



Inst. # 2863365
Blk: 3191 Pg: 1593 Pages: 1 of 1
Recorded on: 1/22/2021 12:33 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. 21-1.10

WHEREAS, Martin County needs a Utility Easement from Mark and Judy A. Demboski to allow for water service and maintenance of certain utility facilities for the Evergreen/Windstone water main extension project at 4246 SW Bimini Circle South, Palm City; and

WHEREAS, by document entitled "Utility Easement" executed on December 3, 2020, Mark and Judy A. Demboski 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 Mark and Judy A. Demboski.

DULY PASSED AND ADOPTED THIS 12th DAY OF JANUARY, 2021.


ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA


CAROLYN TIMMANN, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

 vs. for
STACEY HETHERINGTON, CHAIR

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

Project Name: Demboski Utility Easement
Project No: RPM #3372
PCN: 01-38-40-007-000-02760-3



Inst. # 2863366
Blk: 3191 Pg: 1594 Pages: 1 of 4
Recorded on: 1/22/2021 12:33 PM Doc: EAS
Carolyn Timmann
Clerk of the Circuit Court & Comptroller
Martin County, FL
Rec Fees: \$35.50

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UTILITY EASEMENT

THIS EASEMENT granted and executed this 3rd day of DECEMBER 2020, by Mark Demboski and Judy A. Demboski, husband and wife, whose address is 4246 SW Bimini Circle South, Palm City, FL 34990, 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 the form of credits described in the Water Service Agreement dated DECEMBER 3 2020), 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 related equipment, limited to underground water distribution pipelines, (specifically excluding any exposed or above ground fences, equipment or structures) under, 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, that said land is the homestead premises of the Grantor and that there are no mortgages encumbering the Easement Premises.

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 21-1.10

On 1/12/2021

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:

Phillip M. Heathley
Phillip M. Heathley
Print Name

Carla Segura
Carla Segura
Print Name

Mark Demboski
MARK DEMBOSKI, Grantor

Phillip M. Heathley
Phillip M. Heathley
Print Name

Carla Segura
Carla Segura
Print Name

Judy A. Demboski
JUDY A. DEMBOSKI, Grantor

State of FLORIDA }
County of MARTIN }

The foregoing Utility Easement was acknowledged before me this 3rd day of DECEMBER, 2020, by Mark Demboski and Judy A. Demboski by means of (☒) physical presence or () online notarization and who are () personally known to me or Mark Demboski has produced DL DL as identification and Judy A. Demboski has produced DL as identification.

(SEAL)



Carla Segura
Print Name: _____
Notary Public, State of: _____
My Commission Expires: _____

EXHIBIT A

LEGAL DESCRIPTION

THE EAST 15.00 FEET OF LOT 276, PHASE ONE, MID-RIVERS YACHT AND COUNTRY CLUB, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 23 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

SAID PARCEL CONTAINING 4,360.8 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES

1. BEARING BASIS IS THE SOUTH LINE OF SW BIMINI CIRCLE SOUTH, A 60' WIDE PLATTED PRIVATE STREET, HAVING A BEARING OF SOUTH 89°52'30" EAST.
2. THIS IS NOT A SURVEY.
3. THIS LEGAL DESCRIPTION SHALL NOT BE VALID UNLESS PROVIDED IN ITS ENTIRETY CONSISTING OF 2 SHEETS, WITH SHEET 2 BEING THE SKETCH OF DESCRIPTION.
4. 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.

LEGEND

CB = CHORD BEARING
CD = CHORD DISTANCE
D = DELTA
R = RADIUS
L = ARC LENGTH
ORB = OFFICIAL RECORDS BOOK
PG = PAGE
P.U.D. = PLANNED URBAN DEVELOPMENT
SQ. FT. = SQUARE FEET

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION COMPLIES WITH THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 5J-17.050 - 17.052.


GREGORY S FLEMING P.S.M.
FLORIDA REGISTRATION NO. 4350

9/24/19
DATE



**NORTHSTAR
GEOMATICS**

617 NW BAKER ROAD
PO BOX 2371, STUART, FLORIDA 34995
(772)781-6400 (772)781-6462 FAX
LICENSED BUSINESS NO. 7217

SKETCH AND LEGAL DESCRIPTION OF
15' UTILITY EASEMENT
FOR
MARTIN COUNTY UTILITIES
MARTIN COUNTY, FLORIDA

SHEET NO.
1
OF 2
PROJECT NO.
19-041.1

SW BIMINI CIRCLE SOUTH

PCN: 013840007000000052

(60' PLATTED PRIVATE STREET)
PLAT BOOK 7, PAGE 23)

(BEARING BASIS)
S89°52'30"E

S89°52'30"E 6.48'

D=19°55'01" R=25.00' L=8.69'
CB=S79°59'57"E CD=8.65'

SOUTH LINE

10' PLATTED UTILITY EASEMENT

20' PLATTED DRAINAGE EASEMENT

EAST 15.00'
OF LOT 276
CONTAINING
4360.8 SQ. FT.

EAST LINE
OF LOT 276

LOT
275

MARK & JUDY DEMBOSKI
PCN: 013840007000027603

LOT 276

PHASE ONE, MID-RIVERS
YACHT AND COUNTRY CLUB
(PLAT BOOK 7, PAGE 23)

PCN: 013840007000000025

UNPLATTED

(ORB 2817, PG 0554)
POOL, TENNIS COURT &
PARKING AREA

N00°07'30"E - 291.00'

S00°07'30"W - 289.50'

GRAPHIC SCALE



(IN FEET)

1 inch = 40 ft.

40' DRAINAGE,
SECURITY, AND
BUFFER EASEMENT

PCN: 023840002000000060

TRACT P-7, SAND TRAIL P.U.D
(PLAT BOOK 16, PAGE 55)

N89°52'30"W
15.00'



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SKETCH AND LEGAL DESCRIPTION OF
15' UTILITY EASEMENT
FOR
MARTIN COUNTY UTILITIES
MARTIN COUNTY, FLORIDA

SHEET NO.

2

OF

2

PROJECT NO.

19-041.1