

Our File No.54221.1 Writer's Direct Dial Number: (772) 919-1600 Writer's E-Mail Address: tsawyer@gunster.com

February 16, 2023

Via Email:rob.morris@fpl.com

Florida Power & Light Company C/O Rob Morris 4406 SW Cargo Way Palm City, Florida 34990

Re: New FPL Utility Easements ("FPL Utility Easements") in favor of Florida Power & Light Company ("FPL") as part of the Martin County, Florida (the "County") Manatee Pocket SW Prong STA Project (the "Project")

Dear: Mr. Morris:

At long last the Project referenced above has gained the momentum needed to present the matter to the Board of County Commissioners for Martin County ("BOCC") for their consideration and approval.

As I understand it, you have requested this letter confirming that, upon the approval of the Project (specifically, the right of way abandonments set forth on **Exhibit "A"**) by the BOCC, that I will proceed to have the two (2) fully executed and notarized FPL Utility Easements attached hereto as **Exhibit "B"** recorded in the Martin County, Florida public records. Once recorded, I will forward the original FPL Utility Easements to you at 4406 SW Cargo Way, Palm City, Florida 34990. Please let this letter serve as that confirmation.

In turn, and as part of the application for abandonment, Martin County needs FPL's, letter of no objection to the abandonments. FPL's confirmation of no objection is as simple as your signature set forth on the page which follows; accordingly, please sign acknowledging that you have no objection to all of the above and email this correspondence back to me at tsawyer@gunster.com.

Thank you for your attention to the above, and please do not hesitate to call me if you have any additional questions or concerns.

Sincerely:

Thomas R. Sawyer

Of Counsel - Shareholder

I HAVE REVIEWED THE MATERIAL PROVIDED AND HAVE NO OBJECTION TO THE PROPOSED ABANDONMENTS REFLECTED ON EXHIBIT"A" ATTACHED.

Florida Power & Light Company

By:

Rob Morris

Project Manager for FPL

Date

MARTIN COUNTY, STUART, FLORIDA 2401 S.E. MONTEREY ROAD PHONE NO. 772-288-5927

DWG. NAME : 22-003H.DWG M.C. PROJ. NO. 22-003

SHFFT

EXHIBIT "A"

SURVEYOR'S NOTES

- THIS SKETCH AND LEGAL DESCRIPTION IS BASED ON PORT SALERNO S/D, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 132, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.
- THIS LEGAL DESCRIPTION SHALL NOT BE VALID:
 - A. UNLESS PROVIDED IN ITS ENTIRETY CONSISTING OF SHEETS 1, 2 AND 3, SHEET 3 BEING A SKFTCH.
 - B. WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR.
- THE PURPOSE OF THIS SKETCH AND DESCRIPTION IS TO DESCRIBE A PARCEL OF LAND 3. FOR ABANDONMENT AND RELEASE.
- LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY, EASEMENTS, 4. OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
- THIS IS NOT A SURVEY AND DOES NOT DEFINE OWNERSHIP OR ENCROACHMENTS.
- PROPERTY, TRACT, AND PARCEL LINES SHOWN ARE APPROXIMATE IN NATURE AND NOT TO BE RELIED UPON FOR LAND POSITIONING OR DETERMINATIONS.
- 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.
- LEGEND: ORB=OFFICIAL RECORDS BOOK, PB=PLAT BOOK, PG=PAGE, ROW=RIGHT-OF-WAY.

THIS DOCUMENT MAY BE REPRODUCED UPON REQUEST IN AN ALTERNATIVE FORMAT BY CONTACTING THE COUNTY ADA (772) 288-5400, FLORIDA RELAY 711, OR BY COMPLETING OUR ACCESSIBILITY FEFDRACK

SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE

TOMAS M. WALKER, JR., P.S.M. MARTIN COUNTY SURVEYOR

PROFESSIONAL SURVEYOR AND MAPPER FLORIDA LICENSE NO. P.S.M. 6875

FEB 1 0 2023 DATE:

RIGHT-OF-WAY ABANDONMENT AND RELEASE SW MANATEE POCKET STA MARTIN COUNTY. FLORIDA

SUPERVISED BY : TMW

DRAWN BY : JMM | SCALE : N/A

DATE: 7/13/2022

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

DWG. NAME : 22-003H.DWG M.C. PROJ. NO. 22-003

SHEET NO. 2 OF 3

EXHIBIT "A"

DESCRIPTION

THAT PORTION OF THE UNNAMED ALLEY, 15 FEET IN WIDTH, LYING BETWEEN LOTS 1 THROUGH 8 AND LOTS 9 THROUGH 16, BLOCK 46 OF PORT SALERNO S/D, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 132, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.

TOGETHER WITH

THAT PORTION OF A 60 FOOT WIDE RIGHT-OF-WAY LYING BETWEEN BLOCK 46 AND BLOCK 53 OF PORT SALERNO S/D, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 132, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.

TOGETHER WITH

THAT PORTION OF THE UNNAMED ALLEY, 15 FEET IN WIDTH, Y LYING BETWEEN LOTS 1 THROUGH 8, BLOCK 53 AND LOTS 9 THROUGH 16, BLOCK 53 OF PORT SALERNO S/D, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 132, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.

TOGETHER WITH

THAT PORTION OF A 60 FOOT WIDE RIGHT-OF-WAY LYING BETWEEN LOT 16, BLOCK 52 AND LOT 9, BLOCK 53 OF PORT SALERNO S/D, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 132, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.

SAID PARCEL CONTAINS 42,750 SQUARE FEET, (0.99 ACRES) MORE OR LESS.

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

RIGHT-OF-WAY ABANDONMENT AND RELEASE

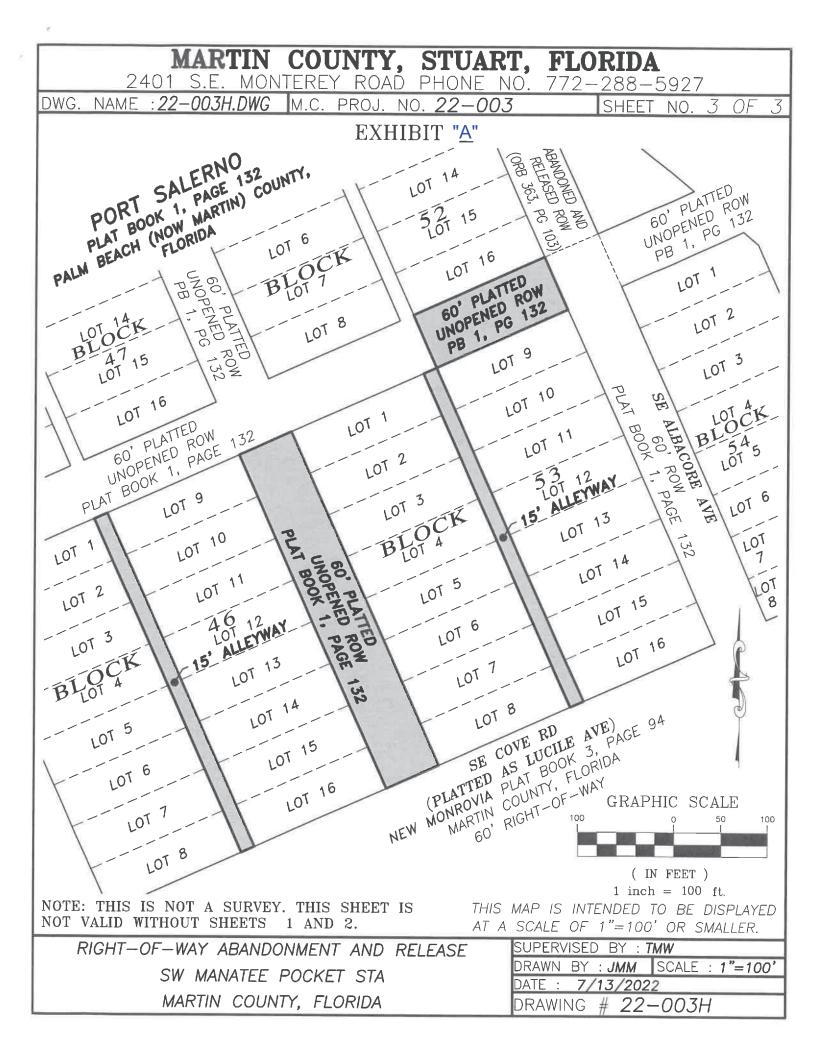
SW MANATEE POCKET STA

MARTIN COUNTY, FLORIDA

SUPERVISED BY : TMW

DRAWN BY : JMM | SCALE : N/A

DATE : 7/13/2022



Sec. 51 Twp 38S Rge 41E

EASEMENT (BUSINESS)

Parcel I.D.513841001053000309 Parcel I.D.513841001053000906 Parcel I.D.513841001053000103 This Instrument Prepared By Thomas R. Sawyer, Esq. Gunster, Yoakley & Stewart, P.A. 800 S.E. Monterey Commons Blvd., Ste. 200 Stuart, FL 34996

The undersigned ("Grantor"), in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, does grant and give to Florida Power & Light Company, its affiliates, licensees, agents, successors, and assigns ("FPL"), a nonexclusive easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage as well as the size of, and remove such facilities or any of them within an easement described as follows:

See Exhibit "A" ("Easement Area")

The Easement Area consists of Vacant Land and, as such, is not the homestead property of Grantor.

Together with the right to permit any other person, firm, or corporation to attach wires to any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the Easement Area, which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the Easement Area heretofore described, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

[END OF TEXT ON THIS PAGE]

EXHIBIT "B"

day of February, 2023.	ned has signed and sealed this instrument on this
Signed, sealed and delivered in the presence of:	
(Witness' Signature) Print Name: Homas R. SAWY Fa (Witness)	PETER GRIEN Print Address: Po Box W61
(Witness' Signature) Print Name: Yeven C. B. chaydt (Witness)	Print Address: PO BOX 1268 PORT SHIERWO EL 34992
STATE OF FLORIDA	
COUNTY OF MARTIN.	
online notarization this 1st day of Febru	dged before me by means of physical presence or and physical physical physical presence or and physical physical presence or and physical physical physical presence or and physical physic
[NOTARY SEAL]	Notary Public, Signature Print Name Yoven C. Richardt Notary Public, State of Florida Commission No.: My Commission Expires:
KAREN C. RICHARDT MY COMMISSION # HH 236006 EXPIRES: April 16, 2026	

EXHIBIT "B"

IN WITNESS WHEREOF, the undersign day of February, 2023.	ned has signed and sealed this instrument on this
Signed, sealed and delivered in the presence of:	
(Witness' Signature) Print Name: Homas R. Sawy Fe (Witness) (Witness' Signature) Print Name: Kaven C. Richard (Witness)	SUSETTE GRIEN Print Address: PO Bot 1/57 Port Salemo H 34992
STATE OF FLORIDA	
COUNTY OF MARTIN.	
The foregoing instrument was acknowledged before me by means of physical presence or online notarization this stay of February, 2023, by Susette Grien, who is personally known to me or has produced Florida drivers house identification, and who did (did not) take an oath. (Type of Identification)	
[NOTARY SEAL]	Notary Public, Signature Print Name Kaven C. Richardt Notary Public, State of Florida Commission No.:
KAREN C. RICHARDT MY COMMISSION # HH 236006 EXPIRES: April 16, 2026	My Commission Expires:

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

DWG. NAME: 22-003L.DWG M.C. PROJ. NO. 22-003

SHEET NO. 1 OF 3

EXHIBIT 🛕

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- 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.
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BY COMPLETING OUR ACCESSIBILITY FEEDBACK
FORM AT WWW.MARTIN.FL.US/ACCESSIBILITY-FEEDBACK.

2.5 FT WIDE FPL EASEMENT SW MANATEE POCKET STA MARTIN COUNTY, FLORIDA SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE

MARTIN COUNTY SURVEYOR
OFESSIONAL SURVEYOR AND MAPPE

PROFESSIONAL SURVEYOR AND MAPPER FLORIDA LICENSE NO. P.S.M. 6875

DATE: 0/18/2023

SUPERVISED BY : TMW

DRAWN BY : JMM | SCALE : N/A

DATE : 7/21/2022

drawing # 22-003L2

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

DWG. NAME: 22-003L.DWG M.C. PROJ. NO. 22-003

DESCRIPTION

SHEET NO. 2 OF 3

EXHIBIT



THE EASTERLY 2.5 FEET OF THE WESTERLY 7.5 FEET OF THAT PORTION OF THE UNNAMED ALLEY, 15 FEET IN WIDTH, LYING BETWEEN LOTS 1 THROUGH 2 AND 9 THROUGH 10, BLOCK 53, PORT SALERNO S/D, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 132, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.

SAID LANDS CONTAINING 237.5 SQUARE FEET, (0.005 ACRES) MORE OR LESS.

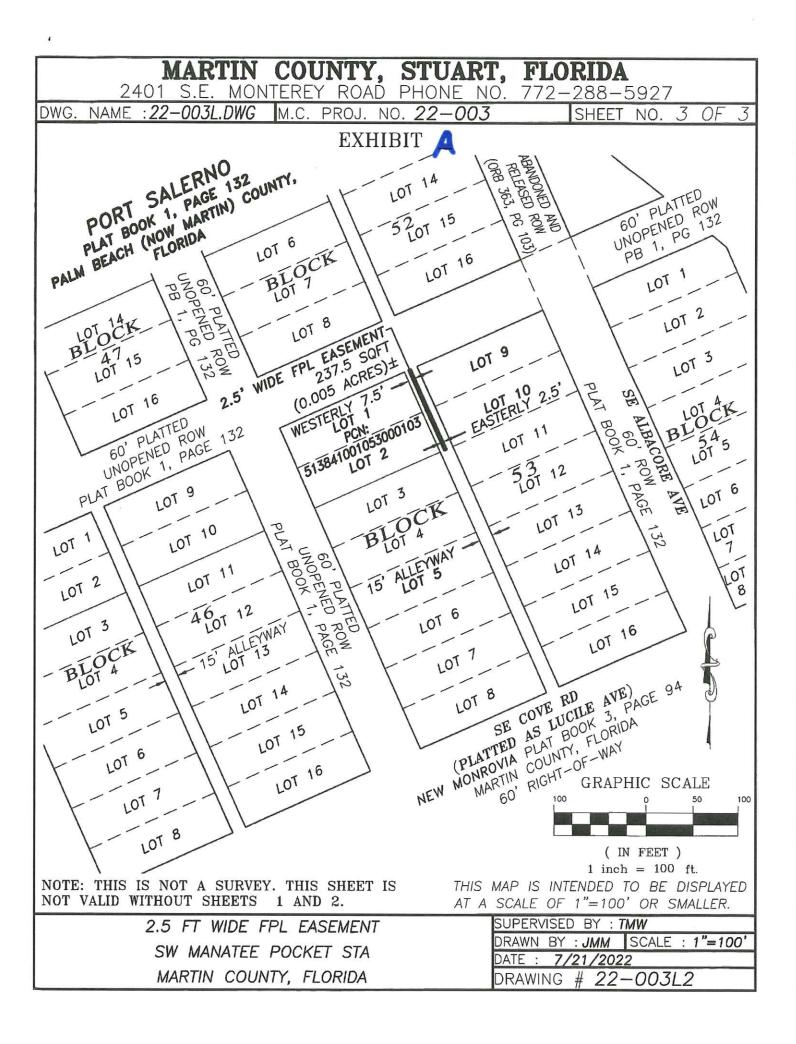
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> 2.5 FT WIDE FPL EASEMENT SW MANATEE POCKET STA MARTIN COUNTY, FLORIDA

SUPERVISED BY : TMW

DRAWN BY : JMM | SCALE : N/A

DATE : 7/21/2022



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

DWG. NAME: 22-003L.DWG M.C. PROJ. NO. 22-003

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2.5 FT WIDE FPL EASEMENT SW MANATEE POCKET STA MARTIN COUNTY, FLORIDA SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE

MARTIN COUNTY SURVEYOR

PROFESSIONAL SURVEYOR AND MAPPER FLORIDA LICENSE NO. P.S.M. 6875

DATE: 01/18/2023

SUPERVISED BY : TMW

DRAWN BY : JMM | SCALE : N/A

DATE : 7/21/2022

drawing # 22-003L3

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

DWG. NAME : 22-003L.DWG M.C. PROJ. NO. 22-003

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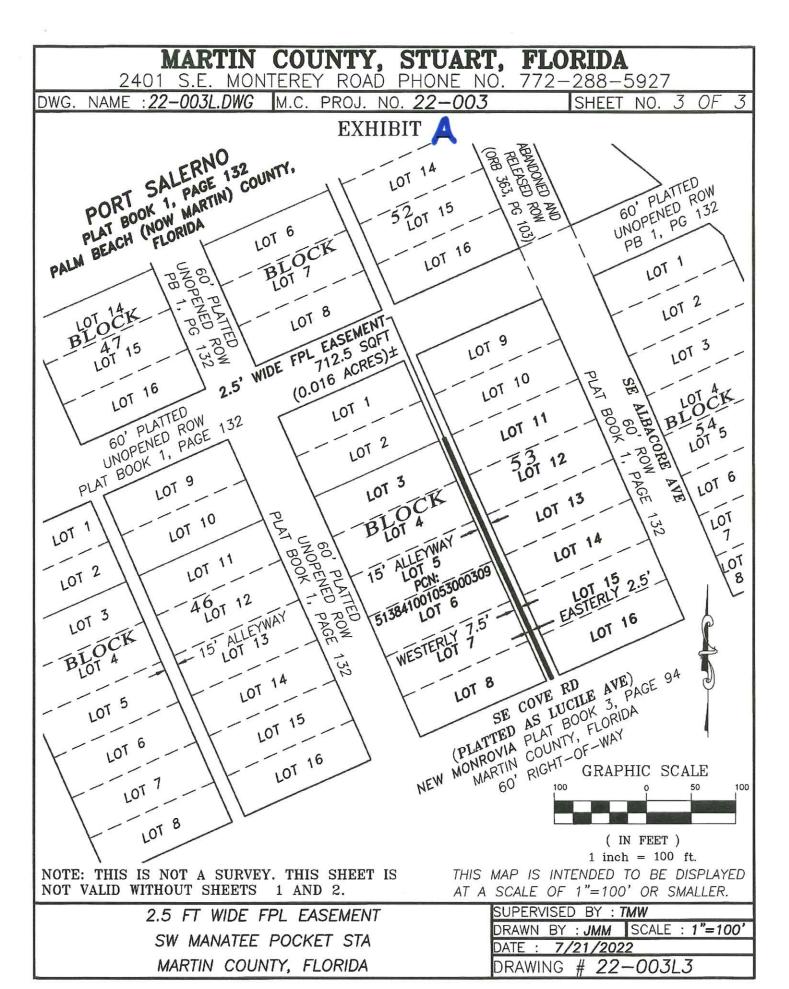
SAID LANDS CONTAINING 712.5 SQUARE FEET, (0.016 ACRES) MORE OR LESS.

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2.5 FT WIDE FPL EASEMENT SW MANATEE POCKET STA MARTIN COUNTY, FLORIDA SUPERVISED BY: TMW

DRAWN BY : JMM | SCALE : N/A

DATE : 7/21/2022



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SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE

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THOMAS M. WALKER, JR., P.S.M.
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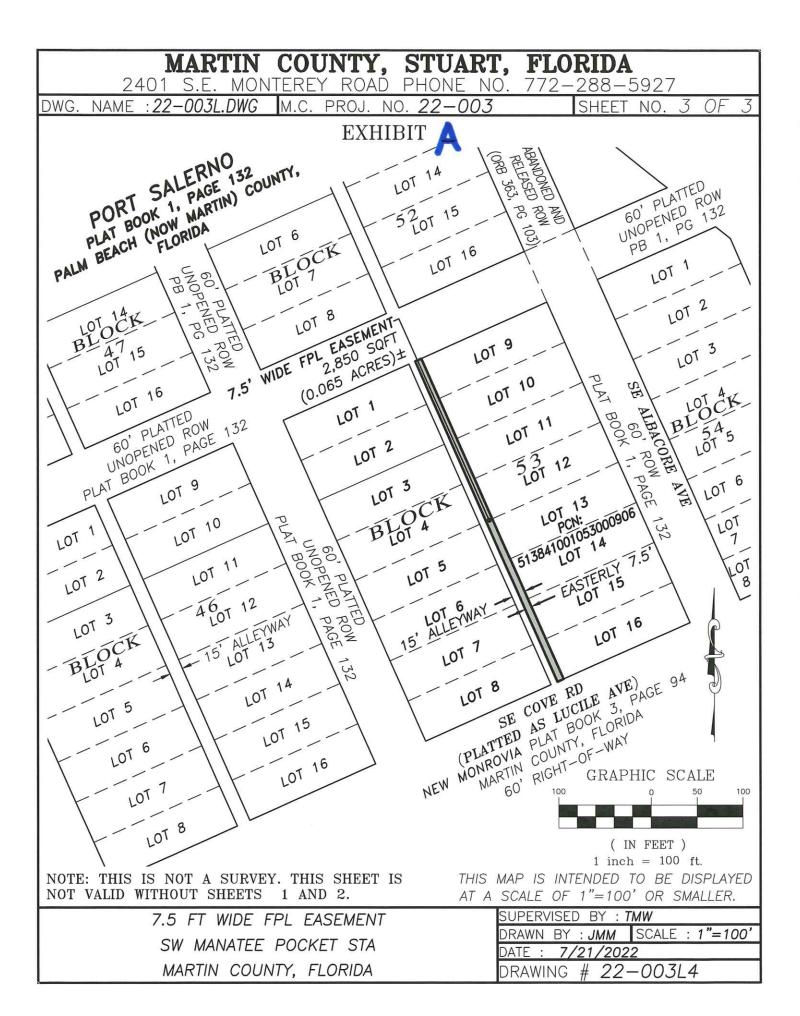
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DRAWN BY : JMM | SCALE : N/A

DATE : 7/21/2022



Sec. 51 Twp 38S Rge 41E

EASEMENT (BUSINESS)

Parcel I.D.513841001046000303

This Instrument Prepared By Thomas R. Sawyer, Esq. Gunster, Yoakley & Stewart, P.A. 800 S.E. Monterey Commons Blvd., Ste. 200 Stuart, FL 34996

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[END OF TEXT ON THIS PAGE]

IN WITNESS WHEREOF, the undersigned day of Februay, 2023.	has signed and sealed this instrument on this
Signed, sealed and delivered in the presence of:	
(Witness)	PETER GRIEN Print Address: POP POPOY 1268 PORT SAIERNO FL 349
STATE OF FLORIDA	
COUNTY OF MARTIN.	
online notarization this \strace{5} day of February known to me or has produced Florida drives take an oath. (Type of Identification)	Notary Public, Signature
[NOTARY SEAL]	Notary Public, State of Florida
	Commission No.:

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

DWG. NAME : 22-003L.DWG M.C. PROJ. NO. 22-003

SHEET NO. 1 OF 3

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SHEET NO. 2 OF 3

EXHIBIT /

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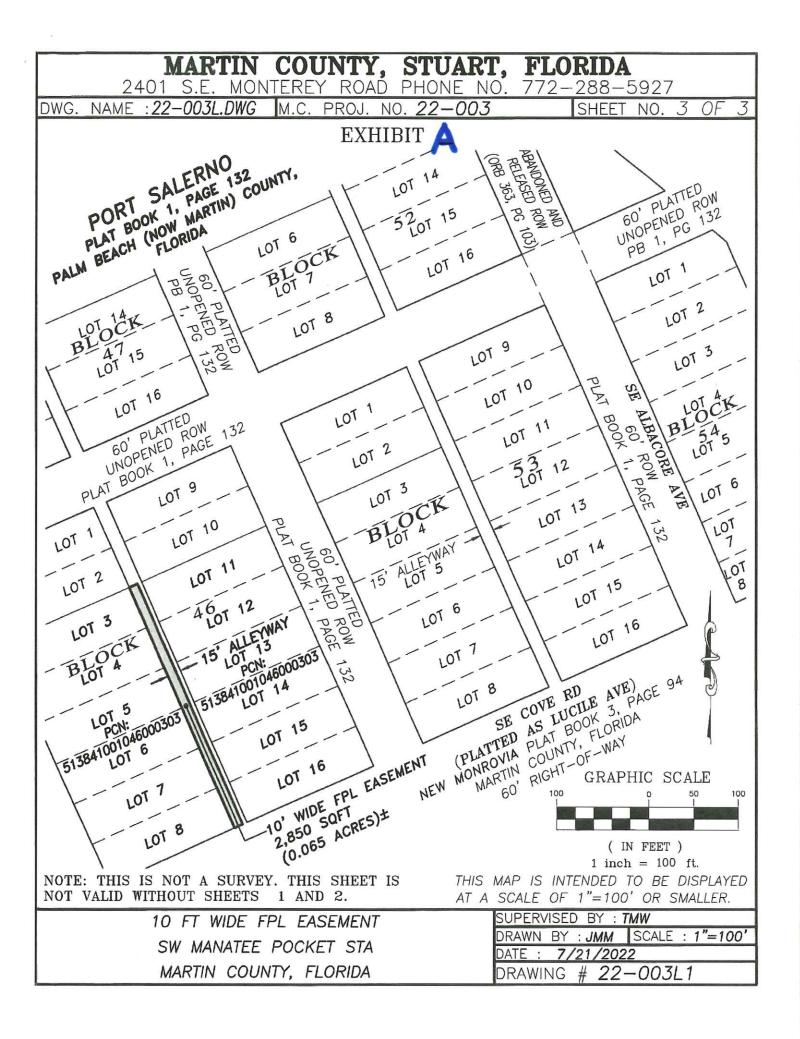
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10 FT WIDE FPL EASEMENT SW MANATEE POCKET STA MARTIN COUNTY, FLORIDA SUPERVISED BY : TMW

DRAWN BY : JMM | SCALE : N/A

DATE : 7/21/2022





Writer's Direct Dial Number: (772).223-2205 Writer's Mobile Phone Number: (772) 919-1600 Writer's E-Mail Address: tsawyer@gunster.com

April 19, 2022

VIA EMAIL TO: mruini@fpuc.com

Mauro Ruini Commercial Sales Account Manager Florida Public Utilities Company/Indiantown Division 1641 Worthington Road, Suite 220 West Palm Beach, FL 33409

Re: Petition to Abandon ROW

Dear Mr. Ruini:

I represent the property owner seeking an abandonment of the right-of-way described in the attached legal description and sketch (the "ROW Abandonment"). This is being done as part of a Martin County initiative referred to as the Manatee Pocket SW Prong STA Project.

In order to proceed with my client's Petition to Abandon, Martin County requires a letter of no objection from FPUC; accordingly, please consider this letter my client's formal request for that Letter of No Objection to the ROW Abandonment from FPUC. Your signature and return by email of this correspondence will suffice and be considered your letter of no objection to the proposed abandonment.

If you have any questions or if I may be of further assistance, please call me at the above mobile telephone number. Thank you for your assistance in this matter.

Sincerely:

Thomas R. Sawyer

Thomas R. Sawyer Of Counsel - Shareholder

Attachments - Legal description and sketch of the ROW Abandonment property.

I HAVE REVIEWED THE MATERIAL PROVIDED AND HAVE NO OBJECTION TO THE PROPOSED ABANDONMENT.

Florida Public Utilities Company/Indiantown Division

By: Katie Blades-Cole, FPU Engineering Clerk

Mauro Ruini

Commercial Sales Account Manager

MARTIN COUNTY, STUART, FLORIDA 2401 S.E. MONTEREY ROAD PHONE NO. 772-288-5927

DWG. NAME :22-003H.DWG M.C. PROJ. NO. 22-003

SHEET NO. 1 OF 3

EXHIBIT

SURVEYOR'S NOTES

- THIS SKETCH AND LEGAL DESCRIPTION IS BASED ON PORT SALERNO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 132, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.
- THIS LEGAL DESCRIPTION SHALL NOT BE VALID:
 - A. UNLESS PROVIDED IN ITS ENTIRETY CONSISTING OF SHEETS 1, 2 AND 3, SHEET 3 BEING A
 - B. WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR.
- THE PURPOSE OF THIS SKETCH AND DESCRIPTION IS TO DESCRIBE A PARCEL OF LAND 3. FOR ABANDONMENT AND RELEASE.
- LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY, EASEMENTS, 4. OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
- THIS IS NOT A SURVEY AND DOES NOT DEFINE OWNERSHIP OR ENCROACHMENTS. 5.
- PROPERTY, TRACT, AND PARCEL LINES SHOWN ARE APPROXIMATE IN NATURE AND NOT TO BE RELIED UPON FOR LAND POSITIONING OR DETERMINATIONS.
- ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING 7. PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- LEGEND: ORB=OFFICIAL RECORDS BOOK, PG=PAGE, ROW=RIGHT-OF-WAY.

SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE

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.

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

DATE:

RIGHT-OF-WAY ABANDONMENT AND RELEASE SW MANATEE POCKET STA MARTIN COUNTY, FLORIDA

SUPERVISED BY : TMW DRAWN BY : JMM | SCALE : N/A

DATE : 4/8/2022

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

DWG. NAME : 22-003H.DWG M.C. PROJ. NO. 22-003

SHEET NO. 2 OF 3

EXHIBIT _

DESCRIPTION

THE 15 FOOT WIDE ALLEYWAY LYING BETWEEN LOTS 1 THROUGH 8, BLOCK 46 AND LOTS 9 THROUGH 16, BLOCK 46 OF PORT SALERNO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 132, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.

TOGETHER WITH

THE PORTION OF A 60 FOOT WIDE RIGHT-OF-WAY LYING BETWEEN BLOCK 46 AND BLOCK 53 OF PORT SALERNO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 132, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.

TOGETHER WITH

THE 15 FOOT WIDE ALLEYWAY LYING BETWEEN LOTS 1 THROUGH 8, BLOCK 53 AND LOTS 9 THROUGH 16, BLOCK 53 OF PORT SALERNO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 132, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.

TOGETHER WITH

THE PORTION OF A 60 FOOT WIDE RIGHT-OF-WAY LYING BETWEEN LOT 16, BLOCK 52 AND LOT 9, BLOCK 53 OF PORT SALERNO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 132, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.

SAID PARCEL CONTAINS 42,750 SQUARE FEET, (0.99 ACRES) MORE OR LESS.

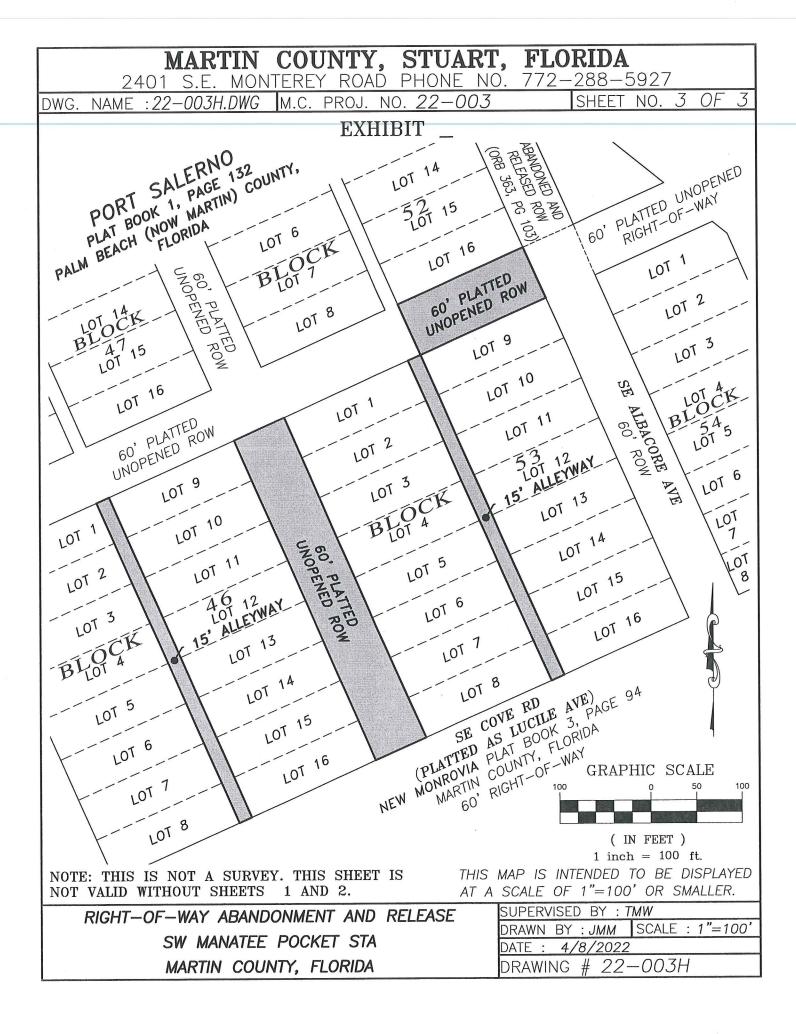
NOTE: THIS IS NOT A SURVEY. THIS SHEET IS NOT VALID WITHOUT SHEETS 1 AND 3.

RIGHT-OF-WAY ABANDONMENT AND RELEASE
SW MANATEE POCKET STA
MARTIN COUNTY, FLORIDA

SUPERVISED BY : TMW

DRAWN BY : JMM | SCALE : N/A

DATE: 4/8/2022



From: <u>Jeremy Covey</u>
To: <u>Sebastian Fox</u>

Cc: <u>Tom Walker</u>; <u>Zachary Hughes</u>

Subject: RE: Martin County Utilities & Solid Waste Dept. - Letter of No Objection to ROW Abandonment

Date: Wednesday, May 10, 2023 3:34:44 PM

Attachments: image001.png

Sebastian,

Please accept this email as documentation of "no objection" to the ROW Abandonment from Martin County Utilities.

Thank you,

Jeremy Covey, P.E. (FL)
Deputy Director
Martin County Utilities & Solid Waste Department
(772) 221-2353

From: Sebastian Fox <sfox@martin.fl.us> **Sent:** Wednesday, May 10, 2023 2:58 PM **To:** Jeremy Covey <jcovey@martin.fl.us>

Cc: Tom Walker <twalker@martin.fl.us>; Zachary Hughes <zhughes@martin.fl.us>

Subject: RE: Martin County Utilities & Solid Waste Dept. - Letter of No Objection to ROW Abandonment

Jeremy,

We are finally at the point to bring this ROW abandonment to the BOCC. We have obtained a utility easement from the landowner for the 12" main you reference below. Will you please respond to this email with your "no objection" to the abandonment?

Thanks and please call with any questions.

Sebastian Fox

Assistant County Attorney Martin County Attorney's Office (772) 288-5444

From: Carla Segura < csegura@martin.fl.us>
Sent: Wednesday, April 20, 2022 8:14 AM
To: Sebastian Fox < sfox@martin.fl.us>

Subject: Fwd: Martin County Utilities & Solid Waste Dept. - Letter of No Objection to ROW Abandonment

Sebastian, I forwarded this message to Tom and John also.

Get Outlook for Android

From: Jeremy Covey <jcovey@martin.fl.us>
Sent: Wednesday, April 20, 2022 7:27:01 AM

To: <u>TSawyer@gunster.com</u> < <u>TSawyer@gunster.com</u>>

Cc: Steve Vandersluis < svanders@martin.fl.us; Carla Segura < csegura@martin.fl.us; George Dzama < gdzama@martin.fl.us; Christopher Goetzfried < csegura@martin.fl.us; George Dzama

Subject: FW: Martin County Utilities & Solid Waste Dept. - Letter of No Objection to ROW Abandonment

Tom,

Martin County Utilities has a 12" force main located in the 60' Platted Unopened ROW (adjacent to SE Cove Road) which means I cannot signed the Letter of No Objection without a Utility Easement being obtained for the force main.

In your voicemail you indicated that this is a County project. Who is the Project Manager for the project? Once I know who the Project Manager is I can discuss the best way to move forward with this request with them.

Thank you,

Jeremy Covey, P.E. (FL)
Technical Services Administrator
Martin County Utilities & Solid Waste Department
(772) 221-2353

From: Sawyer, Thomas < <u>TSawyer@gunster.com</u> >

Sent: Tuesday, April 19, 2022 5:32 PM **To:** Jeremy Covey < <u>icovey@martin.fl.us</u>>

Subject: Martin County Utilities & Solid Waste Dept. - Letter of No Objection to ROW Abandonment

?

Jeremy:

I left you a voice message to prepare you for this email, and while I believe the attached to be self-explanatory, if you have any questions or need clarification, the best way to reach me is my cell number (772) 919-1600.

Also, if you would like me to set this up using the DocuSign software, please advise.

Finally, I'd appreciate a short reply just to let me know that you are in receipt of this request.

I look forward to working with you.

Tom

Thomas R. Sawyer | Of Counsel Shareholder
Florida Bar Certified as a Real Estate Specialist
LL.M. Real Property Development
800 S.E. Monterey Commons Boulevard, Suite 200
Stuart, FL 34996
P 772-223-2205 C 772-919-1600 F 561-671-2560
gunster.com | tsawyer@gunster.com
https://gunster.com/staff/attorneys/thomas-r-sawyer/

This instrument prepared by: Mandee Johns, F.R.P. for Martin County 2401 SE Monterey Road Stuart, FL 34996

Project Name:

SW Manatee Pocket STA - Peter Grien Only - Lots 11 through 16, Block 46

Project No:

RPM #3682

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

<u>UTILITY EASEMENT</u>

THIS UTILITY EASEMENT ("**Easement**") is granted and executed this 9th day of February, 2023, by **PETER H. GREIN, a married man** ("**Grantor**") whose mailing address is PO Box 1268, Port Salerno, FL, 34992, , to **MARTIN COUNTY**, a political subdivision of the State of Florida ("**Grantee**"), whose address is 2401 SE Monterey Road, Stuart, Florida 34996.

(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 Grantor, for and in consideration of the sum of \$1.00 and other good and valuable consideration, in hand paid by Grantee, the receipt and sufficiency whereof is hereby acknowledged, does hereby grant unto Grantee forever, an easement for the construction, reconstruction, replacement, operation, maintenance, and repair of utility related equipment, including, but not limited to gravity mains, gravity main connections, pumps, pipelines, and powerline hookups, if required, under or upon the following described land, situate, lying and being in the County of Martin, State of Florida (the "Easement Premises"), to-wit:

See Exhibit "A" attached hereto and made a part hereof.

Grantor hereby covenants with Grantee that: (i) Grantor is lawfully seized of the Easement Premises in fee simple; (ii) Grantor has good and lawful authority to grant and convey the Easement; (iii) Grantor fully warrants the title to Easement Premises and will defend the same against the lawful claims of all persons claiming by through or under Grantor; (iv) there are no mortgages encumbering the Easement Premises; (v) the Easement Premises is vacant land; and (vi) that neither Grantor nor any other person actually, legally or naturally dependent upon Grantor reside on said lands or any lands contiguous thereto.

RESERVING UNTO GRANTOR, the right, but not the obligation, to pave with curbing and sidewalks the surface of the Easement Premises in a manner satisfactory to Grantor, including Grantor's right to permit pedestrian and vehicular ingress and egress over and across the surface of the Easement Premises, including the parking of vehicles on said Easement Premises ("Grantor's Improvements"). Grantor understands and agrees that Grantor's Improvements, if constructed by Grantor, will: (i) be at Grantor's sole cost and expense; (ii) be constructed in accordance with all applicable governmental rules, regulations, ordinances and permits; and (iii) exclude permanent vertical structures and buildings. Further, Grantor will use Grantor's best efforts to minimize any interference with Grantee' rights as set forth in this Easement. Further still, except for Grantor's reservation of this right to construct Grantor's Improvements, Grantor will not otherwise obstruct the Easement Premises without the express written consent of Grantee.

Grantee, its contractors, agents and employees will 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, that in making any excavations on the Easement Premises, Grantee will make the excavations in such manner as will cause the least injury to the surface of the ground or any of Grantor's Improvements located thereon. Grantee must restore any improvements to the surface of the Easement Premises damaged as a result of any excavation to as near the same condition as it was prior to such excavation as soon as is practicable.

IN WITNESS WHEREOF, Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of: WITNESSES:

GRANTOR:

BY:

PETER H. GRIEN

Witness

THOMAS R. SAWYER

Print Name

Youen Checkenst

Witness

Karen C. Bichardt

Print Name

State of Florida}
County of Martin}

The foregoing Utility Easement was acknowledged before me this 9th day of February, 2023 by PETER H. GRIEN, a married man, (') by means of physical presence or () online notarization. He is () personally known to me or has produced as identification.

KAREN C. RICHARDT
MY COMMISSION # HH 236006
EXPIRES: April 16, 2026

Notary Public

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

DWG. NAME : 22-003K.DWG M.C. PROJ. NO. 22-003

SHEET NO. 1 OF 3

EXHIBIT A

SURVEYOR'S NOTES

- 1. THIS SKETCH AND LEGAL DESCRIPTION IS BASED ON PORT SALERNO S/D, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 132, PUBLIC RECORDS OF PALM BEACH (NOW 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.
- THE PURPOSE OF THIS SKETCH AND DESCRIPTION IS TO DESCRIBE A PARCEL OF LAND FOR A UTILITY 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: ORB=OFFICIAL RECORDS BOOK, PB=PLAT BOOK, PG=PAGE, POB=POINT OF BEGINNING, POC=POINT OF COMMENCEMENT, POT=POINT OF TERMINATION, ROW=RIGHT-OF-WAY, SQFT=SQUARE FOOT, 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.

10 FT WIDE UTILITY EASEMENT SW MANATEE POCKET STA MARTIN COUNTY, FLORIDA SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE

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

DATE: 1/5/7023

SUPERVISED BY : TMW

DRAWN BY : JMM SCALE : N/A

DATE : 7/28/2022

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

DWG. NAME: 22-003K.DWG M.C. PROJ. NO. 22-003

SHEET NO. 2 OF 3

EXHIBIT 🛕

DESCRIPTION

A 10 FOOT WIDE STRIP OF LAND LYING IN THAT PORTION OF THE 60 FOOT WIDE RIGHT-OF-WAY BETWEEN BLOCK 46 AND BLOCK 53 OF PORT SALERNO S/D, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 132, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA. SAID STRIP OF LAND BEING 5 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE SOUTHEASTERLY CORNER OF SAID BLOCK 46; THENCE NORTH 65°56'41" EAST ALONG THE EASTERLY PROJECTION OF THE SOUTHERLY LINE OF SAID BLOCK 46, A DISTANCE OF 17.42 FEET TO THE POINT OF BEGINNING; THENCE, DEPARTING SAID EASTERLY PROJECTED LINE, NORTH 23°34'39" WEST, A DISTANCE OF 242.62 FEET; THENCE NORTH 19°27'53" EAST, A DISTANCE OF 22.51 FEET TO THE POINT OF INTERSECTION WITH THE CENTERLINE OF SAID RIGHT—OF—WAY, ALSO BEING THE POINT OF TERMINATION.

THE SIDELINES OF SAID STRIP OF LAND SHALL BE PROLONGED OR SHORTENED SO AS TO COINCIDE WITH SAID EASTERLY PROJECTED SOUTHERLY LINE OF BLOCK 46 AND SAID CENTERLINE OF THE 60 FOOT WIDE RIGHT-OF-WAY, RESPECTIVELY.

SAID PARCEL CONTAINS 2,651 SQUARE FEET, MORE OR LESS.

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

10 FT WIDE UTILITY EASEMENT SW MANATEE POCKET STA MARTIN COUNTY, FLORIDA SUPERVISED BY : TMW

DRAWN BY : JMM SCALE : N/A

DATE: 7/28/2022

