

LAW OFFICE OF
KYLE FELTY, P.A.

Exhibit "A"

June 9, 2022

RECEIVED

JUN 10 2022

GROWTH MANAGEMENT
DEPARTMENT

VIA Federal Express and Email Delivery
Paul Schilling, Growth Management Director
Martin County Board Of County Commissioners
2401 SE Monterey Road
Stuart, FL 34996

RE: Unity OF Title Release Request 11700 SE SHELL AVE HOBE SOUND FL

Dear Mr. Schilling,

I am writing in regard to certain real property located at 11700 SE Shell Ave, Hobe Sound, FL 33455 as more particularly described in the deed provided as Exhibit "A" attached hereto ("Property"), currently owned by Auto Art Gallery, LLC.

The property is currently encumbered by two Unities of Title, one recorded January 28, 2002, in OR Book 01615 Page 2703, and the second recorded March 18, 2019 in OR Book 3047 Page 165 of the Public Records of Martin County, attached hereto respectively as Exhibits "B" and "C."

The current owner of the Property intends to develop the parcel as a commercial condominium. In order to do that the current owner is requesting to release the current unity of titles mentioned above and replace it with Martin County's new form of Unity of Title attached hereto as Exhibit "D" ("New Unity of Title").

The release of prior unities and the recordation of the New Unity of Title will not serve to adjust any current boundary lines of the Property, it shall only serve to allow the owner to develop the Property as a condominium in which all underlying common elements shall continue to be considered as one plot and parcel of land.

Included along with this request is a check Made out to the Martin County Board Of County Commissioners, in the amount of \$179.00 for the processing fee.

Please do not hesitate to reach out to me if you require any further documentation or have any questions regarding this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mac Ross', is positioned above the typed name.

Mac Ross, Esq.

Mac@kylefelty.com

CC: Krista Storey
Sebastian Fox
Chuck Edgar
Michael McCarty
Justin Angel

Exhibit "A"

THIS INSTRUMENT PREPARED BY:

Mark H. Dahlmeier, Esq.
Jones Foster, P.A.
505 South Flagler Drive
Suite 1100
West Palm Beach, Florida 33401
27766.13

Recorded Electronically
ID 2890723
County Martin
Date 5/24/21 Time 11:44 AM
C&C eRecording 855-203-1150

Parcel ID No. 34-38-42-000-003-0020-1

RECEIVED

JUN 10 2022

SPECIAL WARRANTY DEED

GROWTH MANAGEMENT
DEPARTMENT

THIS SPECIAL WARRANTY DEED is made as of this 21st day of May, 2021, by **NAUTILUS ASSOCIATES, LLC, a Florida limited liability company**, whose address is 19950 Beach Road, 8-S, Jupiter, FL 33469, hereinafter called the "Grantor", to and in favor of **AUTO ART GALLERY LLC, a Florida limited liability company**, whose address is 8965 SE Bridge Road, Suite 207, Hobe Sound, FL 33455, hereinafter called the "Grantee".

(Wherever used herein, the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, partnerships and limited liability companies)

WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, all that certain land situate in Martin County, Florida, being more particularly described as follows (the "Property"):

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO real estate taxes for 2021 and subsequent years; zoning restrictions, prohibitions, other requirements imposed by governmental authority, and any and all covenants, conditions, restrictions, easements, reservations and limitations of record.

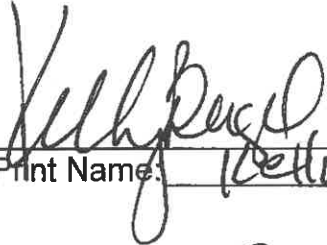
TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with the Grantee that it is lawfully seized of said Property in fee simple; that Grantor has good right and lawful authority to sell and convey said Property to Grantee hereunder; and that Grantor hereby warrants the title to said Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor.


IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, by its proper officer thereunto duly authorized, as of the day and year first above written.

Signed, sealed and delivered
in the presence of:


Print Name: Kelly Bersel


Print Name: Mark H. Dahlmeier

NAUTILUS ASSOCIATES, LLC, a
Florida limited liability company


By: Edward O'Sullivan,
Authorized Member

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 21st day of May, 2021, by Edward O'Sullivan, Authorized Member of NAUTILUS ASSOCIATES, LLC, a Florida limited liability company, on behalf of said company. He ☒ is personally known to me or ☐ has produced a driver's license as identification.

(NOTARY SEAL)


Notary Public

Print Name: Mark H. Dahlmeier

My commission expires: _____

p:\docs\31220\000002\title\22i4178.doc



MARK H DAHLMEIER
Commission # **GG 132744**
Expires August **22, 2021**
Bonded Thru Budget Notary Service

EXHIBIT "A"

Portions of Lots 3, 4, 79 & 80; GOMEZ, According to the Plat thereof, as recorded in Plat Book 1, at Page 62, of the Public Records of Palm Beach (now Martin) County, Florida; Together with a portion of First Avenue, as shown on said Plat. All lying Westerly of the Westerly Right-of-Way line of S.E. Shell Avenue and Easterly of the F.E.C. Railroad, more particularly described as follows: Commence at the Point of Intersection of the Southerly Right-of-Way line of Bridge Road, as shown on the Florida Department of Transportation Right-of-Way Map Section 89030-2511 Sheet 2 of 4 dated 1980 and the Easterly Right-of-Way line of the Florida East Coast Railway Company, as shown on the Right-of-Way and Track Map V. 3, S. 9. B, dated December 31, 1927, corrected 5/19/76; Thence run North 68°47'15" East, along the said Southerly Right-of-Way Line of Bridge Road, for a distance of 231.52 feet; Thence run South 38°28'00" East, along the said Westerly Right-of-Way line of S.E. Shell Avenue for a distance of 265.66 feet, to the Point of Beginning of the following described parcel of land; Thence continue South 38°28'00" East, along the last described course, for a distance of 572.86 feet; Thence run South 68°57'40" West, along the Northerly line of that certain parcel of land described in O.R. Book 706, Page 2500, for a distance of 231.74 feet, Thence run North 38°28'00" West, along the said Easterly Right-of-Way line of the F.E.C. Railroad, (Said line being 75.00 feet Easterly of and parallel with, as measured at right angles to, the centerline of the Westerly Track, as originally constructed) also being 221.10 feet Westerly of and parallel with, as measured on the perpendicular, to the said Westerly Right-of-Way line of S.E. Shell Avenue, for a distance of 572.12 feet; Thence run North 68°47'15" East, along the Southerly line of that certain parcel of land, as described in O.R. Book 1370, Page 1771, for a distance of 231.52 feet, to the Point of Beginning.

Exhibit "B"

1 2001 01 28 09:35 AM 11 0000 00 0000 00 0000 00 0000 00 0000 00 0000

RETURN TO:

Growth Management Department
2401 SE Monterey Road
Stuart, Florida 34996

INSTR # 1548626

OR BK 01615 PG 2703

RECORDED 01/28/2002 09:35 AM

MARSHA EWING

MARTIN COUNTY Florida

RECORDED BY T Copus (asst mgr)

UNITY OF TITLE

In consideration of the issuance of a permit to MJD Ventures, Inc. As "Owner(s)" for the construction of MJD Ventures 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 19th day of October, 2001.

ATTEST:

"OWNER"

Sign: ✓

Print Name: JEFF BAILEY

MJD Ventures, Inc.

Sign: ✓

Print name: Margo Imbornone

By: [Signature]

Gary Bailey

Secretary

P.O. Box 352

Boca Raton, FL 33429-0352


STATE OF COLORADO

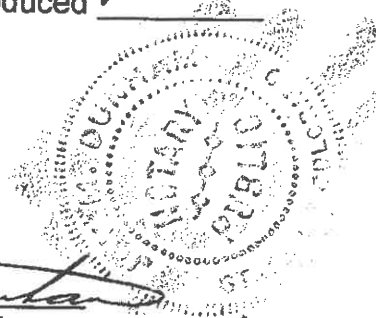
COUNTY OF EAGLE

The foregoing instrument was acknowledged before me this 19th day of October, 2001 by Gary Bailey, Secretary of MJD Ventures, Inc., a Florida corporation

on behalf of the corporation. He is personally known to me or has produced ☒
_____ as identification and did () did not () take an oath.

Notary Public


State of Colorado
My commission expires: ☒ 10/22/02
☒ (SEAL)



Note: If corporate seal is applied, only one witness is required; if not, 2 witnesses are required.

OR BK 01615 PG 2705

EXHIBIT "A"

Portions of Lots 3, 4, 79 & 80; GOMEZ, According to the Plat thereof, as recorded in Plat Book 1, at Page 62, of the Public Records of Palm Beach (now Martin) County, Florida; Together with a portion of First Avenue, as shown on said Plat. All lying Westerly of the Westerly Right-of-Way line of S.E Shell Avenue and Easterly of the F.E.C. Railroad, more particularly described as follows:

Commence at the Point of Intersection of the Southerly Right-of-Way line of Bridge Road, as shown on the Florida Department of Transportation Right-of-Way Map Section 89030-2511. Sheet 2 of 4, dated 1980 and the Easterly Right-of-Way line of the Florida East Coast Railway Company, as shown on the Right-of-Way and Track Map V. 3, S. 9. B, dated December 31, 1927, corrected 5/19/76; Thence run North $68^{\circ}47'15''$ East, along the said Southerly Right-of-Way Line of Bridge Road, for a distance of 231.52 feet; Thence run South $38^{\circ}28'00''$ East, along the said Westerly Right-of-Way line of S.E. Shell Avenue for a distance of 265.66 feet, to the Point of Beginning of the following described parcel of land: Thence continue South $38^{\circ}28'00''$ East, along the last described course, for a distance of 572.86 feet; Thence run south $68^{\circ}57'40''$ West, along the Northerly line of that certain parcel of land described in Official Records Book 706, Page 2500, for a distance of 231.74 feet, Thence run North $38^{\circ}28'00''$ West, along the said Easterly Right-of-Way line of the F.E.C. Railroad, (Said line being 75.00 feet Easterly of and parallel with, as measured at right angles to, the centerline of the Westerly Track, as originally constructed) also being 221.10 feet Westerly of and parallel with, as measured on the perpendicular, to the said Westerly Right-of-Way line of S.E. Shell Avenue, for a distance of 572.12 feet; Thence run North $68^{\circ}47'15''$ East, along the Southerly line of that certain parcel of land, as described in Official Records Book 1370, Page 1771, for a distance of 231.52 feet, to the Point of Beginning, containing 2.906 acres of 126,577 square feet. More or Less.



Exhibit "C"

UNITY OF TITLE

In consideration of the issuance of a Permit to NAUTILUS ASSOCIATES, LLC, a Florida limited liability company, as "Owner", for the construction of an artisan workshop center known as StudioWorks 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 and parcel of land; with the sole exception being that a portion of said property may be sold, transferred, devised or assigned to any governmental entity.
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.
4. Nothing herein contained shall limit, in any manner, the Owner, or their successors or assigns, to mortgage or encumber the property or any part thereof.

Signed, acknowledged and notarized on this 7TH day of FEB., 2019.

OWNER

NAUTILUS ASSOCIATES, LLC
a Florida limited liability company

WITNESSES:

Sign: _____
Print: _____

Sign: _____
Print: _____

STATE OF FLORIDA
COUNTY OF _____

By _____

Edward O'Sullivan
Authorized Member

Address: 19950 Beach Road, #8-S
Jupiter, FL 33469

I HEREBY CERTIFY that the foregoing instrument was acknowledged
before me this 7 day of February, 2019, by EDWARD
O'SULLIVAN, Authorized Member of NAUTILUS ASSOCIATES, LLC, a
Florida limited liability company, who ☒ is personally known to me or ☐ has
produced _____ as identification.

NOTARY PUBLIC

My Commission Expires:

(Notarial Seal)

This Instrument prepared by:
Lucido & Associates
701 S.E. Ocean Boulevard
Stuart, FL 34994

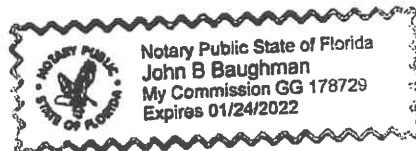


Exhibit A
StudioWorks
Legal Description

PORTIONS OF LOTS 3, 4, 79 & 80; GOMEZ, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1 AT PAGE 62, OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; TOGETHER WITH A PORTION OF FIRST AVENUE, AS SHOWN ON SAID PLAT, ALL LYING WESTERLY OF THE WESTERLY RIGHT-OF-WAY LINE OF S.E. SHELL AVENUE AND EASTERLY OF THE F.E.C. RAILROAD, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE POINT OF INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF BRIDGE ROAD, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 89030-2511, SHEET 2 OF 4, DATED 1980 AND THE EASTERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY COMPANY AS SHOWN ON THE RIGHT-OF-WAY AND TRACK MAP V. 3, S.9.B, DATED DECEMBER 31, 1927, CORRECTED 5/19/76; THENCE RUN NORTH 68°47'15" EAST, ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF BRIDGE ROAD, FOR A DISTANCE OF 231.52 FEET; THENCE RUN SOUTH 38°28'00" EAST, ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF S.E. SHELL AVENUE, FOR A DISTANCE OF 265.66 FEET, TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND: THENCE CONTINUE SOUTH 38°28'00" EAST, ALONG THE LAST DESCRIBED COURSE, FOR A DISTANCE OF 572.86 FEET; THENCE RUN SOUTH 68°57'40" WEST, ALONG THE NORTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 706, PAGE 2500, FOR A DISTANCE OF 231.74 FEET, THENCE RUN NORTH 38°28'00" WEST, ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE OF THE F.E.C. RAILROAD, (SAID LINE BEING 75.00 FEET EASTERLY OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE CENTERLINE OF THE WESTERLY TRACK, AS ORIGINALLY CONSTRUCTED) ALSO BEING 221.10 FEET WESTERLY OF AND PARALLEL WITH, AS MEASURED ON THE PERPENDICULAR, TO THE SAID WESTERLY RIGHT-OF-WAY LINE OF S.E. SHELL AVENUE, FOR A DISTANCE OF 572.12 FEET; THENCE RUN NORTH 68°47'15" EAST, ALONG THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND, AS DESCRIBED IN OFFICIAL RECORDS BOOK 1370, PAGE 1771, FOR A DISTANCE OF 231.52 FEET, TO THE POINT OF BEGINNING.

Parcel Control Number: 34-38-42-000-003-00020-1