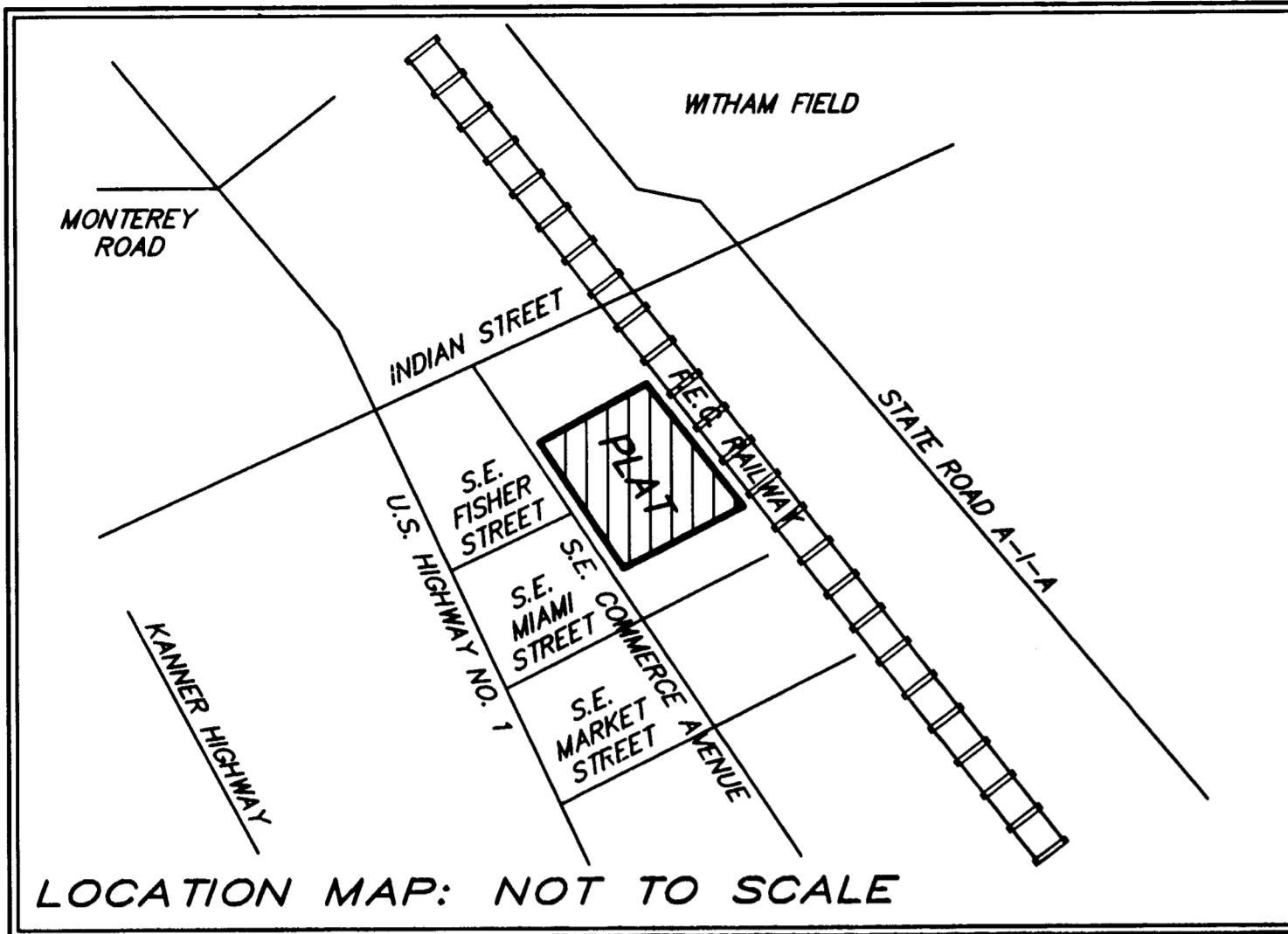


FILED FOR RECORD
MARTIN CO., FL
2008 JUN 25 PM 3:00
CLERK OF CIRCUIT COURT
BY: _____ D.C.

CLERK'S RECORDING CERTIFICATE:
I, MARSHA EWING, CLERK OF THE CIRCUIT COURT OF THIS COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN PLAT BOOK 16, PAGE 74, MARTIN COUNTY, FLORIDA, PUBLIC RECORDS, THIS 25th DAY OF June, 2008.
MARSHA EWING, CLERK
CIRCUIT COURT
MARTIN COUNTY, FLORIDA
BY: Charlotte B. Welsley
DEPUTY CLERK (CIRCUIT COURT SEAL)
2092265
FILE NO.

SUBDIVISION PARCEL CONTROL NUMBER:
38-38-41-022-000-0000.0



THIES DISTRIBUTING PLANT OF STUART

A REPLAT OF A PORTION OF TRACTS 105, 106, 107 AND 108,
AND A PORTION OF S.E. FISCHER STREET (A 50 FOOT RIGHT OF WAY)
AS SHOWN ON THE REVISED PLAT OF PORT SEWALL LAND COMPANY
AS RECORDED IN PLAT BOOK 3, PAGE 7
CITY OF STUART, MARTIN COUNTY, FLORIDA
BLOOMSTER PROFESSIONAL LAND SURVEYORS, INC.
791 N.E. DIXIE HIGHWAY
JENSEN BEACH, FLORIDA 34957
OFFICE PHONE NO. (772) 334-0868 - FAX NO. (772) 334-5283

CERTIFICATE OF OWNERSHIP AND DEDICATION:

D & C PROPERTIES (STUART) LLC, A FLORIDA LIMITED LIABILITY COMPANY, BY AND THROUGH ITS UNDERSIGNED OFFICER, DOES HEREBY CERTIFY THAT IT IS THE OWNER OF THE PROPERTY DESCRIBED HEREON AND HEREBY DEDICATE AS FOLLOWS:

1. PRESERVE AREAS NUMBER 1 AND 2 AS SHOWN ON THIS PLAT OF THIES DISTRIBUTING PLANT OF STUART IS A PRIVATE EASEMENT AND HEREBY DECLARED TO BE THE PROPERTY OF SAID D & C PROPERTIES (STUART) LLC, A FLORIDA LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND/OR ASSIGNS, AND ARE FURTHER DECLARED PRESERVE AREAS, WHICH SHALL BE CONVEYED TO SAID COMPANY FOR PRESERVATION PURPOSES AND SHALL BE MAINTAINED BY THE COMPANY. NO CONSTRUCTION, ALTERATION OR DESTRUCTION WITHIN THIS AREA SHOULD TAKE PLACE, UNLESS APPROVED BY APPROPRIATE AGENCY. THE CITY OF STUART SHALL HAVE NO RESPONSIBILITY, DUTY OR LIABILITY REGARDING SAID PRESERVE AREA.
2. THE DRAINAGE EASEMENT AS SHOWN ON THIS PLAT OF THIES DISTRIBUTING PLANT OF STUART IS A PRIVATE EASEMENT AND HEREBY DECLARED TO BE THE PROPERTY OF SAID D & C PROPERTIES (STUART) LLC, A FLORIDA LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND/OR ASSIGNS. SAID EASEMENT SHALL HEREBY DEDICATED TO SAID COMPANY FOR DRAINAGE PURPOSES, FOR THE INSTALLATION AND MAINTENANCE OF DRAINAGE FACILITIES AND SHALL BE MAINTAINED BY SAID COMPANY. NO CONSTRUCTION, ALTERATION OR DESTRUCTION WITHIN THIS AREA SHOULD TAKE PLACE, UNLESS APPROVED BY APPROPRIATE AGENCY. THE CITY OF STUART SHALL HAVE NO RESPONSIBILITY, DUTY OR LIABILITY REGARDING SAID DRAINAGE AREA.

SIGNED AND SEALED THIS 29th DAY OF May, 2008 ON BEHALF OF D & C PROPERTIES (STUART) LLC, A FLORIDA LIMITED LIABILITY COMPANY, BY DENNIS W. THIES, ITS MANAGER.

D & C PROPERTIES (STUART) LLC, A FLORIDA LIMITED LIABILITY COMPANY

BY: Dennis W. Thies
(SIGNATURE)
WITNESSES
BY: Daniel E. Taylor
(SIGNATURE)
DANIEL E. TAYLOR
BY: Julie A. Cunniff
(SIGNATURE)
JULIE A. CUNNIFF
(PRINT NAME)

LEGAL DESCRIPTION:

A PORTION OF TRACTS 105, 106, 107 AND 108, LYING EAST OF THE EAST RIGHT OF WAY LINE OF S.E. COMMERCE AVENUE AND WEST OF THE WEST RIGHT OF WAY LINE OF FLORIDA EAST COAST RAILWAY, OF REVISED PLAT OF PORT SEWALL LAND COMPANY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3 AT PAGE 7 OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGIN AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF S.E. FISCHER STREET (50 FOOT RIGHT OF WAY) AS SHOWN IN PLAT BOOK 3, PAGE 7 AND THE WEST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY (100 FOOT RIGHT OF WAY); THENCE S.41°31'37"E, ALONG THE WEST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY, A DISTANCE OF 763.71 FEET TO A POINT ON THE SOUTH LINE OF TRACT 107; THENCE S.66°47'40"W, ALONG THE SOUTH LINE OF TRACTS 107 AND 108, A DISTANCE OF 697.35 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF S.E. COMMERCE AVENUE (80 FOOT RIGHT OF WAY) AS SHOWN IN OFFICIAL RECORDS BOOK 631, PAGE 1629, MARTIN COUNTY RECORDS; AND THE ARC OF A CIRCULAR CURVE HAVING A RADIUS OF 3980.00 FEET AND A CENTRAL ANGLE OF 01°32'51", THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY AND THE ARC OF SAID CURVE AN ARC DISTANCE OF 106.95 FEET TO A POINT OF TANGENCY; THENCE N.37°16'10"W, ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 914.02 FEET TO A POINT THAT IS 215 FEET NORTH OF AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF S.E. FISCHER STREET; THENCE NORTH 66°47'40" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 619.02 FEET TO A POINT ON SAID WEST RIGHT OF WAY LINE OF FLORIDA EAST COAST RAILWAY; THENCE SOUTH 41°31'37" EAST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 279.15 FEET TO THE POINT OF BEGINNING.
CONTAINING: 652288.44 SQUARE FEET OR 14.974 ACRES MORE OR LESS.

TITLE CERTIFICATION:

I, MATTHEW ZIFRONY, A MEMBER OF THE FLORIDA BAR, HEREBY CERTIFY THAT AS OF MAY 7, 2008, AT FORT LAUDERDALE, FLORIDA.

1. RECORD TITLE TO THE LAND DESCRIBED ON THIS PLAT IS IN THE NAME OF THE ENTITY EXECUTING THE CERTIFICATE OF OWNERSHIP AND DEDICATION HEREON.
2. ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD OR OTHERWISE TERMINATED BY LAW ENCUMBERING THE LAND DESCRIBED HEREON ARE AS FOLLOWS:

A. A MORTGAGE EXECUTED BY D & C PROPERTIES (STUART), LLC, A FLORIDA LIMITED LIABILITY COMPANY IN FAVOR OF BANK OF AMERICA, N.A., ITS SUCCESSORS AND/OR ASSIGNS, DATED JANUARY 18, 2006, RECORDED JANUARY 20, 2006, IN THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, IN OFFICIAL RECORDS BOOK 2103, PAGE 2972 AND MODIFIED BY THAT CERTAIN AMENDED NOTE AND MORTGAGE MODIFICATION AND SPREADER AGREEMENT, DATED MARCH 17, 2007 AND RECORDED MARCH 21, 2007, IN OFFICIAL RECORDS BOOK 2231, PAGE 2406 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA AND FURTHER MODIFIED BY THAT CERTAIN SECOND MORTGAGE MODIFICATION AGREEMENT, DATED MARCH 18, 2008 AND RECORDED MARCH 21, 2008 IN OFFICIAL RECORDS BOOK 2317, PAGE 83, OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

3. ALL TAXES THAT ARE DUE AND PAYABLE PURSUANT TO SECTION 197.192, F.S., HAVE BEEN PAID.

DATED THIS 29th DAY OF May, 2008.

BY: Matthew Zifrony
MATTHEW ZIFRONY, ESQUIRE
FLORIDA BAR NO. 0885467
TRIPP SCOTT, P.A.
110 TOWER
110 S.E. 6TH STREET, 15TH FLOOR
FORT LAUDERDALE, FL 33301
(954) 525-7500

SURVEYOR'S CERTIFICATE:

I, ROBERT BLOOMSTER, JR., HEREBY CERTIFY THAT THIS PLAT OF THIES DISTRIBUTING PLANT OF STUART 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 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 177, FLORIDA STATUTES, AND APPLICABLE ORDINANCES OF CITY OF STUART, FLORIDA.

Robert Bloomster, Jr.
ROBERT BLOOMSTER, JR. - PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 4134 - STATE OF FLORIDA
LICENSED BUSINESS #6018
BLOOMSTER LAND SURVEYING, INC.
791 NE DIXIE HIGHWAY
JENSEN BEACH, FL 34957
DATE: 5/21/08
OUR JOB #: 3296PLAT

ACKNOWLEDGMENT OF OWNERSHIP AND DEDICATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED DENNIS W. THIES, TO ME WELL KNOWN TO BE THE MANAGER OF D & C PROPERTIES (STUART) LLC, A FLORIDA LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED THAT HE EXECUTED THE FOREGOING CERTIFICATE OF OWNERSHIP AND DEDICATION AS THE MANAGER OF SAID LIMITED LIABILITY COMPANY BY DUE AND REGULAR COMPANY AUTHORITY, AND THAT IT IS THE FREE ACT AND DEED OF SAID COMPANY. HE IS [X] PERSONALLY KNOWN TO ME OR [] HAS PRODUCED A DRIVER'S LICENSE AS IDENTIFICATION.

DATED THIS 29th DAY OF May, 2008.

William Schappert
NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES:



CITY OF STUART APPROVAL:

STATE OF FLORIDA
COUNTY OF MARTIN

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

DATE: 6/24/08
DATE: 6/24/08
DATE: 6-25-08
DATE: 6-24-08
DATE: 6-25-08

Gregory S. Fleming
GREGORY S. FLEMING, PSM - PLAT REVIEWER
Joseph W. Cupra
JOSEPH W. CUPRA - CITY ENGINEER
Paul Nicoletti
PAUL NICOLETTI - CITY ATTORNEY
Jeffrey K. Koskoff
JEFFREY K. KOSKOFF - MAYOR
Cherie White
CHERIE WHITE - CITY CLERK

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 THE 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. THERE SHALL BE NO BUILDINGS OR ANY OTHER KIND OF CONSTRUCTION, OR PLACEMENT OF TREES OR SHRUBS IN OR ON UTILITY AND/OR DRAINAGE EASEMENTS.
4. BEARINGS SHOWN HEREON ARE REFERENCED TO THE EASTERLY RIGHT OF WAY LINE OF S.E. COMMERCE AVENUE (N.37°16'10"W).
5. THIS SITE LIES IN FLOOD ZONE "X" AS SCALED AND INTERPOLATED FROM FEMA COMMUNITY MAP PANEL 120165-0161-F, DATED: OCTOBER 4, 2002.
6. COORDINATES SYSTEM BASED ON FLORIDA STATE PLANE COORDINATES EAST ZONE SYSTEM, NAD 83/90 AS ADJUSTED, COORDINATES USED WERE GCY D14 (N.1030959.916 / E.907152.343) AND GCY D15 (N.1023556.801 / E.511406.678).

MORTGAGEE'S CONSENT TO PLAT:

BANK OF AMERICA, N.A. CERTIFIES THAT IT IS THE HOLDER OF THAT CERTAIN MORTGAGE LIEN OR ENCUMBRANCE ON THE LAND DESCRIBED HEREON, DATED JANUARY 18, 2006 AND RECORDED JANUARY 20, 2006 IN OFFICIAL RECORDS BOOK 2103, PAGE 2972, AND MODIFIED BY THAT CERTAIN AMENDED NOTE AND MORTGAGE MODIFICATION AND SPREADER AGREEMENT, DATED MARCH 17, 2007 AND RECORDED MARCH 21, 2007 IN OFFICIAL RECORDS BOOK 2231, PAGE 2406 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, AND FURTHER MODIFIED BY THAT CERTAIN SECOND MORTGAGE MODIFICATION AGREEMENT, DATED MARCH 18, 2008 AND RECORDED MARCH 21, 2008 IN OFFICIAL RECORDS BOOK 2317, PAGE 83, OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, AND DOES HEREBY CONSENT TO THE DEDICATIONS HEREON AND DOES SUBORDINATE ITS MORTGAGE LIEN OR ENCUMBRANCE TO SUCH DEDICATIONS.

SIGNED AND SEALED THIS 10th DAY OF June, 2008, ON BEHALF OF SAID CORPORATION BY ITS SENIOR VICE PRESIDENT AND ATTESTED BY ITS SECRETARY

BANK OF AMERICA, N.A.
BY: Allen H. Brown
FRANK WABEL, SENIOR VICE PRESIDENT
ALLEN H. BROWN

BY: _____, SECRETARY

MORTGAGEE'S ACKNOWLEDGMENT:

STATE OF FLORIDA
COUNTY OF PALM BEACH BROWARD

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED FRANK WABEL AND ALLEN H. BROWN, TO ME WELL KNOWN TO BE THE SENIOR VICE PRESIDENT AND SECRETARY, RESPECTIVELY OF BANK OF AMERICA, N.A., AND THEY ACKNOWLEDGED THAT THEY EXECUTED SUCH MORTGAGEE'S CONSENT AS SUCH OFFICERS 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. THEY ARE [X] PERSONALLY KNOWN TO ME OR [] HAVE PRODUCED A DRIVER'S LICENSE AS IDENTIFICATION.

DATED THIS 10th DAY OF June, 2008.

Christina M. Brown
NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES:

