



Inst. # 2771116
Bk: 3078 Pg: 332 Pages: 1 of 1
Recorded on: 8/21/2019 9:59 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. 19-8.4

WHEREAS, Martin County needs a Utility Easement from Senior Care Living of Stuart, LLC, a Florida limited liability company, to allow for water services and the maintenance of certain utility facilities on the northern side of SE Cove Road, east of SE Willoughby Boulevard; and

WHEREAS, by document entitled "Utility Easement" executed on June 25, 2019, Senior Care Living of Stuart, LLC, a Florida limited liability company, 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 Senior Care Living of Stuart, LLC.

DULY PASSED AND ADOPTED THIS 13TH DAY OF AUGUST, 2019.

ATTEST:


CAROLYN TIMMANN, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA


EDWARD V. CIAMPI, CHAIRMAN

APPROVED AS TO FORM & LEGAL SUFFICIENCY:


SARAH W. WOODS, COUNTY ATTORNEY

This instrument prepared by:
Ellen MacArthur for
Martin County
2401 SE Monterey Road
Stuart, FL 34996



Inst. # 2771115
Blk: 3078 Pg: 322 Pages: 1 of 10
Recorded on: 8/21/2019 9:59 AM Doc: EAS
Carolyn Timmann
Clerk of the Circuit Court & Comptroller
Martin County, FL
Rec Fees: \$86.50

Project Name: Senior Care Living of Stuart Utility Easements
Project No: RPM #3248
PCN: 55-38-41-000-067-00060-0

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

UTILITY EASEMENT

THIS EASEMENT granted and executed this 25 day of June, 2019, by SENIOR CARE LIVING OF STUART, LLC, a Florida limited liability company, whose mailing address is 8380 Bay Pines Boulevard, 3rd Floor, St. Petersburg, FL, 33709, 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.)

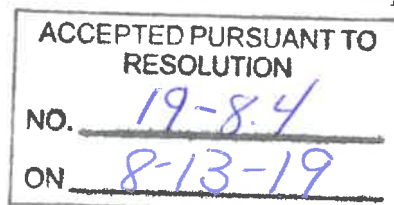
WITNESSETH, that the Grantor, for and in consideration of the sum of \$1.00 and other good and valuable considerations, in hand paid by the Grantee, the receipt and sufficiency whereof is hereby acknowledged, does hereby grant unto the Grantee forever, two easements for the construction, reconstruction, 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 Exhibits "A-1 and A-2" 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 these easements; that Grantor fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

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 and Security Agreement in favor of Branch Banking and Trust Company whose address is 400 North Tampa Street, 25th Floor, Tampa, FL, 33602, (Mortgagee), dated December 21, 2016 and recorded in Official Records Book 2898, Page 2444; and Partial Release of Mortgage, Assignment of Rents and UCC Financing Statement in favor of Branch Banking and Trust Company whose address is 400 North Tampa Street, 25th Floor, Tampa, FL,



33602, dated April 7, 2017 and recorded in Official Records Book 2917, Page 2389 all 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:

GRANTOR:

SENIOR CARE LIVING OF STUART, LLC,
a Florida limited liability company

Mary E Smith
Witness

BY: Mark C Bouldin

Mary E Smith
Print Name

Mark C Bouldin
Print Name

Tracie Coon
Witness

Title: MANAGER

Tracie Coon
Print Name

State of Florida }
County of Pine Hl }

The foregoing Utility Easement was acknowledged before me this 25th day of June, 2019 by Mark C Bouldin, as MANAGER of Senior Care Living of Stuart, LLC, a Florida limited liability company, a corporation existing under the laws of the State of Florida, on behalf of the corporation. He/she is (☒) personally known to me or has produced _____ as identification.



MARY E SMITH
Commission # GG 196475
Expires May 27, 2022
Bonded Thru Budget Notary Services

Mary E Smith
Notary Public

Project Name: Senior Care Living of Stuart Utility Easements
Project No: RPM #3248
PCN: 55-38-41-000-067-00060-0

CONSENT OF MORTGAGEE

Branch Banking and Trust Company, (hereinafter referred to as "Mortgagee") under that certain Mortgage and Security Agreement recorded December 29, 2016 in Official Records Book 2898, page 2444; and Partial Release of Mortgage, Assignment of Rents, and UCC Financing Statement recorded April 11, 2017 in Official Records Book 2917, page 2389, all 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 Easements 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 Easements 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 Easements.

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:

Branch Banking and Trust Company,
a North Carolina banking corporation

Kim Sherrill

Print Name: Kim Sherrill

D. O. Hopkins

Print Name: David Hopkins

By: [Signature]

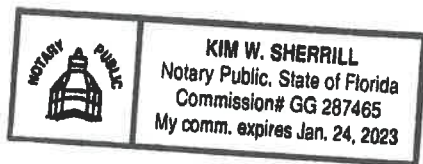
Name: Dale Fogle

Its: SVP

STATE OF Florida

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 25th day of June, 20 19 by Dale Fogle, as SVP of Branch Banking and Trust Company, on behalf of said entity, who is personally known to me or has produced _____ as identification.



Kim W Sherrill

Notary Public, State of FL

Print Name: Kim W Sherrill

My Commission Expires: 1-24-23

SURVEYOR'S NOTES

1. THE BEARINGS AS SHOWN HEREON ARE BASED ON STATE PLANE COORDINATES, NORTH AMERICAN DATUM OF 83/90, FLORIDA EAST ZONE, REFERENCE A BEARING OF S65°02'54"W ALONG THE NORTHERLY RIGHT OF WAY LINE OF COVE ROAD, MARTIN COUNTY, FLORIDA.
2. THIS IS NOT A BOUNDARY SURVEY.
3. THIS SKETCH AND LEGAL DESCRIPTION SHALL NOT BE VALID UNLESS PROVIDED IN ITS ENTIRETY CONSISTING OF SHEETS 1 THROUGH 3.

ABBREVIATIONS

NO.	NUMBER
O.R.B.	OFFICIAL RECORDS BOOK
P.L.S.	PROFESSIONAL LAND SURVEYOR
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT

SURVEYOR'S CERTIFICATION

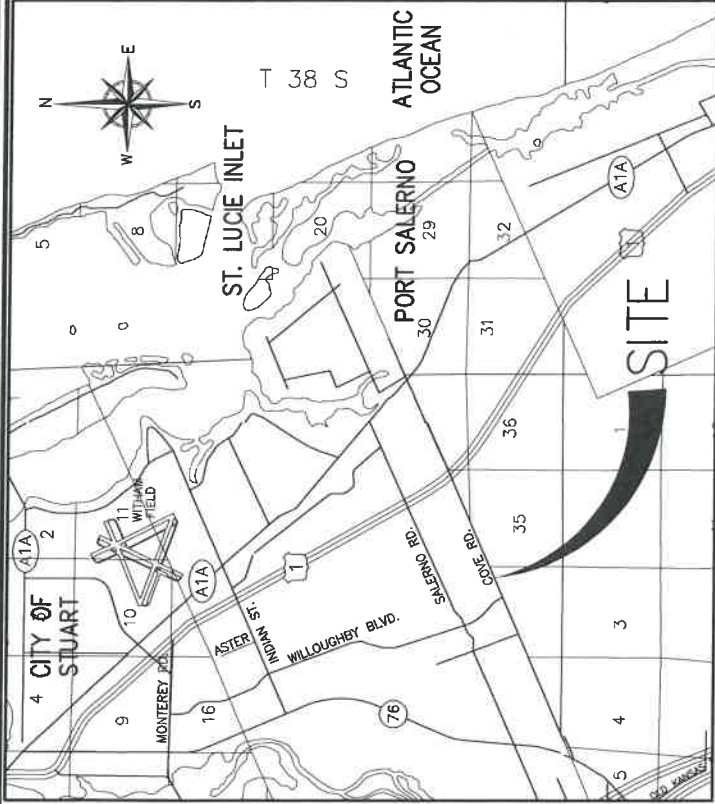
I HEREBY CERTIFY THAT THE "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" AS SHOWN HEREON WAS PREPARED UNDER MY DIRECTION AND CHARGE ON OCTOBER 26, 2018, AND THAT SAID "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT IS FURTHER CERTIFIED THAT THIS "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" COMPLIES WITH THE STANDARDS OF PRACTICE FOR "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 50, F.A.C. FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

BETSY LINDSAY, INC.
SURVEYORS AND MAPPERS

DAVID JOSEPH WICHSE, P.S.M.
FLORIDA REGISTRATION NO. 5565

NOT VALID WITHOUT THE SIGNATURE
AND ORIGINAL RAISED SEAL OF FLORIDA
LICENSED SURVEYOR AND MAPPER

EXHIBIT "A"



LOCATION MAP
(NOT TO SCALE)

SHEET NO. 1	DATE 11/14/18	REVISIONS
OF 3 SHEETS	REVISE PER MARTIN COUNTY COMMENTS	
PROJECT NO. 05-07 E		

A PORTION OF TRACT 6, BLOCK 67, ST. LUCIE INLET FARMS MARTIN COUNTY, FLORIDA
SKETCH AND LEGAL DESCRIPTION UTILITY EASEMENT 2

DATE 10/26/2018
SCALE NOT TO SCALE
FIELD BK.
DRAWING BY D.B.
CHECKED BY D.J.W.

BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7997 SW JACK JAMES DRIVE STUART, FLORIDA 34997
(772) 286-5750 (772) 286-5635 FAX
LICENSED BUSINESS NO. 6852

LEGAL DESCRIPTION

UTILITY EASEMENT NO. 2

A 10.00 FOOT BY 16.00 FOOT PARCEL OF LAND BEING A PORTION OF TRACT 6, BLOCK 67, OF THE PLAT OF ST. LUCIE INLET FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 98, OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF THE 15.00 FOOT RIGHT OF WAY DEDICATION PER OFFICIAL RECORDS BOOK 2915, PAGE 1488 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, SAID POINT LYING AND BEING ON THE EAST LINE OF SAID TRACT 6, 65.00 FEET NORTHERLY OF THE SOUTH LINE OF SAID TRACT 6; THENCE SOUTH 65°02'54" WEST ALONG THE NORTHERLY RIGHT OF WAY LINE OF COVE ROAD PER SAID RIGHT OF WAY DEDICATION, A DISTANCE OF 207.44 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 65°02'54" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 16.00 FEET; THENCE NORTH 23°50'06" WEST, A DISTANCE OF 10.00 FEET TO AN INTERSECTION WITH A LINE BEING 10.00 FEET NORTHERLY OF, AND PARALLEL WITH SAID NORTHERLY RIGHT OF WAY LINE OF COVE ROAD PER OFFICIAL RECORDS BOOK 2915, PAGE 1488; THENCE NORTH 65°02'54" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 16.00 FEET; THENCE SOUTH 23°50'06" EAST, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 160 SQUARE FEET OR 0.004 ACRES, MORE OR LESS.

SAID PARCEL BEING SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, DEDICATIONS OR RESTRICTIONS.

EXHIBIT "A-1"

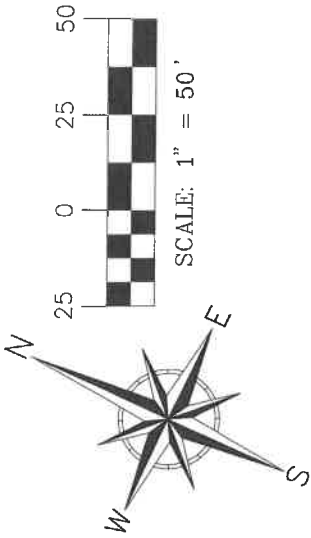
SHEET NO. 2	DATE 11/14/18	REVISIONS
OF 3 SHEETS	11/14/18	REUSE PER MARTIN COUNTY COMMENTS
PROJECT NO. 05-07 E		

A PORTION OF TRACT 6, BLOCK 67, ST. LUCIE INLET FARMS MARTIN COUNTY, FLORIDA
SKETCH AND LEGAL DESCRIPTION UTILITY EASEMENT 2

DATE 10/26/2018
SCALE NOT TO SCALE
FIELD BK. D.B.
DRAWING BY D.B.
CHECKED BY D.J.W.

B

BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7887 S.W. JACK JAMES DRIVE, STUART, FLORIDA 34987
(772)286-5753 (772)286-5833FAX
LICENSED BUSINESS NO. 6852



TRACT 6, BLOCK 67
SAINT LUCIE INLET FARMS
PLAT BOOK 1, PAGE 98
PALM BEACH (NOW MARTIN) COUNTY, FLORIDA

TRACT 7

EAST LINE
OF TRACT 6

UTILITY EASEMENT NO. 2
160 SQUARE FEET OR 0.004 ACRES±

P.O.C.
NE'LY CORNER OF
O.R.B. 2915, PAGE 1488

O.R.B. 2915, PAGE 1488
RIGHT OF WAY DEDICATION
N23°50'06"W 10.00'
N65°02'54"E 16.00'

NORTH LINE OF
O.R.B. 2915,
PAGE 1488
S65°02'54"W 207.44'

P.O.B.
O.R.B. 155, PAGE 414
RIGHT OF WAY DEDICATION
S65°02'54"W 16.00'

S.E. COVE ROAD
SOUTH LINE TRACT 6

30' ROADWAY EASEMENT
PLAT BOOK 1, PAGE 98

O.R.B. 151, PAGE 456
RIGHT OF WAY DEDICATION

THIS IS NOT A SURVEY

EXHIBIT "A-1"

SHEET NO. 3
OF 3 SHEETS
PROJECT NO.
05-07 E

DATE	REVISIONS
11/14/18	REVISE PER MARTIN COUNTY COMMENTS

A PORTION OF TRACT 6, BLOCK 67, ST. LUCIE INLET FARMS
MARTIN COUNTY, FLORIDA
UTILITY EASEMENT 2

SKETCH AND LEGAL DESCRIPTION

BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7987 S.W. JACK JAMES DRIVE STUART, FLORIDA 34987
(772)286-5753 (772)286-5535 FAX
LICENSED BUSINESS NO. 6862

SURVEYOR'S NOTES

1. THE BEARINGS AS SHOWN HEREON ARE BASED ON STATE PLANE COORDINATES, NORTH AMERICAN DATUM OF 83/90, FLORIDA EAST ZONE, REFERENCE A BEARING OF S65°02'54"W ALONG THE NORTHERLY RIGHT OF WAY LINE OF COVE ROAD, MARTIN COUNTY, FLORIDA.
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ABBREVIATIONS

NO.	NUMBER
O.R.B.	OFFICIAL RECORDS BOOK
P.L.S.	PROFESSIONAL LAND SURVEYOR
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT

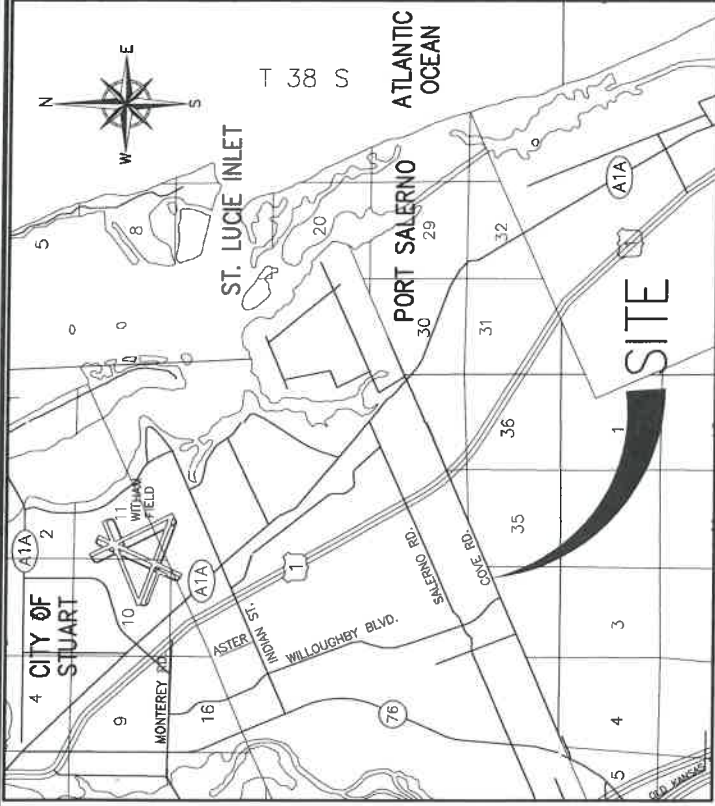
SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" AS SHOWN HEREON WAS PREPARED UNDER MY DIRECTION AND CHARGE ON OCTOBER 26, 2018, AND THAT SAID "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT IS FURTHER CERTIFIED THAT THIS "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" COMPLIES WITH THE STANDARDS OF PRACTICE FOR "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 600.07, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

BETSY LINDSAY, INC.
SURVEYORS AND MAPPERS

DAVID JOSEPH WICHSE, P.S.M.
FLORIDA REGISTRATION NO. 5565

EXHIBIT "A-2"



LOCATION MAP
(NOT TO SCALE)

SHEET NO. 1	DATE 11/14/18	REVISIONS
OF 3 SHEETS	REVISE PER MARTIN COUNTY COMMENTS	
PROJECT NO.		
05-07 E		

A PORTION OF TRACT 6, BLOCK 67, ST. LUCIE INLET FARMS MARTIN COUNTY, FLORIDA	DATE 10/26/2018
SKETCH AND LEGAL DESCRIPTION UTILITY EASEMENT 1	SCALE NOT TO SCALE
	FIELD BK.
	DRAWING BY D.B.
	CHECKED BY D.J.W.

B	BETSY LINDSAY, INC.
	SURVEYING AND MAPPING
	7087 S.W. JACK JAMES DRIVE STUART, FLORIDA 34907
	(772) 286-5793 (772) 244-5535 FAX
	LICENSED BUSINESS NO. 6852

LEGAL DESCRIPTION

UTILITY EASEMENT NO. 1

A 16.00 FOOT BY 10.00 FOOT PARCEL OF LAND BEING A PORTION OF TRACT 6, BLOCK 67, OF THE PLAT OF ST. LUCIE INLET FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 98, OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF THE 15.00 FOOT RIGHT OF WAY DEDICATION PER OFFICIAL RECORDS BOOK 2915, PAGE 1488 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, SAID POINT LYING AND BEING ON THE EAST LINE OF SAID TRACT 6, 65.00 FEET NORTHERLY OF THE SOUTH LINE OF SAID TRACT 6; THENCE SOUTH 65°02'54" WEST ALONG THE NORTHERLY RIGHT OF WAY LINE OF COVE ROAD PER SAID RIGHT OF WAY DEDICATION, A DISTANCE OF 179.60 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 65°02'54" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 10.00 FEET; THENCE NORTH 24°10'49" WEST, A DISTANCE OF 16.00 FEET TO AN INTERSECTION WITH A LINE BEING 16.00 FEET NORTHERLY OF, AND PARALLEL WITH SAID NORTHERLY RIGHT OF WAY LINE OF COVE ROAD PER OFFICIAL RECORDS BOOK 2915, PAGE 1488; THENCE NORTH 65°02'54" EAST ALONGS SAID PARALLEL LINE, A DISTANCE OF 10.00 FEET; THENCE SOUTH 24°10'49" EAST, A DISTANCE OF 16.00 FEET TO THE POINT OF BEGINNING. CONTAINING 160 SQUARE FEET OR 0.004 ACRES, MORE OR LESS.

SAID PARCEL BEING SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, DEDICATIONS OR RESTRICTIONS.

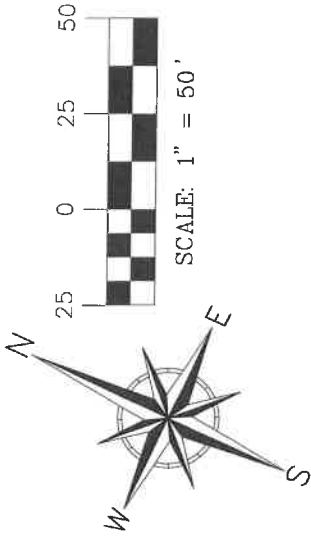
EXHIBIT "A-2"

SHEET NO. 2	DATE 11/14/18	REVISIONS
OF 3 SHEETS	REVISE PER MARTIN COUNTY COMMENTS	
PROJECT NO. 05-07 E		

A PORTION OF TRACT 6, BLOCK 67, ST. LUCIE INLET FARMS MARTIN COUNTY, FLORIDA
SKETCH AND LEGAL DESCRIPTION UTILITY EASEMENT 1

DATE 10/26/2018
SCALE NOT TO SCALE
FIELD BK.
DRAWING BY D.B.
CHECKED BY D.J.H.

B	BETSY LINDSAY, INC.
	SURVEYING AND MAPPING
	7987 SW JACK JAMES DRIVE STUART FLORIDA 34997
	(772)286-5753 (772)286-5935 FAX
	LICENSED BUSINESS NO. 8852



TRACT 6, BLOCK 67
SAINT LUCIE INLET FARMS
PLAT BOOK 1, PAGE 98
PALM BEACH (NOW MARTIN) COUNTY, FLORIDA

TRACT 7

EAST LINE
OF TRACT 6

P.O.C.

NE'LY CORNER OF
O.R.B. 2915, PAGE 1488

NORTH LINE OF
O.R.B. 2915,
PAGE 1488

S65°02'54"W
179.60'

UTILITY EASEMENT NO. 1
160 SQUARE FEET OR 0.004 ACRES±

N65°02'54"E

S24°10'49"E
16.00'

N24°10'49"W
16.00'

S65°02'54"W
10.00'

P.O.B.

O.R.B. 155, PAGE 414
RIGHT OF WAY DEDICATION

S.E. COVE ROAD

SOUTH LINE TRACT 6

30' ROADWAY EASEMENT
PLAT BOOK 1, PAGE 98

O.R.B. 151, PAGE 456
RIGHT OF WAY DEDICATION

THIS IS NOT A SURVEY

EXHIBIT "A-2"

SHEET NO. 3 OF 3 SHEETS	DATE 11/14/18	REVISIONS
PROJECT NO. 05-07 E	REVISE PER MARTIN COUNTY COMMENTS	

A PORTION OF TRACT 6, BLOCK 67, ST. LUCIE INLET FARMS MARTIN COUNTY, FLORIDA
SKETCH AND LEGAL DESCRIPTION UTILITY EASEMENT 1

DATE 10/26/2018
SCALE 1" = 50'
FIELD BK.
DRAWING BY D.B.
CHECKED BY D.J.M.

B BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7997 SW JACK JAMES DRIVE STUART, FLORIDA 34997
(772)286-5753 (772)286-5835 FAX
LICENSED BUSINESS NO. 6852