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CLERK OF MARTIN COUNTY FLORIDA
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#### BEFORE THE BOARD OF COUNTY COMMISSIONERS MARTIN COUNTY, FLORIDA

RESOLUTION NO. 11-9, 58

WHEREAS, the Martin County Julities and Solid Waste Department needs a Utility Easement across portions of property owned by CPB JEST, LLC, a Florida limited liability company, for the installation and meintenance of certain utility is solved.

WHEREAS, by document entitled in LITY EASEMENT executed on the 12th day of August, 2011, OPB WEST, LLC, granted to Martin Cleary 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, pumpt pipelines, sences, structures, and powerline hookups, if required, in, under, over, across, and through a position of its property and the right of reasonable ingress and egress over and across subject property as is no or any to Martin County's use of the rights granted therein, and

WHEREAS, Sec. 139.31 and 139.32, General Or linances, 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 Buard of County Commissioners of Martin County.

NOW, THEREFORE, BE IT RESOLVED BY THE MARJEN 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.

MARSHA ZWING CLERK

MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS:

Δ

APPROVED AS TO FORM AND CORRECTNESS:

STEPHEN FRY, COUNTY ATTORNE

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This instrument prepared by: Martin County Atterney's Office 2401 S.E. Monterey Road Stunt, Florida 34946

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

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### 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 tat of Florida, whose address is 2401 S.E. Monterey Road, Stuart, Florida 34996, Grantee

(Wherever used herein the term, "Granter" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of antividuals, and the successors and assigns of corporations, wherever the context so admits or recovers.)

WITNESSETH, that the Grantor, for and in consideration of the sum of \$1.00 and other good and valuable considerations, in pand paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby grant up 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, ling 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

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Signed, sealed and delivered in our presen	ace:
Print Name: April Brewer  Print Name: JAMES MURGAN	OPB WEST, LLC, a Florida limited liability company    Mexicum fludy looking   By: Marcia Hendry-Coker   Its: Managing Member
STATE OF FLORIDA COUNTY OF MARTIN	
Lludul-1 , 2011, by Marcia Tena	vledged before me on this 1.2.1 day of ry-Coker, as Managing Member of the OBP pany, on behalf of said company, who ( ) is as produced as
CENSE THOMS Course on a FE (02/80) Entire toy 25, 2016 Entire toy 25, 2016 Entire toy 25, 2016	Not ry Public Print None: My Consulesion expires:  MARTIN COUNTY
ATTEST:  Junda Culing  Mapsha Ewing, Clerk	BOARD OF COUNTY COMMISSIONERS MARTIN COUNTY, FLORIDA  By: Edward Ciampi, Chairman
(4C)	APPROVED AS TO FORM AND CORRECTNESS:
(COMMISSION SEAL)	Stephen Fry County Attorney

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RM.7652489.1

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Exhibit "A"
Legal Description

(to he added)

RM.7657469 F

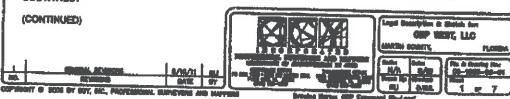
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## Legal Description

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

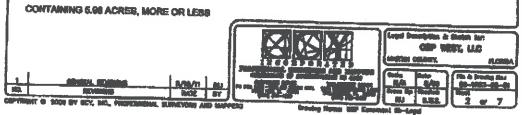
COMMENCE AT THE CENTER OF BAID BECTION 22, THENCE BOUTH 00° FORT EAST, ALONG THE EAST LINE OF THE BOUTHWEST ONE QUARTER OF BAID BECTION 22, A DISTANCE OF 82.75 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE BOUTH 00° 990° EAST ALONG BAID LINE A DISTANCE OF 72.84 FEET. THENCE DEPARTING BAID EAST LINE OF THE BOUTHWEST ONE QUARTER OF 84.09 BECTION 22 BOUTH 00° 90° EAST ALONG ALONG THAT IS 10.00 FEET, A CHISTANCE OF 10.00 FEET, THENCE BOUTH 00° 10° 50° AND 10° EAST ALONG A LINE THAT IS 10.00 FEET ASTIFILY OF AND PARALLEL, WITH, AS MEASURED AT RIGHT ANGLISE TO THE BAST LINE OF THE BOUTHWEST ONE QUARTER OF SECTION SAID 22, A DISTANCE OF 10.00 FEET, THENCE SOUTH 90° 80° 10° THE EAST, A DISTANCE OF 584.45 FEET TO THE WEST RIGHT-OF-WAY LINE OF FLORIDA BAST COAST RAMMY, THENCE BOUTH 10° 10° 10° THE THAT THE 10° THE THENCE SOUTH 90° 80° 10° THE THAT THE THAT THE THAT THE 10° THE THAT THE COMMENCE AT THE CENTER OF SAID SECTION 22, THENCE SOUTH 00"1000" EAST, ALONG THE EAST LINE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 60'30'16' A SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 59'50'19" A
DISTANCE OF 23.43 FBET; THENCE SOUTH 25'03'39" WEST, A DISTANCE OF 10.30 FEET TO THE BEGINNING
OF A CURVE CONCAVE TO THE SOUTHEAIT AND HAVING A RADIUS OF 108.60 FEET, THENCE
SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 19'47'16", A
DISTANCE OF 87.60 FRET; THENCE SOUTH 05"16'28" WEST A DISTANCE OF 68.30 FEET TO THE SEGMINING
OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 148.00 FEET THENCE
SOUTHWESTERLY AND WESTERLY ALONG THE ARG OF SAID CURVE THROUGH A CENTRAL ANGLE OF
SA'48"34" A DISTANCE OF 218.61 FEET: THENCE MORTH 80"87901" WEST. A DISTANCE OF 77.07 FEET TO A 88'4934" A DISTANCE OF 218.61 FEET; THENCE NORTH 88'87'09" 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"20'09" EAST ALONG SAID LINE, A DISTANCE OF 220.09 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH ONE HALF OF THE NORTHEAST ONE QUARTER OF THE



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# Legal Description (Continued)

CONCERNATION OF BAND SECTION 22; THENCE NORTH BO"SBUT WEST ALONG BAND LIME A DISTANCE OF SUGS PEET; THENCE DEPARTING BAND LIME, NORTH SO"250" EAST, A DISTANCE OF 200.57 FEET; THENCE NORTH SO"570" WEST ALONG A LIME THAT IS 40.00 FEET SOUTH OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF THE FLAT OF SECTION THREE LEGION HEIGHTS, AS RECORDED IN PLAT BOOK?, PAGE 1, PURILE RECORDS OF MAKETIN COLINITY, FOR HEIGHTS, AS RECORDED AT RIGHT ANGLES TO THE EASTERLY LINE OF THE PLAT OF SECTION ON 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?, PAGE 17, PUBLIC RECORDS OF MAKETIN COLINTY, FLORIDA, BOUTH 00"2073" EAST, A DISTANCE OF 110.08 FEET TO A POINT OF INTERMECTION WITH THE EASTERMY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF WHITE PIRE LANE ACORDING TO THE AFORESAID PLAT OF SECTION ONE LEGION HEIGHTS; THENCE NORTH 80"2523" WEST ALONG SAID LINE, A DISTANCE OF 40.00 FEET TO THE EAST LINE OF AFORESAID PLAT OF SECTION ONE LEGION HEIGHTS; THENCE NORTH 80"2523" WEST ALONG SAID LINE, A DISTANCE OF 50.00 FEET TO THE MORTH RIGHT-OF-WAY LINE OF AFORESAID PLAT OF SECTION ONE LEGION HEIGHTS; THENCE NORTH 80"2523" WEST ALONG ALDE THE PIRE LANE, A DISTANCE OF 50.00 FEET TO THE MORTH RIGHT-OF-WAY LINE OF AFORESAID WHITE PINE LANE, A DISTANCE OF 50.00 FEET TO THE MORTH RIGHT-OF-WAY LINE OF AFORESAID WHITE PINE LANE, A DISTANCE OF 50.00 FEET TO THE MORTH RIGHT-OF-WAY LINE OF AFORESAID WHITE PINE LANE, THENCE SOUTH MORSTST EAST ALONG A LINE THAT IS 20.00 FEET SAIT THENCE MORTH MORSTST EAST ALONG A LINE THAT IS 20.00 FEET SAIT ALONG A LINE THAT IS 20.00 FEET FINE PINE AND ADDITION OF THE AFORESAID AT TH NORTHWEST AND HAVING A RADIUS OF 120.00 PRET, THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°57'48", A DISTANCE OF 44.00 PRET; THENCE NORTH 00'05'64" EAST, A DISTANCE OF 188.64 FREET TO A POSIT ON THE SOUTH SIMIL-CH-WAY LINE OF NORTHEASTS SOUTH STREET (DISMS A 50.00 POOT RIGHT-OF-WAY) PER THE UNRECORDED PLAT OF "PLAT 4 JENSEN HIGH-LANDS"; THENCE SOUTH STREET (DISMS AS 50.00 POOT RIGHT-OF-WAY) PER THE UNRECORDED PLAT OF "PLAT 4 JENSEN HIGH-LANDS"; THENCE SOUTH STREET TO A POINT ON THE MORTH LINE OF THE SOUTHWIST ONE QUARTER OF SAID SECTION 22; THENCE ALONG SAID LINE, SOUTH STREET, A DISTANCE OF 18.74 FEET, THENCE DEPARTING BAID LINE, SOUTH STREET, A DISTANCE OF 52.74 FEET, THENCE SOUTH STREET, A DISTANCE OF 58.27 FEET, THENCE SOUTH STREET, A DISTANCE OF 58.27 FEET, THENCE ALONG BAID LINE SOUTH SOUT FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF APPRIMENTIONED NORTHEAST SOUTH STREET; THENCE ALONG SAID LINE, SOUTH 89"87"82" EAST, A DISTANCE OF 50.00 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE, SOUTH 00"21"28" WIEST, A DISTANCE OF 180,18 FEET TO A POINT ON THE NORTH LINE OF THE GOUTHWEST ONE QUARTER OF SAID SECTION 22; THENCE ALONG SAID LINE, SOUTH 80"9123" EAST, A DISTANCE OF 10.00 FEET; THENCE DEPARTING SAID LINE SOUTH 00"21"29" WEST, A DISTANCE OF 302,76 FEET; THENCE SOUTH 80"8528" EAST, A DISTANCE OF 302,71 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST ONE QUARTER OF SECTION SAID 22 AND THE POINT OF SECTION SAID 22 AND THE POINT OF



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### Surveyor's Notes:

- This electch 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 electric of description.
  - B) Reproductions of the viscosipion and sketch are eighed and seeind with an embossed surveyor autel.
- 3) Bearings shown hereon are subremped to the West line of the S.E. 1/4 of Section 22.

  Said line bears South 00"19 bar East.

### Carl Station

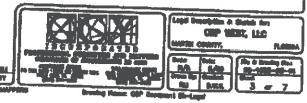
(Not valid without the eigneture and original relead seel of a Florida Bosned Summyor and Mapper)

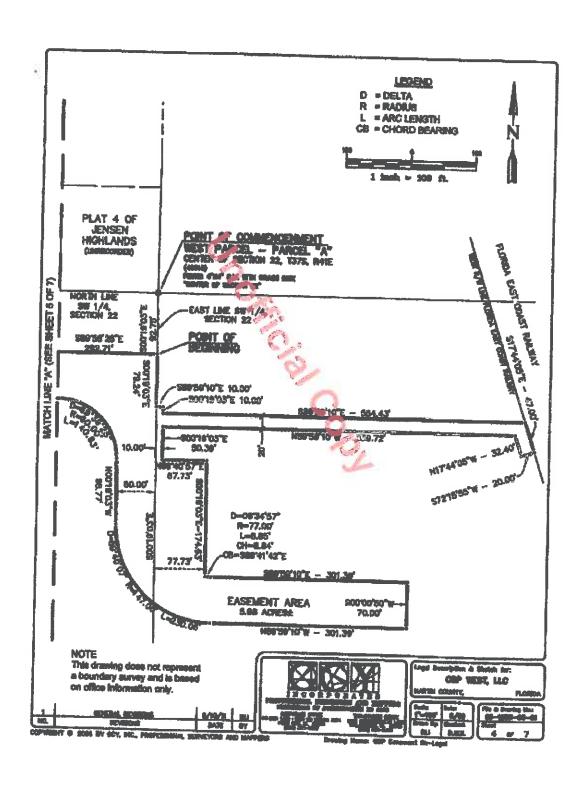
I hereby certify that the Sketch and Legal Description of the property shows and described hereon was completed under my direction and said Sketch and Description is true and correct to the best of my knowledge and belie

I further certify that this electch and description meets the Minimum Technical Standards for Surveye set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-8, 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

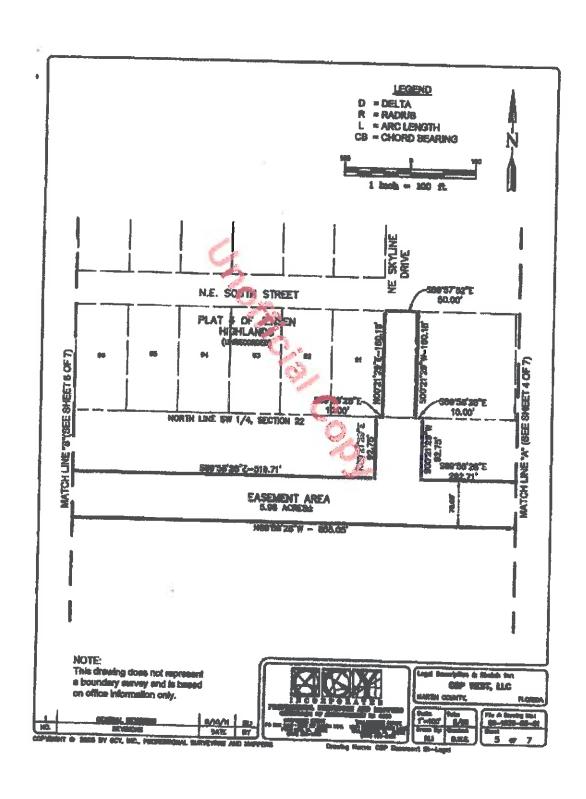
Professional Surveyor and Mapper Florida Certificate No. 4864





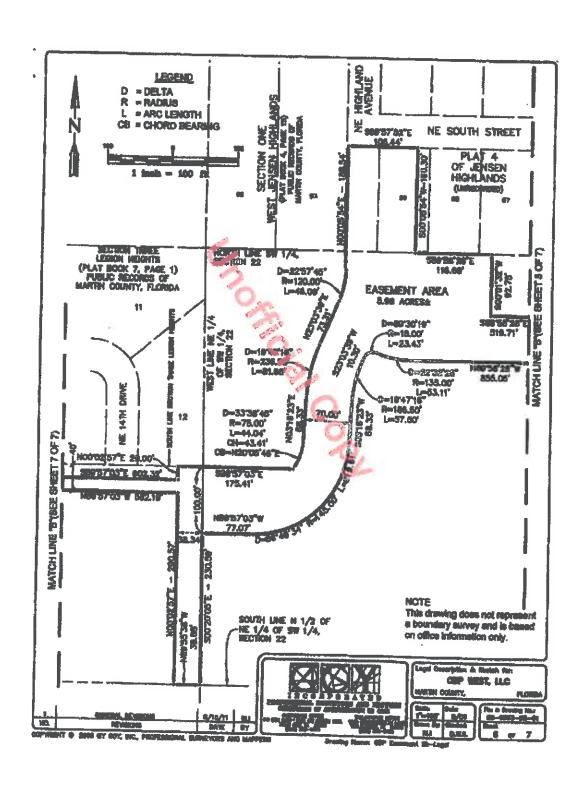
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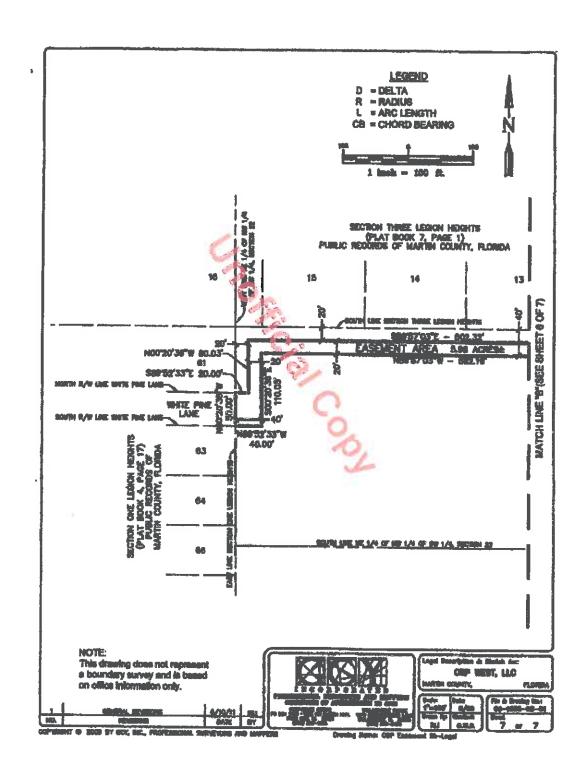
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