



Inst. # 2742184  
Bk: 3044 Pg: 2850 Pages: 1 of 1  
Recorded on: 3/6/2019 9:16 AM Doc: GOV  
Carolyn Timmann  
Clerk of the Circuit Court & Comptroller  
Martin County, FL  
Rec Fees: \$10.00

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SPACE ABOVE THIS LINE FOR RECORDING DATA

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

RESOLUTION NO. 19-2.13

WHEREAS, Martin County needs a Utility Easement from Stuart Yacht Corporation, a Florida corporation, to allow for utility related equipment, including, but not limited to a water service line and piping, south of SW Salerno Road and east of SW Chase Court; and

WHEREAS, by document entitled "Non-Exclusive Easement" executed on January 9, 2019, Stuart Yacht Corporation grants to Martin County a non-exclusive 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 Non-Exclusive Easement conveyed by Stuart Yacht Corporation.

DULY PASSED AND ADOPTED THIS 26TH DAY OF FEBRUARY, 2019.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

  
CAROLYN TIMMANN, CLERK OF THE  
CIRCUIT COURT AND COMPTROLLER

  
EDWARD V. CIAMPI, CHAIRMAN

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

  
KRISTA A. STOREY, ACTING COUNTY ATTORNEY

This Instrument prepared by:  
Tyson J. Waters, Esq.  
Fox McCluskey Bush Robison, PLLC  
3473 SE Willoughby Blvd.  
Stuart, Florida 34994



Inst. # 2742183  
Bk: 3044 Pg: 2846 Pages: 1 of 4  
Recorded on: 3/6/2019 9:10 AM Doc: EAS  
Carolyn Timmann  
Clerk of the Circuit Court & Comptroller  
Martin County, FL  
Rec Fees: \$35.50

Project Name: Stuart Yacht Corp./Miller Utility Easement Project No.: RPM#3195  
PCN: 55-38-41-000-041-00035-1

### NON-EXCLUSIVE EASEMENT

THIS NON-EXCLUSIVE EASEMENT ("Easement") is made this 9<sup>TH</sup> day of JANUARY, 2019, by STUART YACHT CORPORATION, a Florida corporation, whose mailing address is 450 SW Salerno Road, Stuart, Florida 34997 (hereinafter referred to as "Grantor") to MARTIN COUNTY, a political subdivision of the State of Florida, whose address is 2401 SE Monterey Road, Stuart, Florida 34996 (hereinafter referred to as "Grantee").

### Recitals

WHEREAS, Grantor owns the real property described on Exhibit "A" attached hereto and made a part hereof located in Martin County, Florida (the "Easement Parcel"); and

WHEREAS, Grantor has agreed to grant and convey to Grantee a non-exclusive easement to the Easement Parcel subject to and limited by the terms expressly set forth herein.

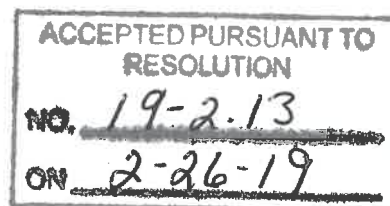
NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, as well as Ten Dollars (\$10.00) and other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, Grantor hereby grants, creates, conveys, and establishes an easement for and in favor of Grantee upon the Easement Parcel as, and for the specific and limited purposes, set forth herein.

### Terms

1. The above recitals are true and correct and hereby incorporated herein by this reference.

2. Grantee is hereby granted a non-exclusive perpetual utility easement ("Easement") in and under the Easement Parcel for the limited and specific purpose of installing utility related equipment, including, but not limited to a water service line, and piping under the Easement Parcel by means of horizontal directional drilling, together with the right to use, maintain, repair, and replace such water service line and piping. No right of access by the general public to any portion of the Easement Parcel is conveyed by this Easement, nor any rights other than those rights expressly provided for herein. Grantee shall be responsible for repairing any damage caused to the Easement Parcel by Grantee, or Grantee's agents, contractors, employees or others acting by, through or under Grantee.

3. Grantee acknowledges that the Easement Parcel is over a portion of Grantor's property that provides access to the remainder of Grantor's property. Grantor expressly retains the right to continue to use the Easement Parcel for all other purposes, including but not limited



ingress and egress purposes over the Easement Parcel, including maintenance and repair to same. Nothing herein shall permit Grantee to obstruct, impede or otherwise prevent Grantor's use of the Easement Property for the purpose of accessing the remainder of Grantor's property.

4. Grantor warrants unto Grantee that Grantor owns the Easement Parcel, and Grantor has full right and authority to grant this Easement to Grantee.

5. The terms and conditions of this Easement shall bind and benefit the parties hereto and their respective successors and assigns, to the extent assignable, and shall be deemed a covenant running with the Easement Parcel. Grantee may not assign this Easement, except Grantee may assign this Easement, upon written notice to Grantor, to a service provider that replaces Grantee in providing the services contemplated herein.

6. This Easement may be terminated and released by Grantee and may only be amended or modified upon the written agreement signed by both parties hereto, or their respective successors or assigns. Any such termination, release, amendment or modification shall be filed in the public records of Martin County, Florida.

IN WITNESS WHEREOF, Grantor has hereunto set its authorized hand this 9th day of January, 2019

WITNESSES:

Wendy Eutz  
Print Name: Wendy Eutz

Jeffrey Nykerk  
Print Name: Jeffrey Nykerk

GRANTOR:

STUART YACHT CORPORATION, a Florida corporation

By:

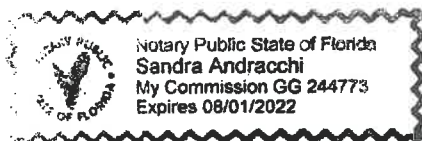
Samuel H. Compton III  
Print Name: SAMUEL H. COMPTON III  
Its: MANAGING DIRECTOR

STATE OF FLORIDA  
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me this 9th day of January, 2019, by Samuel Compton, as Managing Director of STUART YACHT CORPORATION, a Florida corporation, who is personally known to me or who has produced driver's license as identification.

(Notary Seal)

Sandra Andracchi  
Notary Public



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# Karner Surveying, Inc.

2740 SW Martin Downs Blvd. #333, Palm City, FL 34990

TITLE: **Legal Description & Sketch EXHIBIT "A"** SHEET NO. 1 of 2

**SW SALERNO ROAD**

Northeast corner Tract 3, Block 41,  
SAINT LUCIE INLET FARMS. Plat  
Book 1, Page 98, Palm Beach  
(Now Martin) County, Florida.

Center Line

30.00' 30' Road Right of Way  
Found 4"x4" Concrete Monument South Right of Way line

POINT OF COMMENCEMENT

FCM

PRIVATE ROAD  
FIRC LB959

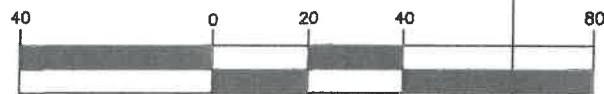
SW CHASE COURT

6' F.P.L. Easement

Lot 1  
STRATFORD ON THE WATERS  
Plat Book 11, Page 59,  
Martin County Florida  
0.87 Acres±

Westerly Line Lot 1

GRAPHIC SCALE



( IN FEET )  
1 inch = 40 ft.

Lot 4  
ST. LUCIE SETTLEMENT, INC.  
Unrecorded

Private Road

Utility Easement Parcel Prepared by  
C. Calvert Montgomery & Associates, Inc.

S42°33'02"W 32.83'

S23°27'58"E 5.47'

PARCEL B ST. LUCIE  
SETTLEMENT, INC  
Unrecorded

N42°33'02"E 32.83'

RECREATION AREA 2  
STRATFORD ON THE  
WATERS

PROPOSED 5' UTILITY  
EASEMENT PARCEL 1  
POINT OF BEGINNING  
164.1 Square Feet

8' Drainage Easement

1.0'

N23°27'58"W 5.47'

Revisions:  
May 3rd, 2011 - Plat Book reference  
October 19, 2018 - Area, Scale

**Proposed 5' Utility Easement**  
Prepared For:  
**Bill Miller**

JOB# 1012-06-01

DRAWN BY : RCK

SCALE : 1"=40'

DATE : 4.15.11

File Path:

# Karner Surveying, Inc.

2740 SW Martin Downs Blvd. #333, Palm City, FL 34990

TITLE: **Legal Description & Sketch EXHIBIT "A"** SHEET NO. 2 of 2

## Parcel "1"

### Description of Proposed Utility Easement

AN EASEMENT FOR UTILITY PURPOSES OVER, ACROSS AND THROUGH A STRIP OF LAND 5.00 FEET IN WIDTH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

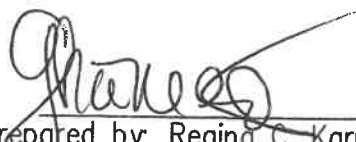
COMMENCE AT A CONCRETE MONUMENT 15 FEET SOUTH OF THE NORTHEAST CORNER OF TRACT 3, BLOCK 41, SAINT LUCIE INLET FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 98, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING THE WESTERLY LINE OF LOT 1, STRATFORD ON THE WATERS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 11, PAGE 59, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF SW SALERNO ROAD A 30 FOOT ROAD RIGHT OF WAY; THENCE SOUTH 23°27'58" EAST ALONG THE EAST LINE OF SAID TRACT 3, AND THE EASTERLY LINE OF A PRIVATE ROAD AS IDENTIFIED ON THE UNRECORDED PLAT OF ST. LUCIE SETTLEMENT, INC., AS PER MAP OF SURVEY PREPARED BY D.P.DEBERRY, DATED THE 15TH DAY OF MAY, 1964, AND RECORDED IN OFFICIAL RECORDS BOOK 235, PAGE 414, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, ALSO BEING THE WESTERLY LINE OF SAID LOT 1, STRATFORD ON THE WATERS, A DISTANCE OF 291.00 FEET TO THE POINT OF INTERSECTION WITH THE EASTERLY PROLONGATION OF THE SOUTH LINE OF AN UTILITY EASEMENT PARCEL "A", WHO'S LEGAL DESCRIPTION WAS PREPARED BY C.CALVERT MONTGOMERY & ASSOCIATES, INC, DATED 08.10.2001 AND HAS A FILE NAME OF SL-SETTLE, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT PARCEL ONE;

**THENCE SOUTH 42° 33'02" WEST, ALONG SAID EASTERLY PROLONGATION AND THE SOUTH LINE OF SAID EASEMENT PARCEL "A" A DISTANCE OF 32.83 FEET; THENCE SOUTH 23°27'58" EAST, A DISTANCE OF 5.47 FEET; THENCE NORTH 42°33'02" EAST 32.83 FEET TO THE POINT OF INTERSECTION WITH SAID WESTERLY LINE OF LOT 1, STRATFORD ON THE WATERS; THENCE NORTH 23°27'58" WEST, ALONG THE WESTERLY LINE OF SAID LOT 1, STRATFORD ON THE WATERS, A DISTANCE OF 5.47 FEET TO THE POINT OF BEGINNING.**

CONTAINING 164.1 SQUARE FEET

### Surveyor's Notes

- 1) This sketch and Legal Description are based on a Plats and maps referenced herein..
- 2) This Legal Description shall not be valid:
  - A) Unless Provided in its entirety consisting of sheets 1 and 2, (Sheet 2 being sketches.)
  - B) Without the Signature and Original Raised Seal of a Florida Licensed Surveyor.
- 3) Bearing Reference: The westerly line of Lot 1, STRATFORD ON THE WATERS at South 23°27'58" East.
- 4) This is not a boundary survey



Prepared by: Regina C. Karner, PSM,  
Florida Registration No. 4363  
Karner Surveying, Inc. LB7357  
Date. 4-15-2011

Revisions:  
May 3rd, 2011 - Plat Book reference  
October 19, 2018 - Area, Scale

## Proposed 5' Utility Easement

Prepared For:

**Bill Miller**

JOB# 1012-06-01

DRAWN BY : RCK SCALE : N/A

DATE : 4.15.11

File Path: MC\_Stratford on the Waters/  
Stratford-Waters\Legal