

2019 NOV 14 PM 1:36

CARDLYN TIMMANN  
CLERK OF CIRCUIT COURT

**HIGHLANDS RESERVE**  
**THIRD AMENDMENT TO THE PLANNED UNIT**  
**DEVELOPMENT ZONING AGREEMENT**

THIS AGREEMENT, made and entered into on this 27<sup>th</sup> day of August, 2019, by and between HIGHLANDS RESERVE OF PALM CITY HOMEOWNERS' ASSOCIATION, INC., a Florida not-for-profit corporation, (hereinafter the "Association") and MARTIN COUNTY, a political subdivision of the State of Florida (hereinafter the "County").

**WITNESSETH:**

WHEREAS, after appropriate notice, public hearing and approval, Jeffrey H. Sands T/A Nassau Arms, a sole proprietorship, and Martin County, on or about the 13<sup>th</sup> day of April 2004, entered into a Planned Unit Development Zoning Agreement for the development of a project in Martin County, Florida known as "Highlands Reserve PUD", which Agreement is recorded in official records Book 1928, beginning at Page 0947, and re-recorded to correct a typographical error in the legal description in Official Records Book 2108, Page 1872, of the Public Records of Martin County, Florida, which Agreement, as amended from time to time, is hereinafter referred to as the "PUD Agreement"; and

WHEREAS, the developer of Highlands Reserve PUD subsequently created the Association to fulfill continuing responsibilities for matters of common interest within Highlands Reserve, including some of those conditions identified in the PUD Agreement; and

WHEREAS, the Association and the County believe an amendment to the PUD Agreement is warranted.

NOW, THEREFORE, the parties do hereby agree that:

1. Special Condition 18.D, Additional Requirements, of Exhibit "F" of the PUD Agreement is amended to read as follows:

D.

1. The final landscaping, irrigation, and lighting plans along CR-713 (SW High Meadow Avenue) shall be comparable to that which is along Indian Street and shall be reviewed and approved in conjunction with final site plan approval. Effective October 1, 2019, said landscaping, irrigation and lighting shall be maintained in perpetuity by Martin County, provided, however that Highlands Reserve of Palm City Homeowners' Association, Inc. continues to provide the water and electrical services necessary for the County to operate and maintain the landscaping, irrigation, and lighting systems in perpetuity.

2. The Right-of-way Maintenance Agreement for Highlands Reserve of Palm City dated August 1, 2006, between the Association and County, as recorded in Official Records

Book 2190, beginning at Page 982, of the Public Records of Martin County, Florida, is hereby terminated, effective October 1, 2019.

2. All the terms and conditions of the PUD Agreement which are not specifically amended or revised by this Agreement shall remain in full force and effect as stated therein.

IN WITNESS THEREOF, the parties hereto have executed these presents on the dates indicated below. The date of this Agreement shall be the date on which this amendment was approved by the Board of County Commissioners.

Attest:

Stephanie Adams

HIGHLANDS RESERVE OF PALM CITY HOMEOWNERS' ASSOCIATION, INC., a not-for-profit corporation

Attest:

Stephanie Adams

By:

Michael P. DeMeo

Printed Name: MICHAEL P. DEMEO

Title: PRESIDENT

Dated: 10/24/2019

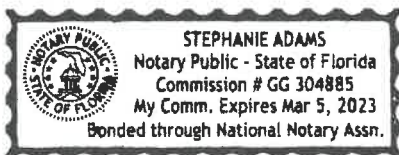
STATE OF FLORIDA

COUNTY OF Martin

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Michael P. DeMeo on behalf of the corporation, to me known to be the person described herein and who executed the foregoing instrument and acknowledged before me that he or she executed same. He or she () is personally known to me or ( ) has produced \_\_\_\_\_ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 24<sup>th</sup> day of October, 20 19.

(NOTARIAL STAMP)



Stephanie Adams

Notary Public

My commission expires:

Attest:

  
Carolyn Timmann, Clerk of the Circuit  
Court and Comptroller

**BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA**

By:   
Edward V. Ciampi, Chairman

Dated: 11/11/19

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:**

By:   
Krista A. Storey  
Senior Assistant County Attorney