



SPACE ABOVE THIS LINE FOR RECORDING DATA

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BEFORE THE BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

RESOLUTION NO. 19-1.19

WHEREAS, Florida Power & Light, a Florida corporation, has agreed to convey 15' Right-of-Way Easement on SW Allapattah Road to Martin County; 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:

The Martin County Board of County Commissioners hereby accepts and approves a Right-of-Way Easement for 15' of Right-of-Way on SW Allapattah Road from Florida Power & Light, a Florida corporation to Martin County.

DULY PASSED AND ADOPTED THIS 29TH DAY OF JANUARY, 2019.

ATTEST:

  
CAROLYN TIMMANN, CLERK OF THE  
CIRCUIT COURT AND COMPTROLLER

MARTIN COUNTY BOARD OF COUNTY  
COMMISSIONERS:

  
EDWARD V. CLAMPI, CHAIRMAN

APPROVED AS TO FORM & LEGAL  
SUFFICIENCY:

  
KRISTA A. STOREY, ACTING COUNTY ATTORNEY



RETURN TO:  
Colleen Holmes, Real Property Division  
Martin County Board of County Commissioners  
2401 SE Monterey Road  
Stuart, FL 34996

Project Name: Sweetbay Solar Energy Center  
DevRev: #F109-002  
RPM: 3251

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### RIGHT-OF-WAY EASEMENT

**THIS EASEMENT** granted and executed this 7 day of February, 2019 by **FLORIDA POWER & LIGHT, a Florida corporation**, 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 said Grantor, for and in consideration of the sum of \$1.00 in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby grant unto the Grantee forever, an easement for road right-of-way, together with the right of reasonable ingress and egress over, under and across certain lands located in the County of Martin, State of Florida, as more particularly described in:

See Exhibit "A" attached hereto and made a part hereof (the "Easement Premises").

This easement is conveyed for the purpose of construction, reconstruction and maintenance of the public roadway located on the Easement Premises.

The Grantee may, from time to time, construct, reconstruct or replace the improvements within the Easement Premises, or remove, cut or trim trees, bushes and saplings growing upon or extending over the Easement Premises as may be reasonably necessary in the maintenance, operation, repair, replacement, renewal or betterment of the project. Grantee may remove any obstructions place within the Easement Premises without notice for the benefit of the health, safety and welfare of the public.

The Grantee is, and intends to remain, a member of a qualified self-insurer in the State of Florida and is granted sovereign immunity under Section 768.28, Florida Statutes. Liability of the Grantee is

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limited to \$200,000 per claimant, \$300,000 per claim or occurrence for negligent acts of the Board of County Commissioners, its employees, agents and contractors.

The Grantor is, and intends to remain, a member of a qualified self-insurer in the State of Florida. Liability of the Grantor is limited to the negligent acts of its employees, agents and contractors. *SB*

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

WITNESSES:

FLORIDA POWER & LIGHT COMPANY

Sign: *Michelle M. Kahmann*  
Print: Michelle M. Kahmann

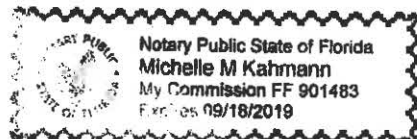
By: *Samantha J. Saucier*  
Print Name: Samantha J. Saucier  
Title: Corporate Real Estate Manager

Sign: *Tammy Jauffmann*  
Print: Tammy Jauffmann

STATE OF FLORIDA                    )  
  ) s.s.  
COUNTY OF MARTIN                )

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of Feb., 2019  
by Samantha J. Saucier as Corporate Real Estate Manager for  
Florida Power & Light Company who is ☒ personally known to me or ☐ has produced  
as identification.

(NOTARIAL SEAL)



*Michelle M. Kahmann*  
Print or Stamp Name: Michelle M. Kahmann

Notary Public – State of Florida

My Commission Expires:

Commission Number:





## Exhibit "A"

### LEGAL DESCRIPTION

Being the West 15.00 feet of a parcel of land as recorded in Official Records Book 2970, Page 2040, Public Records of Martin County, Florida, lying in Sections 19 and 30, Township 39 South, Range 39 East, Martin County, Florida, more particularly described as follows;

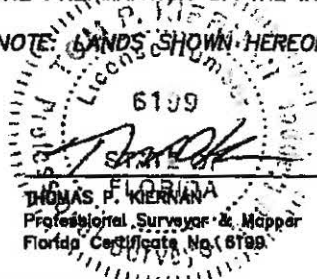
Commence at the Southwest corner of the Northwest 1/4 of said Section 30; thence North 89°50'28" East, along the South line of the Northwest 1/4 of Section 30, a distance of 50.00 feet to the East right-of-way of County Road 609 (SW Allapattah Road) (a 100.00 foot wide right-of-way) and to the POINT OF BEGINNING of the following described parcel;

Thence North 00°02'04" West, along the East right-of-way of County Road 609, a distance of 2,661.25 feet to the North line of Section 30; thence North 00°07'56" East, along the East right-of-way of County Road 609, a distance of 2,017.24 feet; thence South 89°57'53" East, a distance of 15.00 feet; thence South 00°07'56" West, a distance of 2,017.25 feet to the North line of Section 30; thence South 00°02'04" East, a distance of 2,661.20 feet to the South line of the Northwest 1/4 of Section 30; thence South 89°50'28" West, along the South line of the Northwest 1/4 of Section 30, a distance of 15.00 feet to the East right-of-way of County Road 609 and the POINT OF BEGINNING.

Containing 1.611 acres, more or less.

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY AND/OR EASEMENTS OF RECORD.



Page 1 of 2



**CULPEPPER & TERPENING, INC**

CONSULTING ENGINEERS | LAND SURVEYORS

2980 SOUTH 25th STREET • FORT PIERCE, FLORIDA 34981  
151 SW FLAGLER AVENUE • STUART, FLORIDA 34994  
PHONE 772-464-3537 • FAX 772-464-9497 • www.ct-eng.com  
STATE OF FLORIDA CERTIFICATION No. LB 4285

**15' STRIP**

**DESCRIPTION**

JOB NO: 17-151

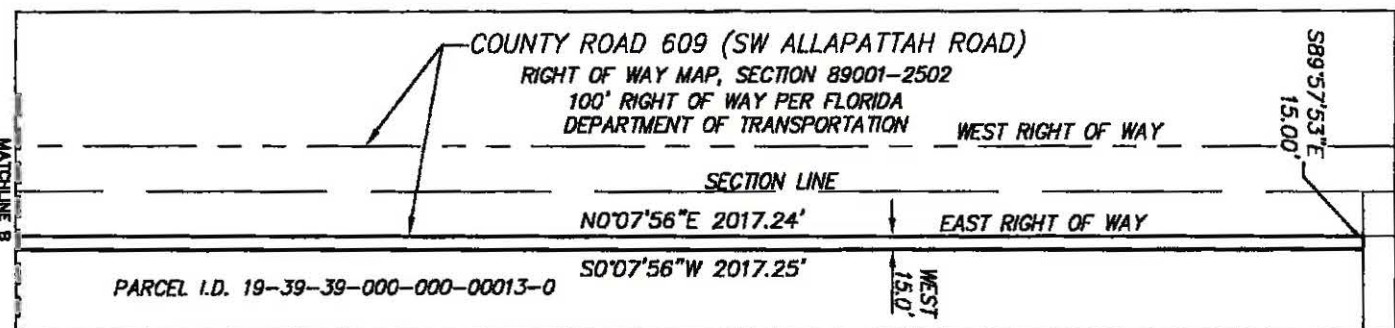
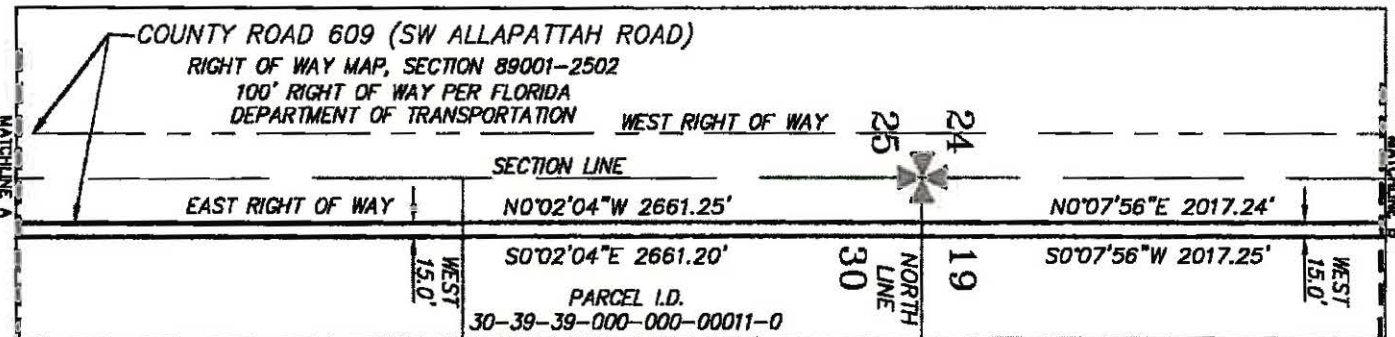
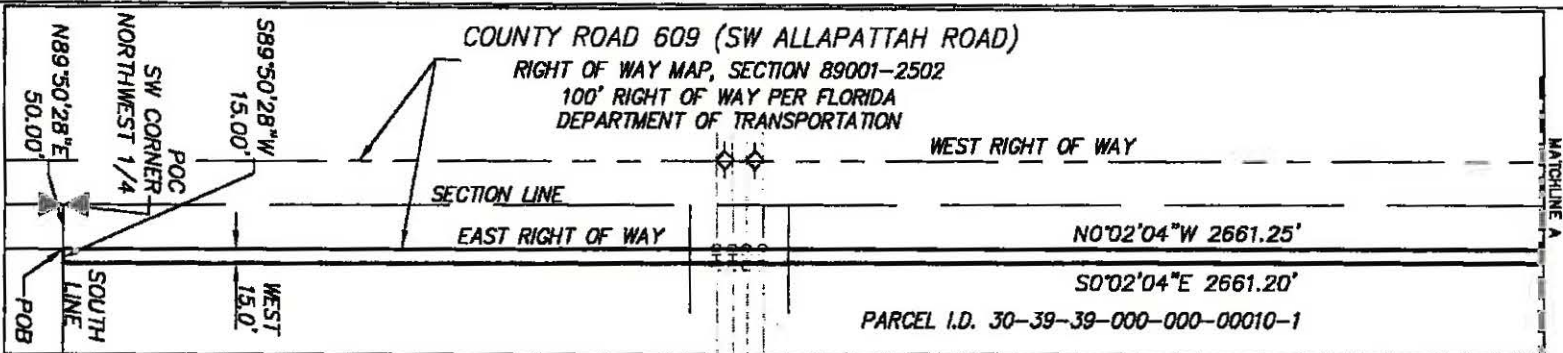
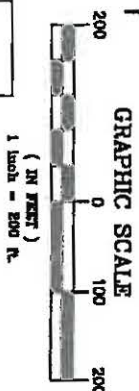
SCALE: N/A

DRAWN BY: GLM

DATE: 6-20-2018

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

THIS IS NOT A SURVEY



BEARINGS SHOWN HEREON  
ARE RELATIVE TO THE  
EAST RIGHT-OF-WAY OF  
COUNTY ROAD 609  
HAVING A BEARING OF  
N00°07'56"E

POB = POINT OF BEGINNING  
POC = POINT OF COMMENCEMENT

CULPEPPER & TERPENING, INC.

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151 SW FLAGLER AVENUE • STUART, FLORIDA 34994  
PHONE 772-464-3537 • FAX 772-464-9497 • www.c-t-eng.com  
STATE OF FLORIDA CERTIFICATION No. 18,428

15' STRIP

SKETCH OF DESCRIPTION

JOB NO: 17-151  
SCALE: 1"=200'  
DRAWN BY: GJM  
DATE: 6-20-2018