

CLERK'S RECORDING CERTIFICATE

I, MARSHA ELLIOTT, CLERK OF THE CIRCUIT COURT OF MARTIN COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN PLAT BOOK 15, PAGE 13, MARTIN COUNTY, FLORIDA, PUBLIC RECORDS, THIS 17 DAY OF OCT., 2001.

FILE NUMBER 1528.517 BY Melinda M. Moh DEPUTY CLERK

30-37-41-017-000-0000-0 SUBDIVISION PARCEL CONTROL NUMBER

A Plat of

Estuary P.U.D., Phase III

Being a Replat of a Portion of a re-subdivision of Lots 5, 6, 12 1/2 and 14 of Kitching's Subdivision, Plat Book 2, Page 19, as recorded in Public Records, St. Lucie County, (now Martin County) Florida, all lying in Section 30, Township 37 South, Range 41 East, Martin County, Florida.

PREPARED BY: ASLAN, INC. CONSULTANTS • PLANNERS • SURVEYORS LAND INFORMATION SERVICES 2440 S.E. Federal Highway - Suite 700 Stuart, FL 34994 (561) 288-4880 Fax 288-0128

CERTIFICATE OF OWNERSHIP AND DEDICATION

Estuary Development Company of Martin County, a Florida Corporation, by and through its undersigned officers, hereby certifies that it is the owner of the property described on the plat of Estuary P.U.D., Phase III and hereby dedicates as follows:

PRESERVATION AREAS, WATER MANAGEMENT AREAS, UTILITY EASEMENTS, ACCESS EASEMENTS AND OTHER COMMON AREAS

- 1. The Common Areas shown on this plat of Estuary P.U.D., Phase III, are hereby declared to be the property of Villas at Estuary Phase III Homeowners Association, Inc., which shall be conveyed by deed to the association and may be used for utility (including CATV) purposes, also for access and 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 common areas designated as such on this plat.
2. The Water Management Tracts shown on this plat of Estuary P.U.D., Phase III, and designated as such on this Plat, are hereby declared to be the property of Villas at Estuary Phase III Homeowners Association, Inc., 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. 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.
3. The Utility Easements shown on this plat of Estuary P.U.D., Phase III may be used for utility purposes (including CATV) 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. 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. The Access Easement shown on this plat of Estuary P.U.D., Phase III is hereby declared to be the property of Villas at Estuary Phase III Homeowners Association, Inc. and is further declared to be non-exclusive, which shall be conveyed by deed to the association for access purposes, and shall be maintained by Villas at Estuary, Phase III Homeowners Association, Inc. Martin County has regulatory authority over, but shall bear no responsibility, duty or liability for any access easement designated as such on this plat.
5. The Preservation Area is hereby dedicated as common area, it shall be the perpetual responsibility of Villas at Estuary Phase III Homeowners Association, Inc. and may in no way be altered from its natural or permitted state. Activities prohibited within the preservation area include, but are not limited to, construction or placing of buildings on or above the ground; dumping or placing soil or other substances such as trash; removal or destruction of trees, shrubs, or other vegetation with the exception of exotic/nuisance vegetation removal; excavation, dredging or removal of soil material; diking or fencing; any other activities detrimental to drainage; flood control, water conservation, erosion control, or fish and wildlife habitat conservation or preservation. Martin County has regulatory authority over, but shall bear no responsibility, duty, or liability for any preservation area designated as such on this plat.

The Preservation Area Tract "A" as shown on this plat of Estuary P.U.D., Phase III is hereby declared to be property of Villas at Estuary Phase III Homeowners Association, Inc., and are further declared to be private preservation areas, which shall be conveyed by deed to the Association for preservation 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 parcels 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 preservation areas designated as such on this Plat.

SIGNED AND SEALED this ___ day of ___, 2001 on behalf of said corporation by its President and attested to by its Vice President.

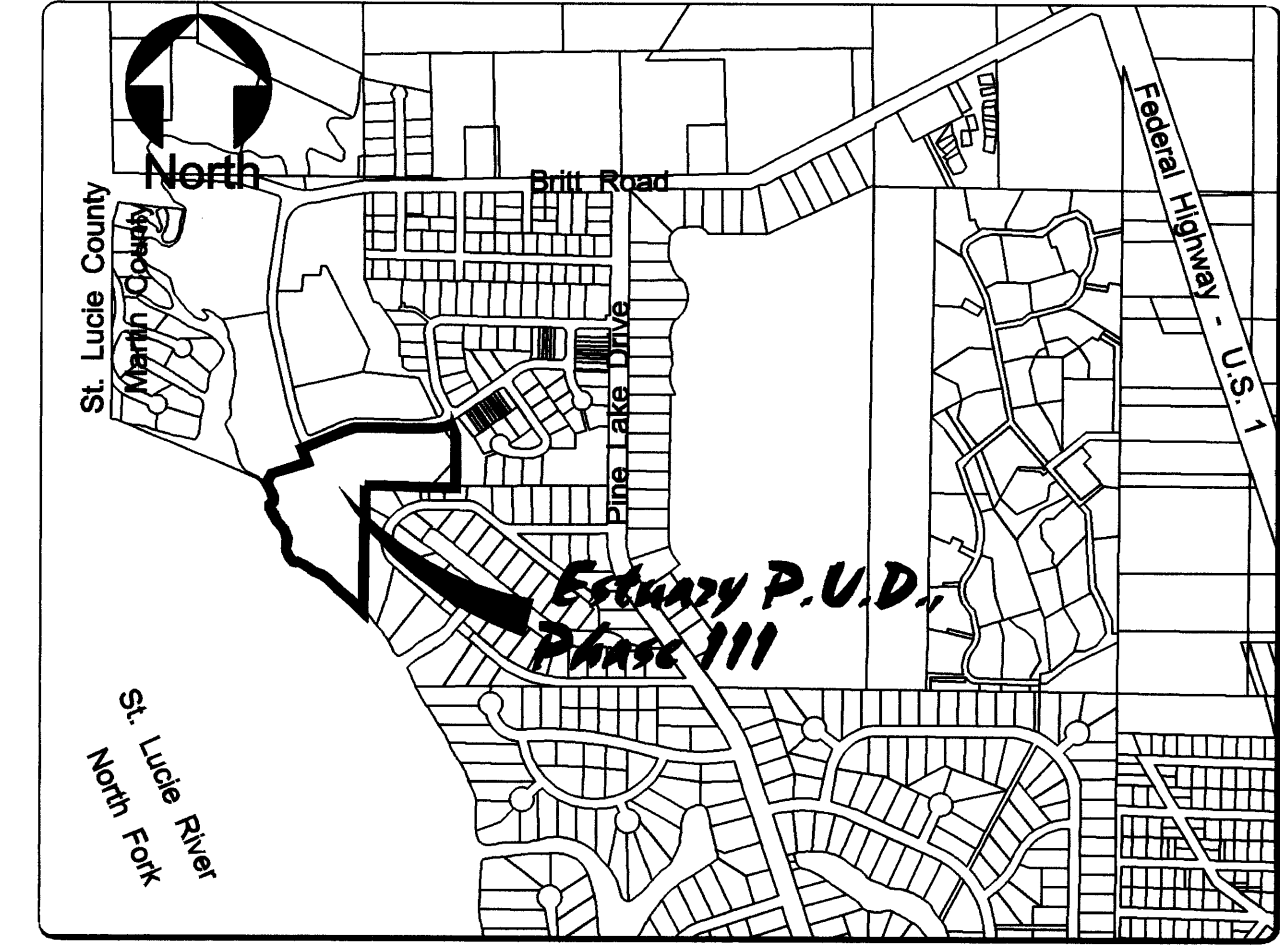
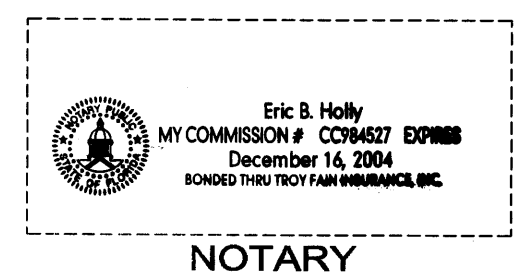
Estuary Development Company of Martin County. BY: Robert J. Ladd, its President ATTEST: James D. Rudd, its Secretary WITNESS: Eric B. Holly, Notary Public

ACKNOWLEDGEMENT

STATE OF FLORIDA COUNTY OF MARTIN

BEFORE ME, the undersigned notary public, personally appeared Robert J. Ladd and James D. Rudd, to me well known to be the President and Vice President, respectively of Estuary Development Company of Martin County, a Florida corporation, and they acknowledged that they executed such Certificate of Ownership and Dedication as such officers 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. They are: [x] personally known to me.

Eric B. Holly Notary Public, State of Florida at Large Commission No: CC984527 My commission expires: December 16, 2004



VICINITY MAP 1" = 1000'

- NOTES 1. There shall be no buildings or any other kind of construction or trees or shrubs placed on drainage easements. 2. There shall be no buildings or other permanent structures placed on utility easements. 3. Where drainage and utility easements cross, drainage easements shall take precedence. 4. Benchmark elevations as shown are referenced to the National Geodetic Vertical Datum of 1929 (N.G.V.D. 29), and are referenced to Martin County Benchmark MAR-16, elevation 4.052 feet. 5. Interior centerlines are shown for graphic purposes only, are part of the common area, and are not separately dedicated on this plat. 6. Bearings refer to the centerline of N.W. 21st Street, having a Bearing of N 88°18'54"W. 7. 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.

MORTGAGEE'S CONSENT TO PLAT

BANKATLANTIC, a Federal Savings Bank, hereby certify that it is the holder of that certain mortgage dated April 12, 2001, and recorded in Official Records Book 1546, Page 2829, lien or encumbrance on the land described hereon and do hereby consent to the dedication hereon and do subordinate their mortgage, lien or encumbrance to such dedication.

SIGNED this 19th day of July, 2001.

BANKATLANTIC 1750 East Sunrise Blvd, 2nd Floor Ft. Lauderdale, FL 33304

Witness: Janice Daniels, Frank Daniels BY: Christopher C. Hynes

ACKNOWLEDGEMENT

STATE OF FLORIDA COUNTY OF

BEFORE ME, the undersigned notary public, personally appeared Christopher C. Hynes to me well known to be the SVP, respectively, of BANKATLANTIC, a Federal Savings Bank, and he acknowledged that he executed such Mortgagee's 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: [x] personally known to me or [] has produced as identification.

Janice Daniels Notary Public, State of Florida at Large State of Florida at Large Commission No: CC958195 My commission expires: 10/1/04



NOTICE 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. There may be additional restrictions that are not recorded on this plat that may be found in the public records of this county.

LEGAL DESCRIPTION

A Parcel of Land being a portion of a re-subdivision of Lots 5, 6, 12 1/2, and 14 of Kitching's Subdivision, Plat Book 2, Page 19, as recorded in Public Records, St. Lucie County, (now Martin County) Florida, all lying in Section 30, Township 37 South, Range 41 East, Martin County, Florida. Being more particularly described as follows:

Begin at the Southwest corner of Lot 6 of the aforesaid Kitching's Subdivision; Thence South 00°56'31" West 651.80 feet more or less to the point of intersection with the Northeasterly shoreline of Britt Creek; Thence meander in a Northwesterly direction along said shoreline 904 feet more or less to the point of intersection with a line that bears North 27°58'33" East; Thence North 27°58'33" East along said line 52 feet more or less; Thence North 72°58'33" East 195.00 feet; Thence South 23°01'27" East 85.00 feet; Thence North 66°58'33" East 100.00 feet; Thence North 23°01'27" West 163.00 feet; Thence North 66°58'33" East 128.60 feet to a point of curve concave to the Southeast having a radius of 317.41 feet; Thence in an Easterly direction along the arc of said curve 136.89 feet through a central angle of 24°42'33" to a point of tangency; Thence South 88°18'54" East 293.00 feet to a point of curve concave to the Northwest having a radius of 375.00 feet; Thence in a Northeasterly direction along the arc of said curve 165.32 feet through a central angle of 25°15'33"; Thence South 00°38'12" East 339.01 feet to a point on the aforesaid South line of Lot 6; Thence North 88°18'54" West 469.57 feet to the Point of Beginning. All of the above containing 10.16 acres, more or less.

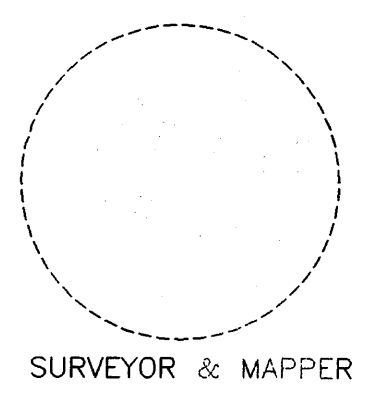
CERTIFICATE OF SURVEYOR AND MAPPER

STATE OF FLORIDA COUNTY OF MARTIN

I, ERIC B. HOLLY, hereby certify that this plat of Estuary P.U.D., Phase III is a true and correct representation of the lands surveyed, subdivided, and platted under my responsible direction and supervision, that the survey data complies with the applicable requirements of Chapter 177, Part I, Florida Statutes, and further that the Permanent Reference Monuments (P.R.M.'s) were set in accordance with Section 177.091 of said Chapter 177, on this 10th day of July, 2001. The benchmarks if shown are referenced to National Geodetic Vertical Datum (N.G.V.D) of 1929 in conformity with standards adopted by the National Ocean Survey or third order control standards. This plat conforms to all applicable sections of Chapter 61G17-6, Florida Administrative Code.

ASLAN, INC. 2440 SE Federal Highway, Suite 700 Stuart, FL 34994 Florida Certificate of Authorization No. LB 5715

Eric B. Holly Professional Surveyor & Mapper Florida Registration No. 3336



TITLE CERTIFICATION

I, James D. Rudd, Esq. a member of the Florida Bar, hereby certify that as of 7/10, 2001, at 9:00 AM

- 1. Record title to the land described and shown on this plat is in the name of the corporation executing the Certificate of Ownership and Dedication hereon. 2. All mortgages not satisfied or released of record encumbering the land described hereon as follows: that certain mortgage dated April 12, 2001, and recorded in Official Records Book 1546, Page 2829, Public Records of Martin County, FL. 3. All taxes that are due and payable pursuant to Section 197.192, F.S., have been paid.

DATED this 19th day of July, 2001.

James D. Rudd, Esq. Florida Bar No. 377155 3511 N.E. 22ND Avenue Fort Lauderdale, FL 33306

COUNTY APPROVAL

STATE OF FLORIDA COUNTY OF MARTIN

This plat is hereby approved by the undersigned on the dates indicated.

County Surveyor and Mapper Date 9-7-01 County Attorney Date 10/12/01 County Engineer Date 9-7-01 Chairman, Board of County Commissioners Date 10-12-01 BCC: 7-10-01

ATTEST: Marsha Ewing Clerk By: Melinda M. Moh, D.C.

