

March 25, 2026

VIA HAND DELIVERY and EMAIL: pschilli@martin.fl.us

Mr. Paul Schilling, Director
Martin County Growth Management Department
2401 SE Monterey Road
Stuart, FL 34996

**Re: Request for Amendment to Conservation Easement to Correct Errors and
for Other Purpose**

Dear Mr. Schilling,

Our firm represents Mattamy Palm Beach, LLC, a Delaware limited liability company (“Mattamy”), in connection with the Deed of Conservation Easement for Newfield Open Space recorded in Official Records Book 3442, at Page 2548, of the Public Records of Martin County (the “Easement Agreement”). We respectfully request an amendment to the Easement Agreement on behalf of Mattamy, and enclose the proposed Amendment to Deed of Conservation Easement for Newfield Open Space (the “Amendment”) to that end.

The Amendment is necessary to: (i) correct errors in the legal description that caused real property never intended as open space to be subject to the Easement Agreement, (ii) authorize utility improvements on property of lower environmental quality while preserving as open space replacement property of higher environmental quality, and (iii) memorialize the alignment and location of SW 84th Ave. Mattamy therefore requests removal of 21.99 acres from the Easement Agreement, and proposes to replace that property with 33.35 acres of higher quality conservation land.

(i) Corrected Legal Description:

In the course of development within Newfield, it was discovered that 7.59 acres of the property designated for development as the “Crossroads Neighborhood” on the Newfield Regulating Plan (Figure 2-1 in Section 11.2.1.C of the Land Development Regulations of Martin County) was erroneously subjected to the Easement Agreement. On further investigation, Mattamy discovered that 1.17 acres of the property designated for development as the “SD-W: Workplace” area on the Newfield Regulating Plan was also erroneously subjected to the Easement Agreement. The Amendment, at Composite Exhibit 1, removes those improperly encumbered lands from the Easement Agreement.

(ii) Utility Improvements:

Florida Power and Light notified Mattamy that a substation will be required to provide sufficient power to the Newfield development, and suggested that an ideal location for the substation would be the northeastern corner of Newfield, at the intersection of the C-23 Canal and Florida's Turnpike. The 5.60 acres in the northeast corner of Newfield proposed for the substation is presently subject to the Easement Agreement, and would therefore require release from the Easement Agreement to permit utility construction. The Amendment, at Composite Exhibit 1, removes the substation site from the Easement Agreement.

(iii) Final Alignment of SW 84th Ave.:

Finally, at the time of the Easement Agreement, the location and alignment of SW 84th Avenue ("84th") – a right of way the developer is required to construct – was not yet final. In designing 84th, adjustments to the alignment were made to avoid disturbing wetlands. With the alignment of 84th now set, the Easement Agreement must be amended to exclude this required right of way from its limitations. The Amendment, at Composite Exhibit 1, removes 84th from the Easement Agreement.

Replacement Property:

The above revisions to the Easement Agreement result in removal of 21.99 acres from the Easement Agreement. To compensate for the requested changes, Mattamy proposes to provide 33.35 acres of replacement property. The replacement property provides an additional 11.36 acres of conservation land within Newfield than presently exists under the Easement Agreement. In addition to supplying over 51% more conservation area than is being removed, Mattamy's proposed replacement property is superior to the existing easement area in environmental quality, in that the replacement parcels are of higher habitat quality and are located adjacent to existing designated native preserve areas, providing for an expected net environmental/natural resource functional gain as compared to the existing easement area. Please see enclosed Environmental Evaluation Memorandum for more detail on this point. The Amendment, at Composite Exhibit 2, adds 33.35 acres to the Easement Agreement.

Thank you for your consideration of this matter. If you have any questions or need any additional information, please do not hesitate to contact me at any time: cspake@gunster.com or (772) 288-1980.

Sincerely,



Christen Spake, Esq.

Enclosures