



Inst. # 2977139
Bk: 3332 Pg: 404 Pages: 1 of 1
Recorded on: 8/23/2022 2:56 PM 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. 22-8.3

WHEREAS, Martin County requires a fifteen (15') foot wide Utility Easement from Joseph A. Pisano and Sandra L. Pisano, as Co-Trustees and reserving life estate interests, for the Cape Live Oak water and sewer extension project in Stuart; and

WHEREAS, by document entitled "Utility Easement" executed on May 20, 2021, Joseph A. Pisano and Sandra L. Pisano, individually and as Co-Trustees, to a Life Estate: Remainderman in favor of Co-Trustees, under the Pisano Living Trust dated September 7, 2016, 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.

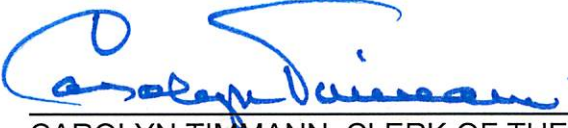
NOW, THEREFORE, BE IT RESOLVED BY THE MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS, THAT:


Martin County hereby accepts and approves the 15' wide Utility Easement conveyed by Joseph A. Pisano and Sandra L. Pisano, as Co-Trustees and reserving life estate interests.

DULY PASSED AND ADOPTED THIS 9th DAY OF AUGUST, 2022.


ATTEST:

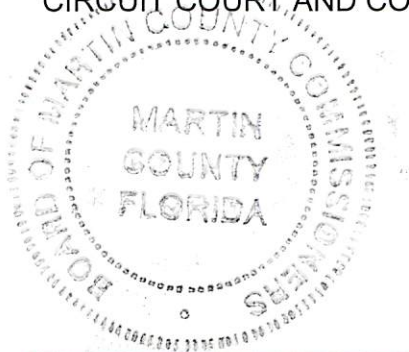
BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA


CAROLYN TIMMANN, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER


DOUG SMITH, CHAIRMAN

APPROVED AS TO FORM & LEGAL SUFFICIENCY:


SARAH W. WOODS, COUNTY ATTORNEY





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

Project Name: Pisano Utility Easement
Project No: RPM #3599
PCN: 55-38-41-421-000-00060-6

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UTILITY EASEMENT

THIS EASEMENT granted and executed this 20 day of MAY, 2021, by JOSEPH A. PISANO and SANDRA L. PISANO, as to a Life Estate: Remainderman in favor of JOSEPH A. PISANO and SANDRA L. PISANO, Co-Trustees under the Pisano Living Trust dated September 7, 2016, whose mailing address is 200 SW Willow Lake Trail, Stuart, Florida 34997, Grantors, 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.

AND further, the right of reasonable ingress and egress over and across subject property as is necessary to the Grantee's use of the rights granted herein.

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.


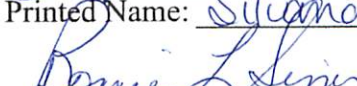
Grantor further warrants that there are no mortgages encumbering the Easement Premises except for that certain Mortgage in favor of Wells Fargo Bank, N.A., a California corporation whose address is 420 Montgomery St., San Francisco, CA 94163, successor in interest to Wells Fargo Home Mortgage, Inc. (Mortgagee) dated July 10, 2003, and recorded July 15, 2003, in Official Records Book 1788, Page 2803, and assigned by Assignment of Mortgage dated August 4, 2003, and recorded September 11, 2003 in Official Records Book 1814, Page 2702, all of the above being recorded in the public records of Martin County, Florida, said Mortgagee has executed a "Consent of Mortgagee" which is attached to this Easement.

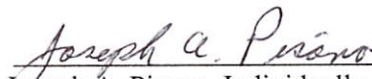
IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal the day and year first above written.

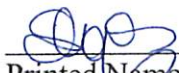
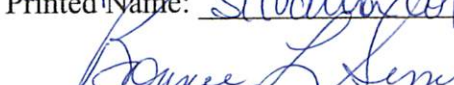
Signed, sealed and delivered in the presence of:

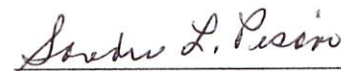
Joseph A. Pisano and Sandra L. Pisano, as to Life Estate; Remainderman in favor of Joseph A. Pisano and Sandra L. Pisano, Co-Trustees under the Pisano Living Trust dated September 7, 2016

WITNESSES:


Printed Name: Silvana Lopez

Printed Name: BONNIE L. SIMMS


Joseph A. Pisano, Individually and as Co-Trustee



Printed Name: Silvana Lopez

Printed Name: BONNIE L. SIMMS



Sandra L. Pisano, Individually and as Co-Trustee

STATE OF Florida
COUNTY OF Martin

Accepted Pursuant to Resolution
No 22-8.3
On 8-9-2022

The foregoing Utility Easement was acknowledged before me this 20 day of May, 2021, by Joseph A. Pisano and Sandra L. Pisano, as to a Life Estate: Remainderman in favor of Joseph A. Pisano and Sandra L. Pisano, Co-Trustees under the Pisano Living Trust dated September 7, 2016, by means of ☒ physical presence or () online notarization. Joseph A. Pisano is () personally known to me or has produced FL DR LIC as identification and Sandra L. Pisano is () personally known to me or has produced FL DR LIC as identification.

 Gina C. Jordan
Notary Public
State of Florida
My Commission Expires 09/12/2022
Commission No. GG 258002


Printed Name: Gina C. Jordan
Notary Public, State of: FL
My Commission Expires: 9/12/22

Consent of Lien Holder

Wells Fargo Bank, N.A. ("Lien Holder"), is the current holder of a Mortgage dated July 10, 2003 as recorded in Instrument No. 1674816 Book 01788 Page 2803, by Assignment from The First National Bank & Trust Company, assignment recorded on 9/11/2003 as Instrument Number 1691157 in Book 01814 Page 2702, Wells Fargo Bank, N.A., hereby consents to the grant of the foregoing **UTILITY EASEMENT** dated May 20 2021 and signed by JOSEPH A. PISANO and SANDRA L. PISANO, and joins in the execution hereof solely as Lien Holder and hereby does agree that in the event of the foreclosure of said mortgage, or other sale of said property described in said mortgage under judicial or non-judicial proceedings, the same shall be sold and the same is hereby deemed to be sold subject to said Easement.

SIGNED AND EXECUTED this 21st day of July, 2021

Wells Fargo Bank, N.A.

By: Kandas Dawn Burnett
Name: Kandas Dawn Burnett
Title: Vice President
Company: Wells Fargo Bank, N.A.
Date: 7/21/2021

State of North Carolina
County of Wake

I, Tracy-Ann K Jayne, a Notary Public of Johnston County and State of North Carolina, do hereby certify that Kandas Dawn Burnett personally came before me this July 21, 2021 and acknowledged that he/she is the Vice President, of Wells Fargo Bank, NA., a national banking association, and that he/she, as Vice President, being authorized to do so, executed the foregoing on behalf of Wells Fargo Bank, N.A.,

Witness my hand and official seal, this 21st day of July, 2021.

(Seal)

Tracy-Ann K Jayne
NOTARY PUBLIC
Johnston County, NC

Tracy-Ann K Jayne
Signature of notarial officer
Notary's Tracy-Ann K Jayne
Notary Public, State of North Carolina
My commission expires: 08/19/2024

EXHIBIT A

LEGAL DESCRIPTION

A 15 FOOT UTILITY EASEMENT BEING THE NORTHERLY 15 FEET OF LOT 6, CAPE LIVE OAK ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 40, AS RECORDED IN THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 6, THENCE RUN SOUTH 23°42'36" EAST ALONG THE EASTERLY LINE OF SAID LOT 6 A DISTANCE OF 15 FEET TO A POINT; THENCE DEPARTING THE EASTERLY LINE OF SAID LOT 6 AND RUN PARALLEL WITH THE NORTH LINE OF SAID LOT 6 SOUTH 64°51'54" WEST A DISTANCE OF 78.39 FEET TO A POINT ON THE EAST LINE OF SOUTHWEST WILLOW LAKE TRAIL, A PRIVATE ROAD. THENCE NORTH 27°56'06" WEST ALONG THE EASTERLY LIMITS OF SOUTHWEST WILLOW LAKE TRAIL A DISTANCE OF 15.02 FEET TO A POINT, SAID POINT ON THE NORTH LINE OF SAID LOT 6; THENCE NORTH 64°51'54" EAST ALONG THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 79.49 FEET TO THE POINT OF BEGINNING.

CONTAINING 1184.08 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES

1. BEARING BASIS IS THE EAST LINE OF LOT 1, CAPE LIVE OAK AS RECORDED IN PLAT BOOK 7, PAGE 40, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, HAVING A BEARING OF SOUTH 23°23'45" 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.
5. NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
6. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY AND/OR OWNERSHIP WERE FURNISHED TO THE SURVEYOR EXCEPT AS SHOWN HEREON. NO OPINION OF TITLE IS EXPRESSED OR IMPLIED.

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.

1-11-2021
DATE


FRANK C. VELDHUIS
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 6582

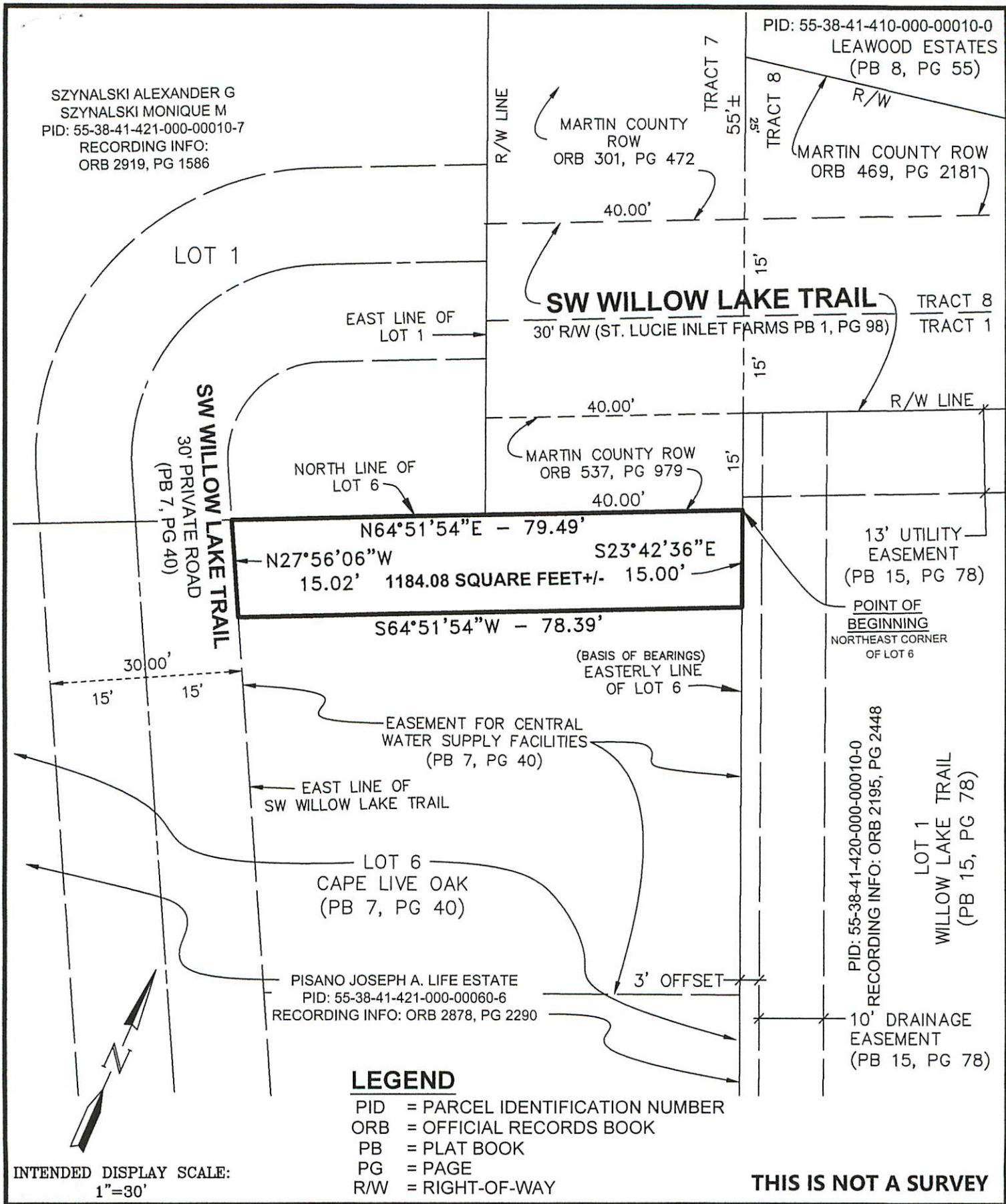


**NORTHSTAR
GEOMATICS**

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
UTILITY EASEMENT
FOR
MARTIN COUNTY UTILITIES
MARTIN COUNTY, FLORIDA

SHEET NO.
1
OF 2
PROJECT NO.
20-058.1



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SKETCH AND LEGAL DESCRIPTION OF
 UTILITY EASEMENT
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 MARTIN COUNTY, FLORIDA

SHEET NO.

2
 OF 2

PROJECT NO.

20-058.1