

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32

INSTR # 1642442
OR BK 01741 PG 0941
RECORDED 03/12/2003 03:10:08 PM
MARSHA EWING
CLERK OF MARTIN COUNTY FLORIDA
RECORDED BY C Burkey

RETURN TO:
Growth Management Department
2401 SE Monterey Road
Stuart, Florida 34996

UNITY OF TITLE

In consideration of the issuance of a permit to THE TALARIA COMPANY, LLC, a Delaware limited liability company, as "Owner(s)", for the construction of for the construction of a boat yard facility complex in Martin County, Florida, and for other good and valuable considerations, the undersigned hereby agree to restrict the use of lands described in **Exhibit "A"** attached hereto in the following manner:

1. That said property shall be considered as one plot and parcel of land and that no portion of said plot and parcel of land shall be sold, transferred, devised, or assigned separately except in its entirety as one plot or parcel of land.
2. The undersigned further agrees that this condition, restriction and limitation shall be deemed a covenant running with the land, and shall remain in full force and effect, and be binding upon the undersigned, their heirs and assigns, until such time as the same may be released in writing by the Board of County Commissioners.
3. The undersigned further agrees that this instrument shall be recorded in the Public Records of Martin County.

Signed, acknowledged and notarized on this 14th day of February, 2003.

WITNESSES:

"OWNER"

Sign: Mary Beth Herbert
Print Name: MARY BETH HERBERT

THE TALARIA COMPANY, LLC, a
Delaware limited liability company

Sign: Gilbert J Stringer
Print Name: GILBERT J STRINGER

By: Gerard C. Dischino
Print Name: GERARD C. DISCHINO
Title: PRESIDENT, HINCHLEY YACHT SERVICES
Address: 1 LITTLE HARBOR LANDING
PORTSMOUTH, RI 02874

ATTEST:

Suzanne L. Conley
Print Name: Suzanne L. Conley
Secretary

STATE OF Rhode Island
COUNTY OF Newport

The foregoing Unity of Title was acknowledged before me this 14th day of February, 2003, by Gerard C. DiSikino, President (name of officer/agent and title) of Hickley Yacht Services (name of corporation), a Rhode Island (state or place of incorporation) corporation, on behalf of the corporation. He or she [] is personally known to me or [] has produced _____ as identification.

NOTARY PUBLIC

Suzanne L. Conley
Name Printed: Suzanne L. Conley
State of Rhode Island at Large
My Commission Expires: 5/17/2006

Copy Copy Copy

Note: Florida Statutes requires one of the following: corporate officer's signature attested by the corporate secretary and corporate seal applied; or, corporate officer's signature and corporate seal applied and one witness; or, corporate officer's signature and two (2) witnesses.

182345.1

EXHIBIT "A"**LEGAL DESCRIPTION****Parcel 1:**

Start at a concrete monument located at the point where the Westerly right of way line of Robertson Road intersects the South line of the North half of Lot 47, plat of Lots 13 and 14 of the Hanson Grant, Plat Book 1, at Page 89, public records of Palm Beach (now Martin) County, Florida; thence run South 66°22' West along said South line of the North half of Lot 47, a distance of 1,321.85 feet to the ***Point of Beginning***, said Point of Beginning being 21 feet Easterly of the Southwest corner of Lot N shown on map of survey dated March 25, 1961, by Stafford & Brock of Stuart, Florida; thence by curve concave to the Southwest, and with a radius of 144.69 feet, the forward tangent of which bears North 76°18' West, run a distance of 80.22 feet along the arc, through a central angle of 31°46'; thence run South 71°56' West a distance of 164.70 feet; thence run South 66°22' West a distance of 78.64 feet; thence by curve to the left, with a radius of 16 feet, run a distance of 17.67 feet along the arc, through a central angle of 63°17'33"; thence run South 3°04'27" West a distance of 30.65 feet; thence by curve to the right, with a radius of 16 feet, run a distance of 17.67 feet along the arc, through a central angle of 63°17'33", to the point of tangency with said South line of the North half of Lot 47; thence run North 66°22' East, along said South line, a distance of 358.67 feet to the ***Point of Beginning***.

Parcel ID Number: 48-38-41-000-047-0001.0-2

Parcel 2:

The North one-half of Lot 47 of the Subdivision of Lots 13 and 14, of the Hanson Grant, according to the plat thereof made by J.S. and E.S. Frederick, recorded in Plat Book 1, at Page 89, public records of Palm Beach (now Martin) County, Florida; LESS and EXCEPTING therefrom those certain lands described in Warranty Deed dated March 25, 1965, and recorded in Official Records Book 153, at Page 7, Martin County, Florida, public records.

Parcel ID Number: 48-38-41-000-047-0001.0-2

Parcel 3:

The South half (S ½) of Lot Forty Seven (47) of the Subdivision of Lots 13 and 14 of the Hanson Grant, according to the plat thereof made by J.S. and E.S. Frederick, recorded in Plat Book 1, at Page 89, public records of Palm Beach (now Martin) County, Florida.

Parcel ID Number: 48-38-41-000-047-0001.0-2

Parcel 4:

Lots 1 and 2 of J.O. Jackson's Allotment, according to the plat thereof filed 15 June, 1914, recorded in Plat Book 5, at Page 56, Palm Beach (now Martin) County, Florida, public records; and supplemental plat of J.O. Jackson's Allotment filed 6 October, 1914, recorded in Plat Book 5, at Page 70, Palm Beach (now Martin) County, Florida, public records; and

Parcel ID Number: 48-38-41-000-047-0001.0-2

Also that part of Tract 1, of said J.O. Jackson's Allotment, described as follows:

Beginning at the Northwest corner of said Tract 1; thence run North 66° East along the North line of said Tract 1, a distance of 200 feet to a point; thence run South 24° East on a line parallel to the West line of said Tract 1, a distance of 100 feet to a point; thence run South 66° West, a distance of 200 feet to a point on the West line of said Tract 1; thence run North 24° West, a distance of 100 feet to the *Point of Beginning*.

Parcel ID Number: 49-38-41-006-001-0001.0-1

Parcel 5:

Lot 3 of J.O. Jackson's Allotment in the Miles or Hanson Grant, according to the plat thereof recorded in Plat Book 5, at Page 70 of the public records of Palm Beach (now Martin) County, Florida.

Parcel ID Number: 48-38-41-000-047-0001.0-2

Parcel 6:

Lots 10, 11, 12, 13 and 14, J.O. Jackson's Allotment, according to the plat thereof filed June 15, 1914, and recorded in Plat Book 5, at Page 56, Palm Beach (now Martin) County, Florida, public records; and supplemental plat of J.O. Jackson's Allotment filed October 6, 1914 and recorded in Plat Book 5, at Page 70, Palm Beach (now Martin) County, Florida.

Parcel ID Number: 49-38-41-006-000-0010.0-4

Parcel 7:

The Westerly 75 feet of Lots 2 and 3, Salerno Pines, according to the plat thereof recorded in Plat Book 2, at Page 93, public records of Martin County, Florida.

Parcel ID Number: 49-38-41-007-000-0002.1-9

171584.6