

RIVER OAK PLACE

PLAT BK 16
PG 97

A PORTION OF GOVERNMENT LOTS 2 AND 3
LYING IN SECTION 35, TOWNSHIP 37 SOUTH, RANGE 41 EAST
TOWN ON SEWALL'S POINT, MARTIN COUNTY, FLORIDA
BLOOMSTER PROFESSIONAL LAND SURVEYORS, INC.
791 NE DIXIE HIGHWAY
JENSEN BEACH, FLORIDA 34957
OFFICE PHONE NO. (772) 334-0868 - FAX NO. (772) 334-5283

FILED FOR RECORD
2010 APR -9 AM 10:00
MARSHA EWING
CLERK OF CIRCUIT COURT
BY: _____

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 97, MARTIN COUNTY, FLORIDA, PUBLIC RECORDS, THIS 9th DAY OF April, 2010.
MARSHA EWING, CLERK
CIRCUIT COURT
MARTIN COUNTY, FLORIDA
DEPUTY CLERK (CIRCUIT COURT SEAL)
2202769
FILE NO.

SUBDIVISION PARCEL CONTROL NUMBER:
35-37-41-011-000-0000.0

CERTIFICATE OF OWNERSHIP AND DEDICATION:

CD2, LLC, A FLORIDA LIMITED LIABILITY COMPANY, BY AND THROUGH ITS UNDERSIGNED MANAGING MEMBER, HEREBY CERTIFY THAT IT IS THE OWNER OF THE PROPERTY DESCRIBED HEREON AND HEREBY DEDICATE AS FOLLOWS:

- TRACT 1 (NORTH RIVER ROAD) AS SHOWN ON THIS PLAT OF RIVER OAK PLACE, IS HEREBY DEDICATED TO TOWN OF SEWALL'S POINT FOR THE USE AND BENEFIT OF THE PUBLIC.
- TRACT 2 (NE RIVER OAK PLACE) AS SHOWN ON THIS PLAT OF RIVER OAK PLACE IS HEREBY DECLARED TO BE THE PROPERTY OF THE RIVER OAK PLACE HOMEOWNERS' ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), ITS SUCCESSOR AND/OR ASSIGNS, AND FURTHER DEDICATED FOR INGRESS/EGRESS AND PUBLIC UTILITIES, AND SHALL BE MAINTAINED, REPAIRED AND REPLACED BY SAID ASSOCIATION. THE TOWN OF SEWALL'S POINT HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY OR LIABILITY FOR, ANY PRIVATE STREETS DESIGNATED AS SUCH ON THIS PLAT.

A PERMANENT NON-EXCLUSIVE EASEMENT OVER THE STREETS AND RIGHT OF WAY SHOWN AS TRACT 2 ON THIS PLAT OF RIVER OAK PLACE IS HEREBY DEDICATED TO MARTIN COUNTY FOR THE CONSTRUCTION, RECONSTRUCTION, REPLACEMENT, OPERATION, MAINTENANCE, AND REPAIR OF UTILITY RELATED EQUIPMENT, INCLUDING, BUT NOT LIMITED TO LIFT STATIONS, PUMPS, PIPELINES, FENCES, STRUCTURES, AND ~~CONCRETE DRIVEWAYS~~ IF REQUIRED, FOR INGRESS AND EGRESS IN, UNDER, OVER, ACROSS, AND THROUGH THE STREETS AND RIGHTS-OF-WAY AS MAY BE REASONABLY NECESSARY, TO CARRY OUT THE PURPOSES OF THIS EASEMENT.

3. THE UTILITY EASEMENTS SHOWN ON THIS PLAT OF RIVER OAK PLACE MAY BE USED FOR UTILITY PURPOSES BY ANY UTILITY AND FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES IN COMPLIANCE WITH ORDINANCES AND REGULATIONS AS MAY BE ADOPTED FROM TIME TO TIME BY THE TOWN OF SEWALL'S POINT, FLORIDA. 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. THE TOWN OF SEWALL'S POINT HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY, OR LIABILITY FOR, ANY UTILITY EASEMENTS, DESIGNATED AS SUCH ON THIS PLAT.

4. THE PUBLIC USE EASEMENTS SHOWN ON THIS PLAT OF RIVER OAK PLACE ARE HEREBY DECLARED TO BE THE PROPERTY OF THE ASSOCIATION, AND ARE FURTHER DECLARED TO BE USED FOR THE INSTALLATION AND MAINTENANCE FOR LANDSCAPING, DRAINAGE, MONUMENT SIGNS, SEWER LINES AND A PEDESTRIAN SIDEWALK SUBJECT TO RESERVED EASEMENTS OF USE AND ACCESS BY MARTIN COUNTY FOR ACCESS TO THE LIFT STATION EASEMENT (TRACT LS-1) AND MAINTENANCE OF SEWER LINES, AND BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, FOR THE PURPOSE OF ACCESS TO AND THE MAINTENANCE OF THE DRAINAGE EASEMENTS. SHOULD SAID TOWN COMMISSION DEEM SUCH ACTION NECESSARY TO MAINTAIN THE INTEGRITY OF THE DRAINAGE AND SURFACE WATER MANAGEMENT SYSTEM, THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, SHALL HAVE NO RESPONSIBILITY, DUTY OR LIABILITY REGARDING SUCH PUBLIC USE EASEMENTS NOTWITHSTANDING ITS RIGHTS SET FORTH ABOVE. * AND CONCRETE DRIVEWAY

5. THE DRAINAGE EASEMENTS, INCLUDING ANY DRAINAGE LINES LYING THEREIN, AS SHOWN ON THIS PLAT OF RIVER OAK PLACE ARE PRIVATE EASEMENTS AND ARE HEREBY DECLARED TO BE THE PROPERTY OF THE ASSOCIATION, ITS SUCCESSORS AND/OR ASSIGNS, FOR THE PURPOSES OF CONSTRUCTION AND MAINTENANCE OF AND ACCESS TO DRAINAGE FACILITIES, AND BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, FOR THE PURPOSE OF ACCESS TO AND THE MAINTENANCE OF SAID LANDSCAPING, DRAINAGE AND PEDESTRIAN SIDEWALK. SHOULD SAID TOWN COMMISSION DEEM SUCH ACTION NECESSARY TO MAINTAIN THE INTEGRITY OF THE DRAINAGE AND SURFACE WATER MANAGEMENT SYSTEM, THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, SHALL HAVE NO RESPONSIBILITY, DUTY OR LIABILITY REGARDING SUCH DRAINAGE EASEMENTS NOTWITHSTANDING ITS RIGHTS SET FORTH ABOVE.

6. THE UPLAND PRESERVE AREA SHOWN ON THIS PLAT OF RIVER OAK PLACE ARE PRIVATE EASEMENTS AND HEREBY DECLARED TO BE UPLAND PRESERVE AREAS. THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA SHALL HAVE NO RESPONSIBILITY, DUTY OR LIABILITY REGARDING SAID UPLAND PRESERVE AREA.

7. THE STORM WATER RETENTION AREA SHOWN ON THIS PLAT OF RIVER OAK PLACE IS HEREBY DECLARED TO BE THE PROPERTY OF THE ASSOCIATION, AND SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR WATER RETENTION PURPOSES, SUBJECT TO RESERVED EASEMENTS FOR USE AND ACCESS BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, FOR THE PURPOSE OF ACCESS TO AND MAINTENANCE OF THE TRACT SHOULD THE TOWN COMMISSION DEEM SUCH ACTION NECESSARY TO MAINTAIN THE INTEGRITY OF THE DRAINAGE AND SURFACE WATER MANAGEMENT SYSTEM. SAID TRACT SHALL BE THE MAINTENANCE RESPONSIBILITY OF THE ASSOCIATION, ITS SUCCESSORS AND/OR ASSIGNS, AND THE TOWN COMMISSION SHALL HAVE NO RESPONSIBILITY, DUTY OR LIABILITY REGARDING SUCH TRACT NOTWITHSTANDING ITS RESERVED EASEMENT.

8. TRACT LS-1 (LIFT STATION), AS SHOWN ON THE PLAT OF RIVER OAK PLACE, 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 ~~CONCRETE DRIVEWAYS~~ AND FOR INGRESS AND EGRESS IN, UNDER, OVER, ACROSS, AND THROUGH TRACT LS-1 AS MAY BE REASONABLY NECESSARY FOR UTILITY LIFT STATION PURPOSES.

SIGNED THIS 18th DAY OF May, 2009 ON BEHALF OF CD2, LLC, A FLORIDA LIMITED LIABILITY COMPANY, BY D. Robert Donaldson, ITS MANAGING MEMBER.

WITNESSES:
BY: Stephen R. Cody (PRINT NAME)
Dr. R. Cozy (SIGNATURE)
BY: Cindy J. Aptheker (PRINT NAME)
Cindy J. Aptheker (SIGNATURE)

ACKNOWLEDGMENT FOR CERTIFICATE OF OWNERSHIP AND DEDICATION:

STATE OF FLORIDA NEW YORK
COUNTY OF MARTIN SUFFOLK
BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED D. Robert Donaldson, TO ME WELL KNOWN TO BE THE MANAGING MEMBER, OF CD2, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AND HE ACKNOWLEDGED THAT HE EXECUTED SUCH CERTIFICATE OF OWNERSHIP AND DEDICATION AS SUCH MANAGING MEMBER OF SAID FLORIDA LIMITED LIABILITY COMPANY BY DUE AND REGULAR CORPORATE AUTHORITY, AND THAT IT IS THE FREE ACT AND DEED OF SAID COMPANY. HE IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

DATED THIS 18th DAY OF May, 2009.

Terrian Hovis
NOTARY PUBLIC, STATE OF FLORIDA NEW YORK
MY COMMISSION EXPIRES: 10/7/10

SURVEYOR'S NOTES:

- 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.
- THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
- THERE SHALL BE NO BUILDINGS OR ANY OTHER KIND OF CONSTRUCTION, IN OR ON UTILITY AND/OR DRAINAGE EASEMENTS.
- BEARINGS SHOWN HEREON ARE REFERENCED TO THE WESTERLY RIGHT OF WAY LINE OF SOUTH SEWALL'S POINT ROAD (N.29°55'22"W.).
- THIS SITE LIES IN FLOOD ZONE "X" AND "AE" (BASE 8.0' & 9.0') AS SCALED AND INTERPOLATED FROM FEMA COMMUNITY MAP PANEL 120164-0154-F, DATED: OCTOBER 4, 2002.
- THE MEAN HIGH WATER SURVEY DEPICTED HEREON COMPLIES WITH CHAPTER 177, PART II, FLORIDA STATUTES AND IS RECORDED IN THE PUBLIC REPOSITORY OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF SURVEYING AND MAPPING AS MEAN HIGH WATER SURVEY FILE NO. 3640, DATED: JULY 15, 2005.
- COORDINATES SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATES EAST ZONE SYSTEM, NAD 83/90 AS ADJUSTED.
- ELEVATIONS SHOWN HEREON ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929.

LEGAL DESCRIPTION:

PARCEL 1:
THE SOUTH 124 FEET OF GOVERNMENT LOT 2, SECTION 35, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA, EXCEPTING THAT PORTION THEREOF THAT LIES EASTERLY OF THE CENTER LINE OF SEWALL'S POINT ROAD;

AND ALSO

PARCEL 2:
GOVERNMENT LOT 3, SECTION 35, TOWNSHIP 37 SOUTH, RANGE 41 EAST, EXCEPTING THE SOUTHERLY 1076.7 FEET OF SAID GOVERNMENT LOT 3 AND ALSO EXCEPTING THAT ADDITIONAL PORTION THEREOF THAT LIES EASTERLY OF THE CENTER LINE OF SEWALL'S POINT ROAD.

SUBJECT TO EXISTING PUBLIC ROAD.

LESS AND EXCEPT THE EASTERLY TWO (2) FEET OF THE ABOVE 2 PARCELS.

CONTAINING: 269795.23 SQUARE FEET OR 6.19 ACRES MORE OR LESS.

TITLE CERTIFICATION:

I, TERENCE MCCARTHY, A MEMBER OF THE FLORIDA BAR, HEREBY CERTIFY THAT AS OF MAY 15, 2009, AT 8:00 AM.

1. RECORD TITLE TO THE LAND DESCRIBED ON THIS PLAT IS IN THE NAME OF THE PERSON(S), CORPORATION(S), AND /OR OTHER ENTITY(IES) 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 IN FAVOR OF LYDIAN PRIVATE BANK, RECORDED ON AUGUST 3, 2005 IN OFFICIAL RECORDS BOOK 2044, PAGE 946 PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. * AND ORB 2232, P 97. AND ORB 2319, P 577

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

DATED THIS 5th DAY OF JUNE, 2009.

BY: Terrence McCarthy
TERENCE MCCARTHY
FLORIDA BAR NO. 0168845
MCCARTHY, SUMMERS, BOBKO, WOOD, SAWYER & PERRY, P.A.
MONTEREY TRIANGLE
2400 S.E. FEDERAL HIGHWAY - FOURTH FLOOR
(772) 286-1700

9. ALL LANDS SHOWN HEREON SHALL BE SUBJECT TO THE DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS, AND RESTRICTIONS FOR RIVER OAK PLACE AS RECORDED IN THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, AS THE SAME MAY BE AMENDED IN THE FUTURE.

CD2, LLC, A FLORIDA LIMITED LIABILITY COMPANY
BY: [Signature] (MANAGING MEMBER) (SIGNATURE)

SURVEYOR'S CERTIFICATE:

STATE OF FLORIDA
COUNTY OF MARTIN
I, ROBERT BLOOMSTER, JR., HEREBY CERTIFY THAT THIS PLAT OF RIVER OAK PLACE 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 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.

Robert Bloomster Jr.
ROBERT BLOOMSTER JR. - PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 4134 - STATE OF FLORIDA
LICENSED BUSINESS #6018

DATE: June 11, 2009
JOB NUMBER: 8581PLAT



APPROVAL OF TOWN OF SEWALL'S POINT, A FLORIDA MUNICIPAL CORPORATION

THE PLAT OF RIVER OAK PLACE AS SHOWN HEREON HAS BEEN APPROVED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, A FLORIDA MUNICIPAL CORPORATION, AND THE TOWN DOES HEREBY FORMALLY ACCEPT THE DEDICATIONS CONTAINED ON THIS PLAT OF RIVER OAK PLACE THIS 25th DAY OF March, 2010.

TOWN OF SEWALL'S POINT, A FLORIDA MUNICIPAL CORPORATION

BY: [Signature], MAYOR
BY: [Signature], TOWN ATTORNEY
ATTEST: [Signature], TOWN CLERK

MORTGAGEE'S CONSENT TO PLAT:

LYDIAN PRIVATE BANK CERTIFIES THAT IT IS THE HOLDER OF THAT CERTAIN MORTGAGE LIEN OR ENCUMBRANCE ON THE LAND DESCRIBED HEREIN, DATED AUGUST 3, 2005 AND RECORDED IN OFFICIAL RECORDS BOOK 2044, PAGE 946 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. * AND ORB 2232, P 97, AND ORB 2319, P 577

SIGNED THIS 21st DAY OF May, 2009, ON BEHALF OF SAID CORPORATION BY ITS _____ AND ATTESTED BY ITS SECRETARY

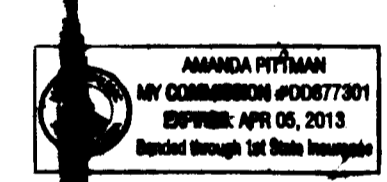
LYDIAN PRIVATE BANK
BY: Cathy W. Wilson, TITLE: Senior Vice President

MORTGAGEE'S ACKNOWLEDGMENT:

STATE OF FLORIDA
COUNTY OF MARTIN
BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED Cathy W. Wilson TO ME WELL KNOWN TO BE THE Senior Vice President OF LYDIAN PRIVATE BANK AND ACKNOWLEDGED AND EXECUTED SUCH MORTGAGEE'S CONSENT AS SUCH OFFICER OF SAID CORPORATION AND THAT IT IS THE FREE ACT AND DEED OF SAID CORPORATION. HE IS PERSONALLY KNOWN TO ME OR HAS PRODUCED A DRIVER'S LICENSE AS IDENTIFICATION.

DATED THIS 21st DAY OF May, 2009.

Amanda Pittman
NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES: _____



ACCEPTANCE OF DEDICATIONS:

RIVER OAK PLACE HOMEOWNERS' ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, BY AND THROUGH ITS UNDERSIGNED OFFICER, DOES HEREBY ACCEPT THE AFOREMENTIONED DEDICATIONS.

RIVER OAK PLACE HOMEOWNERS' ASSOCIATION, INC.
BY: [Signature], PRESIDENT

WITNESSES:
BY: Stephen R. Cody (PRINT NAME) Dr. R. Cozy (SIGNATURE)
BY: Cindy J. Aptheker (PRINT NAME) Cindy J. Aptheker (SIGNATURE)

ACKNOWLEDGMENT FOR ACCEPTANCE OF DEDICATIONS:

STATE OF FLORIDA
COUNTY OF MARTIN
BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED Robert Donaldson TO ME WELL KNOWN TO BE THE PRESIDENT OF RIVER OAK PLACE HOMEOWNERS' ASSOCIATION, INC., AND ACKNOWLEDGED THAT HE EXECUTED THE ACCEPTANCE OF DEDICATIONS AS THE PRESIDENT OF SAID CORPORATION 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 A DRIVER'S LICENSE AS IDENTIFICATION.

DATED THIS 18th DAY OF May, 2009.

Terrian Hovis
NOTARY PUBLIC, STATE OF FLORIDA NEW YORK
MY COMMISSION EXPIRES: 10/7/10