

# PLAT OF PORT MAYACA PLANTATION, PHASE 2

BEING A PARCEL OF LAND LOCATED IN SECTIONS 22, 26 & 27, TOWNSHIP 39 SOUTH, RANGE 37 EAST, MARTIN COUNTY, FLORIDA

Plat BK 16 Pg 76

\* See Clerks Note Below \*

### 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 76, MARTIN COUNTY, FLORIDA, PUBLIC RECORDS THIS 12<sup>th</sup> DAY OF September, 2008. MARSHA EWING, CLERK OF THE CIRCUIT COURT MARTIN COUNTY, FLORIDA. FILE NUMBER 2105719 BY Charlotte Burkey DEPUTY CLERK



27-39-37-001-002-0000.0  
SUBDIVISION PARCEL CONTROL NUMBER

#### LEGAL DESCRIPTION

BEING A PARCEL OF LAND LYING IN SECTIONS 22, 26 AND 27, TOWNSHIP 39 SOUTH, RANGE 37 EAST, MARTIN COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWESTERLY CORNER OF TRACT "G-5", AS SHOWN ON THE PLAT OF THE WATERWAY EAST, AS RECORDED IN PLAT BOOK 11, PAGE 82, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE NORTH 69°10'01" EAST, ALONG THE SOUTHERLY LINE OF SAID TRACT "G-5" A DISTANCE OF 399.89 FEET TO THE SOUTHEASTERLY CORNER OF TRACT "G-5"; THENCE, ALONG THE EAST LINE OF SAID PLAT OF THE WATERWAY EAST THE FOLLOWING COURSES AND DISTANCES, NORTH 20°54'35" WEST, A DISTANCE OF 4865.18 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 6133.48 FEET, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 03°02'25", A DISTANCE OF 325.50 FEET TO THE END OF SAID CURVE; THENCE NORTH 23°57'01" WEST, A DISTANCE OF 4068.70 FEET TO THE NORTHEAST CORNER OF SAID PLAT OF THE WATERWAY EAST AND THE INTERSECTION WITH THE NORTHERLY LINE OF SECTION 29, TOWNSHIP 39 SOUTH, RANGE 37 EAST, MARTIN COUNTY, FLORIDA; THENCE DEPARTING SAID EAST LINE AND RUNNING ALONG SAID NORTHERLY LINE OF SAID SECTION 29, NORTH 89°30'26" EAST, A DISTANCE OF 255.38 FEET TO THE NORTHEAST CORNER OF SAID SECTION 29; THENCE, ALONG THE NORTHERLY LINE OF SECTION 28, TOWNSHIP 39 SOUTH, RANGE 37 EAST, SOUTH 89°43'46" EAST, A DISTANCE OF 5280.54 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 22, AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE, ALONG THE WESTERLY LINE OF SAID SECTION 22, NORTH 00°17'20" WEST, A DISTANCE OF 3940.50 FEET; THENCE, DEPARTING SAID WESTERLY LINE, NORTH 89°26'48" EAST, A DISTANCE OF 180.00 FEET; THENCE NORTH 00°17'20" WEST, A DISTANCE OF 1312.87 FEET TO THE INTERSECTION WITH THE NORTHERLY LINE OF SAID SECTION 22; THENCE, ALONG THE NORTHERLY LINE OF SAID SECTION 22, NORTH 89°41'34" EAST, A DISTANCE OF 2057.92 FEET TO THE INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT LEVEE 65; THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT LEVEE 65 THE FOLLOWING COURSES AND DISTANCES: SOUTH 29°25'17" EAST, A DISTANCE OF 823.71 FEET; THENCE SOUTH 00°16'40" EAST, A DISTANCE OF 41.06 FEET; THENCE SOUTH 29°25'17" EAST, A DISTANCE OF 918.27 FEET; THENCE NORTH 60°34'43" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 29°25'17" EAST, A DISTANCE OF 8518.69 FEET TO THE START OF A CONCAVE CURVE TO THE SOUTHWEST HAVING A RADIUS OF 5412.91 FEET, THENCE SOUTHEASTERLY ALONG THE ARC OF THE CURVE THROUGH A CENTRAL ANGLE OF 15°42'25", A DISTANCE OF 1483.89 FEET; THENCE DEPARTING SAID LEVEE 65 RIGHT-OF-WAY LINE, NORTH 85°38'24" WEST, A DISTANCE OF 1948.58 FEET TO THE INTERSECTION WITH A NON-TANGENT CURVE CONCAVE TO THE EAST, ALSO BEING THE EASTERLY RIGHT-OF-WAY OF A PRIVATE ROAD, THE CHORD OF WHICH BEARS NORTH 01°43'21" WEST, HAVING A RADIUS OF 1470.00 FEET, THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 23°52'36", A DISTANCE OF 612.59 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1530.00 FEET, THENCE NORTHWESTERLY ALONG THE ARC OF THE CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 53°18'02", A DISTANCE OF 1423.32 FEET TO THE END OF SAID CURVE; THENCE NORTH 43°05'05" WEST, A DISTANCE OF 520.63 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 2530.00 FEET, THENCE NORTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 46°39'08", A DISTANCE OF 2059.89 FEET TO THE END OF SAID CURVE; THENCE NORTH 89°44'11" WEST, A DISTANCE OF 2281.41 FEET TO THE WEST LINE OF SECTION 27, TOWNSHIP 39 SOUTH, RANGE 37 EAST; THENCE, ALONG SAID WEST LINE, NORTH 00°28'09" EAST, A DISTANCE OF 75.09 FEET TO THE SOUTHWEST CORNER OF THE AFORESAID SECTION 22 AND THE POINT OF BEGINNING.

CONTAINING 572.35 ACRES, MORE OR LESS.

#### CERTIFICATE OF OWNERSHIP AND DEDICATION

STEPHEN A. ORTHWEIN, AS TRUSTEE OF THE LAND TRUST, DATED MARCH 11, 2008, WITH FULL POWER AND AUTHORITY UNDER SECTION 689.071, FLORIDA STATUTES, HEREBY CERTIFIES THAT THE LAND TRUST IS THE OWNER OF THE PROPERTY DESCRIBED ON THE PLAT OF PORT MAYACA PLANTATION, PHASE 2 AND HEREBY DEDICATES AS FOLLOWS:

##### 1. WETLAND PRESERVATION EASEMENTS AND ASSOCIATED WETLAND BUFFER EASEMENTS

THE WETLAND PRESERVATION EASEMENTS (W.P.E.) SHOWN ON THIS PLAT OF PORT MAYACA PLANTATION, PHASE 2 AS W.P.E.-1, W.P.E.-2 AND W.P.E.-3 AND ASSOCIATED WETLAND BUFFER EASEMENTS (W.B.E.) (HEREINAFTER REFERRED TO COLLECTIVELY AS "CONSERVATION AREAS") ARE HEREBY DEDICATED TO, AND WILL BE THE PERPETUAL MAINTENANCE RESPONSIBILITY OF, PORT MAYACA PLANTATION PROPERTY OWNERS' ASSOCIATION, INC. (THE "ASSOCIATION"), FOR PRESERVATION PURPOSES. CONSERVATION EASEMENTS OVER THE CONSERVATION AREAS SHALL BE DEDICATED TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT ("SFWMD"), WHICH SHALL BE RECORDED IN THE PUBLIC RECORDS OF MARTIN COUNTY (THE "CONSERVATION EASEMENT"). THE CONSERVATION AREAS SHALL BE MAINTAINED BY THE ASSOCIATION IN ACCORDANCE WITH THE PRESERVE AREA MANAGEMENT PLAN ("PAMP") APPROVED BY MARTIN COUNTY AND IN ACCORDANCE WITH THE CONSERVATION EASEMENT. NO CONSTRUCTION IN, OR ALTERATION OR DESTRUCTION OF, THE CONSERVATION AREAS SHALL OCCUR, EXCEPT AS PERMITTED BY THE APPROVED PAMP AND THE CONSERVATION EASEMENT. MARTIN COUNTY AND THE SFWMD HAVE REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY, OR LIABILITY FOR, THE CONSERVATION AREAS. THE PORTIONS OF THIS PLAT PERTAINING TO THE CONSERVATION AREAS SHALL NOT BE AMENDED, REVISED, OR REVOKED WITHOUT THE PRIOR WRITTEN CONSENT OF THE SFWMD AND THE COUNTY.

##### 2. STREETS

THE STREETS AND RIGHTS-OF-WAY SHOWN ON THIS PLAT OF PORT MAYACA PLANTATION, PHASE 2 AND DESIGNATED AS PRIVATE ARE HEREBY DECLARED TO BE THE PROPERTY OF PORT MAYACA PLANTATION PROPERTY OWNERS' ASSOCIATION, INC. (THE "ASSOCIATION") AND SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR ACCESS, AND UTILITY (INCLUDING CATV AND LANDSCAPE PURPOSES), 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 IN THIS PLAT.

##### 3. UTILITY EASEMENTS

THE UTILITY EASEMENTS SHOWN ON THIS PLAT OF PORT MAYACA PLANTATION, PHASE 2 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.

##### 4. PRIVATE BRIDLE PATH EASEMENTS

THE PRIVATE BRIDLE PATH EASEMENTS SHOWN ON THIS PLAT OF PORT MAYACA PLANTATION, PHASE 2 ARE HEREBY DEDICATED TO PORT MAYACA PLANTATION PROPERTY OWNERS' ASSOCIATION, INC. (THE "ASSOCIATION") FOR RECREATION PURPOSES AND SHALL BE MAINTAINED BY THE ASSOCIATION. MARTIN COUNTY HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY OR LIABILITY FOR ANY PRIVATE BRIDLE PATH EASEMENTS DESIGNATED AS SUCH ON THIS PLAT.

##### 5. DRAINAGE EASEMENTS

THE PRIVATE DRAINAGE EASEMENTS SHOWN ON THIS PLAT OF PORT MAYACA PLANTATION, PHASE 2 AND DESIGNATED AS SUCH ON THE PLAT, ARE HEREBY DEDICATED TO PORT MAYACA PLANTATION PROPERTY OWNERS' ASSOCIATION, INC. (THE "ASSOCIATION") AND FOR DRAINAGE PURPOSES SHALL BE MAINTAINED, REPAIRED AND REPLACED BY THE ASSOCIATION TO THE EXTENT NECESSITATED BY SUCH USE BUT OTHERWISE SHALL BE MAINTAINED BY THE FEE SIMPLE OWNER OF THE LAND ON WHICH THEY ARE LOCATED. 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.

##### 6. LAKE EASEMENTS

THE PRIVATE LAKE EASEMENTS "A" AND "B" SHOWN ON THIS PLAT OF PORT MAYACA PLANTATION, PHASE 2, AND DESIGNATED AS SUCH ON THE PLAT, ARE HEREBY DEDICATED TO PORT MAYACA PLANTATION PROPERTY OWNERS' ASSOCIATION, INC. (THE "ASSOCIATION") FOR DRAINAGE PURPOSES AND ALL 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.

DATED THIS 14<sup>th</sup> DAY OF July, 2008.

[Signature]  
STEPHEN A. ORTHWEIN, AS TRUSTEE OF THE LAND TRUST  
DATED MARCH 11, 2008, WITH FULL POWER AND AUTHORITY  
UNDER SECTION 689.071, FLORIDA STATUTES

Jenniah Brown WITNESS (PRINTED NAME) [Signature] WITNESS SIGNATURE  
Chris Imming WITNESS (PRINTED NAME) [Signature] WITNESS SIGNATURE

#### ACKNOWLEDGEMENT

COUNTY OF St. Louis, STATE OF MO

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED STEPHEN A. ORTHWEIN, AS TRUSTEE OF THE LAND TRUST, DATED MARCH 11, 2008, WITH FULL POWER AND AUTHORITY UNDER SECTION 689.071, FLORIDA STATUTES. HE IS  PERSONALLY KNOWN TO ME OR  HAS PRODUCED AS IDENTIFICATION AND HE ACKNOWLEDGED THAT HE EXECUTED THE CERTIFICATE OF OWNERSHIP AND DEDICATION AS SUCH TRUSTEE.

DATED THIS 14 DAY OF July, 2008.

[Signature]  
NOTARY PUBLIC, STATE OF MO  
COMMISSION NO. 06479105  
MY COMMISSION EXPIRES 1/29/2012

#### TITLE CERTIFICATION

I, WILLIAM W. ATTERBURY III, A MEMBER OF THE FLORIDA BAR, HEREBY CERTIFY THAT AS OF July 2, 2008, AT 5:00 P.M.:

1. RECORD TITLE TO THE LAND DESCRIBED AND SHOWN ON THIS PLAT IS IN THE NAME OF STEPHEN A. ORTHWEIN, AS TRUSTEE OF THE LAND TRUST, DATED MARCH 11, 2008, WITH FULL POWER AND AUTHORITY UNDER SECTION 689.071, FLORIDA STATUTES, WHO IS THE TRUSTEE 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:

MORTGAGE IN FAVOR OF MIDWEST BANKCENTRE, A MISSOURI STATE BANK, DATED JULY 14, 2008, AND RECORDED IN OFFICIAL RECORDS BOOK 2340, PAGE 593, 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 15<sup>th</sup> DAY OF July, 2008.

[Signature]  
WILLIAM W. ATTERBURY III,  
FLORIDA BAR NO. 0197513  
ALLEY, MAASS, ROGERS & LINDSAY, P.A.  
340 ROYAL POINCIANA WAY, SUITE 321  
P.O. BOX 431  
PALM BEACH, FLORIDA 33480

#### MORTGAGEE'S CONSENT

MIDWEST BANKCENTRE, A MISSOURI STATE BANK, HEREBY CERTIFIES THAT IT IS THE HOLDER OF A MORTGAGE ON THE LAND DESCRIBED HEREON, DATED JULY 14, 2008, AND RECORDED IN OFFICIAL RECORDS BOOK 2340, PAGE 593, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; AND DOES HEREBY CONSENT TO THE DEDICATIONS HEREON AND DOES SUBORDINATE ITS MORTGAGE TO SUCH DEDICATION.

SIGNED AND SEALED THIS 14 DAY OF July, 2008, ON BEHALF OF SAID CORPORATION BY ITS VICE PRESIDENT.

MIDWEST BANKCENTRE, A MISSOURI STATE BANK

BY: [Signature]  
NAME: Bruce J. Dyck  
TITLE: SVP - Senior Vice President

Jenniah Brown WITNESS (PRINTED NAME) [Signature] WITNESS SIGNATURE  
Chris Imming WITNESS (PRINTED NAME) [Signature] WITNESS SIGNATURE

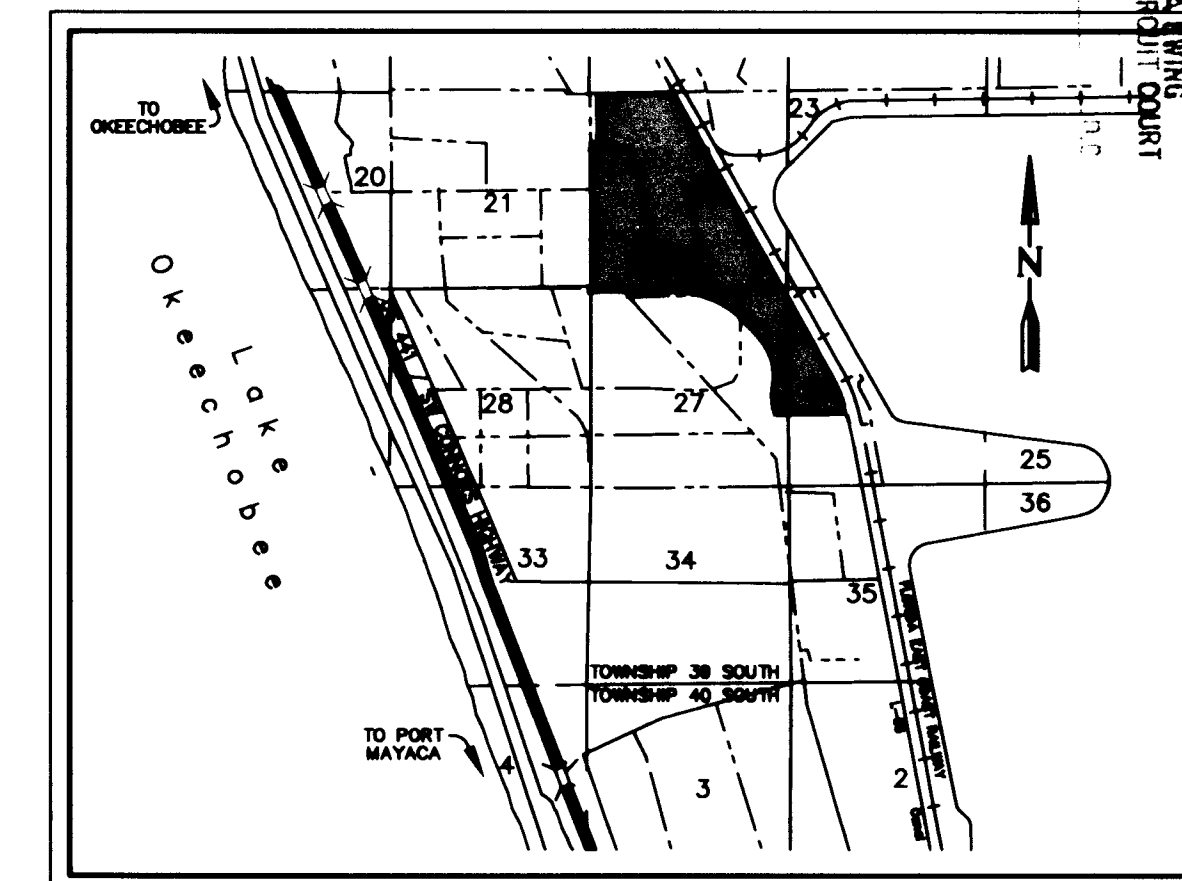
#### ACKNOWLEDGEMENT

COUNTY OF St. Louis, STATE OF MO

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED Bruce Dyck TO ME WELL KNOWN TO BE THE Vice President, RESPECTFULLY, OF MIDWEST BANKCENTRE, A MISSOURI STATE BANK, AND HE ACKNOWLEDGED THAT HE EXECUTED SUCH MORTGAGEE'S CONSENT AS SUCH OFFICER OF SAID CORPORATION AND THAT THE SEAL AFFIXED IS THE OFFICIAL SEAL OF SAID CORPORATION AND THAT IS WAS AFFIXED BY DUE AND REGULAR AUTHORITY, AND THAT IT IS THE FREE ACT AND DEED OF SAID CORPORATION. HE IS  PERSONALLY KNOWN TO ME OR  HAS PRODUCED AS IDENTIFICATION.

DATED THIS 14 DAY OF July, 2008.

[Signature]  
NOTARY PUBLIC, STATE OF MO  
COMMISSION NO. 06479105  
MY COMMISSION EXPIRES 1/29/2012



LOCATION MAP (NOT-TO-SCALE)

#### 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) 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.

4) 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.

5) CONSERVATION TRACTS SHALL BE PROTECTED FROM EXCAVATION, CONSTRUCTION AND OTHER BUILDING MAINTENANCE ACTIVITIES.

6) BEARINGS SHOWN HEREON ARE REFERENCED TO THE EAST LINE OF THE PLAT OF THE WATERWAY EAST, RECORDED IN PLAT BOOK 11, PAGE 82 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. SAID LINE BEARS NORTH 20°54'35" EAST.

7) EACH LOT SHOWN HEREON HAS A MINIMUM OF 20.00 ACRES.

8) SURVEY SHOWN HEREON WAS PERFORMED USING REAL TIME KINEMATIC (RTK) GPS TECHNOLOGY. CONTROL POINTS USED WERE "L 525" (NGS PID A6230) AND "M525" (NGS PID A6231).

9) EASEMENTS CREATED BY THIS PLAT ARE NON-EXCLUSIVE.

\* See Surveyor's Affidavit Recorded 4/9/10 OR Book 2446 Page 2325

05-1083-04-03  
LICENSED BUSINESS #4108

INCORPORATED  
PROFESSIONAL SURVEYORS AND MAPPERS  
CERTIFICATE OF AUTHORIZATION LB 4108

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