

This instrument prepared by:  
Kristen Lynch, for  
Martin County, Real Property Division  
2401 SE Monterey Road  
Stuart, FL 34996

Project Name: Martin Downs VC\_UE-Chipotle-Wendys  
Project Number: RPM #4317  
PCN: 13-38-40-012-000-00010-3

SPACE ABOVE THIS LINE FOR PROCESSING DATA

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## UTILITY EASEMENT

**THIS UTILITY EASEMENT** is granted and executed this 24<sup>th</sup> day of April 2026, by **BRE THRONE MARTIN DOWNS VILLAGE CENTER LLC**, a Delaware limited liability company whose address is 100 Park Avenue, Suite 600N, New York, NY 10017 (“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 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-related equipment, including, but not limited to, lift stations, gravity mains, gravity main connections, pumps, pipelines, hydrants, fences, structures, and powerline hookups, if required, and for ingress and egress in, under, over, across, and through the following described land, situate, lying and being in the County of Martin, State of Florida, to-wit (the “Easement Premises”):

**See Exhibit “A” 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.

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. 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.

Accepted pursuant to  
Resolution No. \_\_\_\_\_

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.

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:

**WITNESSES:**

**BRE THRONE MARTIN DOWNS VILLAGE CENTER LLC**, a Delaware limited liability company

Nikita  
\_\_\_\_\_  
Witness #1 Signature  
Printed Name: Nikita Italia  
Mailing Address: \_\_\_\_\_

By: [Signature]  
\_\_\_\_\_  
Printed Name: Matthew Ryan  
Title: EVP

[Signature]  
\_\_\_\_\_  
Witness #2 Signature  
Printed Name: Leslie Yu  
Mailing Address: \_\_\_\_\_

The UPS Store  
5805 State Bridge Rd. Ste G  
Duluth, GA 30097

STATE OF GA  
COUNTY OF FULTON  
The UPS Store  
5805 State Bridge Rd. Ste G  
Duluth, GA 30097

The foregoing instrument was acknowledged before me this 24 day of APRIL 2026, by  means of physical presence or  online notarization, by MATTHEW RYAN, as EVP of **BRE THRONE MARTIN DOWNS VILLAGE CENTER LLC**, a Delaware limited liability company, on behalf of the company, who  is personally known to me or  has produced GA DL as identification.

(NOTARY SEAL)

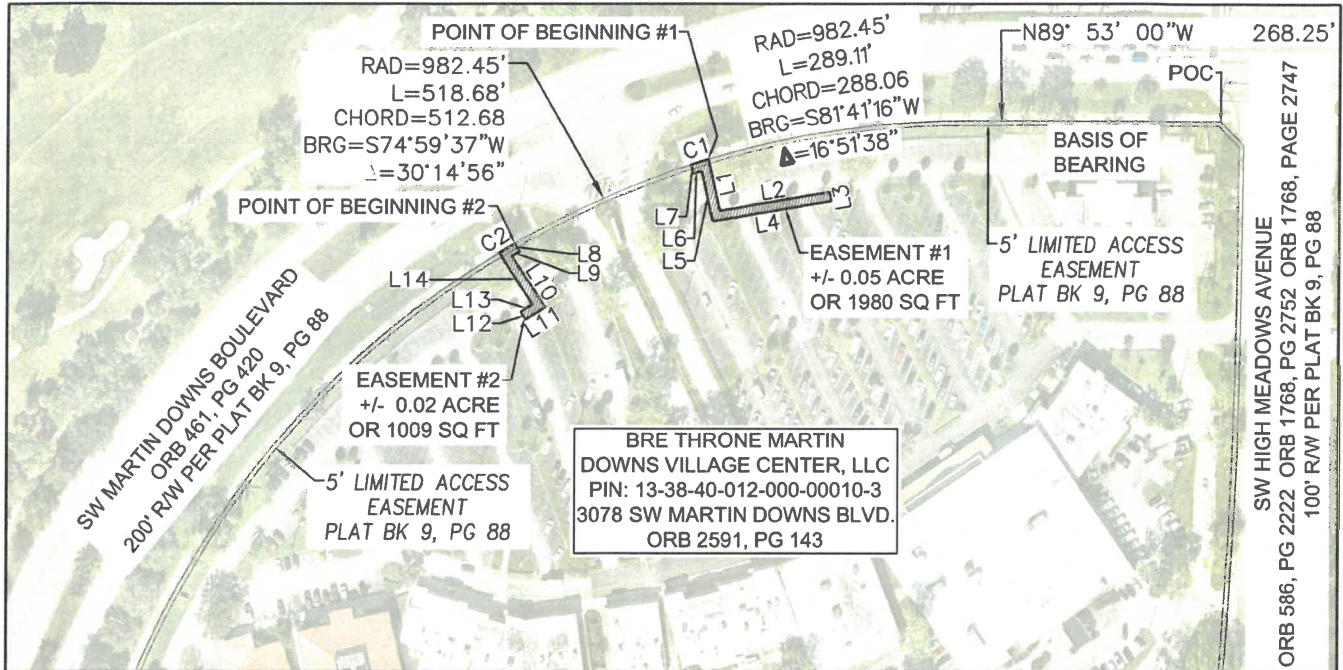


Rishabh Patel  
\_\_\_\_\_  
Notary Public, State of GA  
Print Name: RISHABH PATEL  
My Commission Expires: 01/04/2027

EXHIBIT "A"

# EXHIBIT SHOWING SKETCH AND LEGAL DESCRIPTION OF

A PORTION OF SECTION 13, TOWNSHIP 38 SOUTH, RANGE 40 EAST,  
MARTIN COUNTY, FLORIDA



Line Table		
Line #	Direction	Length
L1	S12° 27' 23"E	57.10'
L2	N80° 21' 19"E	121.73'
L3	S09° 38' 41"E	10.00'
L4	S80° 21' 19"W	131.25'
L5	N12° 27' 23"W	55.37'
L6	S77° 32' 37"W	10.02'
L7	N12° 20' 22"W	9.55'

Line Table		
Line #	Direction	Length
L8	S32° 34' 48"E	10.09'
L9	S59° 11' 02"W	9.62'
L10	S32° 20' 47"E	66.65'
L11	S58° 19' 59"W	24.62'
L12	N32° 30' 59"W	10.00'
L13	N58° 19' 59"E	14.75'
L14	N32° 20' 47"W	66.93'

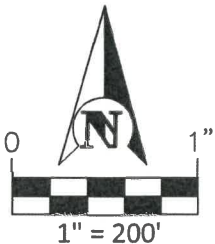
Curve Table					
Curve #	Radius	Length	Delta	Chord Length	Chord Bearing
C1	982.45'	20.08'	01° 10' 15"	20.08'	N72° 40' 20"E
C2	982.45'	19.48'	01° 08' 11"	19.48'	N59° 18' 04"E

**NOTICE OF LIABILITY:**

THIS SKETCH IS CERTIFIED TO THOSE INDIVIDUALS SHOWN ON THE FACE THEREOF. ANY OTHER USE, BENEFIT OR RELIANCE BY ANY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THOSE CERTIFIED AND HEREBY DISCLAIMS ANY OTHER LIABILITY AND HEREBY RESTRICTS THE RIGHTS OF ANY OTHER INDIVIDUAL OR FIRM TO USE THIS SKETCH, WITHOUT EXPRESS WRITTEN CONSENT OF THE SURVEYOR.

**SURVEYORS REPORT:**

1. FEATURES SHOWN BY SYMBOL ARE NOT TO SCALE.
2. DIMENSIONS ARE SHOWN IN U.S. SURVEY FEET AND DECIMALS THEREOF.
3. BASIS OF BEARING ALONG THE SOUTHERLY RIGHT OF WAY OF SW MARTINS DOWN BLVD N 89° 53' 00" W AS SHOWN ON PLANS PROVIDED.
4. THIS SKETCH IS NOT A SURVEY AND IS FOR THE PURPOSE STATED ABOVE ONLY.
5. THIS SKETCH WAS MADE FROM INFORMATION PROVIDED BY THE CLIENT.
5. THERE MAY BE RESTRICTIONS OR EASEMENTS OF RECORD EVIDENCED BY TITLE EXAMINATION THAT HAVE NOT BEEN SHOWN HEREON.



CURVE LABEL ABBREVIATIONS:

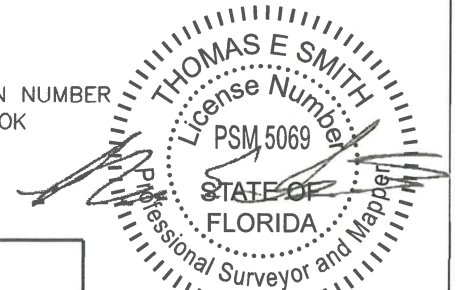
RAD RADIUS  
L ARC LENGTH  
CHORD LONG CHORD DISTANCE  
BRG LONG CHORD BEARING  
Δ CURVE CENTRAL ANGLE

SURVEY ABBREVIATIONS:

POC POINT OF COMMENCEMENT  
BK BOOK  
PG PAGE  
R/W RIGHT OF WAY  
PIN PARCEL IDENTIFICATION NUMBER  
ORB OFFICIAL RECORDS BOOK  
SQ FT SQUARE FOOT

**SEE PAGE 2 FOR LEGAL DESCRIPTIONS**

Not valid without the signature and seal of a State of Florida Professional Surveyor and Mapper



SHEET #: <b>1 of 2</b>	DATE OF DRAWING: APRIL 13, 2026 JOB NUMBER: 25-76 CERTIFIED TO: MARTIN COUNTY	MRE of JAX ENTERPRISES, LLC. 6005 POWERS AVENUE, SUITE 104 JACKSONVILLE, FLORIDA 32217	<b>MARTIN DOWNS VILLAGE CENTER</b>  3150 SW MARTIN DOWNS BLVD. PALM CITY, FLORIDA 34990	THOMAS E. SMITH PSM 5069

# SKETCH AND LEGAL DESCRIPTION OF

A PORTION OF SECTION 13, TOWNSHIP 38 SOUTH, RANGE 40 EAST,  
MARTIN COUNTY, FLORIDA

**EXHIBIT "A" EASEMENT #1**

A NON-EXCLUSIVE EASEMENT OF AN UNDERGROUND UTILITY SYSTEM AND ALL ITS ASSOCIATED FACILITIES ACROSS A PARCEL OF LAND SITUATED IN SECTION 13, TOWNSHIP 38 SOUTH, RANGE 38 EAST, MARTIN COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING WHERE THE SOUTHERLY RIGHT OF WAY OF SW MARTIN DOWNS BOULEVARD INTERSECTS WITH THE WESTERLY RIGHT OF WAY OF SW HIGH MEADOWS AVENUE AS SHOWN IN PLAT BOOK 9, PAGE 88, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY OF SW MARTIN DOWNS BOULEVARD; THENCE NORTH 89° 53' 00" WEST ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID SW MARTIN DOWNS BOULEVARD, A DISTANCE OF 268.25 FEET TO A POINT OF CURVATURE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 982.45 FEET, A DELTA OF 16° 51' 38" SUBTENDED BY A CHORD BEARING SOUTH 81° 41' 16" WEST, A DISTANCE OF 288.06 FEET; THENCE FOLLOWING ALONG SAID CURVE A DISTANCE 289.11 FEET TO THE POINT OF BEGINNING.  
THENCE LEAVING SAID RIGHT OF WAY SOUTH 12° 27' 23" EAST, A DISTANCE OF 57.10 FEET; THENCE NORTH 80° 21' 19" EAST, A DISTANCE OF 121.73 FEET; THENCE SOUTH 09° 38' 41" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 80° 21' 19" WEST, A DISTANCE OF 131.25 FEET; THENCE NORTH 12° 27' 23" WEST, A DISTANCE OF 55.37 FEET; THENCE SOUTH 77° 32' 37" WEST, A DISTANCE OF 10.02 FEET; THENCE NORTH 12° 20' 22" WEST, A DISTANCE OF 9.55 FEET TO A POINT OF CURVATURE CONCAVE NORTHEASTERLY AND BEING ON THE SAID SOUTHERLY RIGHT OF WAY OF SAID SW MARTIN DOWNS BOULEVARD, HAVING A RADIUS OF 982.45 FEET, A DELTA OF 01° 10' 15" SUBTENDED BY A CHORD BEARING NORTH 72° 40' 20" EAST, A DISTANCE OF 20.08 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.05 ACRE OR 1,980 SQUARE FEET MORE OR LESS AND BEING SITUATED IN MARTIN COUNTY, FLORIDA.

**EXHIBIT "A" EASEMENT #2**

A NON-EXCLUSIVE EASEMENT OF AN UNDERGROUND UTILITY SYSTEM AND ALL ITS ASSOCIATED FACILITIES ACROSS A PARCEL OF LAND SITUATED IN SECTION 13, TOWNSHIP 38 SOUTH, RANGE 38 EAST, MARTIN COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

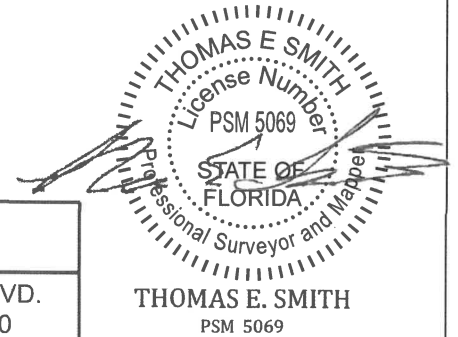
COMMENCING WHERE THE SOUTHERLY RIGHT OF WAY OF SW MARTIN DOWNS BOULEVARD INTERSECTS WITH THE WESTERLY RIGHT OF WAY OF SW HIGH MEADOWS AVENUE AS SHOWN IN PLAT BOOK 9, PAGE 88, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY OF SW MARTIN DOWNS BOULEVARD; THENCE NORTH 89° 53' 00" WEST ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID SW MARTIN DOWNS BOULEVARD, A DISTANCE OF 268.25 FEET TO A POINT OF CURVATURE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 982.45 FEET, A DELTA OF 30° 14' 56" SUBTENDED BY A CHORD BEARING SOUTH 74° 59' 37" WEST, A DISTANCE OF 512.68 FEET; THENCE FOLLOWING ALONG SAID CURVE A DISTANCE 518.68 FEET TO THE POINT OF BEGINNING.  
THENCE LEAVING SAID RIGHT OF WAY SOUTH 32° 34' 48" EAST, A DISTANCE OF 10.09 FEET; THENCE SOUTH 59° 11' 02" WEST, A DISTANCE OF 9.62 FEET; THENCE SOUTH 32° 20' 47" EAST, A DISTANCE OF 66.65 FEET; THENCE SOUTH 58° 19' 59" WEST, A DISTANCE OF 24.62 FEET; THENCE NORTH 32° 30' 59" WEST, A DISTANCE OF 10.00 FEET; THENCE NORTH 58° 19' 59" EAST, A DISTANCE OF 14.75 FEET; THENCE NORTH 32° 20' 47" WEST, A DISTANCE OF 66.93 FEET TO A POINT OF CURVATURE CONCAVE NORTHEASTERLY AND BEING ON THE SAID SOUTHERLY RIGHT OF WAY OF SAID SW MARTIN DOWNS BOULEVARD, HAVING A RADIUS OF 982.45 FEET, A DELTA OF 01° 08' 11" SUBTENDED BY A CHORD BEARING NORTH 59° 18' 04" EAST, A DISTANCE OF 19.48 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.02 ACRE OR 1,009 SQUARE FEET MORE OR LESS AND BEING SITUATED IN MARTIN COUNTY, FLORIDA.

**NOTICE OF LIABILITY:**

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Not valid without the signature and seal of a State of Florida Professional Surveyor and Mapper



SHEET #: <b>2 of 2</b>	DATE OF DRAWING: APRIL 13, 2026 JOB NUMBER: 25-76 CERTIFIED TO: MARTIN COUNTY	<b>MRE of JAX</b> ENTERPRISES, LLC. 6005 POWERS AVENUE, SUITE 104 JACKSONVILLE, FLORIDA 32217	<b>MARTIN DOWNS</b> <b>VILLAGE CENTER</b>  3150 SW MARTIN DOWNS BLVD. PALM CITY, FLORIDA 34990
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**THOMAS E. SMITH**  
PSM 5069