



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 93-2019

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER AND CITY CLERK TO TERMINATE AND ABANDON AN EXISTING TEMPORARY LANDSCAPE EASEMENT DEED ENTERED INTO WITH CLYDE COUTANT, TRUSTEE ON OR ABOUT APRIL 23, 2008; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City of Stuart, Florida and Clyde Coutant, Trustee entered into a Temporary Landscape Easement Deed dated April 23, 2008 and recorded on April 30, 2008 in Martin County, Florida Public Records. The Deed was intended to provide temporary access to the real property owned by Clyde Coutant for the purpose of the installation by the City or its agents of landscape, irrigation, water service line, and necessary appurtenances thereto; and

WHEREAS, the City no longer utilizes the Easement for landscape purposes; and

WHEREAS, the real property was sold to a new owner on or about September 9, 2019 and the City has received a request for it to abandon the existing Temporary Landscape Easement Deed and both parties desire to abandon the Temporary Landscape Easement Deed; and

WHEREAS, the City has the right to terminate the Temporary Landscape Easement Deed.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: The City Commission of the City of Stuart hereby authorizes the City Manager and City Clerk to execute the Abandonment of Temporary Landscape Easement Deed that was entered into with prior owner, Clyde Coutant, Trustee on or about April 23, 2008 on real property located at:

A parcel of land, beginning at the southeast corner of Lot 12, Block 4, Lake Clare Section of St. Lucie Estates according to the plat thereof recorded at Plat Book 1, Page 66 Official Records of Martin County, Florida, thence running 50 feet north on the eastern property line; thence running in a southwesterly direction approximately 58.31 feet to a point on the property line 30 feet west of the southeast corner of said Lot 12, thence 30 feet east to the point of beginning.

SECTION 2: This resolution shall take effect upon adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption.

The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

REBECCA S. BRUNER, MAYOR
EULA R. CLARKE, VICE MAYOR
KELLI GLASS LEIGHTON, COMMISSIONER
MERRITT MATHESON, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of October, 2019.

ATTEST:

MARY R. KINDEL
CITY CLERK

REBECCA S. BRUNER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL
CITY ATTORNEY