

Banyan Bay P.U.D., Phase 1

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

Plat BK 16 Pg 75

FILED FOR RECORD
MARTIN COUNTY
2008 SEP 12 PM 3:05
MARSHA EWING
CLERK OF CIRCUIT COURT

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

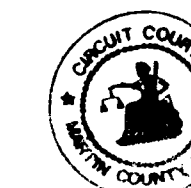
PLAT BOOK 16, PAGE 75,
MARTIN COUNTY, FLORIDA, PUBLIC RECORDS THIS
12TH DAY OF September, 2008.

MARSHA EWING, CLERK OF THE CIRCUIT COURT
MARTIN COUNTY, FLORIDA.

FILE NUMBER 2105212 BY *Chalotte Busby*
DEPUTY CLERK

41-38-41-008-000-0000, 0

SUBDIVISION PARCEL CONTROL NUMBER



LEGAL DESCRIPTION

BEING A PARCEL OF LAND LYING IN LOTS 6 AND 7 OF THE COMMISSIONER'S SUBDIVISION OF THE MILES OR HANSON GRANT, AS RECORDED IN PLAT BOOK 1, PAGE 11, OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA. SAID PARCELS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 7; THENCE ALONG THE EAST LINE OF SAID LOT 7 NORTH 23°42'28" WEST, A DISTANCE OF 210.26 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 76; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE NORTH 22°43'24" EAST, A DISTANCE OF 380.43 FEET; TO THE BEGINNING OF A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 5669.58 FEET; THE CHORD OF WHICH BEARS NORTH 20°49'02" EAST; THENCE ALONG THE ARC OF SAID CURVE AND SAID WESTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 03°48'43", A DISTANCE OF 377.20 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE NORTH 71°05'19" WEST, A DISTANCE OF 342.41 FEET; THENCE SOUTH 73°18'03" WEST, A DISTANCE OF 41.54 FEET; THENCE SOUTH 85°11'11" WEST, A DISTANCE OF 50.82 FEET; THENCE SOUTH 66°12'23" WEST, A DISTANCE OF 66.48 FEET; THENCE SOUTH 74°05'20" WEST, A DISTANCE OF 29.78 FEET; THENCE NORTH 80°47'04" WEST, A DISTANCE OF 55.00 FEET; THENCE NORTH 74°57'33" WEST, A DISTANCE OF 50.77 FEET; THENCE NORTH 73°07'22" WEST, A DISTANCE OF 76.85 FEET; TO THE BEGINNING OF A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET; THE CHORD OF WHICH BEARS SOUTH 69°22'50" WEST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 74°13'36", A DISTANCE OF 64.77 FEET; THENCE SOUTH 32°16'02" WEST, A DISTANCE OF 88.13 FEET; THENCE SOUTH 35°42'46" WEST, A DISTANCE OF 86.78 FEET; THENCE SOUTH 51°51'02" WEST, A DISTANCE OF 97.93 FEET; THENCE SOUTH 62°34'09" WEST, A DISTANCE OF 27.87 FEET; TO THE BEGINNING OF A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET; THE CHORD OF WHICH BEARS SOUTH 42°49'47" WEST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 39°28'45", A DISTANCE OF 34.45 FEET; THENCE SOUTH 59°49'23" WEST, NON-TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 64.98 FEET; THENCE SOUTH 21°29'10" EAST, A DISTANCE OF 139.12 FEET; THENCE SOUTH 35°05'09" WEST, A DISTANCE OF 4.51 FEET; THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 76.90 FEET; THENCE SOUTH 04°21'25" WEST, A DISTANCE OF 57.65 FEET; THENCE SOUTH 12°02'28" WEST, A DISTANCE OF 129.66 FEET; THENCE SOUTH 26°47'59" WEST, A DISTANCE OF 46.39 FEET; THENCE SOUTH 05°36'20" WEST, A DISTANCE OF 21.86 FEET; THENCE SOUTH 56°18'36" WEST, A DISTANCE OF 21.62 FEET; THENCE NORTH 88°19'13" WEST, A DISTANCE OF 36.31 FEET; THENCE SOUTH 51°48'05" WEST, A DISTANCE OF 45.51 FEET; THENCE SOUTH 77°34'17" WEST, A DISTANCE OF 29.16 FEET; THENCE SOUTH 69°44'04" WEST, A DISTANCE OF 13.66 FEET; THENCE NORTH 12°06'40" WEST, A DISTANCE OF 18.54 FEET; TO THE BEGINNING OF A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET; THE CHORD OF WHICH BEARS NORTH 62°50'47" WEST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 101°28'14", A DISTANCE OF 88.55 FEET; THENCE SOUTH 66°25'06" WEST, A DISTANCE OF 10.54 FEET; THENCE NORTH 76°06'43" WEST, A DISTANCE OF 9.31 FEET; THENCE NORTH 50°48'29" WEST, A DISTANCE OF 13.50 FEET; THENCE NORTH 09°33'26" EAST, A DISTANCE OF 82.12 FEET; THENCE NORTH 17°02'40" WEST, A DISTANCE OF 98.35 FEET; THENCE NORTH 33°04'23" WEST, A DISTANCE OF 55.97 FEET; TO THE BEGINNING OF A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET; THE CHORD OF WHICH BEARS NORTH 55°23'52" WEST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 44°38'58", A DISTANCE OF 38.96 FEET; THENCE NORTH 21°29'10" WEST, NON-TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 92.34 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 1015.00 FEET; THE CHORD OF WHICH BEARS SOUTH 84°57'57" WEST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°49'19", A DISTANCE OF 138.57 FEET; THENCE SOUTH 01°07'24" EAST, NON-TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 1.64 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET; THE CHORD OF WHICH BEARS SOUTH 63°46'06" WEST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 50°13'01", A DISTANCE OF 43.82 FEET; THENCE SOUTH 38°39'35" WEST, A DISTANCE OF 53.44 FEET; THENCE SOUTH 86°22'43" WEST, A DISTANCE OF 20.48 FEET; THENCE NORTH 48°35'09" WEST, A DISTANCE OF 109.77 FEET; THENCE NORTH 85°11'31" WEST, A DISTANCE OF 227.79 FEET; THENCE SOUTH 63°05'42" WEST, A DISTANCE OF 132.89 FEET; THENCE SOUTH 39°07'37" WEST, A DISTANCE OF 26.23 FEET; THENCE NORTH 57°25'59" WEST, A DISTANCE OF 64.70 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET; THE CHORD OF WHICH BEARS NORTH 00°38'39" WEST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 66°25'19", A DISTANCE OF 57.96 FEET; TO A POINT OF REVERSE CURVATURE AND THE BEGINNING OF A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET; THE CHORD OF WHICH BEARS NORTH 10°32'06" EAST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 88°46'48", A DISTANCE OF 116.21 FEET;

LEGAL DESCRIPTION CONTINUED

TO A POINT OF REVERSE CURVATURE AND THE BEGINNING OF A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET; THE CHORD OF WHICH BEARS NORTH 28°31'03" EAST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 52°48'55", A DISTANCE OF 46.09 FEET; THENCE SOUTH 73°17'38" EAST, NON-TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 51.76 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET; THE CHORD OF WHICH BEARS SOUTH 28°25'03" EAST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 59°33'37", A DISTANCE OF 25.99 FEET; TO A POINT OF REVERSE CURVATURE AND THE BEGINNING OF A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET; THE CHORD OF WHICH BEARS SOUTH 43°08'20" EAST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°07'03", A DISTANCE OF 39.42 FEET; THENCE NORTH 61°55'11" EAST NON-TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 98.01 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 875.00 FEET; THE CHORD OF WHICH BEARS NORTH 13°35'12" EAST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 24°36'07", A DISTANCE OF 375.71 FEET; TO A POINT OF REVERSE CURVATURE AND THE BEGINNING OF A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 650.00 FEET; THE CHORD OF WHICH BEARS NORTH 22°02'16" EAST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°41'58", A DISTANCE OF 87.35 FEET; THENCE SOUTH 41°44'37" EAST, NON-TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 104.53 FEET; THENCE SOUTH 52°29'11" EAST, A DISTANCE OF 55.40 FEET; THENCE SOUTH 68°45'56" EAST, A DISTANCE OF 10.45 FEET; TO THE BEGINNING OF A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET; THE CHORD OF WHICH BEARS NORTH 83°01'58" EAST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 100°24'11", A DISTANCE OF 87.62 FEET; THENCE NORTH 12°49'53" EAST, A DISTANCE OF 21.37 FEET; THENCE NORTH 67°36'55" EAST, A DISTANCE OF 45.25 FEET; TO THE BEGINNING OF A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET; THE CHORD OF WHICH BEARS NORTH 44°52'31" EAST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 45°28'47", A DISTANCE OF 39.89 FEET; THENCE NORTH 22°08'08" EAST, A DISTANCE OF 60.20 FEET; THENCE NORTH 01°11'16" EAST, A DISTANCE OF 11.73 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 635.00 FEET; THE CHORD OF WHICH BEARS NORTH 31°27'55" EAST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°21'47", A DISTANCE OF 247.85 FEET; THENCE NORTH 42°38'49" EAST, A DISTANCE OF 90.17 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 245.00 FEET; THE CHORD OF WHICH BEARS NORTH 17°55'50" WEST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 33°56'58", A DISTANCE OF 145.17 FEET; THENCE NORTH 88°37'00" WEST, NON-TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 84.42 FEET; THENCE NORTH 47°29'05" WEST, A DISTANCE OF 15.20 FEET; THENCE NORTH 02°58'16" WEST, A DISTANCE OF 8.48 FEET; TO THE BEGINNING OF A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET; THE CHORD OF WHICH BEARS NORTH 24°41'49" WEST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 43°27'06", A DISTANCE OF 37.92 FEET; THENCE NORTH 07°48'46" EAST, NON-TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 141.60 FEET; THENCE SOUTH 80°37'40" EAST, A DISTANCE OF 42.00 FEET; TO THE BEGINNING OF A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET; THE CHORD OF WHICH BEARS NORTH 65°18'05" EAST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 68°08'30", A DISTANCE OF 59.46 FEET; THENCE NORTH 31°13'50" EAST, A DISTANCE OF 36.84 FEET; TO THE BEGINNING OF A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET; THE CHORD OF WHICH BEARS NORTH 11°58'21" WEST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 86°24'22", A DISTANCE OF 75.40 FEET; THENCE NORTH 55°10'32" WEST, A DISTANCE OF 53.13 FEET; THENCE NORTH 35°26'12" EAST, A DISTANCE OF 21.65 FEET; THENCE NORTH 51°19'26" EAST, A DISTANCE OF 48.23 FEET; TO THE BEGINNING OF A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET; THE CHORD OF WHICH BEARS NORTH 20°47'54" EAST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 61°03'06", A DISTANCE OF 53.28 FEET; THENCE NORTH 09°43'39" WEST; A DISTANCE OF 30.17 FEET; TO THE BEGINNING OF A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THE CHORD OF WHICH BEARS NORTH 51°14'33" EAST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 121°56'25", A DISTANCE OF 63.85 FEET; THENCE SOUTH 67°47'15" EAST, A DISTANCE OF 87.63 FEET; THENCE SOUTH 67°50'43" EAST, A DISTANCE OF 52.94 FEET; THENCE SOUTH 71°49'01" EAST, A DISTANCE OF 87.02 FEET; THENCE NORTH 63°29'20" EAST, A DISTANCE OF 143.74 FEET; THENCE SOUTH 34°36'52" EAST, A DISTANCE OF 34.42 FEET; THENCE SOUTH 69°13'52" EAST, A DISTANCE OF 108.76 FEET; THENCE SOUTH 78°40'53" EAST, A DISTANCE OF 71.03 FEET; THENCE SOUTH 47°22'54" EAST, A DISTANCE OF 82.82 FEET;

LEGAL DESCRIPTION CONTINUED

THENCE SOUTH 49°50'49" EAST, A DISTANCE OF 91.30 FEET; THENCE SOUTH 32°42'19" EAST, A DISTANCE OF 59.30 FEET; THENCE SOUTH 86°25'53" EAST, A DISTANCE OF 140.35 FEET; THENCE SOUTH 11°06'01" EAST, A DISTANCE OF 21.62 FEET; THENCE SOUTH 89°39'12" EAST, A DISTANCE OF 72.29 FEET; THENCE NORTH 38°00'08" EAST, A DISTANCE OF 5.47 FEET; THENCE SOUTH 83°56'08" EAST, A DISTANCE OF 134.94 FEET; THENCE SOUTH 89°52'45" EAST, A DISTANCE OF 25.04 FEET; THENCE SOUTH 47°05'17" EAST, A DISTANCE OF 52.31 FEET; THENCE NORTH 75°07'28" EAST, A DISTANCE OF 84.31 FEET; THENCE SOUTH 82°25'54" EAST, A DISTANCE OF 73.17 FEET; THENCE SOUTH 43°56'58" EAST, A DISTANCE OF 57.32 FEET; THENCE SOUTH 76°52'32" EAST, A DISTANCE OF 74.44 FEET; TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 76 AND TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 5669.58 FEET; THE CHORD OF WHICH BEARS SOUTH 14°25'24" WEST; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°58'34", A DISTANCE OF 888.21 FEET TO THE POINT OF BEGINNING.

CONTAINING: 46.06 ACRES OF LAND, MORE OR LESS.

CERTIFICATE OF OWNERSHIP AND DEDICATION

BANYAN BAY DEVELOPMENT CORPORATION, A FLORIDA CORPORATION, IS THE OWNER OF THE PROPERTY DESCRIBED ON THIS PLAT OF BANYAN BAY P.U.D. PHASE 1, AND HEREBY DEDICATES AS FOLLOWS:

1. STREETS AND RIGHTS-OF-WAY

THE STREETS AND RIGHTS-OF-WAY SHOWN ON THIS PLAT OF BANYAN BAY P.U.D. PHASE 1, AND DESIGNATED AS PRIVATE, ARE HEREBY DECLARED TO BE THE PROPERTY OF THE BANYAN BAY PROPERTY OWNER'S ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION (HEREINAFTER "ASSOCIATION"), AND ARE FURTHER DECLARED TO BE PRIVATE STREETS AND RIGHTS-OF-WAY, WHICH 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 DESIGNATED AS SUCH ON THIS PLAT.

2. UTILITY EASEMENTS

THE UTILITY EASEMENTS (U.E.) SHOWN ON THIS PLAT OF BANYAN BAY P.U.D. PHASE 1, MAY BE USED FOR UTILITY PURPOSES 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 THE 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. DRAINAGE EASEMENTS

THE DRAINAGE EASEMENTS (D.E.) SHOWN ON THIS PLAT OF BANYAN BAY P.U.D. PHASE 1, AND DESIGNATED AS PRIVATE ARE HEREBY DECLARED TO BE THE PROPERTY OF THE BANYAN BAY PROPERTY OWNER'S ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION (HEREINAFTER "ASSOCIATION"), AND ARE FURTHER DECLARED TO BE PRIVATE DRAINAGE EASEMENTS, WHICH SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR THE PURPOSE OF INSTALLATION OF DRAINAGE FACILITIES AND THE FLOW OF SURFACE WATER, 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 DRAINAGE EASEMENTS DESIGNATED AS SUCH ON THIS PLAT.

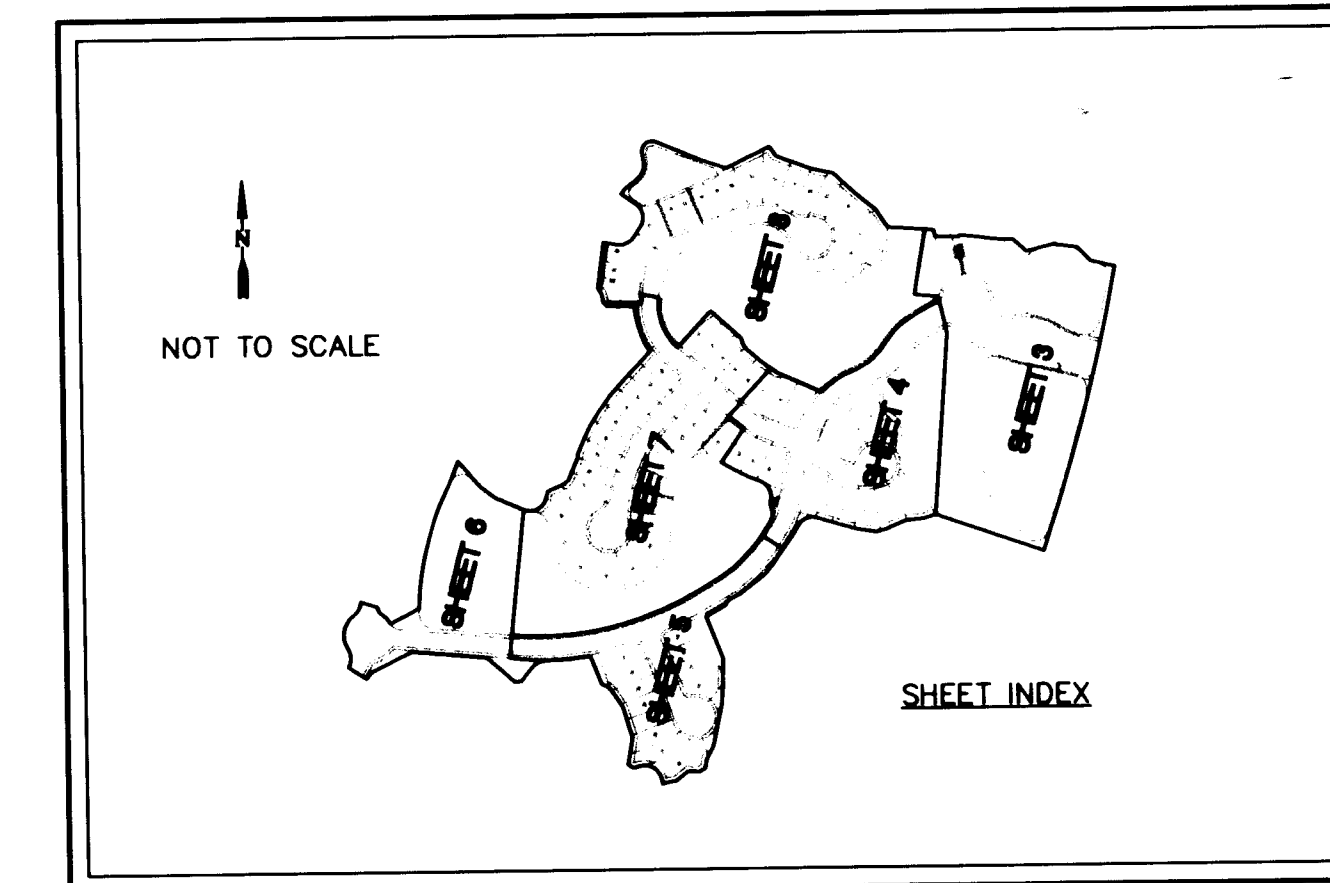
4. COMMON AREAS

THE COMMON AREAS (C.A.) SHOWN ON THIS PLAT OF BANYAN BAY P.U.D. PHASE 1, ARE HEREBY DECLARED TO BE THE PROPERTY OF THE BANYAN BAY PROPERTY OWNER'S ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION (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 BANYAN BAY, 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.

5. COMMON AREA WATER TRACTS (CAW)

COMMON AREA WATER TRACTS CAW-1, CAW-2, CAW-3, CAW-4, AS SHOWN ON THIS PLAT OF BANYAN BAY P.U.D. PHASE 1, ARE HEREBY DECLARED TO BE THE PROPERTY OF THE BANYAN BAY PROPERTY OWNER'S ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION (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 BANYAN BAY, 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.

(CONTINUED ON SHEET 2)



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 SURVEYORSHIP 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) CONSERVATION AREAS SHALL BE PROTECTED FROM EXCAVATION, CONSTRUCTION AND OTHER BUILDING MAINTENANCE ACTIVITIES.

5) BEARINGS SHOWN HEREON ARE REFERENCED TO THE SOUTH LINE OF LOT 7 OF THE COMMISSIONER'S SUBDIVISION OF THE MILES OR HANSON GRANT, AS RECORDED IN PLAT BOOK 1, PAGE 11, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA. SAID LINE BEARS SOUTH 66°37'10" WEST.

Job Number 05-1036-01-01
Licensed Business #4108

OCY
INCORPORATED
PROFESSIONAL SURVEYORS AND MAPPERS
CERTIFICATE OF AUTHORIZATION LB 4108

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