

This instrument prepared by:  
Ellen MacArthur for  
Martin County  
2401 SE Monterey Road  
Stuart, FL 34996

Project Name: Seacoast Hotels/Comfort Suites UE  
Project No: RPM #3420  
PCN: 38-38-41-005-000-00010-0

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### UTILITY EASEMENT

THIS EASEMENT granted and executed this 26<sup>th</sup> day of June, 2020, by SEACOAST HOTELS, INC., a Florida corporation, whose mailing address is 3235 NW Stoney Creek Avenue, Jensen Beach, FL, 34957, Grantor, to MARTIN COUNTY, a political subdivision of the State of Florida, whose address is 2401 SE 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 and sufficiency whereof is hereby acknowledged, does hereby grant unto the Grantee forever, an easement for the construction, reconstruction, replacement, operation, maintenance, and repair of utility and fire related equipment, including, but not limited to hydrants, 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" and Exhibit "B" attached hereto and made a part hereof.

The Grantor hereby covenants with said 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; that Grantor fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

The Grantor agrees that it will not alter or obstruct or allow the alteration or obstruction of the Easement Premises in any way without the express written consent of the Grantee. Grantee, its contractors, agents and employees shall have free access to the Easement Premises and every part thereof, at all times, for the purpose of exercising the rights granted herein; provided however in making any excavations on the Easement Premises, Grantee shall make the same in such manner as will cause the least injury to the surface of the ground and restore any improvements within such excavation to as near the same condition as it was prior to such excavation as soon as is practicable.

Grantor further warrants that there are no mortgages encumbering the Easement Premises except for those certain Mortgages in favor of Wauchula State Bank, a Florida corporation, whose address is 106 East Main Street, Wauchula, FL, 33873, (Mortgagee), dated September 6, 2018 and recorded in Official Records Book 3015, Page 220, and that certain Mortgage in favor of Wauchula State Bank, (Mortgagee), dated September 6, 2018 and recorded in Official Records Book 3015, Page 247, all in Martin County, Florida, public records.

**SIGNATURE PAGE TO FOLLOW**

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:

WITNESSES:

GRANTOR:

Seacoast Hotels, Inc., a Florida corporation,

Stacey Perona  
Witness

STACEY PERONA  
Print Name

BY: Nimesh Patel  
Nimesh Patel  
Print Name

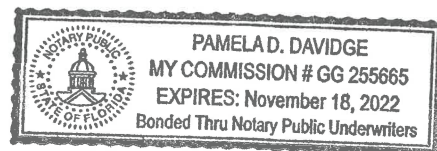
Title: President

Sharon Summers  
Witness  
Sharon Summers  
Print Name

State of Florida }  
County of Madison }

The foregoing Utility Easement was acknowledged before me this 26 day of June, 2020 by Nimesh Patel, as President of Seacoast Hotels, Inc., a Florida corporation existing under the laws of the State of Florida, on behalf of the corporation (✓) by means of physical presence or ( ) online notarization. He/she is (✓) personally known to me or has produced \_\_\_\_\_ as identification.

Pamela D. Davidge  
Notary Public  
Print Name: Pamela D. Davidge  
My Commission Expires: \_\_\_\_\_



Project Name: Seacoast Hotels/Comfort Suites UE  
Project No: RPM #3420  
PCN: 38-38-41-005-000-00010-0

### **CONSENT OF MORTGAGEE**

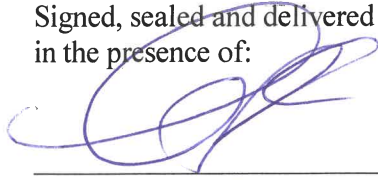
Wauchula State Bank, a Florida corporation, (hereinafter referred to as "Mortgagee") under those certain Mortgages dated September 6, 2018, recorded September 11, 2018 in Official Records Book 3015, page 220, and a certain Mortgage dated September 6, 2018, and recorded September 11, 2018 in Official Records Book 3015, page 247, all in Martin County, Florida, public records (hereinafter referred to as the "Mortgages"), hereby executes this document to evidence its consent to the granting and recording of that certain Easement to which this Consent of Mortgagee is attached and which is being recorded simultaneously herewith (hereinafter referred to as the "Easement"), further Mortgagee agrees that the Easement shall be an interest, superior to the Mortgages and in the property to which the Mortgages encumbers. This consent is given on the express condition that it shall in no way affect the lien of the Mortgages on the property described in the Mortgages, but shall only be construed as a Subordination to the Easement.

This consent by Mortgagee is not intended to be and shall not be construed to be a waiver by Mortgagee of the maturity date of the principal, accrued interest or other amounts due under the terms of the note, mortgage or other loan documents, even though this consent may be executed subsequent to any maturity date or any other term or condition of the note, mortgage or other loan documents. This consent is not and shall not be construed to be an agreement or consent to a subordination of the lien of the Mortgages by Mortgagee to any other easements now existing or that may exist or arise in the future.

### **SIGNATURE PAGE TO FOLLOW**

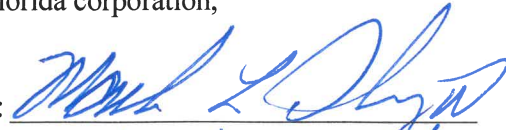
SIGNATURE PAGE TO CONSENT OF MORTGAGEE

Signed, sealed and delivered  
in the presence of:




Print Name: Kevin Strobel

Wauchula State Bank,  
a Florida corporation,

By: 

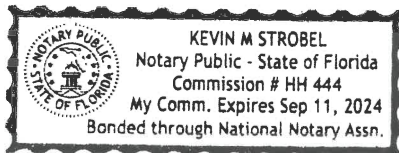
Name: Mark L. Delaney II


Its: Vice Pres

  
Print Name: Valerie Hoening

STATE OF Florida  
COUNTY OF Polk

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of Sept,  
20 20 by Mark L. Delaney II, as Vice Pres of Wauchula State  
Bank, on behalf of said entity, ( X ) by means of physical presence or ( ) online notarization who  
is personally known to me or has produced FL DL as  
identification.

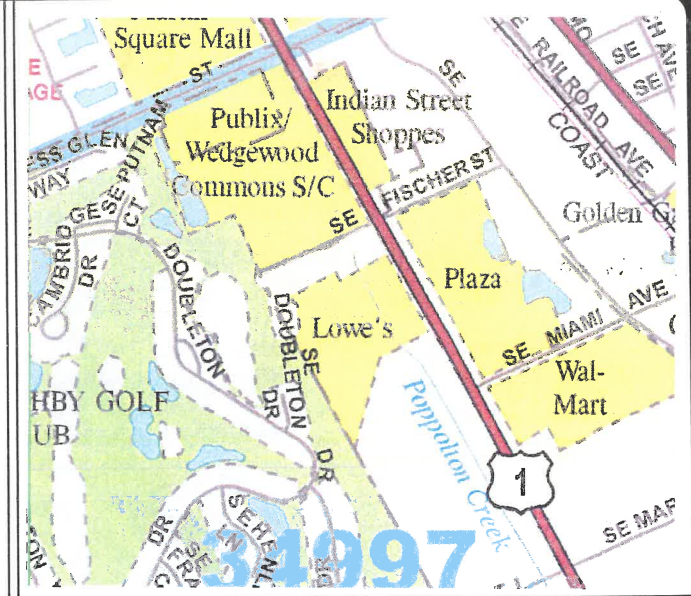


  
Notary Public, State of FL  
Print Name: Kevin Strobel  
My Commission Expires: 9-11-2024



## EXHIBIT 'A'

# SKETCH and LEGAL DESCRIPTION FOR UTILITY EASEMENT FOR FIRE PROTECTION



LOCATION MAP: NOT TO SCALE

### LEGAL DESCRIPTION:

AN EASEMENT LYING IN A PORTION OF TRACT 1, SEACOAST HOTEL PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 17, PAGE 70 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID TRACT 1; THENCE NORTH  $23^{\circ}12'20''$  WEST, ALONG THE EAST LINE OF SAID TRACT 1, A DISTANCE OF 25.00 FEET; THENCE SOUTH  $66^{\circ}47'40''$  WEST, A DISTANCE OF 17.00 FEET; THENCE SOUTH  $23^{\circ}12'20''$  EAST, A DISTANCE OF 25.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SE FISCHER STREET AND SOUTH LINE OF SAID TRACT 1; THENCE NORTH  $66^{\circ}47'40''$  EAST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 17.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 425 SQUARE FEET.

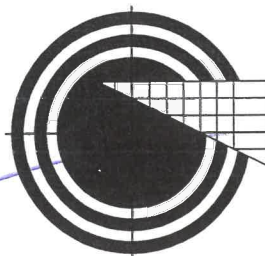
### SURVEYOR'S NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS AND/OR RIGHTS OF WAY OF RECORD EXCEPT AS SHOWN ON THE RECORD PLAT IF ANY.
3. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
4. BEARINGS SHOWN HEREON ARE REFER TO AN ASSUMED MERIDIAN OF  $N66^{\circ}47'40''E$  ALONG THE NORTH RIGHT OF WAY LINE OF SE FISCHER STREET.
5. 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](http://WWW.MARTIN.FL.US/ACCESSIBILITY-FEEDBACK)

### SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY MAP AND/OR REPORT WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CRAIG D. WATSON  
PROFESSIONAL SURVEYOR & MAPPER  
NO. 5647 STATE OF FLORIDA



**WATSON | KILLANE**  
SURVEYING AND MAPPING, INC.  
2240 NE DIXIE HIGHWAY  
JENSEN BEACH, FLORIDA 34957  
PHONE 772-334-0868  
[WATSONKILLANE@GMAIL.COM](mailto:WATSONKILLANE@GMAIL.COM)  
LICENSED BUSINESS NO. 8241

JOB #: 18-111  
FIELD DATE: 12-27-19

SHEET 1 OF 2  
NOT VALID WITHOUT SHEET 2 OF 2

**EXHIBIT 'A'**

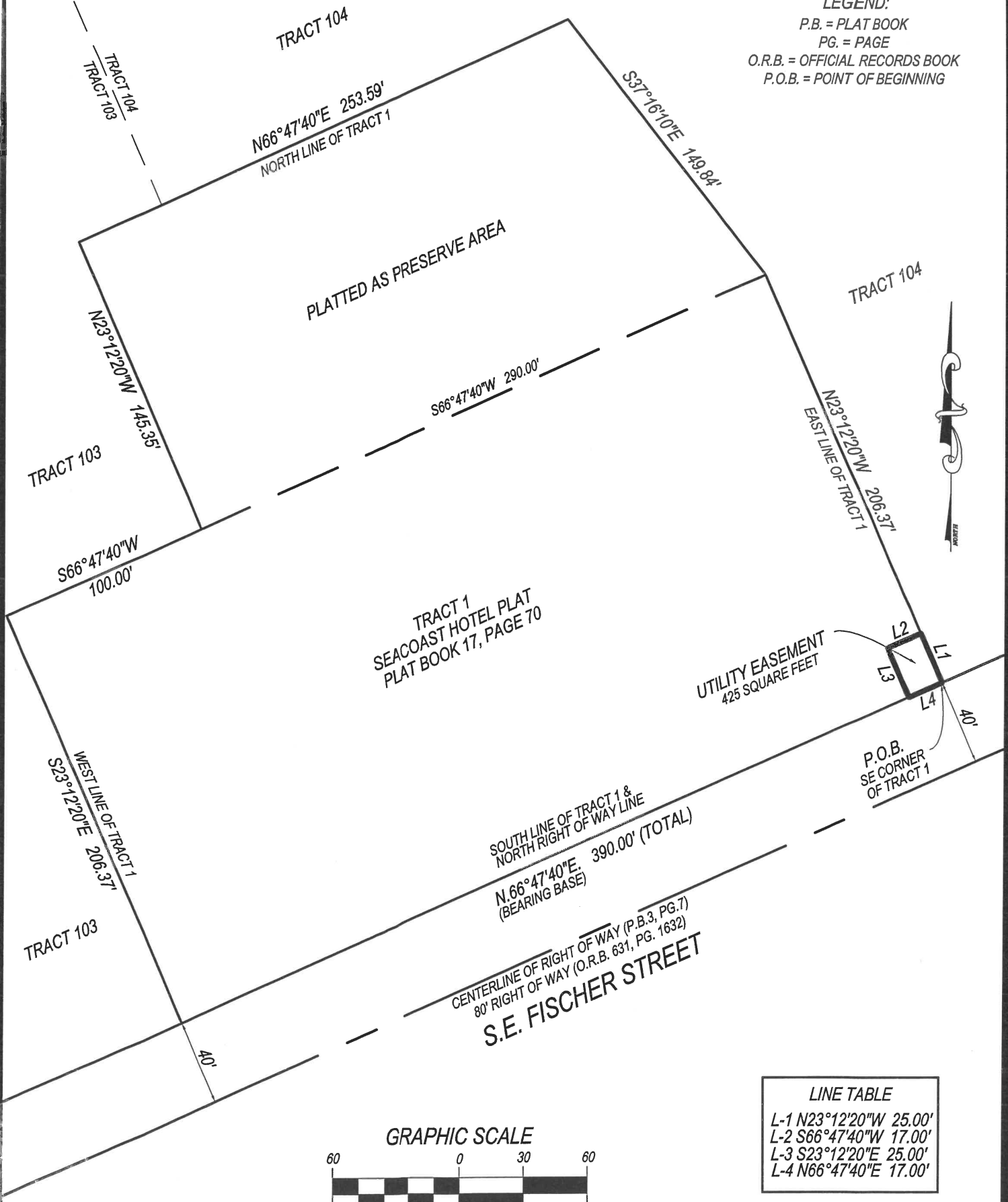
**LEGEND:**

P.B. = PLAT BOOK

PG. = PAGE

O.R.B. = OFFICIAL RECORDS BOOK

P.O.B. = POINT OF BEGINNING



*LINE TABLE*

L-1 N23°12'20"W 25.00'

L-2 S66°47'40"W 17.00'

L-3 S23°12'20"E 25.00'

L-4 N66°47'40"E 17.00'

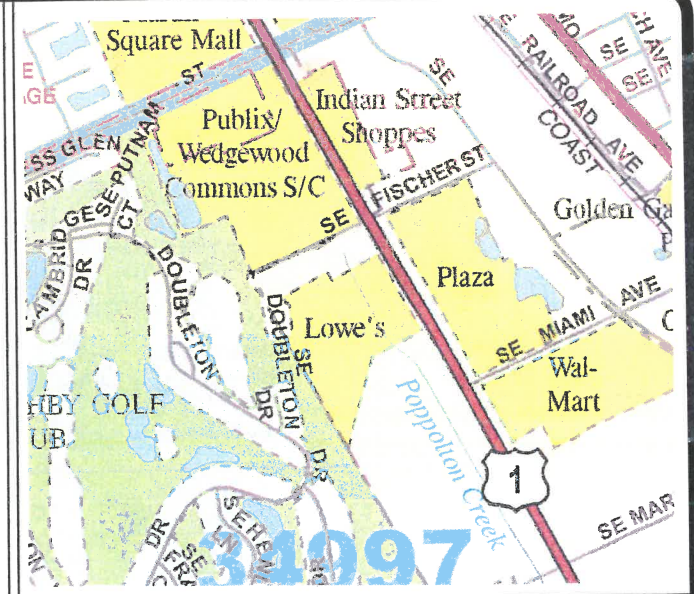
JOB #: 18-111

SHEET 2 OF 2

SHEET 2 OF 2  
NOT VALID WITHOUT SHEET 1 OF 2

## EXHIBIT 'B'

# SKETCH and LEGAL DESCRIPTION FOR UTILITY EASEMENT FOR WATER METER



LOCATION MAP: NOT TO SCALE

### LEGAL DESCRIPTION:

AN EASEMENT LYING IN A PORTION OF TRACT 1, SEACOAST HOTEL PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 17, PAGE 70 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID TRACT 1; THENCE NORTH  $66^{\circ}47'40''$  EAST, ALONG THE NORTH RIGHT OF WAY LINE OF SE FISCHER STREET AND SOUTH LINE OF SAID TRACT 1, A DISTANCE OF 20.00 FEET; THENCE NORTH  $23^{\circ}12'20''$  WEST, A DISTANCE OF 11.00 FEET; THENCE SOUTH  $66^{\circ}47'40''$  WEST, A DISTANCE OF 20.00 FEET; THENCE SOUTH  $23^{\circ}12'20''$  EAST, A DISTANCE OF 11.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 220 SQUARE FEET.

### SURVEYOR'S NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS AND/OR RIGHTS OF WAY OF RECORD EXCEPT AS SHOWN ON THE RECORD PLAT IF ANY.
3. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
4. BEARINGS SHOWN HEREON ARE REFER TO AN ASSUMED MERIDIAN OF  $N66^{\circ}47'40''E$  ALONG THE NORTH RIGHT OF WAY LINE OF SE FISCHER STREET.
5. 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](http://WWW.MARTIN.FL.US/ACCESSIBILITY-FEEDBACK)

### SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY MAP AND/OR REPORT WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

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JOB #: 18-111  
FIELD DATE: 12-27-19

SHEET 1 OF 2  
NOT VALID WITHOUT SHEET 2 OF 2



**EXHIBIT 'B'**

**LEGEND:**

P.B. = PLAT BOOK

*PG. = PAGE*

O.R.B. = OFFICIAL RECORDS BOOK

*P.O.B. = POINT OF BEGINNING*

