTE SUF KERST SEAL/STAMP (Print or Type Name) CHARLOTTE SUE KERST "NOTARY PUBLIC" Commission No: State of Arkansas, Benton County

My Commission Expires:

My Commission Expires 10/1/2014



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Planning
and
Environmental
Consultants
LB. No. 696 LEGAL DESCRIPTIONS OF THE PROPOSED ACCESS EASEMENT nd Associates, Inc. 2 2 OF 2 ₹ WAL+MART, SUPERCENTER STORE # 1087-00, RSC CITY OF STUART, MARTIN COUNTY, FLORIDA 8/21/24 1/21/04

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:

MARSHAÆWING, CLERK

MARTIN COUNTY BOARD

OF COUNTY COMMISSIONERS

IICHAZIZDITERLIZZI, ÇHAIRMAN

APPROVED AS TO FORM AND CORRECTNESS

STEPHEN FRY, COUNTY ATTORNEY