

INSTR # 2299631
 OR BK 02543 PG 0586
 Pgs 0586 - 5967 (11pgs)
 RECORDED 10/27/2011 10:57:10 AM
 MARSHA EWING
 CLERK OF MARTIN COUNTY FLORIDA
 RECORDED BY C Hunter

SPACE ABOVE THIS LINE FOR RECORDING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

BEFORE THE BOARD OF COUNTY COMMISSIONERS
 MARTIN COUNTY, FLORIDA

RESOLUTION NO. 11-9. 58

WHEREAS, the Martin County Utilities and Solid Waste Department needs a Utility Easement across portions of property owned by OPB WEST, LLC, a Florida limited liability company, for the installation and maintenance of certain utility facilities, and

WHEREAS, by document entitled 'UTILITY EASEMENT' executed on the 12th day of August, 2011, OPB WEST, LLC, granted to Martin County a perpetual non-exclusive Easement for the construction, reconstruction, replacement, operation, maintenance and repair of utility related equipment, including, but not limited to lift stations, pump pipelines, fences, structures, and powerline hookups, if required, in, under, over, across, and through a portion of its property and the right of reasonable ingress and egress over and across subject property as is necessary to Martin County's use of the rights granted therein, 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:

The Martin County Board of County Commissioners hereby accepts and approves the foregoing Utility Easement conveyed to Martin County by OPB WEST, LLC.

DULY PASSED AND ADOPTED THIS 27TH DAY OF SEPTEMBER, 2011.

ATTEST:

MARSHA EWING, CLERK

MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS:

EDWARD V. CIAMPI, CHAIRMAN

APPROVED AS TO FORM AND CORRECTNESS:

STEPHEN FRY, COUNTY ATTORNEY

This instrument prepared by:
Martin County Attorney's Office
2401 S.E. Monterey Road
Stuart, Florida 34996

Project Name: OBP West
PCN: 22-37-41-000-000-00405-1 (a portion of)

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

UTILITY EASEMENT

THIS EASEMENT is granted and executed this 12th day of August, 2011, by **OBP WEST, LLC**, a Florida limited liability company, whose address is 5690 Sunshine Farms Way, Palm City, Florida 34990, 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 and other good and valuable considerations, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby grant unto the Grantee forever, a non-exclusive easement for the construction, reconstruction, replacement, operation, maintenance, and repair of utility related equipment, including, but not limited to 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.

AND further, the right of reasonable ingress and egress over and across subject property as is necessary to the Grantee's use of the rights granted herein.

AND SUBJECT TO the Grantor's, its successors and/or assigns, platting the subject property and use of all or a portion of the subject property, in addition to the purposes set forth herein, for roadway, drainage, other utility, including but not limited to cable, telephone and electric, and landscaping purposes.

The Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that Grantor has good right and lawful authority to grant and convey this easement; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

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

RM 7652489.1

Signed, sealed and delivered in our presence:

April Brewer
Print Name: April Brewer

James Morgan
Print Name: JAMES MORGAN

OPB WEST, LLC, a Florida limited liability company

Marcia Hendry-Coker
By: Marcia Hendry-Coker
Its: Managing Member

STATE OF FLORIDA
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me on this 12th day of August, 2011, by Marcia Hendry-Coker, as Managing Member of the OPB West, LLC, a Florida limited liability company, on behalf of said company, who () is personally known to me or (X) who has produced _____ as identification.



Denise Thomas
Notary Public
Print Name: _____
My Commission expires: _____

MARTIN COUNTY

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

By: *Edward Ciampi*
Edward Ciampi, Chairman

ATTEST:

Marsha Ewing
Marsha Ewing, Clerk

APPROVED AS TO FORM AND
CORRECTNESS:

Stephen Fry
Stephen Fry
County Attorney

(COMMISSION SEAL)

RM.7652489.1

Exhibit "A"
Legal Description

(to be added)

Unofficial Copy

RM. 1657469


Legal Description

EXHIBIT 24

BEING A PARCEL OF LAND LYING IN SECTION 22, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SAID SECTION 22, THENCE SOUTH 00°19'08" EAST, ALONG THE EAST LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 22, A DISTANCE OF 82.75 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 00°19'03" EAST ALONG SAID LINE A DISTANCE OF 78.34 FEET; THENCE DEPARTING SAID EAST LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 22 SOUTH 88°58'10" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 00°19'03" EAST ALONG A LINE THAT IS 10.00 FEET EASTERLY OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE EAST LINE OF THE SOUTHWEST ONE QUARTER OF SECTION SAID 22, A DISTANCE OF 10.00 FEET; THENCE SOUTH 88°58'10" EAST, A DISTANCE OF 554.43 FEET TO THE WEST RIGHT-OF-WAY LINE OF FLORIDA EAST COAST RAILWAY, THENCE SOUTH 17°44'06" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 47.00 FEET; THENCE DEPARTING SAID LINE SOUTH 72°18'58" WEST, A DISTANCE OF 20.00 FEET; THENCE NORTH 17°44'06" WEST ALONG A LINE THAT IS 20.00 FEET WESTERLY OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO AFORESAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 32.40 FEET; THENCE DEPARTING SAID LINE NORTH 88°58'10" WEST, A DISTANCE OF 538.72 FEET; THENCE SOUTH 00°19'03" EAST ALONG A LINE THAT IS 10.00 FEET EASTERLY OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE EAST LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 22, A DISTANCE OF 60.38 FEET; THENCE DEPARTING SAID LINE NORTH 88°40'57" EAST, A DISTANCE OF 87.73 FEET; THENCE SOUTH 00°19'03" EAST ALONG A LINE THAT IS 77.73 FEET EAST OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE EAST LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 22, A DISTANCE OF 174.63 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 77.00 FEET, THE CHORD OF WHICH BEARS SOUTH 88°41'12" EAST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°34'57" A DISTANCE OF 5.85 FEET; THENCE SOUTH 88°58'10" EAST, A DISTANCE OF 301.38 FEET; THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 70.00 FEET; THENCE NORTH 88°58'10" WEST, A DISTANCE OF 301.38 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 147.00 FEET, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 88°40'02" A DISTANCE OF 230.08 FEET; THENCE NORTH 00°19'03" WEST, A DISTANCE OF 60.00 FEET WEST OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE EAST LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 22, A DISTANCE OF 88.77 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 80.00 FEET, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 88°58'28" A DISTANCE OF 140.43 FEET; THENCE NORTH 88°58'28" WEST, A DISTANCE OF 885.08 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 195.00 FEET, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°32'28" A DISTANCE OF 63.11 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 15.00 FEET, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 88°30'18" A DISTANCE OF 23.43 FEET; THENCE SOUTH 23°03'38" WEST, A DISTANCE OF 10.30 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 185.50 FEET, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 18°47'10" A DISTANCE OF 87.50 FEET; THENCE SOUTH 00°19'03" WEST A DISTANCE OF 88.33 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 148.00 FEET THENCE SOUTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 88°48'34" A DISTANCE OF 218.81 FEET; THENCE NORTH 88°57'03" WEST, A DISTANCE OF 77.07 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 22; THENCE SOUTH 00°20'08" EAST ALONG SAID LINE, A DISTANCE OF 230.86 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH ONE HALF OF THE NORTHEAST ONE QUARTER OF THE SOUTHWEST

(Continued)

(CONTINUED)		 DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES STATE OF FLORIDA		Legal Description & Sketch for OSP WEST, LLC ALACHUA COUNTY, FLORIDA	
1	GENERAL RESERVES	9/28/71	BL	Sched. H/A	Sched. B/W
NO.	REVISED	DATE	BY	FROM (BL)	TO (B/W)

COPYRIGHT © 2008 BY GUY, INC., PROFESSIONAL ENGINEERS AND SURVEYORS

Drawing Number: OSP Covered Sh-Land

Legal Description (Continued)

ONE QUARTER OF SAID SECTION 22; THENCE NORTH 89°58'36" WEST ALONG SAID LINE A DISTANCE OF 36.86 FEET; THENCE DEPARTING SAID LINE, NORTH 00°02'57" EAST, A DISTANCE OF 230.67 FEET; THENCE NORTH 89°57'03" WEST ALONG A LINE THAT IS 40.00 FEET SOUTH OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF THE PLAT OF SECTION THREE LEGION HEIGHTS, AS RECORDED IN PLAT BOOK 7, PAGE 1, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, A DISTANCE OF 582.19 FEET; THENCE DEPARTING SAID LINE AND ALONG A LINE THAT IS 40.00 FEET EASTERLY OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE EASTERLY LINE OF THE PLAT OF SECTION ONE LEGION HEIGHTS, AS RECORDED IN PLAT BOOK 4, PAGE 17, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, SOUTH 00°20'36" EAST, A DISTANCE OF 110.08 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF WHITE PINE LANE ACCORDING TO THE AFORESAID PLAT OF SECTION ONE LEGION HEIGHTS; THENCE NORTH 89°52'31" WEST ALONG SAID LINE, A DISTANCE OF 40.80 FEET TO THE EAST LINE OF AFORESAID PLAT OF SECTION ONE LEGION HEIGHTS; THENCE NORTH 00°20'36" WEST ALONG SAID EAST LINE, A DISTANCE OF 60.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF AFORESAID WHITE PINE LANE; THENCE SOUTH 89°52'33" EAST ALONG THE EASTERLY EXTENSION OF SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET; THENCE NORTH 00°20'36" WEST ALONG A LINE THAT IS 20.00 FEET EASTERLY OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE AFORESAID EASTERLY LINE OF THE PLAT OF SECTION ONE LEGION HEIGHTS, A DISTANCE OF 80.03 FEET; THENCE SOUTH 89°57'03" EAST ALONG A LINE THAT IS 20.00 FEET SOUTH OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF THE AFORESAID PLAT OF SECTION THREE LEGION HEIGHTS, A DISTANCE OF 802.32 FEET; THENCE DEPARTING SAID LINE NORTH 00°02'57" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 89°57'03" EAST, A DISTANCE OF 175.41 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 75.00 FEET, THE CHORD OF WHICH LEADS NORTH 20°00'46" EAST, THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 33°38'48", A DISTANCE OF 44.04 FEET; THENCE NORTH 00°16'23" EAST, A DISTANCE OF 65.31 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 236.80 FEET, THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°47'46", A DISTANCE OF 81.89 FEET; THENCE NORTH 23°03'39" EAST, A DISTANCE OF 73.31 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 120.00 FEET, THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°57'49", A DISTANCE OF 48.09 FEET; THENCE NORTH 00°08'54" EAST, A DISTANCE OF 188.54 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF NORTHEAST SOUTH STREET (BEING A 60.00 FOOT RIGHT-OF-WAY) PER THE AFORESAID PLAT OF "PLAT 4 JENSEN HIGHLANDS"; THENCE SOUTH 89°57'52" EAST ALONG SAID LINE A DISTANCE OF 108.44 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE, SOUTH 00°08'54" WEST, A DISTANCE OF 190.20 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 22; THENCE ALONG SAID LINE, SOUTH 89°58'26" EAST, A DISTANCE OF 118.88 FEET; THENCE DEPARTING SAID LINE, SOUTH 00°01'32" WEST, A DISTANCE OF 82.74 FEET; THENCE SOUTH 89°58'26" EAST, A DISTANCE OF 818.71 FEET, THENCE NORTH 00°21'28" EAST, A DISTANCE OF 82.76 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 22; THENCE ALONG SAID LINE SOUTH 89°58'26" EAST, A DISTANCE OF 10.00 FEET; THENCE DEPARTING SAID LINE, NORTH 00°21'28" EAST, A DISTANCE OF 180.18 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF AFORESAID NORTHEAST SOUTH STREET; THENCE ALONG SAID LINE, SOUTH 89°57'52" EAST, A DISTANCE OF 50.00 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE, SOUTH 00°21'28" WEST, A DISTANCE OF 180.18 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 22; THENCE ALONG SAID LINE, SOUTH 89°58'26" EAST, A DISTANCE OF 10.00 FEET; THENCE DEPARTING SAID LINE SOUTH 00°21'28" WEST, A DISTANCE OF 82.76 FEET; THENCE SOUTH 89°58'26" EAST, A DISTANCE OF 292.71 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST ONE QUARTER OF SECTION SAID 22 AND THE POINT OF BEGINNING.

CONTAINING 5.98 ACRES, MORE OR LESS

		Legal Description & Section Ref: SW 1/4, SEC 22, T1N, R1W, S1E, FLORIDA	
Date: 8/27/2018	Book: 2543	Page: 591	File & Drawing Ref: 25-1857-02-01
Drawn by: G.S.	Check by: G.S.	Scale: 1" = 40'	Sheet: 2 of 7

Copyright © 2018 by G.S., INC., PROFESSIONAL SURVEYORS AND MAPPERS

Drawing Notes: SW 1/4, Section 22, Legal

Surveyor's Notes:

- 1) This sketch and legal description is based on office information only and does not represent a boundary survey.
- 2) This legal description shall not be valid unless:
 - A) Provided in its entirety consisting of 7 sheets, with sheets 4, 5, 6 and 7 being the sketch of description.
 - B) Reproductions of the description and sketch are signed and sealed with an embossed surveyor's seal.
- 3) Bearings shown hereon are referenced to the West line of the S.E. 1/4 of Section 22. Said line bears South 00°19'00" East.


Certification


(Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper)

I hereby certify that the Sketch and Legal Description of the property shown and described hereon was completed under my direction and said Sketch and Description is true and correct to the best of my knowledge and belief.

I further certify that this sketch and description meets the Minimum Technical Standards for Surveys set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027 Florida State Statutes. The Sketch and Description is based on information furnished by client or client's representative.

8/11/2011
Date of Signature


David W. Schryver
Professional Surveyor and Mapper
Florida Certificate No. 4864

		Legal Description & Sketch for GP WEST, LLC MAPLE COUNTY, FLORIDA	
NO.	SERIAL NUMBER	DATE	BY
		8/11/11	DS
Copyright © 2005 by GSI, Inc. Professional Surveyors and Mappers		Drawing Name: GP West 01-1000-02-01 Sheet 3 of 7	



