

LEGAL DESCRIPTION

THE FOLLOWING DESCRIBED PARCELS, ALL LYING IN ST. LUCIE INLET FARMS SUBDIVISION, AS RECORDED IN PLAT BOOK 1 PAGE 98, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA...

TOGETHER WITH:

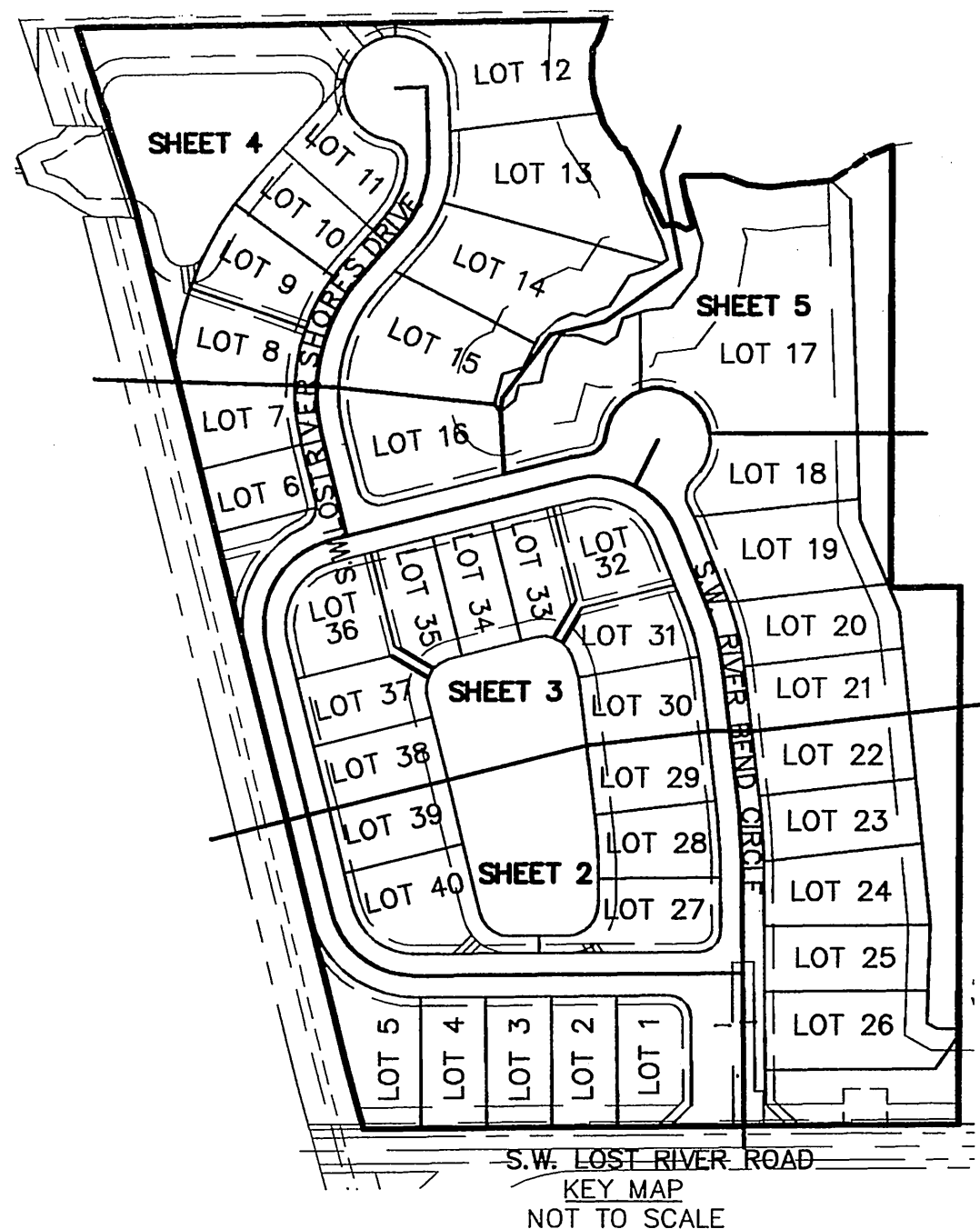
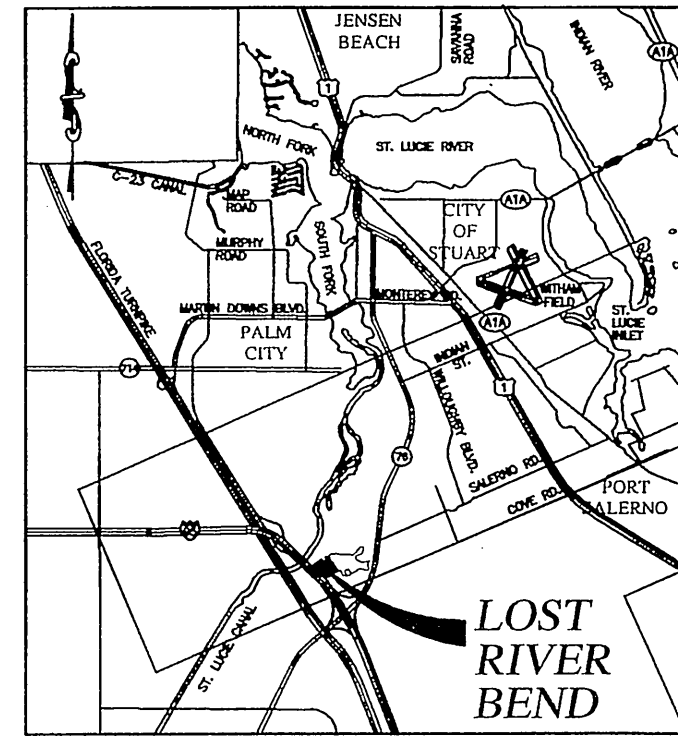
THE FOLLOWING DESCRIBED PARCELS, ALL LYING IN ST. LUCIE INLET FARMS SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 98, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA...

LESS AND EXCEPTING

A PARCEL OF LAND FOR THE PURPOSE OF ROAD RIGHT-OF-WAY LYING IN TRACT 2 & 7, BLOCK 32, ST. LUCIE INLET FARMS AS RECORDED IN PLAT BOOK 1 PAGE 98 PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF TRACT 7 BLOCK 32, ST. LUCIE INLET FARMS AS RECORDED IN PLAT BOOK 1, PAGE 98 PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE SOUTH 66°01'10" WEST (BEARINGS SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATES WITH THE SOUTH LINE OF TRACT 7, BLOCK 32, ST. LUCIE INLET FARMS, BEARING SOUTH 66°01'10" WEST...

CONTAINING: 21.942 ACRES MORE OR LESS.

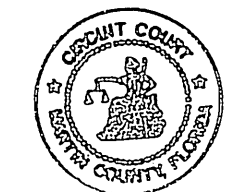


PLAT OF PHASE 2 OF LOST RIVER LOST RIVER BEND

PARCEL CONTROL NUMBER 55-38-41-321-000-0000-0-0

LEGEND

- DENOTES 4"x 4" PERMANENT REFERENCE MONUMENT SET, PSM NO. 3896
□ DENOTE PERMANENT REFERENCE MONUMENT FOUND
○ DENOTES PERMANENT CONTROL POINT
● DENOTES PROPERTY CORNER 3/4" IRON ROD & CAP PSM NO.3896



CLERK'S RECORDING CERTIFICATE I, MARSHA EWING, CLERK OF THE CIRCUIT COURT OF MARTIN COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN PLAT BOOK 116 PAGE 2, MARTIN COUNTY, FLORIDA, PUBLIC RECORDS, THIS 21st DAY OF SEPTEMBER, 2004.

BEING A REPLAT OF A PORTION OF TRACTS 1, 2, 7 & 8, BLOCK 32 OF ST. LUCIE INLET FARMS, ACCORDING TO PLAT BOOK 1 PAGE 98, OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA ALL LYING IN THE HANSON GRANT, SECTION 32, TOWNSHIP 38 SOUTH, RANGE 41 EAST CUNNINGHAM & DURRANCE CONSULTING ENGINEERS, INC., 400 EXECUTIVE CENTER DRIVE, SUITE 108, WEST PALM BEACH, FLORIDA SEPTEMBER 2004

LAND USE

Table with columns: NUMBER OF LOTS, LAND USE, ACRES. Includes rows for LOTS (13,752 ACRES), RIGHT-OF-WAY (3,583 ACRES), TRACT "A" (0,332 ACRES), etc.

MORTGAGEE'S CONSENT TO PLAT

COMMERCEBANK, N.A., A NATIONAL BANKING ASSOCIATION, HEREBY CERTIFY THAT THEY ARE THE HOLDERS OF THAT CERTAIN MORTGAGE, LIEN OR ENCUMBRANCE ON THE LAND DESCRIBED HEREON, DATED JUNE 17, 2003, AND RECORDED IN OFFICIAL RECORDS BOOK 1779, PAGE 2102 AND DO HEREBY CONSENT TO THE DEDICATION(S) HEREON AND DO SUBORDINATE THEIR MORTGAGE, LIEN OR ENCUMBRANCE TO SUCH DEDICATION.

SIGNED AND SEALED THIS 21st DAY OF SEPTEMBER, 2004 ON BEHALF OF SAID CORPORATION BY ITS SENIOR VICE PRESIDENT AND ATTESTED BY

COMMERCEBANK, N.A. JUSTO L. FERNANDEZ, SENIOR VICE PRESIDENT ATTEST: Lynette Pinciro (CORPORATE SEAL)

MORTGAGEE ACKNOWLEDGMENT

STATE OF FLORIDA COUNTY OF MARTIN THE FORGOING MORTGAGEE HOLDER'S CONSENT WAS ACKNOWLEDGED BEFORE ME THIS 21st DAY OF SEPTEMBER 2004, BY JUSTO L. FERNANDEZ, SENIOR VICE PRESIDENT OF COMMERCEBANK, N.A., A NATIONAL BANKING ASSOCIATION, WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED AS IDENTIFICATION AND WHO DID (DID NOT) TAKE AN OATH.

BY: Arnold Leslie Perlstein, Notary Public, State of Florida, Commission # 00332502, Expires 9/28/2008, Bonded thru 1/88-Notary11

COUNTY APPROVAL

THIS PLAT IS HEREBY APPROVED BY THE UNDERSIGNED ON THE DATES INDICATED.

DATE: 9-1-07-05, DATE: 1-11-05, DATE: 1/12/05, DATE: 1/23/05, BCC: 8-24-04. Attested by Stuart H. Cunningham, Chairman, Board of County Commissioners.

CERTIFICATE OF SURVEY AND MAPPER

I, STUART H. CUNNINGHAM, HEREBY CERTIFY THAT THIS PLAT OF PHASE 2 OF LOST RIVER - LOST RIVER BEND IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED, THAT SUCH SURVEY WAS MADE UNDER MY PERSONAL DIRECTION AND SUPERVISION; THAT SUCH SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED, AS REQUIRED BY LAW, THAT PERMANENT CONTROL POINTS AND LOT CORNERS WILL BE SET FOR THE REQUIRED IMPROVEMENTS WITHIN THE PLATTED LANDS; AND, FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL OF THE REQUIREMENTS OF CHAPTER 47, FLORIDA STATUTES, AND APPLICABLE ORDINANCES OF MARTIN COUNTY, FLORIDA.

THIS INSTRUMENT PREPARED BY STUART H. CUNNINGHAM CUNNINGHAM & DURRANCE CONSULTING ENGINEERS, INC. 400 EXECUTIVE CENTER DRIVE, SUITE 108 WEST PALM BEACH, FL 33401 561-689-5455

STUART H. CUNNINGHAM, Florida Surveyor and Mapper, Registration No. 3896, (OFFICIAL SEAL)

ACKNOWLEDGMENT

STATE OF FLORIDA COUNTY OF MARTIN

I HEREBY CERTIFY THAT THE FORGOING ACCEPTANCE OF DEDICATIONS WAS ACKNOWLEDGED BEFORE ME THIS 21st DAY OF SEPTEMBER 2004, BY MARTIN A. TABOR, AS PRESIDENT OF LOST RIVER HOMEOWNERS' ASSOCIATION, INC. WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED AS IDENTIFICATION AND WHO DID (DID NOT) TAKE AN OATH.

BY: Arnold Leslie Perlstein, Notary Public, State of Florida, Commission # 00332502, Expires 9/28/2008, Bonded thru 1/88-Notary11

NOTE

NO BUILDING OR ANY KIND OF CONSTRUCTION SHALL BE PLACED ON UTILITY OR DRAINAGE EASEMENTS.

NO STRUCTURE, TREES OR SHRUBS SHALL BE PLACED ON DRAINAGE EASEMENTS.

EASEMENTS ARE FOR PUBLIC UTILITIES UNLESS OTHERWISE NOTED.

APPROVAL OF LANDSCAPING ON UTILITY EASEMENTS SHALL BE ONLY WITH THE APPROVAL OF ALL UTILITIES OCCUPYING THE SAME.

ALL LINES TO CURVES ARE RADIAL UNLESS OTHERWISE NOTED.

IT SHALL BE UNLAWFUL TO ALTER THE APPROVED SLOPES, CONTOURS, OR CROSS SECTION OR TO CHEMICALLY MECHANICALLY OR MANUALLY REMOVE, DAMAGE OR DESTROY ANY PLANTS IN THE LITTORAL OR UPLAND TRANSITION ZONE BUFFER AREAS OF CONSTRUCTED LAKES EXCEPT UPON THE WRITTEN APPROVAL OF THE GROWTH MANAGEMENT DIRECTOR, AS APPLICABLE. IT IS THE RESPONSIBILITY OF THE OWNER OR PROPERTY OWNERS ASSOCIATION, ITS SUCCESSORS OR ASSIGNS TO MAINTAIN THE REQUIRED SURVIVORSHIP AND COVERAGE OF THE RECLAIMED UPLAND AND PLANTED LITTORAL AND UPLAND TRANSITION AREAS AND TO ENSURE ON-GOING REMOVAL OF PROHIBITED NON INVASIVE NON-NATIVE PLANT SPECIES FROM THE AREAS.

SURVEYOR'S NOTES

A. THIS PLAT, AS RECORDED IN ITS ORIGINAL FORM IN THE PUBLIC RECORDS, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREON AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER FORM OF THE PLAT, WHETHER GRAPHIC OR DIGITAL.

B. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

C. FOR PLATS WHICH CONTAIN PUBLIC EASEMENTS LOCATED WITHIN PRIVATE STREETS OR RIGHTS-OF-WAYS: IN THE EVENT THAT MARTIN COUNTY DISTURBS THE SURFACE OF A PRIVATE STREET DUE TO MAINTENANCE, REPAIR OR REPLACEMENT OF A PUBLIC IMPROVEMENT LOCATED THEREIN, THEN THE COUNTY SHALL BE RESPONSIBLE FOR RESTORING THE STREET SURFACE ONLY TO THE EXTENT WHICH WOULD BE REQUIRED IF THE STREET WERE A PUBLIC STREET, IN ACCORDANCE WITH COUNTY SPECIFICATIONS.

D. MEAN HIGH WATER ELEVATION WAS FURNISHED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION.

E. MEAN HIGH WATER ELEVATION WAS ESTABLISHED BY INTERPOLATION.

F. ELEVATIONS SHOWN HEREON ARE TAKEN FROM MARTIN COUNTY BENCHMARK DATUM (BENCHMARK: 76 & COVE, ELEV. 14.26, AND GS 23 ELEV. 12.96) AND ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929, (NGVD 1929).

G. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATES WITH THE SOUTH LINE OF TRACT 5, BLOCK 41, ST. LUCIE INLET FARMS SUBDIVISION, BEARING S.66°00'44"W. ALL OTHER BEARINGS SHOWN HEREON ARE RELATIVE THERETO.

H. COORDINATES SHOWN HEREON ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (NAD 83).

I. BEARINGS AND COORDINATES ARE BASED ON MARTIN COUNTY GPS CONTROL POINTS, GS 23 (6x6 CONCRETE MONUMENT, NORTHING 1007148.217 - EASTING 894323.132), AND GS 35 (6x6 CONCRETE MONUMENT, NORTHING 1028405.596 - EASTING 898959.331), AND WITPORT (10" METAL ROD IN SLEEVE, NORTHING 1035092.423 - EASTING 902822.549)

TITLE CERTIFICATION

I, ARNOLD PERLSTEIN, A MEMBER OF THE FLORIDA BAR, HEREBY CERTIFY THAT AS OF AUG 28, 2004, AT 11:00.

- 1. RECORD TITLE TO THE LAND DESCRIBED AND SHOWN ON THIS PLAT IS IN THE NAME OF THE PERSON(S), CORPORATION(S), AND/OR OTHER ENTITY(ES) EXECUTING THE CERTIFICATE OF OWNERSHIP AND DEDICATION HEREON.
2. ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD ENCUMBERING THE LAND DESCRIBED HEREON AS FOLLOWS: MORTGAGE, COMMERCEBANK, N.A., A NATIONAL BANKING ASSOCIATION, MORTGAGE, LOST RIVER PROPERTIES, LLC, A FLORIDA LIMITED LIABILITY COMPANY. DATE OF EXECUTION 10/11/03 RECORDING DATE: 6/20/03
3. ALL TAXES THAT ARE DUE AND PAYABLE PURSUANT TO SECTION 197.192, F.S., HAVE BEEN PAID.

DATED THIS 21st DAY OF SEPTEMBER, 2004

Arnold Perlstein, Attorney-at-Law, Florida Bar No. 270911, 4801 SOUTH UNIVERSITY DRIVE, 2ND FLOOR FT. LAUDERDALE, FL 33328

ACKNOWLEDGMENT

STATE OF FLORIDA COUNTY OF MARTIN

I HEREBY CERTIFY THAT THE FORGOING CERTIFICATE OF OWNERSHIP AND DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 21st DAY OF SEPTEMBER 2004, BY MARTIN A. TABOR, AS PRESIDENT OF STUART INTERNATIONAL CORP, A FLORIDA CORPORATION, ITS MANAGER/MEMBER OF LOST RIVER PROPERTIES, LLC, A FLORIDA LIMITED LIABILITY COMPANY, WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED AS IDENTIFICATION AND WHO DID (DID NOT) TAKE AN OATH.

BY: Arnold Leslie Perlstein, Notary Public, State of Florida, Commission # 00332502, Expires 9/28/2008, Bonded thru 1/88-Notary11

ACCEPTANCE OF DEDICATIONS

STATE OF FLORIDA COUNTY OF MARTIN

THE LOST RIVER HOMEOWNERS' ASSOCIATION, INC. HEREBY ACCEPTS THE DEDICATIONS OR RESERVATIONS TO SAID ASSOCIATION AS STATED AND SHOWN HEREON, AND HEREBY ACCEPTS MAINTENANCE OBLIGATIONS FOR SAME AS STATED HEREON, DATED THIS 21st DAY OF SEPTEMBER 2004

LOST RIVER HOMEOWNERS' ASSOCIATION, INC., A FLORIDA CORPORATION NOT FOR PROFIT

Witnessed by Arnold Perlstein, Notary Public, State of Florida, Commission # 00332502, Expires 9/28/2008, Bonded thru 1/88-Notary11. Signed by Martin A. Tabor, President.

CERTIFICATE OF OWNERSHIP AND DEDICATION

LOST RIVER PROPERTIES, LLC, A FLORIDA LIMITED LIABILITY COMPANY, BY AND THROUGH ITS UNDERSIGNED OFFICER, HEREBY CERTIFIES THAT IT IS THE OWNER OF THE PROPERTY DESCRIBED ON THE PLAT OF PHASE 2 OF LOST RIVER- LOST RIVER BEND AND HEREBY DEDICATES AS FOLLOWS:

1. STREETS

THE STREETS AND RIGHTS-OF-WAY SHOWN ON THIS PLAT OF PHASE 2 OF LOST RIVER- LOST RIVER BEND AND DESIGNATED AS PRIVATE, ARE HEREBY DECLARED TO BE THE PROPERTY OF LOST RIVER HOMEOWNERS' ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), AND THE PRIVATE STREETS AND RIGHTS-OF-WAY SHALL BE CONVEYED BY DEED TO THE ASSOCIATION, FOR ACCESS AND UTILITY PURPOSES (INCLUDING CATV), AND SHALL BE MAINTAINED, REPAIRED AND REPLACED BY THE ASSOCIATION. MARTIN COUNTY HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY, OR LIABILITY FOR, ANY PRIVATE STREETS AND RIGHTS OF WAY DESIGNATED AS SUCH ON THIS PLAT.

2. UTILITY EASEMENTS

THE UTILITY EASEMENTS SHOWN ON THIS PLAT OF PHASE 2 OF LOST RIVER- LOST RIVER BEND MAY BE USED FOR UTILITY PURPOSE BY ANY UTILITY IN COMPLIANCE WITH SUCH ORDINANCES AND REGULATIONS AS MAY BE ADOPTED FROM TIME TO TIME BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA. SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES, PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. MARTIN COUNTY HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY, OR LIABILITY FOR, ANY UTILITY EASEMENTS DESIGNATED AS SUCH ON THIS PLAT.

3. THE LIFT STATION EASEMENT AS SHOWN ON THIS PLAT OF PHASE 2 OF LOST RIVER- LOST RIVER BEND AND DESIGNATED AS PART OF TRACT "A" MAY BE USED FOR UTILITY PURPOSE BY ANY UTILITY IN COMPLIANCE WITH SUCH ORDINANCES AND REGULATIONS AS MAY BE ADOPTED FROM TIME TO TIME BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA. MARTIN COUNTY HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY, OR LIABILITY FOR, ANY LIFT STATION EASEMENT DESIGNATED AS SUCH ON THIS PLAT.

FOR ANY LIFT STATION EASEMENT DESIGNATED AS SUCH ON THIS PLAT.

A. THE WATERWAY AREAS SHOWN ON THIS PLAT OF PHASE 2 OF LOST RIVER- LOST RIVER BEND AS TRACTS "J" ARE HEREBY DECLARED TO BE THE PROPERTY OF THE LOST RIVER HOMEOWNERS' ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), AND ARE FURTHER DECLARED TO BE A PRIVATE RECREATION AREA, WHICH SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR RECREATION AND LANDSCAPING PURPOSES, AND SHALL BE MAINTAINED BY THE ASSOCIATION. MARTIN COUNTY HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY, OR LIABILITY FOR, ANY RECREATION AREAS AND WATERWAY AREAS DESIGNATED AS SUCH ON THIS PLAT.

B. THE 50 FOOT UPLAND TRANSITION ZONES, (AN AREA ADJACENT TO WETLAND PRESERVE TRACT "H" AND THE SOUTH FORK OF THE ST. LUCIE RIVER) SHOWN ON THIS PLAT OF PHASE 2 OF LOST RIVER- LOST RIVER BEND ARE HEREBY DECLARED TO BE THE PROPERTY OF LOST RIVER HOMEOWNERS' ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), AND IS FURTHER DECLARED TO BE A PRIVATE PRESERVATION AREA, WHICH SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR PRESERVATION PURPOSES AND SHALL BE MAINTAINED BY THE ASSOCIATION IN ACCORDANCE WITH THE PRESERVE AREA MANAGEMENT PLAN (PAMP) APPROVED BY MARTIN COUNTY. NO CONSTRUCTION IN, OR ALTERATION OR DESTRUCTION OF, THE PARCEL SHALL OCCUR, EXCEPT AS SPECIFIED WITHIN THE APPROVED PAMP. MARTIN COUNTY HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY, OR LIABILITY FOR, ANY PRESERVATION AREA DESIGNATED AS SUCH ON THIS PLAT.

C. THE 25 FOOT UPLAND TRANSITION ZONES, (A BUFFER AREA ADJACENT TO WATERWAY TRACT J) AND ALL WETLAND (TRACT "H") & BUFFER AREAS AS SHOWN ON THIS PLAT OF PHASE 2 OF LOST RIVER- LOST RIVER BEND ARE HEREBY DECLARED TO BE THE PROPERTY OF LOST RIVER HOMEOWNERS' ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), AND ARE FURTHER DECLARED TO BE PRIVATE PRESERVATION AREAS, WHICH SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR PRESERVATION PURPOSES AND SHALL BE MAINTAINED BY THE ASSOCIATION IN ACCORDANCE WITH THE PRESERVE AREA MANAGEMENT PLAN (PAMP) APPROVED BY MARTIN COUNTY. NO CONSTRUCTION IN, OR ALTERATION OR DESTRUCTION OF, THE PARCELS SHALL OCCUR EXCEPT AS SPECIFIED WITHIN THE APPROVED PAMP AND FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION PERMIT NO. 43-0146272-001, SOUTH FLORIDA WATER MANAGEMENT DISTRICT PERMIT NO. 43-00429-S-10 AND U.S. ARMY CORPS OF ENGINEERS PERMIT NO. 199201098 (IP-AAZ). MARTIN COUNTY HAS REGULATORY AUTHORITY OVER BUT SHALL BEAR NO RESPONSIBILITY, DUTY OR LIABILITY FOR ANY PRESERVATION AREAS DESIGNATED AS SUCH ON THIS PLAT. A PERPETUAL STATUTORY CONSERVATION EASEMENT FOR THE PRESERVATION AREAS, PURSUANT TO SECTION 704.06, FLORIDA STATUTES, HAS BEEN CONVEYED TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND IS RECORDED IN THE PUBLIC RECORDS AT OFFICIAL RECORD BOOK 1811 PAGE 1988.

D. THE OPEN SPACE AREAS SHOWN ON THIS PLAT OF PHASE 2 OF LOST RIVER- LOST RIVER BEND AS TRACTS "A, B, C, D & G" ARE HEREBY DECLARED TO BE PROPERTY OF THE LOST RIVER HOMEOWNERS' ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), WHICH SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR OPEN SPACE AND LANDSCAPE PURPOSES, AND SHALL BE MAINTAINED BY THE ASSOCIATION. MARTIN COUNTY HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY, OR LIABILITY FOR, ANY OPEN SPACE AREA DESIGNATED AS SUCH ON THIS PLAT.

E. THE PRIVATE DRAINAGE EASEMENTS SHOWN ON THIS PLAT OF PHASE 2 OF LOST RIVER- LOST RIVER BEND, AND DESIGNATED AS SUCH ON THE PLAT, AND LAKE AREAS AS SHOWN ON THIS PLAT OF PHASE 2 OF LOST RIVER- LOST RIVER BEND, AND DESIGNATED AS TRACTS "E & F" ARE HEREBY DECLARED TO BE THE PROPERTY OF THE LOST RIVER HOMEOWNERS' ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), AND SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR DRAINAGE PURPOSES, AND ALL DRAINAGE FACILITIES LOCATED THEREIN SHALL BE MAINTAINED, REPAIRED AND REPLACED BY THE ASSOCIATION. MARTIN COUNTY HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY, OR LIABILITY FOR, ANY PRIVATE DRAINAGE EASEMENTS AND LAKE AREAS DESIGNATED AS SUCH ON THIS PLAT.

F. THE LAKE MAINTENANCE EASEMENTS AS SHOWN ON THIS PLAT OF PHASE 2 OF LOST RIVER- LOST RIVER BEND, ARE HEREBY DECLARED TO BE THE PROPERTY OF THE LOST RIVER HOMEOWNERS' ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), AND SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR LAKE MAINTENANCE PURPOSES, AND SHALL BE MAINTAINED BY THE ASSOCIATION. MARTIN COUNTY HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY, OR LIABILITY FOR, ANY LAKE MAINTENANCE EASEMENTS DESIGNATED AS SUCH ON THIS PLAT.

6. PUBLIC FLOW-THROUGH DRAINAGE EASEMENT

IN THE EVENT THAT THE FREE FLOW OF WATER THROUGH THE ABOVE-DESCRIBED PRIVATE DRAINAGE EASEMENTS AND/OR TRACTS AND INTO THE PUBLIC DRAINAGE SYSTEM IS DISRUPTED OR PREVENTED, MARTIN COUNTY SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, OF REASONABLE ACCESS TO, AND ENTRY UPON, SUCH PRIVATE EASEMENTS AND/OR TRACTS AND ADJACENT LAND FOR THE PURPOSE OF PERFORMING FLOW-THROUGH DRAINAGE MAINTENANCE UPON THIRTY (30) DAYS PRIOR WRITTEN NOTICE TO THE ASSOCIATION; HOWEVER, MARTIN COUNTY SHALL BE REQUIRED ONLY TO ATTEMPT TO PROVIDE REASONABLE NOTICE TO THE ASSOCIATION IN ORDER TO PERFORM FLOW-THROUGH DRAINAGE MAINTENANCE IN RESPONSE TO A DRAINAGE-RELATED EMERGENCY WHICH POSES AN IMMEDIATE THREAT TO THE PUBLIC HEALTH, SAFETY AND WELFARE. WITHIN TEN (10) DAYS OF THE PERFORMANCE OF FLOW-THROUGH DRAINAGE MAINTENANCE BY MARTIN COUNTY, THE ASSOCIATION SHALL PAY TO THE COUNTY THE AMOUNT OF ALL COSTS (INCLUDING ADMINISTRATIVE COSTS) THEREBY INCURRED, AND THE AMOUNT OF SUCH COSTS WILL CONSTITUTE AN EQUITABLE OR SPECIAL ASSESSMENT LIEN, AS DETERMINED BY MARTIN COUNTY, ON ASSOCIATION PROPERTY, INCLUDING THE ABOVE- DESCRIBED EASEMENTS AND/OR TRACTS, AND THE LIEN MAY BE ENFORCED IN ACCORDANCE WITH APPLICABLE LAW

SIGNED AND SEALED THIS 21st DAY OF SEPTEMBER 2004 ON BEHALF OF SAID COMPANY BY ITS MANAGER/MEMBER

LOST RIVER PROPERTIES, LLC, A FLORIDA LIMITED LIABILITY COMPANY, BY STUART INTERNATIONAL CORP., A FLORIDA CORPORATION, ITS MANAGER/MEMBER. Witnessed by Arnold Perlstein, Notary Public, State of Florida, Commission # 00332502, Expires 9/28/2008, Bonded thru 1/88-Notary11. Signed by Martin A. Tabor, President.

Witnessed by Arnold Perlstein, Notary Public, State of Florida, Commission # 00332502, Expires 9/28/2008, Bonded thru 1/88-Notary11. Signed by William F. Smith, President.