

This Instrument Prepared By:

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**SECOND AMENDMENT TO
THE PRESERVE AT PARK TRACE
PLANNED UNIT DEVELOPMENT ZONING AGREEMENT**

THIS AMENDMENT to The Preserve at Park Trace Planned Unit Development (PUD) Zoning Agreement, made and entered into this _____ day of _____, 20_____, by and between, D.R. HORTON, INC., a Delaware corporation, hereinafter referred to as OWNER, and MARTIN COUNTY, a political subdivision of the State of Florida, hereinafter referred to as COUNTY.

WITNESSETH:

WHEREAS, after appropriate notice, public hearing and approval, OWNER and COUNTY on or about the 28th day of September, 2021, entered into a Planned Unit Development Zoning Agreement for the development of a project in Martin County, Florida, known as The Preserve at Park Trace, which Agreement is recorded in Official Records Book 3298 beginning at Page 1105 of the Public Records of Martin County, Florida,, which was subsequently amended, the Agreement and amendment are hereinafter collectively referred to as the "The Preserve at Park Trace PUD Agreement," and,

WHEREAS, after appropriate notice, hearing and approval, OWNER desires to amend the Preserve at Park Trace PUD Agreement to revise **Exhibit D**, Master Site Plan.

NOW, THEREFORE, it is agreed between OWNER and COUNTY that the PUD Agreement is amended as follows:

1. The above recitations are true and correct and incorporated herein by this reference.
2. Exhibit D, the Master/Final Site Plan, is deleted and replaced in its entirety with attached Exhibit D, Revised Master/Final Site Plan to reflect the following changes:
 - a. The reduction of 2 single family units (from 114 to 112 units);
 - b. the addition of common recreational amenities; and
 - c. the extension of a private road “stub-out” to provide legal access and utilities to Phase 2 of the Cove Royale Planned Unit Development.
3. Exhibit E, the Timetable for Development, is deleted and replaced in its entirety with attached Exhibit E, Revised Timetable for Development. to extend the project completion date to November 25, 2025.
4. All other terms and conditions of The Preserve at Park Trace PUD Agreement which are not specifically amended or revised by this Amendment shall remain in full force and effect as stated therein.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be made and entered into the day and year first written. The date of this Amendment shall be the date on which this Amendment was approved by the Board of County Commissioners of Martin County, Florida.

WITNESSES:

OWNER

D.R. HORTON, INC., a Delaware corporation

Name: _____

By: _____
Rafael Roca, Division President

Name: _____

6123 Lyons Road, Suite 100
Coconut Creek, FL 33073

STATE OF _____
COUNTY OF _____

I HEREBY CERTIFY that on this day, before me by means of [] physical presence or [] online notarization, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, was acknowledged by RAFAEL ROCA, DIVISION PRESIDENT of DR HORTON, INC., a Delaware corporation, 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 executed same.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 202__.

(NOTARIAL STAMP)

Notary Public
My commission expires:

COUNTY

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

Carolyn Timmann
Clerk of the Circuit Court and Comptroller

By: _____
Edward V. Ciampi, Chairman

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

(COMMISSION SEAL)

Elysse A. Elder
Deputy County Attorney

EXHIBIT D

REVISED MASTER/FINAL SITE PLAN

Revised Master/final site plan as approved by Martin County Board of County Commissioners to be attached as Revised Exhibit D.

EXHIBIT E

REVISED TIMETABLE FOR DEVELOPMENT

- A. The Preserve at Park Trace PUD shall be constructed in accordance with this timetable for development. This development shall be constructed in one phase in accordance with the master/final site plan attached as Exhibit D.
- B. Development must be completed by November 21, 2025. As used herein, the term “development” shall not mean the construction of single-family homes or recreational amenities.
- C. The core infrastructure improvements, consisting of the required stormwater management system, the appropriate NPDES components, stabilized roadways, and adequate fire protection must be completed before issuance of building permits. All required improvements, including but not limited to roads, sidewalks, stormwater and drainage facilities, utilities, landscaping, and those identified on the final site plan for the applicable phase, must be substantially completed, as determined by the County Engineer, prior to the issuance of any certificate of occupancy.
- D. The recreational amenities must be completed within one year of final site plan approval.