

1882  
This instrument prepared by:  
Martin County Attorney's Office  
2401 S.E. Monterey Road  
Stuart, Florida 34996

INSTR # 2309871  
OR BK 02554 PG 0312  
Pgs 0312 - 321; (10pgs)  
RECORDED 01/05/2012 09:11:56 AM  
MARSHA EWING  
CLERK OF MARTIN COUNTY FLORIDA  
RECORDED BY C Hunter

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.

Signed, sealed and delivered in our presence:

April Brewer  
Print Name: April Brewer

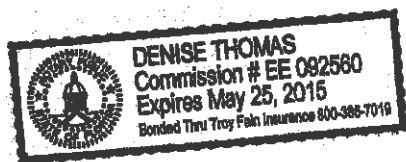
James Morgan  
Print Name: JAMES MORGAN

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

(COMMISSION SEAL)

APPROVED AS TO FORM AND  
CORRECTNESS:

Stephen Fry  
Stephen Fry  
County Attorney

**Exhibit "A"**  
**Legal Description**

*(to be added)*


# Legal Description

EXHIBIT "A"

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°19'03" 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 79.24 FEET; THENCE DEPARTING SAID EAST LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 22 SOUTH 89°59'10" 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 89°59'10" EAST, A DISTANCE OF 554.43 FEET TO THE WEST RIGHT-OF-WAY LINE OF FLORIDA EAST COAST RAILWAY, THENCE SOUTH 17°44'08" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 47.00 FEET; THENCE DEPARTING SAID LINE SOUTH 72°15'55" WEST, A DISTANCE OF 20.00 FEET; THENCE NORTH 17°44'08" 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 89°59'10" WEST, A DISTANCE OF 539.72 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 50.39 FEET; THENCE DEPARTING SAID LINE NORTH 89°40'57" EAST, A DISTANCE OF 67.73 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°41'42" EAST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06°34'57" A DISTANCE OF 8.85 FEET; THENCE SOUTH 89°59'10" EAST, A DISTANCE OF 301.39 FEET; THENCE SOUTH 00°00'50" WEST, A DISTANCE OF 70.00 FEET; THENCE NORTH 89°59'10" WEST, A DISTANCE OF 301.39 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 89°40'07" A DISTANCE OF 230.08 FEET; THENCE NORTH 00°19'03" WEST ALONG A LINE THAT IS 80.00 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 98.77 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 90.00 FEET, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°39'25", A DISTANCE OF 140.83 FEET; THENCE NORTH 89°58'28" WEST, A DISTANCE OF 855.05 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 135.00 FEET, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°32'28", A DISTANCE OF 53.11 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 89°30'18" A DISTANCE OF 23.43 FEET; THENCE SOUTH 23°03'30" WEST, A DISTANCE OF 10.30 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 166.50 FEET, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 19°47'16", A DISTANCE OF 57.50 FEET; THENCE SOUTH 03°16'23" WEST A DISTANCE OF 88.33 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 145.00 FEET THENCE SOUTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 88°48'34" A DISTANCE OF 218.61 FEET; THENCE NORTH 89°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°20'05" EAST ALONG SAID LINE, A DISTANCE OF 230.59 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH ONE HALF OF THE NORTHEAST ONE QUARTER OF THE SOUTHWEST

(CONTINUED)

				Legal Description & Sketch for <b>OBP WEST, LLC</b> MARTIN COUNTY, FLORIDA			
PROFESSIONAL SURVEYOR AND MAPPING CORPORATION OF FLORIDA 10000 W. 10th Ave. Suite 100 Fort Lauderdale, FL 33304 (954) 581-1111				Scale: N/A Date: 8/08 Drawn By: RLJ Checked: D.W.S.		File & Drawing No.: 08-1063-03-01 Sheet: 1 of 7	

NO.	GENERAL REVISIONS	8/10/11	RLJ
NO.	REVISIONS	DATE	BY
1			



## Legal Description (Continued)

ONE QUARTER OF SAID SECTION 22; THENCE NORTH 89°55'38" WEST ALONG SAID LINE A DISTANCE OF 39.88 FEET; THENCE DEPARTING SAID LINE, NORTH 00°02'57" EAST, A DISTANCE OF 290.57 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°20'38" EAST, A DISTANCE OF 110.05 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°52'33" WEST ALONG SAID LINE, A DISTANCE OF 40.00 FEET TO THE EAST LINE OF AFORESAID PLAT OF SECTION ONE LEGION HEIGHTS; THENCE NORTH 00°20'38" WEST ALONG SAID EAST LINE, A DISTANCE OF 50.00 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°20'38" 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 AFOREMENTIONED 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 78.00 FEET, THE CHORD OF WHICH BEARS NORTH 20°05'48" EAST, THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 33°35'45", A DISTANCE OF 44.04 FEET; THENCE NORTH 03°18'23" EAST, A DISTANCE OF 68.33 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 236.50 FEET, THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 19°47'16", A DISTANCE OF 81.68 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°57'48", A DISTANCE OF 48.09 FEET; THENCE NORTH 00°05'54" EAST, A DISTANCE OF 188.54 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF NORTHEAST SOUTH STREET (BEING A 50.00 FOOT RIGHT-OF-WAY) PER THE UNRECORDED PLAT OF "PLAT 4 JENSEN HIGHLANDS"; THENCE SOUTH 89°57'52" EAST ALONG SAID LINE A DISTANCE OF 106.44 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE, SOUTH 00°05'54" WEST, A DISTANCE OF 160.30 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 22; THENCE ALONG SAID LINE, SOUTH 89°58'28" EAST, A DISTANCE OF 116.89 FEET; THENCE DEPARTING SAID LINE, SOUTH 00°01'32" WEST, A DISTANCE OF 92.74 FEET; THENCE SOUTH 89°58'28" EAST, A DISTANCE OF 519.71 FEET, THENCE NORTH 00°21'29" EAST, A DISTANCE OF 92.75 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 22; THENCE ALONG SAID LINE SOUTH 89°58'28" EAST, A DISTANCE OF 10.00 FEET; THENCE DEPARTING SAID LINE, NORTH 00°21'29" EAST, A DISTANCE OF 160.19 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°21'29" 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°58'28" EAST, A DISTANCE OF 10.00 FEET; THENCE DEPARTING SAID LINE SOUTH 00°21'29" WEST, A DISTANCE OF 92.75 FEET; THENCE SOUTH 89°58'28" 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**

[illegible]

### 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°18'03" East.

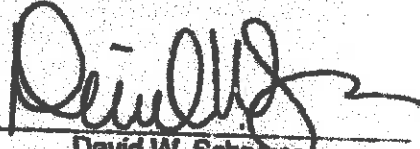
### Certification

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

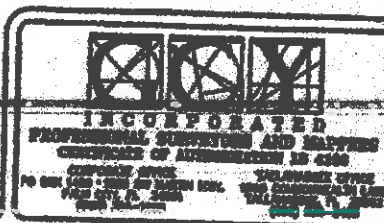
I hereby certify that the Sketch and Legal Description of the property shown and described hereon was completed under my direction and said Sketch and Description is true and correct to the best of my knowledge and belief.

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

NO.	GENERAL REVISIONS	DATE	BY
1		8/10/11	RU



Legal Description & Sketch for: <b>OSP WEST, LLC</b>	
SOUTH COUNTY, FLORIDA	
Scale: N/A	Date: 8/09
Drawn By: RU	Checked: D.W.S.
File & Drawing No.: 00-1033-05-01	
Sheet: 3 of 7	

# **LEGEND**

D = DELTA  
 R = RADIUS  
 L = ARC LENGTH  
 CB = CHORD BEARING



PLAT 4 OF  
 JENSEN  
 HIGHLANDS  
 (UNRECORDED)

**POINT OF COMMENCEMENT**  
 WEST PARCEL - PARCEL "A"  
 CENTER OF SECTION 22, T37S, R41E  
 (40018)  
 FOUND 4"x4" C.M. WITH BRASS DISK  
 "CENTER OF SECTION 22"

NORTH LINE  
 SW 1/4,  
 SECTION 22  
 S89°56'28"E  
 282.71'

EAST LINE SW 1/4,  
 SECTION 22  
**POINT OF  
 BEGINNING**

S30°19'03"E  
 78.24'

S89°59'10"E 10.00'  
 S00°19'03"E 10.00'

S89°59'10"E - 554.43'

N89°56'10"W - 539.72'

N89°40'57"E  
 67.73'

S00°19'03"E - 174.03'

D=06°34'57"  
 R=77.00'  
 L=8.85'  
 CH=8.84'  
 CB=S88°41'42"E

S89°59'10"E - 301.39'

**EASEMENT AREA**  
 5.88 ACRES±

S00°00'50"W  
 70.00'

N89°59'10"W - 301.39'

N17°44'05"W - 32.40'  
 S72°15'55"W - 20.00'

FLORIDA EAST COAST RAILWAY  
 S17°44'05"E - 47.00'

MATCH LINE "A" (SEE SHEET 6 OF 7)

**NOTE**  
 This drawing does not represent  
 a boundary survey and is based  
 on office information only



PROFESSIONAL SURVEYORS AND MAPPERS  
 CERTIFICATE OF AUTHORIZATION NO. 4188  
 GREGORY J. GEY  
 1000 S.W. 10TH AVE.  
 MIAMI, FL 33135  
 (305) 541-1000

Legal Description & Sketch for:  
**OBP WEST, LLC**  
 HARRIS COUNTY, TEXAS

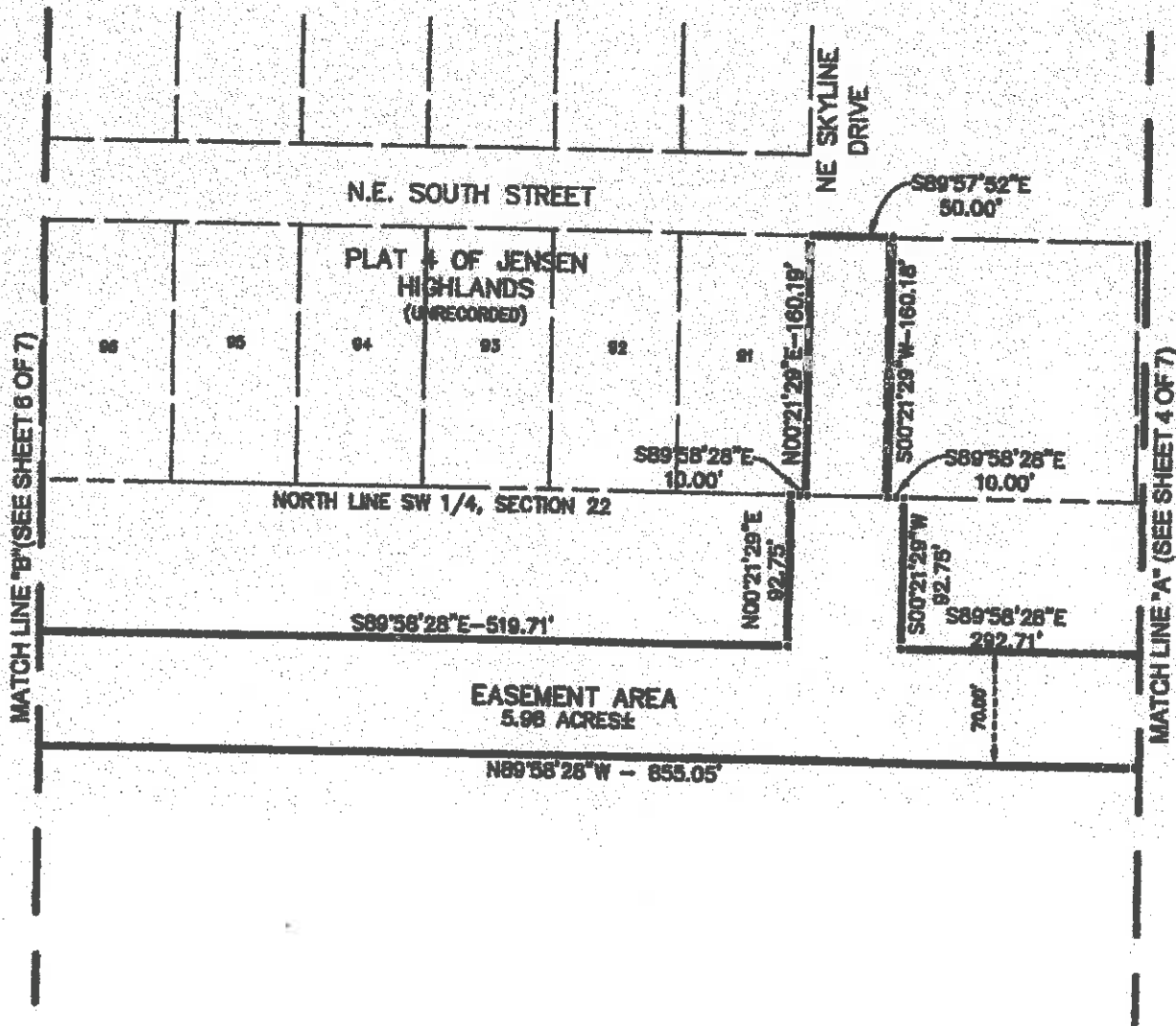
Scale: 1"=100'	Date: 5/09	File & Drawing Nos. 09-4033-03-01
Drawn By: RLJ	Checked: D.M.C.	Sheet: 4 of 7



# **LEGEND**

D = DELTA  
R = RADIUS  
L = ARC LENGTH  
CB = CHORD BEARING

1 inch = 100 ft.



**NOTE:**  
This drawing does not represent  
a boundary survey and is based  
on office information only.



**PROFESSIONAL SURVEYORS AND MAPPERS**  
CERTIFICATE OF AUTHORIZATION NO. 4100  
CORPORATE OFFICE  
PO BOX 1497 • SUITE 201 • JENSEN BEACH, FL 33408  
TEL: 561-241-1000 FAX: 561-241-1001  
WWW.GCY.COM

Legal Description & Sketch for:  
**OSP WEST, LLC**  
MARION COUNTY, FLORIDA

Scale:  
1"=100'  
Drawn By:  
RLJ

Date:  
8/10  
Checked:  
D.M.E.

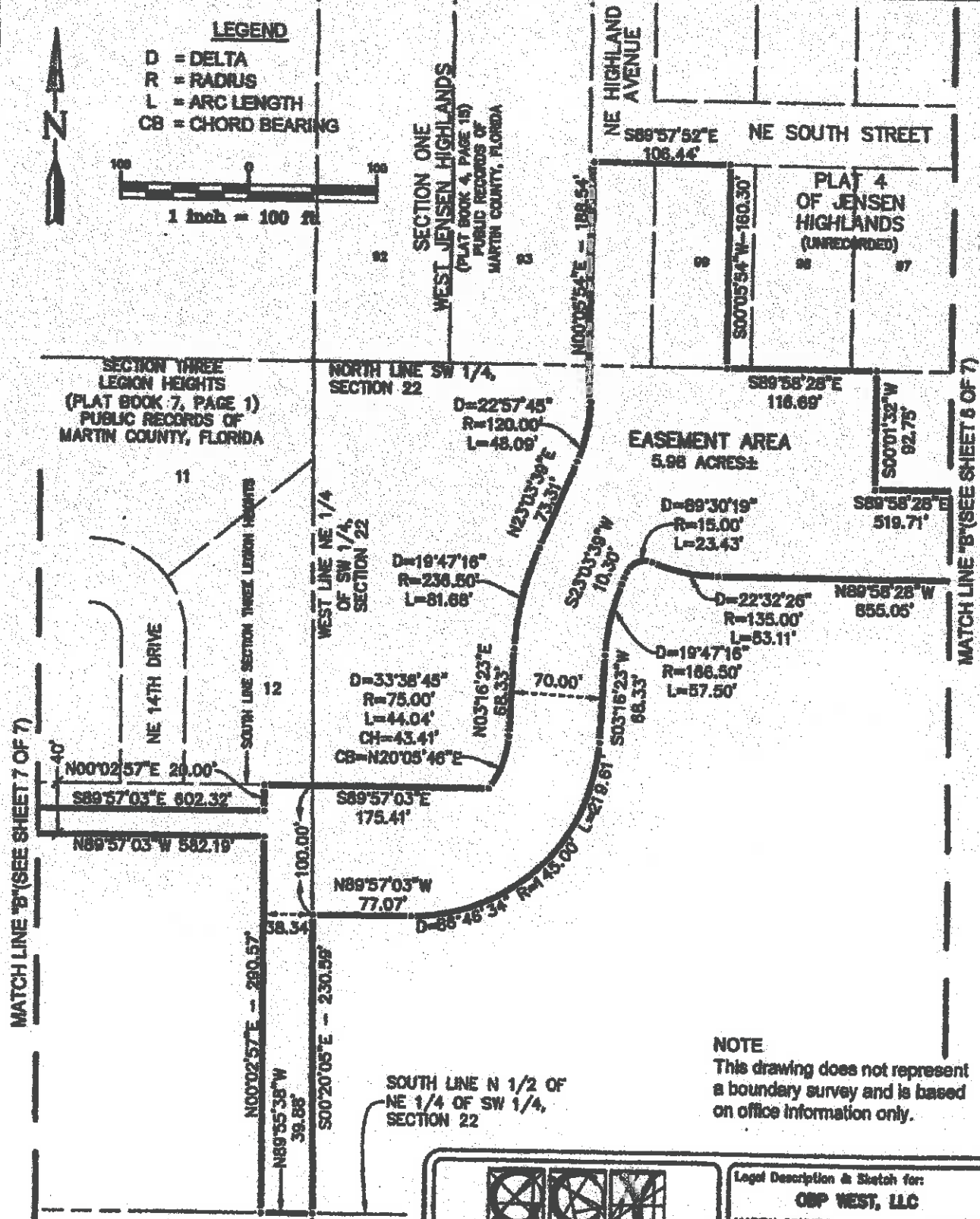
File & Drawing No:  
09-1033-05-01  
Sheet  
5 of 7



**LEGEND**

D = DELTA  
 R = RADIUS  
 L = ARC LENGTH  
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1 inch = 100 ft



**NOTE**  
 This drawing does not represent a boundary survey and is based on office information only.

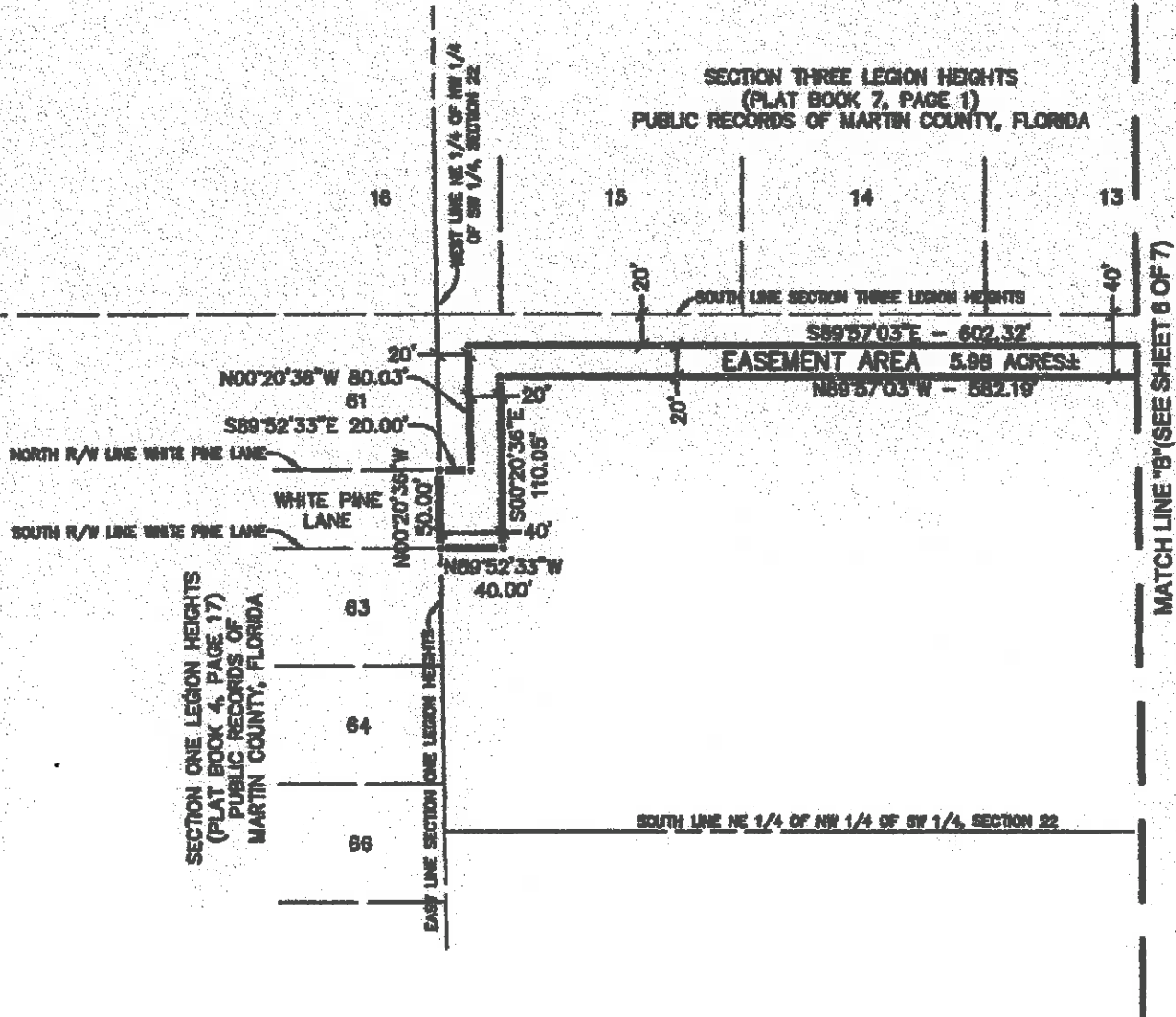
		<b>Legal Description &amp; Sketch for:</b> <b>OSP WEST, LLC</b> <b>MARTIN COUNTY, FLORIDA</b>	
<b>GENERAL REVISIONS</b> NO.      REVISIONS	DATE 5/10/11	BY RLJ	Scale: 1"=100' Drawn by: RLJ
Copyright © 2008 by GCM, Inc., Professional Surveyors and Mappers		Drawing Name: OSP Easement 2k-Legal	

# LEGEND

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L = ARC LENGTH  
CB = CHORD BEARING



## SECTION THREE LEGION HEIGHTS (PLAT BOOK 7, PAGE 1) PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA



**NOTE:**  
This drawing does not represent  
a boundary survey and is based  
on office information only.



Legal Description & Sketch for:  
**OBP WEST, LLC**  
MARTIN COUNTY, FLORIDA

NO.	GENERAL REVISIONS	DATE	BY
1		8/10/11	RLJ

PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA  
OFFICE OF THE SURVEYOR GENERAL  
PO BOX 1400 - TAMPA FL 33601  
PH 813-244-1400 FAX 813-244-1400

Scale: 1"=100'  
Date: 8/09  
Drawn By: RLJ  
Checked: D.W.S.

File # 08-1033-03-01  
Sheet 7 of 7