

BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

RESOLUTION NO. 18-11-__

WHEREAS, in 2011, Martin County and OBP WEST, LLC entered into a Utility Easement Agreement for construction of a force main line to serve residents of Martin County and the Town of Ocean Breeze Park; and

WHEREAS, in accordance with that Utility Easement Agreement, the Board of County Commissioners adopted Resolution No. 11-9.58, accepting and approving a Utility Easement from OPB WEST, LLC; and

WHEREAS, the Utility Easement that was the subject of Resolution No. 11-9.58 and the Utility Easement Agreement do not accurately encompass the location of the utility facilities, as reflected in Section 2 of the Utility Easement Agreement; and

WHEREAS, Forestar (USA) Real Estate Group, Inc., the current owner of the property, and Martin County desire to correct the location of the Utility Easement on the property, as contemplated in Section 2 of the Utility Easement Agreement; and

WHEREAS, this amendment to the Utility Easement location satisfies all outstanding obligations of the parties pursuant to the Utility Easement Agreement; and

WHEREAS, by document entitled "Utility Easement" executed on October 8, 2018, Forestar (USA) Real Estate Group, Inc. grants to Martin County a perpetual Utility Easement; 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; and

WHEREAS, by document entitled "Release of Utility Easement Agreement and Utility Easement", Martin County releases the previously granted Utility Easement Agreement and Utility Easement and rescinds Resolution No. 11-9.58.

NOW, THEREFORE, BE IT RESOLVED BY THE MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS, THAT:

Martin County hereby accepts and approves the Utility Easement conveyed by Forestar (USA) Real Estate Group, Inc. and approves the Release of Utility Easement Agreement and Utility Easement and rescinds Resolution No. 11-9.58.

DULY PASSED AND ADOPTED THIS 20TH DAY OF NOVEMBER, 2018.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

CAROLYN TIMMANN, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

_____, CHAIRMAN

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

SARAH WOODS, COUNTY ATTORNEY