

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

RESOLUTION NO. 19-2.47

RESOLUTION ACCEPTING DRAINAGE EASEMENTS FOR A PORTION OF THE DRAINAGE IMPROVEMENT  
PROJECT IN OLD PALM CITY FROM SW FEROE AVENUE TO SW REILLEY AVENUE, BETWEEN  
SW 34<sup>TH</sup> TERRACE AND SW 35<sup>TH</sup> STREET

**WHEREAS**, Martin County needs Drainage Easements as part of the Old Palm City Neighborhood Restoration Project, which will include installing piping and drainage structures to improve the stormwater flow capacity and improve maintenance capabilities to avoid flooding; and

**WHEREAS**, the County obtained the necessary Drainage Easements from SW Mapp Road to SW Feroe Avenue in 1979 and will obtain the necessary Drainage Easement from the property owners from SW Feroe Avenue to SW Reilley Avenue between SW 34<sup>th</sup> Terrace and SW 35<sup>th</sup> Street; and

**WHEREAS**, ten (10') foot Drainage Easements are necessary on the properties identified on Exhibit "A" attached hereto and made a part hereof; 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 the acquisition of ten (10') foot Drainage Easements along parcels 1 through 20, Block 44, Palm City Amended , as more fully identified in Exhibit "A" attached hereto and made a part hereof.

DULY PASSED AND ADOPTED THIS 26<sup>TH</sup> DAY OF FEBRUARY, 2019.


ATTEST:

MARTIN COUNTY BOARD OF COUNTY  
COMMISSIONERS

  
CAROLYN TIMMANN, CLERK OF THE  
CIRCUIT COURT AND COMPTROLLER

  
EDWARD V. CIAMPI, CHAIRMAN

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:

  
KRISTA A. STOREY, ACTING COUNTY ATTORNEY



## Exhibit "A"

### OLD PALM CITY DRAINAGE PROJECT

Parcels	Parcel Control Number
1	17-38-41-001-044-00010-3
2	17-38-41-001-044-00020-1
3	17-38-41-001-044-00030-9
4	17-38-41-001-044-00040-7
5 – 6 - 7	17-38-41-001-044-00050-4
8 - 9	17-38-41-001-044-00080-8
9 - 10	17-38-41-001-044-00090-6
11 - 12	17-38-41-001-044-00110-2
13	17-38-41-001-044-00130-8
14	17-38-41-001-044-00140-6
15	17-38-41-001-044-00150-3
16	17-38-41-001-044-00160-1
17	17-38-41-001-044-00170-0
18	17-38-41-001-044-00480-7
19	17-38-41-001-044-00190-5
20	17-38-41-001-044-00200-0

This instrument prepared by:  
Colleen J. Holmes  
Real Property Coordinator  
Martin County  
2401 SE Monterey Road  
Stuart, Florida 34996



Inst. # 2747206  
Bk: 3050 Pg: 1488 Pages: 1 of 4  
Recorded on: 4/3/2019 4:04 PM Doc: EAS  
Carolyn Timmann  
Clerk of the Circuit Court & Comptroller  
Martin County, FL  
Rec Fees: \$35.50

Project: PC Block 44 Drainage – RPM #3206 – Parcels 11,12  
Address: 3475 SW Feroe Avenue, Palm City, FL 34990  
PCN: 17-38-41-001-044-00110-2

SPACE ABOVE THIS LINE FOR RECORDING DATA

## DRAINAGE EASEMENT

**THIS EASEMENT** granted and executed this 18<sup>th</sup> day of December, 2018, by **TUN LWIN and WAI WAI MYINT, husband and wife**, whose address is 3475 SW Feroe Avenue, Palm City, Florida 34990, ("**Grantor**"), to **MARTIN COUNTY, a political subdivision of the State of Florida**, whose address is 2401 S.E. 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 \$10.00 in hand paid by the Grantee, the receipt and sufficiency whereof is hereby acknowledged, does hereby grant unto the Grantee forever, a perpetual easement on, over, under, across and through the land described in **Exhibit "A"** attached hereto and made a part hereof (the "Easement Premises") for construction, grading, installation and use of a surface and sub-surface drainage system, and the repair, maintenance, replacement thereof, and for ingress and egress across, over, and upon the Easement Premises as may be reasonably necessary, to carry out the purposes of this easement.

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.

And the Grantor hereby covenants with 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, and that Grantor fully warrants the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

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**Accepted Pursuant to Resolution**

No 19-2.47  
On 2/26/19

Grantor further warrants that there are no mortgages encumbering the Easement Premises.

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

**Witnesses:**

*Paul J. Bangs*

Witness #1 Signature

PAUL J. BANGS

Witness #1 Print Name

*Laura W Gullotti*

Witness #1 Signature

Laura W Gullotti

Witness #1 Print Name

By: *Tun Lwin*

TUN LWIN

By: *Wai Wai Myint*

WAI WAI MYINT

**STATE OF FLORIDA  
COUNTY OF MARTIN**

The foregoing Drainage Easement was acknowledged before me this 18 day of DECEMBER, 2018, by TUN LWIN, who is: [ ] personally known to me, or [ X ] has produced L500-800-64-377-0 as identification, and who did not take an oath.  
D.L.#

(SEAL)



PAMELA J. KNOTT  
Commission # GG 220557  
Expires August 19, 2022  
Bonded Thru Budget Notary Services

*Pamela J. Knott*

Notary Signature

PAMELA J. KNOTT

Print

**STATE OF FLORIDA  
COUNTY OF MARTIN**

The foregoing Drainage Easement was acknowledged before me this 18<sup>th</sup> day of December, 2018, by WAI WAI MYINT, who is: [ ] personally known to me, or [ ] has produced Driver's License as identification, and who did not take an oath.

(SEAL)

*Colleen J. Holmes*

Notary Signature

Print



COLLEEN J HOLMES  
MY COMMISSION # GG 071887  
EXPIRES: June 9, 2021  
Bonded Thru Budget Notary Services

**MARTIN COUNTY, STUART, FLORIDA**  
2401 S.E. MONTEREY ROAD PHONE NO. 772-288-5927

DWG. NAME : 001 Old Palm City Blk 44 M.C. PROJ. NO. 14-155 SHEET NO. 1 of 2

**EXHIBIT "A"**

**Drainage Easement Description**

The North 10.00 feet of the North Half ( $\frac{1}{2}$ ) of Lots 11 and 12, Block 44 according to the Amended Plat of Palm City as Recorded in Plat Book 6, Page 41 of the Public Records of Palm Beach (Now Martin) County, Florida, all lying in Section 17, Township 38 South, Range 41 East.

Said Parcel contains 1000.07 square feet, (0.023 Acres) more or Less.

Parcel Control No. 17-38-41-001-044-00110-2

(North  $\frac{1}{2}$  Lots 11 & 12, Block 44) Official Records Book 2334, Page 2265, Public Records of Martin County, Florida.

**Surveyor's Notes**

- 1.) This Sketch and Legal Description is based on Boundary and Topographic Survey of Block 44, Amended Plat of Palm City, Plat Book 6, Page 41 Palm Beach (Now Martin) County, Florida.
- 2.) This Legal Description SHALL NOT BE VALID:  
A) Unless provided in its Entirety Consisting of Sheets 1 and 2, Sheet 2 being Sketch.  
B) Without the Signature and Original Raised Seal of a Florida Licensed Surveyor.
- 3.) Bearing Reference: The centerline of SW 34 Terrace bears S 89°31'54" E and all others are relative to said Bearing. Bearing is referenced to N.A.D. 1988/2012, Florida East Zone.
- 4.) The purpose of this sketch and description is to describe a 10' wide drainage easement.
- 5.) This is Not a Boundary Survey.

**Surveyor and Mapper  
in Responsible Charge**

SEAL



W. Scott Nelson  
Professional Surveyor and Mapper  
Florida License No. PSM 6342

Date: January 14, 2015

**NOTE: This is NOT A BOUNDARY SURVEY.**  
**This Sheet Not valid Without Sheets 2 of 2**

**10 foot wide Drainage Easement, North 1/2 Lots 11 & 12,  
Block 44, Amended Plat of Palm City, Plat Book 6,  
Page 41, Palm Beach (Now Martin) County, Florida**

SUPERVISED BY : MOB	
DRAWN BY : SN	SCALE : NONE
DATE : 12-22-14	
DRAWING # 14-155	

# MARTIN COUNTY, STUART, FLORIDA

2401 S.E. MONTEREY ROAD PHONE NO. 772-288-5927

DWG. NAME : 001 Old Palm City Blk 44 M.C. PROJ. NO. 14-155 SHEET NO. 2 of 2

11      12      13      14      15      16

**SW 34th Terr**

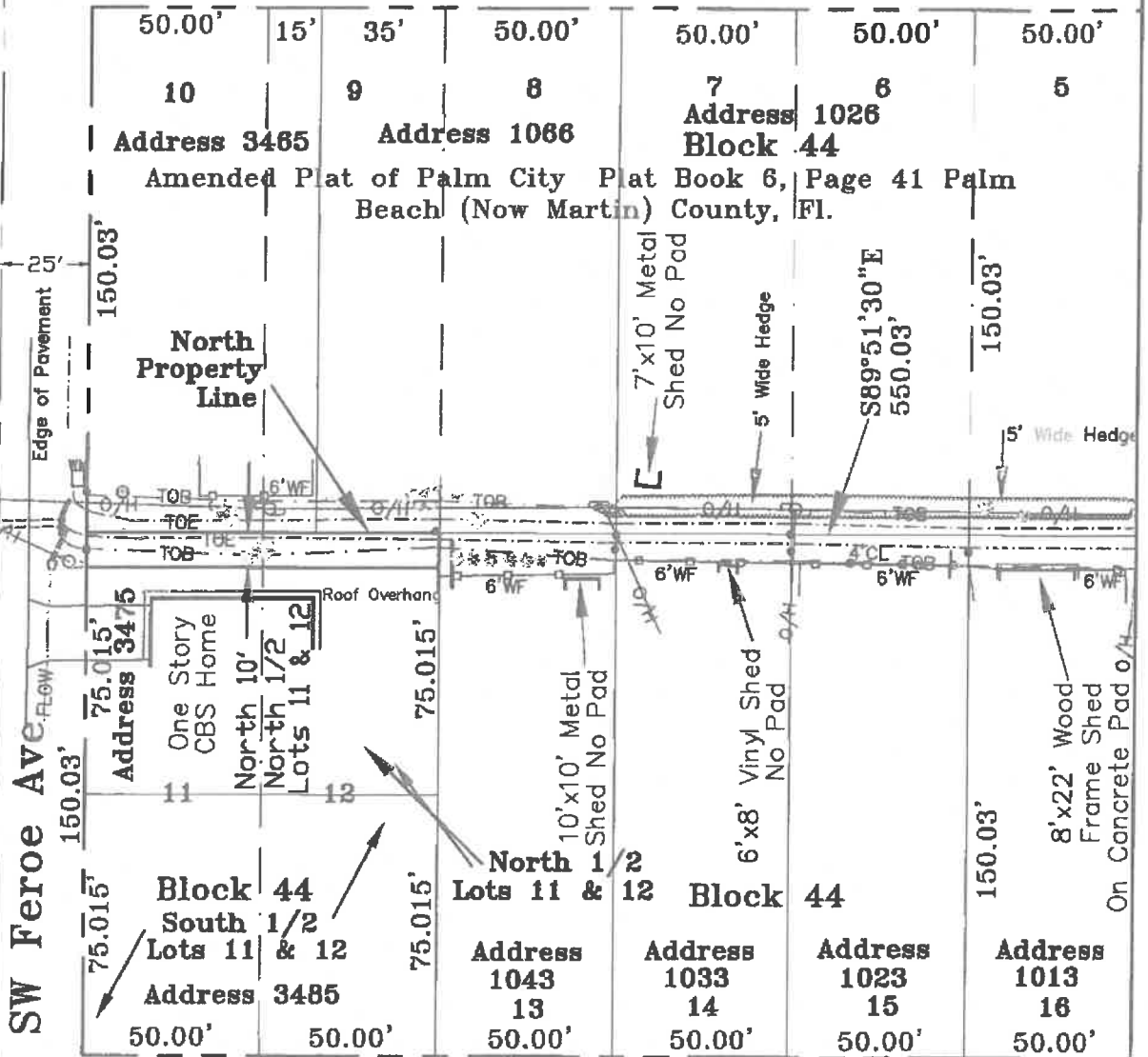
S89°51'34"E 550.03'

**N 1/2 1**

TOB = Top of Bank  
TOE = Toe of Slope  
WF = Wood Fence  
CLF = Chain Link Fence  
O/H = Over Head Elec.

**Block 45**  
**N 1/2 18**

**North**



Scale 1" = 50'

S89°51'25"E 550.03'

**SW 35th St.**

**10 foot wide Drainage Easement, North 1/2 Lots 11 & 12,  
Block 44, Amended Plat of Palm City, Plat Book 6,  
Page 41, Palm Beach (Now Martin) County, Florida**

SUPERVISED BY : MOB	
DRAWN BY : SN	SCALE : 1" = 50'
DATE : 12-22-14	
DRAWING # 14-155	



This instrument prepared by:  
Colleen J. Holmes  
Real Property Coordinator  
Martin County  
2401 SE Monterey Road  
Stuart, Florida 34996



Inst. # 2747207  
Bk: 3050 Pg: 1492 Pages: 1 of 4  
Recorded on: 4/3/2019 4:04 PM Doc: EAS  
Carolyn Timmann  
Clerk of the Circuit Court & Comptroller  
Martin County, FL  
Rec Fees: \$35.50

Project: PC Block 44 Drainage – RPM #3201 – Parcel 3  
Address: 996 SW 34<sup>th</sup> Terrace, Palm City, FL 34990  
PCN: 17-38-41-001-044-00030-9

SPACE ABOVE THIS LINE FOR RECORDING DATA

## DRAINAGE EASEMENT

**THIS EASEMENT** granted and executed this 30<sup>th</sup> day of January, 2019, by **Harold Sanders**, whose address is 996 SW 34<sup>th</sup> Terrace, Palm City, Florida 34990, ("**Grantor**"), to **MARTIN COUNTY**, a political subdivision of the State of Florida, whose address is 2401 S.E. 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 \$10.00 in hand paid by the Grantee, the receipt and sufficiency whereof is hereby acknowledged, does hereby grant unto the Grantee forever, a perpetual easement on, over, under, across and through the land described in **Exhibit "A"** attached hereto and made a part hereof (the "Easement Premises") for construction, grading, installation and use of a surface and sub-surface drainage system, and the repair, maintenance, replacement thereof, and for ingress and egress across, over, and upon the Easement Premises as may be reasonably necessary, to carry out the purposes of this easement.

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.

And the Grantor hereby covenants with 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, and that Grantor fully warrants the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

Grantor further warrants that there are no mortgages encumbering the Easement Premises.

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**Accepted Pursuant to Resolution**

No 19-2.47  
On 2/26/19

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

**Witnesses:**

Shawn McCarthy  
Witness #1 Signature

Shawn McCarthy  
Witness #1 Print Name

By: Harold Sanders  
HAROLD SANDERS

Richard Mayo  
Witness #1 Signature

Richard Mayo  
Witness #1 Print Name

By: \_\_\_\_\_

**STATE OF FLORIDA  
COUNTY OF MARTIN**

The foregoing Drainage Easement was acknowledged before me this 30<sup>th</sup> day of JANUARY, 2019, by Harold Sanders, who is/are: [ ] personally known to me, or [✓] has produced Driver's License as identification, and who did not take an oath.

(SEAL)

Colleen J. Holmes  
Notary Signature

Print



COLLEEN J HOLMES  
MY COMMISSION # GG 071897  
EXPIRES: June 9, 2021  
Bonded Thru Budget Notary Services



**MARTIN COUNTY, STUART, FLORIDA**  
2401 S.E. MONTEREY ROAD PHONE NO. 772-288-5927

DWG. NAME : 001 Old Palm City Blk 44 M.C. PROJ. NO. 14-155 SHEET NO. 1 of 2

**EXHIBIT "A"**

**Drainage Easement Description**

The South 10.00 feet of Lot 3, Block 44 according to the Amended Plat of Palm City as Recorded in Plat Book 6, Page 41 of the Public Records of Palm Beach (Now Martin) County, Florida, all lying in Section 17, Township 38 South, Range 41 East.

Said Parcel contains 500.03 square feet, (0.011 Acres) more or Less.

Parcel Control No. 17-38-41-001-044-00030-9

(Lot 3, Block 44) Official Records Book 2541, Page 160, Public Records of Martin County, Florida.

**Surveyor's Notes**

- 1.) This Sketch and Legal Description is based on Boundary and Topographic Survey of Block 44, Amended Plat of Palm City, Plat Book 6, Page 41 Palm Beach (Now Martin) County, Florida.
- 2.) This Legal Description SHALL NOT BE VALID:  
A) Unless provided in its Entirety Consisting of Sheets 1 and 2, Sheet 2 being Sketch.  
B) Without the Signature and Original Raised Seal of a Florida Licensed Surveyor.
- 3.) Bearing Reference: The centerline of SW 34 Terrace bears S 89°31'54" E and all others are relative to said Bearing. Bearing is referenced to N.A.D. 1988/2012, Florida East Zone.
- 4.) The purpose of this sketch and description is to describe a 10' wide drainage easement.
- 5.) This is Not a Boundary Survey.

**NOTE: This is NOT A BOUNDARY SURVEY.**

**This Sheet Not valid Without Sheets 2 of 2**

**10 foot wide Drainage Easement, Lot 3, Block 44  
Amended Plat of Palm City, Plat Book 6, Page 41  
Palm Beach (Now Martin) County, Florida**

**Surveyor and Mapper  
in Responsible Charge**

SEAL



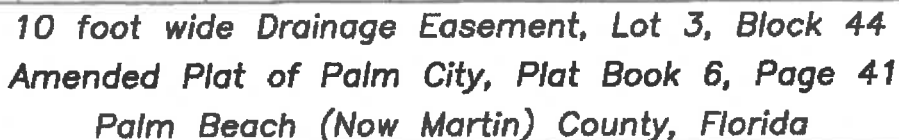
W. Scott Nelson  
Professional Surveyor and Mapper  
Florida License No. PSM 6342

Date: January 14, 2015

SUPERVISED BY : MOB	
DRAWN BY : SN	SCALE : NONE
DATE : 12-22-14	
DRAWING # 14-155	

2401 S.E. MONTEREY ROAD PHONE NO. 772-288-5927

SHEET NO. 2 of 2



SCALE : 1" = 50'

DRAWING # 14-155

This instrument prepared by:  
Colleen J. Holmes  
Real Property Coordinator  
Martin County  
2401 SE Monterey Road  
Stuart, Florida 34996



Inst. # 2747208  
Bk: 3050 Pg: 1496 Pages: 1 of 4  
Recorded on: 4/3/2019 4:04 PM Doc: EAS  
Carolyn Timmann  
Clerk of the Circuit Court & Comptroller  
Martin County, FL  
Rec Fees: \$35.50

Project: PC Block 44 Drainage – RPM #3200 – Parcel 2  
Address: 988 SW 34<sup>th</sup> Terrace, Palm City, FL 34990  
PCN: 17-38-41-001-044-00020-1

SPACE ABOVE THIS LINE FOR RECORDING DATA

## DRAINAGE EASEMENT

Accepted Pursuant to Resolution

No. 19-2.47  
On 2/26/19

**THIS EASEMENT** granted and executed this 4<sup>th</sup> day of February, 2019, by **Lisa Humbert**, a single woman, whose address is 988 SW 34<sup>th</sup> Terrace, Palm City, Florida 34990, ("**Grantor**"), to **MARTIN COUNTY**, a political subdivision of the State of Florida, whose address is 2401 S.E. 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 \$10.00 in hand paid by the Grantee, the receipt and sufficiency whereof is hereby acknowledged, does hereby grant unto the Grantee forever, a perpetual easement on, over, under, across and through the land described in **Exhibit "A"** attached hereto and made a part hereof (the "Easement Premises") for construction, grading, installation and use of a surface and sub-surface drainage system, and the repair, maintenance, replacement thereof, and for ingress and egress across, over, and upon the Easement Premises as may be reasonably necessary, to carry out the purposes of this easement.

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.

And the Grantor hereby covenants with 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, and that Grantor fully warrants the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

Grantor further warrants that there are no mortgages encumbering the Easement Premises.

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

Witnesses:

Emily Kohler  
Witness #1 Signature

Emily Kohler  
Witness #1 Print Name

DAVE SHIRLEY  
Witness #1 Signature

DAVE SHIRLEY  
Witness #1 Print Name

By: Lisa Humbert  
LISA HUMBERT

By: \_\_\_\_\_

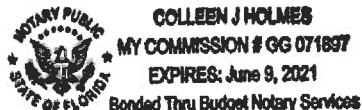
STATE OF FLORIDA  
COUNTY OF MARTIN

The foregoing Drainage Easement was acknowledged before me this 4th day of February, 2019, by Lisa Humbert, who is/are: [☒] personally known to me, or [☐] has produced \_\_\_\_\_ as identification, and who did not take an oath.

(SEAL)

Colleen J. Holmes  
Notary Signature

Print



**MARTIN COUNTY, STUART, FLORIDA**  
2401 S.E. MONTEREY ROAD PHONE NO. 772-288-5927

DWG. NAME : 001 Old Palm City Blk 44 M.C. PROJ. NO. 14-155 SHEET NO. 1 of 2

**EXHIBIT "A"**

**Drainage Easement Description**

The South 10.00 feet of Lot 2, Block 44 according to the Amended Plat of Palm City as Recorded in Plat Book 6, Page 41 of the Public Records of Palm Beach (Now Martin) County, Florida, all lying in Section 17, Township 38 South, Range 41 East.

Said Parcel contains 500.03 square feet, (0.011 Acres) more or Less.

Parcel Control No. 17-38-41-001-044-00020-1

(Lot 2, Block 44) Official Records Book 2395, Page 1426, Public Records of Martin County, Florida.

**Surveyor's Notes**

- 1.) This Sketch and Legal Description is based on Boundary and Topographic Survey of Block 44, Amended Plat of Palm City, Plat Book 6, Page 41 Palm Beach (Now Martin) County, Florida.
- 2.) This Legal Description SHALL NOT BE VALID:  
A) Unless provided in its Entirety Consisting of Sheets 1 and 2, Sheet 2 being Sketch.  
B) Without the Signature and Original Raised Seal of a Florida Licensed Surveyor.
- 3.) Bearing Reference: The centerline of SW 34 Terrace bears S 89°31'54" E and all others are relative to said Bearing. Bearing is referenced to N.A.D. 1988/2012, Florida East Zone.
- 4.) The purpose of this sketch and description is to describe a 10' wide drainage easement.
- 5.) This is Not a Boundary Survey.

**NOTE: This is NOT A BOUNDARY SURVEY.**

**This Sheet Not valid Without Sheets 2 of 2**

**Surveyor and Mapper  
in Responsible Charge**

SEAL



W. Scott Nelson  
Professional Surveyor and Mapper  
Florida License No. PSM 6342

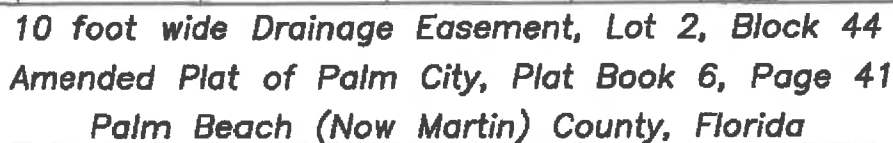
Date: January 14, 2015

**10 foot wide Drainage Easement, Lot 2, Block 44  
Amended Plat of Palm City, Plat Book 6, Page 41  
Palm Beach (Now Martin) County, Florida**

SUPERVISED BY : MOB	
DRAWN BY : SN	SCALE : NONE
DATE : 12-22-14	
DRAWING # 14-155	

2401 S.E. MONTEREY ROAD PHONE NO. 772-288-5927

SHEET NO. 2 of 2



DRAWING # 14-155