

# Banyan Bay P.U.D., Phase 1 Plat BK 16 Pg 75

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

**CERTIFICATE OF OWNERSHIP & DEDICATION (CONTINUED)**

**6. RECREATION TRACT**

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

**7. TRACT LS-1**

TRACT LS-1 (LIFT STATION), AS SHOWN ON THE PLAT OF BANYAN BAY P.U.D., PHASE 1, IS HEREBY DEDICATED TO MARTIN COUNTY AS A PERMANENT, EXCLUSIVE EASEMENT FOR CONSTRUCTION, RECONSTRUCTION, REPLACEMENT, OPERATION, MAINTENANCE, AND REPAIR OF UTILITY RELATED EQUIPMENT, INCLUDING BUT NOT LIMITED TO LIFT STATION, PUMPS, PIPELINES, FENCES, STRUCTURES, AND POWER LINE HOOKUPS, AND FOR INGRESS AND EGRESS IN, UNDER, OVER, ACROSS AND THROUGH TRACT LS-1 AS MAY BE REASONABLY NECESSARY FOR UTILITY LIFT STATION PURPOSES.

**8. LAKE MAINTENANCE EASEMENTS**

THE LAKE MAINTENANCE EASEMENTS SHOWN ON THIS PLAT OF BANYAN BAY P.U.D., PHASE 1, AND DESIGNATED AS PRIVATE ON THE PLAT, 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 SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR ACCESS AND MAINTENANCE OF COMMON AREAS. THE MAINTENANCE EASEMENTS SHALL BE THE MAINTENANCE RESPONSIBILITY OF THE ASSOCIATION. MARTIN COUNTY HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY, OR LIABILITY FOR ANY SUCH PRIVATE MAINTENANCE EASEMENTS DESIGNATED AS SUCH ON THIS PLAT.

**9. ACCESS EASEMENTS AND DRAINAGE EASEMENTS**

THE ACCESS EASEMENTS AND DRAINAGE EASEMENTS (A.E. AND D.E.) SHOWN ON THIS PLAT OF BANYAN BAY P.U.D., PHASE 1, AND DESIGNATED AS PRIVATE ON THE PLAT, 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 ACCESS EASEMENTS AND DRAINAGE EASEMENTS WHICH SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR THE PURPOSE OF ACCESS AND 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 ACCESS EASEMENTS AND DRAINAGE EASEMENTS DESIGNATED AS SUCH ON THIS PLAT.

**BANYAN BAY DEVELOPMENT CORPORATION**

SIGNED AND SEALED THIS 11<sup>th</sup> DAY OF June, 2008, ON BEHALF OF SAID CORPORATION BY ITS EXECUTIVE VICE PRESIDENT AND ATTESTED TO BY ITS SECRETARY.

BANYAN BAY DEVELOPMENT CORPORATION  
BY: Patricia K Fletcher  
NAME: PATRICIA K. FLETCHER

TITLE: Patricia Kimball Fletcher  
Executive Vice President

ATTEST:

Juanita E. Kerrigan  
NAME: JUANITA E. KERRIGAN  
CORPORATION SECRETARY

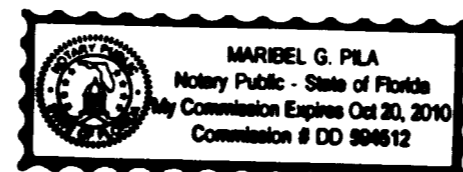
**ACKNOWLEDGMENT**

STATE OF FLORIDA  
COUNTY OF Miami-Dade

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED PATRICIA K. FLETCHER TO ME WELL KNOWN TO BE THE EXECUTIVE VICE PRESIDENT OF BANYAN BAY DEVELOPMENT CORPORATION, A FLORIDA CORPORATION, AND SHE ACKNOWLEDGED THAT SHE EXECUTED SUCH CERTIFICATE OF OWNERSHIP AND DEDICATION 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.

SHE IS:  PERSONALLY KNOWN TO ME OR ( ) HAS PRODUCED \_\_\_\_\_ AS IDENTIFICATION.

DATED THIS 11<sup>th</sup> DAY OF June, 2008.



Maribel G. Pila  
NOTARY PUBLIC  
STATE OF FLORIDA AT LARGE  
594512  
COMMISSION NUMBER  
October 20, 2010  
MY COMMISSION EXPIRES

**TITLE CERTIFICATION**

I, PATRICIA K. FLETCHER, A MEMBER OF THE FLORIDA BAR HEREBY CERTIFY THAT AS OF June 3, 2008, AT: 8:00 A.M.

1. RECORD TITLE TO THE LAND DESCRIBED AND SHOWN ON THIS PLAT IS IN THE NAME OF THE COMPANY EXECUTING THE CERTIFICATE OF OWNERSHIP AND DEDICATION HEREON.
2. ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD ENCUMBERING THE LAND DESCRIBED HEREON ARE AS FOLLOWS: NONE
3. ALL TAXES THAT ARE DUE AND PAYABLE PURSUANT TO SECTION 197.192, F.S., HAVE BEEN PAID.

DATED THIS 11<sup>th</sup> DAY OF June, 2008.

Patricia K Fletcher  
NAME: PATRICIA K. FLETCHER  
FLORIDA BAR NO.: 371610  
ADDRESS: 201 ALHAMBRA CIRCLE  
12TH FLOOR  
CORAL GABLES, FL 33134

**COUNTY APPROVAL**

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

DATE 8/12/08

[Signature]  
COUNTY SURVEYOR AND MAPPER

DATE 8/14/08

[Signature]  
COUNTY ENGINEER

DATE 9/3/08

[Signature]  
COUNTY ATTORNEY

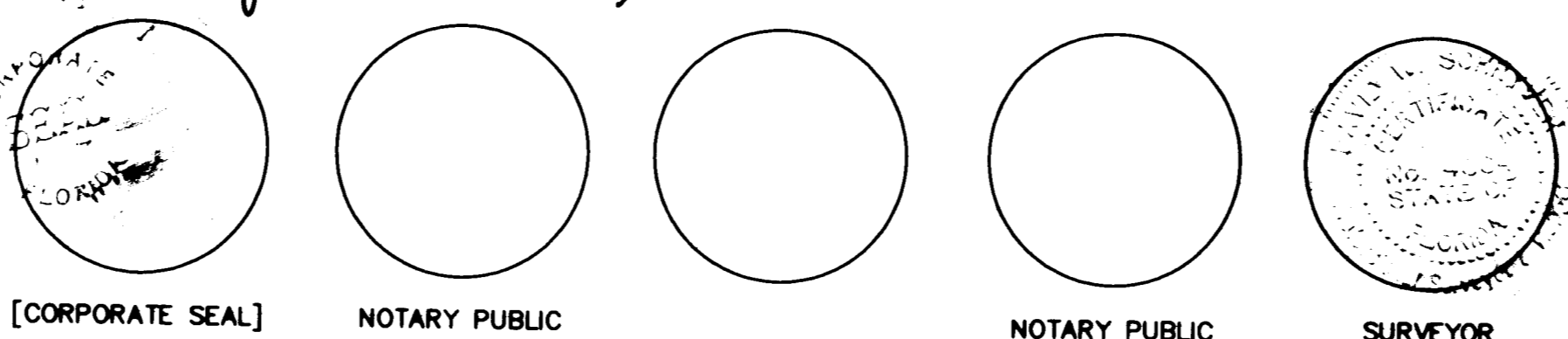
DATE 9/3/08

[Signature]  
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

ATTEST:

[Signature]  
CLERK OF COURT

By Charlotte Bruky, OC



**ACCEPTANCE OF DEDICATION**

THE BANYAN BAY PROPERTY OWNER'S ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, DOES HEREBY ACCEPT OWNERSHIP AND DEDICATIONS OF LAND, EASEMENTS, DRAINAGE EASEMENTS, CONSERVATION EASEMENT, COMMON AREA WATER TRACTS, COMMON AREAS, RECREATION TRACTS, RESTRICTIONS, STREETS, RIGHTS-OF-WAY AND COVENANTS BY THE OWNER THEREOF AS SHOWN ON THIS PLAT OF BANYAN BAY P.U.D. PHASE ONE, AND DOES HEREBY ACCEPT THE RESPONSIBILITIES SET FORTH THEREIN.

DATED THIS 25<sup>th</sup> DAY OF June, 2008.

BANYAN BAY PROPERTY OWNER'S ASSOCIATION, INC.,  
A FLORIDA NOT-FOR-PROFIT CORPORATION  
Melisa R. Boross  
ITS: PRESIDENT  
Melisa R. Boross  
[CORPORATE SEAL]

WITNESS [Signature]  
PRINT NAME Maribel G. Pila

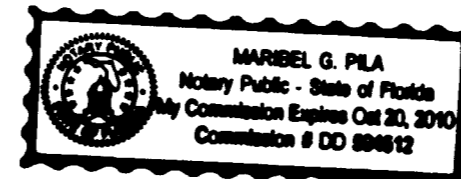
WITNESS [Signature]  
PRINT NAME Thilda V. Gilbert

**ACKNOWLEDGMENT**

STATE OF FLORIDA  
COUNTY OF Miami-Dade

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED Melisa R. Boross TO ME, WELL KNOWN TO BE President AND HE ACKNOWLEDGED THAT HE EXECUTED SUCH ACCEPTANCE, JOINER AND CONSENT 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 [ ] HAS PRODUCED VIA AS IDENTIFICATION.

DATED THIS 25<sup>th</sup> DAY OF June, 2008.



Maribel G. Pila  
NOTARY PUBLIC  
STATE OF FLORIDA AT LARGE  
594512  
COMMISSION NO.  
October 20, 2010  
MY COMMISSION EXPIRES

**CERTIFICATE OF SURVEYOR AND MAPPER**

I, DAVID W. SCHRYVER, HEREBY CERTIFY THAT THIS PLAT OF BANYAN BAY P.U.D. PHASE 1 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 INDIVIDUAL LOT CORNERS WILL BE SET FOR THE REQUIRED IMPROVEMENTS WITHIN PLATTED LANDS; AND, FURTHER, THAT THE ABOVE PLAT WAS MADE UNDER THE UNDERSIGNED'S RESPONSIBLE DIRECTION AND SUPERVISION AND THE PLAT COMPLIES WITH ALL OF THE REQUIREMENTS OF CHAPTER 177, PART 1 FLORIDA PLATTING STATUTES, AND APPLICABLE ORDINANCES OF MARTIN COUNTY, FLORIDA.

DATED THIS 07-01-08 DAY OF July, 2008.

[Signature]  
DAVID W. SCHRYVER  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA SURVEYOR AND MAPPER  
REGISTRATION NO. 4864

**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) 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

