

Pastelle P.U.D.

Being a parcel of land lying in the Gomez Grant, Martin County, Florida

Certificate of Ownership and Dedication (Continued)

6. COMMON AREAS

THE COMMON AREAS (C.A.) SHOWN ON THIS PLAT OF PASTELLE P.U.D., ARE HEREBY DECLARED TO BE THE PROPERTY OF THE PASTELLE PROPERTY OWNERS ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), AND ARE FURTHER DECLARED TO BE PRIVATE COMMON AREAS, WHICH SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR THE USE AND ENJOYMENT OF SAID ASSOCIATION, ITS MEMBERS AND THEIR INVITED GUESTS, AND SHALL BE MAINTAINED BY THE ASSOCIATION AS PROVIDED IN THAT CERTAIN DECLARATION OF COVENANTS AND RESTRICTIONS FOR PASTELLE, AS IT MAY BE AMENDED FROM TIME TO TIME. MARTIN COUNTY HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY OR LIABILITY REGARDING SUCH COMMON AREAS.

7. COMMON AREA WATER TRACTS

TRACTS LAKE 1, LAKE 2, LAKE 3, LAKE 4, LAKE 5, LAKE 6 AND IRRIGATION LAKE, AS SHOWN ON THIS PLAT OF PASTELLE P.U.D., ARE HEREBY DECLARED TO BE THE PROPERTY OF THE PASTELLE PROPERTY OWNERS ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), AND ARE DECLARED TO BE PRIVATE COMMON AREA WATER TRACTS, WHICH SHALL BE CONVEYED BY DEED TO THE ASSOCIATION, FOR THE USE AND ENJOYMENT OF SAID ASSOCIATION, ITS MEMBERS AND THEIR INVITED GUESTS, AND SHALL BE MAINTAINED BY THE ASSOCIATION AS PROVIDED IN THAT CERTAIN DECLARATION OF COVENANTS AND RESTRICTIONS FOR PASTELLE, AS IT MAY BE AMENDED FROM TIME TO TIME. MARTIN COUNTY HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY OR LIABILITY REGARDING SUCH COMMON AREA WATER TRACTS.

8. LAKE MAINTENANCE EASEMENTS (LME)

THE LAKE MAINTENANCE EASEMENTS (LME) SHOWN ON THIS PLAT OF PASTELLE P.U.D., AND DESIGNATED AS SUCH ON THE PLAT, ARE HEREBY DECLARED TO BE THE PROPERTY OF THE PASTELLE PROPERTY OWNERS ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), AND ARE FURTHER DECLARED TO BE PRIVATE ACCESS EASEMENTS, WHICH SHALL BE CONVEYED BY DEED TO THE ASSOCIATION TO PROVIDE INGRESS AND EGRESS FOR BOTH PEDESTRIAN AND EQUIPMENT PURPOSES, AND ALL IMPROVEMENTS 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 LAKE MAINTENANCE EASEMENTS DESIGNATED AS SUCH ON THIS PLAT.

9. RECREATION AREA

THE RECREATION AREA SHOWN ON THIS PLAT OF PASTELLE P.U.D., AND DESIGNATED AS SUCH ON THE PLAT, IS HEREBY DECLARED TO BE THE PROPERTY OF THE PASTELLE PROPERTY OWNERS ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), AND IS FURTHER DECLARED TO BE A PRIVATE RECREATION AREA, WHICH SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR THE USE AND ENJOYMENT OF SAID ASSOCIATION, ITS MEMBERS AND THEIR INVITED GUESTS, AND SHALL BE MAINTAINED BY THE ASSOCIATION, AS PROVIDED IN THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PASTELLE RECORDED OR TO BE RECORDED IN THE MARTIN COUNTY, FLORIDA, PUBLIC RECORDS. MARTIN COUNTY HAS REGULATORY AUTHORITY OVER, BUT SHALL HAVE NO RESPONSIBILITY, DUTY OR LIABILITY REGARDING SUCH RECREATION AREAS.

10. WET DETENTION AREAS

THE WET DETENTION AREAS SHOWN ON THIS PLAT OF PASTELLE P.U.D., AND DESIGNATED AS WET DETENTION AREA 1 AND WET DETENTION AREA 2, ARE HEREBY DECLARED TO BE THE PROPERTY OF THE PASTELLE PROPERTY OWNERS ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), AND ARE FURTHER DECLARED TO BE PRIVATE WET DETENTION AREAS, WHICH SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR DETENTION PURPOSES, AND SHALL BE MAINTAINED BY THE ASSOCIATION, AS PROVIDED IN THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE PASTELLE RECORDED OR TO BE RECORDED IN THE MARTIN COUNTY, FLORIDA, PUBLIC RECORDS. MARTIN COUNTY HAS REGULATORY AUTHORITY OVER, BUT SHALL HAVE NO RESPONSIBILITY, DUTY OR LIABILITY REGARDING SUCH WET DETENTION AREAS.

11. LIFT STATION EASEMENTS

THE LIFT STATION EASEMENTS SHOWN ON THIS PLAT OF PASTELLE P.U.D. AND DESIGNATED AS SUCH ON THIS PLAT, ARE HEREBY DEDICATED TO SOUTH MARTIN REGIONAL UTILITY FOR UTILITY PURPOSES 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 THE LIFT STATION EASEMENTS.

12. 50' U.S. 1 CORRIDOR BUFFER

THE 50' U.S. 1 CORRIDOR BUFFER SHOWN ON THIS PLAT OF PASTELLE P.U.D., AND DESIGNATED AS SUCH ON THIS PLAT, IS HEREBY DECLARED TO BE THE PROPERTY OF THE PASTELLE PROPERTY OWNERS ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), AND IS FURTHER DECLARED TO BE A PRIVATE BUFFER, WHICH SHALL BE CONVEYED BY DEED TO THE ASSOCIATION, AND SHALL BE MAINTAINED BY THE ASSOCIATION, AS PROVIDED IN THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PASTELLE RECORDED OR TO BE RECORDED IN THE MARTIN COUNTY, FLORIDA, PUBLIC RECORDS. MARTIN COUNTY HAS REGULATORY AUTHORITY OVER, BUT SHALL HAVE NO RESPONSIBILITY, DUTY OR LIABILITY REGARDING SUCH 50' U.S. HIGHWAY NO. 1 CORRIDOR BUFFER.

13. COMMERCIAL TRACT

THE COMMERCIAL TRACT AS SHOWN ON THIS PLAT OF PASTELLE P.U.D. AND DESIGNATED AS SUCH ON THIS PLAT, IS HEREBY RESERVED TO M/I HOMES OF WEST PALM BEACH, LLC.

Certificate of Ownership and Dedication (Continued)

14. PUBLIC FLOW-THROUGH DRAINAGE EASEMENT

NOTWITHSTANDING THE OBLIGATION OF THE PASTELLE PROPERTY OWNERS ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION") OF MAINTENANCE, REPAIR AND REPLACEMENT AS TO THE PRIVATE DRAINAGE EASEMENTS AND/OR TRACTS SHOWN ON THIS PLAT, THERE IS HEREBY DEDICATED TO MARTIN COUNTY A NON-EXCLUSIVE, FLOW-THROUGH DRAINAGE EASEMENT AND REASONABLE RIGHT OF ACCESS TO ENSURE THE FREE FLOW OF WATER FOR GENERAL PUBLIC DRAINAGE PURPOSES OVER, THROUGH AND UNDER THE FOLLOWING DESCRIBED PRIVATE DRAINAGE EASEMENTS AND/OR TRACTS SHOWN ON THIS PLAT: ALL DRAINAGE EASEMENTS, WETLAND TRACTS, COMMON AREA WATER TRACTS AND WET DETENTION AREAS SHOWN HEREON.

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 PURPOSES 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 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.

M/I HOMES OF WEST PALM BEACH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, BY AND THROUGH ITS UNDERSIGNED OFFICER, DOES HEREBY CERTIFY THAT IT IS OWNER OF THE PROPERTY DESCRIBED HEREON.

WITNESS [Signature]
 PRINT NAME JEREMY P STOVALL
 M/I HOMES OF WEST PALM BEACH, LLC
 NAME: MARK E. WELCH
 TITLE: VICE PRESIDENT

WITNESS [Signature]
 PRINT NAME GEORGE UNDERWOOD

Acknowledgment

STATE OF FLORIDA
 COUNTY OF PALM BEACH

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED MARK E. WELCH, TO ME WELL KNOWN TO BE THE VICE PRESIDENT OF M/I HOMES OF WEST PALM BEACH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AND HE ACKNOWLEDGED THAT HE EXECUTED SUCH CERTIFICATE OF OWNERSHIP AND DEDICATION AS OFFICER OF SAID CORPORATION AND THAT THE SEAL AFFIXED IS THE CORPORATE SEAL OF SAID CORPORATION AND THAT IT IS THE FREE ACT AND DEED OF SAID CORPORATION. HE IS: PERSONALLY KNOWN TO ME OR AS PRODUCED

DATED THIS 10th DAY OF August, 2005.

[Signature]
 NOTARY PUBLIC
 STATE OF FLORIDA
 COMMISSION NO. DD 123118
 MY COMMISSION EXPIRES 10/1/06

Acceptance of Dedications

PASTELLE PROPERTY OWNERS ASSOCIATION, INC., DOES HEREBY ACCEPT OWNERSHIP AND DEDICATIONS OF LAND, EASEMENTS, RESTRICTIONS, STREETS, RIGHTS-OF-WAY AND COVENANTS BY THE OWNER THEREOF AS SHOWN ON THIS PLAT OF PASTELLE P.U.D., AND DOES HEREBY ACCEPT THE RESPONSIBILITIES SET FORTH THEREIN.

DATED THIS 9th DAY OF August, 2005.

PASTELLE PROPERTY OWNERS ASSOCIATION, INC.

WITNESS [Signature]
 PRINT NAME JEREMY P STOVALL
 WITNESS [Signature]
 PRINT NAME GEORGE UNDERWOOD

[Signature]
 MARK E. WELCH
 ITS: PRESIDENT
 [CORPORATE SEAL]

Acknowledgment

STATE OF FLORIDA
 COUNTY OF PALM BEACH

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, APPEARED MARK E. WELCH, PRESIDENT OF THE PASTELLE PROPERTY OWNERS ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, AND HE ACKNOWLEDGED THAT HE EXECUTED SUCH ACCEPTANCE OF DEDICATIONS AS SUCH OFFICER OF SAID CORPORATION AND THAT THE SEAL AFFIXED IS THE CORPORATE SEAL OF SAID CORPORATION AND THAT IT WAS AFFIXED BY DUE AND REGULAR CORPORATE AUTHORITY, AND THAT IT IS THE FREE ACT AND DEED OF SAID CORPORATION. HE IS PERSONALLY KNOWN TO ME OR AS PRODUCED

[Signature]
 PRINT NAME: LYNDA C. TOBIAS
 NOTARY PUBLIC STATE OF: FLORIDA
 COMMISSION NO. DD-123118
 MY COMMISSION EXPIRES: 10/1/06



County Approval

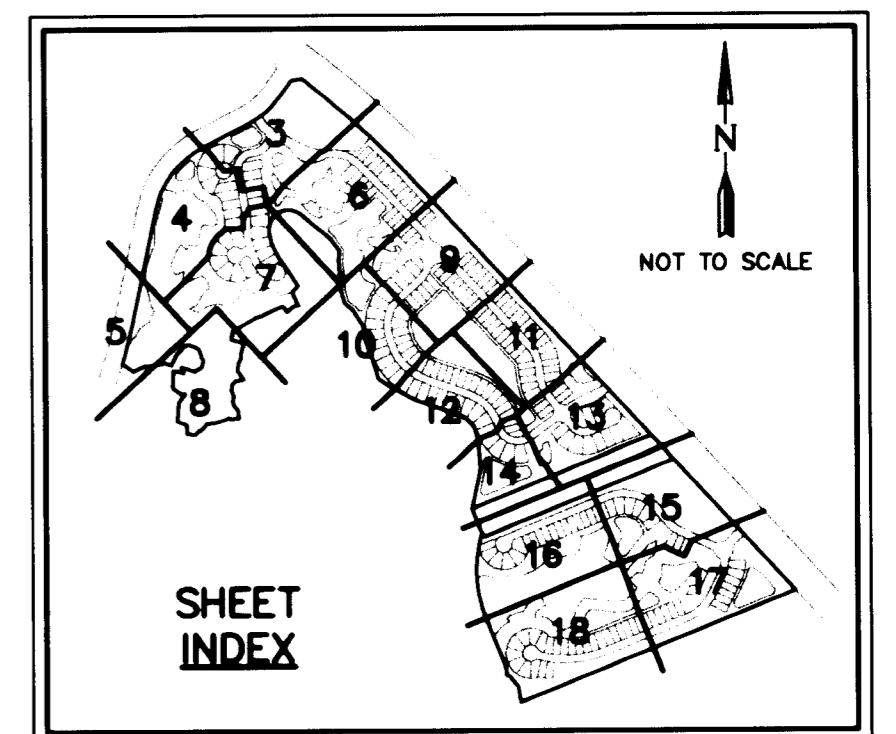
THIS PLAT IS HEREBY APPROVED BY THE UNDERSIGNED ON THE DATES INDICATED:

DATE: 10-5-05 [Signature]
 COUNTY SURVEYOR AND MAPPER
 DATE: 11-7-05 [Signature]
 COUNTY ENGINEER
 DATE: 11/15/05 [Signature]
 COUNTY ATTORNEY
 DATE: 11/16-05 [Signature]
 BCC: 8-9-05
 CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

ATTEST:
[Signature]
 CLERK
[Signature]

SURVEYOR'S NOTES

- 1) 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 THIS PLAT, WHETHER GRAPHIC OR DIGITAL.
- 2) THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
- 3) IT SHALL BE UNLAWFUL TO ALTER THE APPROVED SLOPES, CONTOURS, OR CROSS SECTIONS 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 AND INVASIVE NON-NATIVE PLANT SPECIES FROM THESE AREAS. (CODE: 4.343A.13.LDR)
- 4) WETLAND BUFFERS, BUFFER PROTECTION AREAS AND UPLAND PRESERVE AREAS SHALL BE PROTECTED FROM EXCAVATION, CONSTRUCTION AND OTHER BUILDING MAINTENANCE ACTIVITIES.
- 5) BEARINGS SHOWN HEREON ARE REFERENCED TO THE WEST LINE OF U.S. HIGHWAY NO. 1. SAID LINE BEARS NORTH 42°42'14" WEST.

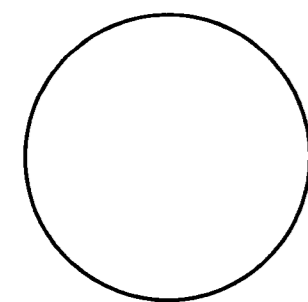


Certificate of Surveyor and Mapper

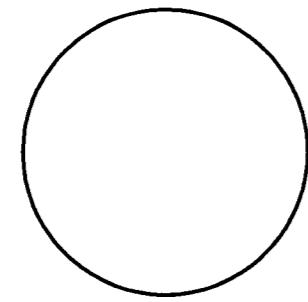
I, DAVID W. SCHRYVER, HEREBY CERTIFY THAT THIS PLAT OF PASTELLE P.U.D. IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED, THAT SUCH SURVEY WAS MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SUCH SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS (P.R.M.'s) HAVE BEEN PLACED, AS REQUIRED BY LAW; AND PERMANENT CONTROL POINTS (C.P.'s) 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 177, FLORIDA STATUTES, AND APPLICABLE ORDINANCES OF MARTIN COUNTY, FLORIDA.

DATE: 8-11-05
[Signature]
 NAME: DAVID W. SCHRYVER
 FLORIDA SURVEYOR AND MAPPER
 REGISTRATION NO. 4864

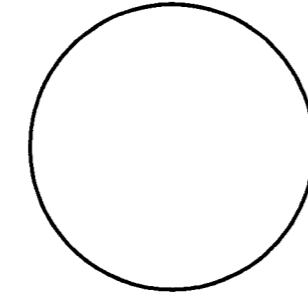
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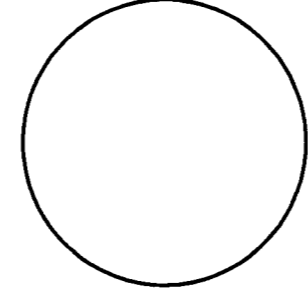
[CORPORATE SEAL]



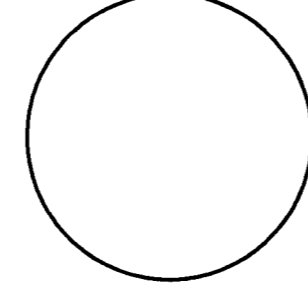
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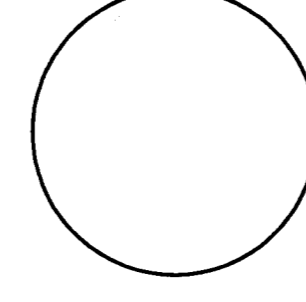
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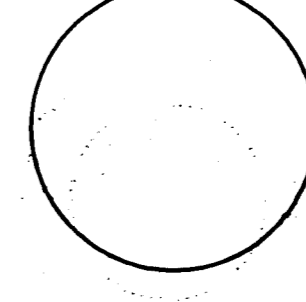
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NOTARY PUBLIC



NOTARY PUBLIC



SURVEYOR