EDWIN M. FRY, Jr., CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY FILE # 3130667 OR BOOK 2902 PAGE 1177, Recorded 11/07/2007 at 04:24 PM

Doc Tax: \$0.70

Return to: City of Port St. Lucie City Attorney's Office 121 SW Port St. Lucie Boulevard Port St. Lucie, Florida 34984 (772) 873-6321

PROJECT:

### FLOWAGE EASEMENT [MXD Parcel]

THIS EASEMENT, granted this <u>30</u> day of <u>octow</u>, 2007, by **HORIZONS ST. LUCIE DEVELOPMENT, LLC**, a Florida limited liability company, whose mailing address is 10521 SW Village Center Drive, Suite 201, Port St. Lucie, Florida 34987, as "Grantor" to the **CITY OF PORT ST. LUCIE**, a Florida municipal corporation, whose mailing address is 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida 34984, as "Grantee."

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and their respective heirs, legal representatives, successors and assigns.)

#### WITNESSETH:

Grantor, for and in consideration of Ten Dollars (\$10.00) and other valuable consideration paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, hereby conveys, grants, bargains and sells unto the Grantee, a perpetual easement for surface water drainage, on the following described lands located in St. Lucie County, Florida, to wit (the "Easement Area"):

See attached **Exhibit "A"** through **Exhibit "C"**, inclusive, which are incorporated herein by reference.

Subject to easements, restrictions, and reservations of record.

Grantor shall maintain this Easement at its sole cost and expense. If flowage is obstructed, Grantee shall have the right to take action in compliance with applicable laws necessary to maintain the Easement in the event Grantor shall fail to maintain the easement upon thirty (30) days written notice to Grantor (or such shorter period of time as is necessary in the event of an emergency).

Notwithstanding anything contained herein to the contrary, Grantor may relocate the location of the easement granted herein from time to time with the written consent of Grantee.

TO HAVE AND TO HOLD the same unto the Grantee, together with the right to enforce the intended use stated herein. Grantor and Grantee are used for singular or plural, as the context requires. The easement granted herein shall constitute easements running with the land and shall burden the land described above.

(signature page follows)

WITNESSES:

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the date and year first above written.

O. Daw Ganny (Print Name) J. Paul Funding

(Print Name) Mary Christine Moore

HORIZONS ST. LUCIE DEVELOPMENT, LLC

Title: 1 Vice President

Name: Michael L. Arnold

Notary Public. State of

(Print Name) Mary Christine Moore

STATE OF FLORIDA COUNTY OF ST. LUCIE

The foregoing instrument as acknowledged before me this 18th day of choken, 2007, by Michael L. Hrnold as Vice Vresident of Horizons St. Lucie Development, LLC, a Florida limited liability company, who spersonally known to me, or who has produced \_\_\_\_\_\_ as identification.

MARY CHRISTINE MOORE
MY COMMISSION # DD 327032
EXPIRES: June 8, 2008
Bonided Thru Notary Public Underwriters

\* \* \* SIGNATURES CONTINUE ON FOLLOWING PAGE \* \* \*

BY: Xauna Phillips, City Clerk	Patricia P. Christensen, Mayor			
	APPROVED AS TO FORM AND LEGAL SUFFICIENCY By: Cofficiency Roger of Orr, City Attorney			
My Commission Expires:				
STATE OF FLORIDA) )SS:				
COUNTY OF SAINT LUCIE)				
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by Alreas Chroling, the of CITY OF PORT SAINT LUCIE, a Florida municipal corporation. He/she is personally known to me or who has produced as identification.				
WITNESS my hand and official sea 30 day of October , 2007.	l in the County and State last aforesaid this			
Notary Public Deachaut Mind Margaret McGrath Typed, printed or stamped name of				
My Commission Expires:  MARGARET MCGRATH MY COMMISSION # DD 405363 EXPIRES: July 9, 2009 Bonded Thru Budget Notary Services				



DESCRIPTION: FLOWAGE EASEMENT FOR SOUTHERN GROVE PLAT NO. 4

BEING AN EASEMENT 50.00 FEET IN WIDTH LYING OVER A PORTION OF OPEN SPACE TRACT "O.S.T.-1", WATER MANAGEMENT TRACTS "W.M.T.-1 AND W.M.T.-2", OF SAID SOUTHERN GROVE PLAT NO. 4 AND LYING 25.00 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE NORTHWEST CORNER OF SAID PARCEL 6. SAID CORNER BEING A POINT OF RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 4075.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND WESTERLY LINE OF SAID PARCEL 6, THRU A CENTRAL ANGLE OF 01°07'30", AN ARC DISTANCE OF 80.01 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A LINE (THE RADIUS POINT OF SAID CURVE BEARS SOUTH 62°05'15" WEST); THENCE NORTH 60°57'40" EAST, DEPARTING SAID WESTERLY LINE, A DISTANCE OF 512.11 FEET; THENCE SOUTH 82°28'10" EAST, A DISTANCE OF 60.25 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY LINE OF SAID "O.S.T.-1 AND THE POINT OF BEGINNING;

THENCE SOUTH 82°28'10" EAST, A DISTANCE OF 559.21 FEET; THENCE NORTH 63°46'39" EAST, A DISTANCE OF 1064.37 FEET; THENCE NORTH 46°27'47" EAST, A DISTANCE OF 170.90 FEET TO THE POINT OF TERMINATION OF THE HEREIN DESCRIBED CENTERLINE. THE SIDE LINES OF SAID EASEMENT TO BE SHORTENED OF PROLONGED TO MEET AT ANGLE POINTS AND LOT LINES.

SHEET 1 OF 3

CONTAINING 2.059 ACRES, MORE OR LESS.

NOIE:

THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OR THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE:

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LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY AND/OR EASEMENTS OF RECORD.

ULIAN D. MORRIS DATE OF SIGNATURE:

ULLAN D. MORRIS DATE OF PROFESSIONAL SURVEYOR AND MAPPER STATE OF FLORIDA REGISTRATION NO. 4731

GIVAProjects\800-899\PL865\CAD\SURVEY\EASEMENTS\FLOWAGE EASEMENTS\PL865 S G PLAT 4 WMT-1 FLOWAGE ESMT-SD01dwg 9/17/2007 2/57/30 PM EDT

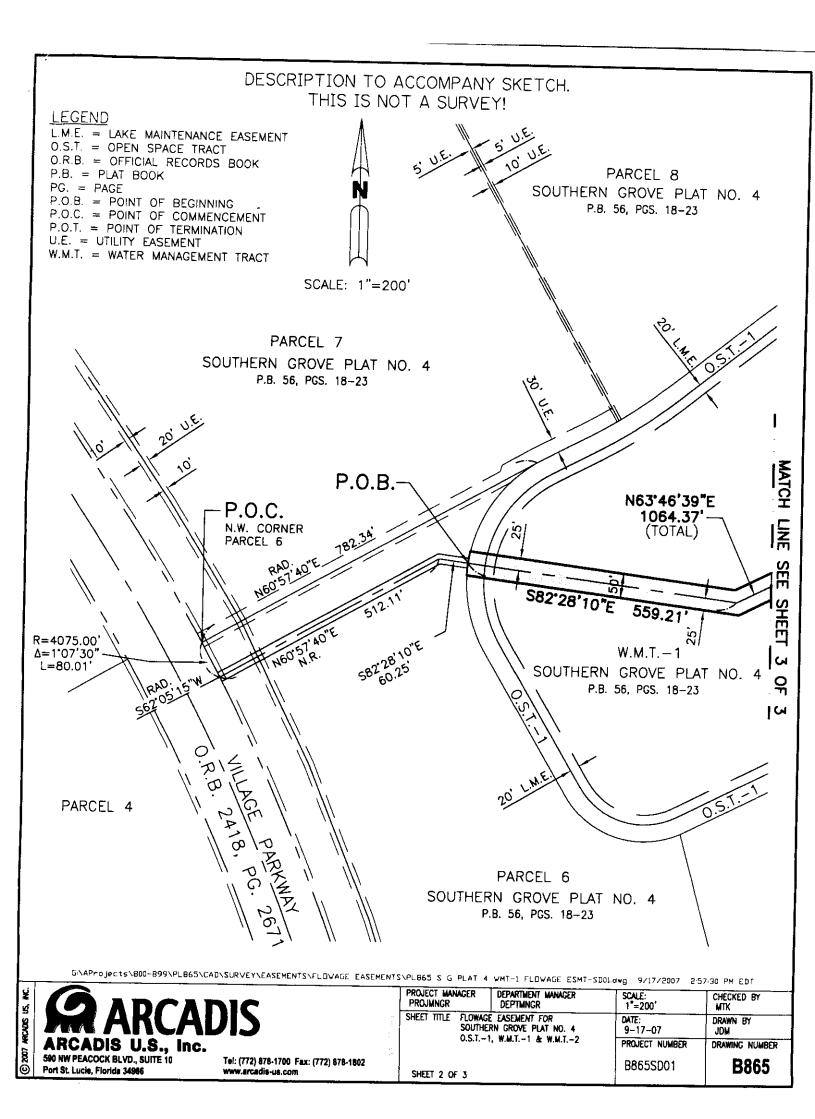
ARCADIS U.S., Inc.

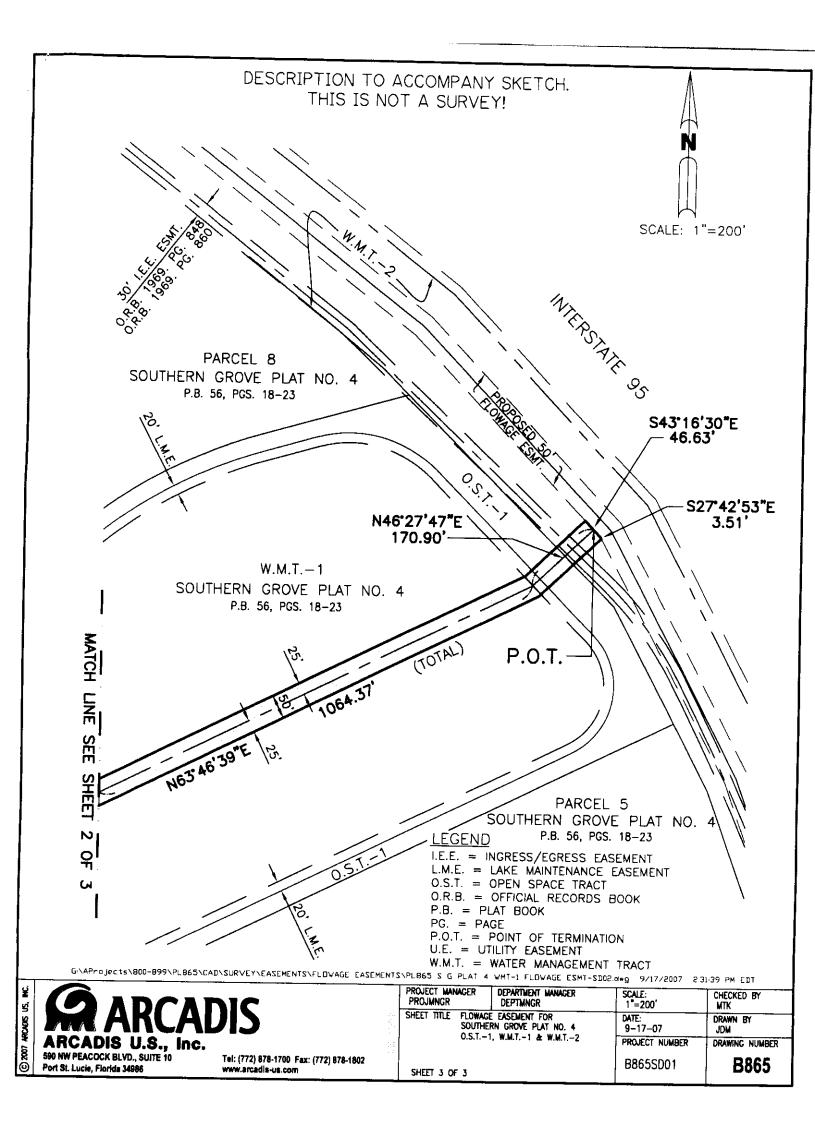
590 NW PEACOCK BLVD., SUITE 10

Port St. Lucie, Florida 34986

Tel: (772) 878-1700 Fax: (772) 878-1802 www.arcadis-us.com

DEPARTMENT MANAGER PROJECT MANAGER SCALE: CHECKED BY PROJMNGR DEPTMNGR N/A MTK FLOWAGE EASEMENT FOR SOUTHERN GROVE PLAT NO. 4 SHEET TITLE DRAWN BY DATE: 9-17-07 JDM O.S.T.-1, W.M.T.-1 & W.M.T.-2 PROJECT NUMBER DRAWING NUMBER PL865SD01 PL865







DESCRIPTION: FLOWAGE EASEMENT FOR SOUTHERN GROVE PLAT NO. 4

BEING AN EASEMENT 50.00 FEET IN WIDTH LYING OVER A PORTION OF SOUTHERN GROVE PLAT NO. 4, AS RECORDED IN PLAT BOOK 56, PAGES 18 THRU 23, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA AND LYING 25.00 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE NORTHWEST CORNER OF PARCEL 2 OF SAID SOUTHERN GROVE PLAT NO. 4; THENCE TRAVERSING THE WEST LINE OF SAID PARCEL 2 BY THE FOLLOWING TWO (2) COURSES:

1. SOUTH 00°02'55" EAST, ALONG THE WEST LINE OF SAID PARCEL 2 AS A BASIS OF BEARINGS, A DISTANCE OF 428.71 FEET TO A POINT OF CURVATURE WITH A CURVE, CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 1507.00 FEET;

2. SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 13°23'21", AN ARC DISTANCE OF 352.16 FEET TO A POINT OF RADIAL INTERSECTION WITH A LINE;

THENCE NORTH 76°33'44" EAST, DEPARTING SAID WEST LINE OF PARCEL 2, A DISTANCE OF 126.31 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 76°33'44" EAST, A DISTANCE OF 65.03 FEET; THENCE NORTH 13°26'16" WEST, A DISTANCE OF 22.81 FEET; THENCE NORTH 03°24'57" WEST, A DISTANCE OF 448.20 FEET TO REFERENCE POINT "A" )FOR FUTURE REFERENCE); THENCE NORTH 10°58'31" EAST, A DISTANCE OF 45.63 FEET; THENCE NORTH 05°24'08" EAST, A DISTANCE OF 103.62 FEET; THENCE NORTH 62°01'25" EAST, A DISTANCE OF 516.72 FEET; THENCE SOUTH 89°29'34" EAST, A DISTANCE OF 648.75 FEET; THENCE SOUTH 32°47'05" EAST, A DISTANCE OF 366.84 FEET; THENCE NORTH 85°54'42" EAST, A DISTANCE OF 471.86 FEET; THENCE NORTH 06°28'51" EAST, A DISTANCE OF 85.12 FEET; THENCE NORTH 78°23'56" EAST, A DISTANCE OF 20.43 FEET TO A POINT OF INTERSECTION WITH THE EAST SIDE OF SAID PARCEL 2; SAID POINT ALSO BEING REFERENCE POINT "B" (FOR FUTURE REFERENCE) AND THE POINT OF TERMINATION OF THE HEREIN DESCRIBED CENTERLINE. THE SIDE LINES OF SAID EASEMENT TO BE SHORTENED OR PROLONGED TO MEET AT ANGLE POINTS AND LOT LINES.

#### TOGETHER WITH:

COMMENCE AT SAID REFERENCE POINT "B"; THENCE NORTH 78°23'56" EAST, A DISTANCE OF 153.13 FEET TO THE THE POINT OF BEGINNING. SAID POINT ALSO BEING A POINT OF INTERSECTION WITH THE WEST LINE OF PARCEL 9 OF SAID SOUTHERN GROVE PLAT NO. 4; THENCE CONTINUE NORTH 78°23'56" EAST, A DISTANCE OF 101.90 FEET; THENCE NORTH 76°30'46" EAST, A DISTANCE OF 383.26 FEET; THENCE SOUTH 89°58'15" EAST, A DISTANCE OF 705.41 FEET; THENCE SOUTH 81°56'34" EAST, A DISTANCE OF 447.87 FEET; THENCE SOUTH 69°58'48" EAST, A DISTANCE OF 253.35 FEET; THENCE SOUTH 52°20'12" EAST, A DISTANCE OF 887.17 FEET; THENCE SOUTH 43°16'30" EAST, A DISTANCE OF 571.31 FEET; THENCE SOUTH 27°42'53" EAST, A DISTANCE OF 572.84 FEET; THENCE SOUTH 19°33'44" EAST, A DISTANCE OF 1352.34 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF SAID SOUTHERN GROVE PLAT NO. 4 AND THE POINT OF TERMINATION OF THE HEREIN DESCRIBED CENTERLINE. THE SIDE LINES OF SAID EASEMENT TO BE SHORTENED OF PROLONGED TO MEET AT ANGLE POINTS AND LOT LINES

#### NOTE:

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NOTE:

LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY AND/OR EASEMENTS OF RECORD.

JULIAN D. MORRIS DATE OF SIGNATURE:

PROFESSIONAL SURVEYOR AND MAPPER

PPER

STATE OF FLORIDA REGISTRATION NO. 4731

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PROJECT MANAGER DEPARTMENT MANAGER SCALE: CHECKE

PROJECT MANAGER DEPARTMENT MANAGER DEPTMNGR	SCALE: N/A	CHECKED BY
SHEET TITLE FLOWAGE EASEMENT FOR SOUTHERN GROVE PLAT NO. 4	0ATE: 9-11-07	DRAWN BY JDM
	PROJECT NUMBER	DRAWING NUMBER
SHEET 1 OF 7	PL865SD01	PL865

2007 ARCADIS US, INC

DESCRIPTION: FLOWAGE EASEMENT FOR SOUTHERN GROVE PLAT NO. 4 Continued.

TOGETHER WITH:

BEING AN EASEMENT LYING OVER A PORTION OF SAID PARCEL 2 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT SAID REFERENCE POINT "A"; THENCE NORTH 86°13'13" WEST, A DISTANCE OF 25.20 FEET TO THE POINT OF BEGINNING; THENCE NORTH 79°01'29" WEST, A DISTANCE OF 32.75 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 250.00 FEET (THE RADIUS POINT OF WHICH BEARS SOUTH 84°45'50" EAST); THENCE NORTHEASTERLY ALONG THE ARC OF SAID, THRU A CENTRAL ANGLE OF 11°28'42", AN ARC DISTANCE OF 50.08 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A LINE (THE RADIUS POINT OF SAID CURVE BEARS SOUTH 73°17"08" EAST); THENCE SOUTH 79°01'29" EAST ALONG SAID LINE, A DISTANCE OF 32.51 FEET; THENCE SOUTH 05°24'08" WEST, A DISTANCE OF 2.45 FEET; THENCE SOUTH 10°58'31" WEST, A DISTANCE OF 47.57 FEET TO THE POINT OF BEGINNING.

CONTAINING 9.301 TOTAL ACRES, MORE OR LESS

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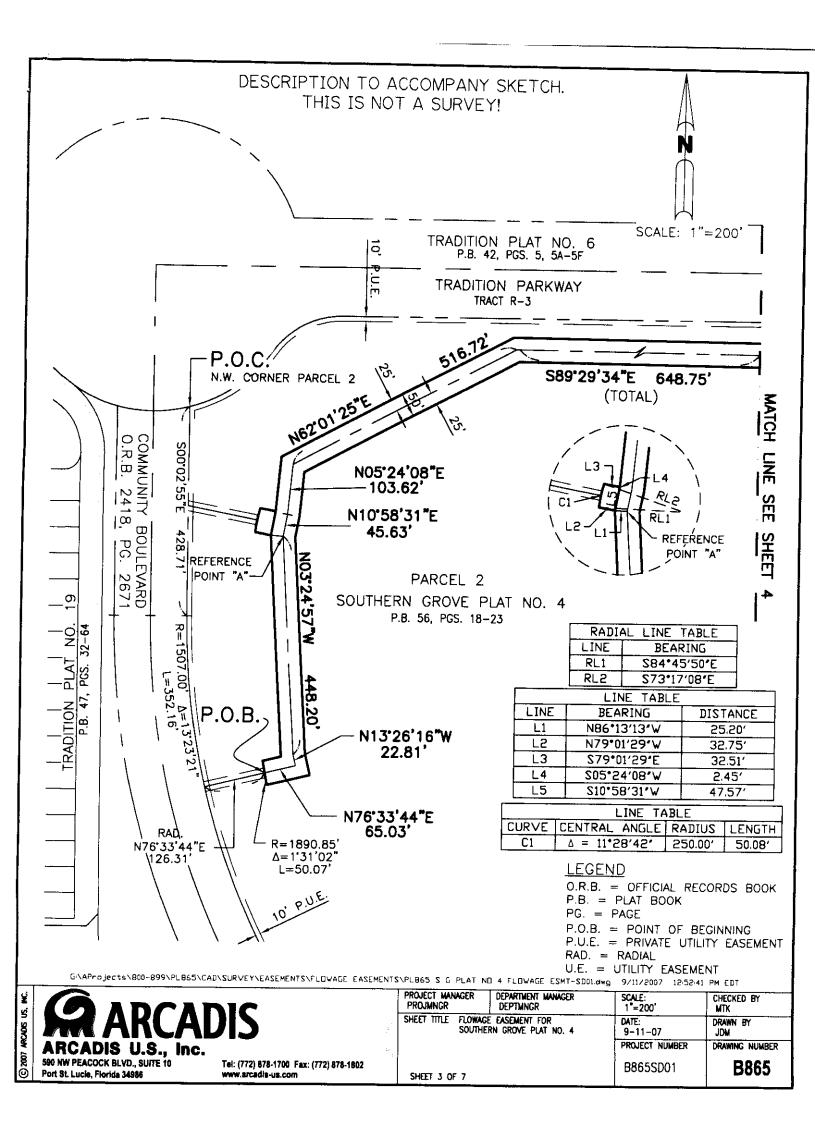


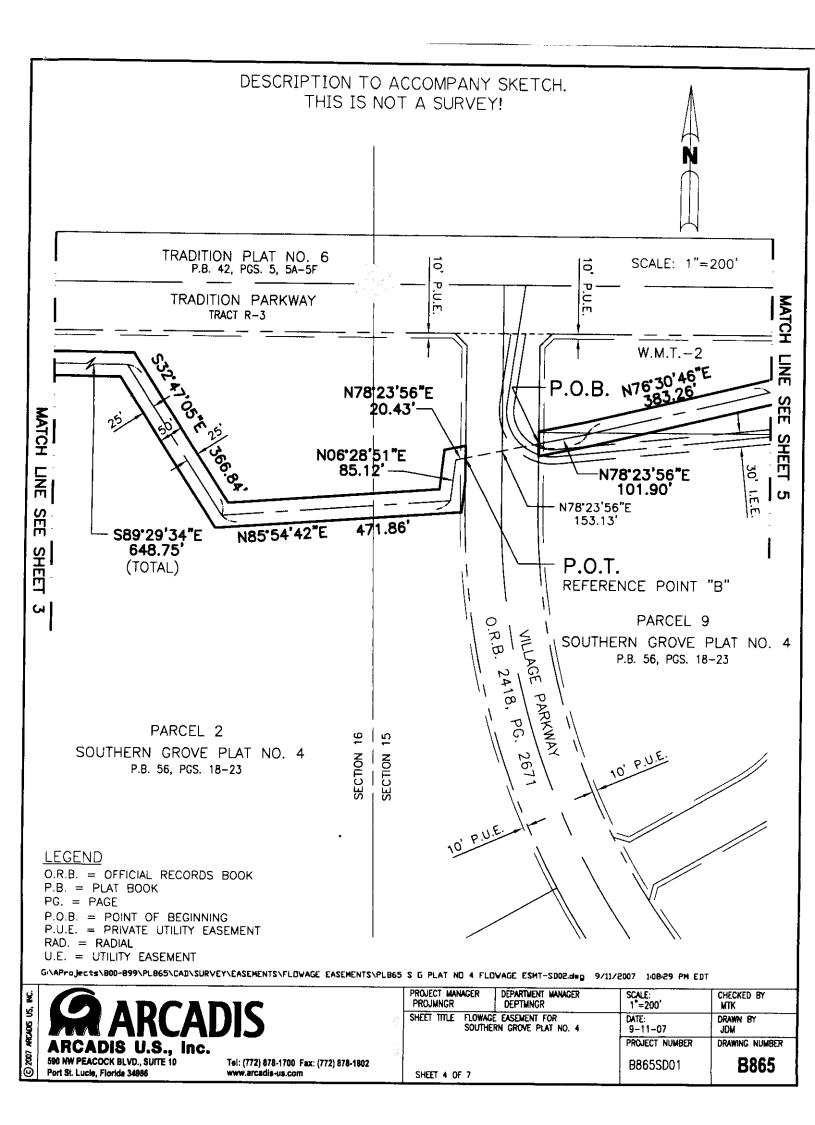
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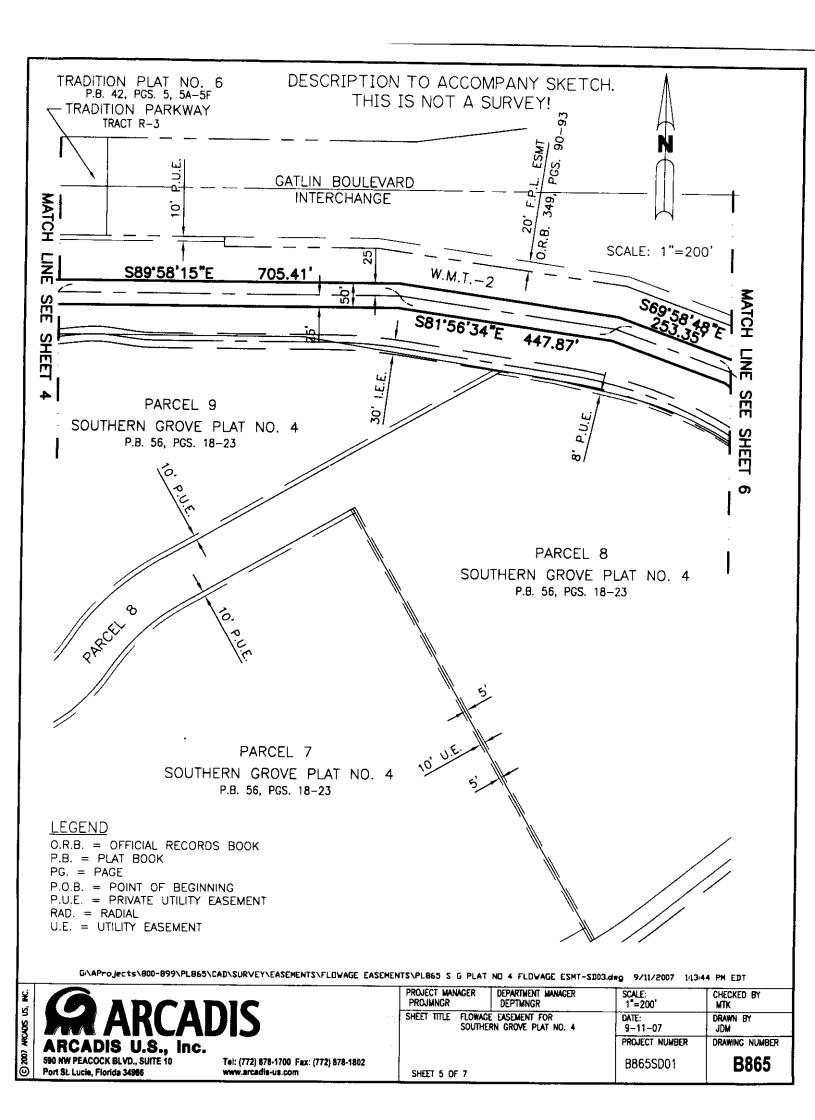
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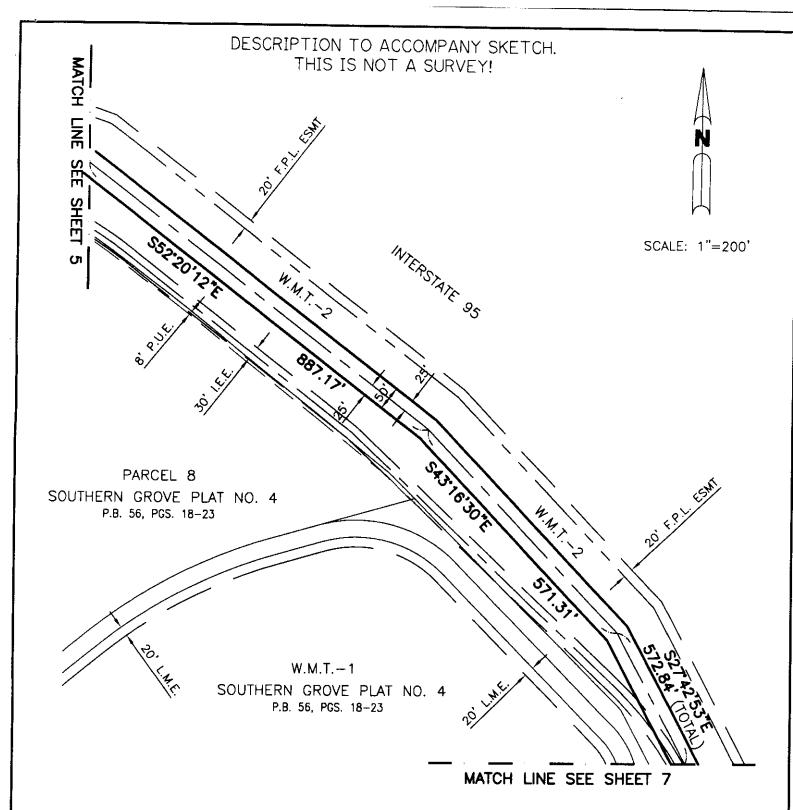
Tel: (772) 878-1700	Fax: (772) 878-1802
www.arcadis-us.co	m · ·

i	PROJECT MANAGER PROJMINGR	DEPARTMENT MANAGER DEPTMINGR	SCALE: N/A	CHECKED BY
		EASEMENT FOR RN GROVE PLAT NO. 4	DATE: 9-11-07	DRAWN BY JDM
			PROJECT NUMBER	DRAWING NUMBER
	SHEET 2 OF 7		PL865SD01	PL865









#### **LEGEND**

O.R.B. = OFFICIAL RECORDS BOOK

P.B. = PLAT BOOK

PG. = PAGE

P.O.B. = POINT OF BEGINNING

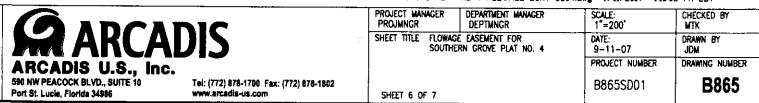
P.U.E. = PRIVATE UTILITY EASEMENT

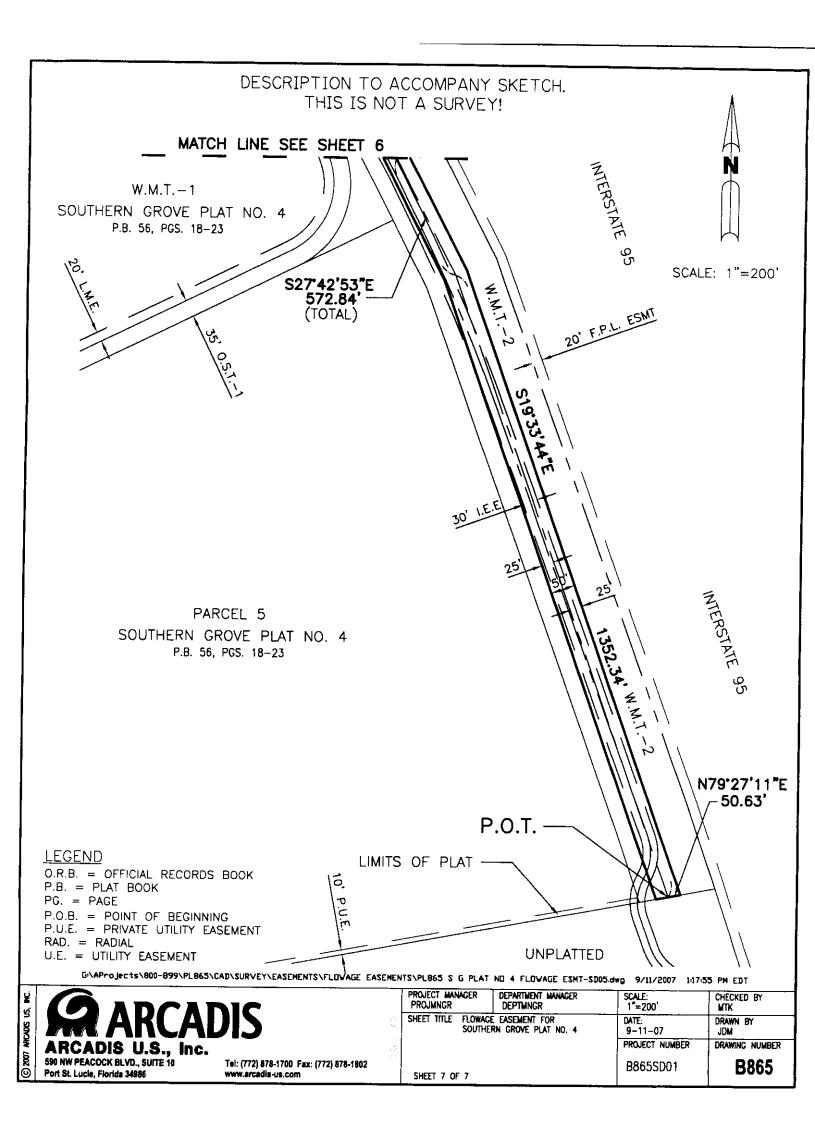
RAD. = RADIAL

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U.E. = UTILITY EASEMENT

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DESCRIPTION: 20' FLOWAGE EASEMENT FOR SOUTHERN GROVE PLAT NO. 4

BEING AN EASEMENT LYING OVER A PORTION OF PARCEL 2, SOUTHERN GROVE PLAT NO. 4, AS RECORDED IN PLAT BOOK 56, PAGES 18 THRU 23, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID PARCEL 2; THENCE SOUTH 00°02'55" EAST, ALONG THE WEST LINE OF SAID PARCEL 2, AS A BASIS OF BEARINGS, A DISTANCE OF 193.23 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 79°01'29" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 146.57 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A CURVE, CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 250.00 FEET (THE RADIUS POINT OF WHICH BEARS SOUTH 76°43'56" EAST); THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 4°35'06", AN ARC DISTANCE OF 20.01 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A LINE (THE RADIUS POINT OF SAID CURVE BEARS SOUTH 81°19'02" EAST); THENCE NORTH 79°01'29" WEST, ALONG SAID LINE, A DISTANCE OF 142.68 FEET TO REFERENCE POINT "A" (FOR FUTURE REFERENCE) AND A POINT OF INTERSECTION WITH SAID WEST LINE OF PARCEL 2; THENCE NORTH 00°02'55" WEST, ALONG SAID LINE, A DISTANCE OF 20.38 FEET TO TH POINT OF BEGINNING.

TOGETHER WITH:

COMMENCE AT SAID REFERENCE POINT "A"; THENCE TRAVERSING THE WEST LINE OF SAID PARCEL 2 BY THE FOLLOWING TWO (2) COURSES:

1. SOUTH 00°02'55" EAST, A DISTANCE OF 215.11 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 1507.00 FEET;
2. SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 13°00'32", AN ARC DISTANCE OF 342.16 FEET TO THE POINT OF BEGINNING. SAID POINT ALSO BEING A POINT OF NON RADIAL INTERSECTION WITH A LINE (THE RADIUS POINT OF SAID CURVE BEARS NORTH 76°56'33" EAST);

THENCE NORTH 76°33'44" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 126.82 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A CURVE, CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 1890.85 FEET (THE RADIUS POINT OF WHICH BEARS NORTH 79°46'42" EAST); THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 0°36'25", AN ARC DISTANCE OF 20.03 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A LINE (THE RADIUS POINT OF SAID CURVE BEARS NORTH 79°10'17" EAST) THENCE SOUTH 76°33'44" WEST, ALONG SAID LINE, A DISTANCE OF 125.80 FEET TO A POINT OF NON RADIAL INTERSECTION WITH THE WEST LINE OF SAID PARCEL 2. SAID POINT ALSO BEING A POINT OF NON RADIAL INTERSECTION WITH A CURVE HAVING A RADIUS OF 1507.00 FEET (THE RADIUS POINT OF WHICH BEARS NORTH 76°10'56" EAST); THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 0°45'37", AN ARC DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

NOTE:

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NOTE:

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JULIAN D. MORRIS DATE OF SIGNATURE:

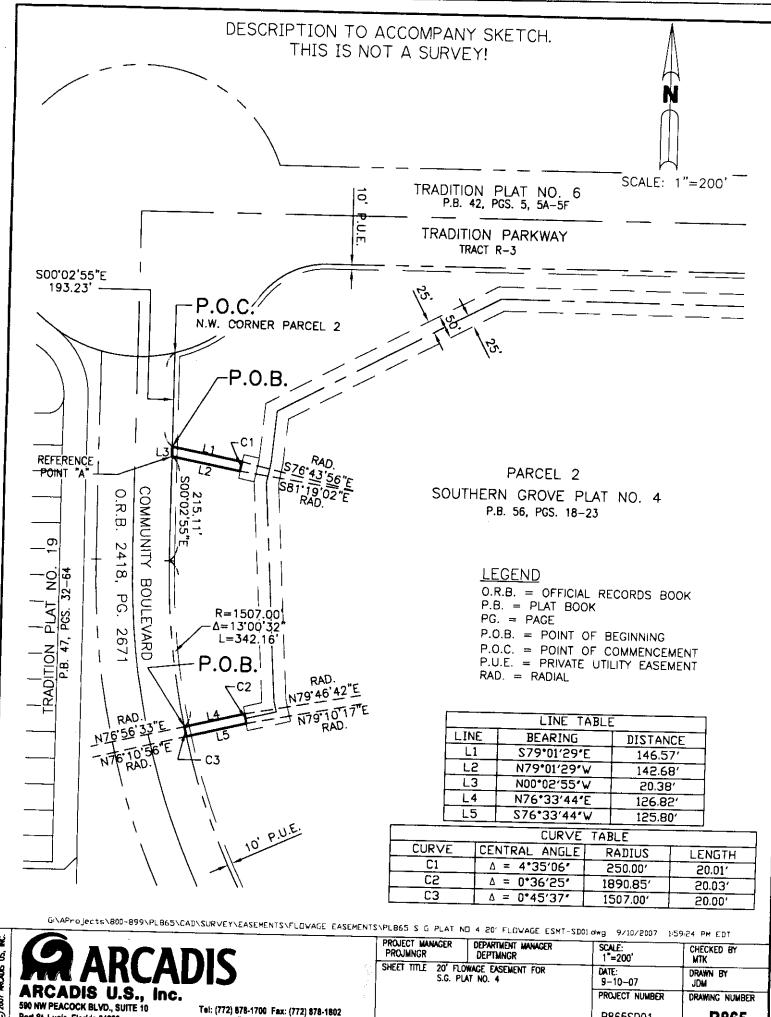
PROFESSIONAL SURVEYOR AND MAPPER STATE OF FLORIDA REGISTRATION NO. 4731

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Port St. Lucie, Florida 34986

Tel: (772) 878-1700 Fax: (772) 878-1802 www.arcadis-us.com

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.,	SHEET TITLE 20' FLO S.G. PL	WAGE EASEMENT FOR AT NO. 4	DATE: 9-10-07	DRAWN BY JDM
			PROJECT NUMBER	DRAWING NUMBER
	SHEET 1 OF 2		PL865SD01	PL865



SHEET 2 OF 2

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