



Inst. # 2862013  
Bk: 3189 Pg: 2286 Pages: 1 of 1  
Recorded on: 1/14/2021 4:06 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. 21-1.3

WHEREAS, Martin County needs a Utility Easement from LPP Palm City, LLC, a Delaware limited liability company, to allow for fire and water service located on the north side of SW Martin Highway; and

WHEREAS, by document entitled "Utility Easement" executed on July 29, 2020, LPP Palm City, LLC, a Delaware 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 LPP Palm City, LLC, a Delaware limited liability company.

DULY PASSED AND ADOPTED THIS 5<sup>th</sup> DAY OF JANUARY, 2021.


ATTEST:

  
CAROLYN TIMMANN, CLERK OF THE  
CIRCUIT COURT AND COMPTROLLER

BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

  
STACEY HETHERINGTON, CHAIR

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

  
SARAH W. WOODS, COUNTY ATTORNEY

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



Inst. # 2862014  
Bk: 3189 Pg: 2287 Pages: 1 of 6  
Recorded on: 1/14/2021 4:06 PM Doc: EAS  
Carolyn Timmann  
Clerk of the Circuit Court & Comptroller  
Martin County, FL  
Rec Fees: \$52.50

Project Name: Palm City Storage UE  
Project No: RPM #3467  
PCN: 18-38-41-000-00046-2

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### UTILITY EASEMENT

THIS EASEMENT granted and executed this 29th day of July, 2020, by LPP PALM CITY, LLC, a Delaware limited liability company, whose mailing address is 2801 Highway 280 South, Suite 345, Birmingham, AL 35223, 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, an easement for the construction, reconstruction, replacement, operation, maintenance, and repair of utility and fire related equipment, including, but not limited to hydrants, 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.

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.

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.

Accepted Pursuant to Resolution

No. 21-1.3

On 1/5/2021

Grantor further warrants that there are no mortgages encumbering the Easement Premises except for that certain Mortgage, Security Agreement and Fixture Filing in favor of Protective Life Insurance Company, a Tennessee corporation, whose address is 2801 Highway 280 South, Birmingham, Alabama 35223, (Mortgagee), dated November 12, 2019, and recorded November 13, 2019, in Official Records Book 3094, Page 390, 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:

LPP Palm City, LLC,  
a Delaware limited liability company

Amy Garrett  
Witness

Amy Garrett  
Print Name

Impressm  
Witness

Holly Jackson  
Print Name

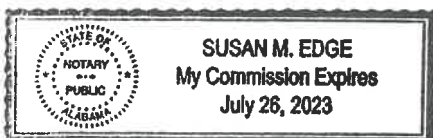
State of Alabama }  
County of Jefferson }

BY: [Signature]

William A. Leitner III  
Print Name

Title: Manager

The foregoing Utility Easement was acknowledged before me this 29th day of July, 2020 by William A. Leitner III, as manager of LPP Palm City, LLC, a corporation existing under the laws of the State of Delaware, on behalf of the corporation (X) by means of physical presence or ( ) online notarization. He/she is (X) personally known to me or has produced \_\_\_\_\_ as identification.



[Signature]  
Notary Public  
Print Name: Susan M. Edge  
My Commission Expires: \_\_\_\_\_

Project Name: Palm City Storage Utility Easement  
Project Number: RPM #3467  
PCN: 18-38-41-000-00046-2

### **CONSENT OF MORTGAGEE**

Protective Life Insurance Company, a Tennessee corporation, (hereinafter referred to as “Mortgagee”) under that certain Mortgage, Security Agreement and Fixture Filing dated November 12, 2019, and recorded November 13, 2019 in Official Records Book 3094, Page 390, 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 Easement 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 Easement 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 Easement.

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:

Amy Garrett

Print Name: Amy Garrett

Connor Paton

Print Name: Connor Paton

Protective Life Insurance Company,  
a Tennessee corporation

By: Robert R. Bedwell, III

Name: \_\_\_\_\_

Its: ROBERT R. BEDWELL, III  
SENIOR VICE PRESIDENT  
MORTGAGE LOANS

STATE OF Alabama }

COUNTY OF Jefferson }

The foregoing instrument was acknowledged before me this 29 day of July, 2020 by Robert R. Bedwell III, as Sr VP of Protective Life Insurance Company, a Tennessee corporation, on behalf of said entity, ( X ) by means of physical presence or ( ) online notarization who is personally known to me or has produced \_\_\_\_\_ as identification.



Susan M. Edge  
Notary Public, State of Alabama  
Print Name: Susan M. Edge  
My Commission Expires: \_\_\_\_\_



**NOTE:**

DESCRIPTION NOT  
VALID WITHOUT  
SKETCH.

# THIS IS NOT A SURVEY EXHIBIT "A"

**DESCRIPTION:**

THE SOUTH 17.00 FEET OF THE EAST 53 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

BEING A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 38 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 18; THENCE NORTH 89°30'14" WEST, ALONG THE SOUTH LINE OF SAID SECTION 18, A DISTANCE OF 1,431.42 FEET; THENCE NORTH 00°16'11" EAST PARALLEL WITH AND 100 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO THE EAST LINE OF THE S.E. 1/4 OF THE S.W. 1/4 OF THE S.E. 1/4 OF SAID SECTION 18, A DISTANCE OF 50.00 FEET, TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 714, AND THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL;

THENCE CONTINUE NORTH 00°16'11" EAST ALONG THE LASTLY SAID LINE, A DISTANCE OF 732.52 FEET TO THE INTERSECTION WITH A LINE 120.00 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE S.E. 1/4 OF THE S.W. 1/4 OF THE S.E. 1/4 OF SAID SECTION 18; THENCE NORTH 89°30'28" WEST, ALONG LASTLY SAID LINE, A DISTANCE OF 314.98 FEET TO THE INTERSECTION WITH THE EAST LINE OF THOSE LANDS DESCRIBED IN O.R.B. 383, PAGE 2237, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE SOUTH 00°20'22" WEST, ALONG SAID EAST LINE, A DISTANCE OF 532.50 FEET; THENCE SOUTH 89°30'14" EAST, A DISTANCE OF 58.45 FEET TO THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN O.R. BOOK 579, PAGE 1086, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE NORTH 00°16'11" EAST, ALONG THE WESTERLY BOUNDARY OF THE LAST DESCRIBED PARCEL, A DISTANCE OF 18.00 FEET; THENCE SOUTH 89°30'14" EAST, A DISTANCE OF 157.00 FEET TO THE INTERSECTION WITH THE NORTHERLY PROLONGATION WESTERLY BOUNDARY OF THOSE LANDS DESCRIBED IN O.R. BOOK 492, PAGE 594, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE SOUTH 00°16'11" WEST ALONG LASTLY SAID LINE, A DISTANCE OF 218.00 FEET, TO THE SAID NORTHERLY RIGHT-OF-WAY LINE OF STATED ROAD 714; THENCE SOUTH 89°30'14" EAST, ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 100.18 FEET TO THE POINT OF BEGINNING LESS THE WEST 156 FEET THEREOF.

LESS THE SOUTH 10 FEET THEREOF FOR RIGHT-OF-WAY DEDICATION, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2277, PAGE 939, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 18; THENCE NORTH 89°30'14" WEST, ALONG THE SOUTH LINE OF SAID SECTION 18, A DISTANCE OF 1,431.42 FEET; THENCE NORTH 00°16'11" EAST PARALLEL WITH AND 100 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO THE EAST LINE OF THE S.E. 1/4 OF THE S.W. 1/4 OF THE S.E. 1/4 OF SAID SECTION 18, A DISTANCE OF 50.00 FEET, TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 714, AND THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUE NORTH 00°16'11" EAST ALONG THE LASTLY SAID LINE A DISTANCE OF 10.00 FEET; THENCE NORTH 89°30'14" WEST, ALONG A LINE PARALLEL WITH AND 10 FEET NORTH OF SAID RIGHT-OF-WAY LINE A DISTANCE OF 100.18 FEET; THENCE SOUTH 00°16'11" WEST, A DISTANCE OF 10.00 FEET TO SAID NORTHERLY RIGHT-OF-WAY LINE; THENCE SOUTH 89°30'14" EAST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 100.18 FEET TO THE POINT OF BEGINNING.

CONTAINS 901 SQUARE FEET

**RIDER STATEMENT:**

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](http://WWW.MARTIN.FL.US/ACCESSIBILITY-FEEDBACK)



*Michael T. Owen*  
MICHAEL T. OWEN  
PROFESSIONAL SURVEYOR & MAPPER  
FLORIDA REGISTRATION #5556

6/6/2020  
SIGNATURE DATE

## SKETCH & DESCRIPTION OF: UTILITY EASEMENT

PREPARED FOR:

**PALM CITY STORAGE**

PORT SAINT LUCIE OFFICE  
10250 SW VILLAGE PARKWAY  
SUITE 201  
PORT SAINT LUCIE, FL 34987  
☎ 772-462-2455  
🌐 [www.edc-inc.com](http://www.edc-inc.com)

**REVISIONS**

REV 1: 5/6/2020/: MARTIN COUNTY COMMENTS-FS

JOB No. : 20-131      DATE: 3/31/2020      CHECKED BY: MTO  
SCALE : 1"=100'      DRAWN BY: FS      CADD FILE : 20-131 UTILITY EASEMENT\_rev1.dwg

SHEET  
1 OF 2

# THIS IS NOT A SURVEY

INTENDED DISPLAY SCALE

0 100  
Scale in feet  
1 Inch = 100 Feet

## ABBREVIATION LEGEND

P.O.C. POINT OF COMMENCEMENT  
P.O.B. POINT OF BEGINNING  
P.O.T. POINT OF TERMINUS  
O.R.B. OFFICIAL RECORD BOOK  
P.B. PLAT BOOK  
PG. PAGE  
R/W RIGHT OF WAY  
CL CENTER LINE  
S/D SUBDIVISION  
NR NOT RADIAL  
SQ. SQUARE  
FT. FEET

## NOTES:

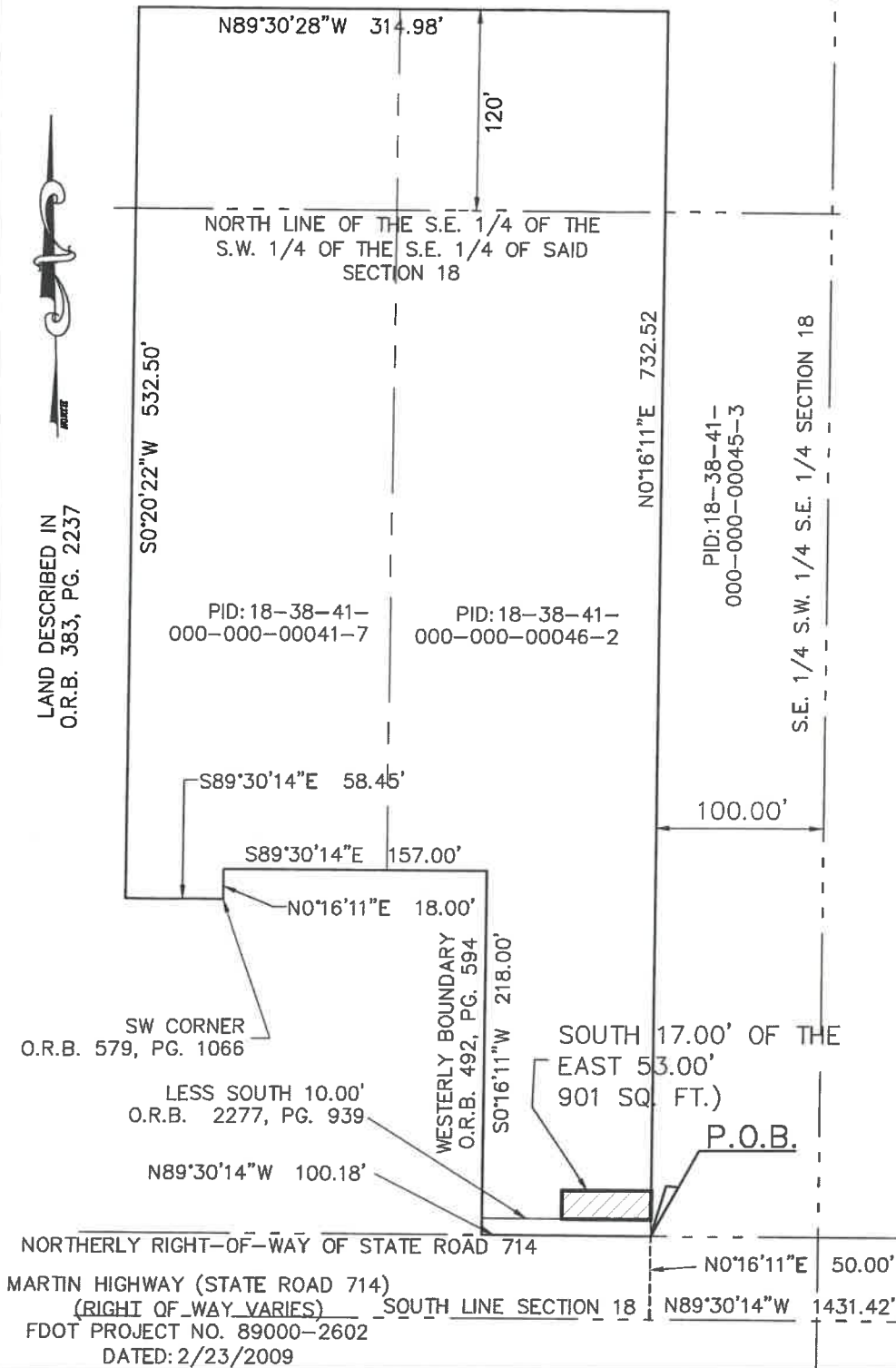
1. BEARINGS SHOWN HEREON ARE RELATIVE TO THE SOUTH LINE OF SECTION 18 PER DEED (O.R.B. 3092, PG. 1305) AND BASED ON THE LINE LABELED HEREON AS (BEARING BASIS), ALL OTHER BEARINGS ARE RELATIVE THERETO.
2. THIS SKETCH AND DESCRIPTION IS FOR THE EXCLUSIVE PURPOSE OF DESCRIBING THE PARCEL OR STRIP OF LAND SHOWN AND IS NOT A BOUNDARY SURVEY.

## RIDER STATEMENT:

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](http://WWW.MARTIN.FL.US/ACCESSIBILITY-FEEDBACK)

## P.O.C.

SOUTHEAST CORNER  
SECTION 18  
TWP. 38 SOUTH  
RNG. 41 EAST



## SKETCH & DESCRIPTION OF: UTILITY EASEMENT

PREPARED FOR:

**PALM CITY STORAGE**

PORT SAINT LUCIE OFFICE  
10250 SW VILLAGE PARKWAY  
SUITE 201  
PORT SAINT LUCIE, FL 34987  
☎ 772-462-2455  
🌐 [www.edc-inc.com](http://www.edc-inc.com)



**ENGINEERS & SURVEYORS  
ENVIRONMENTAL**

F.B.P.E. CERTIFICATE OF AUTHORIZATION 9935  
L.B. CERTIFICATE OF AUTHORIZATION 8098

## REVISIONS

JOB No. : 20-131 DATE: 3/31/2020 CHECKED BY: MTO  
SCALE : 1"=100' DRAWN BY: FS CADD FILE : 20-131 UTILITY EASEMENT\_rev1.dwg

SHEET  
**2 OF 2**