

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

Project Name: Volaris Springtree Utility Easement  
Project Number: 3866  
PCN: 52-38-41-000-000-01101-0

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

### **UTILITY EASEMENT**

THIS EASEMENT granted and executed this 21 day of April, 2023, by WP HANSON STUART MF-FL OWNER, LLC, a Delaware limited liability company, whose mailing address is 150 East Palmetto Park Road, 6<sup>th</sup> Floor, Boca Raton, FL 33432, Grantor, to MARTIN COUNTY, a political subdivision of the State of Florida, whose address is 2401 SE Monterey Road, Stuart, FL 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, gravity mains, gravity main connections, 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 ("Easement Premises"):

*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.

Except for existing matters of record, 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.

The Grantor further warrants that there are no mortgages encumbering the Easement Premises except for that certain Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing in favor of Citizens Bank, National Association, a national banking association, whose address is 3550 Lenox Road, Suite 1200, Three Alliance Center, Atlanta, GA 30326 (Mortgagee), dated March 8, 2022, and recorded March 16, 2022, in Official Records Book 3300, Page 296, 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:

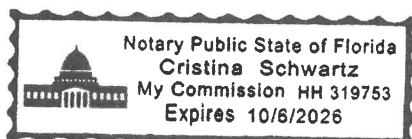
Clayton Robinson  
Witness  
Printed Name: Clayton Robinson  
Michael Berliner  
Witness  
Printed Name: Michael Berliner

WP HANSON STUART MF-FL OWNER, LLC,  
a Delaware limited liability company

By: [Signature]  
Name: Jamie Telchin  
Title: Vice-President /  
Authorized Signatory

STATE OF FLORIDA )  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 21 day of April, 2023, by JAMIE TELCHIN as the authorized signatory of WP HANSON STUART MF-FL OWNER, LLC, a limited liability company existing under the laws of the State of Delaware, on behalf of said entity. He/she is personally known to me or has produced \_\_\_\_\_ as identification.



[Signature]  
Notary Public, State of Florida  
Print Name: Cristina Schwartz  
My Commission Expires: 10/6/26

Project Name: Volaris Springtree Utility Easement  
Project Number: 3866  
PCN: 52-38-41-000-000-01101-0

### **CONSENT OF MORTGAGEE**

CITIZENS BANK, NATIONAL ASSOCIATION, a national banking association (hereinafter referred to as "Mortgagee"), under that certain Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing, dated March 8, 2022, and recorded on March 16, 2022, in Official Records Book 3300, Page 296, 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.

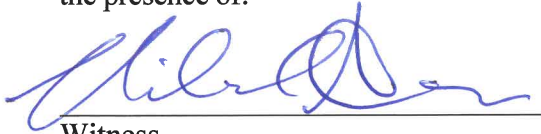
This consent by Mortgagee is not intended to be and shall not be construed to be a waiver by Mortgagee of the maturity date of the principal, accrued interest or other amounts due under the terms of the note, mortgage or other loan documents, even though this consent may be executed subsequent to any 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:

CITIZENS BANK, NATIONAL ASSOCIATION,  
a national banking association



Witness

Print Name: Michael Adams



Witness

Printed Name: PAUL BOOKER

By: 

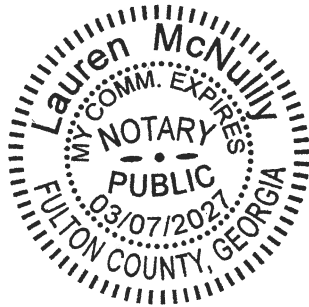
Print Name: Michael Beam

Title: SVP

STATE OF Georgia

COUNTY OF Fulton

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of April, 2023,  
by Michael Beam, as the SVP of CITIZENS BANK,  
NATIONAL ASSOCIATION, a national banking association, on behalf of said entity, ☒ by means  
of physical presence or ☐ online notarization. He/she is personally known to me or has produced  
\_\_\_\_\_ as identification.



Printed Name: Lauren McNully

Notary Public, State of: Georgia

My Commission Expires: 3/7/2027



**EXHIBIT "A"**  
**LEGAL DESCRIPTION TO ACCOMPANY SKETCH**  
LYING IN A PORTION OF LOTS 18, 19, AND 20 OF THE HANSON GRANT,  
RECORDED IN PLAT BOOK 1, PAGE 11  
STUART, MARTIN COUNTY, FLORIDA


**LEGAL DESCRIPTION:**

A STRIP OF LAND LYING IN A PORTION OF THE SUBDIVISION OF LOTS 18, 19, AND 20 OF HANSON GRANT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 11, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING NOW, HOWEVER, IN MARTIN COUNTY, FLORIDA, SAID STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE SOUTHEAST CORNER OF THE PLAT OF SPRINGTREE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGE 66 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA;  
THENCE, NORTH 66°13'06" EAST, ALONG THE NORTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1011, PAGE 427 OF SAID PUBLIC RECORDS A DISTANCE OF 728.22 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1;  
THENCE, NORTH 29°30'06" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 701.64 FEET TO **THE POINT OF BEGINNING**;  
THENCE, SOUTH 60°29'54" WEST A DISTANCE OF 23.65 FEET;  
THENCE, NORTH 29°30'06" WEST A DISTANCE OF 10.00 FEET;  
THENCE, NORTH 60°29'54" EAST A DISTANCE OF 23.65 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1;  
THENCE, SOUTH 29°30'06" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET TO **THE POINT OF BEGINNING**.

CONTAINING 236 SQUARE FEET OR 0.005 ACRES, MORE OR LESS.

**LEGEND**

F.D.O.T.	= FLORIDA DEPARTMENT OF TRANSPORTATION
LB	= LICENSED BUSINESS
LTD.	= LIMITED
O.R.B.	= OFFICIAL RECORDS BOOK
P.B.	= PLAT BOOK
PCN	= PROPERTY CONTROL NUMBER
PG.	= PAGE
R/W	= RIGHT-OF-WAY
SQ. FT.	= SQUARE FEET
	= 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](http://www.martin.fl.us/accessibility-feedback)

**SURVEYOR'S CERTIFICATION:**

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "STANDARDS OF PRACTICE" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

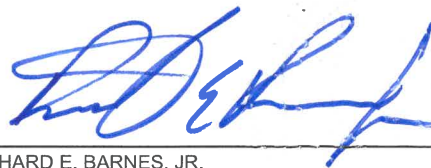
**SURVEYOR'S NOTES**

1. THE BEARINGS SHOWN HEREON REFER TO THE NORTH LINE OF LANDS DESCRIBED IN O.R.B. 1011, PG. 427 BEING NORTH 66°13'06" E.

NOTE: SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION.

DESCRIPTION NOT VALID UNLESS ACCOMPANIED WITH SKETCH OF DESCRIPTION AS SHOWN ON SHEET 2 OF 2 OF THIS DOCUMENT.

**THIS IS NOT A SURVEY**

 3/16/22

RICHARD E. BARNES, JR.  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA LICENSE No. LS - 5173

DATE OF SIGNATURE

rbarnes@bowman.com  
BOWMAN CONSULTING GROUP, LTD., INC.  
CORPORATION CERTIFICATE OF AUTHORIZATION No. LB 8030

NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR THE ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**Bowman**

Bowman Consulting Group, Ltd., Inc. Phone: (772) 283-1413  
301 SE Ocean Blvd. Fax: (772) 220-7881  
Suite 301, Stuart, Florida 34994 [www.bowmanconsulting.com](http://www.bowmanconsulting.com)

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Professional Surveyors and Mapper Business Certificate # LB 8030

**EASEMENT  
EXHIBIT "A"**

**MARTIN COUNTY**

**FLORIDA**

PATH: P:\New Projects\030210-01-001\Survey\TopoBoundary

PROJECT NO. 030210-01-001

REVISED DATE:

DATE: MAR. 14, 2023

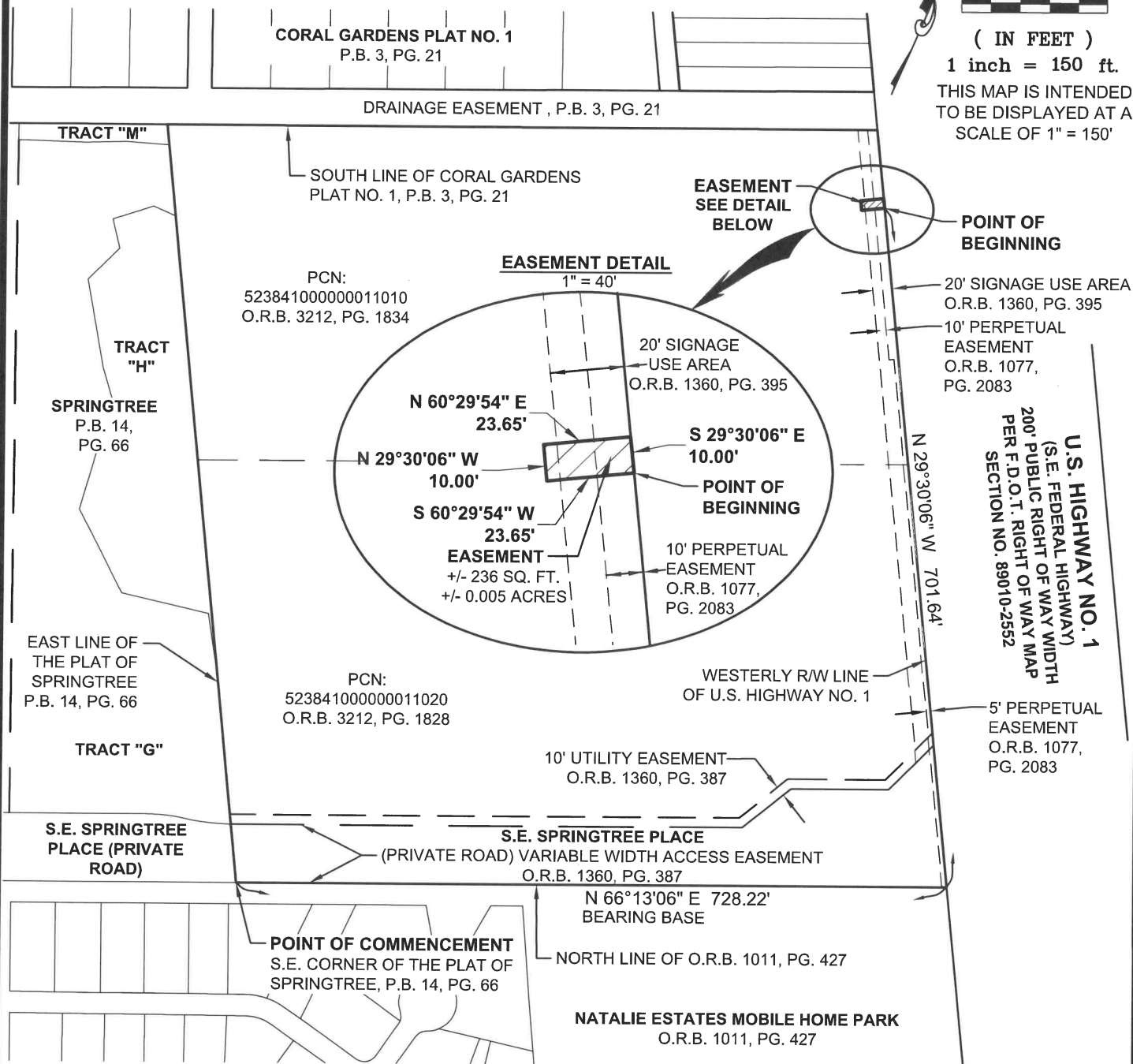
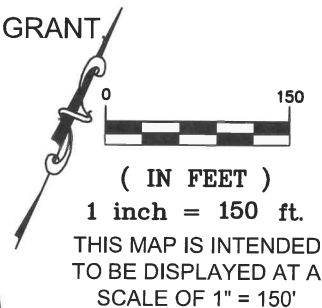
CADD FILE: 30210 ESMT SKT

SCALE: N/A

SHEET 1 OF 2

# EXHIBIT "A" SKETCH OF DESCRIPTION

LYING IN A PORTION OF LOTS 18, 19, AND 20 OF THE HANSON GRANT,  
RECORDED IN PLAT BOOK 1, PAGE 11  
STUART, MARTIN COUNTY, FLORIDA



NOTE: SEE SHEET 1 OF 2 FOR DESCRIPTION, SURVEYOR'S NOTES AND CERTIFICATION.

THIS IS NOT A SURVEY

# Bowman

Bowman Consulting Group, Ltd., Inc. Phone: (772) 283-1413  
301 SE Ocean Blvd. Fax: (772) 220-7881  
Suite 301, Stuart, Florida 34994 www.bowmanconsulting.com

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Professional Surveyors and Mapper Business Certificate # LB 8030

## EASEMENT EXHIBIT "A"

MARTIN COUNTY

FLORIDA

PATH: P:\New Projects\030210-01-001\Survey\TopoBoundary

PROJECT NO. 030210-01-001

REVISED DATE:

DATE: MAR. 14, 2023

CADD FILE: 30210 ESMT SKT

SCALE: 1"=150'

SHEET 2 OF 2