

This instrument prepared by:
Ellen Macarthur - Real Property Division
Martin County
2401 SE Monterey Road
Stuart, FL 34996

Project Name: Coral Gardens Restoration – O’Leary
Property Address: 1943 SE Lafayette Street, Stuart, FL
Project Number: RPM #3763
PCN: 52-38-41-006-005-00180-0

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

DRAINAGE EASEMENT

THIS DRAINAGE EASEMENT granted and executed this 28th day of July, 2022,
by PATRICK O’LEARY, an unmarried man, whose address is 1943 SE Lafayette Street, Stuart, Florida, 34997,
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 \$1.00 in hand paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby grant unto the Grantee forever, a perpetual easement on, over, under, across and through the land described and depicted on Exhibit "A" attached hereto and made a part hereof (the "Easement Premises") for construction, 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.

Grantee hereby agrees to grade and sod the Easement Premises upon the completion of construction of the drainage system.

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 except for that certain mortgage in favor of First Federal Bank, whose address is 4705 US Highway 90 West, Lake City, Florida 32055, dated January 10, 2022, and recorded January 14, 2022, in Official Records Book 3286, page 417, in Martin County, Florida, Public Records, said Mortgagee has executed a "Consent of Mortgagee" which is attached to this Easement.

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:

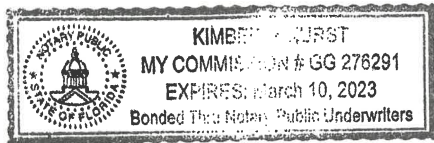
Autumn Gray
Printed Name: Autumn Gray

Patrick O'Leary
Patrick O'Leary, Grantor

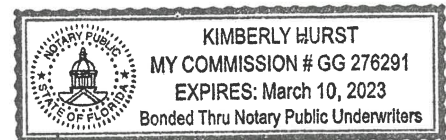
Jason D. Bolduc
Printed Name: JASON D. BOLDOC

STATE OF Florida
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 28th day of July, 2022, by Patrick O'Leary, a unmarried man ☒ by means of physical presence or () online notarization. He is ☒ personally known to me or () has produced _____ as identification.



Kimberly Hurst
Notary Public, State of Florida
Print Name: Kimberly Hurst
My Commission Expires: March 10, 2023



CONSENT OF MORTGAGEE

Mortgage Electronic Registration Systems, Inc. (MERS), as Mortgage nominee for First Federal Bank (hereinafter referred to as "Mortgagee") under that certain Mortgage dated January 10, 2022, and recorded January 14, 2022 in Official Records Book 3286, Page 417, Martin County, Florida, public records (hereinafter referred to as the "Mortgage"), MERS is the Mortgagee under this Security Instrument (MERS/MIN # 1009085-111005662406). MERS is organized and existing under the laws of Delaware and has an address and telephone number of P.O. Box 2026, Flint, MI, 48501-2026, telephone 888-679-MERS, hereby executes this document to evidence its consent to the granting and recording of that certain Drainage Easement to which this Consent of Mortgagee is attached and which is being recorded simultaneously herewith (hereinafter referred to as the "Drainage Easement"), further Mortgagee agrees that the Drainage 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 Drainage 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.

Borrower understands and agrees that MERS holds only legal title to the interests granted by Borrower in this Security Instrument, but, if necessary to comply with law or custom, MERS (as nominee for First Federal Bank, Its successors and assigns) has the right: to exercise any or all of those interests, including but not limited to, the right to foreclose and sell the Property; and to take any action required of Lender including, but not limited to, releasing and canceling this Security Instrument.

SIGNATURE PAGE TO FOLLOW

SIGNATURE PAGE TO CONSENT OF MORTGAGEE

Signed, sealed and delivered
in the presence of:

Mortgage Electronic Registration Systems, Inc. (MERS), as
nominee for First Federal Bank, Its Successors and Assigns,
a Federally Chartered Savings Bank

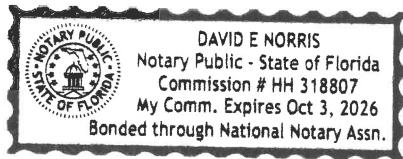
Ann Marie Allen
Print Name: Ann Marie Allen

By: [Signature]
Name: Kimberly McManus Ellins
Its: Assistant Secretary

Klea Stefanellari
Print Name: KLEA STEFANELLARI

STATE OF Florida
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 1st day of February, 2023 by
Kimberly McManus Ellins, as Assistant Secretary of Mortgage Electronic Registration Systems, Inc.,
as nominee for First Federal Bank, on behalf of said entity, (x) by means of physical presence or () online notarization
and who is personally known to me or has produced personally known as identification.



David E. Norris
Notary Public, State of Florida
Print Name: David E. Norris
My Commission Expires: October 3, 2026

MARTIN COUNTY, STUART, FLORIDA

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

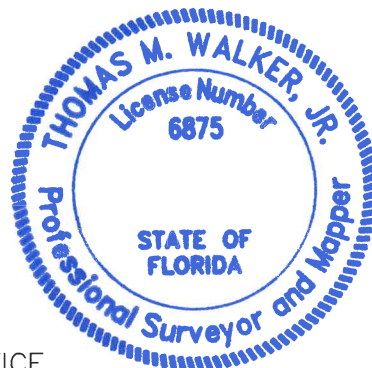
DWG. NAME : 22-017.DWG M.C. PROJ. NO. 22-017 SHEET NO. 1 OF 3

EXHIBIT A

SURVEYOR'S NOTES

1. THIS SKETCH AND LEGAL DESCRIPTION IS BASED ON PLAT NO. 2 OF CORAL GARDENS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 129, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.
2. THIS LEGAL DESCRIPTION SHALL NOT BE VALID:
 - A. UNLESS PROVIDED IN ITS ENTIRETY CONSISTING OF SHEETS 1, 2 AND 3, SHEET 3 BEING A SKETCH.
 - B. WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR.
3. THE PURPOSE OF THIS SKETCH AND DESCRIPTION IS TO DESCRIBE A DRAINAGE EASEMENT.
4. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
5. THIS IS NOT A SURVEY AND DOES NOT DEFINE OWNERSHIP OR ENCROACHMENTS.
6. PROPERTY, TRACT, AND PARCEL LINES SHOWN ARE APPROXIMATE IN NATURE AND NOT TO BE RELIED UPON FOR LAND POSITIONING OR DETERMINATIONS.
7. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
8. LEGEND: DE=DRAINAGE EASEMENT, PB=PLAT BOOK, PCN=PARCEL CONTROL NUMBER, PG=PAGE, SQFT=SQUARE FEET, UE=UTILITY EASEMENT.

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.



SURVEYOR AND MAPPER
IN RESPONSIBLE CHARGE

A handwritten signature in blue ink, appearing to read "TMW", written over a horizontal line.

THOMAS M. WALKER, JR., P.S.M.
MARTIN COUNTY SURVEYOR
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NO. P.S.M. 6875

DATE: 06/06/2022

**5 FOOT DRAINAGE EASEMENT
LOT 18 PLAT NO. 2 OF CORAL GARDENS
MARTIN COUNTY, FLORIDA**

SUPERVISED BY : TMW

DRAWN BY : JMM SCALE : N/A

DATE : 4/6/2022

DRAWING # 22-017D

MARTIN COUNTY, STUART, FLORIDA

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

DWG. NAME : 22-017.DWG M.C. PROJ. NO. 22-017 SHEET NO. 2 OF 3

EXHIBIT A

DESCRIPTION

A 5 FOOT WIDE DRAINAGE EASEMENT BEING THE WEST 5' OF THE FOLLOWING DESCRIBED PROPERTY:

LOT 18, BLOCK 5, PLAT NO. TWO OF CORAL GARDENS, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 129, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

SAID EASEMENT CONTAINS 500 SQUARE FEET, MORE OR LESS.

NOTE: THIS IS NOT A SURVEY. THIS SHEET IS NOT VALID WITHOUT SHEETS 1 AND 3.

**5 FOOT DRAINAGE EASEMENT
LOT 18 PLAT NO. 2 OF CORAL GARDENS
MARTIN COUNTY, FLORIDA**

SUPERVISED BY : TMW

DRAWN BY : JMM SCALE : N/A

DATE : 4/6/2022

DRAWING # 22-017D

MARTIN COUNTY, STUART, FLORIDA

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

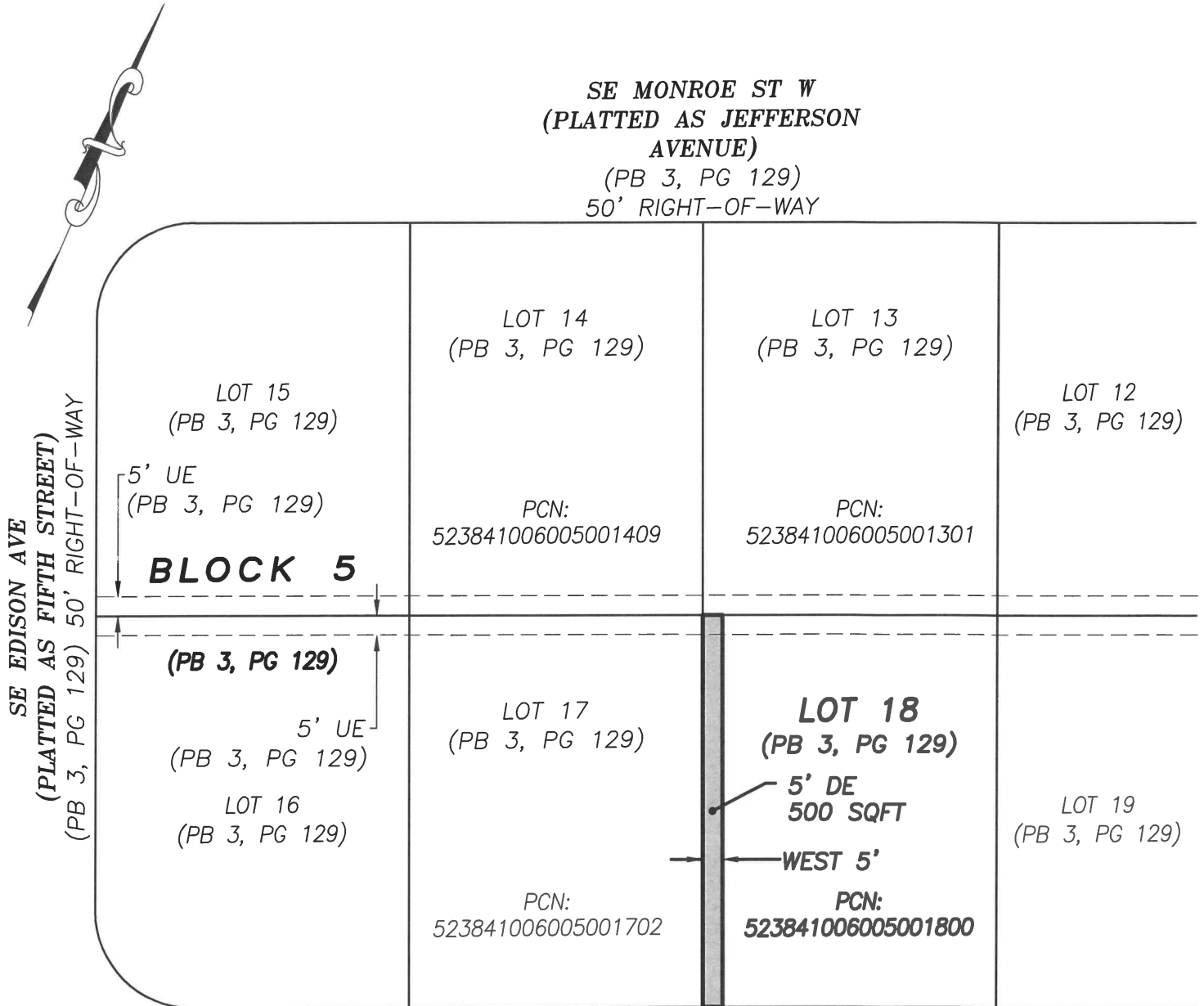
DWG. NAME : 22-017.DWG M.C. PROJ. NO. 22-017

SHEET NO. 3 OF 3

EXHIBIT A

SE MONROE ST W
(PLATTED AS JEFFERSON
AVENUE)

(PB 3, PG 129)
50' RIGHT-OF-WAY



**PLAT NO. 2 OF
CORAL GARDENS**

**PLAT BOOK 3, PAGE 129
MARTIN COUNTY, FLORIDA**

SE LAFAYETTE ST
(PLATTED AS LINCOLN AVENUE) GRAPHIC SCALE
(PB 3, PG 129)
50' RIGHT-OF-WAY



(IN FEET)

1 inch = 40 ft.

NOTE: THIS IS NOT A SURVEY. THIS SHEET IS
NOT VALID WITHOUT SHEETS 1 AND 2.

THIS MAP IS INTENDED TO BE DISPLAYED
AT A SCALE OF 1"=40' OR SMALLER.

**5 FOOT DRAINAGE EASEMENT
LOT 18 PLAT NO. 2 OF CORAL GARDENS
MARTIN COUNTY, FLORIDA**

SUPERVISED BY : TMW

DRAWN BY : JMM SCALE : 1"-40'

DATE : 4/6/2022

DRAWING # 22-017D