

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

RESOLUTION NO. 20-_____

**AUTHORIZING THE EXCHANGE OF REAL PROPERTY
BETWEEN JENSEN CAP INVESTMENTS, LLC AND MARTIN COUNTY**

WHEREAS, Jensen CAP Investments, LLC, a Florida limited liability company ("OWNER") is the owner of real property in Martin County being developed as The Reserve at Jensen Beach fka Savannah Apartments ("Development"); and

WHEREAS, Martin County, a political subdivision of the State of Florida ("COUNTY") owns real property adjacent to the Development, as depicted in Exhibit "A" ("County parcel") for purposes of providing the County with access and maintenance to Warner Creek; and

WHEREAS, the OWNER has requested that the COUNTY convey the County parcel to OWNER in exchange for the conveyance of a Utility, Drainage, Access and Maintenance Easement, as depicted in Exhibit "B" ("Easement") from the OWNER to the COUNTY; and

WHEREAS, on September 29, 2020, this Board held a public hearing to consider the conveyance of the County parcel from the COUNTY to the OWNER in exchange for the conveyance of the Easement from the OWNER to the COUNTY to provide full access for the COUNTY to maintain Warner Creek; and

WHEREAS, OWNER has provided the COUNTY with a completed, executed and sworn Beneficial Interest Disclosure Statement as required by Section 268.23, Florida Statutes; and

WHEREAS, proper notice of this exchange hearing was published once a week for two weeks prior to the public hearing in a newspaper of general circulation published in the County, pursuant to Section 125.37, Florida Statutes; and

WHEREAS, anyone desiring to be heard regarding this matter was given opportunity to present their views to this Board; and

WHEREAS, Section 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; and

WHEREAS, the Board has made the following determinations regarding the exchange:

1. The Easement is needed to improve the COUNTY's access for maintenance to Warner Creek; and

2. The County parcel is not needed by the COUNTY for COUNTY purposes;
and
3. It is in the best interest of the COUNTY to exchange the COUNTY's interest
in the County parcel for the Easement.

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

- A. Pursuant to Section 125.37, Florida Statutes, the Board hereby authorizes the
exchange of the County parcel for the Easement.
- B. The Board hereby accepts and approves the Easement from Jensen Cap
Investments, LLC, a Florida limited liability company.
- C. Martin County shall convey the County parcel by County Deed to Jensen Cap
Investments, LLC, a Florida limited liability company.
- D. The Board authorizes the Chairman to execute any and all documents necessary
to complete the transaction.

DULY PASSED AND ADOPTED THIS 29TH DAY OF SEPTEMBER, 2020.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

CAROLYN TIMMANN, CLERK OF
CIRCUIT COURT AND
COMPTROLLER

HAROLD E. JENKINS II, CHAIRMAN

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

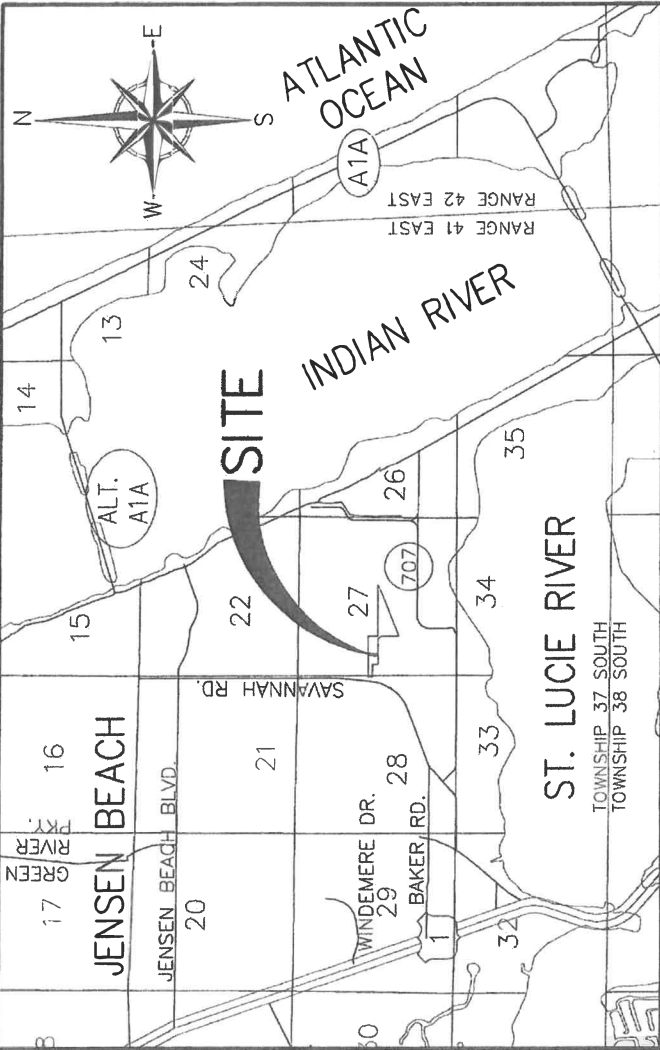
SARAH W. WOODS, COUNTY ATTORNEY

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1. The North 45 ft of the South 55 ft. of the North 5 acres of the South 10 acres of the Southwest quarter of the Northwest quarter, Section 27, Township 37 South, Range 41 East, Martin County, Florida, lying west of Warner Creek.

PARCEL 2. The North 45 ft. of the South 55 ft. of a parcel of land lying in the Southeast quarter of the Northeast quarter of Section 28, Township 37 South, Range 41 East, bounded on the West by the Easterly right of way of County Road 723 (formerly known as State Road 723 and now known as N.E. Savanna Road); on the North by the Westerly extension of the North line of Lot 15 of DeSteuben's Subdivision; on the East by the Easterly line of said Section 28 and on the South by the Westerly extension of the South line of said Lot 15 of DeSteuben's Subdivision. Lot 15 of DeSteuben's Subdivision is also described as the North five (5) acres of the South ten (10) acres of the Southwest quarter of the Northwest quarter of Section 27, Township 37 South, Range 41 East, Martin County, Florida.



LOCATION MAP
(NOT TO SCALE)

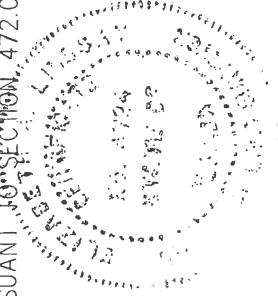
SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" AS SHOWN HEREON WAS PREPARED UNDER MY DIRECTION AND CHARGE ON JUNE 12, 2019, AND THAT SAID "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT IS FURTHER CERTIFIED THAT THIS "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" COMPLIES WITH THE STANDARDS OF PRACTICE FOR "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 50-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

BETSY LINDSAY, INC.
SURVEYORS AND MAPPERS

ELIZABETH A. LINDSAY P.L.S.
FLORIDA REGISTRATION NO. 4724

NOT VALID WITHOUT THE SIGNATURE
AND ORIGINAL RAISED SEAL OF FLORIDA
LICENSED SURVEYOR AND MAPPER
UNLESS DIGITALLY SIGNED



SURVEYOR'S NOTES

1. THE BEARINGS AS SHOWN HEREON ARE BASED ON STATE PLANE COORDINATES, NORTH AMERICAN DATUM OF 1983/1990 (N.A.D. 83/90), FLORIDA EAST ZONE, REFERENCE A BEARING OF N89°53'11"W ALONG THE SOUTH LINE OF LOT 15, MARY J. DESTEBEN'S SUBDIVISION, MARTIN COUNTY, FLORIDA.
2. THIS IS NOT A BOUNDARY SURVEY.
3. THIS SKETCH AND LEGAL DESCRIPTION SHALL NOT BE VALID UNLESS PROVIDED IN ITS ENTIRETY CONSISTING OF SHEETS 1 THROUGH 3.

THIS DOCUMENT MAY BE REPRODUCED UPON REQUEST IN AN ALTERNATIVE FORMAT BY CONTACTING THE COUNTY ADA COORDINATOR (772) 320-3131, THE COUNTY ADMINISTRATION OFFICE (772) 288-5400, FLORIDA RELAY 711, OR BY COMPLETING OUR ACCESSIBILITY FEEDBACK FORM AT

www.martin.fl.us/accessibility-feedback

SHEET NO. 1	REVISIONS
OF 3 SHEETS	12/06/19 REVISED PER CLIENT
PROJECT NO.	01/20/20 REVISED LEGAL DESCRIPTION
05-80 D	03/10/20 REVISE DRAWING PER MARTIN CO.

A PORTION OF THE SE 1/4 OF THE N.E. 1/4 OF SEC. 28 TWP. 37 S., RING. 41 E. & LOTS 15 & 16, MARY J. DESTEBEN'S SUBDIVISION - MARTIN COUNTY, FLORIDA	DATE 06/12/2019
SKETCH AND LEGAL DESCRIPTION	SCALE NOT TO SCALE
DRAINAGE, ACCESS & UTILITY EASEMENT	FIELD BK.
	DRAWING BY D.B.
	CHECKED BY E.A.L.

B BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7987 SW JACK JAMES DRIVE SUITE 100, FLORIDA 32687
772-288-5753 (772) 288-6833 FAX
LICENSED BUSINESS NO. 6862

LEGAL DESCRIPTION

DRAINAGE, ACCESS AND UTILITY EASEMENT

A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA AND LOTS 15 AND 16 OF THE PLAT OF MARY J. DESTUBEN'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 13, OF THE PUBLIC RECORDS OF ST. LUCIE (NOW MARTIN) COUNTY, FLORIDA. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE NORTH 00°07'48" WEST ALONG THE EAST LINE OF SAID SECTION 28, 193.24 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°49'16" WEST, 44.98 FEET TO AN INTERSECTION WITH A LINE BEING 7.50 FEET EASTERLY OF AND PARALLEL WITH THE EASTERLY RIGHT OF WAY LINE OF N.E. SAVANNAH ROAD (STATE ROAD 723), A 100.00 FOOT RIGHT OF WAY PER OFFICIAL RECORDS BOOK 197, PAGE 407, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF A NON TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1,490.19 FEET, WHICH THE RADIAL LINE BEARS SOUTH 84°26'38" EAST FROM THE CENTER OF SAID CURVE; THENCE NORTHERLY ALONG SAID CURVE, ALONG SAID PARALLEL LINE, AN ARC DISTANCE OF 13.72 FEET THROUGH A CENTRAL ANGLE OF 00°31'40"; THENCE CONTINUE ALONG SAID PARALLEL LINE NORTH 05°01'43" EAST, 126.29 FEET; THENCE NORTH 00°37'09" EAST, 15.03 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID LOT 15; THENCE SOUTH 89°52'46" EAST ALONG SAID NORTH LINE, 172.00 FEET; THENCE SOUTH 00°29'46" WEST, 332.32 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID LOT 16; THENCE NORTH 89°53'38" WEST ALONG SAID SOUTH LINE, 172.00 FEET; THENCE NORTH 00°29'46" EAST, 206.59 FEET; THENCE NORTH 89°52'53" WEST, 87.33 FEET; THENCE SOUTH 00°07'07" WEST, 10.75 FEET; THENCE SOUTH 89°52'53" EAST, 12.00 FEET; THENCE SOUTH 00°07'07" WEST, 10.00 FEET; THENCE NORTH 89°52'53" WEST, 12.00 FEET; THENCE SOUTH 00°07'07" WEST, 165.85 FEET; THENCE NORTH 89°53'38" WEST, 71.29 FEET; THENCE NORTH 00°06'22" EAST, 155.39 FEET; THENCE NORTH 89°52'46" WEST, 12.00 FEET; THENCE NORTH 00°06'22" EAST, 17.00 FEET; THENCE SOUTH 89°52'46" EAST, 12.00 FEET; THENCE NORTH 00°15'15" WEST, 41.83 FEET; THENCE SOUTH 89°49'16" WEST, 346.52 FEET TO THE POINT OF BEGINNING.

CONTAINING 145,258 SQUARE FEET OR 3.33 ACRES, MORE OR LESS.

SAID PARCEL BEING SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, DEDICATIONS OR RESTRICTIONS.

ABBREVIATIONS

NO.	NUMBER
O.R.B.	OFFICIAL RECORDS BOOK
P.L.S.	PROFESSIONAL LAND SURVEYOR
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
RNG.	RANGE
SEC.	SECTION
TWP.	TOWNSHIP

DATE	REVISIONS
12/06/19	REVISED PER CLIENT
01/20/20	REVISED LEGAL DESCRIPTION
03/10/20	REVISE DRAWING PER MARTIN CO.

SHEET NO. 2	OF 3 SHEETS
PROJECT NO. 05-80 D	

A PORTION OF THE S.E. 1/4 OF THE N.E. 1/4 OF SEC. 28, TWP. 37 S., RNG. 41 E. & LOTS 15 & 16, MARY J. DESTUBEN'S SUBDIVISION - MARTIN COUNTY, FLORIDA
SKETCH AND LEGAL DESCRIPTION DRAINAGE, ACCESS & UTILITY EASEMENT

DATE 05/12/2019	SCALE NOT TO SCALE
FIELD BK	DRAWING BY D.B.
CHECKED BY E.A.L.	

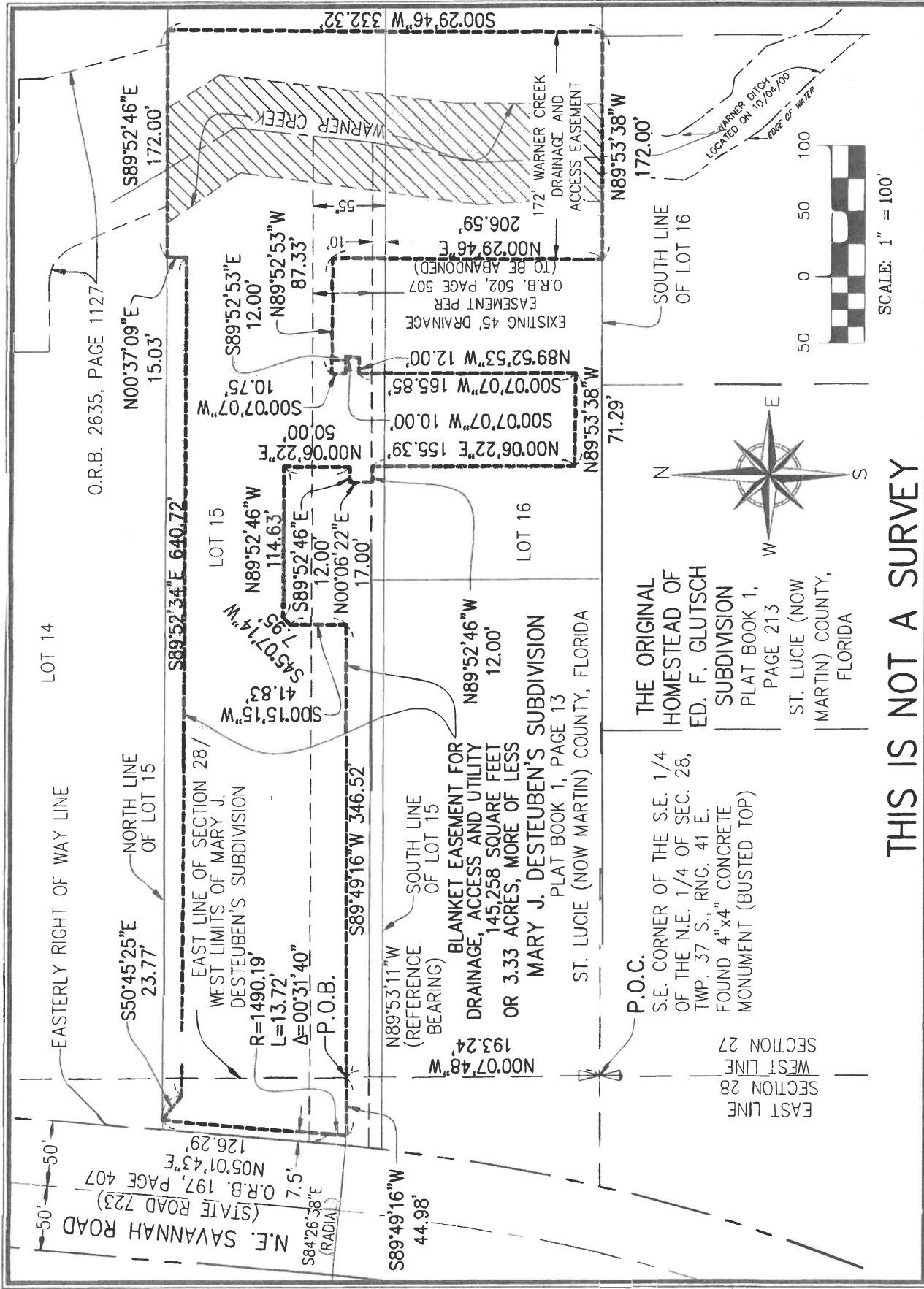
B

BETSY LINDSAY, INC.

SURVEYING AND MAPPING

7697 S.W. JACK JAMES DRIVE
STUART, FLORIDA 34987
(772) 286-5793
(772) 286-5604 FAX
LICENSED BUSINESS NO. 0652

EXHIBIT B



THIS IS NOT A SURVEY

SHEET NO. 3 OF 3 SHEETS PROJECT NO. 05-80 D	
DATE 06/12/2019 SCALE 1" = 100' FIELD BK DRAWING BY D.B. CHECKED BY E.A.L.	
A PORTION OF THE S.E. 1/4 OF THE N.E. 1/4 OF SEC. 28, TWP. 37 S., RNG. 41 E. & LOTS 15 & 16, MARY J. DESTEUBEN'S SUBDIVISION - MARTIN COUNTY, FLORIDA	
SKETCH AND LEGAL DESCRIPTION DRAINAGE, ACCESS & UTILITY EASEMENT	
BETSY LINDSAY, INC. SURVEYING AND MAPPING 7887 SW JACK JAMES DRIVE STUART, FLORIDA 34997 (788) 571-7777 FAX LICENSED BUSINESS NO. 6852	