

CERTIFICATE OF OWNERSHIP AND DEDICATION

A PLAT OF HUMMINGBIRD PLACE BEING A PORTION OF SECTION 19, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA.

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 17, Page 1, Martin County, Florida, Public Records, this 6th day of October, 2010.

HUMMING BIRD PLACE, LLC, A FLORIDA LIMITED LIABILITY COMPANY, BY AND THROUGH ITS UNDERSIGNED MANAGING MEMBERS, HEREBY CERTIFIES THAT IT IS THE OWNER OF THE PROPERTY DESCRIBED ON THE PLAT OF HUMMINGBIRD PLACE AND DOES HEREBY DEDICATE AS FOLLOWS:

- 1. UTILITY EASEMENTS THE UTILITY EASEMENTS SHOWN ON THIS PLAT FOR HUMMINGBIRD PLACE 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.
- 2. STREET THE STREET AND RIGHTS-OF-WAY SHOWN ON THIS PLAT OF HUMMINGBIRD PLACE AND DESIGNATED AS PRIVATE ARE HEREBY DECLARED TO BE THE PROPERTY OF THE HUMMINGBIRD PLACE HOMEOWNERS ASSOCIATION, INC. (HEREINAFTER ASSOCIATION), AND THE PRIVATE STREET AND RIGHTS-OF-WAY SHALL BE CONVEYED BY DEED TO THE ASSOCIATION, FOR ACCESS AND UTILITY PURPOSES (INCLUDING CATCH BASINS) 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 STREET AND RIGHTS-OF-WAY DESIGNATED AS SUCH ON THIS PLAT.
- 3. DRAINAGE EASEMENTS THE PRIVATE DRAINAGE EASEMENTS SHOWN ON THIS PLAT OF HUMMINGBIRD PLACE AND DESIGNATED AS SUCH ON THIS PLAT, ARE HEREBY DEDICATED TO THE HUMMINGBIRD PLACE HOMEOWNERS ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), AND SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR DRAINAGE PURPOSES, AND ALL DRAINAGE FACILITIES LOCATED THEREIN SHALL BE MAINTAINED, REPAIRED, AND REPLACED BY THE ASSOCIATION IN ACCORDANCE WITH S.F.W.M.D. PERMIT. 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. PRESERVE AREA THE PRESERVE AREA SHOWN ON THIS PLAT OF HUMMINGBIRD PLACE IS HEREBY DECLARED TO BE THE PROPERTY OF THE HUMMINGBIRD PLACE HOMEOWNERS ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), AND IS FURTHER DECLARED TO BE A PRIVATE PRESERVE AREA, WHICH SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR PRESERVE PURPOSES AND SHALL BE MAINTAINED BY THE ASSOCIATION IN ACCORDANCE WITH THE PRESERVE AREA MANAGEMENT PLAN (PAMP) APPROVED BY MARTIN COUNTY. NO CONSTRUCTION IN, OR ALTERATION OR DESTRUCTION OF, THE PARCEL SHALL OCCUR, EXCEPT AS SPECIFIED WITHIN THE PAMP APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA. MARTIN COUNTY HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY, OR LIABILITY FOR ANY PRESERVE AREA DESIGNATED AS SUCH ON THIS PLAT.
- 5. DRY DETENTION THE DRY DETENTION SHOWN ON THIS PLAT OF HUMMINGBIRD PLACE IS HEREBY DECLARED TO BE THE PROPERTY OF THE HUMMINGBIRD PLACE HOMEOWNERS ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), AND IS FURTHER DECLARED TO BE A DRAINAGE AND RETENTION AREA, WHICH SHALL BE CONVEYED BY DEED TO THE ASSOCIATION. MARTIN COUNTY HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY, OR LIABILITY FOR ANY DRY DETENTION DESIGNATED AS SUCH ON THIS PLAT.
- 6. LAKE THE LAKE AS SHOWN ON THIS PLAT OF HUMMINGBIRD PLACE IS HEREBY DECLARED TO BE THE PROPERTY OF THE HUMMINGBIRD PLACE HOMEOWNERS ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), AND IS FURTHER DECLARED TO BE A DRAINAGE AND RETENTION AREA, WHICH SHALL BE CONVEYED BY DEED TO THE ASSOCIATION. MARTIN COUNTY HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY, OR LIABILITY FOR ANY LAKE AREA DESIGNATED AS SUCH ON THIS PLAT.
- 7. LIFT STATION TRACT LS-1 (LIFT STATION), AS SHOWN ON THIS PLAT OF HUMMINGBIRD 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 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. PUBLIC FLOW-THROUGH DRAINAGE EASEMENT NOTWITHSTANDING THE OBLIGATION OF THE HUMMINGBIRD PLACE HOMEOWNERS ASSOCIATION (HEREINAFTER ASSOCIATION) OF MAINTENANCE, REPAIR AND REPLACEMENT AS TO THE PRIVATE DRAINAGE EASEMENTS SHOWN ON THIS PLAT, THERE IS HEREBY DEDICATED TO MARTIN COUNTY A NON-EXCLUSIVE, FLOW-THROUGH DRAINAGE EASEMENT AND REASONABLE RIGHT OF ACCESS TO ENSURE THE FREE FLOW OF WATER FOR GENERAL PUBLIC DRAINAGE PURPOSES OVER, THROUGH AND UNDER THE FOLLOWING DESCRIBED PRIVATE DRAINAGE EASEMENTS SHOWN ON THIS PLAT:

- 9. LAKE MAINTENANCE EASEMENT THE LAKE MAINTENANCE EASEMENTS SHOWN ON THIS PLAT OF HUMMINGBIRD PLACE AND DESIGNATED AS PRIVATE ON THE PLAT, ARE HEREBY DECLARED TO BE THE PROPERTY OF THE HUMMINGBIRD PLACE HOMEOWNERS 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.
- 10. LANDSCAPE EASEMENT THE LANDSCAPE EASEMENT SHOWN ON THE PLAT OF HUMMINGBIRD PLACE IS HEREBY DECLARED TO BE THE PROPERTY OF THE HUMMINGBIRD PLACE HOMEOWNERS ASSOCIATION, INC. (HEREINAFTER "ASSOCIATION"), AND IS FURTHER DECLARED TO BE A PRIVATE LANDSCAPE EASEMENT, WHICH SHALL BE CONVEYED BY DEED TO 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 RECREATION AREA(S) DESIGNATED AS SUCH ON THIS PLAT.
- 11. BRITT ROAD RIGHT-OF-WAY THE STREET AND RIGHT-OF-WAY SHOWN ON THIS PLAT OF HUMMINGBIRD PLACE AS TRACT "D" AND DESIGNATED AS PUBLIC STREET IS HEREBY DEDICATED TO MARTIN COUNTY FOR THE USE AND BENEFIT OF THE PUBLIC.
- 12. PERMANENT NON-EXCLUSIVE EASEMENT A PERMANENT NON-EXCLUSIVE EASEMENT OVER THE STREET AND RIGHTS-OF-WAY SHOWN ON THIS PLAT OF HUMMINGBIRD 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 POWER LINE HOOKUPS, IF REQUIRED, FOR INGRESS AND EGRESS, IN, UNDER, OVER, ACROSS, AND THROUGH THE STREET AND RIGHTS-OF-WAY AS MAY BE REASONABLY NECESSARY, TO CARRY OUT THE PURPOSES OF THIS EASEMENT.

SIGNED AND SEALED THIS 9th DAY OF SEPTEMBER, 2010, ON BEHALF OF SAID LIMITED LIABILITY COMPANY.

WITNESSES: Nancy Johnston (PRINT NAME: NANCY JOHNSTON), Jason Henry (PRINT NAME: JASON HENRY), Humming Bird Place, LLC (HUMMING BIRD PLACE, LLC), Gaynell Timon (MANAGER/MEMBER: GAYNELL TIMON)

ACKNOWLEDGMENT

STATE OF FLORIDA COUNTY OF MARTIN THE FOREGOING CERTIFICATE OF OWNERSHIP AND DEDICATION ACKNOWLEDGED BEFORE ME THIS 9th DAY OF SEPTEMBER 2010 BY GAYNELL TIMON, MANAGER/MEMBER OF Humming Bird Place, A FLORIDA LIMITED LIABILITY COMPANY. SHE [x] IS PERSONALLY KNOWN TO ME, OR [] HAS PRODUCED _____ AS IDENTIFICATION.

Notary Seal: Terri Clark Lunsford, Notary Public, My Commission Expires: Oct. 17, 2011

TITLE CERTIFICATION

I, LEONARD RUTLAND, JR., A MEMBER OF THE FLORIDA BAR, HEREBY CERTIFY THAT AS OF July 13, 2010, AT 11:00am 1. RECORD TITLE TO THE LAND DESCRIBED AND SHOWN ON THIS PLAT IS IN THE NAME OF THE PERSON(S), CORPORATION AND/OR OTHER ENTITY 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: A.) MORTGAGE TO FIRST PEOPLES BANK, DATED MAY 22, 2007, AND RECORDED IN OFFICIAL RECORD BOOK 2250, PAGE 435, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. B.) MORTGAGE TO GAYNELL TIMON, DATED AUGUST 30, 2007, AND RECORDED IN OFFICIAL RECORD BOOK 2275, PAGE 2225, 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 9th of SEPTEMBER, 2010. BY: LEONARD RUTLAND, JR. ATTORNEY-AT-LAW, FLORIDA BAR NO. 261157 LEONARD RUTLAND, JR., ESQUIRE 759 SOUTH FEDERAL HIGHWAY SUITE 303 STUART, FL 34994

LEGEND

- PK = PARKER KALON NAIL & WASHER W/ PSM 4049
- CM = CONCRETE MONUMENT
- PRM = PERMANENT REFERENCE MONUMENT 4"x4" CM WITH DISK, PSM # 4049
- PCP = PERMANENT CONTROL POINT SET PK NAIL (UNLESS OTHERWISE NOTED)
- IB = SET 5/8" IRON BAR & CAP LABELED "S. J. BROWN PSM 4049"
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- P.S.M. = PROFESSIONAL SURVEYOR MAPPER
- F.E.M.A. = FEDERAL EMERGENCY MANAGEMENT AGENCY
- LE = LANDSCAPE EASEMENT
- # = DIAMETER
- (C) = CALCULATED
- (D) = DEED
- R = RADIUS
- L = LENGTH
- Δ = CENTRAL ANGLE
- = SET P.C.P.
- = SET P.R.M.
- = SET 5/8" IRON BAR & CAP LABELED "S. J. BROWN PSM 4049"
- I.D. = IDENTIFICATION
- CHD = CHORD DISTANCE
- CHB = CHORD BEARING
- ℄ = CENTERLINE
- R/W = RIGHT-OF-WAY
- DE = DRAINAGE EASEMENT
- UE = UTILITY EASEMENT
- LME = LAKE MAINTENANCE EASEMENT
- # = NUMBER
- W/ = WITH
- NAD = NORTH AMERICAN DATUM
- LS-1 = LIFT STATION EASEMENT

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. BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 19, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA, CALCULATED AS SOUTH 89°50'03" EAST. CALCULATED BEARINGS BASED ON STATE PLANE COORDINATE VALUES AND REFERENCED TO THE NAD 1983 STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE 0901 AND ARE IN UNITS OF U.S. SURVEY FEET.
- 4. THE NATIONAL FLOOD INSURANCE PROGRAM DESIGNATION AS INDICATED ON THE F.E.M.A. PANEL No. 12085C 0132F DATED 10/04/2002, LOCATES THE PARCEL IN ZONE "X" (MINIMUM BASE FLOOD ELEVATION NOT APPLICABLE).
- 5. IT SHALL BE UNLAWFUL TO ALTER THE APPROVED SLOPES, CONTOURS, OR CROSS SECTIONS OR TO CHEMICALLY, MECHANICALLY OR MANUALLY REMOVE, DAMAGE, OR DESTROY ANY PLANT 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.

619 E. 5th STREET STUART, FLORIDA 34994 772-288-7176 STEPHEN J. BROWN, INC. SURVEYORS-DESIGNERS LAND PLANNERS-CONSULTANTS