



Inst. # 2875550  
Bk: 3207 Pg: 1953 Pages: 1 of 1  
Recorded on: 3/19/2021 8:16 AM Doc: GOV  
Carolyn Timmann  
Clerk of the Circuit Court & Comptroller  
Martin County, FL  
Rec Fees: \$10.00

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BEFORE THE BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

RESOLUTION NO. 21-3.1

WHEREAS, Martin County needs a 15' Utility Easement from Debora E. Radtke to allow for water and wastewater services and utility related equipment on the northern portion of Lot 3, Margolo Estates in Palm City; and

WHEREAS, by document entitled "Utility Easement" executed on January 19, 2021, Debora E. Radtke, a single woman, grants to Martin County a perpetual Utility Easement; and

WHEREAS, Sec. 139.31 and 139.32, General Ordinances, Martin County Code require that any conveyance of an interest in land to Martin County 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:

Martin County hereby accepts and approves the Utility Easement conveyed by Debora E. Radtke.

DULY PASSED AND ADOPTED THIS 9<sup>th</sup> DAY OF MARCH, 2021.

ATTEST:

CAROLYN TIMMANN, CLERK OF THE  
CIRCUIT COURT AND COMPTROLLER

BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

STACEY HETHERINGTON, CHAIR

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

SARAH W. WOODS, COUNTY ATTORNEY

This instrument prepared by:  
Brigitte Wantz for  
Martin County, Real Property Division  
2401 SE Monterey Road  
Stuart, FL 34996



Inst. # 2875551  
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Recorded on: 3/19/2021 8:16 AM Doc: EAS  
Carolyn Timmann  
Clerk of the Circuit Court & Comptroller  
Martin County, FL  
Rec Fees: \$52.50

Project Name: Lot 3 Margolo Estates-Radtke Utility Easement  
Project No: RPM #3484  
PCN: 20-38-41-011-000-00030-3

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### UTILITY EASEMENT

THIS EASEMENT granted and executed this 19<sup>th</sup> day of January, 2021, by DEBORA E. RADTKE, a single woman, whose address is 3666 Margolo Lane, Palm City, Florida 34990, 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 considerations, in hand paid by the Grantee, the receipt and sufficiency whereof is hereby acknowledged, does hereby grant unto the Grantee forever, an easement 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, in, under, over, across, and through the following described land, situate, lying and being in the County of Martin, State of Florida, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

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

The Grantor 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 Grantee. 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.

Accepted Pursuant to Resolution

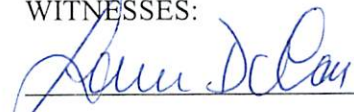
No. 21-3.1  
On 3/9/2021

Grantor further warrants that there are no mortgages encumbering the Easement Premises except for that certain Mortgage in favor of Seacoast National Bank, a National Banking Association, whose address is 815 Colorado Avenue, # 215, Stuart, Florida 34994, dated December 18, 2020, and recorded on December 28, 2020, in Official Records Book 3184, Page 2266, in Martin County, Florida public records.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in  
the presence of:

WITNESSES:

  
Print Name: Lauri Dolan

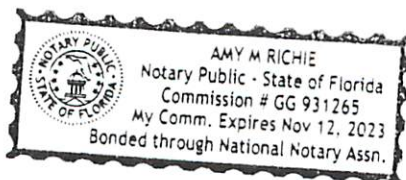


DEBORA E. RADTKE, Grantor

Beverly M Hall  
Print Name: Beverly Hall

STATE OF Florida  
COUNTY OF Martin

The foregoing Utility Easement was acknowledged before me this 17<sup>th</sup> day of January, 2021, by DEBORA E. RADTKE by ☒ means of physical presence or ( ) online notarization. She is ( ) personally known to me or has produced FL. Drivers License as identification.



Amy M. Richie  
Print Name: Amy M. Richie  
Notary Public, State of: Florida  
My Commission Expires: 11/12/2023

Project Name: Lot 3 Margolo Estates-Radtke UE  
Project No: RPM #3484  
PCN: 20-38-41-011-000-00030-3

### **CONSENT OF MORTGAGEE**

SEACOAST NATIONAL BANK, a National Banking Association, (hereinafter referred to as "Mortgagee") under that certain Mortgage dated December 18, 2020, and recorded on December 28, 2020, in Official Records Book 3184, Page 2266, in Martin County, Florida public records (hereinafter referred to as the "Mortgage"), hereby executes this document to evidence its consent to the granting and recording of that certain Easement to which this Consent of Mortgagee is attached and which is being recorded simultaneously herewith (hereinafter referred to as the "Easement"), further Mortgagee agrees that the Easement shall be an interest, superior to the Mortgage and in the property to which the Mortgage encumbers. This consent is given on the express condition that it shall in no way affect the lien of the Mortgage on the property described in the Mortgage but shall only be construed as a Subordination to the Easement.

This consent by Mortgagee is not intended to be and shall not be construed to be a waiver by Mortgagee of the maturity date of the principal, accrued interest or other amounts due under the terms of the note, mortgage or other loan documents, even though this consent may be executed subsequent to any maturity date or any other term or condition of the note, mortgage or other loan documents. This consent is not and shall not be construed to be an agreement or consent to a subordination of the lien of the Mortgage by Mortgagee to any other easements now existing or that may exist or arise in the future.

**SIGNATURE PAGE TO FOLLOW**

SIGNATURE PAGE TO CONSENT OF MORTGAGEE

Signed, sealed and delivered in  
the presence of:

SEACOAST NATIONAL BANK,  
a National Banking Association

Lauri Dolan  
Print Name: Lauri Dolan

By: Patricia Wendell  
Print Name: Patricia Wendell

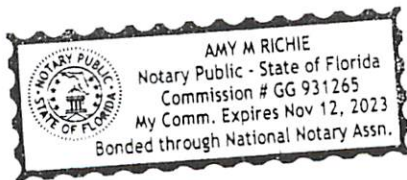
Beverly M Hall  
Print Name: Beverly M Hall

Title: SVP

STATE OF Florida

COUNTY OF Miami

The foregoing Utility Easement was acknowledged before me this 19<sup>th</sup> day of January, 2021, by Patricia Wendell, as the SVP of SEACOAST NATIONAL BANK, a National Banking Association, on behalf of said entity by ☒ means of physical presence or ( ) online notarization. He/she is ☒ personally known to me or has produced FL Drivers License as identification.



Amy M Richie  
Printed Name: Amy M Richie  
Notary Public, State of: Florida  
My Commission Expires: 11/12/2023

## EXHIBIT A

### LEGAL DESCRIPTION

THE NORTH 15.00 FEET OF LOT 3, MARGOLO ESTATES, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, AT PAGE 37, OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

CONTAINING 1500.00 SQUARE FEET MORE OR LESS.

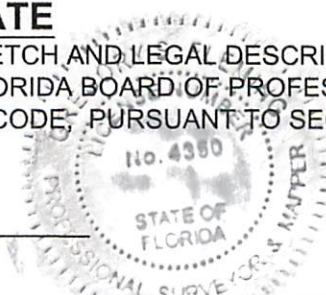
### SURVEYOR'S NOTES

1. BEARING BASIS IS THE NORTH LINE OF LOT 3 HAVING A PLATTED BEARING OF EAST.
2. THIS IS NOT A SURVEY.
3. THIS LEGAL DESCRIPTION SHALL NOT BE VALID UNLESS PROVIDED IN ITS ENTIRETY CONSISTING OF 2 SHEETS, WITH SHEET 2 BEING THE SKETCH OF DESCRIPTION.
4. THIS DOCUMENT MAY BE REPRODUCED UPON REQUEST IN AN ALTERNATIVE FORMAT BY CONTACTING THE COUNTY ADA COORDINATOR (772)320-3131, THE COUNTY ADMINISTRATION OFFICE (772-288-5400), FLORIDA RELAY 711, OR BY COMPLETING OUR ACCESSIBILITY FEEDBACK FORM AT WWW.MARTIN.FL.US/ACCESSIBILITY-FEEDBACK.

### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION COMPLIES WITH THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 5J-17.050 - 17.052.

  
GREGORY S. FLEMING, P.S.M.  
FLORIDA REGISTRATION NO. 4350



8/13/20  
DATE



**NORTHSTAR  
GEOMATICS**

617 NW BAKER ROAD  
PO BOX 2371, STUART, FLORIDA 34995  
(772)781-6400 (772)781-6462 FAX  
LICENSED BUSINESS NO. 7217

SKETCH AND LEGAL DESCRIPTION OF  
15' WIDE UTILITY EASEMENT  
FOR  
MARTIN COUNTY UTILITIES  
MARTIN COUNTY, FLORIDA

SHEET NO.  
1  
OF 2  
PROJECT NO.  
20-050

SW 36th ST (MARTIN HWY.)

SOUTH RIGHT-OF-WAY LINE

LOT 46  
20-38-41-002-001-00430-8

202' (P)

SW 36th  
TERRACE  
(THIRTEENTH ST)  
PALM CITY GARDENS  
PB1 PG 19  
—RW WIDTH 40 FT.—

LOT 2

20-38-41-011-000-00020-5

EAST 100'

1500 SQ. FT. 15' UTILITY EASEMENT

LOT 3

DEBORA E RADTKE  
20-38-41-011-000-00030-3  
3666 MARGOLO LN  
PALM CITY, FL 34990

6' UTILITY EASEMENT  
NORTH 100'

LOT 1  
20-38-41-002-006-000010-5

EAST - 100'

20-38-41-011-000-00040-1

LOT 4

MARGOLO LANE  
MARGOLO ESTATES PB 7 PG 37

NORTH 100'

10' UTILITY & DRAINAGE EASEMENT

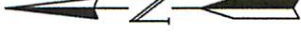
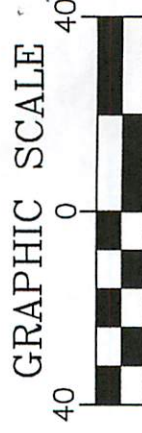
LOT 13

NORTH LINE LOT 3

25

LOT 12

25



# LEGEND

- UE = UTILITY EASEMENT
- CL = CENTER LINE
- POC = POINT OF COMMENCEMENT
- POB = POINT OF BEGINNING



617 NW BAKER ROAD  
PO BOX 2371, STUART, FLORIDA 34995  
(772)781-6400 (772)781-6462 FAX  
LICENSED BUSINESS NO. 7217

SKETCH AND LEGAL DESCRIPTION OF  
15' WIDE UTILITY EASEMENT  
FOR  
MARTIN COUNTY UTILITIES  
MARTIN COUNTY, FLORIDA

SHEET NO.  
2  
OF 2  
PROJECT NO.  
20-050