

FILED FOR RECORD
1990 DEC 13 PM 1:51
MARSHA STILLER
CLERK OF CIRCUIT COURT
BY: R.C.

1. Marsha Stiller, Clerk of the Circuit Court of Martin County, Florida, Hereby Certify that this plat was filed for record in Plat Book 12, Page 14, Martin County, Florida, Public Records. This 13th day of Dec., 1990.

Marsha Stiller, Clerk Circuit Court Martin County, Florida.
By: Kathy Webster D.C.
Deputy Clerk
File No.

859423
(Circuit Court Seal)

DESCRIPTION

BEING A PARCEL OF LAND SITUATED IN SECTION 6, TOWNSHIP 38 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA, MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST ONE QUARTER OF SAID SECTION 6, TOWNSHIP 38 SOUTH, RANGE 41 EAST, SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF GOVERNMENT LOT 3; THENCE SOUTH 89°24'31" WEST A DISTANCE OF 25.00 FEET; THENCE NORTH 00°10'23" WEST ALONG THE WEST RIGHT-OF-WAY LINE OF RIVER WAY BOULEVARD AS SHOWN ON PLAT OF SEA GATE HARBOR, RECORDED IN PLAT BOOK 4, PAGE 29 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, A DISTANCE OF 2068.33 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THENCE SOUTH 89°49'37" WEST, A DISTANCE OF 30.00 FEET; THENCE SOUTH 00°10'23" EAST, A DISTANCE OF 191.31 FEET; THENCE NORTH 82°58'11" WEST, A DISTANCE OF 125.00 FEET; THENCE NORTH 64°33'12" WEST, A DISTANCE OF 133.69 FEET; THENCE NORTH 48°36'08" WEST, A DISTANCE OF 375.89 FEET; THENCE NORTH 58°38'37" WEST, A DISTANCE OF 109.47 FEET; THENCE NORTH 00°45'20" EAST, A DISTANCE OF 112.76 FEET; THENCE NORTH 89°14'40" WEST, A DISTANCE OF 213.20 FEET; THENCE SOUTH 88°50'47" WEST, A DISTANCE OF 150.08 FEET TO A POINT OF CUSP AND THE BEGINNING OF A CURVE HAVING A RADIUS OF 170.00 FEET, FROM WHICH A RADIAL LINE BEARS SOUTH 00°45'20" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, SUBTENDING A CENTRAL ANGLE OF 17°09'03" A DISTANCE OF 50.89 FEET; THENCE NORTH 16°23'42" WEST, A DISTANCE OF 60.00 FEET TO A POINT OF CUSP AND THE BEGINNING OF A CURVE HAVING A RADIUS OF 230.00 FEET, FROM WHICH A RADIAL LINE BEARS SOUTH 16°23'42" EAST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, SUBTENDING A CENTRAL ANGLE OF 05°32'13", A DISTANCE OF 22.23 FEET TO A POINT OF CUSP AND THE BEGINNING OF A CURVE HAVING A RADIUS OF 28.00 FEET, FROM WHICH A RADIAL LINE BEARS NORTH 36°01'59" EAST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, SUBTENDING A CENTRAL ANGLE OF 27°29'31", A DISTANCE OF 13.44 FEET TO A POINT OF REVERSE CURVATURE HAVING A RADIUS OF 87.00 FEET, FROM WHICH A RADIAL LINE BEARS SOUTH 63°13'30" WEST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, SUBTENDING A CENTRAL ANGLE OF 29°34'20", A DISTANCE OF 44.90 FEET; THENCE NORTH 33°57'10" EAST, A DISTANCE OF 24.37 FEET; THENCE NORTH 08°25'40" WEST, A DISTANCE OF 159.08 FEET TO A POINT OF INTERSECTION WITH THE MEAN HIGH WATER LINE OF THE NORTH FORK OF THE ST. LUCIE RIVER; THENCE SOUTHEASTERLY AND NORTHEASTERLY ALONG THE SAID MEAN HIGH WATER LINE OF THE NORTH FORK OF THE ST. LUCIE RIVER THE FOLLOWING EIGHTEEN COURSES; THENCE NORTH 89°33'37" EAST, A DISTANCE OF 7.23 FEET; THENCE SOUTH 77°55'33" EAST, A DISTANCE OF 69.26 FEET; THENCE SOUTH 87°38'29" EAST, A DISTANCE OF 78.76 FEET; THENCE SOUTH 87°43'11" EAST, A DISTANCE OF 79.30 FEET; THENCE SOUTH 73°22'48" EAST, A DISTANCE OF 40.97 FEET; THENCE SOUTH 89°06'24" EAST, A DISTANCE OF 90.16 FEET; THENCE NORTH 73°39'39" EAST, A DISTANCE OF 73.29 FEET; THENCE SOUTH 86°35'12" EAST, A DISTANCE OF 77.47 FEET; THENCE SOUTH 89°21'05" EAST, A DISTANCE OF 77.12 FEET; THENCE NORTH 87°24'25" EAST, A DISTANCE OF 46.92 FEET; THENCE NORTH 73°54'33" EAST, A DISTANCE OF 84.58 FEET; THENCE NORTH 76°42'59" EAST, A DISTANCE OF 65.56 FEET; THENCE NORTH 85°29'14" EAST, A DISTANCE OF 93.56 FEET; THENCE NORTH 85°13'27" EAST, A DISTANCE OF 86.45 FEET; THENCE NORTH 75°18'15" EAST, A DISTANCE OF 96.11 FEET; THENCE NORTH 68°36'08" EAST, A DISTANCE OF 51.97 FEET; THENCE NORTH 74°46'43" EAST, A DISTANCE OF 30.91 FEET; THENCE NORTH 79°12'48" EAST, A DISTANCE OF 41.24 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF LOT 1 OF SAID SEA GATE HARBOR; THENCE SOUTH 00°10'23" EAST ALONG THE SAID WEST LINE OF LOT 1, A DISTANCE OF 98.22 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE CONTINUING SOUTH 00°10'23" EAST, A DISTANCE OF 3.37 FEET; THENCE SOUTH 89°49'37" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID RIVER WAY BOULEVARD, A DISTANCE OF 25.07 FEET; THENCE SOUTH 00°10'23" EAST ALONG THE SAID WEST RIGHT-OF-WAY LINE OF RIVER WAY BOULEVARD, A DISTANCE OF 557.35 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 11.98 ACRES, MORE OR LESS.

**PLAT OF PHASES 4 AND 5
CUTTER SOUND P. U. D.
LYING IN SEC. 6, TWP. 38S, RGE. 41E
MARTIN COUNTY, FLORIDA
IN TWO SHEETS SWEET NO. 1**

GEE & JENSON
ENGINEERS - ARCHITECTS - PLANNERS, INC.
STUART, FLORIDA

Signed and sealed this 17th day of August, 1990 on behalf of said corporation by its president and attested to by its secretary.

Attest: R.G.A. Development Company

By: Marianne Spector Secretary
By: A.P. Carpentier President

ACKNOWLEDGEMENT

COUNTY OF MARTIN
STATE OF FLORIDA ss
Before me, the undersigned notary public, personally appeared A.P. Carpentier and Marianne Spector, to me well known to be the President and Secretary, respectively, of R.G.A. Development Company, a Florida corporation, and they acknowledged that they executed such instrument as such officers of said corporation.

Witness my hand and official seal this 17th day of August, 1990.

Ronda R. Moushonian
NOTARY PUBLIC
State of Florida at large
My commission expires:
June 2, 1994

TITLE CERTIFICATION

We, DeSantis, Cook, Ferraro & McCarthy, members of the Florida Bar, hereby certify that as of Aug 21st 1990, at St. Petersburg

- 1. Record title to the land described and shown on this plat of Phase 4 & 5, Cutter Sound P.U.D. is in the name of R.G.A. Development Company, a Florida corporation.
- 2. All recorded mortgages not satisfied or released of record nor otherwise terminated by law encumbering the land described hereon are as follows:

A. Mortgage by R.G.A. Development Company, a Florida corporation, and S.R.S. Equity, Inc., a Florida corporation, in favor of Florida National Bank recorded in Official Records Book 577, Page 344, Mortgage Modification, Additional Advance and Extension Agreement recorded in Official Records Book 581, Page 2517, Extension Agreement recorded in Official Records Book 591, Page 1953, Second Mortgage Modification, Additional Advance and Extension Agreement recorded in Official Records Book 597, Page 760, Extension Agreement recorded in Official Records Book 620, Page 1086, as assigned to S.R.S. Equity, Inc. in Official Records Book 773, Page 1133, Mortgage Modification, Spreader and Future Advance Agreement recorded in Official Records Book 784, Page 1004, together with Conditional Assignment of Leases, Rents and Profits in favor of Florida National Bank recorded in Official Records Book 597, Page 769, and re-recorded in Official Records Book 601, Page 1801, as assigned to Barnett Bank of Martin County N.A. by Collateral Assignment of Mortgage recorded in Official Records Book 829, Page 131, as subordinated to the insured mortgage by Subordination of Mortgage and Loan Documents recorded in Official Records Book 829, Page 125, as amended by Amendment, Confirmation and Restatement of Subordination of Mortgage and Loan Documents dated January 24, 1990, and recorded in Official Records Book 844, Page 628, all in the Public Records of Martin County, Florida.

B. Mortgage by R.G.A. Development Company, a Florida corporation, and S.R.S. Equity, Inc., a Florida corporation, in favor of Florida National Bank recorded in Official Records Book 617, Page 502, which was assigned to S.R.S. Equity, Inc. in Official Records Book 773, Page 1133, Mortgage Modification, Spreader and Future Advance Agreement recorded in Official Records Book 784, Page 1004, as assigned to Barnett Bank of Martin County N.A. by Collateral Assignment of Mortgage recorded in Official Records Book 829, Page 134, and as subordinated to the insured mortgage by Subordination of Mortgage and Loan Documents recorded in Official Records Book 829, Page 128, as amended by Amendment, Confirmation and Restatement of Subordination of Mortgage and Loan Documents dated January 24, 1990, and recorded in Official Records Book 844, Page 631, all in the Public Records of Martin County, Florida.

C. Mortgage and Security Agreement by R.G.A. Development Company, a Florida corporation, and S.R.S. Equity, Inc., a Florida corporation, in favor of Barnett Bank of Martin County N.A., dated September 20, 1989, and recorded September 22, 1989, in Official Records Book 829, Page 110, as modified by Future Advance and Mortgage Modification Agreement dated January 24, 1990, and recorded January 29, 1990, in Official Records Book 844, Page 622, all in the Public Records of Martin County, Florida.

- 3. This certificate is issued solely for the purposes of complying with Section 177.041, Florida Statutes.

Dated this 24th day of August, 1990.

DeSANTIS, COOK, FERRARO & MCCARTHY
By: Terrance P. McCarthy
TERRANCE P. MCCARTHY, ESQUIRE
2081 E. Ocean Boulevard
Suite 2A
Stuart, Florida 34996
(407) 286-1700

MORTGAGE HOLDER'S CONSENT

S.R.S. Equity, Inc., a Florida corporation, hereby certifies that it is the holder of certain mortgages, liens or encumbrances on the land described hereon and does consent to the dedication hereon and does subordinate its mortgages, liens or encumbrances to such dedications.

Signed and sealed this 17th day of August, 1990, on behalf of S.R.S. Equity, Inc., by its President, and attested to by its Secretary.

S.R.S. EQUITY, INC.,
a Florida corporation
By: Sau R. Spector
Sau R. Spector
President and Secretary

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF MARTIN
Before me, the undersigned notary public, personally appeared Sau R. Spector to me well known and known to be the President and Secretary, of S.R.S. Equity, Inc., a Florida corporation, and he acknowledged that he executed such Mortgage Holder's Consent as such officers of said corporation.

Witness my hand and official seal in the County and State last aforesaid this 17th day of August, 1990.

Ronda R. Moushonian
Notary Public
State of Florida at Large
My commission expires:
June 2, 1994

**CERTIFICATE OF OWNERSHIP
AND DEDICATION**

COUNTY OF MARTIN
STATE OF FLORIDA ss

RGA Development Company, a Florida Corporation, by and through its undersigned officers, does hereby certify that it is the owner of the property described hereon, and does hereby dedicate as follows:

- 1. The streets and access tract "A" shown on this Plat of Phases 4 and 5, Cutter Sound P.U.D. are hereby declared to be private access tracts and are dedicated to Cutter Sound Community Association, Inc., its successors and assigns, for access, drainage and utility purposes, and association and its employees and agents, subject to reserved easements for use and access by any utility, including C.A.T.V., and any association established for utility purposes, 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, by fire and police departments and other governmental agencies and their agents and employees while engaged in their respective official functions. This dedication shall also be subject to any easement for use and access by RGA Development Company, its successors, assigns, agents and employees, and by Cutter Sound Golf & Yacht Club, Inc., its successors, successors-in-title, assigns, agents, employees and members. Such streets and access tract "A" shall be the maintenance responsibility of Cutter Sound Community Association, Inc. and the Board of County Commissioners of Martin County, Florida, shall have no responsibility, duty or liability regarding such access tracts.
- 2. The utility easements shown on this Plat of Phases 4 and 5, Cutter Sound P.U.D. may be used for the purpose of access to, and construction, use and maintenance of utilities by any utility, including C.A.T.V. and any association established for utility purposes, 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. The Board of County Commissioners of Martin County, Florida, shall bear no responsibility, duty or liability regarding such easements.
- 3. The emergency access easement shown on this Plat of Phase 4 & 5, Cutter Sound P.U.D. is hereby declared to be a private easement and is dedicated to Cutter Sound Community Association, Inc., its successors and assigns, and the Cutter Sound Golf & Yacht Club, Inc., its successors, successors-in-title and assigns, for the purpose of emergency access only. Such access easement shall be the maintenance responsibility of Cutter Sound Community Association, Inc. The Board of County Commissioners of Martin County, Florida, shall have no responsibility, duty or liability regarding such emergency access easement.
- 4. The drainage easements shown on this Plat of Phases 4 and 5, Cutter Sound P.U.D. are hereby declared to be private easements and are dedicated to Cutter Sound Community Association, Inc., its successors and assigns, and Cutter Sound Golf & Yacht Club, Inc., its successors, successors-in-title and assigns, for the purpose of access to, and construction, use and maintenance of drainage facilities. Such drainage easements shall be the maintenance responsibility of Cutter Sound Community Association, Inc. The Board of County Commissioners of Martin County, Florida, shall have no responsibility, duty or liability regarding such drainage easements.
- 5. The wetland tract "W" as shown on this Plat of Phases 4 & 5, Cutter Sound P.U.D. is hereby dedicated as a conservation area and shall be the perpetual responsibility of Cutter Sound Community Association, Inc., its successors and assigns, and may in no way be altered from its natural state except in compliance with the Preserve Area Management Plan approved by Martin County. Activities prohibited within said conservation area include, but are not limited to, construction or placing of buildings on or above the ground; dumping or placing soils or other substances, such as trash; removal or destruction of trees, shrubs or other native vegetation, excavation, dredging or removal of soil materials; diking or fencing; and any other activities detrimental to drainage, flood control, water conservation, erosion control or fish and wildlife habitat conservation or preservation. The Board of County Commissioners of Martin County, Florida, shall have no responsibility, duty or liability regarding such wetland tract.
- 6. The upland transition buffer easements as shown on this Plat of Phases 4 & 5, Cutter Sound P.U.D. is hereby dedicated as a conservation area, and it shall be the perpetual responsibility of Cutter Sound Community Association, Inc., its successors and assigns, and Cutter Sound Golf & Yacht Club, Inc., its successors, successors-in-title and assigns, and may in no way be altered from their natural state except in compliance with the Preserve Area Management Plan approved by Martin County. Activities prohibited within said conservation area include, but are not limited to, construction or placing of buildings on or above the ground; dumping or placing soils or other substances, such as trash, removal or destruction of trees, shrubs or other native vegetation, excavation, dredging or removal of soil materials; diking or fencing; and any other activities detrimental to drainage, flood control, water conservation, erosion control or fish and wildlife habitat conservation or preservation. The Board of County Commissioners of Martin County, Florida, shall have no responsibility, duty or liability regarding such upland transition buffer easements.
- 7. The access easement on Lot 1 shown on this Plat of Phase 5, Cutter Sound P.U.D. is hereby declared to be a private easement and is dedicated to Cutter Sound Community Association, Inc., its successors and assigns, and the Cutter Sound Golf & Yacht Club, Inc., its successors, successors-in-title and assigns, for the purpose of access. Such access easement shall be the maintenance responsibility of Cutter Sound Community Association, Inc. The Board of County Commissioners of Martin County, Florida, shall have no responsibility, duty or liability regarding such access easement.

PARCEL CONTROL NO. 06-38-41-016-000-0000.0

MORTGAGE HOLDER'S CONSENT

Barnett Bank of Martin County N.A., hereby certifies that it is the holder of certain mortgages, liens or encumbrances on the land described hereon and does consent to the dedications hereon and does subordinate its mortgages, liens or encumbrances to such dedications. This consent and subordination applies to the mortgage described in the title certification above.

Signed and sealed this 24th day of August, 1990, on behalf of Barnett Bank of Martin County, N.A. by its Executive Vice President, and attested to by its Vice President.

ATTEST: BARNETT BANK OF MARTIN COUNTY, N.A.
By: J. Cary Allen Vice President
By: Perry R. Barbee Executive Vice President

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF MARTIN
Before me, the undersigned notary public, personally appeared Perry R. Barbee and J. Cary Allen to me well known and known to be the Executive Vice President and Vice President, respectively, of Barnett Bank of Martin County N.A. and they acknowledged that they executed such Mortgage Holder's Consent as such officers of said banking association.

Witness my hand and official seal in the County and State last aforesaid this 24th day of August, 1990.

Jonasa C. Hinchman
Notary Public
State of Florida at Large
My commission expires:
Jan 10, 1993

COUNTY APPROVAL

COUNTY OF MARTIN
STATE OF FLORIDA
This plat is hereby approved by the under signed on the date, or dates indicated.

10-10-90 Date
6-26-90 Date
6-26-90 Date
6-26-90 Date

Donald E. Hallman County Engineer
William S. Brown County Attorney
Jeanne Weidman Chairman - Planning and Zoning Commission of Martin County, Florida
Halter A. Johnson Jr. Chairman - Board of County Commissioners of Martin County, Florida

Attest: Marsha Stiller
By: Kathy Webster D.C.
Clerk

SURVEYOR'S CERTIFICATION

STATE OF FLORIDA ss

I, Allan F. Oslund, do hereby certify that this plat of Cutter Sound is a true and correct representation of the lands surveyed under my responsible direction and supervision and that said survey is accurate to the best of my knowledge and belief, and that permanent reference monuments have been placed, as required by law, and that permanent control points will be set for the required improvements and further that the survey data complies with all the requirements of Chapter 177, part 1, Florida Statutes, (as amended) and ordinances of Martin County, Florida.

THIS INSTRUMENT PREPARED
BY ALLAN OS Lund
1111 S.E. Federal Hwy., Suite 230
Stuart, Florida 34994
Phone (407) 286-9010

Allan Oslund
Allan Oslund
Registered Land Surveyor
Florida Certification No. 4659

NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

NOTARY
NOTARY
S.R.S. EQUITY INC.
R.G.A. DEVELOPMENT CO.