

This instrument prepared by:
Carla Segura, Real Property Manager
Martin County Board of County Commissioners
2401 SE Monterey Road
Stuart, FL 34996

Project Name: Hamm Property Easement/Hobe Sound Scrub Preserve Access
Property Address: Dixie Hwy, Hobe Sound #3246
PCN: 27-39-42-000-000-00020

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

NON-EXCLUSIVE PERPETUAL ACCESS AND MAINTENANCE EASEMENT

THIS NON-EXCLUSIVE PERPETUAL ACCESS AND MAINTENANCE EASEMENT granted and executed this 31 day of July, 2019, by **EDWARD H. HAMM, as Trustee, under the Amendment and Restatement of Trust of Edward H. Hamm, dated February 26, 1999**, whose address is 400 Saint Peter Street, Suite 434, Saint Paul, Minnesota, 55102, 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 \$10.00 in hand paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby grant unto the Grantee forever, a non-exclusive perpetual access and maintenance easement, together with right of reasonable ingress and egress by the public over, under and across certain lands described and depicted on Exhibit "A" attached hereto and made a part hereof (the "Easement Premises"), for the purpose of constructing an access drive, which will lead to a proposed limited use Parking Area, located on the Grantees adjacent real property to the west of the Easement Premises and for any reconstruction, improvements, costs and maintenance of the property located on the Easement Premises in accord with County code for public access (ingress and egress). Additionally, Grantee shall only install informal signage and shall not be permitted to install any other improvements, structures, or developments within the Easment Premises, except as specifically stated herein.

Grantee may, from time to time, construct, reconstruct or replace any improvements within the Easement Premises, or remove, cut or trim trees, bushes and saplings growing upon or extending over the Easement Premises as may be reasonably necessary in the maintenance, operation, repair, replacement, renewal or betterment of access to the Hobe Sound Scrub Preserve project. Grantee may remove any obstructions placed within the Easement Premises without notice for the benefit of the health, safety and welfare of the public. And the Grantor hereby covenants with Grantee that Grantor is lawfully seized of said land in fee simple, that Grantor has good and lawful authority to grant and convey this Easement, and that Grantor fully warrants the title to the Easement Premises, and will defend the same against the lawful claims of all persons whomsoever.

Grantee and Grantor hereby waive any and all claims which either may or might have hereafter against the other for any loss or damage to the Easement Premises arising from the use by the Grantee, or the public, of the Easement Premises for any purpose. Subject to the limitations of Section 768.28, Florida Statutes, the Grantee agrees to be responsible for all claims, actions and damages to the Easement Premises that arise from Grantee's negligent acts or omissions in the use thereof in accordance with this Easement Agreement. The terms and provisions of this Section shall survive the termination of this Easement. Nothing herein is intended to nor shall it waive the provisions and limitations set forth in Section 768.28, Florida Statutes.

Grantor covenants that neither Grantor nor any person actually, legally or naturally dependent upon Grantor now reside on said lands or any lands contiguous thereto.

Grantor further warrants that there are no mortgages encumbering the Easement Premises.

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

Signed, sealed and delivered
in the presence of:

[Signature]
Printed Name: Marc Gaylord

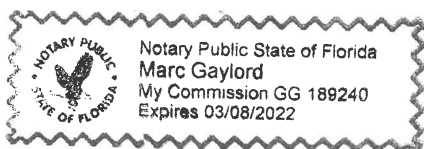
By:

Edward H. Hamm, TTE
Edward H. Hamm, individually and as Trustee
under the Amendment and Restatement of
Trust of Edward H. Hamm, dated February 26,
1999

[Signature]
Printed Name: Lorraine M. Johnson

STATE OF FLORIDA
COUNTY OF DEPUTT

The foregoing instrument was acknowledged before me this 31 day of July, 2019, by Edward H. Hamm, individually and as Trustee under the Amendment and Restatement of Trust of Edward H. Hamm, dated February 26, 1999, as subsequently amended and restated from time to time, who is () personally known to me or (X) has produced DRIVERS LIC. as identification.



[Signature]
Notary Public, State of FLORIDA
Print Name: MARC GAYLORD
My Commission Expires: _____

EXHIBIT "A"
EASEMENT PREMISES

NOTE:

DESCRIPTION NOT VALID
WITHOUT ATTACHED SKETCH.

EXHIBIT A
THIS IS NOT A SURVEY

LEGAL DESCRIPTION: 15' INGRESS EGRESS EASEMENT

A parcel of land in Government Lot 1, Section 26, Township 39 South, Range 42 East, Martin County, Florida, more particularly described as follows:

Beginning at the Southwest corner of Government Lot 1, said Section 26, thence North 00°00'14" West along the West line, said Government Lot 1, a distance of 349.02 feet to a point of intersection with the West right-of-way line of Dixie Highway (30' wide); thence South 39°03'14" East along said right-of-way line, a distance of 23.81 feet to a point of intersection with the Northerly prolongation of the West line of a 15 foot Public Alley per, Amended Plat of Blocks 1, 2 & 3, Hobe Sound, recorded in Plat Book 10, page 9, Public Records of Palm Beach (now Martin) County, Florida; thence South 00°00'14" East, along said West line and the Northerly prolongation thereof, a distance 330.39 feet to a point on the South line, said Government Lot 1; thence South 89°29'02" West, along said South line, a distance of 15.00 feet back to the Point-of-beginning.

The Above described parcel containing 5095.56 square feet or 0.117 acres, more or less.

For the purpose of this description bearings are Florida State Plane Grid based upon the North American Datum of 1983 (NAD83)



MICHAEL T. OWEN
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. 5556

5-30-2019

**SKETCH AND DESCRIPTION
15' INGRESS/EGRESS EASEMENT**

PREPARED FOR:
MARTIN COUNTY, FLORIDA



10250 SW VILLAGE PARKWAY,
STE 201
PORT SAINT LUCIE, FL 34987
772-340-4990
www.edc-inc.com

F.B.P.E. CERTIFICATE OF AUTHORIZATION 9935
L.B. CERTIFICATE OF AUTHORIZATION 8098

REVISIONS

REV PER MARTIN COUNTY COMMENTS 12/03/2018-- RAH
REV PER MARTIN COUNTY COMMENTS 11/28/2018-- RAH

REV PER MARTIN COUNTY COMMENTS 5/30/2019-- FS

JOB No. : 18-478 DATE: 11/20/2018
SCALE : AS SHOWN DRAWN BY: RAH CHECKED BY: MTO CADD FILE : 18-478 S&D 15' IE.dwg

SHEET 1 OF 2

C:\EDC-2018\18-478 - Martin County - Hamm Easement\SURVEY\Drawg\SURVEY\18-478 S&D 15' IE - REV3.dwg, 5/30/2019 3:02:26 PM, LANIER MP C6003 PCL 6

EXHIBIT A
THIS IS NOT A SURVEY

DIXIE HIGHWAY

30.00' RIGHT-OF-WAY

S39°03'14"E
23.81'

PROPOSED
15' INGRESS/EGRESS EASEMENT
(5095.56 S.F. OR 0.117 ACRES+/-)

DOMINANT PARCEL
(O.R.B. 1652, PG. 632)

100°00'14"W 349.02'
(BEARING BASIS)

S89°29'02"W
15.00'

P.O.B.
SW CORNER
GOVERNMENT LOT 1,
SECTION 26,
TWP. 39S, RGE. 42 E.

UNNUMBERED

BLOCK 2
AMENDED PLAT
OF
BLOCKS 1, 2 AND 3
HOBE SOUND
(P.B. 10, PG. 9)

UNNUMBERED

ABANDONED & VACATED
(O.R.B. 676, PG. 1929)

FLORIDA EAST COAST RAILROAD
100.00' RIGHT-OF-WAY
(O.R.B. 0055, PG. 283)
DIXIE HIGHWAY
45.00' RIGHT-OF-WAY

RIDGE ROAD
100' RIGHT-OF-WAY
(O.R.B. 1586, PG. 2296)

0 100

Scale in feet
1 Inch = 100 Feet

INTENDED DISPLAY SCALE

NOTES:

1. BEARINGS SHOWN HEREON ARE RELATIVE TO FLORIDA STATE PLANE GRID BASED ON THE LINE LABELED HEREON AS (BEARING BASIS), ALL OTHER BEARINGS ARE RELATIVE THERETO.
2. UNLESS ELECTRONICALLY CERTIFIED REPRODUCTIONS OF THIS MAP ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

ABBREVIATION LEGEND

P.O.B. POINT OF BEGINNING
CL CENTER LINE
R/W RIGHT OF WAY
U.E. UTILITY EASEMENT
P.B. PLAT BOOK
(P) PLAT DATA
O.R.B. OFFICIAL RECORD BOOK
TWP. TOWNSHIP
RGE. RANGE
PG. PAGE
S.F. SQUARE FEET

**SKETCH AND DESCRIPTION
15' INGRESS/EGRESS EASEMENT**

PREPARED FOR:
MARTIN COUNTY, FLORIDA



10250 SW VILLAGE PARKWAY,
STE 201
PORT SAINT LUCIE, FL 34987
772-340-4990

www.edc-inc.com

F.B.P.E. CERTIFICATE OF AUTHORIZATION 9935
L.B. CERTIFICATE OF AUTHORIZATION 8098

REVISIONS

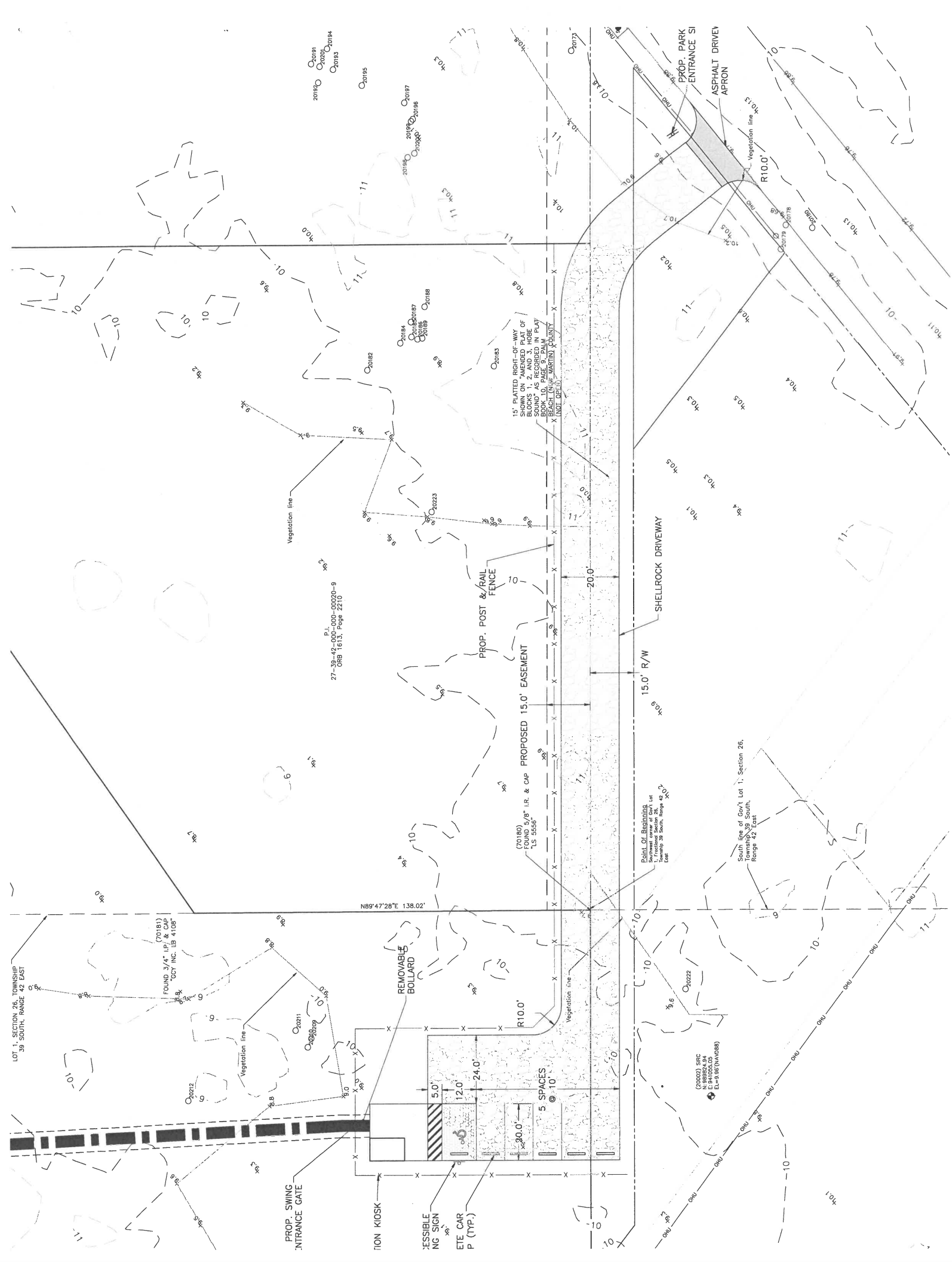
REV PER MARTIN COUNTY COMMENTS 12/03/2018- RAH

REV PER MARTIN COUNTY COMMENTS 11/28/2018- RAH

REV PER MARTIN COUNTY COMMENTS 5/30/2019- FS

JOB No. : 18-478 DATE: 11/20/2018
SCALE : AS SHOWN DRAWN BY: RAH CHECKED BY: MTO CADD FILE : 18-478 S&D 15' IE.dwg

SHEET 2 OF 2





SEE VEHICLE
ENTRANCE DETAIL

PROP. CENTERLINE
SHED/DECK TRAIL

CLEARING
LIMITS (TYP)

CLEARING
LIMITS (TYP)

PROP. CENTERLINE
CLEARED/GRAD. CENTRAL

PROPERTY LINE
(TYP)

PROP. AXIS
SHADE STRUCTURE
WITH BENCH

SEE PEDESTRIAN
ENTRANCE DETAIL

CONNECTION
D-PARKING LOT

SEE SATURN AVE

U.S. Highway No. 1