The MilCor Group Inc.

Engineering a Value-Driven Sustainable Environment

May 11, 2018 Project Number: P0801
Via: Hand Delivery

Catherine Riiska
Martin County Growth Management
2401 SE Monterey Road
Stuart Fl, 34996

Subject: Creative Land Management Development – MC #A040-015
Revised Major Master & Phase 1 Final Site Plan - Review Submittal

Dear Ms. Riiska,

On behalf of our client, Creative Land Management, LLC, please accept this application for approval of a Revised Major Master & Phase 1 Final Site Plan for filling the lake that was dug under the former All County Environmental Mine approval. The fill will consist of source separated clean roofing materials and clean concrete from demolition sites the majority of which will come from Martin County Utilities. It will be provided by local contractors via dump trucks and box trucks. The trucks will be limited to a maximum size of 35 yards. A pre-application meeting was previously held on August 17, 2017 to discuss this project.

The 121.92 acre property is located approximately 1.5 miles south of the I-95/ SW Martin Highway interchange and lies in Section 30, Township 38 South, Range 40 East in Martin County. The property is zoned A2 (Agricultural) and has a future land use of Agricultural, which is compatible with the existing and proposed use.

The property is currently two separate parcels. The lake is entirely on the larger parcel (approx. 100 acres). The existing upland preserve is located on the smaller parcel (approx. 22 acres). A Unity of Title for these two parcels has been recorded in ORB2934 at Page1458, Official Records, Martin County, Florida. Another component of this this approval is the County's desire for access to their Equestrian Park. This application proposes to provide that access via an 11.09-acre land dedication to Martin County which includes the entire PAMP area. This will require the County assuming the PAMP maintenance responsibilities. Additionally, a new Unity of Title will be required for the 100- acre parcel and the balance of the 22-acre parcel. This will require release of the existing Unity of Title.

Upon approval of this application, the owner will return the property to its native agricultural/pasture state. A bond is currently in place for the lake littoral plantings which will no longer be required. It is the intent of the applicant to request a release of a portion of the bond upon restoration of each phase to its native state.

We are in receipt of the Completeness Review letter dated March 9, 2018 which included four comments. Our responses are as follows:

Item #1: Please provide updated assessment of current conditions.
Response: A PAMP Compliance Report is included in this submittal. The applicant is in the process of commencing exotic removal as required by the PAMP.

Item #2: Please provide a PAMP.
Response: A copy of the recorded PAMP is included in this submittal.

Office Location & Mailing Address:

10975 SE Federal Hwy
Hobe Sound
Florida
33455

Phone
772-223-8850
Fax
772-223-8851

Email
marketing@themilcorgroup.com

Web
www.themilcorgroup.com

Item #3: Please provide a survey for Phase 1 Final Site Plan.
Response: A Phase 1 Boundary and Tree Survey is included in this submittal.

Item #4: Please provide a tree survey that identifies protected trees as defined in Section 4.666 of the LDR.
Response: A Phase 1 Boundary and Tree Survey is included in this submittal.

The following items have not been submitted as they are no longer applicable:

1. Utilities Letters – The site is already operational. All services are already in place.
2. Utility Certification – No utilities are proposed.
3. Utility Related Calculations – No utilities are proposed.
4. Lighting Plan – No lighting is proposed
5. Floor Plan / Elevations – No buildings are proposed.

Please find the following materials for review:

1. Cover Letter including Narrative;
2. Check #1105 for the $12,000.00 Review fee;
3. Executed Application;
4. Affidavit for Digital Submittal;
5. Power of attorney/Representative Authorization;
6. Recorded Deed;
7. Property Transfer Certification;
8. Overall Legal Description with Parcel ID Number;
9. Phase 1 Legal Description with Parcel ID Number;
10. Recorded Unity of Title – to be released;
11. Location Map;
12. Aerial Map;
13. Adequate Public Facilities;
14. Land Dedication Package; including:
    a. Original signed Title Commitment Report;
    b. (2) Original signed and sealed sketch & legal description of the dedication area;
    c. Original signed and sealed certified survey with exceptions; and
    d. Phase 1 Environmental Assessment of the dedication area.
15. Phase 1 Excavation, Fill and Hauling;
16. Phase 1 Stormwater Management Report;
17. Phase 1 Traffic Impact Analysis;
18. Evacuation Plan;
19. Wildfire Risk Assessment;
20. School Impact Statement;
21. Phase 1 Environmental Assessment of land to be dedicated to Martin County;
22. PAMP – The existing recorded PAMP is already in place and will become the responsibility of Martin County upon acceptance of the land dedication;
23. PAMP Compliance Report;

24. One original and (3) copies Landscape Alternative Compliance Request Package; including:
    a. Notarized agent authorization;
    b. Executed application and Check #1108 for $240.00 Review fee;
    c. Location Map & Legal description;
    d. Phase 1 Landscape Plan;
    e. Phase 1 Site Plan;
    f. Justification Statement; and
    g. Historical Aerial Exhibit;
25. Proposed Water Sources;
26. Agency Permits Option 1;
27. Two (2) Signed and Sealed Overall Boundary and Topographic Survey;
28. Two (2) Signed and Sealed Phase 1 Boundary & Tree Survey – the topographic information can be found on the Overall Survey;
29. Two (2) Revised Master Site Plan;
30. Two (2) Phasing Plan;
31. Two (2) Phase 1 Final Site Plan;
32. Copy of previously approved Master & Final Site Plan;
33. Two (2) Signed and sealed Phase 1 Engineering Plan; including Erosion Control Plan;
34. Two (2) Phase 1 Landscape Plan;
35. Disclosure of Interest Affidavit; and
36. CD containing AutoCAD File of Surveys and Site Plans and bookmarked pdf of submittal.

Thank you for your time and assistance. Please do not hesitate to call if you have any questions or need additional information.

Sincerely,
The MilCor Group, Inc.

Melissa G. Corbett, P.E.
President

Enclosures: as listed

Cc: Jason Pepitone

Martin County, Florida
Growth Management Department
DEVELOPMENT REVIEW DIVISION
2401 SE Monterey Road, Stuart, FL 34996
772-288-5495 www.martin.fl.us

DEVELOPMENT REVIEW APPLICATION

A. General Information:

1. **Type of Application:** Revised Major Master and Final Site Plan

2. **Proposed Development's Name:**
   Creative Land Management Development

3. **Former Development's Name:**
   APS Environmental Associates, Inc. Sand Mine

4. **Previous Project Number:** A040

5. **Pre-Application Meeting Date:** August 17, 2017

6. **Property Owner:**
   Name or Company Name: Creative Land Management, LLC
   Company Representative: Jason Pepitone
   Address: 785 NE 33rd Street
   City: Boca Raton State: FL Zip: 33431
   Phone: 954 - 574 - 1311 Fax: 954 - 428 - 1822
   Email: jason.pepitone@wasteconnections.com

7. **Agent:** Select from the List
   Name or Company Name: The Milcor Group, Inc.
   Company Representative: Melissa G. Corbett, P.E.
   Address: 10955 SE Federal Highway
   City: Hobe Sound State: FL Zip: 33455
   Phone: 772 - 223 - 8850 Fax: 772 - 223 - 8851
   Email: melissac@themilcorgroup.com

8. **Contract Purchaser:** Not Applicable
   Name or Company Name: ____
   Company Representative: ____
   Address: ____
   City: ____ State: ____ Zip: ____
   Phone: ___ - ___ - ____ Fax: ___ - ___ - ____
   Email: ____

9. **Land Planner:** Not Applicable
   Name or Company Name: ____
   Company Representative: ____
   Address: ____
   City: ____ State: ____ Zip: ____
   Phone: ___ - ___ - ____ Fax: ___ - ___ - ____
   Email: ____

Select from the list

10. Landscape Architect:

Name or Company Name: William A Flint Landscape Architecture

Company Representative: Bill Flint

Address: 1950 SW Palm City Road, Suite 2-105

City: Palm City State: FL Zip: 34994

Phone: 772 - 220 - 0424 Fax: ___ - ___ - ____

Email: waflint3@gmail.com

Select from the list

11. Surveyor:

Name or Company Name: Betsy Lindsay, Inc.

Company Representative: David J. Wichser PSM

Address: 7997 SW Jack James Drive

City: Stuart State: FL Zip: 34997

Phone: 772 - 286 - 5753 Fax: 772 - 286 - 5933

Email: dwichser@betsylindsay.com

Same as Agent

12. Civil Engineer:

Name or Company Name: ____

Company Representative: ____

Address: ____

City: ____ State: ____ Zip: ____

Phone: ___ - ___ - ____ Fax: ___ - ___ - ____

Email: ____

Same as Agent

13. Traffic Engineer:

Name or Company Name: ____

Company Representative: ____

Address: ____

City: ____ State: ____ Zip: ____

Phone: ___ - ___ - ____ Fax: ___ - ___ - ____

Email: ____

Not Applicable

14. Architect:

Name or Company Name: ____

Company Representative: ____

Address: ____

City: ____ State: ____ Zip: ____

Phone: ___ - ___ - ____ Fax: ___ - ___ - ____

Email: ____

Select from the list

15. Attorney:

Name or Company Name: Gunster, Yoakley & Stewart, PA

Company Representative: Robert Raynes, Jr, Esq

Address: 800 SE Monterey Commons Blvd, Ste 200

City: Stuart State: FL Zip: 34996

Phone: 772 - 288 - 1980 Fax: 772 - 288 - 0610

Email: rraynesjr@junster.com

16. Environmental Planner: Select from the list

Name or Company Name Aspen Environmental Consulting, LLC

Company Representative Jodi

Address PO Box 2753

City Stuart State FL Zip 34995-2753

Phone 772 - 223 - 7292 Fax ___ - ___ - ____

Email jbeck@aspen-environmental.com

17. Other Professional:

Name or Company Name

Company Representative

Address

City State Zip

Phone ___ - ___ - ____ Fax ___ - ___ - ____

Email

18. Parcel Control Number(s):

30-38-40-000-000-00024-0

19. Certifications by Professionals:

Section 10.2.D.7., Article 10, Development Review Procedures, Land Development Regulations (LDR), Martin County Code (MCC) provides the following:

When reviewing an application for a development permit that is certified by a professional listed in s. 403.0877. F.S., the County shall not request additional information from the application more than three times, unless the applicant waives the limitation in writing. If the applicant believes the request for additional information is not authorized by ordinance, rules, statute, or other legal authority, the County, at the applicant's request, shall proceed to process the application for approval or denial.

☑ This box must be checked if the applicant waives the limitations.

B. Applicant or Agent Certification:

I have read this application, and to the extent that I participated in the application, I have answered each item fully and accurately.

Applicant's signature

2-27-18

Date

Melissa G. Corbett, P.E.

Printed name

NOTARY ACKNOWLEDGMENT

STATE OF Florida

COUNTY OF Martin

I hereby certify that the foregoing instrument was acknowledged before me this 15 day of February, 2018 by Melissa G. Corbett.
He or she
☒ is personally known to me or ☐ has produced _____ as identification.

Notary public signature

Kim Little
Printed name

KIM LITTLE
MY COMMISSION # GG 039055
EXPIRES: October 28, 2020
Bonded Thru Notary Public Underwriters

State of Florida at-large

Revised 11/15/2013

Martin County Development Review
Digital Submittal Affidavit

I, Melissa G. Corbett, attest that the electronic version included for the project Creative Land Mine is an exact copy of the documents that were submitted for sufficiency, excluding any requested modifications made by the sufficiency review team. All requested modifications, if any, have been completed and are included with the packet.

Applicant Signature

2.15.18
Date

Revised 10/9/2012

REPRESENTATIVE AUTHORIZATION

Martin County
2401 SE Monterey Road
Stuart, Florida 34996

Re: Creative Land Management Development

Please be advised that the undersigned has authorized the following person(s)/entity to act on their behalf in seeking approval for the above referenced application:

Melissa G. Corbett, P.E.
The Milcor Group, Inc.
10975 SE Federal Highway
Hobe Sound, FL 33455
(772) 223-8850

Witness:

Michael Mastelle
Print Name

HOWARD L UTERMAN
Print Name

Creative Land Management, LLC
By: JSP Family Holdings LLC, their manager

By:_____

Jason S. Pepitone, Manager
Print Name, Manager

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing was acknowledged before me this 23RD day of JANUARY, 2018, by JASON PEPITONE, MANAGER, and [X] is personally known to me or [ ] has produced _____ as identification.

Notary Public

Notary Stamp

DOLORES K. SANCHEZ
Notary Public - State of Florida
Commission # FF 202208
My Comm. Expires Mar 3, 2019
Bonded through National Notary Assn.

2017 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L09000038580

Entity Name: JSP FAMILY HOLDINGS LLC

FILED
Jan 07, 2017
Secretary of State
CC1932600791

Current Principal Place of Business:

785 NE 33RD STREET
BOCA RATON, FL 33431

Current Mailing Address:

785 NE 33RD STREET
BOCA RATON, FL 33432 US

FEI Number: 26-4750311

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

PEPITONE, JASON S
785 NE 33RD STREET
BOCA RATON, FL 33432 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: _____

Electronic Signature of Registered Agent — Date

Authorized Person(s) Detail :

Title	MGR
Name	PEPITONE, JASON S
Address	785 NE 33RD STREET
City-State-Zip:	BOCA RATON FL 33432

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: JASON S PEPITONE — MGR — 01/07/2017

Electronic Signature of Signing Authorized Person(s) Detail — Date

2017 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L15000085878

FILED
Apr 27, 2017
Secretary of State
CC7912772672

Entity Name: CREATIVE LAND MANAGEMENT, LLC

Current Principal Place of Business:

785 NE 33RD STREET
BOCA RATON, FL 33431

Current Mailing Address:

785 NE 33RD STREET
BOCA RATON, FL 33431 US

FEI Number: 47-4018313

Certificate of Status Desired: Yes

Name and Address of Current Registered Agent:

SANCHEZ, DOLORES K ESQ.
4701 N FEDERAL HIGHWAY
SUITE 316
LIGHTHOUSE POINT, FL 33064 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: _____

Electronic Signature of Registered Agent — Date

Authorized Person(s) Detail :

Title	MGR	Title	MGR
Name	BROWNIE, JED	Name	JSP FAMILY HOLDINGS, LLC
Address	5636 MATOUSEK STREET	Address	785 NE 33RD STREET
City-State-Zip:	STUART FL 34997	City-State-Zip:	BOCA RATON FL 33431

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: JSP FAMILY HOLDINGS — MEMBER — 04/27/2017

Electronic Signature of Signing Authorized Person(s) Detail — Date

INSTR # 2523221
OR BK 2793 PG 2036
(4 Pgs)
RECORDED 07/01/2015 12:49:44 PM
CAROLYN TIMMANN
MARTIN COUNTY CLERK
DEED DOC TAX $2,164.40

Return to:
Name: Champagne Title Services, Inc.
Address: 3800 NE 3rd Avenue
Pompano Beach, FL 33064
This instrument prepared by:
Name: Dolores K. Sanchez, Esquire
Address: 4701 North Federal Highway
Suite 316 Box B-1
Lighthouse Point, Fl. 33064

Parcel I.D. No. 30-38-40-000-000-00024-0 and 30-38-40-000-000-00040-0

WARRANTY DEED

THIS INDENTURE, made effective June 29, 2015 between

ALL COUNTY ENVIRONMENTAL PRODUCTS, INC. a Florida Corporation (parcel 1) and MILO PARTNERS, LLC, a Florida Limited Liability Company (parcel 2)

whose address is: 222 Andalusia Drive, Palm Beach Gardens, FL 33418, **GRANTOR** and

CREATIVE LAND MANAGEMENT, LLC, a Florida Limited Liability Company

whose address is: 3911 NE 26th Avenue, Lighthouse Point, FL, 33064 **GRANTOR**

WITNESSETH that the Grantors, for and in consideration of the sum of Ten and No/100 (10.00) Dollars, and other good and valuable consideration to GRANTORS in hand paid by GRANTEES, the receipt whereof is hereby acknowledge, has granted, bargained, and sold to said GRANTEES and GRANTEES' heirs and assigns forever, the following described land, situate, lying and being in the County of Martin, State of Florida to wit:

SEE EXHIBIT "A" ATTACHED AND INCORPORATED HEREIN

Subject to restrictions, reservations, conditions, limitations, and easements of record, if any, and taxes for the year 2015 and subsequent years.

The Grantors do hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the GRANTORS have hereunto set their hands and seal the day and year first above written.

Signed, sealed, and delivered in the presence of:

All County Environmental Products, Inc.
A Florida Corporation

WITNESS
Print Name: Scott A. Mersky

BY: Carl Gambino, Vice-President VP

WITNESS
Print Name: Hannah Bourget

STATE OF FLORIDA

COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 29 day of June, 2015 by Carl Gambino, Vice-President of All County Environmental Products, Inc., who is known to me personally or who has produced a driver's license as identification and who did not take an oath.

Notary Public, State of Florida
RAE FRANKS
(Print name)
My Commission Expires:

RAE FRANKS
MY COMMISSION # FF 080598
EXPIRES: January 29, 2018
Bonded Thru Notary Public Underwriters

Milo Partners, LLC, a Florida Limited Liability Company

WITNESS
Print Name: Scott A. Mersky

BY: Carl Gambino, Manager/Member Mgr/Member

WITNESS
Print Name: Hannah Bourget

STATE OF FLORIDA

COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 29 day of June, 2015 by Carl Gambino, Manager-Member of Milo Partners, LLC, who is known to me personally or who has produced a driver's license as identification and who did not take an oath.

FL

Notary Public, State of Florida
RAE FRANKS
(Print name)
My Commission Expires:

RAE FRANKS
MY COMMISSION # FF 080598
EXPIRES: January 29, 2018
Bonded Thru Notary Public Underwriters

EXHIBIT "A"

PARCEL 1:

A PARCEL OF LAND LYING IN PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT "A" OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1198, PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 28 OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA: THENCE NORTHWESTERLY FOR THE NEXT THREE COURSES ALONG THE NORTHEASTERLY LINE OF THE PLAT OF DRESSAGE ESTATES AS RECORDED IN PLAT BOOK 16, PAGE 24 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N40°54'40"W A DISTANCE OF 517.38 FEET; THENCE N32°45'58"W A DISTANCE OF 1259.59 FEET; THENCE N30°50'55"W A DISTANCE OF 318.29 FEET; THENCE DEPARTING FROM SAID NORTHEASTERLY BOUNDARY OF THE PLAT OF DRESSAGE ESTATES N59°09'05"E A DISTANCE OF 2202.53 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 89095-2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY LINE OF ACCESS ROAD "A" A DISTANCE OF 247.80 FEET TO THE WEST LINE OF A 60 FOOT ACCESS EASEMENT; THENCE SOUTHEASTERLY ALONG THE WEST SIDE OF SAID 60 FOOT ACCESS EASEMENT FOR THE NEXT SIX COURSES; THENCE S10°50'15"E A DISTANCE OF 277.79 FEET; THENCE S14°57'04"E A DISTANCE OF 454.03 FEET; THENCE S16°49'52"E A DISTANCE OF 272.01 FEET; THENCE S26°50'48"E A DISTANCE OF 720.42 FEET; THENCE S27°06'17"E A DISTANCE OF 95.85 FEET; THENCE S16°59'12"E A DISTANCE OF 197.68 FEET TO THE NORTHERLY LINE OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67; THENCE WESTERLY ALONG SAID NORTHERLY LINE FOR THE NEXT THREE COURSES; THENCE S52°33'22"W A DISTANCE OF 382.90 FEET; THENCE S73°33'30"W A DISTANCE OF 949.43 FEET; THENCE S49°05'14"W A DISTANCE OF 493.08 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A PARCEL OF LAND BEING A PORTION OF PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT "A" OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1198, PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 27 OF THE PLAT OF "POLO CLUB", AS RECORDED IN PLAT BOOK 16, PAGE 67, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE S52°33'22"W ALONG SAID NORTH LINE OF SAID LOT 27 A DISTANCE OF 741.79 FEET; THENCE N16°59'12"W, A DISTANCE OF 197.96 FEET; THENCE N27°06'17"W, A DISTANCE OF 95.85 FEET; THENCE N26°50'48"W, A DISTANCE OF 720.42 FEET; THENCE N16°49'52"W, A DISTANCE OF 272.01 FEET; THENCE N14°57'04"W, A DISTANCE OF 454.03 FEET; THENCE N10°50'15"W, A DISTANCE OF 277.79 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO 89095-2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 646.60 FEET; THENCE S34°07'45"E, A DISTANCE OF 1299.01 FEET TO THE POINT OF BEGINNING.

PROPERTY TRANSFER CERTIFICATION

Martin County
2401 SE Monterey Road
Stuart, Florida 34996

Re: Creative Land Management Development

PCN: 030-38-40-000-000-00040-0, 30-38-40-000-000-00024-0

I hereby declare that there has been no transfer of ownership of the subject properties since the property was deeded to Creative Land Management, LLC.

Witness:

Michael J McTell
Print Name

Howard Luterman
Print Name

Creative Land Management, LLC
By: JSP Family Holdings LLC, their manager

By:

Jason S. Pepitone, Manager
Print Name, Title

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing was acknowledged before me this 23RD day of JANUARY, 2018, by JASON PEPITONE, MANAGER, and [X] is personally known to me or [ ] has produced _____ as identification.

Notary Stamp

Notary Public

DOLORES K. SANCHEZ
Notary Public - State of Florida
Commission # FF 202208
My Comm. Expires Mar 3, 2019
Bonded through National Notary Assn.

Recorded in Martin County, FL 6/29/2017 12:05 PM
Carolyn Timmann, Clerk of the Circuit Court & Comptroller
Rec Fees: $44.00
CFN#2643145 BK 2934 PG 1458 PAGE 1 of 5

Martin County Growth Management Department
2401 S. E. Monterey Road, Stuart, FL 34996
772-288-5501 www.martin.fl.us

Return to:
Martin County Growth Management Department

UNITY OF TITLE

In consideration of the issuance of a permit to Creative Land Management LLC, as Owner(s) for the construction of _____ in Martin County, Florida, and for other good and valuable considerations, the undersigned hereby agree to restrict use of lands described in **Exhibit A** attached hereto in the following manner:

Unofficial Copy

Read carefully.
- ✓ **Check Box 1. - if property is non-platted/non-condominium or**
- ✓ **Check Box 2. - if property is a platted subdivision or**
- ✓ **Check Box 3. - if property is a condominium, as applicable.**

☒ 1. Non-Platted/Non-Condominium. 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.

OR

☐ 2. Platted Subdivision (Non-Condominium). 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; however that (a) individual subdivision lots may be conveyed upon approval and recordation of the plat of_____, (b) phases or portions of phases that comply with the requirements contained within the development orders may be conveyed separately upon final site plan approval of that phase or portion of a phase, (c) common elements, common open areas and developed recreation areas may be conveyed to a property owners' association or other similar entity as deemed appropriate by the Board of County Commissioners, so long as such conveyance shall be subject to the express restriction that use of the subject property shall only be for the use described on the final site plan and plat, and (d) other portions of the subject property may be conveyed and used or maintained by governmental, environmental, charitable or other organizations or agencies for such purposes as the Board of County Commissioners may deem appropriate, with the sole exception being that a portion of said property may be sold, transferred, devised, or assigned to any governmental entity.

OR

☐ 3. Condominium. That said property shall be developed as a condominium in which the underlying common elements 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, with the sole exception being that if any of the condominium units are developed as "land units" those parcels may be sold, transferred,

Martin County Growth Management Department
2401 S. E. Monterey Road, Stuart, FL 34996
772-288-5501 www.martin.fl.us

devised or assigned subject to being part of the condominium and subject to the declaration of condominium pursuant to which they were established, or a portion of said property sold, transferred, devised, or assigned to any governmental entity.

4. 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/its successors, heirs and assigns until such time as the same may be released in writing by the Martin County Board of County Commissioners.

5. The undersigned further agrees that this instrument shall be recorded in the Public Records of Martin County.

6. 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.

Unofficial Copy

Martin County Growth Management Department
2401 S. E. Monterey Road, Stuart, FL 34996
772-288-5501 *www.martin.fl.us*

CORPORATE

Signed, acknowledged and notarized on this 9 day of Jan, 2017

WITNESSES:

Sign: [signature]
Print: Melissa A. Forbett

Sign: [signature]
Print: Aaron Stanton

OWNER:

Creative Land Management, LLC
Name of Corporation

By: [signature]
Name: Jed Brownie
Title: Manager
Address: 6636 Matousek St
Stuart, FL 34997

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

STATE OF Florida
COUNTY OF Martin

I HEREBY CERTIFY that the foregoing Unity of Title was acknowledged before me this 9 day of Jan, 2017, by Jed Brownie, Mgr (name of officer/agent and title) of Creative Land Management, LLC (name of corporation) He or she X is personally known to me or ( ) has produced _____ as identification.

[STAMP] KIM LITTLE
MY COMMISSION # GG 039955
EXPIRES: October 28, 2020
Bonded Thru Notary Public Underwriters

NOTARY PUBLIC [signature]
Name: Kim Little
State of Florida at large
My commission expires:

DR-Form-001
Revised June 2009

Unofficial Copy

Martin County Growth Management Department
2401 S. E. Monterey Road, Stuart, FL 34996
772-288-5501 *www.martin.fl.us*

EXHIBIT A
(Legal Description)

Unofficial Copy

DR-Form-001
Revised June 2009

PARCEL ID #30-38-40-000-000-00024-0
A PARCEL OF LAND LYING IN PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT 'A' OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1198, PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 28 OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE NORTHWESTERLY FOR THE NEXT THREE COURSES ALONG THE NORTHEASTERLY LINE OF THE PLAT OF DRESSAGE ESTATES AS RECORDED IN PLAT BOOK 16, PAGE 24 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA;
THENCE N40°54'40"W A DISTANCE OF 517.38 FEET; THENCE N32°45'58"W A DISTANCE OF 1259.59 FEET; THENCE N30°50'55"W A DISTANCE OF 318.29 FEET; THENCE DEPARTING FROM SAID NORTHEASTERLY BOUNDARY OF THE PLAT OF DRESSAGE ESTATES N59°09'05"E A DISTANCE OF 2202.53 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 89095-2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY LINE OF ACCESS ROAD "A" A DISTANCE OF 247.80 FEET TO THE WEST LINE OF AN 60 FOOT ACCESS EASEMENT; THENCE SOUTHEASTERLY ALONG THE WEST SIDE OF SAID 60 FOOT ACCESS EASEMENT FOR THE NEXT SIX COURSES; THENCE S10°50'15"E A DISTANCE OF 277.79 FEET; THENCE S14°57'04"E A DISTANCE OF 454.03 FEET; THENCE S16°49'52"E A DISTANCE OF 272.01 FEET; THENCE S26°50'48"E A DISTANCE OF 720.42 FEET; THENCE S27°06'17"E A DISTANCE OF 95.85 FEET; THENCE S16°59'12"E A DISTANCE OF 197.96 FEET TO THE NORTHERLY LINE OF THE PLAT OF POLO CLUB AS RECORDED IN PB 16, PG 67; THENCE WESTERLY ALONG SAID NORTHERLY LINE FOR THE NEXT THREE COURSES; THENCE S52°33'22"W A DISTANCE OF 382.90 FEET; THENCE S73°33'30"W A DISTANCE OF 949.43 FEET; THENCE S49°05'14"W A DISTANCE OF 493.08 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 100.01 ACRES MORE OR LESS.

TOGETHER WITH PARCEL ID #30-38-40-000-000-00040-0

A PARCEL OF LAND BEING A PORTION OF PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT "A" OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1198, PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 27 OF THE PLAT OF "POLO CLUB", AS RECORDED IN PLAT BOOK 16, PAGE 67, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE S52°33'22"W ALONG SAID NORTH LINE OF SAID LOT 27 A DISTANCE OF 741.79 FEET; THENCE N16°59'12"W, A DISTANCE OF 197.96 FEET; THENCE N27°06'17"W, A DISTANCE OF 95.85 FEET; THENCE N26°50'48"W, A DISTANCE OF 720.42 FEET; THENCE N16°49'52"W, A DISTANCE OF 272.01 FEET; THENCE N14°57'04"W, A DISTANCE OF 454.03 FEET; THENCE N10°50'15"W, A DISTANCE OF 277.79 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO 89095-2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 646.60 FEET; THENCE S34°07'45"E, A DISTANCE OF 1299.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 21.91 ACRES, MORE OR LESS.

SAID PARCEL BEING SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, DEDICATIONS OR RESTRICTIONS.

Not Official Copy

Designed: M.G.C.
Drawn: A.T.
Checked: M.G.C.
Approved: M.G.C.
Date: 5-12-16
Project: P0801
File: EX MAPS.dwg

No.	Date:	Revision:	By

CALL 48 HOURS BEFORE YOU DIG
IT'S THE LAW!
1-800-432-4770
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

The MilCor Group, Inc.
6526 S Kanner Hwy #236, Stuart, Florida 34997
Ph: (772)223-8850 Fax: (772) 223-8851
Web: www.themilcorgroup.com
Certificate of Authorization: 28246

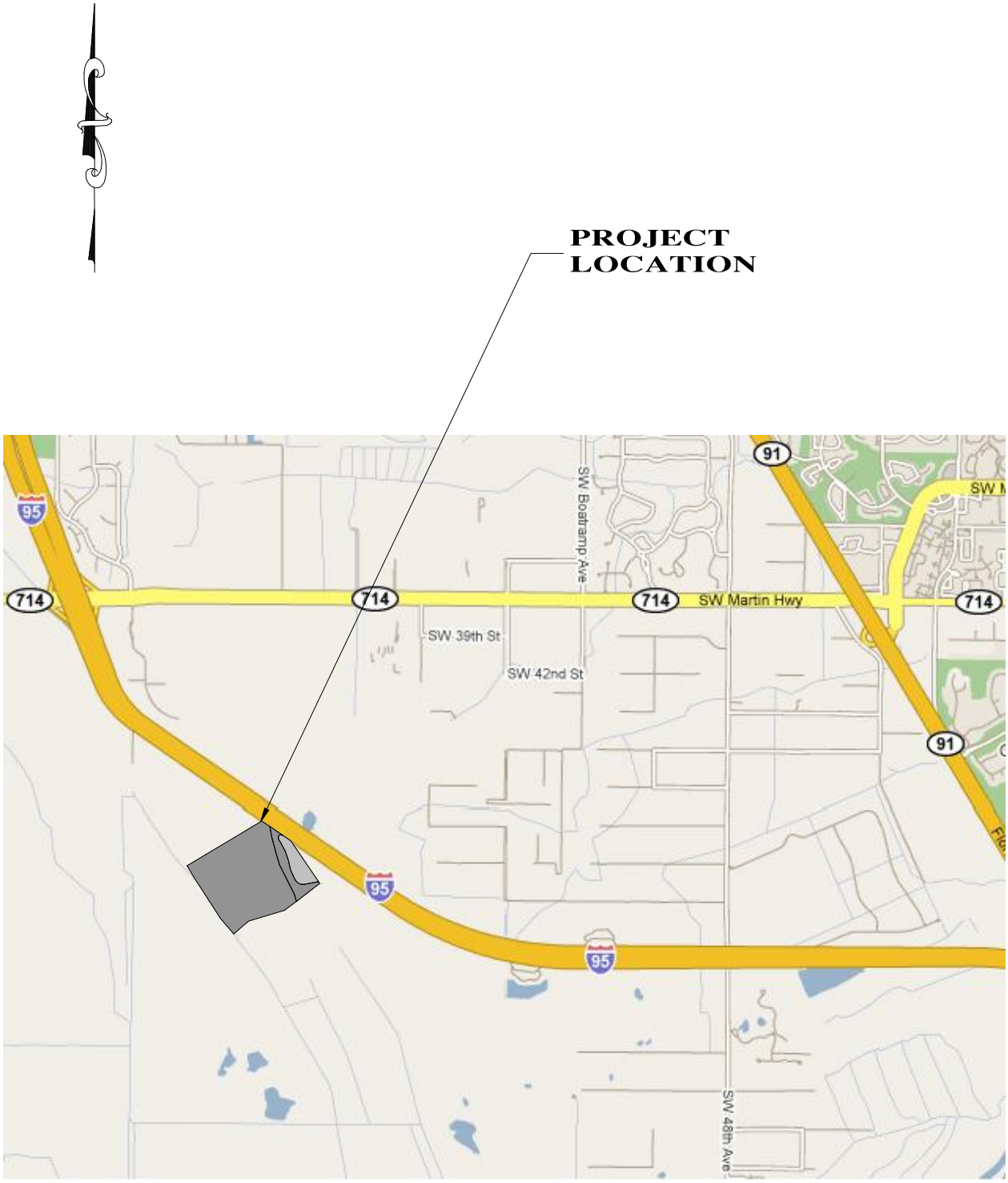
LEGAL DESCRIPTION

CREATIVE LAND MANAGEMENT DEVELOPMENT
MARTIN COUNTY, FLORIDA

EXHIBIT
A

J:\P08 - Progressive Waste\P0801 - Creative Land Management\DWG\DESIGN\EX MAPS.dwg, PRINTED BY: alext ON Thu, May 12 2016

SECTION 30 TOWNSHIP 38 SOUTH RANGE 40 EAST
PARCEL CONTROL NOs.:
30-38-40-000-000-00024-0



No.	Date:	Revision:	By
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Designed: M.G.C.
Drawn: A.T.
Checked: M.G.C.
Approved: M.G.C.
Date: 5-12-16
Project: P0801
File: EX MAPS.dwg

CALL 48 HOURS BEFORE YOU DIG
IT'S THE LAW!
1-800-432-4770
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

T□□M□C□r Gr□□□, I□□
□2□ S.K□□□r H□□□23□ S□□r, F□rd□ 34997
P□: (772)223-88□0 F□□: (772)223-88□1
W□□: □□□□

SECTION 30 TOWNSHIP 38 SOUTH RANGE 40 EAST
PARCEL CONTROL NOs.:
30-38-40-000-000-00024-0

No.	Date:	Revision:	By
1			
2			
3			
4			
5			
6			
7			

Designed: M.G.C.
Drawn: A.T.
Checked: M.G.C.
Approved: M.G.C.
Date: 5-12-16
Project: P0801
File: EX MAPS.dwg

CALL 48 HOURS BEFORE YOU DIG
IT'S THE LAW!
1-800-432-4770
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

T□□M□C□r Gr□□□, I□□
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AERIAL MAP

CREATIVE LAND MANAGEMENT DEVELOPMENT
MARTIN COUNTY, FLORIDA

EXHIBIT
C

J:\P08 – Progressive Waste\P0801 – Creative Land Management\DWG\DESIGN\EX MAPS.dwg, PRINTED BY: alext ON Tue, Feb 27 2018

The MilCor Group Inc.

Engineering a Value-Driven Sustainable Environment

February 8, 2018

Creative Land Management Development

ADEQUATE PUBLIC FACILITIES

A Certificate of Public Facilities Reservation is requested.

Office Locations:

10975 SE
Federal Hwy
Hobe Sound
Florida
33455

9035 Americana
Road #13
Vero Beach
Florida
32966

Phone
772-223-8850
Fax
772-223-8851

Email
marketing@
themilcorgroup.
com

Web
www.
themilcorgroup.
com

MARTIN COUNTY ENGINEERING DEPARTMENT
ENGINEER'S OPINION OF PROBABLE EXCAVATION, FILL, AND HAULING

(To be submitted with applications for Master Site Plan or Final Site Plan approval or Excavation and Fill Permits)

NAME OF FINAL SITE PLAN: Creative Land Management Development Phase 1

TYPE OF APPLICATION *If more than 10,000 cubic yards are hauled to or from the site, the application must be filed as a Major Developmen*

1) Net cubic yards to be excavated: 0
2) Net cubic yards to be filled: 817,193
3) Cubic yards to be hauled from: 0 **(subtract line 2 from line 1)**

TYPE OF APPLICATION: **MAJOR**

HAULING FEE CALCULATION

The hauling fee for fill hauled from the site is calculated at $0.21 per cubic yard and is due upon approval of the Final Site Plan application or issuance of the Excavation and Fill Permit

HAULING FEE: **$0.00**

Prepared by: Melissa G. Corbett
Professional Engineer's Name

Professional Engineer's Signature / Seal:

59292
P.E. No.

2/9/2018
Date

The MilCor Group, Inc.
Firm's Name and Certificate of Authorization No. (if applicable)

10975 SE Federal Highway, Hobe Sound, FL 33455
Address

772-223-8850
Phone No.

County Engineer's (or designee) Acceptance

The MilCor Group Inc.

Engineering a Value-Driven Sustainable Environment

Creative Land Management Development

Master/Phase1 Final Stormwater Management Report

For Review By:
Martin County
Florida Department of Environmental Protection

Prepared For:	Prepared By:
Creative Land Management LLC.	The MilCor Group, Inc.

February 15, 2018

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Martin County Design Certification
1. **Existing Conditions:**
   - 1.1 Location
   - 1.2 Site Location
   - 1.3 Project History
   - 1.4 Soils & Wetlands
   - 1.5 Topograph & Drainage Pattern
   - 1.6 FEMA Flood Zone
2. **Proposed Development:**
   - 2.1 Project Description
   - 2.2 Storwater Management System
3. **Attachments:**
   - 3.1 Master Site Plan
   - 3.2 Soils Map & Information
   - 3.3 Current Survey
   - 3.4 FEMA FIRM Map

MELISSA G. CORBETT
LICENSE
No 59292
STATE OF FLORIDA
PROFESSIONAL ENGINEER

2.15.18

Melissa G. Corbett, P.E. Date
FLA #59292
The MilCor Group, Inc.
Certificate of Authorization # 28246
Date: February 15, 2018

Office Locations:

10975 SE Federal Hwy
Hobe Sound
Florida
33455

9035 Americana Road #13
Vero Beach
Florida
32966

Phone
772-223-8850
Fax
772-223-8851

Email
marketing@themilcorgroup.com

Web
www.themilcorgroup.com

Design Certification

I, Melissa G. Corbett, do certify to Martin County that the application for Creative Land Management LLC. has been designed in full compliance with Divisions 9 and 10 of Article 4 of the Martin County Land Development Regulations (LDR). I acknowledge that Martin County's LDR may and do include requirements that are more stringent or restrictive than the requirements of other regulatory agencies including, but not limited to, the South Florida Water Management District (SFWMD), the U.S. Army Corps of Engineers (USACOE), the U.S. Environmental Protection Agency (EPA) and the Florida Department of Environmental Protection (FDEP). Any plans, calculations, reports, or other documents submitted to Martin County or any regulatory agency in support of the application have been prepared in full recognition of and compliance with Martin County LDR.

MELISSA G. CORBETT
LICENSE No 59292
STATE OF FLORIDA
PROFESSIONAL ENGINEER

2-15-18

Melissa G. Corbett, P.E. Date
FLA #59292
The MilCor Group, Inc.
Certificate of Authorization # 28246
Date: February 15,2018

1. Existing Conditions:

1.1 Location

The property is located west of I-95 and south of S.R. 714 where I-95 starts to curve from the west to a more northerly direction. Its zoning and future land use are agriculture (AG). The property to the north, south, and west are all agriculturally zoned and consist of farms and unimproved pastureland. The property to the east is zoned recreational and is owned by the Martin County Board of County Commissioners as an equestrian park. See Attachment 3.1 for the Master Site Plan which demonstrates location and zoning.

1.2 Site Conditions

The overall site is roughly 121.91 acres with an approximately 50-acre lake that resulted from mining activities that began in 2002. The final site will consist of 110.82 acres, with 11.09 acres in the southeast corner of the original site deeded to the county. The filling of the lake began in October of 2016 via a recorded Stipulation Agreement with Martin county.

1.3 Project history

The site was originally permitted as a 10,406-acre agricultural operation know as Bessemer Properties, with an ultimate outfall to the C-44 canal. Eventually the site underwent a modification, (Formerly Known As) The Martin County Park of Commerce, which received site plan approval for a 135-acre parcel containing composting, concrete recycling, and a 25-acre mining operation. The composting and concrete recycling processes received a Non-Residential (Final) Site Plan approval by Development Review Committee Resolution Number DRC-96-12.2 on December 5, 1996. The mining operation was approved at the March 26, 2002 Board of County Commissioners Meeting. The site plan was amended to increase the 25-acre mining area to a 50-acre mining operation approved by the Board of County Commissioners March 8, 2005 resolution. Finally, as previously mentioned, the filling of the lake with clean construction debris, was temporarily approved via recorded stipulation agreement (ORB2896, PG2800 Martin Co. Florida Public Records).

1.4 Soils & Wetlands

Based on the Martin County Soil Survey, the soil types for the site are 90.3% Waveland and Immokalee fine sands (Map unit Symbol 4), 7.4% Pineda and Riviera fine sands (Map unit Symbol 21), and 1.9% Depressional Winder sand (Map unit Symbol 19). Waveland and Immokalee fine sands are nearly level (0-2% slope) and are poorly drained with the water table at depths of 6"-18" or more, and are hydrologic group B/D. Pineda and Riviera fine sands are nearly level (0-2% slope) and are poorly drained with the water table at depths of 0"-12" or more, and are hydrologic group C/D. Depressional Winder sand are nearly level (0-2% slope) and

are very poorly drained with the water table at depths of about 0", and are hydrologic group C/D. Please refer to the Soils Map, and soils information in Attachment 3.2 for more information. There is one wetland located within the southeast portion of the site that is to be deeded to Martin County. It is currently under a PAMP which Martin County shall assume responsibility for. There are various wetlands on the adjacent properties in all directions, with the majority of them on the west and south of the property, see master site plan Attachment 3.1 for reference and locations of all wetlands.

1.5 Topography & Drainage Pattern

Existing grade, excluding the lake area, ranges between 28.20 NAVD near the southeast corner of the property boundary, to 35.00 NAVD north of the lake, with a general slope from North to South, and West to East. However, the overall site currently drains from the outside property boundaries toward the lake. Please see Attachment 3.3 for the most recent survey of the property. The site is currently designed with no discharge as all stormwater is held onsite within the lake.

1.6 FEMA Flood Zone

The site lies wholly within FEMA Flood Zone X, which is outside the 0.2% annual chance flood. The site is shown within FEMA FIRM panel with Map Number 12085C0140G, which is included under Attachment 3.4.

2. Proposed Development:

2.1 Project Description:

The project consists of filling the lake, with clean construction debris, and returning the site to its original grading and drainage patterns. The lake will be filled in three phases with reclamation of the land taking place as the lake is filled to grade. During Phase 1 any runoff will have the balance of the lake to drain into and will continue to hold all stormwater on-site. Returning the site to the original state will allow for natural percolation of stormwater and will result in no adverse effects to the property or any of the surrounding properties, including the wetlands, as the original design accounted for all of these issues and was in place for decades with no ill effects.

2.2 Stormwater Management System

Because the intent is to return the property to its pre-development state, no stormwater management system is proposed. The site will simply be returned to 100% pervious as it was before the mining operations began. This will allow the site to once again be considered improved pasture and return to the original flow patterns associated with the original permit #43-00092-S. This original drainage consists of sheetflow into the S-1 and S-3 canals located east and west of the property boundaries, respectively. These canals then eventually convey the runoff to the C-44 canal as the ultimate outfall for the overall 10,406-acre basin originally permitted under the name of Bessemer Properties.

The MilCor Group Inc.

Engineering a Value-Driven Sustainable Environment

February 8, 2018

Creative Land Management Development

LANDSCAPE ALTERNATIVE COMPLIANCE REQUEST

1. **Notarized Agent Authorization**
2. **Executed and notarized Alternative Compliance Request application & fee**
3. **Location Map & Legal Description**
4. **Environmental Assessment – NA**
5. **Phase 1 Landscape Plan**
6. **Phase 1 Final Site Plan**
7. **Justification Statement**
8. **1994 Historical Aerial Exhibit**

Office Locations:

10975 SE
Federal Hwy
Hobe Sound
Florida
33455

9035 Americana
Road #13
Vero Beach
Florida
32966

Phone
772-223-8850
Fax
772-223-8851

Email
marketing@
themilcorgroup.
com

Web
www.
themilcorgroup.
com

REPRESENTATIVE AUTHORIZATION

Martin County
2401 SE Monterey Road
Stuart, Florida 34996

Re: Creative Land Management Development

Please be advised that the undersigned has authorized the following person(s)/entity to act on their behalf in seeking approval for the above referenced application:

Melissa G. Corbett, P.E.
The Milcor Group, Inc.
10975 SE Federal Highway
Hobe Sound, FL 33455
(772) 223-8850

Witness:

Michael Mastelle
Print Name

HOWARD L UTERMAN
Print Name

Creative Land Management, LLC
By: JSP Family Holdings LLC, their manager

By:_____

Jason S. Pepitone, Manager
Print Name, Manager

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing was acknowledged before me this 23RD day of JANUARY, 2018, by JASON PEPITONE, MANAGER, and [X] is personally known to me or [ ] has produced _____ as identification.

Notary Public

Notary Stamp

DOLORES K. SANCHEZ
Notary Public - State of Florida
Commission # FF 202208
My Comm. Expires Mar 3, 2019
Bonded through National Notary Assn.

2017 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L09000038580

Entity Name: JSP FAMILY HOLDINGS LLC

FILED
Jan 07, 2017
Secretary of State
CC1932600791

Current Principal Place of Business:

785 NE 33RD STREET
BOCA RATON, FL 33431

Current Mailing Address:

785 NE 33RD STREET
BOCA RATON, FL 33432 US

FEI Number: 26-4750311

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

PEPITONE, JASON S
785 NE 33RD STREET
BOCA RATON, FL 33432 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: _____

Electronic Signature of Registered Agent — Date

Authorized Person(s) Detail :

Title	MGR
Name	PEPITONE, JASON S
Address	785 NE 33RD STREET
City-State-Zip:	BOCA RATON FL 33432

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: JASON S PEPITONE — MGR — 01/07/2017

Electronic Signature of Signing Authorized Person(s) Detail — Date

2017 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L15000085878

FILED
Apr 27, 2017
Secretary of State
CC7912772672

Entity Name: CREATIVE LAND MANAGEMENT, LLC

Current Principal Place of Business:

785 NE 33RD STREET
BOCA RATON, FL 33431

Current Mailing Address:

785 NE 33RD STREET
BOCA RATON, FL 33431 US

FEI Number: 47-4018313

Certificate of Status Desired: Yes

Name and Address of Current Registered Agent:

SANCHEZ, DOLORES K ESQ.
4701 N FEDERAL HIGHWAY
SUITE 316
LIGHTHOUSE POINT, FL 33064 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: _____

Electronic Signature of Registered Agent — Date

Authorized Person(s) Detail :

Title	MGR	Title	MGR
Name	BROWNIE, JED	Name	JSP FAMILY HOLDINGS, LLC
Address	5636 MATOUSEK STREET	Address	785 NE 33RD STREET
City-State-Zip:	STUART FL 34997	City-State-Zip:	BOCA RATON FL 33431

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: JSP FAMILY HOLDINGS — MEMBER — 04/27/2017

Electronic Signature of Signing Authorized Person(s) Detail — Date

Martin County, Florida
Growth Management Department
DEVELOPMENT REVIEW DIVISION

ALTERNATIVE COMPLIANCE REQUEST
DIVISION 15, LAND DEVELOPMENT REGULATIONS
LANDSCAPE, BUFFERING AND TREE PROTECTION

A. Project information:

Property owner-applicant: Creative Land Management , LLC
Address: 7885 NE 33rd Street
Boca Raton, FL 33431
Telephone and fax: 954-574-1311 954-428-1822
E-mail address: jason.pepitone@wasteconnections.com

Agent for owner-applicant: The MilCor Group, Inc. Melissa Corbett, P.E.
Address: 10975 SE Federal Highway
Hobe Sound, FL 33455
Telephone and fax: 772-223-8850 772-223-8851
E-mail address: melissac@themilcorgroup.com

Project name: Creative Land Management Development

Project professional's name and telephone number:

Land planner NA

Landscape architect William A. Flint 772-220-0424

Propery address: Unaddressed Palm City

Legal description: See attached legal description exhibit

Parcel control number(s): 30384000000000002400000

B. General instructions:

This application form identifies the minimum documents and information required to initiate the review of a request for alternative compliance that varies from the strict application of the requirements of Article 4, Division 15, Landscaping, Buffering and Tree Protection, Land Development Regulations, Martin County Code (LDR). The applicant is cautioned to follow the instructions carefully.

The purpose of the application is to communicate to the reviewing staff, the decision-makers, and the public what is being proposed and how the landscape plan satisfies the purpose and intent of Article 4, Division 15, LDRs as well as or more effectively than would adherence to the standard code requirements.

Please organize and submit the application as a complete, "original" packet along with three (3) identical copies. The application materials shall be submitted to: **Martin County Growth Management Department, Development Review Division, 2401 SE Monterey Road, Stuart, Florida 34996.**

C. Fee: Alternative Compliance Request

Provide a check payable to the *Martin County Board of County Commissioners* as noted below.

☒ Alternative Landscape, Buffering and Tree Protection Request .....$ 240.00

D. Application submittal and check list:

Review Check list

Provide the following list of items noted below with this application:

1. A notarized power of attorney is required from the owner-applicant to authorize an agent to act on the owner-applicant's behalf.
2. Alternative Compliance Request application signed and notarized.
3. Location map of subject property. & Legal Description
4. Environmental assessment. Not applicable
5. Landscape plan (signed and sealed) by a registered landscape architect.
6. Final site plan, if necessary.
7. Justification statement (criteria for granting request), as noted below in Section E.

E. Justification (criteria for granting request) statement:

Provide a written response and justification to each of the following **5** questions noted below:

1. Identify the specific requirements as per code that are proposed to be modified.
2. What are the reasons why the strict adherence or application of the requirements are not feasible.
3. Describe the distinctiveness of this request. How does this request accommodate unique site features or utilize innovative design?
4. How does the proposed alternative means for compliance with the specific requirements provide an equal or superior means of meeting the intent and purpose

of the regulation?

5. Will the alternative compliance request, if granted, create a nuisance or an adverse effect to any neighboring property? If so, what will be done to mitigate the nuisance.

Section 4.6.6.7.A states: In evaluating proposed alternative compliance landscape plans, considerations shall be given to proposals which preserve native vegetation and use drought-tolerant plantings and other low water use landscape design principles and where the design may accomplish one or more of the following:

1. Ensures preservation of the maximum redevelopment vegetation on the site. Preserves a maximum of existing native vegetation on site, post development.
2. Is designed to ensure that the overall appearance and function of the proposed development is compatible with other properties in the immediate area; is demonstratively responsive to the environmental attributes of soil, slope, hydrology, and vegetative communities unique to the site; is consistent with sound planning and site design principles; and, contingent upon:

    a. Structures and other improvements are designed as to utilize existing site characteristics of topography, existing vegetative communities, and any unique environmental feature.
    b. Conflicts between vehicular and pedestrian circulation are avoided.
    c. Planting areas indicate a diversity of plant species in the categories of ground covers, shrubs, and trees.
    d. Integration of proposed and existing vegetation is demonstrated in the plans with an emphasis on maintaining native community buffers and corridors, preserving or restoring forest community types, and providing for the natural ecological function of each type by using techniques as preserving a diversity of upperstory, midstory, and understory.
    e. Plant schedules contain botanical and common names, sizes of materials by dimension and containerize, location by dimension, and notation describing species and diversity.
    f. Planting specifications and species selected for the site are suitable for individual site environmental characteristics of soil slope, aspect, wetness and microclimate.
    g. Please indicate compatibility with adjacent site environmental features.

Staff shall evaluate the alternative compliance request based on the above criteria. Based on the review by staff, the Growth Management Director shall specify how the proposed alternative compliance either does or does not meet the requirements of the Land Development Regulations. The evaluation shall be based on the following.

1. That the strict adherence or application of the code requirement(s) is not feasible.
2. The request utilizes innovative design and/or accommodates unique site features.
3. The request provides an equal or superior means of meeting the intent and purpose of the regulation.
4. The request does not create a nuisance or an adverse impact to any surrounding

property owner.

F. Inquiries and comments:

If you have any question or comment regarding this application, please contact us at (772) 288-5501. We appreciate suggestions of how to improve our services.

G. Applicant or agent certification:

I have read this application, and to the extent that I participated in the application, I have answered each item fully and accurately.

_____ 2-27-18
Applicant's or Agent's signature *Date*

Melissa G. Corbett, P.E.
Printed name

NOTARY ACKNOWLEDGMENT

STATE OF Florida

COUNTY OF Martin

I hereby certify that the foregoing instrument was acknowledged before me this 27 day of Feb, 2018, by Melissa Corbett. He or she [x] is personally known to me or [ ] has produced _____ as identification.

_____
Notary public signature

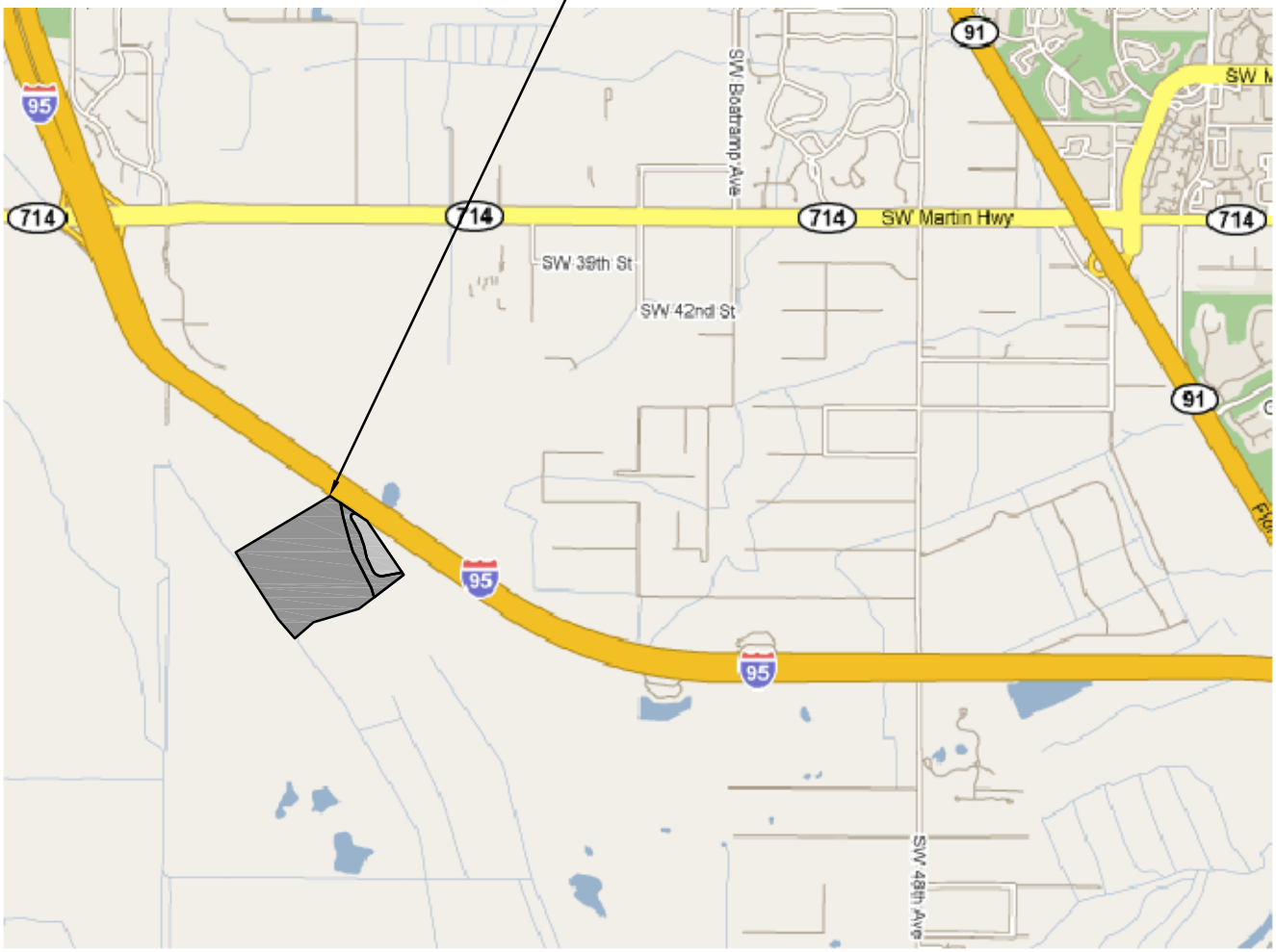
Kim Little
Printed name

KIM LITTLE
MY COMMISSION # GG 039955
EXPIRES: October 28, 2020
Bonded Thru Notary Public Underwriters

State of Florida at-large

SECTION 30 TOWNSHIP 38 SOUTH RANGE 40 EAST
PARCEL CONTROL NOs.:
30-38-40-000-000-00024-0
30-38-40-000-000-00040-0

PROJECT LOCATION



No.	Date:	Revision:	By
1			
2			
3			
4			
5			
6			

Designed: M.G.C.
Drawn: A.T.
Checked: M.G.C.
Approved: M.G.C.
Date: 5-12-16
Project: P0801
File: EX MAPS.dwg

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1-800-432-4770
BUNDLE SUNS ONE CALL OF FLORIDA, INC.

The MilCor Group, Inc.
6526 S Kanner Hwy #236, Stuart, Florida 34997
Ph: (772)223-9850 Fax: (772) 223-8851
Web: www.themilcorgroup.com
Certificate of Authorization: 28246

LOCATION MAP

CREATIVE LAND MANAGEMENT DEVELOPMENT
MARTIN COUNTY, FLORIDA

EXHIBIT
B

J:\P08 - Progressive Waste\P0801 - Creative Land Management\DWG\DESIGN\EX MAPS.dwg, PRINTED BY: danw ON Mon, Feb 19 2018

SECTION 30 TOWNSHIP 38 SOUTH RANGE 40 EAST
PARCEL CONTROL NOs.:
OVERALL PROPERTY
30-38-40-000-000-00024-0
30-38-40-000-000-00040-0

PARCEL 1
A PARCEL OF LAND LYING IN PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT 'A' OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1198. PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 28 OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA: THENCE NORTHWESTERLY FOR THE NEXT THREE COURSES ALONG THE NORTHEASTERLY LINE OF THE PLAT OF DRESSAGE ESTATES AS RECORDED IN PLAT BOOK 16, PAGE 24 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N40°54'40"W A DISTANCE OF 517.38 FEET; THENCE N32°45'58"W A DISTANCE OF 1259.59 FEET; THENCE N30°50'55"W A DISTANCE OF 318.29 FEET; THENCE DEPARTING FROM SAID NORTHEASTERLY BOUNDARY OF THE PLAT OF DRESSAGE ESTATES N59°09'05"E A DISTANCE OF 2202.53 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 89095-2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY LINE OF ACCESS ROAD "A" A DISTANCE OF 247.80 FEET TO THE WEST LINE OF AN 60 FOOT ACCESS EASEMENT; THENCE SOUTHEASTERLY ALONG THE WEST SIDE OF SAID 60 FOOT ACCESS EASEMENT FOR THE NEXT SIX COURSES; THENCE S10°50'15"E A DISTANCE OF 277.79 FEET; THENCE S14°57'04"E A DISTANCE OF 454.03 FEET; THENCE S16°49'52"E A DISTANCE OF 272.01 FEET; THENCE S26°50'48"E A DISTANCE OF 720.42 FEET; THENCE S27°06'17"E A DISTANCE OF 95.85 FEET; THENCE S16°59'12"E A DISTANCE OF 197.96 FEET TO THE NORTHERLY LINE OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67; THENCE WESTERLY ALONG SAID NORTHERLY LINE FOR THE NEXT THREE COURSES; THENCE S52°33'22"W A DISTANCE OF 382.90 FEET; THENCE S73°33'30"W A DISTANCE OF 949.43 FEET; THENCE S49°05'14"W A DISTANCE OF 493.08 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 100.00 ACRES MORE OR LESS.

PARCEL 2
A PARCEL OF LAND BEING A PORTION OF PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT "A" OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1198. PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 27 OF THE PLAT OF "POLO CLUB", AS RECORDED IN PLAT BOOK 16, PAGE 67, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE S52°33'22"W ALONG SAID NORTH LINE OF SAID LOT 27 A DISTANCE OF 741.79 FEET; THENCE N16°59'12"W, A DISTANCE OF 197.96 FEET; THENCE N27°06'17"W, A DISTANCE OF 95.85 FEET; THENCE N26°50'48"W, A DISTANCE OF 720.42 FEET; THENCE N16°49'52"W, A DISTANCE OF 272.01 FEET; THENCE N14°57'04"W, A DISTANCE OF 454.03 FEET; THENCE N10°50'15"W, A DISTANCE OF 277.79 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO 89095-2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 646.60 FEET; THENCE S34°07'45"E, A DISTANCE OF 1299.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 21.91 ACRES, MORE OR LESS.

SAID PARCEL BEING SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, DEDICATIONS OR RESTRICTIONS.

LESS THEREFROM:

A PARCEL OF LAND LYING IN PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT 'A' OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1198, PAGE 1143, MORE PARTICULARLY DESCRIBED IN PARCEL 2 OF OFFICIAL RECORDS BOOK 2793, PAGE 2036, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 27 OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N 34°07'45" W, ALONG THE EASTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1198, PAGE 1143, SAID LINE ALSO BEING THE EASTERLY LINE OF SAID PARCEL 2 OF OFFICIAL RECORDS BOOK 2793, PAGE 2036, A DISTANCE OF 54.61 FEET TO THE POINT OF BEGINNING; THENCE S 79°23'07" W, A DISTANCE OF 376.65 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF 75°36'54"; THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 263.95 FEET; THENCE N 24°59'59" W, A DISTANCE OF 275.98 FEET; THENCE N 13°08'18" W, A DISTANCE OF 239.36 FEET; THENCE N 18°32'36" W, A DISTANCE OF 249.82 FEET; THENCE N 27°53'05" W, A DISTANCE OF 243.44 FEET; THENCE N 30°51'24" W, A DISTANCE OF 110.73 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 82.08 FEET AND A CENTRAL ANGLE OF 50°55'54"; THENCE NORTHERLY ALONG THE ARC A DISTANCE OF 72.97 FEET TO A POINT OF COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 61.37 FEET AND A CENTRAL ANGLE OF 88°59'48"; THENCE NORTHEASTERLY ALONG THE ARC, A DISTANCE OF 95.32 FEET; THENCE S 70°55'42" E, A DISTANCE OF 40.85 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE 70 FOOT ACCESS ROAD "A" FOR STATE ROAD 9 (I-95) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 89095-2414; THENCE S 55°50'57" E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 243.60 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF SAID PARCEL 1; THENCE S 34°07'45" E ALONG SAID EASTERLY LINE, A DISTANCE OF 1,244.40 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 483,088 SQUARE FEET OR 11.09 ACRES, MORE OR LESS.

SAID PARCEL BEING SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, DEDICATIONS OR RESTRICTIONS.

No.	Date:	Revision:	By
1			
2			
3			
4			
5			
6			
7			

Designed: M.G.C.
Drawn: A.T.
Checked: M.G.C.
Approved: M.G.C.
Date: 5-12-16
Project: P0801
File: EX MAPS.dwg

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Ph: (772)223-9850 Fax: (772) 223-8851
Web: www.themilcorgroup.com
Certificate of Authorization: 28246

LEGAL DESCRIPTION

CREATIVE LAND MANAGEMENT DEVELOPMENT
MARTIN COUNTY, FLORIDA

EXHIBIT
A1

J:\P08 - Progressive Waste\P0801 - Creative Land Management\DWG\DESIGN\EX MAPS.dwg, PRINTED BY: danw ON Mon, Feb 19 2018

LANDSCAPE NOTES

ALL LANDSCAPE MATERIAL TO BE FLA. #1 OR BETTER
BAHIA SOD AS REQUIRED
MALALEUCA OR EUCALYPTUS MULCH (NO CYPRESS) AS REQUIRED TO 3" THICKNESS MINIMUM IN ALL PLANT BEDS
ALL PROHIBITED, EXOTIC AND INVASIVE SPECIES SHALL BE REMOVED FROM ENTIRE SITE PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY. (CODE 4.664, LDR)
LANDSCAPE MATERIAL STANDARDS SHALL BE FOLLOWED AS SPECIFIED IN SECTION4.663, LDR, MARTIN COUNTY CODES.
CYPRESS MULCH MAY NOT BE USED AS A MULCHING MATERIAL. (CODE 4.663.C, LDR)

IRRIGATION NOTES

FULLY AUTOMATIC IRRIGATION SYSTEM TO PROVIDE 100% COVERAGE IN 15 MPH WIND
INSTALL BUBBLERS ON ALL TREES = LOW WATER USAGE
INSTALL RAIN SENSOR OVER-RIDE DEVICE AT IRRIGATION TIME CLOCK
WATER SOURCE TO BE ON-SITE WELL

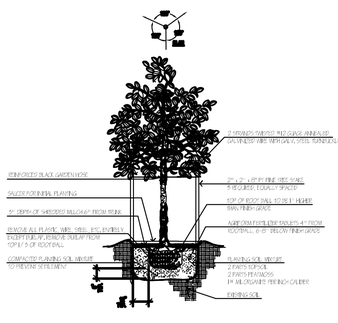
MAINTENANCE OF REQUIRED LANDSCAPING

REQUIRED LANDSCAPING SHALL BE MAINTAINED SO AS TO AT ALL TIMES PRESENT A HEALTHY, NEAT AND ORDERLY APPEARANCE, FREE OF REFUSE AND DEBRIS. IF VEGETATION WHICH IS REQUIRED TO BE PLANTED DIES IT SHALL BE REPLACED BY THE EQUIVALENT VEGETATION. ALL TREES FOR WHICH CREDIT WAS AWARDED AND WHICH SUBSEQUENTLY DIE SHALL BE REPLACED BY THE REQUISIT NUMBER OF LIVING TREES ACCORDING TO THE STANDARDS ESTABLISHED IN THE MARTIN COUNTY LANDSCAPE CODE.

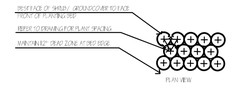
ALL LANDSCAPING SHALL BE MAINTAINED FREE FROM DISEASE, PESTS, WEEDS AND LITTER. MAINTENANCE SHALL INCLUDE WEEDING, WATERING, FERTILIZING, PRUNING, MOWING, EDGING, MULCHING OR OTHER MAINTENANCE, AS NEEDED AND IN ACCORDANCE WITH ACCEPTABLE HORTICULTURAL PRACTICES. PERPETUAL MAINTENANCE SHALL BE PROVIDED TO PROHIBIT THE REESTABLISHMENT OF HARMFUL EXOTIC SPECIES WITHIN LANDSCAPING AND PRESERVATION AREAS.

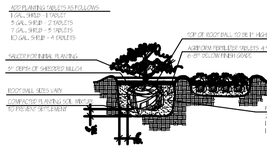
REGULAR LANDSCAPE MAINTENANCE SHALL BE PROVIDED FOR REPAIR OR REPLACEMENT, WHERE NECESSARY, OF ANY SCREENING OR BUFFERING REQUIRED AS SHOWN ON THIS PLAN. REGULAR LANDSCAPE MAINTENANCE SHALL BE PROVIDED FOR THE REPAIR OR REPLACEMENT OF REQUIRED WALLS, FENCES OR STRUCTURES TO A STRUCTURALLY SOUND CONDITION AS SHOWN ON THIS PLAN.

NOTE: THE PROPERTY OWNER IS RESPONSIBLE FOR REPLACING ANY REQUIRED LANDSCAPING IN EASEMENT AREAS THAT MAY BE DISTURBED BY FUTURE MAINTENANCE.



TREE PLANTING DETAIL NTS





SHRUB/ GROUNDCOVER PLANTING DETAIL NTS

	Current			Phase 1 Construction				Buildout			
Site Area Calculations	Area (SF)	Area (AC)	% of Total Area	Site Area Calculations	Area (SF)	Area (AC)	% of Total Area	Site Area Calculations	Area (SF)	Area (AC)	% of Total Area
Total Site Area:	4,827,319.20	110.82	100.00%	Phase 1 Construction Limits	2,563,683.28	58.85	100.00%	Total Site Area:	4,827,319.20	110.82	100.00%
Pervious Area	Area (SF)	Area (AC)	% of Total Area	Pervious Area	Area (SF)	Area (AC)	% of Total Area	Pervious Area	Area (SF)	Area (AC)	% of Total Area
Greenspace	2,602,274.40	59.74	53.91%	Greenspace	1,749,388.30	40.16	68.24%	Greenspace	4,827,319.20	110.82	100.00%
Total Pervious Area	**2,602,274.40**	**59.74**	**53.91%**	**Total Pervious Area**	**1,749,388.30**	**40.16**	**68.24%**	**Total Pervious Area**	**4,827,319.20**	**110.82**	**100.00%**
Impervious Area				Impervious Area				Impervious Area			
Lake	2,225,044.80	51.08	46.09%	Lake	814,294.98	18.69	31.76%	Lake	0.00	0.00	0.00%
Total Impervious Area	**2,225,044.80**	**51.08**	**46.09%**	**Total Impervious Area**	**814,294.98**	**18.69**	**31.76%**	**Total Impervious Area**	**0.00**	**0.00**	**0.00%**

PLANT & MATERIAL SCHEDULE

KEY	NATIVE	DROUGHT TOL.	QUAN.	BOTANICAL NAME	COMMON NAME	SIZE (HT. x SPR.)	CONTAINER
PE	Y	VERY	95	PINUS ELLIOTTI	SLASH PINE	8' x 2'	#15
QV	Y	VERY	46	QUERCUS VARGINIANA	LIVE OAK	8' x 3'	#15
SP	Y	VERY	39	SABAL PALMETTO	SABAL PALM	1/3 - 10, 12, 14' O.A.	B & B
SR	Y	VERY	122	SERENOA REPENS	SAW PALMETTO	18" x 18"	#3

PROPOSED TREES & UNDER STORY PLANT MATERIALS ARE SCATTERED AROUND SITE TO RETURN SITE TO IT'S 1994 HISTORIC PASTURE LAND.

TREES SHOWN ARE ILLUSTRATIVE ONLY AND DO NOT REPRESENT ACTUAL CANOPY COVERAGE.

SITE DATA

PARCEL CONTROL NO.:	30-38-40-000-000-00024-0
EXISTING LAND USE:	AGRICULTURE (IMPROVED PASTURE)
FUTURE LAND USE:	AG
PROPOSED LAND USE:	MINING
EXISTING ZONING:	A2

APPROXIMATE EXCAVATION SCHEDULE

ITEM/DESCRIPTION	
DURATION OF PROJECT (PHASE I)	3 YEARS
TOTAL FILL (MATERIAL HAULED TO SITE)	COMPACTED IN PLACE 817,193*

* BASED ON 18.78 ACRE LAKE (PHASE I) WITH AN AVERAGE DEPTH OF 20 FEET WITH A 30% LOSS FOR COMPACTION.

ZERISCAPE REQUIREMENTS

	PTS
Plan submitted with low, medium, and high water usage indicated on the landscape plan	5
51% or more of the grass areas are made up of drought tolerant species from the list	10
51% or more of the required shrubs are made up of drought tolerant species from the list	10
51% or more of the required trees are made up of drought tolerant species from the list	10
Utilization of compacted mulch beds at least three inches deep in all planted areas except groundcover	10
Utilization of mulch other than cypress	5
TOTAL POINTS	50

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SUNSHINE STATE ONE CALL OF FLORIDA, INC.

LEGEND

- WETLAND
- UPLAND PRESERVE
- EXISTING LAKE
- LIMITS CONSTRUCTION
- PHASE LIMITS

Date	Revision
	2.26.2018 (PM)
	2.28.2018 (WET)
	5.10.2018

William A. Flint, III
Landscape Architect
Ft. Rose, #941
Stuart, FL
772.220.0424
waflint3@gmail.com

CREATIVE LAND MANAGEMENT DEVELOPMENT
GREEN FARM ROAD
MARTIN COUNTY, FL

LAKE FILL IN - LANDSCAPE PLAN

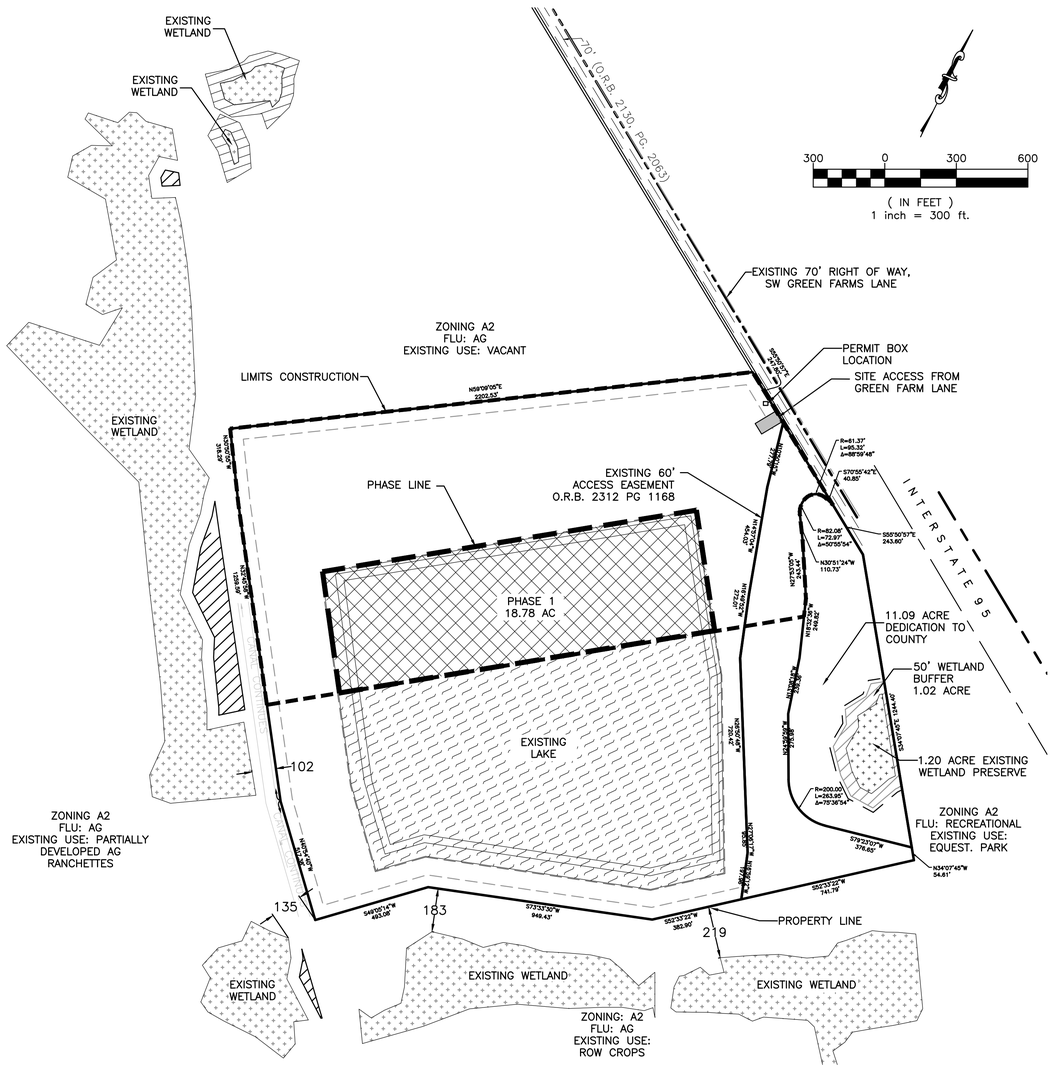
DATE: 2.21.2018
DRAWN: WAF
CHECKED:
SCALE: 1" = 200'
PROJECT NO. 18-015

WILLIAM A. FLINT
STATE OF FLORIDA
#941
LANDSCAPE ARCHITECT
SEAL

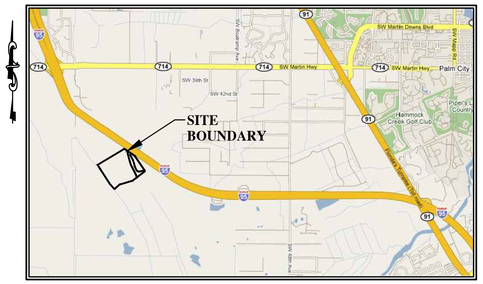
ELECTRONIC SEAL AFFIXED BY AUTHOR 5.10.2018

SHEET L1 OF 1

WAF 200



SECTION 30, TOWNSHIP 38 S, RANGE 40 E



LOCATION MAP

LEGEND

- WETLAND
- UPLAND PRESERVE
- EXISTING LAKE
- LIMITS CONSTRUCTION
- PHASE LIMITS

LEGAL DESCRIPTION - CONSTRUCTION AREA - PHASE 1

A PARCEL OF LAND LYING IN THE SOUTHEAST □UARTER (S.E. 1/4) OF THE NORTHWEST □UARTER (N.W. 1/4) OF SECTION 9, TOWNSHIP 38 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST □UARTER OF THE NORTHWEST □UARTER OF SAID SECTION 9; THENCE N89°45'40"W ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST □UARTER OF SAID SECTION 9, A DISTANCE OF □17.□2 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES S63°33'01"E, A RADIAL DISTANCE OF 800.00 FEET AND HAVING A CHORD BEARING OF N37°01'00"E, 293.42 FEET; THENCE NORTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 21°08'03", A DISTANCE OF 295.09 FEET; THENCE N47°35'02"E, A DISTANCE OF 81.33 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 700.00 FEET, A CENTRAL ANGLE OF 26°57'37", AND A CHORD BEARING OF N34°06'13"E, 326.35 FEET; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 329.38 FEET; THENCE N20°37'25"E, A DISTANCE OF 187.10 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 800.00 FEET, A CENTRAL ANGLE OF 17°04'09", AND A CHORD BEARING OF N29°09'30"E, 237.45 FEET; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 238.33 FEET; THENCE N37°41'34"E, A DISTANCE OF 33.41 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHEAST □UARTER OF THE NORTHWEST □UARTER OF SAID SECTION 9□ THENCE S00°14'26"W ALONG SAID EAST LINE, A DISTANCE OF 970.86 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,□□3,□83 S□UARE FEET OR □8.8□ ACRES, MORE OR LESS.

SAID EASEMENT BEING SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, DEDICATIONS OR RESTRICTIONS.

OPERATIONAL SPECIFICATIONS

1. ALL MINING ACTIVITIES SHALL BE IN ACCORDANCE WITH ALL APPLICABLE MARTIN COUNTY STANDARDS AND CONDITIONS FOR EXCAVATION, FILL AND MINING.
2. ALL ACTIVITIES WITHIN THE SITE, INCLUDING, BUT NOT LIMITED TO, DIGGING, LOADING TRUCK, EXCAVATING, DREDGING, ROCK CRUSHING, AND HAULING OF FILL FROM THE SITE SHALL BE CONDUCTED BETWEEN THE HOURS OF 7:00 AM AND 4:00 PM MONDAY THROUGH FRIDAY AND 9:00 AM TO 4:00 PM ON SATURDAY.
3. NO RESIDENTIAL STREETS ARE PROPOSED FOR USE BY THE APPLICANT. THE HAUL ROUTE FOR TRUCKS FROM THE SITE IS BY WAY OF STATE ROAD 714. A MAJOR ARTERIAL ROADWAY.
4. A 2' LAYER OF CLEAN DIRT AND □" LAYER OF TOP SOIL SHALL BE PLACED OVER FILL MATERIAL IN THE EXPOSED AREAS ABOVE THE CONTROL ELEVATION.
5. WHERE NECESSARY THE EXISTING LAKE SHALL BE FILLED TO A DEPTH OF 7.□3 NAVD.
6. THE SITE WILL BE RECEIVING SOURCE SEPARATED MATERIALS FROM DIFFERENT SOURCE GENERATORS. ALL MATERIALS SHALL BE IN ACCORDANCE WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S DEFINITION OF CLEAN DEBRIS, AS STATED IN CHAPTER □2-701.200 "clean debris" means any solid waste which is virtually inert, which is not a pollution □r□□□□ □r□□□d □□□r □r □r□□□□□□r□, □□□□□ □r□ □□□rd, □□d □□ □□□□ □r□□□ □□ □□□□□□□□d □□□□ □□□ □r□□□r□□d r □□□d□□□□□ d□□□□□r□□□, □□ □r□ □□□d□□r□□, □□□□, □r□□ □□, □d □□□□□□ □□□d □□□r□□ □□□d□□ □□ □dd d □□□r □□□.

SITE DATA

PARCEL CONTROL NO.:	30-38-40-000-000-00024-0
EXISTING LAND USE:	AGRICULTURE (IMPROVED PASTURE)
FUTURE LAND USE:	AG
PROPOSED LAND USE:	MINING
EXISTING ZONING:	A2

APPROXIMATE EXCAVATION SCHEDULE

ITEM/DESCRIPTION	
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* BASED ON 18.78 ACRE LAKE (PHASE I) WITH AN AVERAGE DEPTH OF 20 FEET WITH A 30% LOSS FOR COMPACTION.

APPLICANT
JASON PEPITONE
CREATIVE LAND MANAGEMENT, LLC
785 NE 33RD STREET
BOCA RATON, FL 33431

ENGINEER
MELISSA G. CORBETT, P.E.
THE MILCOR GROUP, INC.
1097□ SE FEDERAL HIGHWAY
HOBE SOUND, FL 334□□

SURVEYOR
DAVID WICHSER
BETSY LINDSAY, INC.
7997 SW JACK JAMES DRIVE
STUART, FL 34997

ENVIRONMENTAL
JODI BECK
ASPEN ENVIRONMENTAL CONSULTING, LLC
PO BOX 27□3, STUART, FL 3499□-27□3

LEGAL DESCRIPTION - OVER ALL

PARCEL 1
A PARCEL OF LAND LYING IN PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT 'A' OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1198. PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 28 OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 1□, PAGE □7 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA: THENCE NORTHWESTERLY FOR THE NEXT THREE COURSES ALONG THE NORTHEASTERLY LINE OF THE PLAT OF DRESSAGE ESTATES AS RECORDED IN PLAT BOOK 1□, PAGE 24 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA: THENCE N40°54'40"W A DISTANCE OF 517.38 FEET; THENCE N32°45'58"W A DISTANCE OF 1259.59 FEET; THENCE N30°50'55"W A DISTANCE OF 318.29 FEET; THENCE DEPARTING FROM SAID NORTHEASTERLY BOUNDARY OF THE PLAT OF DRESSAGE ESTATES N59°09'05"E A DISTANCE OF 2202.53 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 9□ PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 8909□-2414, FOR INTERSTATE 9□, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY LINE OF ACCESS ROAD "A" A DISTANCE OF 247.80 FEET TO THE WEST LINE OF AN □0 FOOT ACCESS EASEMENT□ THENCE SOUTHEASTERLY ALONG THE WEST SIDE OF SAID □0 FOOT ACCESS EASEMENT FOR THE NEXT SIX COURSES; THENCE S10°50'15"E A DISTANCE OF 277.79 FEET; THENCE S14°57'04"E A DISTANCE OF 454.03 FEET; THENCE S16°49'52"E A DISTANCE OF 272.01 FEET; THENCE S26°50'48"E A DISTANCE OF 720.42 FEET; THENCE S27°06'17"E A DISTANCE OF 95.85 FEET; THENCE S16°59'12"E A DISTANCE OF 197.96 FEET TO THE NORTHERLY LINE OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 1□, PAGE □7□THENCE WESTERLY ALONG SAID NORTHERLY LINE FOR THE NEXT THREE COURSES; THENCE S52°33'22"W A DISTANCE OF 382.90 FEET; THENCE S73°33'30"W A DISTANCE OF 949.43 FEET; THENCE S49°05'14"W A DISTANCE OF 493.08 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 100.00 ACRES MORE OR LESS.

PARCEL 2
A PARCEL OF LAND BEING A PORTION OF PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT "A" OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1198. PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 27 OF THE PLAT OF "POLO CLUB", AS RECORDED IN PLAT BOOK 16, PAGE 67, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE S52°33'22"W ALONG SAID NORTH LINE OF SAID LOT 27 A DISTANCE OF 741.79 FEET; THENCE N16°59'12"W, A DISTANCE OF 197.96 FEET; THENCE N27°06'17"W, A DISTANCE OF 95.85 FEET; THENCE N26°50'48"W, A DISTANCE OF 720.42 FEET; THENCE N16°49'52"W, A DISTANCE OF 272.01 FEET; THENCE N14°57'04"W, A DISTANCE OF 454.03 FEET; THENCE N10°50'15"W, A DISTANCE OF 277.79 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 9□ PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO 8909□-2414, FOR INTERSTATE 9□, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 646.60 FEET; THENCE S34°07'45"E, A DISTANCE OF 1299.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 21.91 ACRES, MORE OR LESS.

SAID PARCEL BEING SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, DEDICATIONS OR RESTRICTIONS.

LESS THEREFROM:

A PARCEL OF LAND LYING IN PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT 'A' OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1198, PAGE 1143, MORE PARTICULARLY DESCRIBED IN PARCEL 2 OF OFFICIAL RECORDS BOOK 2793, PAGE 203□, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 27 OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N 34°07'45" W, ALONG THE EASTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1198, PAGE 1143, SAID LINE ALSO BEING THE EASTERLY LINE OF SAID PARCEL 2 OF OFFICIAL RECORDS BOOK 2793, PAGE 203□, A DISTANCE OF 54.61 FEET TO THE POINT OF BEGINNING; THENCE S 79°23'07" W, A DISTANCE OF 376.65 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF 75°36'54"; THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 263.95 FEET; THENCE N 24°59'59" W, A DISTANCE OF 275.98 FEET; THENCE N 13°08'18" W, A DISTANCE OF 239.36 FEET; THENCE N 18°32'36" W, A DISTANCE OF 249.82 FEET; THENCE N 27°53'05" W, A DISTANCE OF 243.44 FEET; THENCE N 30°51'24" W, A DISTANCE OF 110.73 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 82.08 FEET AND A CENTRAL ANGLE OF 50°55'54"; THENCE NORTHERLY ALONG THE ARC A DISTANCE OF 72.97 FEET TO A POINT OF COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF □1.37 FEET AND A CENTRAL ANGLE OF 88°59'48"; THENCE NORTHEASTERLY ALONG THE ARC, A DISTANCE OF 95.32 FEET; THENCE S 70°55'42" E, A DISTANCE OF 40.8□ FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE 70 FOOT ACCESS ROAD "A" FOR STATE ROAD 9 (I-95) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 89095-2414; THENCE S 55°50'57" E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 243.□0 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF SAID PARCEL 1; THENCE S 34°07'45" E ALONG SAID EASTERLY LINE, A DISTANCE OF 1,244.40 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 483,088 S□UARE FEET OR 11.09 ACRES, MORE OR LESS.

SAID PARCEL BEING SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, DEDICATIONS OR RESTRICTIONS.

	Current			Phase 1 Construction			Buildout		
Site Area Calculations	Area (SF)	Area (AC)	% of Total Area	Site Area Calculations	Area (SF)	Area (AC)	% of Total Area	Site Area Calculations	Area (SF)	Area (AC)	% of Total Area
Total Site Area:	4,827,319.20	110.82	100.00%	Phase 1 Construction Limits	2,563,683.28	58.85	100.00%	Total Site Area:	4,827,319.20	110.82	100.00%
Pervious Area	Area (SF)	Area (AC)	% of Total Area	Pervious Area	Area (SF)	Area (AC)	% of Total Area	Pervious Area	Area (SF)	Area (AC)	% of Total Area
Greenspace	2,602,274.40	59.74	53.91%	Greenspace	1,749,388.30	40.16	68.24%	Greenspace	4,827,319.20	110.82	100.00%
Total Pervious Area	**2,602,274.40**	**59.74**	**53.91%**	**Total Pervious Area**	**1,749,388.30**	**40.16**	**68.24%**	**Total Pervious Area**	**4,827,319.20**	**110.82**	**100.00%**
Impervious Area				Impervious Area				Impervious Area			
Lake	2,225,044.80	51.08	46.09%	Lake	814,294.98	18.69	31.76%	Lake	0.00	0.00	0.00%
Total Impervious Area	**2,225,044.80**	**51.08**	**46.09%**	**Total Impervious Area**	**814,294.98**	**18.69**	**31.76%**	**Total Impervious Area**	**0.00**	**0.00**	**0.00%**

No.	Date:	Revision:	By
4	2-6-18		
3	2-6-18		
2	2-6-18		
1	2-6-18		

Designed: M.G.C. 2-6-18
Drawn: A.T. 2-6-18
Checked: M.G.C. 2-6-18
Approved: M.G.C. 2-6-18
Date: 2-6-18
Project: P0801
File: P0801-site plan.dwg

CALL 48 HOURS BEFORE YOU DIG
IT'S THE LAW! 1-800-432-4770
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

T□□ M□C□r Gr□□□, I□□
□ 2 SK□□rH □ 23 S□□r, FL 34997
P: (772)223-88 0 F: (772)223-88 1
W: □□□□□□□□□□□□□□□□□□□□□□□□□□□□
C: □□□□□□ A□□□□□□□□ 2824□

REVISED FINAL PHASE I SITE PLAN

CREATIVE LAND MANAGEMENT DEVELOPMENT

MARTIN COUNTY, FLORIDA

Sheet No.

1

J:\P08 - Progressive Waste\P0801 - Creative Land Management\DWG\DESIGN\P0801-site plan.dwg, PRINTED BY: danw ON Fri, May 11 2018

The MilCor Group Inc.

Engineering a Value-Driven Sustainable Environment

Creative Land Management Development

LANDSCAPING ALTERNATIVE COMPLIANCE JUSTIFICATION STATEMENT

1. Identify the specific requirements as per code that are proposed to be modified.
   Response: The purpose of this application is to return an existing mining operation to its native agricultural/pasture state which, as stated in Section 4.661.B(4) of the Landscape Code, shall be exempt from the code.

2. What are the reasons why the strict adherence or application of the requirements are not feasible?
   Response: There is no existing code for returning a developed site back to its native agricultural/pasture state

3. Describe the distinctiveness of this request. How does this request accommodate unique site features or utilize innovative design?
   Response: Since there is no existing code for returning a developed site back to its native agricultural/pasture state, we have used a historical aerial to establish how the site appeared prior to development and used it as a basis for the landscape plan.

4. How does the proposed alternative means for compliance with the specific requirements provide an equal or superior means of meeting the intent and purpose of the regulation?
   Response: The entire site will be returned to a 100% green pervious state in a three-phase process.

5. Will the alternative compliance request, if granted, create a nuisance or an adverse effect to any neighboring property? If so, what will be done to mitigate the nuisance?
   Response: No, the neighboring areas will be greatly enhanced.

Office Locations:

10975 SE
Federal Hwy
Hobe Sound
Florida
33455

9035 Americana
Road #13
Vero Beach
Florida
32966

Phone
772-223-8850
Fax
772-223-8851

Email
marketing@
themilcorgroup.
com

Web
www.
themilcorgroup.
com

SECTION 30 TOWNSHIP 38 SOUTH RANGE 40 EAST
PARCEL CONTROL NOs.:
30-38-40-000-000-00024-0

EXHIBIT 1	HISTORICAL AERIAL - 1994	CREATIVE LAND MANAGEMENT DEVELOPMENT MARTIN COUNTY, FLORIDA	T M C r Gr, I. 2 S K r H 23 S r, Fl d 34997 P (772)223-88 0 F (772) 223-88 1 W C r A 2824	2018 Tri-County Engineering Consortium, Inc. 1300 42nd Street Vero Beach, FL 32960 (772) 562-4170	No. / Date / Revisions / By	Designed: M.G.C. Drawn: A.T. Checked: M.G.C. Approved: M.G.C. Date: 5-12-16 Project: P0801 File: EX MAPS.dwg

The MilCor Group Inc.

Engineering a Value-Driven Sustainable Environment

February 8, 2018

Creative Land Management Development

PROPOSED WATER SOURCES

Drinking water service shall be provided via water coolers during construction operations. No permanent potable service is proposed.

Sanitary sewer service shall be provided via portolet during construction operations. No permanent sewer service is proposed.

Temporary Irrigation for dust control and/or establishment of landscape shall be provided via the balance of the on-site lake. No permanent irrigation is proposed.

Office Locations:

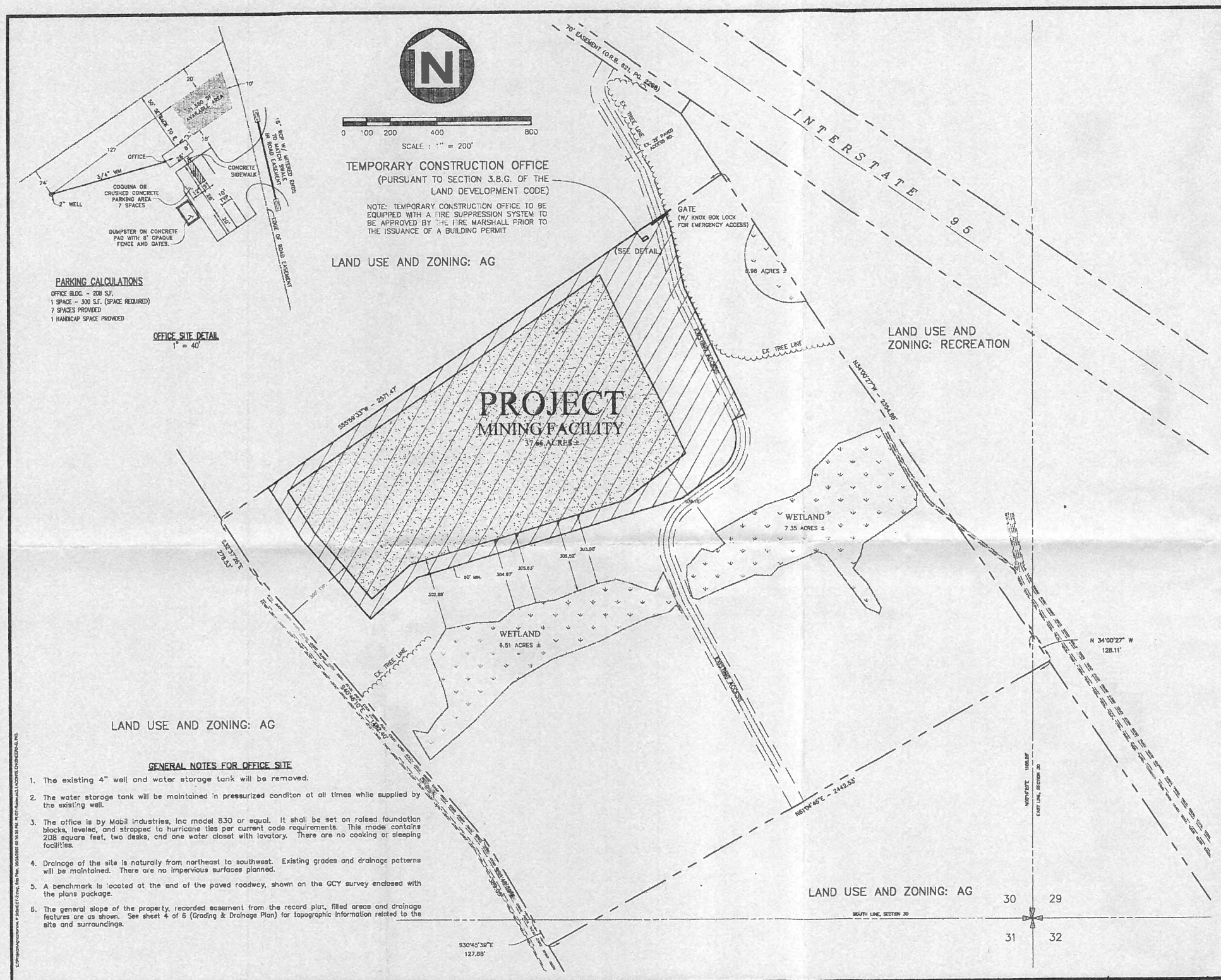
10975 SE
Federal Hwy
Hobe Sound
Florida
33455

9035 Americana
Road #13
Vero Beach
Florida
32966

Phone
772-223-8850
Fax
772-223-8851

Email
marketing@
themilcorgroup.
com

Web
www.
themilcorgroup.
com



GENERAL NOTES FOR OFFICE SITE

1. The existing 4" well and water storage tank will be removed.
2. The water storage tank will be maintained in pressurized conditon at all times while supplied by the existing well.
3. The office is by Mobil Industries, Inc model 830 or equal. It shall be set on raised foundation blocks, leveled, and strapped to hurricane ties per current code requirements. This mode contains 208 square feet, two desks, and one water closet with lavatory. There are no cooking or sleeping facilities.
4. Drainage of the site is naturally from northeast to southwest. Existing grades and drainage patterns will be maintained. There are no impervious surfaces planned.
5. A benchmark is located at the end of the paved roadway, shown on the GCY survey enclosed with the plans package.
6. The general slope of the property, recorded easement from the record plat, filled areas and drainage features are as shown. See sheet 4 of 6 (Grading & Drainage Plan) for topographic information related to the site and surroundings.

WATER MANAGEMENT REQUIREMENTS

1. WATER MANAGEMENT SYSTEMS SHALL BE DESIGNED AND OPERATED SUCH THAT THE NATURAL HYDROPERIOD OF WETLANDS WILL NOT BE ALTERED, AND WETLANDS SHALL BE PROTECTED FROM SILTATION AND EUTROPHICATION. PERMITTEE SHALL SUBMIT, FOR APPROVAL BY MARTIN COUNTY GROWTH MANAGEMENT DIRECTOR AND ENGINEERING DIRECTOR (OR DESIGNEE), A PLAN DETAILING THE PROPOSED METHODS OF PROTECTING OFF-SITE WETLANDS DURING CONSTRUCTION. SOIL EROSION AND ENVIRONMENTAL MANAGEMENT PLANS DETAILING PROPOSED METHODS OF MONITORING AND MAINTAINING ADJACENT WETLANDS.

2. IT SHALL BE UNLAWFUL TO ALTER THE APPROVED SLOPES, CONTOURS, OR CROSS SECTIONS OR TO CHEMICALLY, MECHANICALLY, OR MANUALLY REMOVE, DAMAGE, OR DESTROY ANY PLANTS IN THE LITTORAL OR UPLAND TRANSITION ZONE BUFFER AREAS OF CONSTRUCTED LAKES EXCEPT UPON WRITTEN APPROVAL OF THE GROWTH MANAGEMENT DIRECTOR, AS APPLICABLE. IT IS THE RESPONSIBILITY OF THE OWNER OR PROPERTY OWNERS ASSOCIATION, ITS SUCCESSORS OR ASSIGNS TO MAINTAIN THE REQUIRED SURVIVORSHIP AND COVERAGE OF THE RECLAIMED UPLAND AND PLANTED LITTORAL AND UPLAND TRANSITION AREAS AND TO ENSURE ON-GOING REMOVAL OF PROHIBITED AND INVASIVE NON-NATIVE PLANT SPECIES FROM THESE AREAS.

SITE DATA

PARCEL CONTROL NO.	30-38-40-000-000-00020-9-0000
EXISTING LAND USE :	AGRICULTURAL (IMPROVED PASTURE)
PROPOSED LAND USE :	MINING
EXISTING ZONING :	A-2
PROPOSED ZONING :	AG (ARTICLE 3 ZONING DISTRICT)

PROJECT PARCEL AREA

	AREA (SF)	AREA (ACRES)	% SITE
LAKE (SAND PIT)	1,089,000	25.00	69.4
EX. ACCESS	54,718	1.26	3.3
OPEN SPACE	696,683	11.40	30.3
TOTAL PROJECT	1,840,401	37.66	100.0

APPROXIMATE EXCAVATION SCHEDULE

ITEM/DESCRIPTION	YEAR 1	YEAR 2	YEAR 3	TOTAL Units
DURATION OF PROJECT	1.0	1.0	1.0	3.0 YRS
CIVIL/SITE WORK - Mining/Excavation	242,837	242,837	242,836	728,510 c.y.

OPERATIONAL SPECIFICATIONS

1. ALL MINING ACTIVITIES SHALL BE IN ACCORDANCE WITH ALL APPLICABLE MARTIN COUNTY STANDARDS AND CONDITIONS FOR EXCAVATION, FILL AND MINING.

2. HOURS OF OPERATION FOR ALL MINING PROJECTS SHALL BE LIMITED TO BETWEEN 7AM AND 4PM ON MONDAY THROUGH FRIDAY, AND BETWEEN 9AM AND 4PM ON SATURDAY.

3. THE EXCAVATED FILL MATERIAL SHALL NOT BE HAULED ON RESIDENTIAL STREETS. NO RESIDENTIAL STREETS ARE PROPOSED FOR USE BY THE APPLICANT. THE HAUL ROUTE FOR TRUCKS FROM THE SITE IS BY WAY OF STATE ROAD 714, A MAJOR ARTERIAL ROADWAY.

4. NO FILL MATERIAL SHALL BE STORED OR STOCK-PILED OUTSIDE OF THE TEMPORARY PERIMETER CONTAINMENT BERM.

5. ALL DRAINAGE RELATED TO THE EXCAVATION (E.G. DEWATERING EFFLUENTS) SHALL BE RETAINED ENTIRELY ON-SITE DURING CONSTRUCTION OF ALL ITEMS.

6. THE TEMPORARY PERIMETER CONTAINMENT BERM SHALL BE CONSTRUCTED USING CLEAN EARTHEN MATERIAL EXCAVATED FROM THE PROPOSED BORROW LAKE PRIOR TO THE INITIATION OF EXCAVATION OPERATIONS FOR THE LAKE MINING.

7. FILL MATERIAL WILL BE EXCAVATED OR MINED ON DEMAND, HOWEVER, EXCAVATED FILL MATERIAL MAY ONLY BE STORED WITHIN THE PERIMETER CONTAINMENT BERM LOCATION. STOCK-PILES SHALL BE BE LIMITED TO A HEIGHT OF APPROXIMATELY 8 FT ABOVE NATURAL GROUND.

8. ALL CLEARING AND GRUBBING WILL BE STAGED CONCURRENTLY WITH THE EXCAVATION ACTIVITIES TO MINIMIZE SOIL EROSION AND THE GENERATION OF AIRBORNE DUST.

9. SEEDING, WETTING AND/OR MULCHING PROCEDURES WILL BE IMPLEMENTED FOR THE TEMPORARY PERIMETER CONTAINMENT BERM AND ANY DISTURBED AREAS OUTSIDE OF THIS BERM, WITHIN THIRTY (30) DAYS OF COMPLETION TO MINIMIZE AIRBORNE DUST AND PARTICULATE EMISSIONS.

10. THERE WILL BE NO ACTIVITY OUTSIDE THE PROJECT LIMITS.

11. POTABLE WATER SHALL BE AVAILABLE BY WELL AND SANITARY SEWER SERVICE SHALL BE PROVIDED BY AN ON-SITE SEWAGE DISPOSAL SYSTEM (SEPTIC) AT THE OFFICE.

PLAN APPROVED BY MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS
DATE APPROVED March 6, 2007 and Oct. 10, 2006
PROJECT COORDINATOR: [illegible]

APPLICANT
APS ENVIRONMENTAL ASSOCIATES, INC.
P.O. Box 578
Indiantown, FL. 34956
Ph. (561) 597-3113

ATTORNEY/AGENT
Linda R. McConn
ATTORNEY AT LAW
789 S Federal Hwy., Suite 310
Stuart, FL. 34994
Ph. (561) 288-1144

SURVEYOR
George C. Young, Jr.
GCY, INC.
1505 SW Martin Hwy.
Palm City, FL. 34990
Ph. (561) 286-8083

ENGINEER
Patrick J. LaConte, P.E.
LACONTE ENGINEERING, INC.
300 Colorado Avenue, Suite 210
Stuart, Florida 34994
Ph. (561) 220-3835

ENVIRONMENTAL CONSULTANT
Kevin Henderson
EVERGREEN ENGINEERING, INC.
300 Colorado Ave. Suite 206
Stuart, Florida 34994
Ph. (561) 223-1005

COPY OF THIS PERMIT AND PLANS WILL BE ON THE JOB SITE AT ALL TIMES DURING THE CONSTRUCTION OF THIS FACILITY.

GENERAL NOTES

1. A trash receptacle will be located adjacent to the office (see detail).
2. There is an existing 4 inch irrigation well on site, which will be removed as sand mining operations progress (see detail).
3. The office will include restrooms, a septic tank, and a 2 inch potable water well (see detail).
4. All exotic vegetation to be removed from the office site prior to the issuance of a Certificate of Occupancy.
5. The applicant will notify the Growth Management Department for a field inspection by staff to determine if barricades have been properly placed prior to any and clearing.
6. Access restricted to locked gate with sign: "Authorized Personnel Only".

APR 19 2002

APS Environmental Associates, Inc.
P.O. Box 518, Indiantown, FL 34956 (561) 597-3113

APS Environmental Associates

SAND MINING FACILITY
SECTION 30, TOWNSHIP 38 S, RANGE 40 E
MARTIN COUNTY FLORIDA

LACONTE ENGINEERING, INC.
CIVIL ENGINEERING • SITE DESIGN • CONSULTING
300 N. Colorado Ave., Suite 210, Stuart, Florida 34994
(561) 220-3835 • FAX (561) 221-3942

SEAL
PATRICK J. LACONTE, P.E.
FLORIDA REG. NO. 41076
APR 09 2002
DATE

NO.	DATE	REVISION	BY
1	2-25-02	REV. SHEET 1 (OPERATIONAL NOTES, ADD EXC. SCHEDULE)	PJL
2	2-25-02	ADD FIRE SUPPRESSION SYSTEM NOTE	HJB
3	3-27-02	REVISE HOURS OF OPERATION	HJB

RECEIVED
JUN 23 2003

MASTER & FINAL SITE PLAN

SCALE 1" = 200'	DATE OCT. 2001	SHEET NO. 2 OF 6
DRAWN BY PJL	DESIGN BY PJL	
JOB NUMBER 2001-233-01		

GROWTH MANAGEMENT DEPARTMENT

ENGINEERING PLANS AND SPECIFICATIONS
FOR
CREATIVE LAND MANAGEMENT
PHASE 1 DEVELOPMENT
MARTIN COUNTY, FLORIDA

SECTION 30, TOWNSHIP 38 S, RANGE 40 E

LOCATION MAP

No.	Date	Revision	By
1			
2			
3			
4			
5			
6			
7			
8			

SHEET INDEX

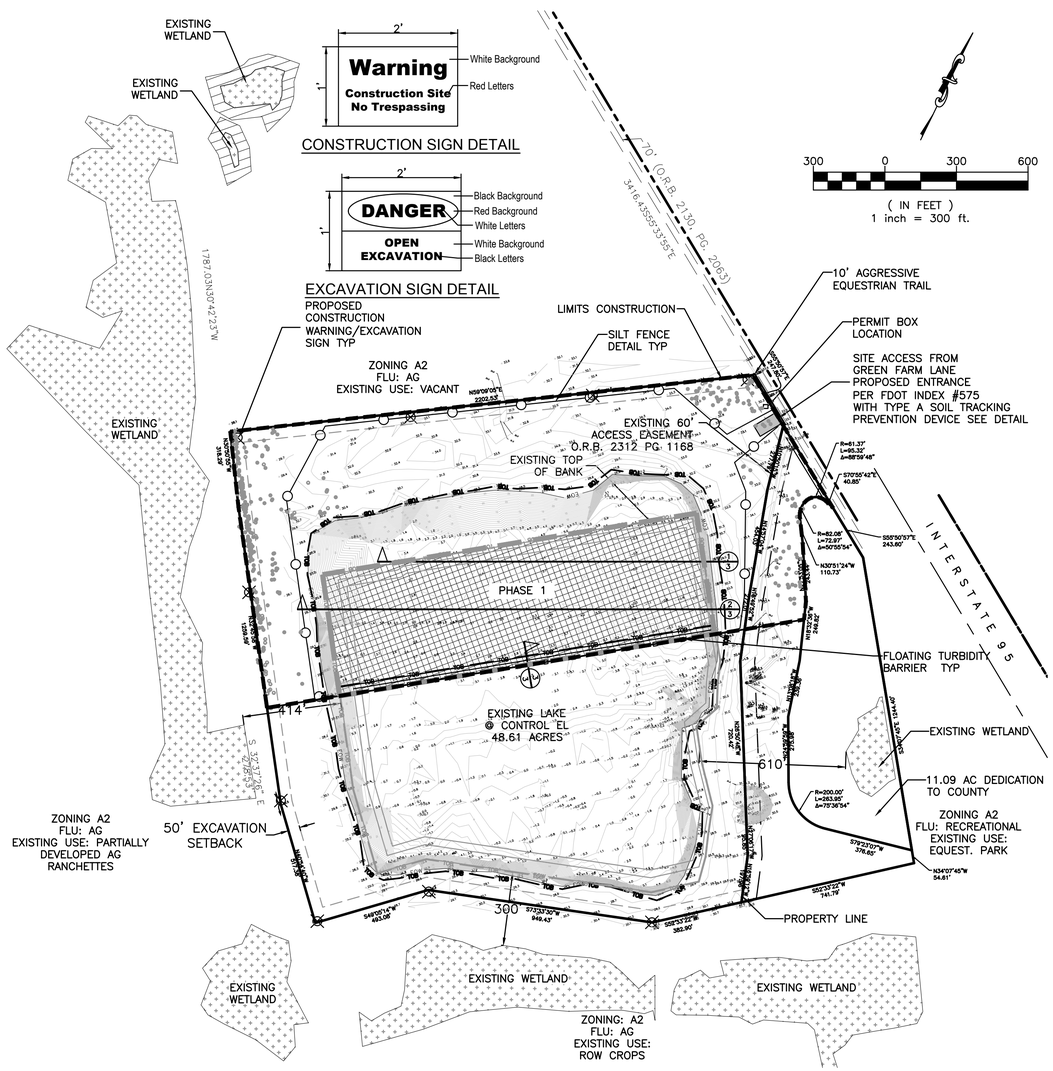
SHEET NUMBER	SHEET TITLE/DESCRIPTION
1	COVER
2	CLEARING, GRADING, AND EROSION CONTROL PLAN
3	SECTIONS

T□□ M□C□r Gr□□□, I□□
CIVIL ENGINEERS
1097□SE F□d□r□H□□□□□
H□□□S□□□d, FL 334□□-00□□
□
□03□A□□r□□□□R□□d S□□□13
V□r□B□□□□, F□329□□
PH: (772)223-88□0
FAX: (772) 223-88□1
W□□: □□□□.□□□□ □□□Fir□□□.□□□
C□r□□□□□□ □□A□□□r□□□□□: 2824

CREATIVE LAND MANAGEMENT
PHASE 1
DEVELOPMENT

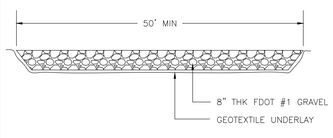
MELISSA G. CORBETT
LICENSE
No. 59392
May 11, 2018
STATE OF FLORIDA
PROFESSIONAL ENGINEER

J:\P08 – Progressive Waste\P0801 – Creative Land Management\DWG\DESIGN\P0801–Phase 1.dwg, PRINTED BY: danw ON Fri, May 11 2018



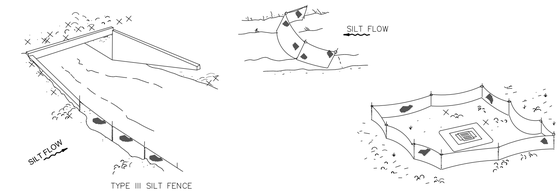
LEGEND

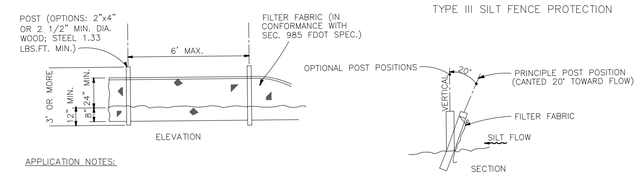
- WETLAND
- FILL PLACEMENT AREA
- CONSTRUCTION WARNING/EXCAVATION SIGN
- SILT FENCE
- LIMITS CONSTRUCTION
- PHASE 1 LIMITS
- FLOATING TURBIDITY BARRIER



CONTRACTOR TO SWEEP CONSTRUCTION ENTRANCE REGULARLY AND REMOVE ALL MIGRATING ROCK FROM EXISTING ROADWAY.

STABILIZED CONSTRUCTION ENTRANCE





APPLICATION NOTES:

1. ALL EROSION AND SEDIMENTATION CONTROL FACILITIES TO BE INSPECTED BY THE CONTRACTOR DAILY AND ANY DAMAGED OR DEFICIENT AREAS TO BE REPAIRED IMMEDIATELY. EROSION AND SEDIMENTATION CONTROL FACILITIES TO REMAIN IN PLACE UNTIL FINAL INSPECTION AND CERTIFICATION OF COMPLETION OF CONSTRUCTION.
2. CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH MARTIN COUNTY MINIMUM DESIGN AND CONSTRUCTION STANDARDS AND F.D.O.T. ROAD AND BRIDGE STANDARDS.
3. ALL CONSTRUCTION BARRICADES AND SILT FENCES WILL REMAIN IN PLACE AND BE MONITORED FOR COMPLIANCE BY THE PERMIT HOLDER DURING THE PERMITTED DEVELOPMENT ACTIVITIES.
4. SOIL STABILIZATION VIA SEEDING SHALL BE COMPLETED WITHIN 30 DAYS OF VEGETATION REMOVAL.
5. FOLLOWING CERTIFICATION OF OCCUPANCY FOR THE DEVELOPMENT, ALL BARRICADE AND EROSION CONTROL DEVICES SHALL BE REMOVED AND DISPOSED OF BY THE CONTRACTOR.
6. IT SHALL BE UNLAWFUL TO ALTER THE APPROVED SLOPES, CONTOURS, OR CROSS SECTIONS OR TO CHEMICALLY, MECHANICALLY, OF MANUALLY REMOVE, DAMAGE, OR DESTROY ANY PLANTS IN THE LITTORAL OR UPLAND TRANSITION ZONE BUFFER AREAS OF CONSTRUCTED LAKES EXCEPT UPON THE WRITTEN APPROVAL OF THE PLANNING AND DEVELOPMENT SERVICES DIRECTOR, AS APPLICABLE. IT IS THE RESPONSIBILITY OF THE OWNER OR PROPERTY OWNERS ASSOCIATION, ITS SUCCESSORS OR ASSIGNS TO MAINTAIN THE REQUIRED SURVIVORSHIP AND COVERAGE OF THE RECLAIMED UPLAND AND PLANTED LITTORAL AND UPLAND TRANSITION AREAS AND TO ENSURE ON-GOING REMOVAL OF PROHIBITED AND INVASIVE NON-NATIVE PLANT SPECIES FROM THESE AREAS. (CODE 4.343.A.13, LDR)

CONTRACTOR NOTES:

1. DO NOT DEPLOY IN A MANNER THAT SILT FENCES WILL ACT AS A DAM ACROSS PERMANENT FLOWING WATERCOURSES. SILT FENCES ARE TO BE USED AT UPLAND LOCATIONS AND TURBIDITY BARRIERS USED AT PERMANENT BODIES OF WATER.
2. THE CONTRACTOR SHALL PROVIDE SILT SCREENS, HAY BALES OR OTHER SUCH SEDIMENT CONTROL MEASURES DURING CONSTRUCTION. THE SELECTED SEDIMENT CONTROL MEASURES SHALL BE INSTALLED LANDWARD OF THE UPLAND BUFFER ZONES AROUND ALL PROTECTED WETLANDS.
3. ALL AREAS SHALL BE STABILIZED AND VEGETATED IMMEDIATELY AFTER CONSTRUCTION TO PREVENT EROSION INTO THE WETLANDS AND UPLAND BUFFER ZONES.
4. ALL BARGES AND/OR IN-WATER EQUIPMENT MUST BE STATIONED WITHIN THE PROPOSED TURBIDITY BARRIER(S) WHILE WORKING.

SILT FENCE

ENVIRONMENTAL CONSERVATION INSTRUCTIONS, AS FOLLOWS

A. "NO CLEARING, INCLUDING THE INSTALLATION OF EROSION CONTROL DEVICES, IS AUTHORIZED UNTIL THE PERMIT FOR THE INSTALLATION OF EROSION CONTROL DEVICES AND PRESERVE AREA BARRICADES HAS BEEN ISSUED."
B. "PROPERTY CORNERS SHALL BE LOCATED BY A LICENSED LAND SURVEYOR AND CLEARLY MARKED 'IN THE FIELD' PRIOR TO THE ENGINEERING DEPARTMENT'S PRE-CONSTRUCTION MEETING FOR SITE DEVELOPMENT."
C. "AUTHORIZATION TO INSTALL EROSION CONTROL DEVICES AND PRESERVE BARRICADES WILL BE GRANTED AT THE PRE-CONSTRUCTION MEETING. THIS AUTHORIZATION SHALL BE POSTED ON THE SITE, IN THE PERMIT BOX, ITS LOCATION SHOWN ELSEWHERE ON THIS PAGE."
D. "NO ADDITIONAL LAND CLEARING SHALL COMMENCE UNTIL A SATISFACTORY INSPECTION OF THE REQUIRED CONTROL STRUCTURES AND BARRICADES HAS BEEN OBTAINED."
E. "A LAND CLEARING PERMIT MAY BE OBTAINED SUBSEQUENT TO THE SATISFACTORY INSPECTION OF THE CONTROL STRUCTURES AND BARRICADES. THIS PERMIT SHALL BE POSTED IN THE PERMIT BOX, ITS LOCATION SHOWN ELSEWHERE ON THIS PAGE."
F. "ALL CONSTRUCTION BARRICADES AND SILT FENCES WILL REMAIN IN PLACE AND BE MONITORED FOR COMPLIANCE BY THE PERMIT HOLDER DURING THE PERMITTED DEVELOPMENT ACTIVITIES."
G. "SOIL STABILIZATION VIA SEEDING SHALL BE COMPLETED WITHIN 30 DAYS OF VEGETATION REMOVAL."
H. "FOLLOWING CERTIFICATION OF OCCUPANCY FOR THE DEVELOPMENT, ALL BARRICADES AND EROSION CONTROL DEVICES SHALL BE REMOVED AND DISPOSED OF BY THE CONTRACTOR."

EROSION CONTROL NOTES:

1. ALL EROSION AND SEDIMENT CONTROLS SHALL MEET NPDES POLLUTION PREVENTION REQUIREMENTS.
2. THE SITE OPERATOR'S NPDES INSPECTION REPORT SHALL BE MAINTAINED ON SITE FOR THE DURATION OF THE CONSTRUCTION FOR USE BY THE APPROVED INSPECTION PERSONNEL TO MONITOR AND DOCUMENT SITE CONDITIONS. THE OWNER SHALL SUPPLY DAILY INSPECTIONS OF THE WORK, ALONG WITH THE CONTRACTOR'S ON SITE SUPERINTENDENT. MARTIN COUNTY, THE ENGINEER OF RECORD, AND ENGINEER'S NPDES CERTIFIED INSPECTOR, WILL PROVIDE PERIODIC INSPECTIONS.
3. ALL EROSION AND SEDIMENTATION CONTROL FACILITIES TO BE INSPECTED BY THE CONTRACTOR DAILY AND ANY DAMAGED OR DEFICIENT AREAS TO BE REPAIRED IMMEDIATELY.
4. EROSION AND SEDIMENTATION CONTROL FACILITIES TO REMAIN IN PLACE UNTIL FINAL INSPECTION AND CERTIFICATION OF COMPLETION OF CONSTRUCTION.
5. FOLLOWING CERTIFICATION OF THE DEVELOPMENT, ALL BARRICADES AND EROSION CONTROL DEVICES SHALL BE REMOVED AND DISPOSED OF BY THE CONTRACTOR.
6. CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH MARTIN COUNTY MINIMUM DESIGN AND CONSTRUCTION STANDARDS AND F.D.O.T. ROAD AND BRIDGE STANDARDS.
7. ALL PRESERVE AREA BARRICADES AND SILT FENCES MUST REMAIN IN PLACE AND BE MONITORED IN COMPLIANCE BY THE PERMIT HOLDER DURING THE PERMITTED DEVELOPMENT ACTIVITIES.
8. CONSTRUCT PRESERVE AREA BARRICADES AND SILT FENCE AT 5' OFFSET FROM PRESERVE BOUNDARIES.
9. ALL UNSTABILIZED AREAS SHALL BE KEPT WET TO PREVENT WIND DRIVEN EROSION DURING REMEDIATION.
10. ALL UNDISTURBED VEGETATED AREAS SHALL BE LEFT IN THEIR NATURAL STATE. ANY UNDISTURBED OR STABILIZED UNVEGETATED AREAS SHALL BE SEEDED TO PREVENT WATER DRIVEN EROSION DURING REMEDIATION.

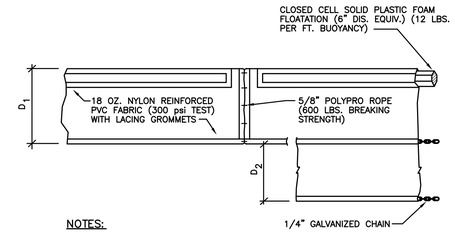
OPERATIONAL SPECIFICATIONS

1. ALL MINING ACTIVITIES SHALL BE IN ACCORDANCE WITH ALL APPLICABLE MARTIN COUNTY STANDARDS AND CONDITIONS FOR EXCAVATION, FILL AND MINING.
2. ALL ACTIVITIES WITHIN THE SITE, INCLUDING, BUT NOT LIMITED TO, DIGGING, LOADING TRUCK, EXCAVATING, DREDGING, ROCK CRUSHING, AND HAULING OF FILL FROM THE SITE SHALL BE CONDUCTED BETWEEN THE HOURS OF 7:00 AM AND 4:00 PM MONDAY THROUGH FRIDAY AND 9:00 AM TO 4:00 PM ON SATURDAY.
3. NO RESIDENTIAL STREETS ARE PROPOSED FOR USE BY THE APPLICANT. THE HAUL ROUTE FOR TRUCKS FROM THE SITE IS BY WAY OF STATE ROAD 714. A MAJOR ARTERIAL ROADWAY.
4. A 2' LAYER OF CLEAN DIRT AND 6" LAYER OF TOP SOIL SHALL BE PLACED OVER FILL MATERIAL IN THE EXPOSED AREAS ABOVE THE CONTROL ELEVATION.
5. WHERE NECESSARY THE EXISTING LAKE SHALL BE FILLED TO A DEPTH OF 7.53 NAVD.
6. THE SITE WILL BE RECEIVING SOURCE SEPARATED MATERIALS FROM DIFFERENT SOURCE GENERATORS. ALL MATERIALS SHALL BE IN ACCORDANCE WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S DEFINITION OF CLEAN DEBRIS, AS STATED IN CHAPTER 62-701.200
   "clean debris" means any solid waste which is virtually inert, which is not a pollution threat to ground water or surface waters, is not a fire hazard, and is likely to retain its physical and chemical structure under expected conditions of disposal or use. the term includes brick, glass, ceramics, and uncontaminated concrete including embedded pipe or steel.

APPROXIMATE EXCAVATION SCHEDULE

ITEM/DESCRIPTION	
DURATION OF PROJECT (PHASE I)	3 YEARS
TOTAL FILL (MATERIAL HAULED TO SITE)	COMPACTED IN PLACE 817,193*

* BASED ON 18.78 ACRE LAKE (PHASE I) WITH AN AVERAGE DEPTH OF 20 FEET WITH A 30% LOSS FOR COMPACTION.



NOTES:

D_1 = 5' STD. (SINGLE PANEL FOR DEPTHS 5' OR LESS).

D_2 = 5' STD. (ADDITIONAL PANEL FOR DEPTHS > 5')

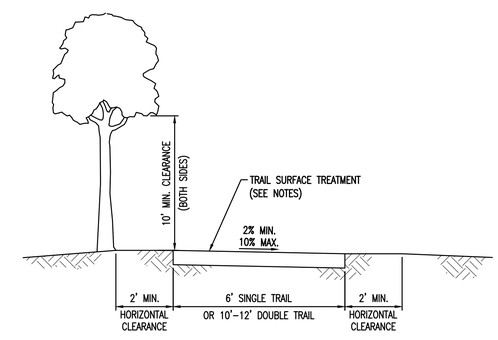
CURTAIN TO REACH BOTTOM UP TO DEPTHS OF 10 FEET. TWO (2) PANELS TO BE USED FOR DEPTHS GREATER THAN 10 FEET UNLESS SPECIAL DEPTH CURTAINS SPECIFICALLY CALLED FOR IN THE PLANS OR AS DETERMINED BY THE ENGINEER.

TYPE I FLOATING TURBIDITY BARRIER

GENERAL NOTES:

1. CONTRACTOR MUST INSTALL TURBIDITY CONTROL DEVICES AND TEMPORARY BARRIERS AT THE LIMITS OF CONSTRUCTION PRIOR TO ANY CONSTRUCTION ACTIVITIES.
2. TEMPORARY BARRIER WILL BE PLACED ALONG ALL WETLAND PRESERVATION BUFFER ZONES PRIOR TO CONSTRUCTION ACTIVITIES.

NOTE:
1. PROPOSED FILL PLACEMENT AREA TO MATCH ORIGINAL EXISTING GRADES AT BEGINNING OF GRADED AREAS SURROUNDING EXISTING LAKE



GENERAL NOTES:

1. ACCEPTABLE SURFACE TREATMENTS FOR EQUESTRIAN TRAILS INCLUDE SEED & MULCH, CRUSHED COQUINA, OR NATURAL EARTH.
2. CLEARANCE FROM VEGETATION & OBSTRUCTIONS SHALL BE 2 FEET ON EACH SIDE OF THE TRAIL.
3. A VERTICAL CLEARANCE OF 10' MINIMUM FROM VEGETATION & OBSTRUCTIONS SHALL BE MAINTAINED.

SPECIFIC TRAILS CRITERIA

1. MILD TRAILS
   A. SURFACES ARE HARD (PAVED OR WOODEN); POTHOLES, ROOT DAMAGES, EROSION, & WASHOUTS ARE REPAIRED ASAP.
   B. THERE IS NO TREE OR SHRUB ENCROACHMENT.
   C. MISSING AND/OR DAMAGED SIGNS ARE REPLACED/REPAIRED ASAP.
   D. LITTER IS COLLECTED DAILY; BROKEN GLASS IS REMOVED ASAP.
2. MEDIUM TRAILS
   A. SURFACES HAVE MINIMAL TRIP FACTORS.
   B. MULCH OR SHELL ROCK IS ADEQUATE.
   C. THERE IS MINIMAL TREE OR SHRUB ENCROACHMENT.
   D. EROSION AND/OR WASHOUTS ARE REPAIRED ASAP.
   E. MISSING AND/OR DAMAGED SIGNS ARE REPLACED/REPAIRED ASAP.
   F. LITTER IS COLLECTED AT LEAST TWICE WEEKLY; BROKEN GLASS IS REMOVED ASAP.
3. AGGRESSIVE TRAILS
   A. SURFACES ARE NATURAL
   B. TREE AND SHRUB ENCROACHMENT ARE LEFT NATURAL.
   C. EROSION IS LEFT NATURAL BUT SHOULD NOT INTERFERE WITH TRAIL UTILIZATION.
   D. MISSING AND/OR DAMAGED SIGNS ARE REPLACED/REPAIRED ASAP.
   E. LITTER IS COLLECTED AT LEAST TWICE MONTHLY; BROKEN GLASS IS REMOVED ASAP.

EQUESTRIAN TRAIL

DETAIL P-0

MICHAEL A. G. CORBETT LICENSE No 51292 STATE OF FLORIDA PROFESSIONAL ENGINEER
May 11 2018

No.	Date:	Revision:	By
1	2-6-18		
2	2-6-18		
3	2-6-18		
4	2-6-18		
5	2-6-18		

Designed: M.G.C.
Drawn: A.T.
Checked: M.G.C.
Approved: M.G.C.
Date: 2-6-18
Project: P0801
File: P0801-Phase 1.dwg

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IT'S THE LAW! 1-800-432-4770
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

TOM MCGRIFF & ASSOCIATES, INC.
2 SOUTH 23rd STREET, FT. PIERCE, FL 34947
P: (772)223-88 OFFICE (772)223-88 1
W: TOMMCGRIFF.COM
C: TOMMCGRIFF@AOL.COM
FIRM #: 2824

CLEARING, GRADING, AND EROSION CONTROL PLAN

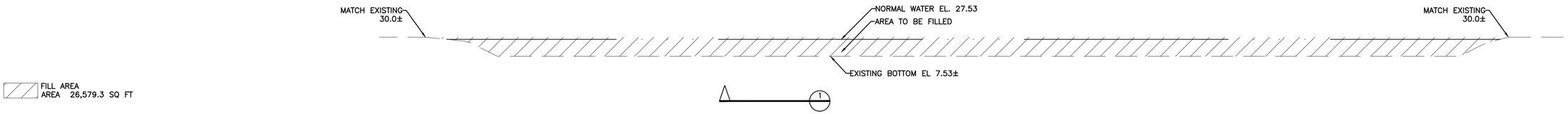
CREATIVE LAND MANAGEMENT PHASE 1 DEVELOPMENT

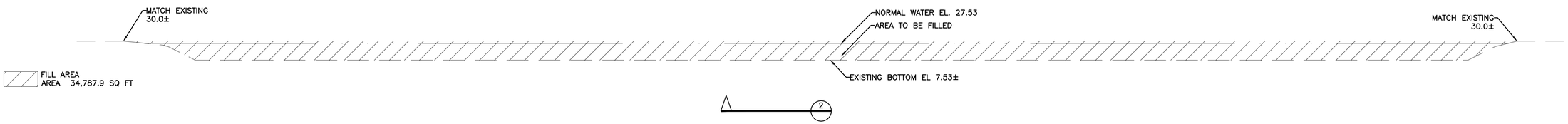
MARTIN COUNTY, FLORIDA

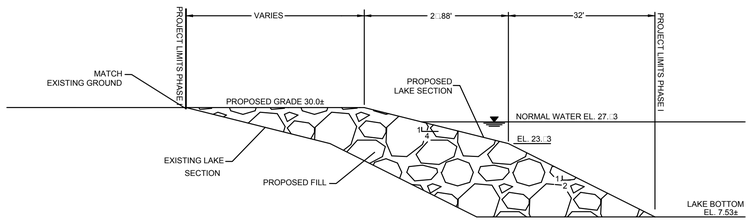
Sheet No.

2

J:\P08 - Progressive Waste\P0801 - Creative Land Management\DWG\DESIGN\P0801-Phase 1.dwg, PRINTED BY: danw ON Fri, May 11 2018

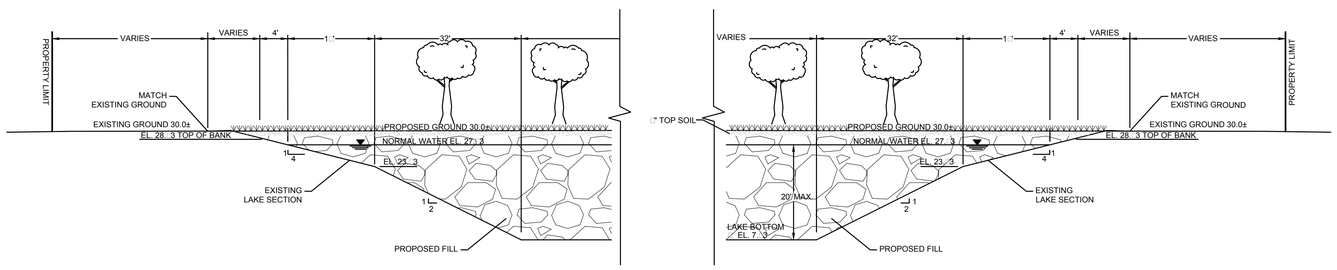






ALL ELEVATIONS ARE REFERENCED TO NAVD 88, ADD 1.4..3' FOR NGVD 29.

CONNECTION TO PHASE 2 3



ULTIMATE SECTION

No.	Date:	Revision:	By
1			
2			
3			
4			
5			
6			

Designed: M.G.C. 2-6-18
Drawn: A.T. 2-6-18
Checked: M.G.C. 2-6-18
Approved: M.G.C. 2-6-18
Date: 2-6-18
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W: C
C r A r: 2824

SECTIONS

CREATIVE LAND MANAGEMENT
PHASE 1 DEVELOPMENT
MARTIN COUNTY, FLORIDA

Sheet No.
3

J:\P08 - Progressive Waste\P0801 - Creative Land Management\DWG\DESIGN\P0801-Phase 1.dwg, PRINTED BY: danw ON Fri, May 11 2018

LEGAL DESCRIPTION

PARCEL 1

A PARCEL OF LAND LYING IN PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT 'A' OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1198, PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 28 OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA: THENCE NORTHWESTERLY FOR THE NEXT THREE COURSES ALONG THE NORTHEASTERLY LINE OF THE PLAT OF DRESSAGE ESTATES AS RECORDED IN PLAT BOOK 16, PAGE 24 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N40°54'40"W A DISTANCE OF 517.38 FEET; THENCE N32°45'58"W A DISTANCE OF 1259.59 FEET; THENCE N30°50'55"W A DISTANCE OF 318.29 FEET; THENCE DEPARTING FROM SAID NORTHEASTERLY BOUNDARY OF THE PLAT OF DRESSAGE ESTATES N59°09'05"E A DISTANCE OF 2202.53 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 89095-2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY LINE OF ACCESS ROAD "A" A DISTANCE OF 247.80 FEET TO THE WEST LINE OF AN 60 FOOT ACCESS EASEMENT; THENCE SOUTHEASTERLY ALONG THE WEST SIDE OF SAID 60 FOOT ACCESS EASEMENT FOR THE NEXT SIX COURSES; THENCE S10°50'15"E A DISTANCE OF 277.79 FEET; THENCE S14°57'04"E A DISTANCE OF 454.03 FEET; THENCE S16°49'52"E A DISTANCE OF 272.01 FEET; THENCE S26°50'48"E A DISTANCE OF 720.42 FEET; THENCE S27°06'17"E A DISTANCE OF 95.85 FEET; THENCE S16°59'12"E A DISTANCE OF 197.96 FEET TO THE NORTHERLY LINE OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67; THENCE WESTERLY ALONG SAID NORTHERLY LINE FOR THE NEXT THREE COURSES; THENCE S52°33'22"W A DISTANCE OF 382.90 FEET; THENCE S73°33'30"W A DISTANCE OF 949.43 FEET; THENCE S49°05'14"W A DISTANCE OF 493.08 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 100.00 ACRES MORE OR LESS.

PARCEL 2

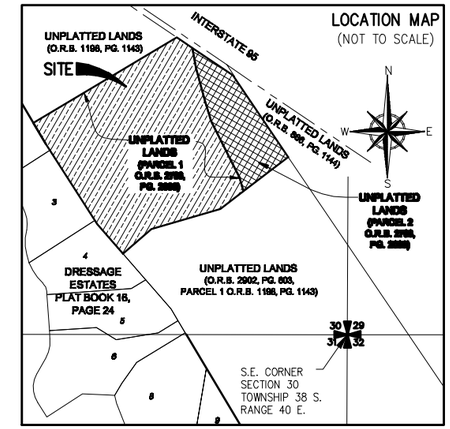
A PARCEL OF LAND BEING A PORTION OF PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT "A" OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1198. PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 27 OF THE PLAT OF "POLO CLUB", AS RECORDED IN PLAT BOOK 16, PAGE 67, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE S52°33'22"W ALONG SAID NORTH LINE OF SAID LOT 27 A DISTANCE OF 741.79 FEET; THENCE N16°59'12"W, A DISTANCE OF 197.96 FEET; THENCE N27°06'17"W, A DISTANCE OF 95.85 FEET; THENCE N26°50'48"W, A DISTANCE OF 720.42 FEET; THENCE N16°49'52"W, A DISTANCE OF 272.01 FEET; THENCE N14°57'04"W, A DISTANCE OF 454.03 FEET; THENCE N10°50'15"W, A DISTANCE OF 277.79 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO 89095-2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 646.60 FEET; THENCE S34°07'45"E, A DISTANCE OF 1299.01 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 21.91 ACRES, MORE OR LESS.

SAID PARCEL BEING SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, DEDICATIONS OR RESTRICTIONS.

SAID PARCELS CONTAINING A TOTAL OF 121.91 ACRES, MORE OR LESS.



SURVEYOR'S NOTES

1. BEARINGS AS SHOWN HEREON ARE BASED ON STATE PLANE COORDINATES, NORTH AMERICAN DATUM OF 1983/1990 (N.A.D. 83/90), FLORIDA EAST ZONE, REFERENCE A BEARING OF N59°09'05"E ALONG THE NORTHWESTERLY LINE OF PARCEL 1, OFFICIAL RECORDS BOOK 2793, PAGE 2036, MARTIN COUNTY, FLORIDA.
2. ELEVATIONS AS SHOWN HEREON REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D. 88), REFERENCE NATIONAL GEODETIC SURVEY (N.G.S.) BENCHMARKS "I95 89 A45", ELEVATION = 31.39' FEET AND "I95 89 A46", ELEVATION = 36.337' FEET. TO CONVERT ELEVATIONS FROM N.A.V.D. 88 TO NATIONAL GEODETIC VERTICAL DATUM 1929 (N.G.V.D 29) ADD 1.46 FEET TO THE N.A.V.D. 88 ELEVATION.
3. ELEVATIONS AS SHOWN HAVE BEEN MEASURED TO AN ESTIMATED VERTICAL POSITIONAL ACCURACY OF 0.10 FEET.
4. THIS PROPERTY IS LOCATED IN FEDERAL FLOOD ZONE X, REFERENCE FEMA MAP COMMUNITY NO. 120161, PANELS 0140 AND 0125, SUFFIX G, EFFECTIVE DATE MARCH 16, 2015.
5. WELL-IDENTIFIED FEATURES IN THIS SURVEY AND MAP HAVE BEEN MEASURED TO AN ESTIMATED HORIZONTAL POSITIONAL ACCURACY OF 0.10 FEET.
6. THIS SURVEY IS BASED ON A CLOSED GEOMETRIC FIGURE EXCEEDING A HORIZONTAL CLOSURE OF 1:10,000.
7. THERE WAS NO ATTEMPT TO LOCATE ANY SUBSURFACE FOUNDATIONS.
8. NO UNDERGROUND UTILITIES WERE LOCATED OR SHOWN HEREON.
9. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE "BOUNDARY SURVEY" AS SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A FIELD SURVEY MADE UNDER MY DIRECTION AND CHARGE ON OCTOBER 6, 2017 THROUGH MAY 4, 2018 AND SAID "BOUNDARY SURVEY" IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT IS FURTHER CERTIFIED THAT THIS "BOUNDARY SURVEY" COMPLIES WITH THE STANDARDS OF PRACTICE FOR "BOUNDARY SURVEY" SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

BETSY LINDSAY, INC.
SURVEYING AND MAPPING

_____
DAVID JOSEPH WICHSER, P.S.M.
FLORIDA REGISTRATION NO. 5565

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

SYMBOL LEGEND

GUY WIRE & ANCHOR

PB WIRING PULL BOX

ABBREVIATIONS

CM	CONCRETE MONUMENT
F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION
FND.	FOUND
IRC	IRON ROD & CAP
LB	LICENSED BUSINESS
NO.	NUMBER
O.R.B.	OFFICIAL RECORDS BOOK
PG.	PAGE
P.L.S.	PROFESSIONAL LAND SURVEYOR
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
PRM	PERMANENT REFERENCE MONUMENT
P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER

BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7997 S.W. JACK JAMES DRIVE STUART, FLORIDA 34997
(772)286-5753 (772)286-5933 FAX
LICENSED BUSINESS NO. 6852

DATE	REVISIONS
05/04/2018	ADD TOPO
05/11/2018	REVISE DRAWING
07/31/2018	REVISE PER COMMENTS
09/21/2018	REVISE DRAWING

DATE 10/06/2017
SCALE AS SHOWN
FIELD BK. MC 42
DRAWN BY D.B.
CHECKED BY D.J.W.

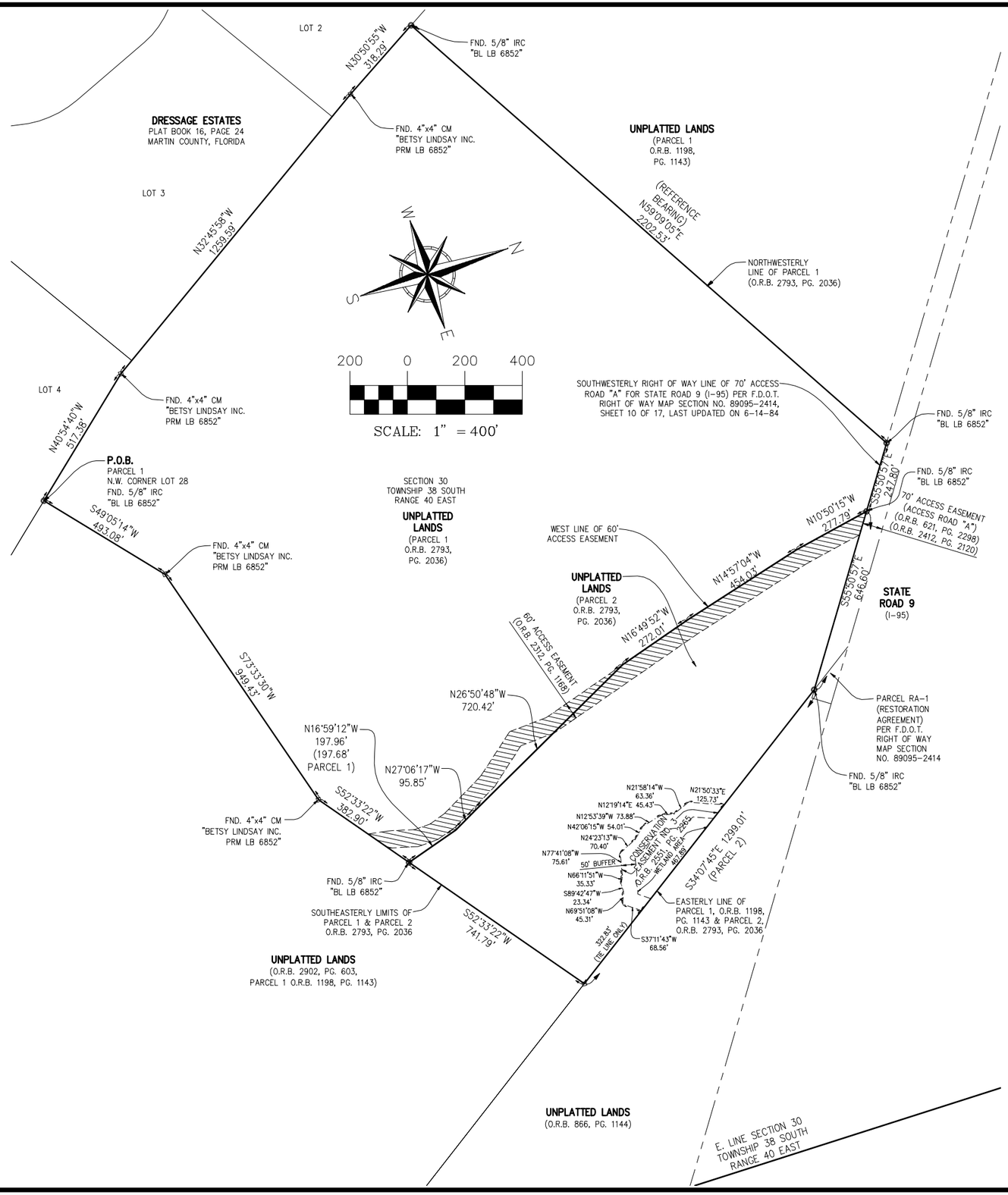
A PORTION OF PARCEL 1 OF O.R.B. 1198, PAGE 1143, SECTION 30, TOWNSHIP 38 S., RANGE 40 E., MARTIN COUNTY, FLORIDA

BOUNDARY SURVEY

CREATIVE LAND MANAGEMENT

SHEET NO. 1
OF 4 SHEETS
PROJECT NO. 08-67B

S:\08 Projects\08-67 APS SANDHINE\PROGRESSIVE WASTE\dwg\BND-OVERALL_LESS11 AC PARCEL.dwg, BND-OVERALL (1), 9/21/2018 9:37:23 AM



SYMBOL LEGEND

GUY WIRE & ANCHOR

PB WIRING PULL BOX

ABBREVIATIONS

CM	CONCRETE MONUMENT
F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION
FND.	FOUND
IRC	IRON ROD & CAP
LB	LICENSED BUSINESS
NO.	NUMBER
O.R.B.	OFFICIAL RECORDS BOOK
PG.	PAGE
P.L.S.	PROFESSIONAL LAND SURVEYOR
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
PRM	PERMANENT REFERENCE MONUMENT
P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER

BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7997 S.W. JACK JAMES DRIVE STUART, FLORIDA 34997
(772)286-5753 (772)286-5933 FAX
LICENSED BUSINESS NO. 6852

DATE	REVISIONS
05/04/2018	ADD TOPO
05/11/2018	REVISE DRAWING
07/31/2018	REVISE PER COMMENTS
09/21/2018	REVISE DRAWING

DATE 10/06/2017
SCALE AS SHOWN
FIELD BK. MC 42
DRAWN BY D.B.
CHECKED BY D.J.W.

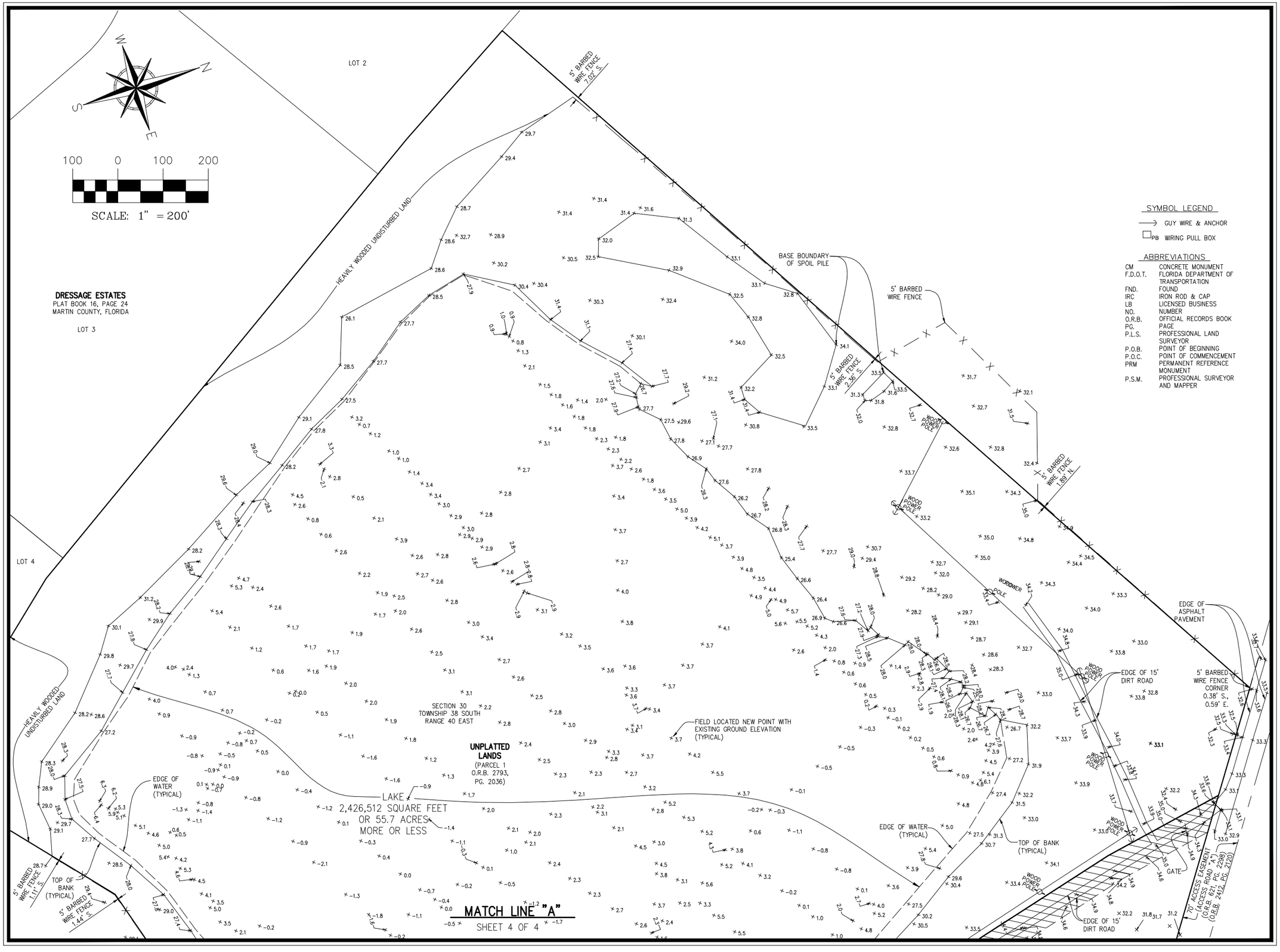
A PORTION OF PARCEL 1 OF O.R.B. 1198, PAGE 1143, SECTION 30, TOWNSHIP 38 S., RANGE 40 E., MARTIN COUNTY, FLORIDA

BOUNDARY SURVEY

CREATIVE LAND MANAGEMENT

SHEET NO. 2
OF 4 SHEETS
PROJECT NO. 08-67B

S:\08 Projects\08-67 AP'S SANDHIVE\PROGRESSIVE WASTE\dwg\BND-OVERALL_LESS11 AC PARCEL.dwg, BND-OVERALL (2), 9/21/2018 8:37:58 AM



SYMBOL LEGEND

GUY WIRE & ANCHOR

PB WIRING PULL BOX

ABBREVIATIONS

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F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION
FND.	FOUND
IRC	IRON ROD & CAP
LB	LICENSED BUSINESS
NO.	NUMBER
O.R.B.	OFFICIAL RECORDS BOOK
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BOUNDARY SURVEY

CREATIVE LAND MANAGEMENT

SHEET NO. 3
OF 4 SHEETS
PROJECT NO. 08-67B

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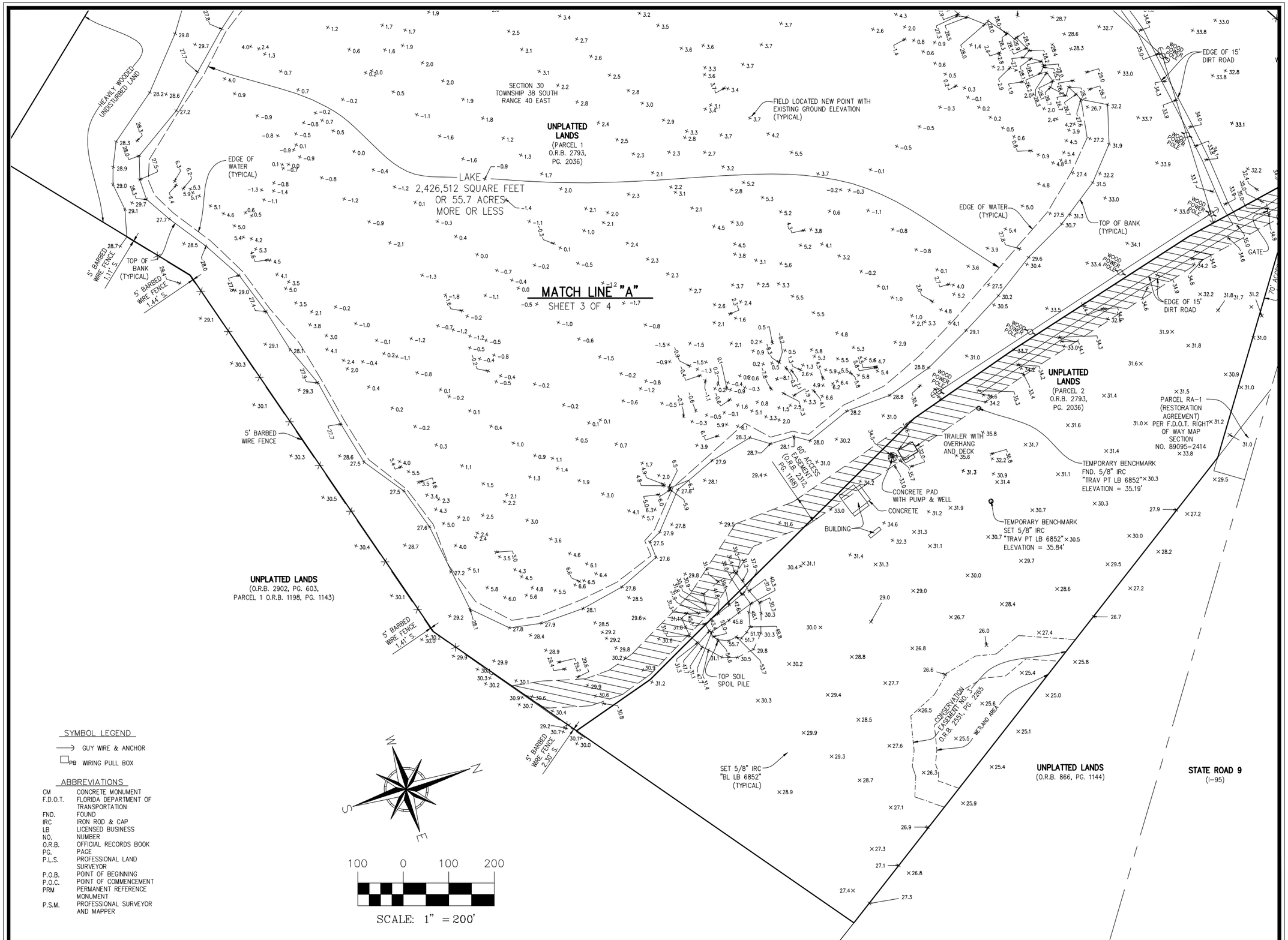

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BOUNDARY SURVEY

CREATIVE LAND MANAGEMENT

SHEET NO. 4
OF 4 SHEETS
PROJECT NO. 08-67B

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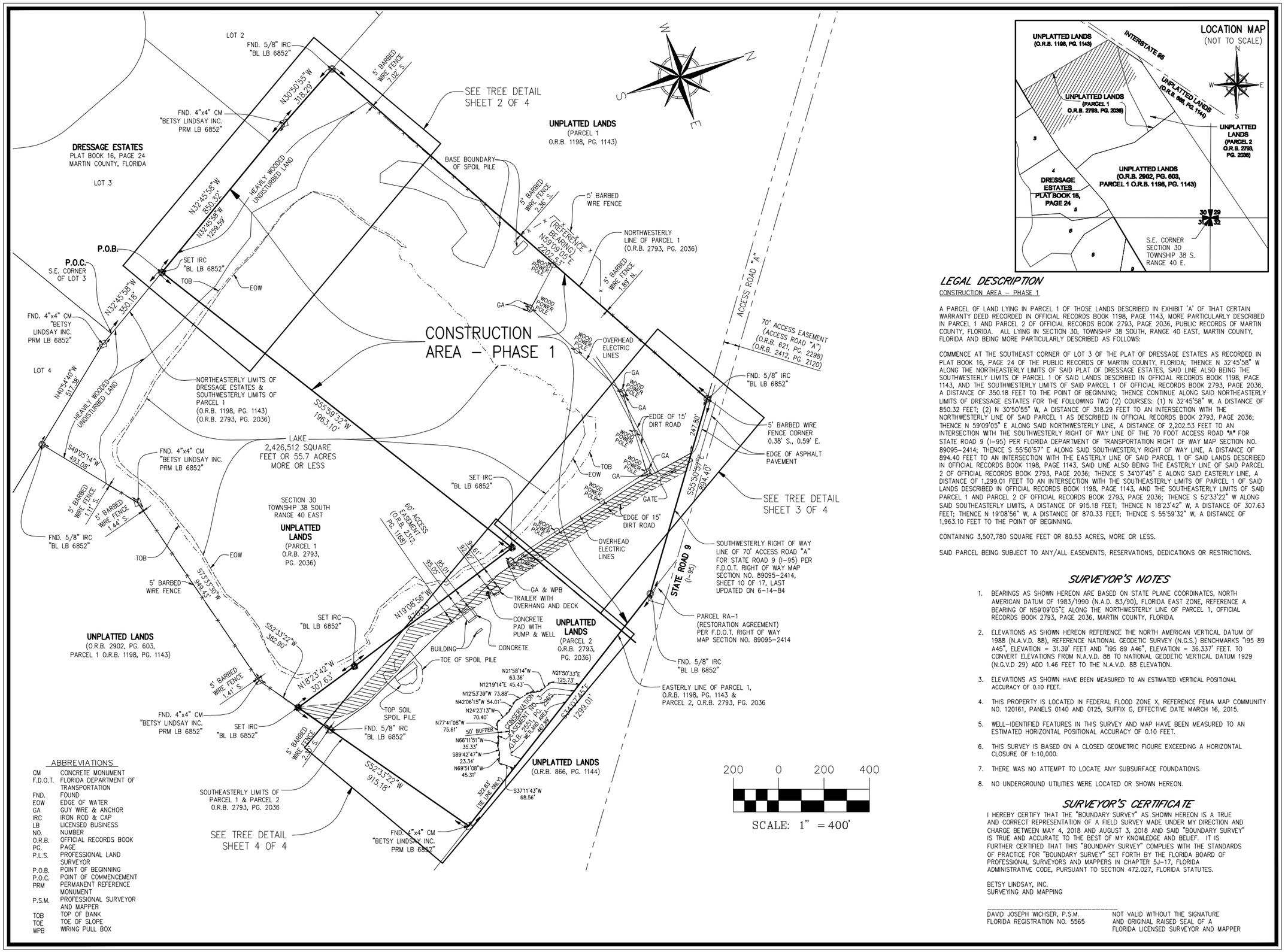

LEGAL DESCRIPTION

CONSTRUCTION AREA – PHASE 1

A PARCEL OF LAND LYING IN PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT 'A' OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1198, PAGE 1143, MORE PARTICULARLY DESCRIBED IN PARCEL 1 AND PARCEL 2 OF OFFICIAL RECORDS BOOK 2793, PAGE 2036, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 3 OF THE PLAT OF DRESSAGE ESTATES AS RECORDED IN PLAT BOOK 16, PAGE 24 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N 32°45'58" W ALONG THE NORTHEASTERLY LIMITS OF SAID PLAT OF DRESSAGE ESTATES, SAID LINE ALSO BEING THE SOUTHWESTERLY LIMITS OF PARCEL 1 OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1198, PAGE 1143, AND THE SOUTHWESTERLY LIMITS OF SAID PARCEL 1 OF OFFICIAL RECORDS BOOK 2793, PAGE 2036, A DISTANCE OF 350.18 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTHEASTERLY LIMITS OF DRESSAGE ESTATES FOR THE FOLLOWING TWO (2) COURSES: (1) N 32°45'58" W, A DISTANCE OF 850.32 FEET; (2) N 30°50'55" W, A DISTANCE OF 318.29 FEET TO AN INTERSECTION WITH THE NORTHWESTERLY LINE OF SAID PARCEL 1 AS DESCRIBED IN OFFICIAL RECORDS BOOK 2793, PAGE 2036; THENCE N 59°09'05" E ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 2,202.53 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE 70 FOOT ACCESS ROAD "A" FOR STATE ROAD 9 (I-95) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 89095-2414; THENCE S 55°50'57" E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 894.40 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF SAID PARCEL 1 OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1198, PAGE 1143, SAID LINE ALSO BEING THE EASTERLY LINE OF SAID PARCEL 2 OF OFFICIAL RECORDS BOOK 2793, PAGE 2036; THENCE S 34°07'45" E ALONG SAID EASTERLY LINE, A DISTANCE OF 1,299.01 FEET TO AN INTERSECTION WITH THE SOUTHEASTERLY LIMITS OF PARCEL 1 OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1198, PAGE 1143, AND THE SOUTHEASTERLY LIMITS OF SAID PARCEL 1 AND PARCEL 2 OF OFFICIAL RECORDS BOOK 2793, PAGE 2036; THENCE S 52°33'22" W ALONG SAID SOUTHEASTERLY LIMITS, A DISTANCE OF 915.18 FEET; THENCE N 18°23'42" W, A DISTANCE OF 307.63 FEET; THENCE N 19°08'56" W, A DISTANCE OF 870.33 FEET; THENCE S 55°59'32" W, A DISTANCE OF 1,963.10 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,507,780 SQUARE FEET OR 80.53 ACRES, MORE OR LESS.

SAID PARCEL BEING SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, DEDICATIONS OR RESTRICTIONS.

SURVEYOR'S NOTES

1. BEARINGS AS SHOWN HEREON ARE BASED ON STATE PLANE COORDINATES, NORTH AMERICAN DATUM OF 1983/1990 (N.A.D. 83/90), FLORIDA EAST ZONE, REFERENCE A BEARING OF N59°09'05"E ALONG THE NORTHWESTERLY LINE OF PARCEL 1, OFFICIAL RECORDS BOOK 2793, PAGE 2036, MARTIN COUNTY, FLORIDA
2. ELEVATIONS AS SHOWN HEREON REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D. 88), REFERENCE NATIONAL GEODETIC SURVEY (N.G.S.) BENCHMARKS "I95 89 A45", ELEVATION = 31.39' FEET AND "I95 89 A46", ELEVATION = 36.337' FEET. TO CONVERT ELEVATIONS FROM N.A.V.D. 88 TO NATIONAL GEODETIC VERTICAL DATUM 1929 (N.G.V.D 29) ADD 1.46 FEET TO THE N.A.V.D. 88 ELEVATION.
3. ELEVATIONS AS SHOWN HAVE BEEN MEASURED TO AN ESTIMATED VERTICAL POSITIONAL ACCURACY OF 0.10 FEET.
4. THIS PROPERTY IS LOCATED IN FEDERAL FLOOD ZONE X, REFERENCE FEMA MAP COMMUNITY NO. 120161, PANELS 0140 AND 0125, SUFFIX G, EFFECTIVE DATE MARCH 16, 2015.
5. WELL-IDENTIFIED FEATURES IN THIS SURVEY AND MAP HAVE BEEN MEASURED TO AN ESTIMATED HORIZONTAL POSITIONAL ACCURACY OF 0.10 FEET.
6. THIS SURVEY IS BASED ON A CLOSED GEOMETRIC FIGURE EXCEEDING A HORIZONTAL CLOSURE OF 1:10,000.
7. THERE WAS NO ATTEMPT TO LOCATE ANY SUBSURFACE FOUNDATIONS.
8. NO UNDERGROUND UTILITIES WERE LOCATED OR SHOWN HEREON.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE "BOUNDARY SURVEY" AS SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A FIELD SURVEY MADE UNDER MY DIRECTION AND CHARGE BETWEEN MAY 4, 2018 AND AUGUST 3, 2018 AND SAID "BOUNDARY SURVEY" IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT IS FURTHER CERTIFIED THAT THIS "BOUNDARY SURVEY" COMPLIES WITH THE STANDARDS OF PRACTICE FOR "BOUNDARY SURVEY" SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

BETSY LINDSAY, INC.
SURVEYING AND MAPPING

_____
DAVID JOSEPH WICHSER, P.S.M.
FLORIDA REGISTRATION NO. 5565

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

ABBREVIATIONS

CM	CONCRETE MONUMENT
F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION
FND.	FOUND
EOW	EDGE OF WATER
GA	GUY WIRE & ANCHOR
IRC	IRON ROD & CAP
LB	LICENSED BUSINESS
NO.	NUMBER
O.R.B.	OFFICIAL RECORDS BOOK
PG.	PAGE
P.L.S.	PROFESSIONAL LAND SURVEYOR
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08/03/2018	ADD TOPO

DATE 05/04/2018
SCALE AS SHOWN
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DRAWN BY N.W.
CHECKED BY D.J.W.

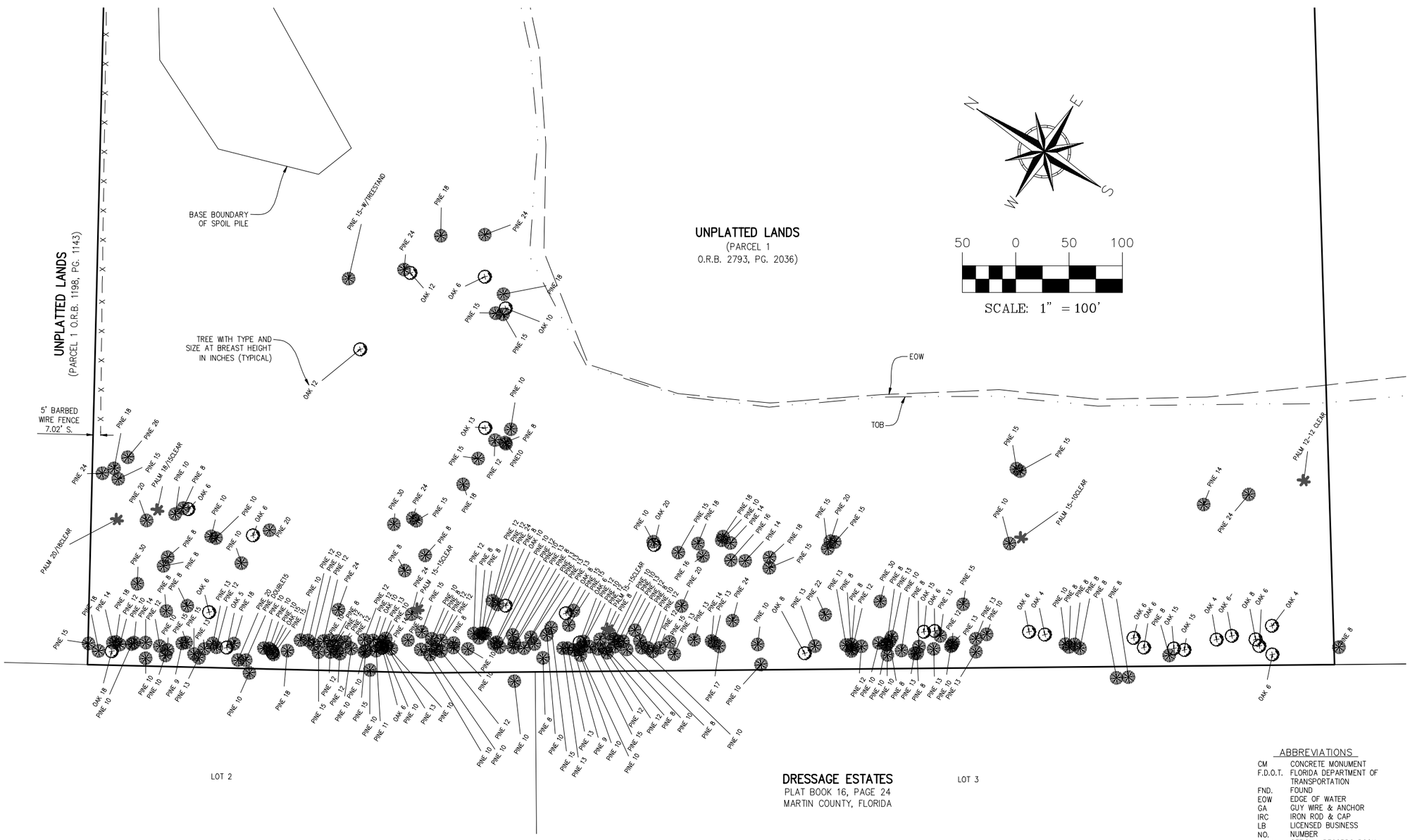
CONSTRUCTION AREA – PHASE 1, BEING A PORTION OF SECTION 30, TOWNSHIP 38 S., RANGE 40 E., MARTIN COUNTY, FLORIDA

BOUNDARY SURVEY

PROGRESSIVE WASTE SOLUTIONS

SHEET NO. 1
OF 4 SHEETS
PROJECT NO. 08-67B

TREE DETAIL SHEET 2



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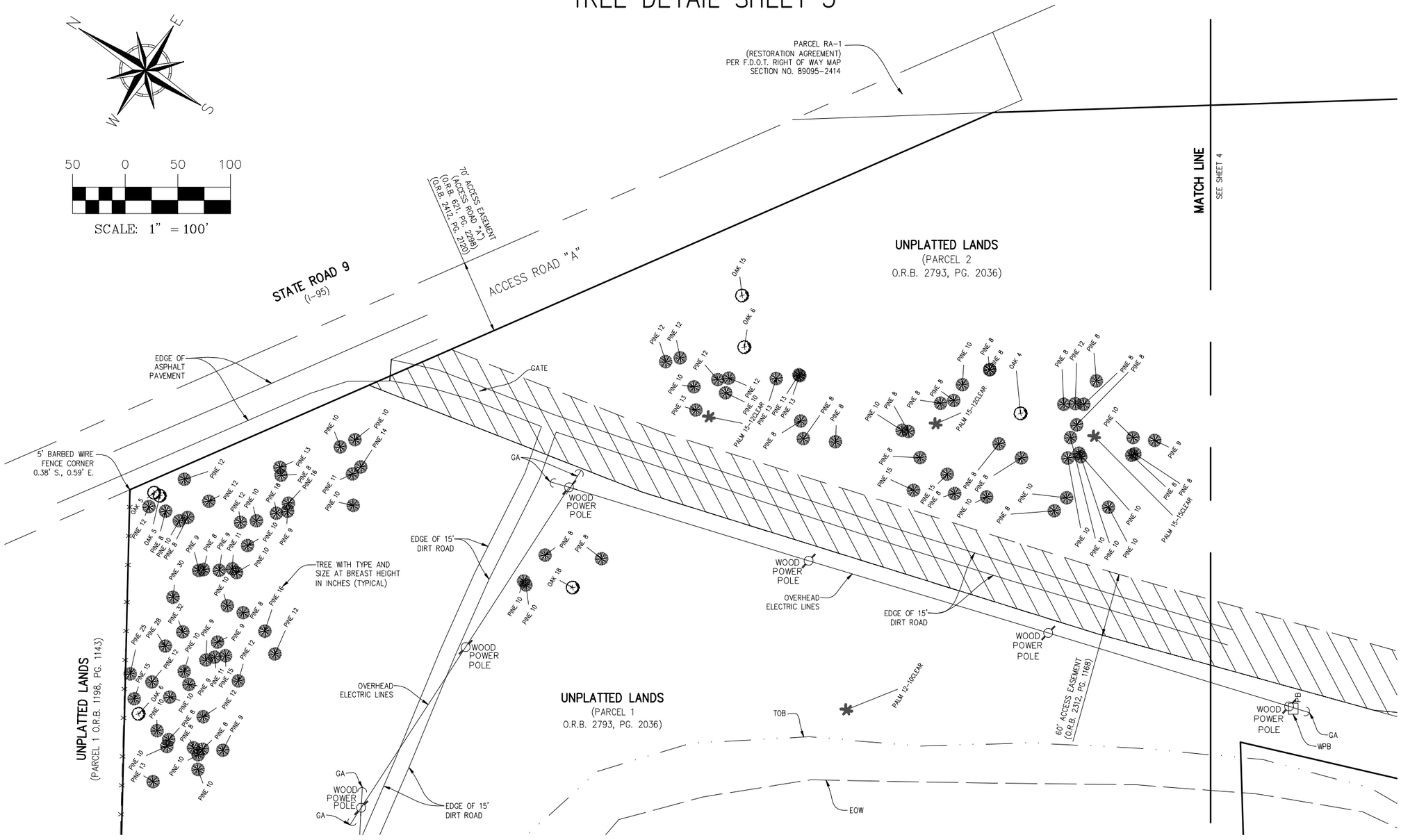
TREE DETAIL SHEET 3



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PROGRESSIVE WASTE SOLUTIONS

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TREE DETAIL SHEET 4

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The MilCor Group Inc.

Engineering a Value-Driven Sustainable Environment

October 4, 2018 Project Number: P0801
Via: Hand Delivery

Catherine Riiska, Principal Planner
Martin County Growth Management
2401 SE Monterey Road
Stuart Fl, 34996

Subject: Creative Land Management Development – MC #A040-015
Revised Major Master & Phase 1 Final Site Plan – Response to Staff Report

Dear Ms. Riiska,

We are in receipt of the staff report dated July 18, 2018 and respectfully offer the following in response:

A-E: Acknowledged.

F. Determination of compliance with Comprehensive Growth Management Plan requirements - Growth Management Department

Unresolved Issues:

Item #1:
This application cannot be deemed to be in compliance with the Martin County Comprehensive Growth Management Plan (CGMP) until the issues identified in this report have been satisfactorily resolved. MARTIN COUNTY, FLA., CGMP POLICY 4.1A.1. (2016)
Response: Acknowledged

G. Determination of compliance with land use, site design standards, zoning, and procedural requirements - Growth Management Department

Unresolved Issues:

Item #1:
Legal Description
A legal description of the property that is the subject of this application must be provided. [Section 10.2.B, LDR]

Remedy/Suggestion/Clarification:
The PDF electronic copies of the legal descriptions provided for the Revised Master Site Plan (Exhibit A1) and the Phase 1 Final Site Plan (Exhibit A2) contain conversion artifacts affecting legibility. Please submit legible legal descriptions.
Response: We apologize that the PDF was not legible. We have provided a new Exhibit A1 and A2 in hard copy and PDF.

Item #2:
Project Narrative
Please provide a more detailed project narrative that explains the proposed phasing and operations on the site. The current narrative describes the general site and proposed land dedication and unity of title changes but does not contain an explanation of the proposed development activities or phasing. Staff cannot verify that the proposed activities are

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Web
www.themilcorgroup.com

consistent with the required timetable for completion of construction in conformance with the land development regulations and existing site conditions.

Please include a discussion of the proposed operational parameters and how they relate to the physical requirements of the site, including the fill volumes required by the existing site conditions and how they are proposed to be met within the project timetable considering the constraints of the code required operational hours and the proposed maximum truck sizes.
Response: Please see attached more detailed Project Narrative.

Item #3:
BOUNDARY & TOPOGRAPHIC SURVEYS
Provide recent boundary and topographic surveys of all properties that are the subject of this application. [Section 10.2.B, LDR]

Remedy/Suggestion/Clarification:
Please submit revised surveys for the overall project site (Revised Master Site Plan) and for the Phase 1 area as follows:

1. Overall survey (Revised Master Site Plan):
   a. Please revise the legal description to include the 11.09 acre parcel that is currently included in the project area and application.
   b. Please include the field work date, which is required to be within 180 days of the application.
   c. Please include a certified total site area in square feet and acres.
   d. Please include a certified area for the lake in square feet and acres.
   e. Please explain or remove the label 'Progressive waste parcel' currently shown on the preserve tract.

Response: See attached revised overall survey.

2. Phase 1 survey
   a. Please show the limits of the lake proposed to be filled consistent with the overall survey.
   b. Please include the field work date, which is required to be within 180 days of the application.
   c. Please explain or remove the label 'Progressive waste parcel' currently shown on the preserve tract.

Response: See attached revised Phase 1 survey.

Item #4:
Revised Master Site Plan
A complete site plan is required as part of the application. MARTIN COUNTY, FLA., LDR SECTION 10.2.B. (2016)

Remedy/Suggestion/Clarification:
1. The digital PDF file of the revised master site plan contains conversion artifacts affecting legibility. Please submit a legible electronic copy.
   Response: Again, we apologize that the PDF was not legible; please refer to attached CD.

2. Please revise the graphics to show the following:
   a. Please revise the cross-hatched 'fill placement area' to accurately depict the entire area proposed for fill and any areas proposed to remain as a waterbody. The current graphics do not appear to reflect the existing or proposed conditions of the site and are inconsistent with the edge of water and top of bank areas shown on the survey.
      Response: The fill placement area has been revised to reflect the existing conditions.
   b. Please revise the access easement depiction, which appears to be inconsistent with that shown on the survey.
      Response: The easement has been revised to match the survey data.
   c. Please show and label the existing feature that is shown on the topographic survey in the southeast area near the access easement, certified to be at elevations of up to 20 feet higher that the surrounding grade.
      Response: The stockpile area shown on the topographic survey has been added to the site plan.
   d. Please revise the plan to show all existing and proposed development of the site, consistent with the provided survey. Please also specify which, if any, improvements are proposed to be temporary and when they are proposed to be removed. Include all major elements within the appropriate pervious and impervious area tables. The plan should include all applicable existing and proposed elements on the site, including but not limited to the following which have not been shown:
      i. All existing and/or proposed structures.
         Response: The existing structures are shown and labeled according to use. There are no proposed structures.
      ii. All existing and/or proposed internal stabilized roads and whether they are proposed to remain or be removed at project completion.
         Response: There are no true roads; existing or proposed. There are paths that have been driven on for years as trucks have come and gone from the site for years, but they were never intended as roads. These are visible on current aerials, and have been labeled and accounted for in the land use table as impervious as Grass Access Road. While they are not truly impervious, this makes our calculations more conservative.
      iii. Proposed equestrian trail.
         Response: The proposed equestrian trail was labeled and remains as such. The linework has been make heavier such that it is more visible.
      iv. All existing and/or proposed stockpile, staging or processing areas.
         Response: Current and potential future staging and processing areas have been shown. The existing stockpile areas have been shown. An interim use area has been added.
      v. All existing or proposed wells.
         Response: The existing well has been added.
      vi. Existing upland preserve areas (currently only the wetland preserve is labeled).
         Response: The upland preserve has been labeled.
      vii. Existing and/or proposed equipment refueling and maintenance areas. If proposed to change for each phase, please add a note to that effect and that they will be designated for each phase on the final site plan for each phase.
         Response: The equipment area is labeled, and will remain in the same area for the duration of the project. There are currently no refueling facilities. However, a location has been shown for future refueling use in case it is needed.

e. Please dimension the setbacks from property boundaries to existing or proposed structures and from areas proposed for excavation or fill pursuant to Sections 3.412. and 4.343.A.3., LDR, Martin County, Fla. (2018).
Response: The structure setbacks are now shown on the Master Site Plan, and the excavation setback now run all the way around the parcel, on the interior of the land dedication, as discussed at the staff workshop.

3. Please remove the legal description from the plan, which will be included as a separate exhibit in the development order.
Response: The legal has been removed.

4. Please revise the existing and proposed uses to reflect the existing use of mining and the proposed use upon completion of the proposed development.
Response: The existing use now reflects Mining and the proposed use reflects Improved Pasture.

5. Please revise the current and buildout data tables to reflect the fact that the approximately 11 acres containing the preserve area is part of the current conditions. Include all data associated with those elements noted in comment 2.d. above to demonstrate compliance with the zoning development standards and land development regulations.
Response: The tables have been updated to include the dedication as part of the property in current conditions, and buildout has been broken up by on-site and dedication, per staff workshop discussion.

6. Please revise Note 2 under 'Operational Specifications' to include hauling of fill "from or to the site" since this application only proposes to import materials.
Response: The note now reflects hauling TO as we are not requesting hauling FROM.

7. Please revise Note 3 under 'Operational Specifications' for accuracy, as SW Green Farms Lane to be utilized by the hauling vehicles is classified as a residential roadway.
Response: Note 3 has been revised.

8. Please revise the labels that show fill placement at 51.08 acres and existing lake at 48.61 acres for accuracy or provide a more detailed narrative to explain why fill is occurring to over 2 acres more than the existing lake. Additionally, please verify the actual limits of fill, since the current graphic does not appear to depict the actual limits of the existing lake and a review of aerials indicate that there are approximately over 53 acres of open water existing on site.
Response: The difference between the two are 48.61 acres at the control elevation (water level) of 27.5 vs. 51.08 acres at the top of bank elevation of 30.0, as the labeled state. We again acknowledge that the limits of filling does not match the current water boundary of the lake. Please note that the lake area and limits of filling have been revised to reflect the present state of the project rather than at completion of the Stipulation. The revised acreage at water level is 58.40 acres and at top of bank 59.61 acres.

9. Please show all required landscape buffer areas. (See Landscaping, Section J of this report)
Response: The landscape buffers have been added.

10. Please explain what processing activities are proposed to occur on-site, what impacts to adjacent land uses may be anticipated, and what measures are proposed to buffer adjacent land uses pursuant to Section 3.80., LDR, Martin County, Fla. (2016).
    Response: There is no processing or sorting; however, a location has been added to the plans for interim use for any potential stockpile that the client MAY use in the future. There are no anticipated impacts due to the size of the site and location of the interim use area so far from surrounding lots. The location of said interim use is adjacent to Green Farm Road and I-95. Currently, materials are delivered to the site via box truck or dump truck, and placed at the edge of water, then pushed into place.

11. Please show the designated off-street parking areas proposed for the employees anticipated to be performing the processing and filling operations on-site.
    Response: Employee parking is shown. Please note: it is stabilized parking only, as has been the situation for years. No construction is proposed. Also, there is no public access so no accessible parking or route is proposed.

Item #5:
Phasing Plan
The application indicates a phasing of the project is sought. Provide a schedule of the phases that is consistent with the deadline requirement to complete the project. [Sections 10.2.B, 10.11.C, and 10.11.D; Section 5.7.4.d.(1), LDR]

Remedy/Suggestion/Clarification:

1. The digital PDF file of the phasing plan contains conversion artifacts affecting legibility. Please submit a legible electronic copy.
   Response: Again, we apologize that the PDF was not legible; please refer to attached CD.

2. Please revise the graphics to show all elements consistent with the revised master site plan as requested in Item # 1 above.
   Response: The data revised per Item #3 on the Master Site Plan has been carried through to the Phasing Plan.

3. The phasing plan appears to only delineate the area proposed for fill and is inconsistent with the construction area and existing and proposed site improvements. Please adjust the phasing lines to demonstrate what areas will be used to support the phased activities consistent with the existing and proposed site conditions for each phase, and for consistency with the surveys.
   Response: The phasing plan has been revised to reflect encompassing the entire site, as discussed at the workshop, Phase 1 includes the buildings and maintenance area where it shall remain for the duration of the project.

Item #6:
Phase 1 Final Site Plan
A complete site plan is required as part of the application. MARTIN COUNTY, FLA., LDR SECTION 10.2.B. (2016)

Remedy/Suggestion/Clarification:

1. The digital PDF file of the revised master site plan contains conversion artifacts affecting legibility. Please submit a legible electronic copy.

Response: Again, we apologize that the PDF was not legible; please refer to attached CD.

2. Please revise the graphics to show the following:
   a. Please revise the Phase 1 boundary line to be consistent with the Phase 1 limits of construction and the proposed revised master and phasing plans and surveys.
      Response: Revised.
   b. Please revise the cross-hatched 'fill placement area' to accurately depict the entire area proposed for fill and any areas proposed to remain as a waterbody. The current graphics do not appear to reflect the existing or proposed conditions of the site and are inconsistent with the edge of water and top of bank areas shown on the survey.
      Response: The fill placement area has been revised to reflect the existing waterbody site rather than the waterbody remaining at completion of the Stipulation. The depicted water body has been revised to match the survey.
   c. Please show all existing and proposed easements.
      Response: Easements have been shown.
   d. Please revise the plan to show all existing and proposed development of the site, consistent with the provided survey. Please also specify which, if any, improvements are proposed to be temporary and when they are proposed to be removed. Include all major elements within the appropriate pervious, impervious, and structure development standards in the data table. The plan should include all applicable existing and proposed elements on the site, including but not limited to the following which have not been shown:
      i. All existing and/or proposed structures.
         Response: The existing structures are shown and labeled according to use. There are no proposed structures.
      ii. All existing and/or proposed internal stabilized roads and whether they are proposed to remain or be removed at project completion.
         Response: There are no true roads; existing or proposed. There are paths that have been driven on for years as trucks have come and gone from the site for years, but they were never intended as roads. These are visible on current aerials, and have been labeled and accounted for in the land use table as impervious as Grassed Roads. While they are not truly impervious, this makes our calculations more conservative.
      iii. Proposed equestrian trail.
         Response: The proposed equestrian trail was labeled and remains as such. The linework has been make heavier such that it is more visible.
      iv. All existing and/or proposed stockpile, staging or processing areas.
         Response: Current and potential future staging and processing areas have been shown. The existing stockpile areas have been shown. An interim use area has been added.
      v. All existing or proposed wells.
         Response: The existing well has been added.
      vi. Existing upland preserve areas (currently only the wetland preserve is labeled).
         Response: The upland preserve has been labeled.
      vii. Existing and/or proposed equipment refueling and maintenance areas. If proposed to change for each phase, please add a note to that effect and that they will be designated for each phase on the final site plan for each phase.

Response: The equipment area is labeled, and will remain in the same area for the duration of the project. There are currently no refueling facilities. However, a location has been shown for future use in case it is needed.

e. Please dimension the setbacks from property boundaries to existing or proposed structures and from areas proposed for excavation or fill pursuant to Sections 3.412. and 4.343.A.3., LDR, Martin County, Fla. (2018).
Response: The structure setbacks are now shown, and the excavation setback now run all the way around the parcel, on the interior of the land dedication, as discussed at the staff workshop.

3. Please remove the legal descriptions from the plan, which will be included as a separate exhibit in the development order.
Response: The legal has been removed.

4. Please revise the existing and proposed uses to reflect the existing use of mining and the proposed use upon completion of the proposed development.
Response: The existing use is now Mining and the proposed is Improved Pasture.

5. Please revise the data tables as follows:
   a. Remove the 'Buildout' data table which is applicable to the master site plan and not the Phase 1 Final Site Plan.
   Response: The build-out table has been removed.
   b. Provide all areal data only for the limits of Phase 1, instead of the entire site.
   Response: Per the staff workshop, we were requested to extend the boundaries of Phase 1, rather than minimize them. We have included an area of no impact within Phase 1 wherein no clearing / tree removal shall occur.
   c. Provide complete data tables to demonstrate compliance with the zoning development standards, consistent with Comments numbered 2 and 3 above.
   Response: Acknowledged. The data table has been updated.

6. Please revise Note 2 under 'Operational Specifications' to include hauling of fill "from or to the site" since this application only proposes to import materials.
Response: The note now reflects hauling TO as we are not requesting hauling FROM.

7. Please revise Note 3 under 'Operational Specifications' for accuracy, as SW Green Farms Lane to be utilized by the hauling vehicles is classified as a residential roadway.
Response: Note 3 has been revised.

8. Please revise the labels that show fill placement at 51.08 acres and existing lake at 48.61 acres for accuracy or provide a more detailed narrative to explain why fill is occurring to over 2 acres more than the existing lake. Additionally, please verify the actual limits of fill, since the current graphic does not appear to depict the actual limits of the existing lake and a review of aerials indicate that there are approximately over 53 acres of open water existing on site.
Response: The difference between the two are 48.61 acres at the control elevation (water level) of 27.5 vs. 51.08 acres at the top of bank elevation of 30.0, as the labeled state. We again acknowledge that the limits of filling does not match the current water boundary of the lake. Please note that the lake area and limits of filling have been revised to reflect the present state of the project rather than at completion of the

Stipulation. The revised acreage at water level is 58.40 acres and at top of bank 59.61 acres.

9. Please show all required landscape buffer areas. (See Landscaping, Section J of this report)
   Response: The landscape buffers have been added.

10. Please explain what processing activities are proposed to occur on-site, what impacts to adjacent land uses may be anticipated, and what measures are proposed to buffer adjacent land uses pursuant to Section 3.80., LDR, Martin County, Fla. (2016).
    Response: There is no processing or sorting; however, a location has been added to the plans for interim use for any potential stockpile that the client MAY use in the future. There are no anticipated impacts due to the size of the site and location of the interim use area so far from surrounding lots. The location of said interim use is adjacent to Green Farm Road and I-95. Currently, materials are delivered to the site via box truck or dump truck, and placed at the edge of water, then pushed into place.

11. Please show the designated off-street parking areas proposed for the employees anticipated to be performing the processing and filling operations on-site.
    Response: Employee parking is shown. Please note: it is stabilized parking only, as has been the situation for years. No construction is proposed. Also, there is no public access so no accessible parking or route is proposed.

Item #7:
Other Agency Permits
The applicant has chosen Option 1 for submittal of other agency permits for consistency review. Pursuant to Section 62-701.720 (15), Clean debris may be used as fill or raw material in any area, including waters of the State, subject to receipt of an environmental resource permit from the Department where applicable. Please submit the FDEP authorization and other agency authorizations as identified in Section V of this report.
Response: Acknowledged; the only permit required is an FDEP ERP and it is forthcoming.

Item #8:
Financial Disclosure
Please submit a revised disclosure affidavit with a legal description that includes the entire property that is the subject of this application. The only legal description that should omit any area proposed for dedication is the one required to be submitted for use as Exhibit A to the final development order, which must be consistent with any final dedication approved for acceptance by the County.
Response: Acknowledged; the affidavit is attached with a revised legal description.

Additional Information:
Information #1:
The development order shall be conditioned as follows:

1. An annual progress report shall be submitted to the PDS within 30 days of the anniversary date of the permit for all mining permits that have a duration of more than one year. The report shall be prepared by a Florida registered engineer, shall demonstrate that the permit criteria have been met to date and that the project is in compliance with all other applicable

permits. The annual progress report shall include record ("as-built") drawings of all work done to the date of the report. MARTIN COUNTY, FLA., LDR SECTION 4.349. (2001).
Response: Acknowledged

2. A three-year performance bond/security is required to ensure that restoration of the excavation and/or fill or mining site shall be completed, including items such as, but not limited to, general clean-up, grading, and revegetation of the lake banks, littoral zones and upland transition zone. The amount of the security shall be approved by the County Engineer, and shall be based on 110 percent of a cost estimate prepared by a Florida registered engineer for the general clean-up, grading, and site restoration including the required littoral zone and upland plantings by an environmental professional. MARTIN COUNTY, FLA., LDR SECTION 4.350. (2001).
Response: Acknowledged

3. Within 30 days of the completion of the excavation and/or filling or mining, a Florida registered professional engineer, a Florida registered professional surveyor and mapper, or a Florida registered professional landscape architect shall certify that the excavation was constructed in substantial conformance with the plans and specifications approved by the county. A certification statement must also appear on the certification report. MARTIN COUNTY, FLA., LDR SECTION 4.351. (2001) .
Response: Acknowledged

4. All disturbed mining/excavation areas shall be reclaimed, and reclamation shall begin immediately following excavation or each phase of excavation, whichever occurs first. All disturbed and reclaimed areas shall be planted or seeded with a permanent native ground cover to reduce the loss of topsoil due to water and wind erosion, to prevent the establishment of prohibited plant species and to provide adequate growing conditions for reclamation planting requirements. MARTIN COUNTY, FLA., LDR SECTION 4.348.C. (2001).
Response: Acknowledged

5. A hauling operation report and payment of associated hauling fees shall be submitted quarterly to the County Public Works department. MARTIN COUNTY, FLA., LDR SECTION 4.343.C. (2001) See also Section M, Public Works.
Response: Acknowledged that a hauling report is required. However, it should be noted that all materials are being hauled to this site, nothing is leaving the site. It is our understanding that hauling fees are based on materials leaving a site.

6. The owner shall submit a statement, sealed by a qualified professional engineer licensed in the State of Florida, that an inspection has been completed and that the wireless telecommunications tower has not been structurally compromised every 5 years, or within 90 days following a catastrophic act of nature or other emergency that may affect the structural integrity of the tower. Based upon the last permit issuance in 2013, the next certification of structural integrity shall be submitted by the owner in 2018. MARTIN COUNTY, FLA. LDR SECTION 4.802. (2005)
Response: The wireless telecommunications tower is not located on this site; therefore, this requirement is not applicable.

Information #2:
No land clearing is authorized prior to the mandatory pre-construction meeting for the project. Property corners and preservation areas shall be located by a licensed land surveyor and clearly marked in the field prior to the pre-construction meeting. Authorization for clearing to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained. Authorization for the relocation of gopher tortoises within the development, as provided for on state agency permits, may be granted by the Growth Management Department upon review of required permit materials. MARTIN COUNTY, FLA., LDR SECTION 4.3.7. (2016)
Acknowledged; however, it should be noted that the property owner is currently working in the northern portion of the site in accordance with the current Stipulation.

H. Determination of compliance with the urban design and community redevelopment requirements – Community Development Department

Commercial Design

The proposed project is not located within the General Commercial, Limited Commercial, Commercial Office/Residential or Waterfront Commercial Future Land Use Designations. Therefore, the Commercial Design reviewer was not required to review this application. MARTIN COUNTY, FLA., SECTION 4.871.B. (2016)
Response: Agree

Community Redevelopment Area

The proposed project is not located within a Community Redevelopment Area. Therefore, the Community Redevelopment Area reviewer was not required to review this application. MARTIN COUNTY, FLA., LDR ARTICLE 3, DIVISION 6 (2016)
Response: Agree

I. Determination of compliance with the property management requirements – Public Works Department

Unresolved Issues:
Item #1:
Title Commitment
The Applicant has provided a Title Commitment for the property to be conveyed to Martin County. However, the following issues need to be resolved:

The amount of the insurance should be $31,000.00
Response: This item is complete. Please refer to updated Title Commitment Report.

The legal description needs to be corrected as indicated under Survey and Sketch and Legal below and should be provided to the Title Company to update the commitment.
Response: This item is complete. Please refer to updated Title Commitment Report.

<u>Schedule B- I</u>
Please Note: Along with Partial Releases of Mortgage as listed in Schedule B-I #7 and #8, the Applicant is required to obtain a Partial Release of the Stipulation and Agreed Final Order with Martin County recorded in OR Book 2896, Page 2800 and Compliance with Paragraph 5 of the Waiver and Deferred Payment Agreement with Imposition of Lien recorded in OR

Book 2899, Page 775. Please work with the Martin County Attorney's Office to obtain the required documents.

Response: The satisfaction of mortgage in B-I #7 has been recorded, therefore that requirement has been deleted. As to B-I # 8, the partial release of mortgage from Paradise Bank will be done at time of actual transfer. We will work with Martin County Attorney's office re the partial release of the Stipulation and Agreed Final Order in B-I # 9. The applicant will pay the necessary fee to Southern States Land and Timber at the time of transfer per the Agreement shown in B-I #10.

Schedule B-II

#6 Southern States Land & Timber Corporation - A Release will be needed for the Waiver and Deferred Payment Agreement (with Imposition of Lien) recorded in Official Records Book 2899, Page 775.

Response: As explained at the staff meeting, this cannot be released completely. The way this works is that a Waiver and Deferred Payment Agreement was entered into between Southern States and Applicant (CLM). Per this agreement, Southern States already waived and released their surface rights to enter on, over or across the land re mineral rights. Per that agreement, whenever CLM (or its successors) transfers all or a piece of the subject property it must pay a certain fee to Southern States. The fee is due on each transfer. CLM will pay the fee ($1,663.50) as referenced in the Schedule B-I #10 above. The agreement runs with the land. So, if after owning the parcel, Martin County wishes to convey it to a third party, then a new fee would be due. (At such time, Martin County could negotiate with any transferee to require the transferee to pay). The fee is calculated as either $150 times the number of acres conveyed or 1% of the consideration, whichever is more. So, if Martin County subsequently transferred the whole parcel of land, the fee would likely be the same $1,663.50 based on the acreage calculation. It would only be more if Martin County received consideration in excess of $166,350.00 for the land if and when it transferred such land.

#10 The Tower is not located on this property. Therefore, this item should be deleted as a title exception.

Response: This item has been deleted. Please refer to updated Title Commitment Report.

#13 & #16 The property being conveyed must be released from the Unities of Title listed in these paragraphs.

Response: Paragraph 13 has been amended to remove the 2002 Unity of Title. The 2017 Unity of Title in paragraph 13 is the one required by Martin County as part of the current Stipulation and Agreed Final Order with Martin County. A release of that Unity of Title will be requested at the appropriate time. The Unity of Title in paragraph 16 has been deleted as it was released by the 2017 new Unity of Title referenced herein.

#14 Access Easement Agreement dated June 7, 2004 and recorded in Official Records Book 1906, Page 1336 has been terminated. This should be deleted. The Agreement to Terminate Existing Easement and to Grant New Access Easement should also be deleted because it is not on the property being conveyed to Martin County.

Response: This item has been deleted. Please refer to updated Title Commitment Report.

#17 The Mutual Quit Claim Access Easement recorded in Official Records Book 2412, Page 2120 does not appear to be on the property being conveyed to Martin County and should therefore be deleted.

Response: This item cannot totally be deleted. Per the surveyor, items 2, 3 & 4 of ORB 2412, page 2120 states that this is an ingress – egress easement and is successors bound. So, while the easement does not lie upon the property, it affects the property in that it gives right of use to the property for access. More importantly, the title underwriter states that paragraph 5 contains a maintenance cost obligation that runs with the land. The parties obligated are the owners and successor owners of Parcel A or the ACEP Property. If the subject property includes either of those, our insured will have a potential financial obligation to pay to improve/maintain the access road so it should remain as an exception. As Martin County would be deemed a successor owner of a portion of the affected land, the underwriter did not feel comfortable deleting the entire exception. There is nothing in the subject document differentiating or excluding a successor of only a portion of the land. However, the underwriter did agree to amend the exception to just refer to the potential improvement/ maintenance costs in paragraph 5.

Item #2:
Survey and Sketch and Legal
The Survey and sketch and legal description provided by the Applicant have been reviewed by the County Surveying Division. The following corrections need to be made:

The legal description does not close.
Response: This was a rounding error, the description closes. See attached closure report.

The Polo Plat was vacated and should not be referenced on the survey or sketch and legal description.
Response: References to the Polo Plat have been removed.

The correct legal description should be provided to the Title Company.
Response: The corrected legal description was provided to the title company and the updated Title Commitment Report, sketch and legal, and certified survey are attached.

Item #3:
Phase I Environmental Site Assessment
The Phase I Environmental Site Assessment indicates that the property was only inspected through a "Windshield Inspection". The County's Ecosystem Restoration and Management Division performed a site inspection and found tires within the property. These tires and any other hazardous materials found within the site need to be cleaned up.
Response: With all due respect, that is not what the report says. **It states:** ***Aspen Environmental performed a Site reconnaissance to obtain information indicating the likelihood of recognized environmental conditions in connection with the Site. Observations made during the Site reconnaissance are presented below. Aspen Environmental also performed a <u>windshield survey of properties surrounding the Site</u> and the general area. Observations made during the windshield survey are incorporated into area descriptions provided in this Report. The Site reconnaissance and windshield survey were conducted on September 27, 2017 by Jodi Beck of Aspen Environmental.***

After a full inspection of the property, the Phase I Environmental report needs be amended to state that there was a full inspection and the report must state there are "No Recognized Environmental Conditions" in accordance with the current standards of the American Society for Testing Materials (ASTM15271) or recommend a Phase II Environmental. The report must be dated within 180 days of submission, or include a current updated letter from the ESA firm.

Response: A thorough inspection of the site was conducted, as well as a "windshield survey" of the surrounding properties. This is in accordance with ASTM standards. The following statement is listed in the report under the conclusions section: This assessment has revealed no recognized environmental conditions in connection with the subject property. Additional detail is presented below.

The report or update letter must include a statement that "Martin County can rely on the results of the report".
Response: The following statement is listed under the limitations section in the report: Martin County, a political subdivision of the State of Florida, may also rely on this report.

J. Determination of compliance with environmental and landscaping requirements - Growth Management Department

Environmental

Unresolved Issues:
Item#1:
PAMP Compliance
The compliance report prepared by Aspen Environmental Consulting states that exotic removal is required in order to bring the preserve area into compliance with the PAMP. The applicant cover letter states exotic removal maintenance is underway. Please call Shawn McCarthy, the environmental reviewer, to schedule an inspection once exotic maintenance is complete.
Acknowledged. The exotics have been removed and the site has received a passing inspection by Mr. McCarthy.

Landscape

Unresolved Issues:
Item #1:
Standard Application Requirements
The deficiencies noted in this section need to be addressed by the applicant with revised plans and documentation. To ensure a successful review, the following shall be provided with your resubmittal information:
Revision dates/notes on all affected plans.
Plans should be provided with "call-out" revision clouds/notes to identify areas that have been modified from the original submittal.
A summary of changes that are provided with your resubmittal information, the staff report may be used as a template for your responses. It is important that you be specific as to what has been changed and where the changes may be found in the resubmitted materials. Resubmittal comments provided to address deficiencies such as "see the revised plans" should be replaced with more specific language such as "refer to the revised 30' dimension to the NE buffer provided on sheet 3/4 and revised landscape note 3 on sheet 2/4".

A landscape plan is required with this application. The landscape plans must be prepared and sealed by a registered landscape architect and include all information required for submittal as specified in Section 4.662.A, LDR. Indicate the location and type of all the following, both existing and proposed:

a. Property boundaries, land use, rights-of-way and easements.

b. On-site and abutting land use features, including adjacent sidewalks, existing vegetation, natural features and site improvements within 50 feet of the property.
c. Buildings, structures, paving, and adjacent buildings within 50 feet of the property.
d. All overhead, above and underground utilities, including septic tanks, drainfields and RPZ valves.
e. Off-street parking, access aisles, driveways and other vehicular use areas.
f. Surface water bodies and wellfields.
g. Plant installation methods and irrigation sources.
h. Ditches, swales, stormwater treatment structures or slopes exceeding 3V:1H in any proposed landscape areas.

Remedy/Suggestion/Clarification:
Provide location and layout of all access, dewatering impoundments, landscape buffers, and other improvements or structures. The boundary survey indicates the Phase 1 parcel encompasses 58.85 acres, plans show the limits of construction to include 40.16 acres, please explain the variation. What use is proposed for the approximate 27.5 acres of land north of Phase 1? And for the other lands on the east and west between lake and preserved trees/silt fence?
Response: Access to the site is shown. There is no dewatering impoundments – the property is being filled in the wet. All buffers and setbacks are now shown (landscape, building, and excavation). All existing structures are shown. No new structures are proposed. Existing stockpiles are shown. The septic, well, and parking are also shown. There are no slopes exceeding 3:1 proposed. The Phase 1 boundary has been revised per our staff workshop to include the buildings / workshop area. Phase 1 follows the boundary survey for ease of sketch/ legal. No trees are proposed to be removed. Areas of no impact are clearly documented on the Master and Final Site Plan as well as the Clearing Plan.

The site plan limits for Phase 1 do not extend to the TOB shown on the construction plans, is this area to be left as open water? What is proposed to restore these areas? The cross-sections indicate the bottom of the existing lake is at elevation 7.53 but the topographic survey indicates the existing is at approximately elevation 2.8, please explain.
Response: We acknowledge that the sections did not match the current bottom elevation of the lake. The intent of this application was to continue where the Stipulation requirements left off, and filling to the max approved lake depth of 7.53 is a part of the stipulation. However, per County request we have revised the plan to reflect the existing lake banks and depths. Please see the revised plan showing the existing banks and lake depths.

Item #2:
Landscape Tabular Data
Landscape plans shall include a table which lists the gross and net acreage, acreage of development and preservation areas, number of trees and tree clusters to be protected within the developed area and within perimeter areas, and square footage of vehicular use areas (Ref. Section 4.662.A.10, LDR). Interior and perimeter vehicular use areas should be quantified separately in the table. Tabular data shall also indicate a calculation of the minimum total number of trees and shrubs required to be planted based upon the proposed developed area and separately based upon quantities required to meet the vehicular use area planting requirements and any required bufferyard requirements.
Please also include the following:

a. Document compliance with the requirement that twenty (20) percent of the total developed area shall be landscaped.
b. Identify each species intended to meet the required trees, shrubs, and ground cover separately in the tabular data. Tabular data shall also indicate calculations of the minimum total number of trees and shrubs to be planted based upon the proposed developed area and separately based upon quantities required to meet vehicular use planting requirements and bufferyard requirements.
c. Identify proposed FL native plant species in the Landscape Tabular Data and demonstrate that at least 75% of required trees and shrubs, and at least 50% of required groundcover species provided are native.

Service function areas including solid waste collection and mechanical equipment requiring screening shall be summarized in a table to identify equipment and the type of screening proposed.

Remedy/Suggestion/Clarification:
The 800,000 sq ft area shown on the plans to be restored requires installation of 320 trees to meet the 1 tree per 2500 sq. ft of site area required for commercial development; only 154 trees have been proposed. What methods are being proposed to restore the remainder of the site; per the formula approximately 700 additional trees shall be required.
Response: The total proposed and existing trees exceed 320 trees.

Item #3:
Landscape Bufferyard Requirements
Landscaped bufferyards shall be required between differing land uses and along certain transportation corridors. It is the intent of the code to encourage the preservation of existing vegetation for use in buffers as opposed to clearing and replanting designed landscapes. [Section 4.663.B., LDR]

Remedy/Suggestion/Clarification:
Are the existing trees between the lake and the adjacent residential use to be protected in a dedicated landscape area? At a minimum a 10 ft width dedicated perimeter buffer should be provided.
Response: The required landscape bufferyards have been added to the plans. All of the existing trees between the lake and the ag ranchettes to the west are intended to remain. This area has been shown as undisturbed on all plans.

Item #4:
Landscape Native Tree Protect& Survey
A tree survey is required to identify specific native trees required to be protected from development [Section 4.666, LDR]. Please note that trees in proposed preservation areas, palm trees and non-native species need not be identified on this survey. Existing native vegetation shall be retained to act as buffers between adjacent land uses, and to minimize nuisance dust noise and air pollution during construction. The following information shall be provided for trees in the developed area:

1. A tree survey including approximate position of protected trees, protected tree clusters, landscaping and other vegetation to be preserved or removed. Trees required to be protected include any hardwood native tree having a diameter of eight inches DBH or

greater throughout the developed site. Within the perimeter area, protected trees include any native hardwood tree four (4) inches DBH or greater, or any native softwood tree including pine trees (8) inches DBH or greater. Clearly identify the specific tree species required to be protected on the survey; these trees should be flagged in the field for staff verification.

2. The development activity shall preserve at least ten percent of the total number of protected trees on the site unless it can be shown that the property would be precluded of reasonable use if the trees are not removed.
3. Please provide a justification statement for the proposed removal of any identified protected trees. Specific conditions and criteria providing for protected tree removal may be found in Section 4.666.C., LDR.
4. As a condition of the issuance of a permit for removal of a protected tree, a satisfactory plan shall be presented by the applicant for the successful replacement of trees to be removed, based on the schedule found in Section 4.666.D., LDRs. Such schedule may be offset by the tree preservation schedule, for protected trees to be retained on site, as found in Section 4.664.F., LDRs.

Remedy/Suggestion/Clarification:
A tree survey has been provided, however there is no summary table to indicate tree disposition; trees should be numbered, and listed in a table with species, size, status, removal, and replacement tree credits denoted.
Response: All of the existing trees on the site are to remain. We acknowledge that the previous submittal reflected a couple of tree impacts on the clearing, grading and erosion control plan; however, it has been revised to reflect preservation of all existing trees. The trees are now numbered, and a summary included on the landscape plan.

Item #5:
Landscape Material Standards-Trees
Please demonstrate compliance with the following requirements for proposed trees (Section 4.664.B., LDR):

a. All required trees shall have a minimum height of ten feet and one defined vertical stem with a minimum diameter of two inches caliper at the time of planting.
b. Planted trees must be a species with an average mature crown spread of at least 15 feet, or they must be grouped so as to create a crown spread of 15 feet.
c. Tree species and placement shall be selected so as to minimize conflicts with existing or proposed utilities.
d. Not more than 30 percent of all required trees shall be palms. Where used, two palms or three sabal palms shall constitute one required tree.
e. When more than ten trees are required to be planted to meet the requirements of this section 4.664, a mix of species shall be provided. The number of species to be planted shall vary according to the overall number of trees required to be planted.

Remedy/Suggestion/Clarification:
a. Trees specified do not meet minimum standards of 10 ft. minimum height.
e. Greater than a quantity of 41 trees requires that a minimum of 5 species be utilized.

Review plant list and quantities of trees required. Please specify that that the slash pine be the variety 'densa'.

Response: Tree species have been added and trees are specified at 10 ft minimum.

Item #6:

Landscape Irrigation

The plan shall identify the irrigation source for the plant material, also please affirm if an irrigation system is to be provided for the proposed landscaping on the plans.

Irrigation systems are not required; however, all required plantings must remain viable, healthy, neat and orderly in appearance. If an irrigation system is to be installed, irrigation plans shall be submitted with the certificate of completion prepared by a landscape architect prior to Certification of Occupancy is granted. The landscape architect, licensed plumbing contractor or licensed irrigation sprinkling contractor shall certify that irrigation plans shall meet or exceed the minimum compliance regulations set forth within the Standards and Specifications for Turf and Landscape Irrigation Systems published by the Florida Irrigation Society as amended.

If an irrigation system is not proposed, the plans shall describe how to provide adequate irrigation of landscaped areas for the first full growing season and continue thereafter only as necessary to maintain required vegetation in good and healthy condition. (Sec 4.663.D, LDR)

The applicant may consider providing an irrigation plan during the development review process to assist in expediting the C.O. of proposed development, post approval. Irrigation Plans shall provide the required information as cited in Section 4.662.B. and 4.663.D, LDR.

Remedy/Suggestion/Clarification:

Landscape plan indicates that a fully automatic irrigation system is to provide 100% coverage and shall utilize a rain sensor over-ride device and bubblers at each tree. Please clarify if this is the intent and what means shall provide power since the project narrative indicates that there shall be no utilities.

Response: The project narrative of no utilities was meant as no potable water or central sewer system The site has power. The source of irrigation for Phase 1 shall be the remaining lake that has yet to be filled. Irrigation shall only be provided until landscape is established. The intent is to return the property to improved pasture, which are not irrigated.

Item #7:

Landscape Protection And Maintenance

Please add the following notes regarding landscape maintenance to the plans provided [Section 4.665, LDR]:

Protection of required landscaping.

1. Encroachment into required bufferyards and landscaped areas by vehicles, boats, mobile homes or trailers shall not be permitted, and required landscaped areas shall not be used for the storage or sale of materials or products or the parking of vehicles and equipment.

Maintenance of required landscaping.

1. Required landscaping shall be maintained so as to at all times present a healthy, neat and orderly appearance, free of refuse and debris. If vegetation which is required to be planted dies it shall be replaced with equivalent vegetation. All trees for which credit was awarded and which subsequently die, shall be replaced by the requisite number of living trees according to the standards established in the Martin County Landscape Code.
2. All landscaping shall be maintained free from disease, pests, weeds and litter. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching or other maintenance, as needed and in accordance with acceptable horticultural practices. Perpetual maintenance shall be provided to prohibit the reestablishment of harmful exotic species within landscaping and preservation areas.
3. Regular landscape maintenance shall be provided for repair or replacement, where necessary, of any screening or buffering required as shown on this plan. Regular landscape maintenance shall be provided for the repair or replacement of required walls, fences or structures to a structurally sound condition as shown on this plan.

Remedy/Suggestion/Clarification:
Add required notes.
Response: Acknowledged – the notes have been added to the landscape plan.

Item #8:
Alternative Compliance
An applicant may submit a landscape plan which varies from the strict application of the requirements of this division in order to accommodate unique site features or utilize innovative design. An alternative compliance landscape plan shall be approved only upon a finding that it fulfills the purpose and intent of this division as well as or more effectively than would adherence to the strict requirements of this division.

Remedy/Suggestion/Clarification:
The alternative compliance statement does not address criteria for evaluation as outlined in the code section. Instead it seems to try to negate that landscape requirements apply. Below are responses.

1. Statement says that Agricultural use is exempt from the code. The existing use and proposed use are not bona fide agricultural use as defined in / Article 4 Division 8 Section 4.342.F. Section4.661.B.4 of the landscape code only exempts agricultural use, the proposed use is industrial.
   Response - the proposed use is not industrial. The existing use is industrial (mine); but the proposed use is Improved Pasture for purposes of cattle (raising of animals).

2. Statement says there is no existing code for returning a developed site back to agricultural use. Article 4 Division 8 Section 4.348.C requires that *All disturbed and reclaimed areas shall be planted or seeded with a permanent native ground cover to reduce the loss of topsoil due to water and wind erosion, to prevent the establishment of prohibited plant species and to provide adequate growing conditions for reclamation planting requirements.*
   Response – This section of code is under Sec. 4.348. - Excavation standards. We are not proposing excavation. We are filling an existing lake and returning it to Improved Pasture. The only section of code that addresses fill is:

Sec. 4.347.E.Stabilization. Areas to be filled shall be contained to prevent runoff and degradation of buffer zone vegetation within a minimum of 24 hours prior to the filling and shall be stabilized with sod or other suitable method within 30 days of vegetation removal or fill placement.

The statement also describes pasture as being native, please explain. The landscape code defines as Native: *A species that occurred in Florida at the time of European contact or 1500s or as identified as a native plant in the Guide to the Vascular Plants of Florida by R. Wunderlin and B. Hansen.*
Response – The statement was meant as we are returning the property to its condition prior the mine – Improved Pasture.

3. Statement re-iterates assertion that there is no code and that historic aerial from 1994 is used as basis for the landscape plan. The proposed project is subject to Article 10 requirements which include a landscape plan.
Response - The only section of code that addresses fill is

   Sec. 4.347.E.Stabilization. Areas to be filled shall be contained to prevent runoff and degradation of buffer zone vegetation within a minimum of 24 hours prior to the filling and shall be <u>stabilized with sod</u> or other suitable method within 30 days of vegetation removal or fill placement.

   We understand the need for a landscape plan – which we included with the submittal. The aerials were provided to document the historic condition of the property in which we are attempting to return it to – improved pasture.

4. The statement says that the proposed alternative is equal or superior to the intent of the landscape code because it will be 100% green and pervious.

   The landscape code Sec. 4.661. General requirements. 4.661.A. *Purpose and intent.* The purpose and intent of this division is to promote the health, safety and welfare of existing and future residents by establishing minimum standards for the installation and continued maintenance of landscaping and buffering without inhibiting creative landscape design.

   This division requires specific water conservation measures including the preservation of native vegetation for landscaping purposes where applicable to minimize water use, conserve energy, limit nutrient loading to surface waters, and provide mature vegetation for aesthetics, shade and wildlife habitat. The specific objectives of these regulations are to: preserve and protect existing vegetation; promote water conservation and encourage greater use of native cold-tolerant and drought-tolerant landscape material; reduce heat and glare; provide temperature control; to improve the appearance of developed areas; enhance the value and appearance of local properties by more effectively buffering land uses; reduce air and noise pollution; improve the aesthetic appearance of all development by requiring sustainable landscaping and buffering that harmonizes and enhances the natural and built environment; and to reduce or minimize potential nuisances between land uses. Being 100% green and permeable does not demonstrate compliance, Brazilian pepper forests are green and permeable…. Native trees, shrubs, and groundcovers provide far superior benefit for wildlife, stormwater management, microclimate modification, and aesthetics.
Response – We are preserving all of the existing native trees on the site, most of which are along the western property line, adjacent to the mostly undeveloped Ag Ranchette

lots in Martin Arbors, therefore meeting the "protect existing vegetation". We are returning the property to improved pasture which requires minimal fertilizers or irrigation once established, meeting the "water conservation" and "drought tolerant". We do not understand the reference to Brazilian Peppers - no planting of Brazilian Peppers or other exotics is proposed. Being 100% green, preserving all native trees on the site, and having open improved pasture does indeed meet the description.

5. Statement says alternative will enhance the neighboring areas. Please explain how.
   Response: It is acknowledged that the current use is a mine. Filled, and returned to improved pasture, the neighbors will have cows rather than dump trucks as neighbors. To us, cows are a vast improvement. However, looking at it from the standpoint of once the lake is back into compliance (stipulation has been completed), a lake or cows is equivalent.

Item #9:
Turfgrass And Groundcover
Please provide that the ground area within required landscaped areas which is not dedicated to trees, vegetation or landscape barriers shall be appropriately landscaped and present a finished appearance and reasonably complete coverage upon planting, in accordance with the following (ref. Section 4.664.E., LDR):

a. Ground covers shall be spaced so as to present a finished appearance and complete coverage within six months after planting. Ground covers required by this division shall consist of at least 50 percent native species.
b. Organic mulch shall be temporarily applied to areas not immediately covered by ground cover. Mulch may be used as a permanent ground treatment in landscape designs where ground cover or grass is inappropriate. Where mulch is permanently installed, it shall be renewed and maintained as required. Cypress mulch is prohibited.

Remedy/Suggestion/Clarification:
Landscape plans only specify minimal plantings of trees and shrubs and do not specify ground treatment or stabilization methods to be employed. What plantings are proposed to provide coverage by desirable vegetation? What restoration for other site areas. Plans state that there are scattered natives throughout the site and seems to be implying that natural recruitment will suffice. Staff disagrees. Provide additional details regarding proposed restoration.
Response: Ground cover has been revised to include Bahia pasture grass.

Item #10:
Additional Landscape Condition
Cross-section indicates that only 2 feet of fill is to be placed over the buried construction debris. This is not sufficient depth of soil to provide for establishment of trees. Provide specifications for the proposed fill and cover.
Response: This cross section was agreed to and approved under the recorded Stipulation.

K. Determination of compliance with transportation requirements - Public Works Department

Findings of Compliance:
The Traffic Division of the Public Works Department finds this application in compliance.

Compliance with Adequate Public Facilities Ordinance:
Staff has reviewed the Traffic Statement prepared by The MilCor Group Inc., dated February 2018. The MilCor Group Inc. stated that the site's maximum impact was assumed to be 18 directional trips during the peak hour. Staff finds that SR-714 is the recipient of a majority of the generated trips. The generalized service capacity of SR-714 where the site connects is 2000. The project impact is 0.9% of the maximum volume of that roadway.

This application satisfies the Adequate Public Facilities Standard; it has a De Minimis impact (an impact that would not affect more than one percent of the maximum volume at the adopted level of service of the accepted road facility) (Article 5, Division 1, Section 5.3).
Response: Acknowledged; however, the Phase 1 area has changed based on County request to match existing conditions, and not pick up where the Stipulation leaves off. With more area to fill, there are more trucks; therefore, we have provided an updated TIA.

L. Determination of compliance with county surveyor - Public Works Department

The applicant has provided a certified boundary and topographic survey for the proposed development, pursuant to Section 10.1.F., LDR, Martin County, Fla. (2016). Therefore, the Public Works Department was not required to review this application for consistency with the Martin County Codes for survey requirements contained in Article 4, LDR, Martin County, Fla. (2016).
Response: Acknowledged.

M. Determination of compliance with engineering, storm water and flood management requirements - Public Works Department

Unresolved Issues:
Item#1:
Construction Plans

1. Expand the limits of Phase 1 fill placement area to include the area of the existing lake up to the existing top of bank. Include an additional cross section of that area.
   Response: Acknowledged, the fill placement area has been revised and an additional cross-section has been added.

2. Revise the cross sections to accurately reflect the limits of the existing lake. Per the Boundary and Topographic Survey provided, the bottom of the lake extends to depths of -1.0' NAVD in some areas. If fill was added as part of the Stipulated Agreement compliance, provide a revised topographic survey to reflect the current condition of the lake.
   Response: Acknowledged. The plan has been revised to reflect the existing conditions as of submittal of this application rather than the conditions at completion of the Stipulation. The cross-sections and lake fill area have been revised to reflect the existing banks and lake bottom elevations at the time of submittal of this application.

3. The existing bottom elevation shown in the cross sections on sheet is inconsistent with the existing elevations shown on the plan view on Sheet 2. Revise accordingly.
   Response: Acknowledged, the cross-sections have been revised.

4. Provide the proposed finished grade on the cross sections. Provide overall width dimension on the cross sections. Cross sections should be at 200-foot intervals and show

the areas and volume of various fill material needed. Provide additional cross sections to cover the Phase 1 limits.
Response: Acknowledged, the cross-sections have been revised.

5. Revise the Connection to Phase 2 section and Ultimate Section to reflect the proposed 2-feet of clear dirt and 6-inches of top soil as described in Note #4 on sheet 2.
Response: The section has been updated to reflect the top soil and clean dirt.

6. It appears Note #5 under the Operational Specifications was carried over from the Stipulated Agreement plan. Remove the note since the lake is proposed to be filled to 30.0' NAVD.
Response: Acknowledged. The note has been removed.

7. The limits of the 10-foot Aggressive Equestrian Trail are unclear. Provide a detail view of the northeast corner of the property to clearly show the proposed limits and location.
Response: The equestrian trail is proposed as the County's "Aggressive" trail, meaning surfaces are natural as circled on the site and construction plans. It is to be located 1-foot into the County right of way, as is typical with sidewalk or equestrian trail. No construction is proposed. The linework for the trail has been made heavier for clarity of location, and a section has been added to the construction plans.

8. Provide detailed calculations on how 817,193 cubic yards of fill material was determined.
Response: See attached sections / calculation and the project narrative. Please note that the volume was revised to reflect the project as of the most recent survey, rather than at completion of the Stipulation, per County request.

9. The limits of construction for Phase 1 extend significantly past the Phase 1 limits. Provide details for what is proposed between the phase 1 limits and the limits of construction. If stock pile areas are proposed, show the location on the Revised Final Site Plan and Construction Plans.
Response: The Phase 1 limits have been revised and the limits of construction have been eliminated, per discussion at the Staff Workshop. There are areas where nothing is to be disturbed, which has been clearly identified on the Site Plans and Construction Plans.

10. Provide a note on the plans that addresses the following Land Development Regulation found in Section 4.347.A of Division 8: *Fill material for any loadbearing purpose shall be free of roots, boards, organic matter, and other debris which may adversely affect the loadbearing capacity. In order to be used for purposes other than loadbearing, fill containing muck, peat, clay, unstable soils, organic matter, trash, liquid or solid wastes, or any form of debris that is subject to consolidation, disintegration, erosion, or encourages the presence of insects, termites or vermin will require the approval of the County Engineer.*
Response: Although we are not proposing any loadbearing areas, rather just improved pasture, the note has been added.

11. Provide a detailed cost estimate for the restoration performance security as described in the Development Order requirement below.

Response: See attached detailed cost estimate. Please note that the County currently holds a bond for the littoral plantings. As each phase of filling is completed, the applicant wishes to release that portion of the littoral bond.

Additional Information:
Information #1:
Development Order Requirement
A three-year performance bond/security is required to ensure that restoration of the excavation and/or fill or mining site shall be completed, including items such as, but not limited to, general clean-up, grading, and revegetation of the lake banks, littoral zones and upland transition zone. The amount of the security shall be approved by the County Engineer, and shall be based on 110 percent of a cost estimate prepared by a Florida registered engineer for the general clean-up, grading, and site restoration including the required littoral zone and upland plantings by an environmental professional. The guarantees for phased projects may be bonded separately.
Response: Acknowledged

N. Determination of compliance with addressing and electronic file submittal requirements – Growth Management and Information Technology Departments

Addressing

Findings of Compliance:
The application has been reviewed for compliance with Division 17, Addressing, of the Martin County Land Development Regulations. Staff finds that the proposed site plan / plat complies with applicable addressing regulations. The street name SW Green Farms Ln is existing and meets all addressing LDRs. An address will be assigned to this property upon approval of this site plan application in accordance with Section 4.770.D., Land Development Regulations, Martin County Fla. ([2014]).
Response: Acknowledged.

Electronic File Submittal

Findings of Compliance:
The Information Services Department staff has reviewed the electronic file submittal and finds it in compliance with the applicable county requirements.

Both AutoCAD site plan and boundary survey were received and found to be in compliance with Section 10.2.B.5, Land Development Regulations, Martin County, Fla. ([2016])

Both AutoCAD site plan and boundary survey were in State Plane coordinates and found to be in compliance with Section 10.2.B.5, Land Development Regulations, Martin County, Fla. ([2016])

The AutoCAD boundary survey was received and found to be in compliance with Section 10.2.B.5, Land Development Regulations, Martin County, Fla. ([2016])
Response: Acknowledged; please note that revised files are included with this resubmittal.

O. Determination of compliance with utilities requirements - Utilities Department

Water and Wastewater Service

Findings of Compliance:

This development application has been reviewed for compliance with applicable statutes and ordinances and the reviewer finds it in compliance with Martin County's requirements for water and wastewater level of service. [Martin County, Fla., LDR, Division 6 and 7]
Response: Acknowledged.

Wellfield and Groundwater Protection

Findings of Compliance:
The application has been reviewed for compliance under the Wellfield Protection Program. The reviewer finds the application in compliance with the Wellfield Protection and Groundwater Protection Ordinances. [Martin County, Fla., LDR, Division 5]
Response: Acknowledged.

P. Determination of compliance with fire prevention and emergency management requirements – Fire Rescue Department

Fire Prevention

Findings of Compliance:
The Fire Prevention Bureau finds this submittal to be in compliance with the applicable provisions governing construction and life safety standards. This occupancy shall comply with all applicable provisions of governing codes whether implied or not in this review, in addition to all previous requirements of prior reviews.

Additional Information:
Information #1:
New and existing buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. [NFPA 1, 10.12.1.1] Martin County requires a minimum of 6 inch numbers visible from the road and contrasting from the structure.

The address will be required to be posted at the main entrance for emergency vehicle response.
Response: Acknowledged.

Information #2:
The AHJ shall have the authority to:

Require fire department access be provided to gated subdivisions or developments through the use of an approved device or system [NFPA 1, Chapter 18, Section 2.2.2].

Requires an access box(es) to be installed in an accessible location where access to or within a structure or area is difficult because of security. [NFPA 1, Chapter 18, Section 2.2.1].

Martin County Fire Rescue utilizes and required the Knox access system. You may contact www.knoxbox.com to order the Knox system.

A Knox padlock will be required for fire rescue access if a gate system is going to be utilized. Details are available at www.knoxbox.com.
Response: Acknowledged.

Emergency Management

The applicant has indicated that residential use is not proposed as part of this project. Therefore, the Emergency Management Department was not required to review this application for hurricane preparedness requirements.

Response: Acknowledged.

Q. Determination of compliance with Americans with Disability Act (ADA) requirements - General Services Department

Findings of Compliance:

The General Services Department staff has reviewed the application and finds it in compliance with the applicable Americans with Disability Act requirements.

Proposed commercial development is not subject to ADA review under Title III of the Americans with Disabilities Act unless providing public access/accommodations.

Response: Acknowledged.

R. Determination of compliance with Martin County Health Department and Martin County School Board

Martin County Health Department

Unresolved Issues:

Item #1:

Plans and materials as submitted do not demonstrate compliance with the applicable requirements of the Martin County Land Development Regulations and Comprehensive Growth Management Plan. More detail will be required upon submittal to the state.

Clarification is needed as to the intended use of the existing Limited Use Public Well and the onsite septic system. If the existing well and septic are to be abandoned, permits are required. If they are proposed to be used, an existing septic system approval permit, septic system operating permit and Limited Use well approval are required per 64E-6 FAC 2013 and 64E-8 FAC 2008 respectively. The well was previously classified as a Limited Use Public Well and would need to adhere to said standards of 64E-8.002 FAC 2008 and setbacks per 52-653.400(7) FAC 2012.

If you have any questions please call Todd Reinhold or Nick Clifton with this office at (772) 221-4090.

Response: The existing well and septic have been shown on the attached revised plans. There is no change in use since these were installed. They were originally permitted for the construction trailer at the mine. They are still connected to a trailer at the mine where one employee works during the day. There is also a house (1 bedroom / 1 bath) where one employee (onsite security) resides at night.

Martin County School Board

The applicant has indicated that no residential use is proposed as part of this project.

Therefore, the Martin County School Board was not required to review this application for the purposes of School concurrency evaluation.

Response: Acknowledged.

S. Determination of compliance with legal requirements - County Attorney's Office

Review Ongoing

Response: Acknowledged.

T-Z: Acknowledged.

Please find the following materials for review:

1. Project Narrative;
2. Revised Affidavit of Interest Disclosure;
3. Signed and sealed Earthwork calculation;
4. Signed and sealed Restoration cost estimate;
5. Overall Legal Description with Parcel ID number;
6. Phase 1 Legal Description with Parcel ID number:
7. Signed and sealed Traffic Impact Analysis;
8. REVISED Land Dedication Package; including:
   a. Revised signed Title Commitment Report with exceptions backup;
   b. Survey closure report;
   c. (2) Original signed and sealed sketch & legal description of the dedication area; and
   d. Two (2) Original signed and sealed certified survey with exceptions;
9. Two (2) Signed and Sealed Overall Boundary and Topographic Survey;
10. Two (2) Signed and Sealed Phase 1 Boundary & Tree Survey – the topographic information can be found on the Overall Survey;
11. Two (2) Revised Master Site Plan;
12. Two (2) Phasing Plan;
13. Two (2) Phase 1 Final Site Plan;
14. Two (2) Signed and sealed Phase 1 Engineering Plan; including Erosion Control Plan;
15. Two (2) Phase 1 Landscape Plan; and
16. CD containing AutoCAD File of Surveys and Site Plans and bookmarked pdf of submittal.

Thank you for your time and assistance.

Sincerely,
The MilCor Group, Inc.

Melissa G. Corbett, P.E.
President

Enclosures: as listed

Cc: Jason Pepitone

The MilCor Group Inc.

October 2, 2018

Creative Land Management Development Project Narrative

Location:
The 121.92 acre property is located approximately 1.5 miles south of the I-95/ SW Martin Highway interchange, west of I-95, and lies in Section 30, Township 38 South, Range 40 East in Martin County. The property is zoned A2 (Agricultural) and has a future land use of Agricultural, which is compatible with the existing and proposed use.

Parcel Information:
The property is currently two separate parcels. The lake is entirely on the larger parcel (approx. 100 acres). The existing upland preserve is located on the smaller parcel (approx. 22 acres). A Unity of Title for these two parcels has been recorded in ORB2934 at Page1458, Official Records, Martin County, Florida.

Permitting History:
Originally known as The Martin County Park of Commerce, the property received final development approval in December 1996 by Resolution Number 96-12.2. The approval was for a 25-acre lake (mine), concrete recycling, and composting facility under the name "APS Environmental Associates, Inc. Sand Mine, Concrete Recycling, and Composting Facility".

In March 2002, Master and Final Site Plan approval was granted by Resolution Number 02-3.16 which expanded the lake (mine) to 37.66 acres and eliminated the recycling and composting components. This approval was under the name "APS Environmental Associates, Inc. Sand Mine".

In March 2005, Master/Final Site Plan approval was granted to "APS Environmental Associates Sand Mine II" by Resolution Number 05-3.16. The approval was for expansion of the lake (mine) to 50 acres.

A three-year administrative extension was approved for the mining master/final site plan in February 2011 extending the timetable for completion of the project to February 2014.

The 50-acre lake was over-excavated both vertically and horizontally, creating a lake that was approximately 63.0 acres in size and too deep in spots, resulting in an enforcement case (Case Number 16-0107262), which was addressed via a Stipulation and Agreed Final Order that was executed December 14, 2016, and recorded in the Martin County Official Records Book 2896, Page 2800. The Stipulation allows for 2.0 years to fill the over-excavated 13.0 acres. Annual hauling reports (fill material brought to the site) along with updated topography documenting the areas fill are required to be submitted to Martin County. A bond is currently in place for the lake littoral plantings to be installed once the lake is at its permitted size of 50-acres.

In August 2013, the northern 100-acres was sold to Marandy Properties and is currently under separate development.

In June of 2015, the remaining 122 acres was sold to Creative Land Management, LLC and is the subject of this application.

Office Location & Mailing Address:

10975 SE Federal Hwy
Hobe Sound
Florida
33455

Phone
772-223-8850
Fax
772-223-8851

Email
marketing@themilcorgroup.com

Web
www.themilcorgroup.com

Current Request:
This application is intended to pick up where the project currently stands; with the desired outcome to be filling the entire lake. Since Martin County Final Site Plans are only good for 2-years, this request is for Master, Phasing, and Phase 1 Final Site Plans.

1. The Master documents the intent to fill the entire lake
2. The Phasing plan documents that filling of the lake shall be done in three phases which are approximately 28.5, 18.6, and 12.6 acres each. The applicant believes that each phase can be completed within the allowable 2-year timeframe
3. The Phase 1 Final Site Plan delineates the first phase of filling. This plan reflects the project site as it is at the time of the most recent survey.

The fill material is the same source as currently approved via the Stipulation: source separated clean roofing materials and clean concrete from demolition sites the majority of which will come from Martin County Utilities. It will be provided by local contractors via dump trucks and box trucks. The trucks will be limited to a maximum size of 35 yards. A pre-application meeting was previously held on August 17, 2017 to discuss this project.

Another component of this approval is the County's desire for access to their Equestrian Park. This application proposes to provide that access via an 11.09-acre land dedication to Martin County which includes the entire PAMP area. This will require the County assuming the PAMP maintenance responsibilities. Additionally, a new Unity of Title will be required for the 100- acre parcel and the balance of the 22-acre parcel. This will require release of the existing Unity of Title.

Upon approval of this application, the owner will return the property to its native/previous agricultural/pasture state. A bond is currently in place for the lake littoral plantings which will no longer be required. It is the intent of the applicant to request a release of a portion of the bond upon restoration of each phase to its native state.

Operational Parameters
This overall proposed project involves the filling of 3,101,121 cubic yards of reclamation materials (assuming a 30% compaction factor). The project is broken into three phases, with this first and largest phase, Phase 1, consisting of 28.51 acres of fill area and filling of 1,422,185 cubic yards of reclamation materials.

In accordance with Martin County Excavation and Fill code, which allows for three years for a mining permit, including restoration, the hauling time frame is 24 months (2 years), allowing for 1 year of final grading and grassing of the site. This equates to 711,093 cubic yards per year, or 59,258 cubic yards per month.

There are 300 work days per year, given 6 workdays per week and 50 weeks per year, with 9 working hours on weekdays, and 7 working hours on Saturday, thereby resulting in 2,600 working hours per year. A standard dump truck holds 18 cubic yards, which equates to approximately 15 trucks per hour. Assuming the peak hour has double the truck volume, that equates to 30 trucks.

There is one office building wherein there is one employee. The office is currently connected to the existing well and septic. Drinking water in the office is provided via bottled water. The staff may, at some point in the future be expanded to up to 6 members. Therefore, on the site

plan we have shown up to six parking spaces at 10' wide x 20' long. Please note that these are dirt parking – no construction is proposed. There is no public access allowed; therefore, no ADA stall or route to the office is provided. There is currently no fueling facilities on-site; however, the client wishes to reserve the right to do so in the future, so a fueling area has also been added to the plans as potential future. This fueling area would need containment so the total impervious area required has been included in the area calculations.

Two additional buildings are located on-site. The first is used for the site's nighttime security personnel and has a well and septic service. The second is a storage building used for house equipment. This building does not have well or septic service.

Material is delivered to the site and stockpiled along the edge of the lake that is being filled. This stockpile area moves based on where the operator is filling. Therefore, a static location for the stockpile has not been shown. There is currently no sorting or processing; however, the client wishes to reserve the right to do so in the future, so a staging / interim use area has been added to the plans as potential future. This area should have no impacts to any surrounding property owners as it is located on the east side of the lake where the only thing around is Green Farm Road and Interstate-95.

The MilCor Group Inc.

October 2, 2018

Creative Land Management Development
Fill Volume Calculation Summary

Fill Volume (cy)			
Phase	From Lake Bottom to EOW	From EOW to Restoration Elev.	Total Fill
1	1,422,185	146,642	1,568,827
2	970,013	94,723	1,064,736
3	709,991	94,723	804,714
Total	3,102,189	336,088	3,438,277

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MELISSA G. CORBETT
LICENSE
No 59292
STATE OF FLORIDA
PROFESSIONAL ENGINEER

Melissa G. Corbett
P.E. #59292
C.A. #28246
October 2, 2018

Creative Land - Phase 1
Cut & Fill Calculations
October 2, 2018

Phase 1								
Lake Area at EOW	1,194,705		27.43	ac				
Existing Lake Bottom Elevations	6.11	4.51	3.73	3.23	2.81	2.51	1.43	0.49
	5.75	4.49	3.71	3.20	2.81	2.38	1.42	0.26
	5.60	4.49	3.71	3.20	2.81	2.33	1.40	0.25
	5.54	4.45	3.70	3.19	2.80	2.29	1.37	0.20
	5.45	4.37	3.68	3.15	2.80	2.27	1.27	0.20
	5.45	4.34	3.67	3.08	2.78	2.27	1.21	0.13
	5.36	4.25	3.67	3.08	2.78	2.18	1.04	0.08
	5.33	4.25	3.65	3.07	2.77	2.15	1.03	-0.05
	5.24	4.24	3.63	3.07	2.77	2.09	1.01	-0.11
	5.21	4.22	3.59	3.00	2.75	2.08	1.00	-0.16
	5.21	4.16	3.58	3.00	2.71	2.06	0.97	-0.17
	5.19	4.13	3.58	2.98	2.71	2.06	0.92	-0.28
	5.19	4.12	3.56	2.96	2.68	2.03	0.92	-0.35
	5.15	4.12	3.47	2.92	2.68	2.00	0.91	-0.55
	5.14	4.06	3.47	2.92	2.67	1.97	0.86	-0.55
	5.12	4.03	3.47	2.90	2.65	1.96	0.83	-0.76
	5.11	4.00	3.44	2.90	2.63	1.96	0.83	-0.83
	5.05	3.95	3.43	2.90	2.63	1.95	0.82	-1.13
	5.03	3.91	3.43	2.88	2.63	1.93	0.79	
	4.97	3.91	3.41	2.88	2.63	1.92	0.74	
	4.90	3.88	3.38	2.86	2.63	1.85	0.64	
	4.85	3.86	3.38	2.86	2.60	1.82	0.64	
	4.84	3.86	3.36	2.86	2.60	1.82	0.62	
	4.79	3.76	3.34	2.84	2.57	1.76	0.62	
	4.79	3.76	3.34	2.84	2.56	1.76	0.55	
	4.76	3.74	3.32	2.83	2.56	1.64	0.55	
	4.55	3.73	3.29	2.83	2.53	1.51	0.49	

Lake Average Bottom Elev.	2.78	ft
Lake EOW EL	27.50	ft
Average Lake Fill Depth to EOW	24.72	ft
Fill Volume to EOW	29,537,689	cu-ft
Fill Volume to EOW	1,093,988	cy
With 30% fluff factor	1,422,185	cy

Fill from EOW to Elevation 30.0		
Area at Elev. 27.5	1,194,705	sf
Area at Elev. 30.0	1,241,804	sf
Average Area	1,218,254	sf
Finishing Fill Volume	3,045,636	cu-ft
Finishing Fill Volume	112,801	cy
With 30% fluff factor	146,642	cy

Creative Land - Phase 2
Cut & Fill Calculations
October 2, 2018

Phase 2							
Lake Area at EOW	765,976		17.58	ac			
Existing Lake Bottom Elevations	2.90	1.30	4.50	0.20	-0.80	-0.40	-0.20
	4.70	3.30	3.70	5.90	2.10	2.00	0.00
	5.80	1.10	0.90	-1.50	3.10	-2.30	2.10
	5.50	1.30	1.60	2.30	-1.20	2.00	0.50
	5.40	0.50	3.30	-1.10	-1.20	-1.60	5.40
	5.60	0.30	2.30	2.30	1.00	1.70	0.70
	5.30	2.50	0.80	-1.90	3.10	0.00	-0.20
	5.80	1.90	0.60	-1.30	0.20	-1.10	0.70
	5.80	-16.50	2.10	6.10	2.00	1.90	-0.80
	4.80	-16.50	2.10	-0.50	2.50	-1.10	0.70
	5.50	0.50	-0.30	2.50	-1.10	0.40	-0.50
	5.50	3.00	2.30	-0.90	1.70	1.70	0.10
	6.40	2.50	5.10	2.30	-1.50	1.60	-0.90
	5.50	-7.30	0.20	-0.60	0.10	-0.30	1.30
	6.20	-7.30	2.60	2.40	1.30	0.50	-0.90
	5.90	4.50	3.10	-1.50	-0.90	1.70	2.40
	4.50	0.50	2.20	-0.30	1.20	2.60	4.00
	5.30	-8.10	2.10	3.90	-1.10	0.10	-0.80
	5.80	-8.10	1.60	-1.10	-1.00	0.00	-0.90
	4.90	3.80	-1.30	2.40	1.70	0.20	0.90
	5.50	0.20	0.10	2.80	-0.20	2.40	4.00
	5.60	1.50	-0.60	-0.80	1.80	-1.20	
	6.60	-7.80	6.10	2.00	-1.90	0.60	
	2.60	-7.80	2.70	-0.50	1.90	4.70	
	4.10	0.20	2.10	2.10	-0.90	1.20	
	3.30	2.00	0.20	2.20	0.00	-0.40	
	1.30	2.40	-0.10	-1.70	1.90	5.30	

Lake Average Bottom Elev.	1.20	ft
Lake EOW EL	27.50	ft
Average Lake Fill Depth to EOW	26.30	ft
Fill Volume to EOW	20,146,424	cu-ft
Fill Volume to EOW	746,164	cy
With 30% fluff factor	970,013	cy

Fill from EOW to Elevation 30.0		
Area at Elev. 27.5	765,976.00	sf
Area at Elev. 30.0	807,887.40	sf
Average Area	786,932	sf
Finishing Fill Volume	1,967,329	cu-ft
Finishing Fill Volume	72,864	cy
With 30% fluff factor	94,723	cy

Creative Land - Phase 3
Cut & Fill Calculations
October 2, 2018

Phase 3					
Lake Area at EOW	583,272		13.39	ac	
Existing Lake Bottom Elevations	6.70	-0.50	3.00	-0.80	4.50
	2.00	1.30	2.50	3.50	4.60
	5.00	-0.50	0.10	0.20	0.50
	1.70	1.00	6.00	5.50	0.60
	6.30	-0.20	1.10	-1.00	5.30
	5.70	-0.20	-2.10	4.00	4.20
	0.70	5.50	2.40	5.40	5.40
	0.10	-0.40	2.40	-0.40	5.00
	4.10	-1.60	-1.20	0.40	4.60
	0.10	-1.20	5.80	-0.20	5.10
	3.00	3.00	-0.90	0.00	5.10
	0.50	-0.50	-0.80	0.10	5.90
	-0.20	0.40	0.30	-0.70	5.30
	1.90	-1.80	2.00	2.00	6.20
	6.40	2.10	5.10	2.40	6.40
	-0.20	-1.20	-1.10	3.00	6.30
	1.40	2.20	-1.20	-0.80	
	6.10	4.80	-1.20	4.10	
	1.10	0.10	4.00	-1.40	
	6.50	4.50	2.30	2.10	
	6.60	5.60	-0.20	3.80	
	4.60	-1.30	5.00	-1.30	
	0.90	-0.70	4.30	-1.10	
	6.60	4.30	0.20	3.50	
	-0.80	1.50	3.40	3.50	
	-0.40	-0.20	-0.10	5.00	
	3.60	3.50	4.60	4.10	
Lake Average Bottom Elev.	2.22	ft			
Lake EOW EL	27.50	ft			
Average Lake Fill Depth to EOW	25.28	ft			
Fill Volume to EOW	14,745,963	cu-ft			
Fill Volume to EOW	546,147	cy			
With 30% fluff factor	709,991	cy			
Fill from EOW to Elevation 30.0					
Area at Elev. 27.5	765,976.00	sf			
Area at Elev. 30.0	807,887.40	sf			
Average Area	786,932	sf			
Finishing Fill Volume	1,967,329	cu-ft			
Finishing Fill Volume	72,864	cy			
With 30% fluff factor	94,723	cy			

The MilCor Group Inc.

Engineering a Value-Driven Sustainable Environment

TRAFFIC IMPACT ANALYSIS

Creative Land Management Development
Phase 1

Prepared For:
Creative Land Management, LLC.

For Review By:
Martin County

Office Locations:

10975 SE
Federal Hwy
Hobe Sound
Florida
33455

9035 Americana
Road #13
Vero Beach
Florida
32966

Phone
772-223-8850
Fax
772-223-8851

Email
marketing@
themilcorgroup.
com

Web
www.
themilcorgroup.
com

Melissa Corbett, P.E. #59292
C.A. #28246
October 3, 2018

Phase 1 Traffic Impact Analysis

Creative Land Management Development

Introduction:

The MilCor Group, Inc. has been retained to conduct an updated traffic analysis for the truck traffic resulting from the filling of the Creative Land Management Development, located in Martin County, Florida. The purpose of this study is to determine which roadway links are impacted by the proposed development and what, if any, improvements will be required to meet adopted Level of Service standards based on the requirements of the Martin County Adequate Public Facilities Ordinance.

Site Data:

The site is located in Martin County within Section 30 of Township 38S, Range 40E. The subject property consists of approximately 121.91 acres located on the west side of Green Farms Road located off of SW Martin Highway (SR 714), see attached traffic map for location. The overall proposed project involves the filling of 3,101,121 cubic yards of materials. The project is broken into three phases, with this first and largest phase, Phase 1, consisting of 28.51 acres which equates to the filling of 1,422,185 cubic yards of materials. Access to the proposed development will be via Green Farms Road which is a 2-lane, swaled roadway with no sidewalks.

Project Traffic:

Trip Generation:

In accordance with Martin County Excavation and Fill code, which allows for three years for a mining permit, including restoration, the hauling time frame is 24 months (2 years), allowing for 1 year of final grading and grassing of the site. This equates to 711,092 cubic yards per year, or 59,258 cubic yards per month.

There are 300 work days per year, given 6 workdays per week and 50 weeks per year, with 9 working hours on weekdays, and 7 working hours on Saturday, thereby resulting in 2,600 working hours per year. A standard dump truck holds 18 cubic yards, which equates to approximately 15 trucks per hour. Assuming the peak hour has double the truck volume, that equates to 30 trucks.

Trip Distribution and Assignment:

A directional distribution was developed based on a review of land use patterns and existing travel patterns, and existing peak hour directional volumes and growth rates, as provided in the Martin County 2017 Roadway Level of Service Inventory Report. Exhibit 1 illustrates the assignment of project traffic to the roadway network serving the site, and Exhibit 2 provides the calculations carrying the distribution out to 2% of the roadway capacity.

Future Traffic Conditions:

Filling is required to be complete within 3 years of approval, or Year 2022. The subject project is located adjacent to Green Farms Road in Martin County that feeds onto CR 714 between CR 609 and I-95. It is assumed that 100% of the trips will be along this roadway link. 30 trips is 4% of the Level of Service Capacity of 740 for this segment of CR 714, therefore please see exhibit 3 for complete close-out year analysis.

Scheduled Roadway Improvements:

There are no scheduled improvements on any links on which the project has significant impact.

Required Improvements:

None.

Project Phasing:

This request is for approval of only one phase of filling.

Attachments:

Exhibit 1 – Traffic Map
Exhibit 2 – Peak Hour Directional Volume Distribution
Exhibit 3 – Year 2022 Peak Hour Directional Volume Analysis

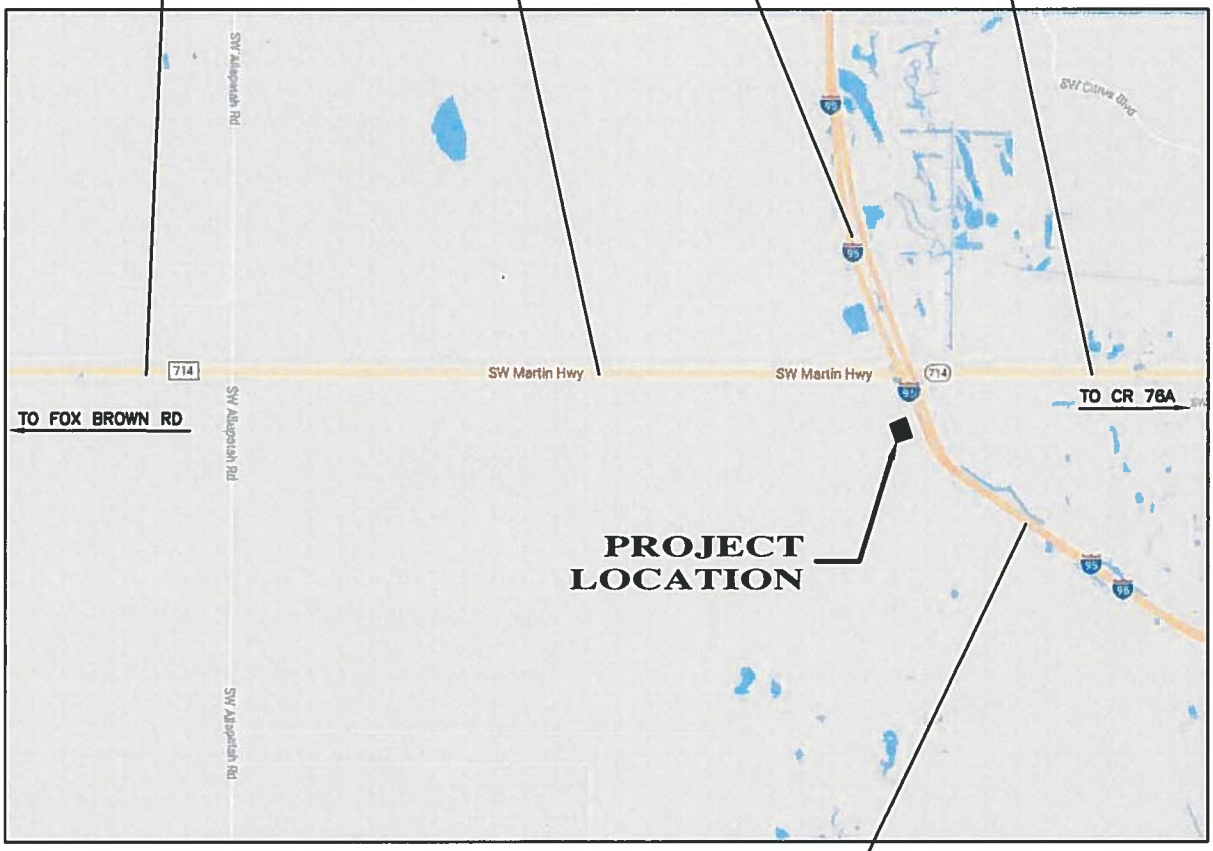
SECTION 30 TOWNSHIP 38 SOUTH RANGE 40 EAST
PARCEL CONTROL NOs.:
30-38-40-000-000-00024-0
30-38-40-000-000-00040-0

A=10
V=3
C=740
I=0.41%

A=100
V=30
C=740
I=4%

A=40
V=12
I=NEGLIGIBLE

A=10
V=3
C=1,200
I=0.25%



A=40
V=12
I=NEGLIGIBLE

A=PROJECT % ASSIGNED
V=PROJECT VOLUME
C=SERVICE CAPACITY
I=PROJECT IMPACT

Designed:	M.G.C.	2-6-18
Drawn:	A.T.	2-6-18
Checked:	M.G.C.	2-6-18
Approved:	M.G.C.	2-6-18
Date: 2-6-18		
Project: P0801		
File: prog traffic MAP.dwg		

No	Date	Revisions	By
1			
2			
3			
4			
5			
6			
7			

CALL 48 HOURS BEFORE YOU DIG 811

10975 SE Federal Highway
Hobe Sound, FL 33455-5006

The MilCor Group, Inc.
CIVIL ENGINEERS
PH: (772)223-8650
FAX: (772) 223-8851
Web: www.themilcorgroup.com
Certificate of Authorization: 28246

TRAFFIC MAP

CREATIVE LAND MANAGEMENT DEVELOPMENT
MARTIN COUNTY, FLORIDA

EXHIBIT
1

Exhibit 2
Creative Land Management Development
Peak Hour Directional Volume Distribution
Project Total Peak Hour Directional Volume = 30 Vehicle Trips

Road	Link		Lanes	PM Entering Peak Hour Directional Analysis			
				Project % Assign	Volume	Service Capacity	Project Impact
CR 714		Fox Brown Rd to CR 609	2L	10%	3	740	0.41%
CR 714		CR 609 to I-95	2L	100%	30	740	4.05%
SR 714		I-95 to CR 76A	2L	10%	3	1200	0.25%

Exhibit 3
Creative Land Management Development
Year 2022 Peak Hour Directional Volume Analysis

Analysis based on Martin County 2017 Data; therefore, buildout is in 5 years

Road	Link		Lanes	PM Peak Hour Directional Analysis						Service Capacity	Project Impact
				2017 Volume	Growth (2022) Volume	% / Year	Project % Assign	Volume	Total 2022		
CR 714		CR 609 to I-95	2L	237	102	7.4	100%	30	369	1200	4.05%

Transaction Identification Data for reference only:
Champagne Title Services, Inc.
3800 NE Third Avenue,
Pompano Beach, FL 33064
ALTA Universal ID:
LOAN ID Number:
Issuing Office File Number: 17-6207
Order No.: 6790954
Property Address: None assigned
FL
Revision Number: 09/17/2018 as Revision A

Chicago Title Insurance Company

SCHEDULE A
AMERICAN LAND TITLE ASSOCIATION COMMITMENT

1. Commitment Date: 09/03/2018 at: 11:00 PM

2. Policy or Policies to be issued:

   A. ALTA Owners 2006 with Florida Modifications
   Proposed Insured: Martin County, a political subdivision of the State of Florida
   Proposed Amount of Insurance: $31,000.00

3. The estate or interest in the Land described or referred to in this Commitment is (Identify estate covered, i.e., fee, leasehold, etc):

   Fee Simple

4. Title to the Fee Simple estate or interest in the land is at the Commitment Date vested in:

   Creative Land Management, LLC, a Florida limited liability company

5. The Land is described as follows in Exhibit "A" attached hereto and made part hereof.

Countersigned:

BY: _____
Authorized Officer or Agent

SCHEDULE B SECTION I
REQUIREMENTS
AMERICAN LAND TITLE ASSOCIATION COMMITMENT

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

2. Pay the agreed amount for the estate or interest to be insured.

3. Pay the premiums, fees, and charges for the Policy to the Company.

4. Instrument(s) creating the estate or interest to be insured must be properly executed, delivered and filed for record, to wit:

   A. Duly executed Warranty Deed from Creative Land Management, LLC, a Florida limited liability company, Grantor, to Martin County, a political subdivision of the State of Florida, Grantee, conveying the land described on Schedule A hereof.

   The Company will require the following as to Creative Land Management, LLC, a Florida limited liability company: ("LLC"):

   i. Proof that the LLC was in existence in its state of organization at the time it acquired title and that the LLC is currently in good standing.

   ii. Present for review a true and complete copy of the articles of organization and operating agreement of the LLC and any amendments thereto.

   iii. Record an affidavit from the person executing the proposed deed on behalf of the LLC certifying: (a) the name and state of organization of the LLC; (b) whether the LLC is member-managed or manager-managed; (c) the identity of the member or manager and the person authorized to execute the deed; and (d) neither the LLC nor any member signing the deed have filed bankruptcy since the LLC acquired title.

   iv. If the member or manager of the LLC is also a business entity, present proof of the entity's good standing and the appropriate entity documents to establish signing authority.

   If the proposed deed will be executed by anyone other than a member or manager, those portions of the operating agreement or other documentation evidencing the authority of the signatory must be attached as an exhibit to the affidavit.

5. Proof of payment of any outstanding assessments in favor of Martin County, Florida, any special taxing district and any municipality. NOTE: If this requirement is not satisfied the following exception will appear on Schedule B:

   Any outstanding assessments in favor of Martin County, Florida, any special taxing district and any municipality.

6. Proof of payment of service charges for water, sewer, waste and gas, if any, through the date of closing. NOTE: If this requirement is not met the following exception will appear on Schedule B:

SCHEDULE B SECTION I
Requirements continued

Any lien provided for by Florida Statutes in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer, waste or gas system supplying the insured land or service facilities.

7. INTENTIONALLY DELETED

8. Record in the Public Records a partial release of subject land from Mortgage in favor of Paradise Bank in the original principal amount of $212,000.00, dated May 9, 2017 and recorded in Official Records Book 2929, Page 1368, together with partial release of Assignment of Rents recorded in Official Records Book 2929, Page 1376.

9. Partial release of subject land from Stipulation and Agreed Final Order with Martin County, Florida recorded in Official Records Book 2896, Page 2800.

10. Compliance with Paragraph 5 of Waiver and Deferred Payment Agreement with Imposition of Lien recorded in Official Records Book 2899, Page 775.

11. Recording in the public records of Martin County, Florida of a certified copy of the Resolution of the Board of County Commissioners of Martin County authorizing the purchase of the subject property.

12. Satisfactory proof of compliance with the provisions of Florida Statute Section 196.295(1).

13. INTENTIONALLY DELETED

END OF SCHEDULE B SECTION I

SCHEDULE B SECTION II
EXCEPTIONS
AMERICAN LAND TITLE ASSOCIATION COMMITMENT

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this form.

2. Taxes and assessments for the year 2018 and subsequent years, which are not yet due and payable.

3. Standard Exceptions:

   A. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.

   B. Rights or claims of parties in possession not shown by the public records.

   C. Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.

   D. Taxes or assessments which are not shown as existing liens in the public records.

4. Any claim that any portion of the insured land is sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands accreted to such land.

5. Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas system supplying the insured land.

6. Reservations by Southern States Land & Timber Corporation, a Delaware corporation as contained in Warranty Deed, recorded April 15, 1950 in Deed Book 48, page 49 and as modified by Notice of Interest, recorded in Official Records Book 411, page 1224 and Official Records Book 2157, pages 322 and 427, and Waiver and Deferred Payment Agreement recorded in Official Records Book 2899, Page 775.

7. Resolution Number DRC-96-12.2, regarding final development plan approval, recorded June 5, 1997 in Official Records Book 1241, Page 1953.

8. Covenant Running with the Land, recorded June 5, 1997 in Official Records Book 1241, Page 1961.

9. Declaration of Interest, recorded June 5, 1997 in Official Records Book 1241, page 1964.

SCHEDULE B SECTION II
EXCEPTIONS
AMERICAN LAND TITLE ASSOCIATION COMMITMENT

10. INTENTIONALLY DELETED

11. Covenant Running with the Land, recorded August 26, 2002 in Official Records Book 1673, page 2434.

12. Resolution Number 02-3.16, regarding master and final site plan approval, recorded August 26, 2002 in Official Records Book 1673, page 2438.

13. Terms and conditions of Unity of Title recorded June 29, 2017 in Official Records Book 2934, Page 1458.

14. INTENTIONALLY DELETED

15. Resolution Number 05-3.16, regarding master/final site plan approval, recorded April 7, 2005 in Official Records Book 2000, page 514 and Development Order Change recorded in Official Records Book 2504, Page 942.

16. INTENTIONALLY DELETED

17. Maintenance and capital improvement cost obligations as per provisions of Mutual Quit Claim Access Easement recorded in Official Records Book 2412, Page 2120.

18. Deed of Conservation Easement recorded in Official Records Book 2551, Page 2265.

19. Preserve Area Management Plan recorded in Official Records Book 2920, Page 1970.

NOTE: Exception 1 above shall be deemed deleted as of the time the settlement funds or proceeds of the loan to be secured by the insured mortgage, as applicable, are disbursed by the Company or its authorized agent. Neither the Company nor its agent shall, however, be under any duty to disburse any sum except upon a determination that no such adverse intervening matters have appeared of record or occurred.

NOTES ON STANDARD EXCEPTIONS:

Item 3A will be deleted from the policy(ies) upon receipt of an accurate survey of the Land acceptable to the Company. Exception will be made for any encroachment, setback line violation, overlap, boundary line dispute or other adverse matter disclosed by the survey.

Items 3B, 3C, and 3D will be deleted from the policy(ies) upon receipt of an affidavit acceptable to the Company, affirming that, except as disclosed therein (i) no parties in possession of the Land exist other than the record owner(s); (ii) no improvements have been made to the Land within 90 days prior to closing which have not have been paid for in full; and (iii) no unpaid taxes or assessments are against the Land which are not shown as existing liens in the public records. Exception will be made for matters disclosed in the affidavit.

NOTE: All recording references in this form shall refer to the public records of Martin County, Florida, unless otherwise noted.

NOTE: In accordance with Florida Statutes section 627.4131, please be advised that the insured hereunder may present inquiries, obtain information about coverage, or receive assistance in resolving complaints, by

SCHEDULE B SECTION II
EXCEPTIONS
AMERICAN LAND TITLE ASSOCIATION COMMITMENT

contacting Chicago Title Insurance Company, 13800 NW 14th Street Suite 190, Sunrise, FL 33323; Telephone 954-217-1744.

Searched By: Carla Elbrecht

END OF SCHEDULE B SECTION II

EXHIBIT "A"

A parcel of land lying in Parcel 1 of those lands described in Exhibit "A" of that certain Warranty Deed recorded in Official Records Book 1198, Page 1143, more particularly described in Parcel 2 of Official Records Book 2793, Page 2036, Public Records of Martin County, Florida. All lying in Section 30, Township 38 South, Range 40 East, Martin County, Florida and being more particularly described as follows:

Commence at the Southeast corner of said Parcel 2 as described in Official Records Book 2793, Page 2036; Thence N 34°07'45" W, along the Easterly line of said lands described in Official Records Book 1198, Page 1143, said line also being the Easterly line of said Parcel 2 of Official Records Book 2793, Page 2036, a distance of 54.61 feet to the Point of Beginning; Thence S 79°23'07" W, a distance of 376.65 feet to a point of curve to the right having a radius of 200.00 feet and a central angle of 75°36'54"; Thence Northwesterly along the arc a distance of 263.95 feet; Thence N 24°59'59" W, a distance of 275.98 feet; Thence N 13°08'18" W, a distance of 239.36 feet; Thence N 18°32'36" W, a distance of 249.82 feet; Thence N 27°53'05" W, a distance of 243.44 feet; Thence N 30°51'24" W, a distance of 110.73 feet to a point of curve to the right having a radius of 82.08 feet and a central angle of 50°55'54"; Thence Northerly along the arc a distance of 72.97 feet to a point of compound curve to the right having a radius of 61.37 feet and a central angle of 88°59'48"; Thence Northeasterly along the arc, a distance of 95.32 feet; Thence S 70°55'42" E, a distance of 40.85 feet to an intersection with the Southwesterly right of way line of the 70 foot access road "A" for State Road 9 (I-95) per Florida Department of Transportation right of way map Section No. 89095-2414; Thence S 55°50'57" E along said Southwesterly right of way line, a distance of 243.60 feet to an intersection with the Easterly line of said Parcel 1; Thence S 34°07'45" E along said Easterly line, a distance of 1,244.40 feet to the Point of Beginning.

INSTR # 2612515 OR BK 2899 PG 775 RECD 12/30/2016 09:09:32 AM
(8 Pgs)
CAROLYN TIMMANN MARTIN COUNTY CLERK
DEED DOC $0.00, MTG DOC $0.00, INTANGIBLE $0.00

OR-L-0123

THIS DOCUMENT WAS PREPARED BY AND SHOULD BE RETURNED TO:

Southern States Land & Timber LLC
Attn: Stephanie Clement
Post Office Box 333
Franklin, LA 70538

Dolores K. Sanchez, Esq.
4701 N. Federal Hwy Ste 36
Lighthouse Pt FL 33064

WAIVER AND DEFERRED PAYMENT AGREEMENT (WITH IMPOSITION OF LIEN)

THIS WAIVER AND DEFERRED PAYMENT AGREEMENT (WITH IMPOSITION OF LIEN) (the "Agreement") is entered into as of the 28th day of July, 2015 by and between **SOUTHERN STATES LAND & TIMBER LLC**, a Florida limited liability company, successor by merger to Southern States Land & Timber Corporation, a Delaware corporation, authorized to do business in Florida ("Southern States") and Creative Land Management, LLC c/o Jason Pepitone, ("Owner").

RECITALS:

A. Southern States is the owner/holder of oil, gas and mineral reservations (collectively, "Mineral Rights"), together with the right of access to explore, prospect, exploit, develop and otherwise seek oil, gas and mineral deposits relating to certain lands located in Martin County, Florida, including, without limitation, all or a portion of the land described in Exhibit "A" attached hereto and made a part hereof (the "Land"); and

B. Owner is the owner in fee simple of the Land described in the attached Exhibit "A"; and

C. Owner has requested from Southern States a waiver of Southern States' surface entry rights on, over and across the Land appurtenant to the Mineral Rights ("Surface Rights"); and

D. Southern States and Owner have come to an agreement on the terms upon which Southern States will grant the requested waiver of Southern States' Surface Rights, which terms are incorporated in this Agreement.

NOW, THEREFORE, for and in consideration of the sum of Ten Dollars ($10.00) in hand paid to the other party by each of the parties hereto, as well as other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by both parties,

Southern States and Owner covenant and agree as follows:

1. **Recitals.** The foregoing Recitals are true and correct and are incorporated herein by this reference.

2. **Agreement Not To Exercise Rights.** For so long as this Agreement is in force and effect and the conditions herein imposed upon Owner are satisfied, Southern States, for itself and its successors and assigns, hereby waives the right to use or occupy any portion of the surface estate of the Land pursuant to its Surface Rights (the "Waiver").

3. **Retained Rights.** By executing this Agreement, Southern States is not waiving the use, including the right of ingress and egress, of the subsurface estate of the Land; nothing herein shall be construed as waiving, releasing or relinquishing any rights of Southern States in and to the oil, gas and other minerals, in, on and under the Land or that may be produced from the Land, or the rights of Southern States, its successors and assigns, heirs and personal representatives or lessees to explore for, develop, and/or produce said oil, gas and other minerals with wells drilled or mining operations at such locations not on the surface of the Land, including, but not limited to, directional or horizontal wells bottomed beneath the Land. Provided, however, in the event that any current or future owner/holder of the surface rights to the Land, or any lessee or assign of the then current owner/holder of such surface rights, shall conduct any of the preceding drilling or mining activities on the Land, then, in such event, Southern States' Waiver shall be revoked without notice or action by Southern States.

4. **No Release of Mineral Rights.** The agreements and covenants of this Agreement shall not operate to release any of Southern States' Mineral Rights, but shall only constitute an agreement by Southern States, on the terms set forth herein, including but not limited to the payment of the consideration due Southern States pursuant to Paragraph 5 herein, not to exercise its Surface Rights in and to the Land. Further, subject to the Waiver of Surface Rights pursuant to Paragraph 2 herein, Southern States expressly retains the right to grant mineral leases on the Land and to receive bonuses, rentals, royalties and other payments to which Southern States may be otherwise entitled by reason of the leasing, sale, mining or exploration of said Mineral Rights.

5. **Payment Terms.** In consideration for Southern States granting the Waiver, Owner, on behalf of itself as well as all successors and assigns in ownership of the Land, or any portion thereof, agrees to, through itself or through a closing agent, make the following payments to Southern States:

(a) Ten Dollars ($10.00) and other good and valuable considerations upon the execution of this Agreement by Southern States; and

(b) Promptly upon collection and clearance of funds in closing agent's account, an amount equal to the greater of (i) $150 times the number of acres sold, transferred, or conveyed, subject to the Southern States' mineral rights or (ii) the total consideration received by Owner for the sale, transfer, conveyance or divestiture of an interest in or to any portion of the Land subject to Southern States' mineral rights (each a "Transfer") times one percent (1%); and

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Requested By: celbrecht, Printed: 2/1/2018 8:19 AM

(c) On each subsequent sale or Transfer, an amount equal to (i) the greater of 1) $150 times the number of acres sold, transferred, or conveyed subject to the Southern States' mineral rights or 2) the total consideration for the Transfer times one percent (1%), plus (ii) any delinquent Deferred Payments (hereafter defined), which payment or payments shall be due Southern States concurrent with the execution and delivery of the Transfer's instrument of conveyance, but in no event shall such payment be paid to Southern States later than the recording of the Transfer's instrument of conveyance in the Public Records of the county in which the Land is located.

In the event Owner is not a natural person, such as a corporation, partnership, joint venture, union, limited liability company, trust, unincorporated organization, association, joint stock company, trustee, estate, real estate investment trust or other entity or organization (an "Organization"), all or any portion of the direct or indirect ownership, beneficial interest, or any other interest in the Owner Organization is sold, transferred, conveyed or otherwise divested in any fashion, such sale, transfer, conveyance or divestiture shall be a Transfer pursuant to clauses (b) and (c) above.

The payments due Southern States pursuant to the preceding subparagraphs (b) and (c) are hereinafter individually referred to as a "Deferred Payment" and collectively as the "Deferred Payments". In the event there is any dispute as to the value of the consideration for the Transfer, or for Transfers not involving an arm's length Transfer by sale to a transferee, including, but not limited to, gifts, bequests or charitable contributions, the fair market value of the Land, or portion thereof that is Transferred, as determined by an independent real estate appraiser selected by Southern States, shall be used as the sales price (with the cost of such appraisal being borne by Owner).

The Minimum Deferred Payment (subparagraph (b) above) shall be $150 until the fifth ($5^{th}$) anniversary of the date hereof. Beginning on the first day after the fifth (5th) anniversary of the date hereof, the Minimum Deferred Payment shall be adjusted for the change in the cost of living reflected by the "Consumer Price Index for All Urban Consumers - All Items (1982/84 = 100)" of the Bureau of Labor Statistics of the United States Department of Labor ("Index"). This adjustment for the cost of living shall be determined by multiplying the sum of $150 by a fraction, the numerator of which shall be the latest monthly Index available prior to fifteen (15) days before the payment of such Minimum Extension Fee, and the denominator of which shall be the Index as of the date of this Agreement.

Upon receipt of a Deferred Payment, Southern States agrees to execute an instrument in recordable form, acknowledging that the Waiver pursuant to this Agreement has been extended solely to the benefit of transferee pursuant to a Transfer for which the payment or payments have been received by Southern States pursuant to paragraph 5 of this Agreement, and not to any subsequent holder of an interest of any type in the Land until such time as the Deferred Payment, together with any delinquent Deferred Payment, due upon the Transfer to such subsequent interest holder have been received by Southern States. Notwithstanding the foregoing, Southern States agrees that it shall reasonably cooperate with any proposed transferee with regard to the recordable instrument referenced above to send such instrument to a title agent reasonably acceptable to Southern States, in escrow, to be recorded at the closing provided that

simultaneously with such recording the Deferred Payment shall be sent to Southern States. To that end, Southern States agrees, upon receipt of a written request from a proposed transferee, to provide a payoff letter that can be relied on by any such transferee regarding the amount of the Deferred Payment to be paid to Southern States at closing on the Transfer.

6. **Lien to Secure the Payment**. In order to secure the Deferred Payments due Southern States pursuant to Paragraphs 5 (b) and 5 (c) above, Owner hereby grants and conveys and imposes a lien (the "Lien") upon the Land in favor of Southern States. In the event of a Transfer without the payment of the Deferred Payment or any delinquent Deferred Payments to Southern States pursuant to paragraph 5 of this Agreement, Southern States may foreclosure the Lien in the same nature as a mortgage. The Lien shall be effective upon the execution of this Agreement by Owner. The Lien shall further secure payment of interest, attorneys fees and costs incurred by Southern States incident to the collection of the Deferred Payment and any delinquent Deferred Payments or enforcement of the Lien created herein, whether before, during or after a Lien foreclosure suit. The Lien created herein shall be subordinate and inferior to any recorded Institutional First Mortgage (as hereafter defined); provided, however, following the foreclosure of an Institutional First Mortgage to which the Lien is subordinate, or a deed in lieu of such foreclosure, the Lien created herein to secure the Deferred Payment shall continue as a lien upon the Land and be binding on the purchaser of the Land at the foreclosure sale, or the grantee in any deed in lieu of foreclosure, and all successive owners of the Land. The Lien shall be superior to, and shall take priority over, any other mortgage.

Each owner of the Land, regardless of how title is acquired, is personally liable for the unpaid portion of the Deferred Payment becoming due when such party is the owner. Multiple owners are jointly and severally liable. Following a Transfer of the Land, the transferor shall remain liable for the unpaid portion of the Deferred Payment accruing prior to or due concurrent with such Transfer.

Notwithstanding any provision of this Agreement to the contrary, Southern States expressly acknowledges and agrees that the payment obligations relative to the Deferred Payment shall not apply in the case of any institutional lender which acquires title to the Land, or any portion thereof, as the result of the judicial foreclosure, or the acceptance of a deed in lieu of foreclosure, in respect of its recorded first mortgage lien on the Land, or any portion thereof. The waiver by Southern States of the rights of access and entry upon the Land and its agreement not to exercise its rights as contained in paragraph 2, shall be valid and in full force and effect, without any action or payment on the part of such institutional lender, during the time that title to the Land, or any portion thereof, is owned by such institutional lender. For all subsequent Transfers from the institutional lender to any other titleholders, the payment to Southern States of the Deferred Payment upon any Transfer shall be required as provided above in paragraph 5.

Delinquent portions of the Deferred Payments shall bear interest at an annual rate of twelve (12%) percent; provided, however, at no time shall the interest rate on any portion of a Deferred Payment exceed the maximum rate permitted by applicable law. In the event the interest charged on any portion of a Deferred Payment exceed the maximum rate permitted by law, such excess shall be immediately refunded.

An Institutional First Mortgage shall mean a first mortgage held by a bank, savings and loan association, federal savings bank, insurance company, union pension fund, mortgage company actively engaged in the processing of first mortgage loans to the public in general, an agency of the United States Government, and their successors and assigns.

Southern States shall have the right at such times and in such form as it shall determine, in its sole and absolute discretion, to file in the Public Records of Martin County, Florida subsequent notices of this Agreement and the Lien created herein in accordance with terms contained herein.

7. **Land**. For purposes of this Agreement, the term Land shall initially include all of the Land described in Exhibit "A". As the Land is subdivided or otherwise transferred in part (in either event, a "Division"), each individual subdivided lot or each individual parcel (each a "Divided Parcel") shall become severally subject to the Lien for the Deferred Payment, and following a Division, the Lien shall only secure that portion of the Deferred Payment arising from a Transfer of the Divided Parcel and no other portion of the Land.

8. **Disclaimer**. Any attempted disclaimer or release of the Waiver granted herein by an owner of the Land or any portion thereof shall not have any impact upon the obligations of this Agreement, including the obligation to make the Deferred Payments when due, and such attempted disclaimer or release shall be null and void in all respects.

9. **Duration of Lien**. The Lien granted herein shall extend for the period of time the Mineral Rights remain an estate in the Land.

10. **Parties Bound.** This Agreement shall inure to the benefit of and be binding upon the parties hereto and their successors and assigns.

11. **Severability**. If any one or more of the provisions of this Agreement is held invalid, illegal or unenforceable, the remaining provisions of this Agreement shall be unimpaired, and the remaining provisions of this Agreement shall be construed to best carry out the original intent of the parties hereto.

12. **Waiver**. No failure of Southern States to act upon any of its rights hereunder shall be considered a waiver of those rights, and any written waiver of such right shall not act as a waiver of any subsequent right of Southern States to enforce the terms and conditions of this Agreement.

13. **Amendments**. The terms of this Agreement may not be amended, waived or terminated orally, but only by an instrument in writing signed by both Southern States and Owner.

IN WITNESS WHEREOF, Southern States has executed this Agreement on the date and year set forth above.

SOUTHERN STATES LAND & TIMBER LLC, a Florida limited liability company, successor by merger to Southern States Land & Timber Corporation, a Delaware corporation

By: Debi L. Lauret
As its Authorized Representative
Address:
203 Main Street
Franklin, LA 70538

Attest:
Stephanie R Clement
As its Assistant Secretary

STATE OF LOUISIANA

PARISH OF ST. MARY

Before me personally appeared Debi L. Lauret and Stephanie R. Clement, respectively, Authorized Representative and Assistant Secretary of SOUTHERN STATES LAND & TIMBER LLC, a Florida limited liability company, to me well known, and they acknowledged before me that they executed the foregoing instrument as such officers of said company; and I FURTHER CERTIFY that I know the said persons making said acknowledgment to be the individuals described in and who executed the said instrument.

WITNESS my hand and official seal this 28th day of July, 2015.

Margaret E. Judice
NOTARY PUBLIC, State of Louisiana and Parish of St. Mary
Printed

Name: Margaret E. Judice

My Commission Expires: at death

[signature and acknowledgment for Owner on following page]

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Requested By: celbrecht, Printed: 2/1/2018 8:19 AM

OWNER: MMBR CLMSnt

~~By~~ FOR: CREATIVE LAND MANAGEMENT LLC

Witness
Print Name: DOLORES K. SANCHEZ

Witness
Print Name: DAWN DUROCHER

Print Name: JASON PEPITONE

Title: MANAGER/MEMBER

Address:
391 NE 26th AVENUE
LIGHTHOUSE POINT, FL 33064

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 24th day of SEPTEMBER, 2015 by JASON PEPITONE, the MANAGER-MEMBER of CREATIVE LAND MANAGEMENT LLC, a FLORIDA LLC who is [X] personally known to me, or who has [ ] produced _____ as identification.

Notary Public in and for the State and County aforesaid.
Commission Number: 202208
My Commission expires: 3-3-2015
Print Notary Name: DOLORES K. SANCHEZ

(seal)

DOLORES K. SANCHEZ
Notary Public - State of Florida
Commission # FF 202208
My Comm. Expires Mar 3, 2019
Bonded through National Notary Assn.

EXHIBIT "A"

PARCEL 1:

A PARCEL OF LAND LYING IN PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT "A" OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1198, PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 28 OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA: THENCE NORTHWESTERLY FOR THE NEXT THREE COURSES ALONG THE NORTHEASTERLY LINE OF THE PLAT OF DRESSAGE ESTATES AS RECORDED IN PLAT BOOK 16, PAGE 24 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N40°54'40"W A DISTANCE OF 517.38 FEET; THENCE N32°45'58"W A DISTANCE OF 1259.59 FEET; THENCE N30°50'55"W A DISTANCE OF 318.29 FEET; THENCE DEPARTING FROM SAID NORTHEASTERLY BOUNDARY OF THE PLAT OF DRESSAGE ESTATES N59°09'05"E A DISTANCE OF 2202.53 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 89095-2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY LINE OF ACCESS ROAD "A" A DISTANCE OF 247.80 FEET TO THE WEST LINE OF A 60 FOOT ACCESS EASEMENT; THENCE SOUTHEASTERLY ALONG THE WEST SIDE OF SAID 60 FOOT ACCESS EASEMENT FOR THE NEXT SIX COURSES; THENCE S10°50'15"E A DISTANCE OF 277.79 FEET; THENCE S14°57'04"E A DISTANCE OF 454.03 FEET; THENCE S16°49'52"E A DISTANCE OF 272.01 FEET; THENCE S26°50'48"E A DISTANCE OF 720.42 FEET; THENCE S27°06'17"E A DISTANCE OF 95.85 FEET; THENCE S16°59'12"E A DISTANCE OF 197.68 FEET TO THE NORTHERLY LINE OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67; THENCE WESTERLY ALONG SAID NORTHERLY LINE FOR THE NEXT THREE COURSES; THENCE S52°33'22"W A DISTANCE OF 382.90 FEET; THENCE S73°33'30"W A DISTANCE OF 949.43 FEET; THENCE S49°05'14"W A DISTANCE OF 493.08 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A PARCEL OF LAND BEING A PORTION OF PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT "A" OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1198, PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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Recorded in Martin County, FL 6/29/2017 12:05 PM
Carolyn Timmann, Clerk of the Circuit Court & Comptroller
Rec Fees: $44.00
CFN#2643145 BK 2934 PG 1458 PAGE 1 of 5

Martin County Growth Management Department
2401 S. E. Monterey Road, Stuart, FL 34996
772-288-5501 *www.martin.fl.us*

Return to:
Martin County Growth Management Department

UNITY OF TITLE

In consideration of the issuance of a permit to Creative Land Management LLC, as Owner(s) for the construction of _____ in Martin County, Florida, and for other good and valuable considerations, the undersigned hereby agree to restrict use of lands described in **Exhibit A** attached hereto in the following manner:

Read carefully.
- ✓ **Check Box 1. - if property is non-platted/non-condominium <u>or</u>**
- ✓ **Check Box 2. - if property is a platted subdivision <u>or</u>**
- ✓ **Check Box 3. - if property is a condominium, as applicable.**

☒ 1. <u>Non-Platted/Non-Condominium.</u> 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.

OR

☐ 2. <u>Platted Subdivision (Non-Condominium).</u> 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; however that (a) individual subdivision lots may be conveyed upon approval and recordation of the plat of_____, (b) phases or portions of phases that comply with the requirements contained within the development orders may be conveyed separately upon final site plan approval of that phase or portion of a phase, (c) common elements, common open areas and developed recreation areas may be conveyed to a property owners' association or other similar entity as deemed appropriate by the Board of County Commissioners, so long as such conveyance shall be subject to the express restriction that use of the subject property shall only be for the use described on the final site plan and plat, and (d) other portions of the subject property may be conveyed and used or maintained by governmental, environmental, charitable or other organizations or agencies for such purposes as the Board of County Commissioners may deem appropriate, with the sole exception being that a portion of said property may be sold, transferred, devised, or assigned to any governmental entity.

OR

☐ 3. <u>Condominium.</u> That said property shall be developed as a condominium in which the underlying common elements 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, with the sole exception being that if any of the condominium units are developed as "land units" those parcels may be sold, transferred,

Unofficial Copy

Martin County Growth Management Department
2401 S. E. Monterey Road, Stuart, FL 34996
772-288-5501 www.martin.fl.us

devised or assigned subject to being part of the condominium and subject to the declaration of condominium pursuant to which they were established, or a portion of said property sold, transferred, devised, or assigned to any governmental entity.

4. 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/its successors, heirs and assigns until such time as the same may be released in writing by the Martin County Board of County Commissioners.

5. The undersigned further agrees that this instrument shall be recorded in the Public Records of Martin County.

6. 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.

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Martin County Growth Management Department
2401 S. E. Monterey Road, Stuart, FL 34996
772-288-5501 *www.martin.fl.us*

CORPORATE

Signed, acknowledged and notarized on this 9 day of Jan, 20 17

WITNESSES:

Sign: [signature]
Print: Melissa A. Corbett

Sign: [signature]
Print: Aaron Stanton

OWNER:

Creative Land Management, LLC
Name of Corporation

By: X [signature]
Name: Jed Brownie
Title: Manager
Address: 6636 Matousek St
Stuart, FL 34997

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

STATE OF Florida
COUNTY OF Martin

I HEREBY CERTIFY that the foregoing Unity of Title was acknowledged before me this 9 day of Jan, 2017, by Jed Brownie, Mgr (name of officer/agent and title) of Creative Land Management, LLC (name of corporation) He or she X is personally known to me or ( ) has produced _____ as identification.

[STAMP] KIM LITTLE
MY COMMISSION # GG 039955
EXPIRES: October 28, 2020
Bonded Thru Notary Public Underwriters

NOTARY PUBLIC [signature]
Name: Kim Little
State of Florida at large
My commission expires:

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Martin County Growth Management Department
2401 S. E. Monterey Road, Stuart, FL 34996
772-288-5501 *www.martin.fl.us*

EXHIBIT A
(Legal Description)

Unofficial Copy

PARCEL ID #30-38-40-000-000-00024-0
A PARCEL OF LAND LYING IN PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT 'A' OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1198. PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SAID PARCEL CONTAINING 100.01 ACRES MORE OR LESS.

TOGETHER WITH PARCEL ID #30-38-40-000-000-00040-0

A PARCEL OF LAND BEING A PORTION OF PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT "A" OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1198. PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 21.91 ACRES, MORE OR LESS.

SAID PARCEL BEING SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, DEDICATIONS OR RESTRICTIONS.

Designed: M.G.C.
Drawn: A.T.
Checked: M.G.C.
Approved: M.G.C.
Date: 5-12-16
Project: P0801
File: EX MAPS.dwg

No.	Date:	Revision:	By
1			
2			
3			
4			
5			
6			

CALL 48 HOURS BEFORE YOU DIG
IT'S THE LAW!
1-800-432-4770
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

The MilCor Group, Inc.
6526 S Kanner Hwy #236, Stuart, Florida 34997
Ph: (772)223-9850 Fax: (772) 223-8851
Web: www.themilcorgroup.com
Certificate of Authorization: 28246

LEGAL DESCRIPTION

CREATIVE LAND MANAGEMENT DEVELOPMENT
MARTIN COUNTY, FLORIDA

EXHIBIT
A

J:\P08 - Progressive Waste\P0801 - Creative Land Management\DWG\DESIGN\EX MAPS.dwg, PRINTED BY: alext ON Thu, May 12 2016

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INSTR # 2168317
OR BK 02412 PG 2120
Pgs 2120 - 2127; (8pgs)
RECORDED 09/17/2009 12:57:52 PM
MARSHA EWING
CLERK OF MARTIN COUNTY FLORIDA
RECORDED BY S Phoenix

Record and Return to:
Roger C. Stanton, Esq.
Cohen, Norris, Scherer, Weinberger & Wolmer
712 U.S. Highway One, Suite 400
North Palm Beach, Florida 33408

MUTUAL QUIT CLAIM ACCESS EASEMENT

THIS MUTUAL QUIT CLAIM ACCESS EASEMENT is made this 24th day of June, 2009, by MARTIN COUNTY PARK OF COMMERCE, INC., a Florida corporation, which has an address of 3446 SW Armellini Avenue, Palm City, Florida 34991 ("MCPC") in favor of ALL COUNTY ENVIRONMENTAL PRODUCTS, INC., a Florida corporation, which has an address of 167 S.W. Hawthorne Circle, Port St. Lucie, FL 34953 ("ACEP").

W I T N E S S E T H

WHEREAS, MCPC is the fee simple title holder to certain parcels of real property located in the Martin County, Florida, which parcels are more specifically described as "Parcel 'A' Area" and "Parcel 'B' Area" on Exhibit "A-1" and as "Parcel 'A' Area" on Exhibit "A-2" which are attached hereto and made a part hereof ("MCPC's Property"); and

WHEREAS, ACEP has acquired from MCPC an adjacent parcel of real property located in Martin County, Florida which is more specifically described on Exhibit "B" attached hereto and made a part hereof ("ACEP's Property"); and

WHEREAS, there is an existing 70' access road running parallel and adjacent to the northern boundary line of MCPC's Property and ACEP's Property shown on Florida Department of Transportation R/W Map #89095-2414 (last updated 6-14-84) (the "Access Road"); and

WHEREAS, each of the parties desires, without making any representation or warranty whatsoever to the other party as to the fee ownership of the Access Road or the current or future legal right of the parties to continue to use the Access Road, to grant to the other party has an easement over the land described herein;

NOW, THEREFORE, in consideration of the foregoing and subject to the express terms and conditions of the Agreement, the parties agree as follows.

1. Recitals. The foregoing recitals are true and correct and incorporated herein.

2. Grant of Easement. MCPC, without making any representation or warranty whatsoever to the other party as to the fee ownership of the Access Road or the current or future legal right of the parties to continue to use the Access Road, hereby declares, grants and imposes, for the benefit of the ACEP, ACEP's successors and assigns, a non-exclusive ingress and egress easement, in perpetuity, for the purpose of vehicular access or on foot, over, upon and across the Access Road presently existing within the circled area adjacent to the northern boundary line of MCPC's Property, which ingress and egress easement is shown on the attached Exhibit "A-1" and Exhibit "A-2".

3. Grant of Easement. ACEP, without making any representation or warranty whatsoever to the other party as to the fee ownership of the Access Road or the current or future legal right of the parties to continue to use the Access Road, hereby declares, grants and imposes, for the benefit of the MCPC, MCPC's successors and assigns, a non-exclusive ingress and egress easement, in perpetuity, for the purpose of vehicular access or on foot, over, upon and across the Access Road presently existing within the circled area adjacent to the northern boundary line of ACEP's Property, which ingress and egress easement is shown on the attached Exhibit "A-1" and Exhibit "A-2".

4. Covenant to Run with the Land; Successors Bound. This Easement shall run with the

Unofficial Copy

land and shall be binding upon the MCPC and the MCPC's successors, assigns and mortgagees.

5. Shared Usage and Future Capital Improvements. In the event that either MCPC or ACEP improves the Access Road, the maintenance costs for the Access Road shall be equally shared by the then owners of Parcel A area and the ACEP Property. In the event that capital improvements are needed to the Access Road to accommodate the development of Parcel A, such capital improvements shall be paid by the owner(s) of Parcel A. Similarly, if capital improvements are needed to the Access Road to accommodate the development of the ACEP Property, such capital improvements shall be paid by the owner(s) of the ACEP Property.

6. Damage to Access Road. Any damage to the Access Road shall be promptly restored and repaired at the exclusive cost and expense of ACEP, its successor or assigns; provided however, that if any damage to the Access Road is caused by the owner of the Parcel A Property, or any portion thereof, or its or their respective guests, invitees or licensees, the then owner of the Parcel A Property, or any portion thereof, responsible for such damage shall be responsible for the exclusive cost and expense of repair and/or restoration.

7. Indemnification. Each party, by virtue of executing this Agreement, or by virtue of taking title to property that is subject to this Agreement, indemnifies and holds the other party or any party in interest harmless from any and all liability for injury to such party or party in interest which occurs within the Access Road.

8. Attorney's Fees; Governing Law; Venue. In connection with any litigation arising out of this Agreement, the prevailing party shall be entitled to recover all costs incurred including, but not limited to, its reasonable attorneys' fees at all trial and appellate levels and post-judgment proceedings. This Agreement shall be governed and controlled by and enforced and construed under the laws of the State of Florida. Venue for any action or proceeding brought hereunder or pursuant hereto shall be exclusively in Martin County, Florida, except as same may be in contravention of applicable law.

IN WITNESS WHEREOF, an authorized representative of said MCPC has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Signed, sealed and delivered
in the presence of:

Print Name: Kenneth A. Norman

Print Name: Karen L. McGhee

MARTIN COUNTY PARK OF COMMERCE, INC.,
a Florida corporation

By: _____
Jules Armellini, President

Unofficial Copy

STATE OF FLORIDA

COUNTY OF Martin

The foregoing instrument was acknowledged before me this 24 day of June, 2009, by Jules Armellini, as President of MARTIN COUNTY PARK OF COMMERCE, INC., a Florida corporation, on behalf of the corporation, who did not take an oath, and who is personally known to me or has produced _____ as identification.

Notary Public
Commission No.
Expires:

KAREN L. MCGHEE
MY COMMISSION # DD 649608
EXPIRES: April 6, 2011
Bonded Thru Notary Public Underwriters

Unofficial Copy

IN WITNESS WHEREOF, an authorized representative of said MCPC has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Signed, sealed and delivered in the presence of:

Paige Lanier

Print Name: Paige Lanier

Karen L. McGhee

Print Name: Karen L McGhee

ALL COUNTY ENVIRONMENTAL PRODUCTS, INC.,
a Florida corporation

By: Carl Gambino

Carl Gambino, Jr. Treasurer

STATE OF FLORIDA

COUNTY OF Martin

The foregoing instrument was acknowledged before me this 24 day of June, 2009, by Carl Gambino, Jr. as Treasurer of ALL COUNTY ENVIRONMENTAL PRODUCTS, INC., a Florida corporation, on behalf of the corporation, who did not take an oath, and who is personally known to me or has produced Drivers License as identification.

KAREN L. MCGHEE
MY COMMISSION # DD 649608
EXPIRES: April 6, 2011
Bonded Thru Notary Public Underwriters

Notary Public
Commission No.
Expires:

Unofficial Copy

A-1

EXHIBIT

SURVEYOR'S NOTES

1. BEARINGS AS SHOWN HEREON ARE BASED ON STATE PLANE COORDINATES, NORTH AMERICAN DATUM OF 1983/1990 (N.A.D. 83/90), FLORIDA EAST ZONE. REFERENCE A BEARING OF N89°52'49"W ALONG THE NORTH LINE OF SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA.
2. ELEVATIONS AS SHOWN HEREON REFERENCE THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D. 29). REFERENCE NATIONAL GEODETIC SURVEY (N.G.S.) BENCHMARK "P60 80 A49", ELEVATION = 31.38' FEET AND "P60 80 A48", ELEVATION = 38.337 FEET.
3. THIS PROPERTY IS LOCATED IN FEDERAL FLOOD ZONE X, REFERENCE FEMA MAP COMMUNITY NO. 120055C, PANEL 0125, SUFFIX F, EFFECTIVE DATE OCTOBER 04, 2002.
4. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
5. THIS SURVEY IS BASED ON A CLOSED GEOMETRIC FIGURE EXCEEDING A HORIZONTAL CLOSURE OF 1:10,000.
6. THERE WAS NO ATTEMPT TO LOCATE ANY SUBSURFACE FOUNDATIONS.
7. NO UNDERGROUND UTILITIES WERE LOCATED OR SHOWN HEREON.

SYMBOL LEGEND

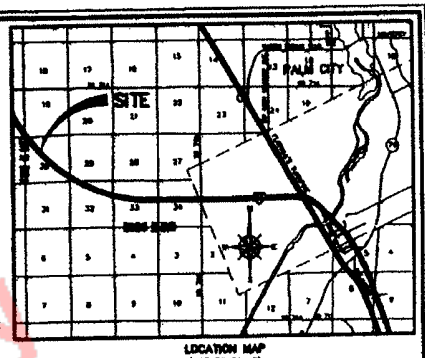
x 11.47 FIELD LOCATED POINT WITH ELEVATION

ABBREVIATIONS

Δ	CENTRAL (DELTA) ANGLE
CL	CENTERLINE
CM	CONCRETE MONUMENT
CMP	CORRUGATED METAL PIPE
CONC.	CONCRETE
EL.	ELEVATION
INV.	INVERT
F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION
FND.	FOUND
IPC	IRON PIPE & CAP
IRC	IRON ROD & CAP
L	LENGTH
NO.	NUMBER
PK	PARKER KALON NAIL
P.S.M.	PROFESSIONAL SURVEYOR & MAPPER
R	RADIUS
RCP	REINFORCED CONCRETE PIPE
RNG.	RANGE
R/W	RIGHT-OF-WAY
SEC.	SECTION
TOB	TOP OF BANK
TOE	TOE OF SLOPE
TWP.	TOWNSHIP

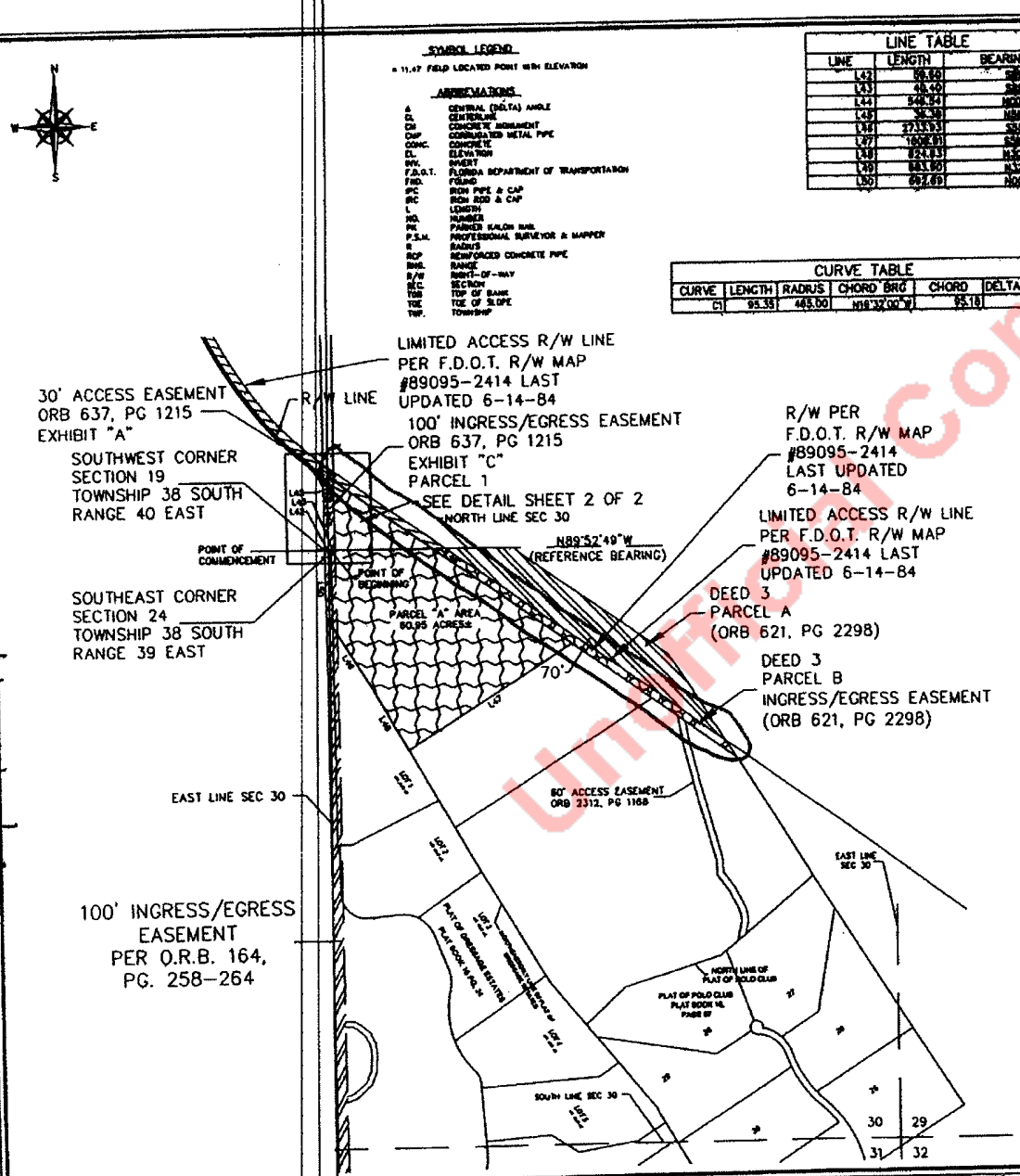
LINE TABLE

LINE	LENGTH	BEARING
L19	[illegible]	[illegible]
L20	[illegible]	[illegible]
L21	[illegible]	[illegible]
L22	[illegible]	[illegible]
L23	[illegible]	[illegible]
L24	[illegible]	[illegible]
L25	[illegible]	[illegible]
L26	[illegible]	[illegible]
L27	[illegible]	[illegible]
L28	[illegible]	[illegible]
L29	[illegible]	[illegible]
L30	[illegible]	[illegible]
L31	[illegible]	[illegible]
L32	[illegible]	[illegible]
L33	[illegible]	[illegible]
L34	[illegible]	[illegible]
L35	[illegible]	[illegible]
L36	[illegible]	[illegible]
L37	[illegible]	[illegible]
L38	[illegible]	[illegible]
L39	[illegible]	[illegible]
L40	[illegible]	[illegible]
L41	2187.74	[illegible]


SITE
PALM CITY
BRIDGE ROAD
ROCHESTER AVE
SW 96TH AVE
SW 96TH TER
SW 96TH PL
SW 96TH ST
SW 96TH CT
SW 96TH WAY
SW 96TH TERRACE
SW 96TH LN
SW 96TH DR
SW 96TH CIR
SW 96TH PLACE
SW 96TH COURT
SW 96TH WAY
SW 96TH TERRACE
SW 96TH LANE
SW 96TH DRIVE
SW 96TH CIRCLE

A-2

EXHIBIT



SYMBOL LEGEND

= 11.47 FIELD LOCATED POINT WITH ELEVATION

ABBREVIATIONS

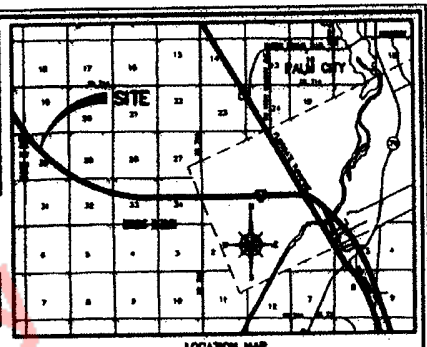
Δ	CENTRAL (DELTA) ANGLE
℄	CENTERLINE
CM	CONCRETE MONUMENT
CMP	CORRUGATED METAL PIPE
CONC.	CONCRETE
EL.	ELEVATION
INV.	INVERT
F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION
FND.	FOUND
IPC	IRON PIPE & CAP
IRC	IRON ROD & CAP
L	LENGTH
NO.	NUMBER
PK	PARKER KALON NAIL
P.S.M.	PROFESSIONAL SURVEYOR & MAPPER
R	RADIUS
RCP	REINFORCED CONCRETE PIPE
RNG.	RANGE
R/W	RIGHT-OF-WAY
SEC.	SECTION
TOB	TOP OF BANK
TOE	TOE OF SLOPE
TWP.	TOWNSHIP

LINE TABLE

LINE	LENGTH	BEARING
L43	55.60	S88°32'46"E
L43	48.40	S88°32'46"E
L44	548.54	N00°07'05"W
L45	30.38	N88°24'14"W
L46	2733.83	S89°00'53"E
L47	1800.91	S89°00'06"W
L48	829.83	N10°30'55"W
L49	883.60	N12°41'30"W
L50	682.69	N00°08'14"W

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD BRG	CHORD	DELTA ANGLE
C1	95.35	465.00	N18°32'00"W	95.18	11°44'34"



LOCATION MAP
(NOT TO SCALE)

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN PARCEL 1 AND PARCEL 5 OF THOSE LANDS DESCRIBED IN EXHIBIT "A" OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1168, PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTIONS 19 AND 24, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 19, TOWNSHIP 38 SOUTH, RANGE 40 EAST IN MARTIN COUNTY, FLORIDA; THENCE N89°52'49"E ALONG THE SOUTH LINE OF SAID SECTION 19 A DISTANCE OF 55.60 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N89°52'49"E ALONG THE SOUTH LINE OF SAID SECTION 19 A DISTANCE OF 48.40 FEET TO A POINT ON THE EAST LINE OF THOSE LANDS DESCRIBED IN PARCEL 2 OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1168, PAGE 1143 AND OFFICIAL RECORD BOOK 1168, PAGE 1135, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; SAID EAST LINE ALSO BEING 100 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SECTION 19; THENCE N00°07'05"W A DISTANCE OF 548.54 FEET; THENCE N88°24'14"W A DISTANCE OF 30.38 FEET TO THE POINT OF CURVATURE OF A NON TANGENT CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 465.00 FEET AND A CENTRAL ANGLE OF 11°44'34" WITH A CHORD THAT BEARS N18°32'00"W FOR AN ARC LENGTH OF 95.35 FEET TO THE EASTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 89095-2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S89°00'53"E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE A DISTANCE OF 2733.83 FEET; THENCE DEPARTING SAID SOUTHWESTERLY RIGHT OF WAY LINE S89°00'06"W A DISTANCE OF 1800.91 FEET TO THE NORTHEASTERLY LINE OF THE PLAT OF GREENAKRE ESTATES AS RECORDED IN PLAT BOOK 14, PAGE 34 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE NORTHWESTERLY FOR THE NEXT TWO COURSES ALONG THE SAID NORTHEASTERLY LINE OF THE PLAT OF GREENAKRE ESTATES N10°30'55"W A DISTANCE OF 829.83 FEET; THENCE N12°41'30"W A DISTANCE OF 883.60 FEET TO THE EAST LINE OF THOSE LANDS DESCRIBED IN PARCEL 3 OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1168, PAGE 1143 AND OFFICIAL RECORD BOOK 1168, PAGE 1135, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE NORTHERLY ALONG SAID EAST LINE N00°08'14"W A DISTANCE OF 682.69 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 50.95 ACRES±.

SURVEYOR'S NOTES

1. BEARINGS AS SHOWN HEREON ARE BASED ON STATE PLANE COORDINATES, NORTH AMERICAN DATUM OF 1983/1990 (N.A.D. 83/90), FLORIDA EAST ZONE. REFERENCE A BEARING OF N89°52'49"W ALONG THE NORTH LINE OF SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA.
2. ELEVATIONS AS SHOWN HEREON REFERENCE THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D. 29). REFERENCE NATIONAL GEODETIC SURVEY (N.G.S.) BENCHMARKS "BS 89 A40", ELEVATION = 31.39' FEET AND "BS 89 A41", ELEVATION = 38.337' FEET.
3. THIS PROPERTY IS LOCATED IN FEDERAL FLOOD ZONE X, REFERENCE FEMA MAP COMMUNITY NO. 120280C, PANEL 0125, SUFFIX F, EFFECTIVE DATE OCTOBER 04, 2002.
4. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
5. THIS SURVEY IS BASED ON A CLOSED GEOMETRIC FIGURE EXCEEDING A HORIZONTAL CLOSURE OF 1:10,000.
6. THERE WAS NO ATTEMPT TO LOCATE ANY SUBSURFACE FOUNDATIONS.
7. NO UNDERGROUND UTILITIES WERE LOCATED OR SHOWN HEREON.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE "BOUNDARY SURVEY" AS SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A FIELD SURVEY MADE UNDER MY DIRECTION AND CHANGE ON NOVEMBER 20, 2008 AND SAID "BOUNDARY SURVEY" IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT IS FURTHER CERTIFIED THAT THIS "BOUNDARY SURVEY" COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR "BOUNDARY SURVEY" SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

BETSY LINDSAY, INC.
SURVEYING AND MAPPING

DAVID JOSEPH WICHER, P.S.M.
FLORIDA REGISTRATION NO. 5940

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7987 S.W. JACK JAMES DRIVE STUART, FLORIDA 34997
(772)286-6793 (772)286-6993 FAX
LICENSED BUSINESS NO. 6986

DATE	REVISIONS

DATE 12/16/08
SCALE 1" = 1000'
FIELD BK. 1000000
DRAWN BY AGC
CHECKED BY DJW

APS SANDMINE
MARTIN COUNTY, FLORIDA

BOUNDARY SURVEY

SHEET NO. 1
OF 2 SHEETS
PROJECT NO. 08-87

A-2

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S:\08 Projects\08-87 APS SANDMINE\dwg\08-87 APS SANDMINE 2.dwg, NORTH 50 ACRES, 12/18/2008 2:56:34 PM, Adobe PDF

Unofficial Copy

DETAIL

ACCESS ROAD "A"

LIMITED ACCESS R/W LINE PER F.D.O.T. R/W MAP #89095-2414 LAST UPDATED 6-14-84

70' ACCESS ROAD "A"

RIGHT-OF-WAY

30' ACCESS EASEMENT EXHIBIT "A" ORB 637, PAGE 1215

C1

L45

L46

L44

100' INGRESS/EGRESS EASEMENT EXHIBIT "C" PARCEL 1 ORB 637, PAGE 1215

PARCEL 2 ORB 1901, PAGE 220

POINT OF COMMENCEMENT FND 4"X4" CM NO IDENTIFICATION

POINT OF BEGINNING

NORTH LINE SECTION 30

L42

L43

SOUTHWEST CORNER SECTION 19 TOWNSHIP 38 SOUTH RANGE 40 EAST

Ex A-2 (pg 1)

BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7897 S.W. JACK JAMES DRIVE STUART, FLORIDA 34997
(772)286-6780 (772)286-6803 FAX
LICENSED BUSINESS NO. 6802

DATE	REVISIONS

DATE 12/16/08
SCALE 1" = 100'
FIELD BK. XXXXXX
DRAWN BY RCC
CHECKED BY RJK

APS SANDMINE
MARTIN COUNTY, FLORIDA

BOUNDARY SURVEY

SHEET NO. 2
OF 2 SHEETS
PROJECT NO. 08-67

Ex A-2 (pg 1)

S:\08 Projects\08-67 APS SANDMINE\dwg\08-67 APS SANDMINE 2.dwg, NORTH 80 ACRES (2), 12/18/2008 2:59:26 PM, Adobe PDF

EXHIBIT "B"
ACEP PROPERTY

Order No.: 2662279
Customer Reference: 32028.000

Exhibit "A"

A PARCEL OF LAND LYING IN PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT 'A' OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1198, PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 28 OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA: THENCE NORTHWESTERLY FOR THE NEXT THREE COURSES ALONG THE NORTHEASTERLY LINE OF THE PLAT OF DRESSAGE ESTATES AS RECORDED IN PLAT BOOK 16, PAGE 24 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N40°54'40"W A DISTANCE OF 517.38 FEET; THENCE N32°45'58"W A DISTANCE OF 1259.59 FEET; THENCE N30°50'55"W A DISTANCE OF 318.29 FEET; THENCE DEPARTING FROM SAID NORTHEASTERLY BOUNDARY OF THE PLAT OF DRESSAGE ESTATES N59°09'05"E A DISTANCE OF 2202.53 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 89095-2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY LINE OF ACCESS ROAD "A" A DISTANCE OF 247.80 FEET TO THE WEST LINE OF A 60 FOOT ACCESS EASEMENT; THENCE SOUTHEASTERLY ALONG THE WEST SIDE OF SAID 60 FOOT ACCESS EASEMENT FOR THE NEXT SIX COURSES; THENCE S10°50'15"E A DISTANCE OF 277.79 FEET; THENCE S14°57'04"E A DISTANCE OF 454.03 FEET; THENCE S16°49'52"E A DISTANCE OF 272.01 FEET; THENCE S26°50'48"E A DISTANCE OF 720.42 FEET; THENCE S27°06'17"E A DISTANCE OF 95.85 FEET; THENCE S16°59'12"E A DISTANCE OF 197.68 FEET TO THE NORTHERLY LINE OF THE PLAT OF POLO CLUB AS RECORDED IN PB 16, PG 67; THENCE WESTERLY ALONG SAID NORTHERLY LINE FOR THE NEXT THREE COURSES; THENCE S52°33'22"W A DISTANCE OF 382.90 FEET; THENCE S73°33'30"W A DISTANCE OF 949.43 FEET; THENCE S49°05'14"W A DISTANCE OF 493.08 FEET TO THE POINT OF BEGINNING.

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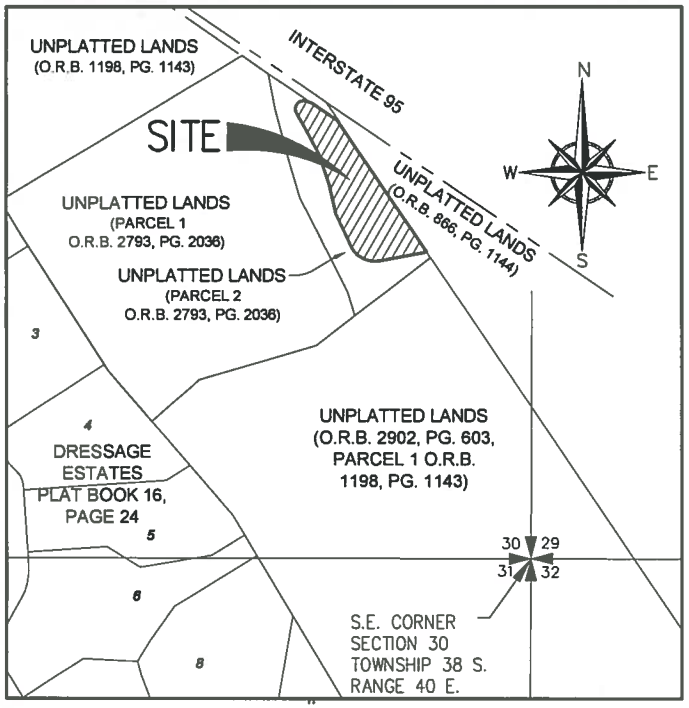
CLOSURE

```
Figure Name: 11 AC PARCEL (REV 10-5-17)
    North: 1021266.1880     East: 864412.5960
      Course: S 79-23-07.4 W       Distance: 376.65
    North: 1021196.8091     East: 864042.3954
    Arc Length: 263.95           Radius: 200.00          Delta: 75-36-53.4
       Tangent: 155.18           Chord: 245.20       Ch Course: N 62-48-26.0 W
     Course In: N 10-36-52.6 W     Out: S 65-00-00.7 W
Ctr North: 1021393.3868     East: 864005.5549
End North: 1021308.8637     East: 863824.2931
      Course: N 24-59-59.3 W       Distance: 275.98
    North: 1021558.9889     East: 863707.6589
      Course: N 13-08-18.4 W       Distance: 239.36
    North: 1021792.0852     East: 863653.2508
      Course: N 18-32-36.3 W       Distance: 249.82
    North: 1022028.9341     East: 863573.8027
      Course: N 27-53-04.6 W       Distance: 243.44
    North: 1022244.1086     East: 863459.9476
      Course: N 30-51-23.5 W       Distance: 110.73
    North: 1022339.1619     East: 863403.1573
    Arc Length: 72.97            Radius: 82.08           Delta: 50-55-53.5
       Tangent: 39.09            Chord: 70.59        Ch Course: N 05-23-26.8 W
     Course In: N 59-08-36.5 E     Out: N 69-55-30.0 W
Ctr North: 1022381.2615     East: 863473.6219
End North: 1022409.4366     East: 863396.5258
    Arc Length: 95.32            Radius: 61.37           Delta: 88-59-47.8
       Tangent: 60.30            Chord: 86.02        Ch Course: N 64-34-23.9 E
     Course In: S 69-55-30.0 E     Out: N 19-04-17.8 E
Ctr North: 1022388.3729     East: 863454.1629
End North: 1022446.3700     East: 863474.2140
      Course: S 70-55-42.2 E       Distance: 40.85
    North: 1022433.0230     East: 863512.8198
      Course: S 55-50-57.1 E       Distance: 243.60
    North: 1022296.2715     East: 863714.4156
      Course: S 34-07-44.5 E       Distance: 1244.40
    North: 1021266.1880     East: 864412.5960

         Perimeter: 3457.05

         Area: 483087.57                        11.09 acres
Mathematical Closure - (Uses Survey Units)
Press any key for more...
Error of Closure: 0.000                Course: S 90-00-00.0 E
 Precision  1: 3457051783.26
```



LOCATION MAP
(NOT TO SCALE)

SURVEYOR'S NOTES

1. BEARINGS AS SHOWN HEREON ARE BASED ON STATE PLANE COORDINATES, NORTH AMERICAN DATUM OF 1983/1990 (N.A.D. 83/90), FLORIDA EAST ZONE, REFERENCE A BEARING OF N52°33'22"E ALONG THE SOUTHERLY LINE OF PARCEL 2, OFFICIAL RECORDS BOOK 2793, PAGE 2036, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

2. THIS IS NOT A BOUNDARY SURVEY.

3. THIS LEGAL DESCRIPTION SHALL NOT BE VALID UNLESS PROVIDED IN ITS ENTIRETY CONSISTING OF SHEETS 1 THROUGH 3.

ABBREVIATIONS

Δ	DELTA (CENTRAL) ANGLE
F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION
L	LENGTH OF ARC
NO.	NUMBER
ORB	OFFICIAL RECORDS BOOK
PG.	PAGE
	PROFESSIONAL LAND SURVEYOR
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
R	RADIUS OF ARC

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" AS SHOWN HEREON WAS PREPARED UNDER MY DIRECTION AND CHARGE ON SEPTEMBER 30, 2017, AND THAT SAID "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT IS FURTHER CERTIFIED THAT THIS "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" COMPLIES WITH THE STANDARDS OF PRACTICE FOR "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

BETSY LINDSAY, INC.
SURVEYORS AND MAPPERS

DAVID JOSEPH WICHSER, PSM
FLORIDA REGISTRATION NO. 5565

DAVID JOSEPH WICHSER
CERTIFICATE
No. 5565
STATE OF FLORIDA
REGISTERED SURVEYOR & MAPPER

NOT VALID WITHOUT THE SIGNATURE
AND ORIGINAL RAISED SEAL OF FLORIDA
LICENSED SURVEYOR AND MAPPER

SHEET NO. 1
OF 3 SHEETS
PROJECT NO.
08-67B

DATE	REVISIONS
07/30/18	REVISE PER COMMENTS

A PORTION OF SECTION 30, TOWNSHIP 38 S., RANGE 40 E., MARTIN COUNTY, FLORIDA

SKETCH AND LEGAL DESCRIPTION
PROGRESSIVE WASTE SOLUTIONS

DATE 08/30/2017
SCALE NOT TO SCALE
FIELD BK.
DRAWING BY D.B.
CHECKED BY D.J.W.

BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7997 S.W. JACK JAMES DRIVE STUART, FLORIDA 34997
(772)286-5753 (772)286-5933FAX
LICENSED BUSINESS NO. 6852

S:\08 Projects\08-67 APS SANDMINE\PROGRESSIVE WASTE\dwg\SL-11 AC PARCEL.dwg, SL-11 AC (1), 8/7/2018 10:23:16 AM

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT 'A' OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1198, PAGE 1143, MORE PARTICULARLY DESCRIBED IN PARCEL 2 OF OFFICIAL RECORDS BOOK 2793, PAGE 2036, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID PARCEL 2 AS DESCRIBED IN OFFICIAL RECORDS BOOK 2793, PAGE 2036; THENCE N 34°07'45" W, ALONG THE EASTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1198, PAGE 1143, SAID LINE ALSO BEING THE EASTERLY LINE OF SAID PARCEL 2 OF OFFICIAL RECORDS BOOK 2793, PAGE 2036, A DISTANCE OF 54.61 FEET TO THE POINT OF BEGINNING; THENCE S 79°23'07" W, A DISTANCE OF 376.65 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF 75°36'54"; THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 263.95 FEET; THENCE N 24°59'59" W, A DISTANCE OF 275.98 FEET; THENCE N 13°08'18" W, A DISTANCE OF 239.36 FEET; THENCE N 18°32'36" W, A DISTANCE OF 249.82 FEET; THENCE N 27°53'05" W, A DISTANCE OF 243.44 FEET; THENCE N 30°51'24" W, A DISTANCE OF 110.73 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 82.08 FEET AND A CENTRAL ANGLE OF 50°55'54"; THENCE NORTHERLY ALONG THE ARC A DISTANCE OF 72.97 FEET TO A POINT OF COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 61.37 FEET AND A CENTRAL ANGLE OF 88°59'48"; THENCE NORTHEASTERLY ALONG THE ARC, A DISTANCE OF 95.32 FEET; THENCE S 70°55'42" E, A DISTANCE OF 40.85 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE 70 FOOT ACCESS ROAD "A" FOR STATE ROAD 9 (I-95) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 89095-2414; THENCE S 55°50'57" E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 243.60 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF SAID PARCEL 1; THENCE S 34°07'45" E ALONG SAID EASTERLY LINE, A DISTANCE OF 1,244.40 FEET TO THE POINT OF BEGINNING.

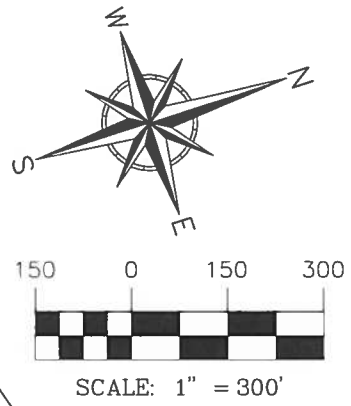
SAID PARCEL CONTAINING 483,088 SQUARE FEET OR 11.09 ACRES, MORE OR LESS.

SAID PARCEL BEING SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, DEDICATIONS OR RESTRICTIONS.

BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7997 S.W. JACK JAMES DRIVE STUART, FLORIDA 34997
(772)286-5753 (772)286-5933FAX
LICENSED BUSINESS NO. 6852

S:\08 Projects\08-67 APS SANDMINE\PROGRESSIVE WASTE\dwg\SL-11 AC PARCEL.dwg, SL-11 AC (2), 8/7/2018 10:23:20 AM

SOUTHWESTERLY RIGHT OF WAY LINE OF 70' ACCESS ROAD "A" FOR STATE ROAD 9 (I-95) PER F.D.O.T. RIGHT OF WAY MAP SECTION NO. 89095-2414, SHEET 10 OF 17, LAST UPDATED ON 6-14-84



SECTION 30
TOWNSHIP 38 SOUTH
RANGE 40 EAST

UNPLATTED LANDS
(PARCEL 1
O.R.B. 2793,
PG. 2036)

70'
ACCESS ROAD "A"

R=82.08'
L=72.97'
Δ=50°55'54"

R=61.37'
L=95.32'
Δ=88°59'48"

N30°51'24"W
110.73'

S70°55'42"E
40.85'

S55°50'57"E
243.60'

N27°53'05"W
243.44'

N18°32'36"W
249.82'

UNPLATTED LANDS
(PARCEL 2
O.R.B. 2793,
PG. 2036)

N13°08'18"W
239.36'

PARCEL RA-1
(RESTORATION
AGREEMENT)
PER F.D.O.T.
RIGHT OF WAY
MAP SECTION
NO. 89095-2414

N24°59'59"W
275.98'

11.09
ACRES

EASTERLY LINE OF
PARCEL 1, ORB 1198,
PG. 1143 & PARCEL 2,
ORB 2793, PG. 2036

S34°07'45"E
1244.40'

R=200.00'
L=263.95'
Δ=75°36'54"

UNPLATTED LANDS
(O.R.B. 2902, PG. 603,
PARCEL 1 O.R.B. 1198, PG. 1143)

SOUTHERLY LINE OF
PARCEL 2
O.R.B. 2793, PG. 2036

N52°33'22"E
(REFERENCE
BEARING)

S79°23'07"W
376.65'

UNPLATTED
LANDS
(O.R.B. 866,
PG. 1144)

STATE
ROAD 9
(I-95)

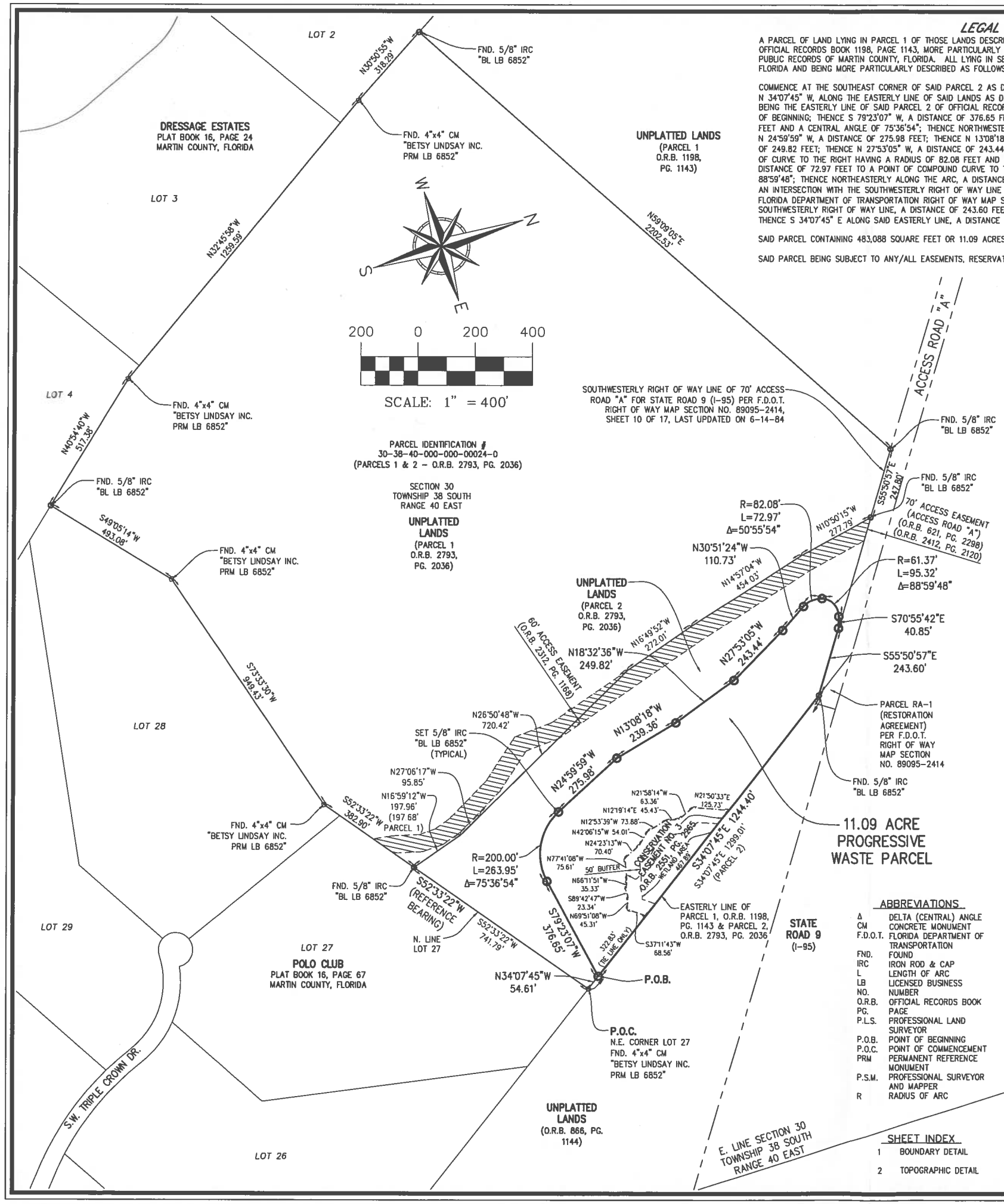
P.O.C.
S.E. CORNER OF PARCEL 2
O.R.B. 2793, PG. 2036

P.O.B.
N34°07'45"W
54.61'

THIS IS NOT
A SURVEY

SHEET NO. 3 OF 3 SHEETS PROJECT NO. 08-67B	DATE / REVISIONS 07/30/18 REVISE PER COMMENTS	A PORTION OF SECTION 30, TOWNSHIP 38 S., RANGE 40 E., MARTIN COUNTY, FLORIDA SKETCH AND LEGAL DESCRIPTION PROGRESSIVE WASTE SOLUTIONS	DATE 08/30/2017 SCALE 1" = 300' FIELD BK. DRAWING BY D.B. CHECKED BY D.J.W.	BETSY LINDSAY, INC. SURVEYING AND MAPPING 7997 S.W. JACK JAMES DRIVE STUART, FLORIDA 34997 (772)286-5753 (772)286-5933FAX LICENSED BUSINESS NO. 6852

S:\08 Projects\08-67 APS SANDMINE\PROGRESSIVE WASTE\dwg\SL-11 AC PARCEL.dwg, SL-11 AC (3), 8/7/2018 10:23:24 AM



LEGAL DESCRIPTION

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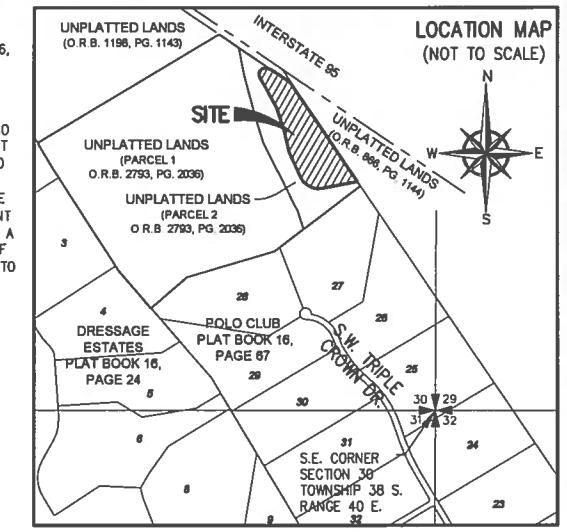


CERTIFIED TO:

- MARTIN COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA
- CHICAGO TITLE INSURANCE COMPANY

SURVEYOR'S NOTES

1. BEARINGS AS SHOWN HEREON ARE BASED ON STATE PLANE COORDINATES, NORTH AMERICAN DATUM OF 1983/1990 (N.A.D. 83/90), FLORIDA EAST ZONE, REFERENCE A BEARING OF S52°33'22"W ALONG THE NORTH LINE OF LOT 27, OF THE PLAT OF POLO CLUB, AS RECORDED IN PLAT BOOK 16, PAGE 67, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.
2. ELEVATIONS AS SHOWN HEREON REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D. 88), REFERENCE NATIONAL GEODETIC SURVEY (N.G.S.) BENCHMARKS "195 89 A45", ELEVATION = 31.39' FEET AND "195 89 A46", ELEVATION = 36.337' FEET. TO CONVERT ELEVATIONS FROM N.A.V.D. 88 TO NATIONAL GEODETIC VERTICAL DATUM 1929 (N.G.V.D 29) ADD 1.46 FEET TO THE N.A.V.D. 88 ELEVATION.
3. ELEVATIONS AS SHOWN HAVE BEEN MEASURED TO AN ESTIMATED VERTICAL POSITIONAL ACCURACY OF 0.10 FEET.
4. THIS PROPERTY IS LOCATED IN FEDERAL FLOOD ZONE X, REFERENCE FEMA MAP COMMUNITY NO. 120161, PANELS 0140 AND 0125, SUFFIX G, EFFECTIVE DATE MARCH 16, 2015.
5. WELL-IDENTIFIED FEATURES IN THIS SURVEY AND MAP HAVE BEEN MEASURED TO AN ESTIMATED HORIZONTAL POSITIONAL ACCURACY OF 0.10 FEET.
6. THIS SURVEY IS BASED ON A CLOSED GEOMETRIC FIGURE EXCEEDING A HORIZONTAL CLOSURE OF 1:10,000.
7. THERE WAS NO ATTEMPT TO LOCATE ANY SUBSURFACE FOUNDATIONS.
8. NO UNDERGROUND UTILITIES WERE LOCATED OR SHOWN HEREON.
9. THIS SURVEY WAS DONE WITH THE BENEFIT OF A TITLE COMMITMENT PREPARED BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT DATE: 09/03/2018 AT 11:00 P.M., REFERENCE FILE NUMBER 17-6207, REFERENCE THE FOLLOWING EXCEPTIONS IN SCHEDULE B, SECTION II:
   6. Reservations by Southern States Land & Timber Corporation, a Delaware corporation as contained in Warranty Deed, recorded April 15, 1950 in Deed Book 48, page 49 and as modified by Notice of Interest, recorded in Official Records Book 411, page 1224 and Official Records Book 2157, pages 322 and 427, and Waiver and Deferred Payment Agreement recorded in Official Records Book 2899, Page 775. (RESPONSE: AFFECTS PROPERTY, NOT DEPICTABLE.)
   7. Resolution Number DRC-96-12.2, regarding final development plan approval, recorded June 5, 1997 in Official Records Book 1241, Page 1953. (RESPONSE: AFFECTS PROPERTY, NOT DEPICTABLE.)
   8. Covenant Running with the Land, recorded June 5, 1997 in Official Records Book 1241, Page 1961. (RESPONSE: AFFECTS PROPERTY, NOT DEPICTABLE.)
   9. Declaration of Interest, recorded June 5, 1997 in Official Records Book 1241, page 1964. (RESPONSE: AFFECTS PROPERTY, NOT DEPICTABLE.)
   10. INTENTIONALLY DELETED
   11. Covenant Running with the Land, recorded August 26, 2002 in Official Records Book 1673, page 2434. (RESPONSE: AFFECTS PROPERTY, NOT DEPICTABLE.)
   12. Resolution Number 02-3.16, regarding master and final site plan approval, recorded August 26, 2002 in Official Records Book 1673, page 2438. (RESPONSE: AFFECTS PROPERTY, NOT DEPICTABLE.)
   13. Terms and conditions of Unity of Title, recorded August 26, 2002 in Official Records Book 1673, page 2445 and recorded June 29, 2017 in Official Records Book 2934, Page 1458. (RESPONSE: AFFECTS PROPERTY, NOT DEPICTABLE.)
   14. INTENTIONALLY DELETED
   15. Resolution Number 05-3.16, regarding master/final site plan approval, recorded April 7, 2005 in Official Records Book 2000, page 514 and Development Order Change recorded in Official Records Book 2504, Page 942. (RESPONSE: AFFECTS PROPERTY, NOT DEPICTABLE.)
   16. Unity of Title recorded in Official Records Book 1241, page 1959. (RESPONSE: AFFECTS PROPERTY, NOT DEPICTABLE.)
   17. Provisions of Mutual Quit Claim Access Easement recorded in Official Records Book 2412, page 2120. (RESPONSE: AFFECTS PROPERTY, SHOWN ON SURVEY.)
   18. Deed of Conservation Easement recorded in Official Records Book 2551, Page 2265. (RESPONSE: AFFECTS PROPERTY, SHOWN ON SURVEY.)
   19. Preserve Area Management Plan recorded in Official Records Book 2920, Page 1970. (RESPONSE: AFFECTS PROPERTY, NOT DEPICTABLE.)

ABBREVIATIONS

Δ	DELTA (CENTRAL) ANGLE
CM	CONCRETE MONUMENT
F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION
FND.	FOUND
IRC	IRON ROD & CAP
L	LENGTH OF ARC
LB	LICENSED BUSINESS
NO.	NUMBER
O.R.B.	OFFICIAL RECORDS BOOK
PG.	PAGE
P.L.S.	PROFESSIONAL LAND SURVEYOR
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
PRM	PERMANENT REFERENCE MONUMENT
P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
R	RADIUS OF ARC

SHEET INDEX

1 BOUNDARY DETAIL

2 TOPOGRAPHIC DETAIL

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE "BOUNDARY & TOPOGRAPHIC SURVEY" SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A FIELD SURVEY MADE UNDER MY DIRECTION AND CHARGE ON OCTOBER 6, 2017 AND THE "BOUNDARY & TOPOGRAPHIC SURVEY" IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT IS FURTHER CERTIFIED THAT THIS "BOUNDARY & TOPOGRAPHIC SURVEY" COMPLIES WITH THE STANDARDS OF PRACTICE FOR "BOUNDARY & TOPOGRAPHIC SURVEY" SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6 OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

BETSY LINDSAY, INC.
SURVEYING AND MAPPING

DAVID JOSEPH WICHSER, P.S.M.
FLORIDA REGISTRATION NO. 5565

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOSEPH W. WICHSER
NO. 5565
STATE OF FLORIDA
PROFESSIONAL SURVEYOR AND MAPPER

BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7997 S.W. JACK JAMES DRIVE STUART, FLORIDA 34997
(772)286-5753 (772)286-5933 FAX
LICENSED BUSINESS NO. 6852

DATE	REVISIONS
02/14/2018	REVISE DRAWING
09/21/2018	REVISE TITLE

DATE 10/06/2017
SCALE AS SHOWN
FIELD BK. MC 42
DRAWN BY D.B.
CHECKED BY D.J.W.

11.09 ACRE PROGRESSIVE WASTE PARCEL BEING, A PORTION OF SECTION 30, TOWNSHIP 38 S., RANGE 40 E., MARTIN COUNTY, FLORIDA

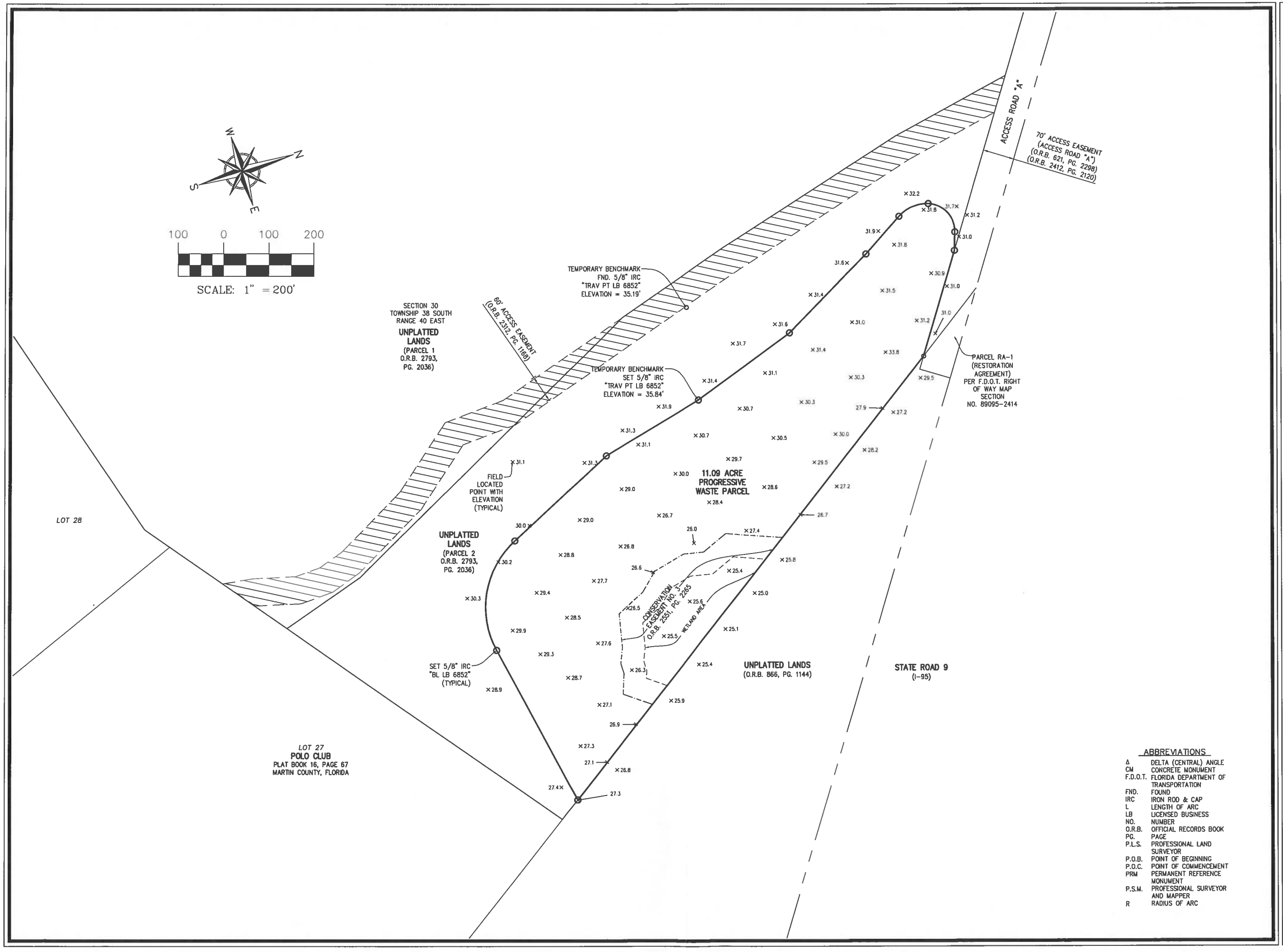
BOUNDARY & TOPOGRAPHIC SURVEY

PROGRESSIVE WASTE SOLUTIONS

SHEET NO. 1
OF 2 SHEETS

PROJECT NO. 08-67B

S:\08 Projects\08-67 APS SANDMINE\PROGRESSIVE WASTE\dwg\BND-11 AC PARCEL.dwg, BND-11 AC (1), 9/21/2018 9:07:58 AM



ABBREVIATIONS

Δ	DELTA (CENTRAL) ANGLE
CM	CONCRETE MONUMENT
F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION
FND.	FOUND
IRC	IRON ROD & CAP
L	LENGTH OF ARC
LB	LICENSED BUSINESS
NO.	NUMBER
O.R.B.	OFFICIAL RECORDS BOOK
PG.	PAGE
P.L.S.	PROFESSIONAL LAND SURVEYOR
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
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P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
R	RADIUS OF ARC

BETSY LINDSAY, INC.
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7997 S.W. JACK JAMES DRIVE STUART, FLORIDA 34997
(772)286-5753 (772)286-5933 FAX
LICENSED BUSINESS NO. 6852

DATE	REVISIONS
02/14/2018	REVISE DRAWING
09/21/2018	REVISE TITLE

DATE 10/06/2017
SCALE AS SHOWN
FIELD BK. MC 42
DRAWN BY D.B.
CHECKED BY D.J.W.

11.09 ACRE PROGRESSIVE WASTE PARCEL BEING, A PORTION OF SECTION 30, TOWNSHIP 38 S., RANGE 40 E., MARTIN COUNTY, FLORIDA

BOUNDARY & TOPOGRAPHIC SURVEY

PROGRESSIVE WASTE SOLUTIONS

SHEET NO. 2
OF 2 SHEETS
PROJECT NO. 08-67B

S:\08 Projects\08-67 APS SANDMINE\PROGRESSIVE WASTE\dwg\BND-11 AC PARCEL.dwg, TOPO-11 AC (2), 9/21/2018 9:08:07 AM

The MilCor Group Inc.

Engineering a Value-Driven Sustainable Environment

January 22, 2019 Project Number: P0801
Via: Hand Delivery

Catherine Riiska, Principal Planner
Martin County Growth Management
2401 SE Monterey Road
Stuart Fl, 34996

Subject: Creative Land Management Development – MC #A040-015
Revised Major Master & Phase 1 Final Site Plan – Response to Staff Report

Dear Ms. Riiska,

We are in receipt of the staff report dated December 20, 2018 and respectfully offer the following in response:

A-E: Acknowledged.

F. Determination of compliance with Comprehensive Growth Management Plan requirements - Growth Management Department

Unresolved Issues:

Item #1:
This application cannot be deemed to be in compliance with the Martin County Comprehensive Growth Management Plan (CGMP) until the issues identified in this report have been satisfactorily resolved. MARTIN COUNTY, FLA., CGMP POLICY 4.1A.1. (2016)
Response: Acknowledged

G. Determination of compliance with land use, site design standards, zoning, and procedural requirements - Growth Management Department

Unresolved Issues:

Item #1:
Legal Description
Thank you for providing the legal descriptions for the entire subject site of the application and the phase 1 area. Please provide the following legal descriptions for the development orders to be issued upon Board approval:

1. Exhibit A for the final overall site area subject to the master site plan development order minus the land dedication area.
   Response: See attached
2. Exhibit A for the final site area subject to the phase one development order minus the land dedication area.
   Response: See attached

Item #2:
Revised Master Site Plan
A complete site plan is required as part of the application. MARTIN COUNTY, FLA., LDR SECTION 10.2.B. (2016)
Remedy/Suggestion/Clarification:

Office Location & Mailing Address:

10975 SE Federal Hwy
Hobe Sound
Florida
33455

Phone
772-223-8850
Fax
772-223-8851

Email
marketing@themilcorgroup.com

Web
www.themilcorgroup.com

1. It appears that there are significant areas of equipment/vehicular storage north of the existing dirt access drive and wood power poles, and also immediately north and south of the night security house. There also appears to be an additional parking area established north of the lake near the equipment storage area. Please revise the graphics to delineate these areas and to identify their existing and proposed use(s).

   Response: This entire area has been labeled as grassed vehicular area on the master site plan. This area is shown to remain during all three phases of the project. The area has been added to the stage / interim use calculation with notes regarding the clean-up / restoration added.

2. Please add a note to designate the proposed timetable for completion of the equestrian trail, and for all other proposed restoration/removal activities, such as removal of stockpiles and restoration of parking or staging areas.

   Response: Notes have been added to the master site plan describing activities associated with the equestrian trail, removal of stockpiles, and restoration of the grassed vehicular area.

ADDITIONAL REVISION: During the Staff Workshop, we discussed removal of the word "Revised" from the master site plan. This revision has been made. Also, for consistency with the Final Site Plan, we added "F.A.C." to the "Chapter 62-701.200" text in Note #5.

Item #3:

Phase 1 Final Site Plan

A complete site plan is required as part of the application. MARTIN COUNTY, FLA., LDR SECTION 10.2.B. (2016)

Remedy/Suggestion/Clarification:

1. Please relabel this plan title as "Phase 1 Final Site Plan".

   Response: Removed.

2. It appears that there are significant areas of equipment/vehicular storage north of the existing dirt access drive and wood power poles, and also immediately north and south of the night security house. There also appears to be an additional parking area established north of the lake near the equipment storage area. Please revise the graphics to delineate these areas and to identify their existing and proposed use(s).

   Response: This entire area has been labeled as grassed vehicular area on the master site plan. This area is shown to remain during all three phases of the project. The area has been added to the stage / interim use calculation with notes regarding the clean-up / restoration added.

3. Please add a note to designate the proposed timetable for completion of the equestrian trail, and for all other proposed restoration/removal activities, such as removal of stockpiles and restoration of parking or staging areas. Please clarify which improvements are proposed to be removed at project completion and which are proposed to remain.

   Response: Response: Notes have been added to the master site plan describing activities associated with the equestrian trail, removal of stockpiles, and restoration of the grassed vehicular area.

4. Please add "F.A.C." to the "Chapter 62-701.200" text in Note #5 to accurately reference that this citation is from the Florida Administrative Code.

   Response: Added

5. Please revise the Phase 1 Final Site Plan data tables to provide the final proposed site conditions, including the subtraction of the dedication parcel in phase 1.

   Response: A table of existing conditions has been added, and the final conditions table has been updated to reflect the dedication parcel. Note that the Interim Use area has been revised to reflect the grassed vehicular area which will remain in use

until Ph 3 is complete. The notes regarding schedule addresses restoration of this area show the project not move forward with Phase 2.

Item #4:
Other Agency Permits
The applicant has chosen Option 1 for submittal of other agency permits for consistency review. Pursuant to Section 62-701.720 (15), Clean debris may be used as fill or raw material in any area, including waters of the State, subject to receipt of an environmental resource permit from the Department where applicable. Please submit the FDEP authorization and other agency authorizations as identified in Section V of this report.
Staff acknowledges that the applicant has indicated that the FDEP ERP will be forthcoming. Please be advised that all other agency permits, as cited in Section V of this report, are required to be submitted for review prior to development order approval pursuant to the Option 1 choice. Therefore, this item will remain unresolved until the applicable authorizations have been received and verified as consistent with the County approved plans.
Response: Acknowledged.

Item #5:
Financial Disclosure
The substance of the resubmitted disclosure has changed from the first submittal. Not only the legal description, but the information provided in sections 1, 2, and 3 of the Affidavit as well. However, the signature page did not change. Pursuant to Florida law, it is illegal to change a notarized document once it is executed and notarized. Please resubmit with a new signature page, as a completely new document, in accordance with Florida law.
Response: An updated document is enclosed.

Additional Information:
Information #1:
The development order shall be conditioned as follows:

1. An annual progress report shall be submitted to the PDS within 30 days of the anniversary date of the permit for all mining permits that have a duration of more than one year. The report shall be prepared by a Florida registered engineer, shall demonstrate that the permit criteria have been met to date and that the project is in compliance with all other applicable permits. The annual progress report shall include record ("as-built") drawings of all work done to the date of the report. MARTIN COUNTY, FLA., LDR SECTION 4.349. (2001)
   Response: Acknowledged.
2. A three-year performance bond/security is required to ensure that restoration of the excavation and/or fill or mining site shall be completed, including items such as, but not limited to, general clean-up, grading, and revegetation of the lake banks, littoral zones and upland transition zone. The amount of the security shall be approved by the County Engineer, and shall be based on 110 percent of a cost estimate prepared by a Florida registered engineer for the general clean-up, grading, and site restoration including the required littoral zone and upland plantings by an environmental professional. MARTIN COUNTY, FLA., LDR SECTION 4.350. (2001)
   Response: Acknowledged.
3. Within 30 days of the completion of the excavation and/or filling or mining, a Florida registered professional engineer, a Florida registered professional surveyor and mapper, or a Florida registered professional landscape architect shall certify that the excavation was constructed in substantial conformance with the plans and specifications approved by the county. A certification statement must also appear on the certification report. MARTIN COUNTY, FLA., LDR SECTION 4.351. (2001)
   Response: Acknowledged.

4. All disturbed mining/excavation areas shall be reclaimed, and reclamation shall begin immediately following excavation or each phase of excavation, whichever occurs first. All disturbed and reclaimed areas shall be planted or seeded with a permanent native ground cover to reduce the loss of topsoil due to water and wind erosion, to prevent the establishment of prohibited plant species and to provide adequate growing conditions for reclamation planting requirements. MARTIN COUNTY, FLA., LDR SECTION 4.348.C. (2001)
   Response: Acknowledged.
5. A hauling operations report and payment of associated hauling fees shall be submitted quarterly to the County Public Works department. MARTIN COUNTY, FLA., LDR SECTION 4.343.C. (2001) See also Section M, Public Works.
   Response: Acknowledged

Information #2:
No land clearing is authorized prior to the mandatory pre-construction meeting for the project. Property corners and preservation areas shall be located by a licensed land surveyor and clearly marked in the field prior to the pre-construction meeting. Authorization for clearing to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained. Authorization for the relocation of gopher tortoises within the development, as provided for on state agency permits, may be granted by the Growth Management Department upon review of required permit materials. MARTIN COUNTY, FLA., LDR SECTION 4.3.7. (2016)
Response: Acknowledged

H.: Acknowledged.

I. Determination of compliance with the property management requirements – Public Works Department

Unresolved Issues:
Item #1:
Title Commitment
The Applicant has provided a corrected Title Commitment for the property to be conveyed to Martin County.
Response: Acknowledged.

Schedule B-II
#6 Southern States Land & Timber Corporation - A Release will be needed for the Waiver and Deferred Payment Agreement (with Imposition of Lien) recorded in Official Records Book 2899, Page 775.
Note: The Applicant has responded that Creative Land Management, LLC will pay the required fee of $1,663.50 when the property is conveyed to Martin County. Proof of this payment must be shown on the Closing Statement
Response: Will show on closing statement as P.O.C. (paid outside of closing) as Southern States is holding an overpayment to be applied to this transfer.

#17 The Mutual Quit Claim Access Easement recorded in Official Records Book 2412, Page 2120 does not appear to be on the property being conveyed to Martin County.
Note: The Mutual Quit Claim Access Easement is not located on the property being conveyed to Martin County and it is unlikely that Martin County will be using the Access Easement. Since

Creative Land Management, LLC is the successor in interest to both Martin County Park of Commerce, Inc. and All County Environmental Products, Inc., the parties to the Mutual Quit Claim Access Easement, the County requests that Creative Land Management, LLC release the property being conveyed to Martin County from the terms of the Mutual Quit Claim Access Easement and delete B-II #17 from the Title Policy.

Response: The exception in B-I #17 has already been scaled back such that the exception now only applies to paragraph 5 of the Mutual Quit Claim Access Easement (the "easement") which is the maintenance costs only. Creative Land Management ("CLM") and Martin County have agreed (assuming CLM is the successor in interest to the both prior parties to the Mutual Quit Claim Access Easement) that (a) CLM will release Martin County from the easement, (b) Martin County agrees that they will not use the easement and)c) if Martin County decides in the future it needs to use the agreement, it will pay it pro-rata share of maintenance costs. If the exception can be 100% deleted, it will be done. However, per my conversations with Colleen Holmes, the underwriter may want to keep the exception as to paragraph 5 due to Martin County having a maintenance cost obligation if, and only if, it decides to use the easement in the future. If that is the underwriter's position, then the exception could be amended to say it applies to paragraph 5 only as modified by the terms of the release. We need to confirm o the survey that CLM indeed is the successor in interest to both parties to the easement. Then we will prepare a draft of the release and send to Martin County for review and approval of the language.

Item #2:

Survey and Sketch and Legal

The Survey and sketch and legal description provided by the Applicant have been reviewed by the County Surveying Division and approved.

Response: Acknowledged.

Item #3:

Phase I Environmental Site Assessment

The Updated Phase I Environmental Site Assessment provided by the Applicant has been reviewed and approved.

Response: Acknowledged.

J. Determination of compliance with environmental and landscaping requirements - Growth Management Department

Environmental

Finding of Compliance:

The Growth Management Department Environmental Division staff has reviewed the application and finds it in compliance with the applicable land development regulations.

Landscape

Unresolved Issues:

Item #1:

Standard Application Requirements

The deficiencies noted in this section need to be addressed by the applicant with revised plans and documentation. To ensure a successful review, the following shall be provided with your resubmittal information:

Revision dates/notes on all affected plans.

Plans should be provided with "call-out" revision clouds/notes to identify areas that have been modified from the original submittal.

A summary of changes that are provided with your resubmittal information, the staff report may be used as a template for your responses. It is important that you be specific as to what has been changed and where the changes may be found in the resubmitted materials. Resubmittal comments provided to address deficiencies such as "see the revised plans" should be replaced with more specific language such as "refer to the revised 30' dimension to the NE buffer provided on sheet 3/4 and revised landscape note 3 on sheet 2/4".

Response: Acknowledged

Item #2:

Landscape Tabular Data

Landscape plans shall include a table which lists the gross and net acreage, acreage of development and preservation areas, number of trees and tree clusters to be protected within the developed area and within perimeter areas, and square footage of vehicular use areas (Ref. Section 4.662.A.10, LDR). Interior and perimeter vehicular use areas should be quantified separately in the table. Tabular data shall also indicate a calculation of the minimum total number of trees and shrubs required to be planted based upon the proposed developed area and separately based upon quantities required to meet the vehicular use area planting requirements and any required bufferyard requirements.

Remedy/Suggestion/Clarification:

Original Comment: The 800,000 sf ft area shown on the plans to be restored requires installation of 320 trees to meet the 1 tree per 2500 sq. ft of site area required for commercial development; only 154 trees have been proposed. What methods are being proposed to restore the remainder of the site; per the formula approximately 700 additional trees shall be required. Comment not addressed. The boundary survey has been revised but indicates the Phase 1 parcel encompasses 80.53 acres which is also stated on the site plan and landscape plan, but the plan states that tree quantities required is only 320 trees and that 547 trees are provided; 320 trees demonstrate compliance for 18.36 acres. Please explain the discrepancy since the 80.53 acres minus the dedication area will require establishment of 1209 trees.

The landscape plan for Phase 1 is claiming credit for 393 existing trees which are to be silt fenced off from construction. It is suggested that consideration be given to the idea of proposing alternative compliance by dedicating these areas of existing vegetation to be natural vegetation areas to be preserved in perpetuity. Martin County Land Development Regulations Section 4.667.A.d allows consideration for:

d. Integration of proposed and existing vegetation is demonstrated in the plans with an emphasis on maintaining native community buffers and corridors, preserving or restoring forest community types, and providing for the natural ecological function of each type by using such techniques as preserving a diversity of upper story, midstory, and understory.

Provide details to demonstrate and dedication language if this method is to be proposed to demonstrate compliance.

Response: There are a total of 341 existing pines, 45 oaks, and 22 palms. The palms are counted as three to one in tree counts; therefore, we've accounted for 7 palms, resulting in total existing trees of 393. When accounting for the DBH of the existing trees, it results in a credit of 920 DBH tree credits. All existing trees shall be silt fenced off with "do not enter" signage to ensure protection. Additionally, the fill area shall be planted with native grasses. This results in a need for 284 additional native trees to be planted. These trees shall be planted mostly along the northern property line to provide a buffer between the neighboring development. The buffer may also be supplemented with native shrubs to meet required ocacity. Notes describing signage, tree protection, native grasses, and supplements to the buffer have been added to the plan.

Item #3:
Landscape Bufferyard Requirements
Landscaped bufferyards shall be required between differing land uses and along certain transportation corridors. It is the intent of the code to encourage the preservation of existing vegetation for use in buffers as opposed to clearing and replanting designed landscapes. [Section 4.663.B., LDR]
Remedy/Suggestion/Clarification:
A 20-25 ft width dedicated perimeter buffer is now shown on the plans. Are there sufficient understory and trees to meet requirements for opacity? Please add a note that if necessary supplemental native trees and shrubs shall be added; provide plant list of species that will be installed if necessary to meet requirements.
There does not appear to be any existing vegetation within the northern 10 foot buffer, provide typical planting plan for this area.
Response: A note including supplemental planting species have been added to the landscape plan. Most the required native tree plantings have been shown along this property line; however, supplementary native shrubs may be necessary to achieve required opacity.

Item #4:
Landscape Material Standards-Trees
Please demonstrate compliance with the following requirements for proposed trees (Section 4.664.B., LDR):
1. All required trees shall have a minimum height of ten feet and one defined vertical stem with a minimum diameter of two inches caliper at the time of planting.
2. Planted trees must be a species with an average mature crown spread of at least 15 feet, or they must be grouped so as to create a crown spread of 15 feet.
3. Tree species and placement shall be selected so as to minimize conflicts with existing or proposed utilities.
4. Not more than 30 percent of all required trees shall be palms. Where used, two palms or three sabal palms shall constitute one required tree.
5. When more than ten trees are required to be planted to meet the requirements of this section 4.664, a mix of species shall be provided. The number of species to be planted shall vary according to the overall number of trees required to be planted.
Remedy/Suggestion/Clarification:
The Phase 1 Restoration Cost Estimate itemizes 8 ft trees in 15 gallon containers. The landscape plan specifies 10 foot B&B trees. Section 4.4.664.B.1 requires that trees be a minimum of 10 feet in height with a 2" minimum caliper.
Review plant list and sizes of trees required and rectify as required to demonstrate code compliance. Please specify that that the slash pine be the variety 'densa'.
Response: The plant list / sizes has been revised to meet County standards. The slash pines have been specified as 'densa.'

Item #5:
Construction Standards - Tree Protection
Please provide for the locations, construction and maintenance requirements of tree protection barricades on the appropriate pages of the landscape and construction plans [Section 4.666.B., LDR]. The following shall be included on the land-clearing page:
Remedy/Suggestion/Clarification:
Location of protected trees with tree protection barricades, where warranted. Barricades must be constructed around the critical protection zone of each tree or cluster of trees. Because of the long-term construction activity on this site it is suggested that more substantial protection than silt fence be proposed to protect the existing vegetation, silt fence typically does not survive intact for more

than 6-12 months. It is also recommended that signage be installed to inform workers on the site that these are protected areas. Provide details of how this shall be accomplished.
Response: It is incumbent on the property owner to ensure that the tree protection remain in place throughout the duration of construction. The owners have chosen to stay with the silt fence; therefore, notes have been added regarding inspection / maintenance / replacement. Please note that "keep out" signage has been added to aid in ensuring trees are protected.

Item #6
Additional Landscape Condition

Cross-section indicates that only 2.5 feet of fill is to be placed over the buried construction debris. This is not considered to be sufficient depth of soil to provide for establishment of trees. The University of Florida Cooperative recommends a minimum of 5-6 feet of soil to provide for tree growth.
The response letter states that the proposed 2.5 feet of fill shown on the cross-section is consistent with the stipulation agreement, however, the stipulation agreement did not address filling of the lake but was for establishment of littoral and upland plantings. Where the lake had been over-excavated the stipulation cross-section showed filling to bring the grade up to existing grade which in some areas was more than 22 feet.
What is the quality and composition of the 2 feet of "dirt" proposed to be installed – is it going to have a suitable mixture of organics, texture, pH, and other nutrients to be appropriate for plant establishment? Provide specifications for the proposed fill and cover. Consideration should be given to the concept that the majority of trees should be established on areas that are not being filled with concrete debris but rather in areas where there may be native soils and sufficient planting depth for healthy establishment and long-term survivability.
Response: During the staff workshop, it was discussed that no trees would be planting on the lake that is being filled. The focus of the plantings shall be along the north and west boundary lines to buffer adjacent property owners; these areas where not excavated and therefore have natural soils. Good clean fill; empty of debris shall be placed over the construction debris to allow for native grasses to grow.

Item #7
Additional Landscape Condition
Since the balance of the lake is not included in this phase requirements within the stipulation agreement not included in this phase need to be implemented. Please provide for construction of littorals and upland transition areas associated.
Response: As discussed in the staff workshop, the Phase 2 and 3 littoral and upland transitional plantings are included in the attached cost estimate for bonding; therefore, there are no plans for the construction / installation of them. Should the project not move forward beyond Ph. 1, the plantings shall be required.

K-L: Acknowledged.

M. Determination of compliance with engineering, storm water and flood management requirements - Public Works Department

Unresolved Issues:
Item#1:
The detailed cost estimate for the restoration performance security as described in the Development Order requirement below must be created using Martin County's Engineer's Opinion

of Probable Cost form. The security provided with this application will replace the existing security provided with the Stipulated Agreement.
Response: Please see attached cost estimate based on construction of Phase 1.

Additional Information:
Information #1:
Development Order Requirement
A three-year performance bond/security is required to ensure that restoration of the excavation and/or fill or mining site shall be completed, including items such as, but not limited to, general clean-up, grading, and revegetation of the lake banks, littoral zones and upland transition zone. The amount of the security shall be approved by the County Engineer, and shall be based on 110 percent of a cost estimate prepared by a Florida registered engineer for the general clean-up, grading, and site restoration including the required littoral zone and upland plantings by an environmental professional. The guarantees for phased projects may be bonded separately.
Response: Please see attached cost estimate based on construction of Phase 1. The cost estimate includes the littoral and upland transition plants for Phases 2 and 3 such that if the project does not move forward, the plants may be installed.

N-Z: Acknowledged.

Please find the following materials for review:

1. Legal Description – Overall less dedication;
2. Legal Description – Phase 1 less dedication;
3. Updated Affidavit of Interest Disclosure;
4. Signed and sealed Restoration cost estimate;
5. Two (2) Master Site Plan;
6. Two (2) Phasing Plan;
7. Two (2) Phase 1 Final Site Plan;
8. Two (2) Phase 1 Landscape Plan; and
9. CD containing AutoCAD File of Site Plans and bookmarked pdf of submittal.

Please note that no construction plans have been included as there were no revisions required.

Thank you for your time and assistance.

Sincerely,
The MilCor Group, Inc.

Melissa G. Corbett, P.E.
President

Enclosures: as listed

Cc: Jason Pepitone

This spreadsheet is in compliance with the Martin County required format.
Enter data in unprotected (blue) fields only. All other calcs are computed automatically.
If a category or unit price cannot be found that matches the particular work, enter the item and unit price under the Miscellaneous heading

MARTIN COUNTY ENGINEERING DEPARTMENT
ENGINEER'S OPINION OF PROBABLE COST

PROJECT NAME: Creative Land Management **PHASE/PARCEL/PLAT:** Phase 1

ITEM	QTY	UNIT	UNIT PRICE	AMOUNT
EARTHWORK/SITEWORK				
a) Mobilization	1	LS	$5,000.00	5,000.00
b) Clearing, grading and grubbing	0.0	AC	$3,000.00	0.00
c) Excavation (cut)	0	CY	$7.00	0.00
d) Embankment (fill)	146,636	CY	$6.50	953,134.00
e) Sod and seed/mulch	263,995	SY	$0.31	81,838.45
f) Concrete disposal	0.0	TN	$60.00	0.00
g) Erosion control	1	LS	$32,750.00	32,750.00
h) Fencing/railing	0	LS	$0.00	0.00
i) Materials testing	0	LS	$2,500.00	0.00
			Subtotal	**1,072,722.45**
ROADWORK				
a) Asphalt milling, 1" avg.	0	SY	$1.50	0.00
b) Stabilized subgrade, roll in place	0	SY	$3.00	0.00
c) Stabilized subgrade, Type B, 12" thick	0	SY	$7.50	0.00
d) Paving base, optional base group 6	0	SY	$12.50	0.00
e) Paving base, optional base group 9	0	SY	$15.50	0.00
f) Paving base, other	0	SY	$0.00	0.00
g) Asphaltic concrete, SP-9.5, 1-1/2" thick	0	SY	$15.00	0.00
h) Asphaltic concrete, SP-9.5, 2 1/2" thick	0	SY	$25.00	0.00
i) Asphaltic concrete, SP-9.5, 3" thick	0	SY	$30.00	0.00
j) Asphalt overlay, SP-9.5 (<= 150 tons)	0.0	TN	$150.00	0.00
k) Asphalt overlay, SP-9.5 (> 150 tons)	0.0	TN	$120.00	0.00
l) Pervious asphalt or concrete	0	SY	$60.00	0.00
m) Concrete curb & gutters	0	LF	$14.25	0.00
q) Sidewalk, 6' wide	0	LF	$25.00	0.00
r) Maintenance of traffic (M.O.T.)	0	LS	$0.00	0.00
			Subtotal	**0.00**
DRAINAGE				
a) Inlets / Manholes (<10' depth)	0	EA	$3,000.00	0.00
b) Inlets / Manholes (10' or > depth)	0	EA	$4,000.00	0.00
c) Control structures	0	EA	$6,000.00	0.00
d) Endwalls	0	CY	$700.00	0.00
e) Rip-rap	0	CY	$80.00	0.00
f) Storm culvert, 15" dia. or equiv.	0	LF	$28.00	0.00
g) Storm culvert, 18" dia. or equiv.	0	LF	$34.00	0.00
h) Storm culvert, 24" dia. or equiv.	0	LF	$48.00	0.00
i) Storm culvert, 30" dia. or equiv.	0	LF	$65.00	0.00

MARTIN COUNTY ENGINEERING DEPARTMENT
ENGINEER'S OPINION OF PROBABLE COST

j) Storm culvert, 36" dia. or equiv.	0	LF	$88.00	0.00
k) Storm culvert, 48" dia. Or equiv.	0	LF	$125.00	0.00
l) Exfiltration trench	0	LF	$100.00	0.00
			Subtotal	**0.00**
UTILITIES				
a) Water main, 4"	0	LF	$13.00	0.00
b) Water main, 6"	0	LF	$17.50	0.00
c) Water main, 8"	0	LF	$23.50	0.00
d) Water main, 10"	0	LF	$31.25	0.00
e) Water main, 12"	0	LF	$40.00	0.00
f) Water service, single	0	EA	$790.00	0.00
g) Water service, double	0	EA	$930.00	0.00
h) Fire hydrant assembly	0	EA	$3,600.00	0.00
i) Sewer main, 8" gravity (<=8' depth)	0	LF	$28.00	0.00
j) Sewer main, 8" gravity (<8'-12' depth)	0	LF	$43.00	0.00
k) Sewer main, 8" gravity (<12'-16' depth)	0	LF	$88.00	0.00
l) Sewer main, 8" gravity (<16'-20' depth)	0	LF	$104.00	0.00
m) Sewer main, force, (4")	0	LF	$13.50	0.00
n) Sewer manhole (<=8' depth)	0	EA	$2,900.00	0.00
o) Sewer manhole (<8'-12' depth)	0	EA	$3,850.00	0.00
p) Sewer manhole (<12'-16' depth)	0	EA	$5,500.00	0.00
q) Sewer manhole (<16'-20' depth)	0	EA	$8,800.00	0.00
r) Sewer lateral, single	0	EA	$900.00	0.00
s) Sewer lateral, double	0	EA	$1,100.00	0.00
t) Lift Station	0	EA	$0.00	0.00
u) Directional drill (<= 6" dia.)	0	LF	$50.00	0.00
v) Directional drill (8"-10" dia.)	0	LF	$88.00	0.00
w) Directional drill (12" or > dia.)	0	LF	$140.00	0.00
			Subtotal	**$0.00**
TRAFFIC				
a) Signage	0	LS	$0.00	0.00
b) Striping	0	LS	$0.00	0.00
c) Control devices (signals)	0	EA	$0.00	0.00
			Subtotal	**$0.00**
SURVEY				
a) Setting P.C.P.'s	0	LS	$0.00	0.00
b) Setting and replacing all P.R.M.'s	0	LS	$0.00	0.00
c) Setting all lot corners	0	LS	$0.00	0.00
			Subtotal	**$0.00**

MARTIN COUNTY ENGINEERING DEPARTMENT
ENGINEER'S OPINION OF PROBABLE COST

MISCELLANEOUS

a)	Restoration Fill	1,422,185	SY	$0.00	0.00
b)	Plant Materials (New Trees)	1	LS	$20,590.00	20,590.00
c)	Upland/Littoral Plants (Phase 2-3)	1	LS	$48,800.00	48,800.00
				Subtotal	**$69,390.00**

TOTAL ESTIMATED COST OF IMPROVEMENTS **$1,142,112.45**

Disclaimer

1) Unit prices pre-entered on this spreadsheet reflect Martin County annual requirements contractors' unit prices and should not be modified without the approval of the County Engineer or his designee.

Prepared by:

Melissa G. Corbett, P.E.
Professional Engineer's Name

Professional Engineer's Signature / Seal

59292
P.E. No.

1-22-19
Date

The MilCor Group, Inc.
Firm's Name and Licensed Business No. (if applicable)

10975 SE Federal Highway, Hobe Sound, FL 33455
Firm's Address

772-223-8850
Phone No.

County Engineer's (or designee) Acceptance

The MilCor Group Inc.

Engineering a Value-Driven Sustainable Environment

April 8, 2019 Project Number: P0801
Via: Hand Delivery

Catherine Riiska, Principal Planner
Martin County Growth Management
2401 SE Monterey Road
Stuart Fl, 34996

Subject: Creative Land Management Development – MC #A040-015
Revised Major Master & Phase 1 Final Site Plan – Response to Staff Report

Dear Ms. Riiska,

We are in receipt of the staff report dated March 19, 2018 and respectfully offer the following in response:

A-E: Acknowledged.

F. Determination of compliance with Comprehensive Growth Management Plan requirements - Growth Management Department

Unresolved Issues:

Item #1:
This application cannot be deemed to be in compliance with the Martin County Comprehensive Growth Management Plan (CGMP) until the issues identified in this report have been satisfactorily resolved. MARTIN COUNTY, FLA., CGMP POLICY 4.1A.1. (2016)
Response: Acknowledged

G. Determination of compliance with land use, site design standards, zoning, and procedural requirements - Growth Management Department

Unresolved Issues:

Item #1:
Site Plans – Master, Phasing, Phase 1 Final
A complete site plan is required as part of the application. MARTIN COUNTY, FLA., LDR SECTION 10.2.B. (2016)
Remedy/Suggestion/Clarification:
Item #1:

1. The applicant's response has indicated that areas of equipment/vehicular storage have been designated as 'grassed vehicular area' on the master site plan and that restoration of these vehicular and storage areas are shown in the landscape plans east of the lake. However, existing areas of parking and equipment and materials storage north of the existing dirt access drive and wood power poles do not appear to have been identified (see aerials attached as Exhibit 1 to this report). Revegetation/restoration of this unaddressed northern area, as well as the area shown on the east side of phases 2 and 3 as 'grassed vehicular storage area' do not appear to be shown for revegetation on the landscape plans. Does the applicant propose to continue use of or to relocate those existing areas and, if so, what restoration for those areas is proposed? Please revise the graphics to delineate these areas and to identify their existing and proposed use(s) or restoration, including specific timeline and activities associated with this area.

Office Location & Mailing Address:

10975 SE Federal Hwy
Hobe Sound
Florida
33455

Phone
772-223-8850
Fax
772-223-8851

Email
marketing@themilcorgroup.com

Web
www.themilcorgroup.com

Response: We acknowledge that there was no staging area originally shown north of the lake as the client originally did not wish to store equipment there. He has since changed direction and an additional "Staging / Interim Use Area" has been added north of the lake. The corresponding site data has been updated to reflect the same.

With respect to revegetation of the Staging / Interim Use Areas, the landscape plan reflects "ALL disturbed areas and filled areas to be treated with Native Seeding;" however, the applicant intents to utilize the "Staging / Interim Use Area" for all three phases; therefore, per the previous staff report, Note #3 was added stating that this area shall be used for all three phases, but if the future phases do not move forward, these areas must be restored as part of Phase 1. This note has been further clarified to add "…this area shall be cleanup up, prepared per seed provider, and restored…" Additionally, on the landscape plan, under Native Seeding, "Soil in all disturbed areas shall be prepared per seed provide prior to installation" has been added.

2. Please explain what the oval feature is that is shown between the "grassed vehicular storage area" and the upland preserve area on the east side of the existing lake, on the master and final site plans, that appears to span also into the area proposed for dedication. Please label and indicate final disposition of this feature/structure.
   Response: It is trees that are not to be disturbed. This area has been added to the Inlet A.

3. Please revise the circular inset on the proposed master and final site plans to include all structures/features shown on the plan. (See comment #2 above).
   Response: Acknowledged.

4. Please revise the cited "existing use vacant" on the property adjacent to the north to correctly reflect "existing use mining" on the master and final site plans.
   Response: The text has been revised.

Additional revision: we added the statement that Engineering has requested to the Phase 1 Final site plan and phasing plan (as well as to sheet 2 of the construction plans) regarding the approved stipulation.

Item #2:

Other Agency Permits

The applicant has chosen Option 1 for submittal of other agency permits for consistency review. Pursuant to Section 62-701.720 (15), Clean debris may be used as fill or raw material in any area, including waters of the State, subject to receipt of an environmental resource permit from the Department where applicable. Please submit the FDEP authorization and other agency authorizations as identified in Section V of this report.

Staff acknowledges that the applicant has indicated that the FDEP ERP will be forthcoming. Please be advised that all other agency permits, as cited in Section V of this report, are required to be submitted for review prior to development order approval pursuant to the Option 1 choice. Therefore, this item will remain unresolved until the applicable authorizations have been received and verified as consistent with the County approved plans.

Response: The NPDES permit is attached. The SFWMD Permit is forthcoming – we were waiting to submit the identical plans that we are submitting to County staff in response to this staff report such that the permits match exactly.

Additional Information:

Information #1:

The development order shall be conditioned as follows:

1. An annual progress report shall be submitted to the PDS within 30 days of the anniversary date of the permit for all mining permits that have a duration of more than one year. The report shall be prepared by a Florida registered engineer, shall demonstrate that the permit criteria have been met to date and that the project is in compliance with all other applicable permits. The annual progress report shall include record ("as-built") drawings of all work done to the date of the report. MARTIN COUNTY, FLA., LDR SECTION 4.349. (2001)
   Response: Acknowledged.

2. A three-year performance bond/security is required to ensure that restoration of the excavation and/or fill or mining site shall be completed, including items such as, but not limited to, general clean-up, grading, and revegetation of the lake banks, littoral zones and upland transition zone. The amount of the security shall be approved by the County Engineer, and shall be based on 110 percent of a cost estimate prepared by a Florida registered engineer for the general clean-up, grading, and site restoration including the required littoral zone and upland plantings by an environmental professional. MARTIN COUNTY, FLA., LDR SECTION 4.350. (2001)
   Response: Acknowledged.

3. Within 30 days of the completion of the excavation and/or filling or mining, a Florida registered professional engineer, a Florida registered professional surveyor and mapper, or a Florida registered professional landscape architect shall certify that the excavation was constructed in substantial conformance with the plans and specifications approved by the county. A certification statement must also appear on the certification report. MARTIN COUNTY, FLA., LDR SECTION 4.351. (2001)
   Response: Acknowledged.

4. All disturbed mining/excavation areas shall be reclaimed, and reclamation shall begin immediately following excavation or each phase of excavation, whichever occurs first. All disturbed and reclaimed areas shall be planted or seeded with a permanent native ground cover to reduce the loss of topsoil due to water and wind erosion, to prevent the establishment of prohibited plant species and to provide adequate growing conditions for reclamation planting requirements. MARTIN COUNTY, FLA., LDR SECTION 4.348.C. (2001)
   Response: Acknowledged.

5. A hauling operations report and payment of associated hauling fees shall be submitted quarterly to the County Public Works department. MARTIN COUNTY, FLA., LDR SECTION 4.343.C. (2001) See also Section M, Public Works.
   Response: Acknowledged

H.: Acknowledged.

I. Determination of compliance with the property management requirements – Public Works Department

The Applicant has agreed to provide due diligence materials and convey property to the County for access to Hawk's Hammock Park.

Responses are included below to the comments for the title attorney; however, based last week's staff workshop, it is our understanding that all issues have been satisfied and this section is now a comply.

Unresolved Issues:

Item # 1:

Title Commitment:

The County is in agreement with the Applicant's response regarding Schedule B-II #6.

Regarding Schedule B-II #17, Mutual Quit Claim Access Easement - The access easement is not on the property being conveyed to the County and Martin County has not requested an access easement because it has access on SW Green Farms Lane. Additionally, the County has assured the attorney for Creative Land Management, LLC, that it will not use the existing access easement.

Therefore, the title company should delete this title exception from the title commitment since it is insuring the property being conveyed to Martin County and the property being conveyed has access to SW Green Farms Lane.

If Creative Land Management, LLC decides to release the Mutual Quit Claim Access Easement, which would eliminate it as an Exception on the Title Policy, the County offers the following information from the Martin County Property Appraiser's records that appear to show that Creative Land Management, LLC is the successor in interest to both parties to the Access Easement:

1. Martin County Park of Commerce, Inc. conveyed property to All County Environmental Products, Inc. on 6/24/09 – OR Book 2399, Page 1218.
2. All County Environmental Products, Inc. conveyed Parcel 1 to Creative Land Management, LLC on 6/29/15 – OR Book 2793, Page 2036.

   Response: The parties have agreed that Creative Land Management, LLC shall release Martin County from the Mutual Quit Claim Access Easement as Martin County will not use the easement. A Release Agreement has been prepared, reviewed, and revised, and the final language was approved as of 3/21/19 by all parties. The draft of the Release has been provided to our underwriter for revision of the title commitment to indicate that B-II #17 will be deleted upon execution and recording of the Release Agreement. The title commitment has also been updated and provided to Martin County, and per Colleen Holmes at Martin County, she will be able to change the Property Management section to "Comply". Also, per Colleen Holmes at Martin County, when the project is scheduled to go to the Board of County Commissioners, the agreement and a resolution accepting the deed for the property will go at the same time.

Additional Information:

Information #1:

Survey and Sketch and Legal Description:

The survey and sketch and legal description provided by the Applicant have been reviewed by the County Surveying Division and approved.

Response: Acknowledged.

Information #2:

Phase I Environmental Site Assessment:

The Updated Phase I Environmental Site Assessment provided by the Applicant has been reviewed and approved.
Response: Acknowledged.

J. Determination of compliance with environmental and landscaping requirements - Growth Management Department

Environmental

Finding of Compliance:
The Growth Management Department Environmental Division staff has reviewed the application and finds it in compliance with the applicable land development regulations.

Landscape

Unresolved Issues:
Item #1:
Standard Application Requirements
The deficiencies noted in this section need to be addressed by the applicant with revised plans and documentation. To ensure a successful review, the following shall be provided with your resubmittal information:

Revision dates/notes on all affected plans.
Plans should be provided with "call-out" revision clouds/notes to identify areas that have been modified from the original submittal.
A summary of changes that are provided with your resubmittal information, the staff report may be used as a template for your responses. It is important that you be specific as to what has been changed and where the changes may be found in the resubmitted materials. Resubmittal comments provided to address deficiencies such as "see the revised plans" should be replaced with more specific language such as "refer to the revised 30' dimension to the NE buffer provided on sheet 3/4 and revised landscape note 3 on sheet 2/4".

Response: Based on our conversation at the workshop, it is acknowledged that the whole plan would be clouded. The revisions per this submittal include:

- ***Changed "may" to "shall" under 20-25' wide buffer.***
- ***Under Native Seeding, "Soil in all disturbed areas shall be prepared per seed provide prior to installation" has been added.***
- ***Added the "staging / interim use areas" to the plan***
- ***Added the words "undisturbed area" to the area where trees are being protected***
- ***Added the word "all" in front of the large note in the lake regarding disturbed areas and filled areas to be treated with native seed.***

Item #2:
Landscape Bufferyard Requirements
Landscaped bufferyards shall be required between differing land uses and along certain transportation corridors. It is the intent of the code to encourage the preservation of existing vegetation for use in buffers as opposed to clearing and replanting designed landscapes. [Section 4.663.B., LDR]

Remedy/Suggestion/Clarification:
A 20-25 ft. width dedicated perimeter buffer is shown on the plans. There does not appear that sufficient understory will be present to meet requirements for opacity. Please revise the note

regarding planting of additional shrubs, it currently says that shrubs MAY be installed. Revise note to say that shrubs SHALL be installed if necessary to meet requirements for opacity.
Trees are shown as planted in rows, this configuration does not meet the intent for restoration. Trees can be concentrated within the northern portions of the site outside the fill area however they shall also be required to be planted in accordance with the note that says trees shall be planted in a natural pattern.
Response: The language has been revised.

Item #3:
Additional Landscape Condition
Though a note has been added to the plans stating that disturbed areas and fill areas are to be treated with native seed, it is unclear which areas are included in the delineation of "disturbed areas". Please clarify that the whole area north of the existing lake to be filled and the disturbed areas east and west of Phase 1 are included within the areas to receive native seeding. The employee parking and work areas that are identified on the east side of the lake to be utilized during all phases shall be required to be restored and associated landscape plans provided with the submittals for Phase 3.
Response: The landscape plan now reflects "ALL disturbed areas and filled areas to be treated with Native Seeding;" and includes arrows pointing to the limits. West of the lake is only a small area, as the balance is part of the undisturbed area within silt fence. Eastof the lake, there are also undisturbed areas and a staging area that is proposed for use throughout the duration of the three phases of the project. However, per the previous staff report, Note #3 was added stating that this area shall be used for all three phases, but if the future phases do not move forward, these areas must be restored as part of Phase 1. This note has been further clarified to add "...this area shall be cleanup up, prepared per seed provider, and restored..." Additionally, on the landscape plan, under Native Seeding, "Soil in all disturbed areas shall be prepared per seed provide prior to installation" has been added.

K-L: Acknowledged.

M. Determination of compliance with engineering, storm water and flood management requirements - Public Works Department

Unresolved Issues:
Item#1:
Per Staff's meeting with the Engineer of Record, Melissa Corbett, and the applicant's attorney, Bob Raynes on Wednesday, February 23rd, the following statement will be added to the Phase 1 Final Site Plan and associated Construction Plans:
Phase 1 shall include the following work outside the defined Phase 1 boundaries as approved with the remediation plan attached as Exhibit 2 of the Creative Land Management LLC Commitment for Restoration of Mining Site dated May 25, 2017 and required by Stipulation and Agreed Final Order Case Number 16-0107262:

1. All areas of excavation outside the boundaries of the approved lake shall be backfilled to natural ground.
2. The bottom of the entire lake shall be filled to a depth no greater than 20-feet below the control elevation, or 7.53' NAVD.
3. All slopes shall be graded in accordance with the approved remediation plan.

Response: This note has been added to the Phase 1 Final Site Plan, Phasing Plan, and Sheet 2 of the construction plans.

Additional Information:
Information #1:
Development Order Requirement
Also, the applicant shall provide a three-year performance bond/security in the amount of $655,590.41 as previously approved with Stipulated Agreement. The following will be included as a Development Order Requirement pursuant to Section 4.350 of the Land Development Regulations:

> A three-year performance bond/security is required to ensure that restoration of the excavation and/or fill or mining site shall be completed, including items such as, but not limited to, general clean-up, grading, and vegetation of the lake banks littoral zones, and upland transition zone. The amount of the security shall be approved by the County Engineer, and shall be based on 110 percent of a cost estimate prepared by a Florida registered Engineer of the general clean up, grading, and site restoration include in the required littoral zone and upland planting by an environmental professional. The guarantees for phased project may be bonded separately.
> ***Response: Acknowledged***

N-Z: Acknowledged.

Please find the following materials for review:

1. Two (2) Master Site Plan;
2. Two (2) Phasing Plan;
3. Two (2) Phase 1 Final Site Plan;
4. Two (2) Phase 1 Landscape Plan;
5. Two (2) Construction Plans
6. NPDES Permit and
7. CD containing AutoCAD File of plans and bookmarked pdf of submittal.

Thank you for your time and assistance.

Sincerely,
The MilCor Group, Inc.

Melissa G. Corbett, P.E.
President

Enclosures: as listed

Cc: Jason Pepitone

4.8.2019 1.9.2019
1.15.2019 1.14.2019

Date	Revision
	2.26.2018 (PM)
	2.28.2018 (WET)
	5.10.2018
	7.8.2018
	8.14.2018
	9.28.2018
	4.5.2019

LANDSCAPE NOTES

ALL LANDSCAPE MATERIAL TO BE F.L.A. #1 OR BETTER

BAHIA SOD AS REQUIRED

MALALEUCA OR EUCALYPTUS MULCH (NO CYPRESS) AS REQUIRED TO 3" THICKNESS MINIMUM IN ALL PLANT BEDS

ALL PROHIBITED, EXOTIC AND INVASIVE SPECIES SHALL BE REMOVED FROM ENTIRE SITE PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY. (CODE 4.664, LDR)

LANDSCAPE MATERIAL STANDARDS SHALL BE FOLLOWED AS SPECIFIED IN SECTION 4.663, LDR, MARTIN COUNTY CODES.

CYPRESS MULCH MAY NOT BE USED AS A MULCHING MATERIAL. (CODE 4.665.C, LDR)

IF NECESSARY TO OBTAIN REQUIRED CAPACITY ALONG PERIMETER BUFFERS SUPPLEMENTARY UNDERSTORY AND / OR TREES MAY BE REQUIRED. PLEASE REFER TO SUPPLEMENTAL SPECIES LIST.

IRRIGATION NOTES

FULLY AUTOMATIC IRRIGATION SYSTEM TO PROVIDE 100% COVERAGE IN 15 MPH WIND
INSTALL BUBBLERS ON ALL TREES - LOW WATER USAGE
INSTALL RAIN SENSOR OVER-RIDE DEVICE AT IRRIGATION TIME CLOCK
WATER SOURCE TO BE ON-SITE WELL

PROTECTION OF REQUIRED LANDSCAPING.

1. ENCROACHMENT INTO REQUIRED BUFFERYARDS AND LANDSCAPED AREAS BY VEHICLES, BOATS, MOBILE HOMES OR TRAILERS SHALL NOT BE PERMITTED, AND REQUIRED LANDSCAPED AREAS SHALL NOT BE USED FOR THE STORAGE OR SALE OF MATERIALS OR PRODUCTS OR THE PARKING OF VEHICLES AND EQUIPMENT.
2. TREE PROTECTION SHALL REMAIN IN PLACE THROUGHOUT THE DURATION OF CONSTRUCTION. TREE PROTECTION MUST BE INSPECTED WEEKLY, WITH REPAIRS AND MAINTENANCE. UPON FAILURE OF THE SILT FENCE, IT SHALL BE NECESSARY TO REPLACE.

MAINTENANCE OF REQUIRED LANDSCAPING.

1. REQUIRED LANDSCAPING SHALL BE MAINTAINED SO AS TO AT ALL TIMES PRESENT A HEALTHY, NEAT AND ORDERLY APPEARANCE, FREE OF REFUSE AND DEBRIS. IF VEGETATION WHICH IS REQUIRED TO BE PLANTED DIES IT SHALL BE REPLACED WITH EQUIVALENT VEGETATION. ALL TREES FOR WHICH CREDIT WAS AWARDED AND WHICH SUBSEQUENTLY DIE, SHALL BE REPLACED BY THE REQUISITE NUMBER OF LIVING TREES ACCORDING TO THE STANDARDS ESTABLISHED IN THE MARTIN COUNTY LANDSCAPE CODE.
2. ALL LANDSCAPING SHALL BE MAINTAINED FREE FROM DISEASE, PESTS, WEEDS AND LITTER. MAINTENANCE SHALL INCLUDE WEEDING, WATERING, FERTILIZING, PRUNING, MOWING, EDGING, MULCHING OR OTHER MAINTENANCE, AS NEEDED AND IN ACCORDANCE WITH ACCEPTABLE HORTICULTURAL PRACTICES. PERPETUAL MAINTENANCE SHALL BE PROVIDED TO PROHIBIT THE REESTABLISHMENT OF HARMFUL EXOTIC SPECIES WITHIN LANDSCAPING AND PRESERVATION AREAS.
3. REGULAR LANDSCAPE MAINTENANCE SHALL BE PROVIDED FOR REPAIR OR REPLACEMENT, WHERE NECESSARY, OF ANY SCREENING OR BUFFERING REQUIRED AS SHOWN ON THIS PLAN. REGULAR LANDSCAPE MAINTENANCE SHALL BE PROVIDED FOR THE REPAIR OR REPLACEMENT OF REQUIRED WALLS, FENCES OR STRUCTURES TO A STRUCTURALLY SOUND CONDITION AS SHOWN ON THIS PLAN.
4. THE PROPERTY OWNER IS RESPONSIBLE FOR REPLACING ANY REQUIRED LANDSCAPING IN EASEMENT AREAS THAT MAY BE DISTURBED BY FUTURE MAINTENANCE.

SITE DATA

PARCEL CONTROL NO.:	30-38-40-000-000-00024-0
EXISTING LAND USE:	MINE
FUTURE LAND USE:	AG
PROPOSED LAND USE:	IMPROVED PASTURE
EXISTING ZONING:	A2

LEGEND

- WETLAND
- FILLED LAKE
- UPLAND PRESERVE
- EXISTING LAKE
- PHASE LIMITS
- UNDISTURBED AREA / SILT FENCE
- PROPOSED TREES
- EXISTING TREES

Phase 1

Site Area Calculations	Area (SF)	Area (AC)	% of Total Area
Phase 1 Construction Limits	3,507,784	80.53	100.00%
Pervious Area	**Area (SF)**	**Area (AC)**	**% of Total Area**
Staging/Interim use	10,000	0.23	0.29%
Stockpile	75,814	1.74	2.16%
Greenspace	2,153,921	49.45	61.40%
Total Pervious Area	**2,239,735**	**51.42**	**63.85%**
Impervious Area			
Lake	1,241,804	28.51	35.40%
Grassed Access Road	21,763	0.50	0.62%
Buildings	4,083	0.09	0.12%
Fuel Containment	400	0.01	0.01%
Total Impervious Area	**1,268,049**	**29.11**	**36.15%**

Dedication Area			
Wetland	52,054	1.19	1.08%
Upland Preserve	369,824	8.49	7.66%
Greenspace	61,210	1.41	1.27%
Total Dedication Area	**483,088**	**11.09**	**100.00%**

PLANT & MATERIAL SCHEDULE

% TOTAL	KEY	NATIVE	DROUGHT TOL.	QUAN.	BOTANICAL NAME	COMMON NAME	SIZE (HT. x SPR.) CONTAINER
17%	IC	Y	MOD.	47	ILEX CASSINE	DAHOON HOLLY	10' O.A., 2" CAL. MIN. B & B
35%	PE	Y	VERY	95	PINUS ELLIOTTI (DENSA)	SLASH PINE	10' O.A., 2" CAL. MIN. B & B
35%	QV	Y	VERY	95	QUERCUS VIRGINIANA	LIVE OAK	10' O.A., 2" CAL. MIN. B & B
17%	SM	Y	MOD.	47	SWIETENIA MAHAGONI	MAHOGANY	10' O.A., 2" CAL. MIN. B & B
100%				284 TREES TOTAL			

TREE PROTECTION INSIDE OF PHASE I ONLY

TYPE	SIZE	QUANTITY	DBH	CREDIT
PINE	2	1	1	5
PINE	7	1	2	5
PINE	8	64	128	16
PINE	9	16	32	6
PINE	10	84	168	8
PINE	11	8	16	2
PINE	12	47	94	4
PINE	13	32	96	3
PINE	14	9	27	12
PINE	15	31	93	6
PINE	16	8	24	4
PINE	17	1	3	5
PINE	18	14	42	
PINE	20	5	20	
PINE	22	2	8	
PINE	24	10	40	
PINE	25	1	5	
PINE	26	1	5	
PINE	28	1	5	
PINE	30	4	20	
PINE	32	1	8	
TOTAL		341	857	76

TYPE	SIZE	QUANTITY
OAK	4	5
OAK	5	5
OAK	6	16
OAK	8	3
OAK	10	4
OAK	11	1
OAK	12	2
OAK	13	1
OAK	15	4
OAK	18	2
OAK	20	1
OAK	30	1
TOAL		45

TYPE	SIZE	QUANTITY
PALM	7	1
PALM	8	2
PALM	9	5
PALM	10	2
PALM	11	1
PALM	12	2
PALM	13	1
PALM	15	5
PALM	18	2
PALM	20	1
TOTAL		22

7 PALMS TOTAL (3 FOR 1)

TOTAL EXISTING & PROPOSED TREE SUMMARY

TOTAL EXISTING PINE, PALM & OAK TREES = 920 DBH TREE CREDITS
EXISTING TREES = 393
EXISTING PALMS (3 FOR 1) = 7
PROPOSED TREES = 284
TOTAL EXISTING & PROPOSED TREES = 393 + 7 + 284 = 684 TREES

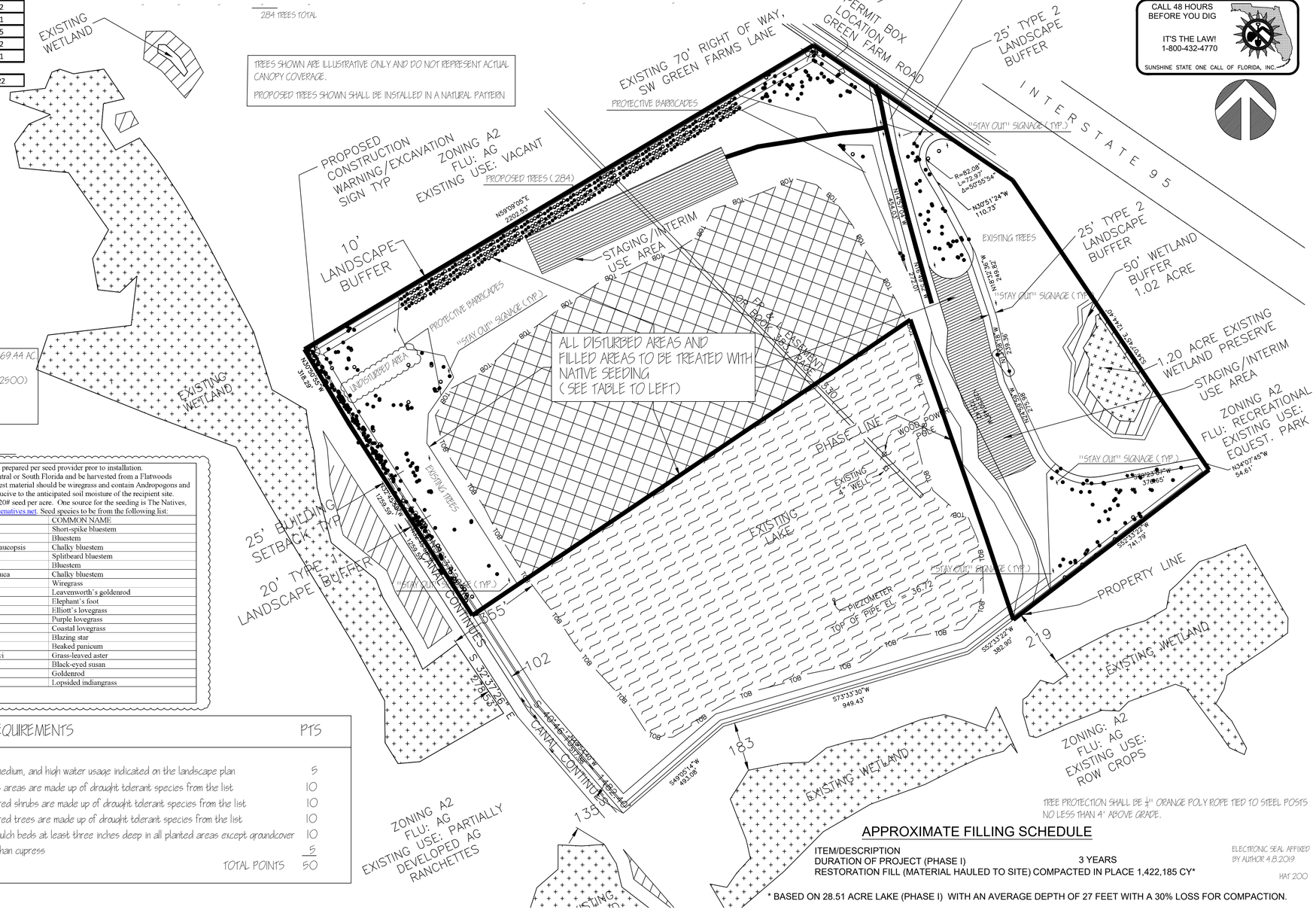
NOTE: ALTERNATIVE COMPLIANCE -- NATIVE GRASSING TO BE USED ON FILLED AREA.

20-25' WIDTH BUFFER -- SUPPLEMENTAL NATIVE TREES AND SHRUBS SHALL BE ADDED TO MEET REQUIREMENTS OF OPACITY -- LIST TO INCLUDE ELLIOT PINES, LIVE OAKS, DAHOON HOLLIES

PHASE I = 80.53 AC. - (MINUS) DEDICATED AREA (11.09AC.) = 69.44 AC.
(PHASE I LANDSCAPE AREA)
1 TREE PER 2500 S.F. = 1210 TREES (3,024,806 S.F. DIV. BY 2500)
1210 - 284 = 926 TREES
EXIST. DBH TREES TOTAL (857 + 76 + 7) = 920 CREDITS
284 PROP. TREES TOTAL = 284 CREDITS

TREES SHOWN ARE ILLUSTRATIVE ONLY AND DO NOT REPRESENT ACTUAL CANOPY COVERAGE.

PROPOSED TREES SHOWN SHALL BE INSTALLED IN A NATURAL PATTERN



TREE PROTECTION SHALL BE 1/2" ORANGE POLY ROPE TIED TO STEEL POSTS NO LESS THAN 4' ABOVE GRADE.

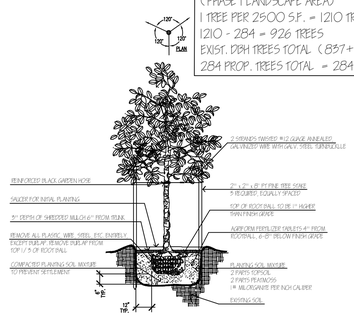
NATIVE SEEDING

Soil in all disturbed area shall be prepared per seed provider prior to installation. Native seed shall come from Central or South Florida and be harvested from a Flatwoods Ecosystem. The bulk of the harvest material should be wiregrass and contain Andropogons and other species that would be conducive to the anticipated soil moisture of the recipient site. Application rate is generally 15-20# seed per acre. One source for the seeding is The Natives, Inc. at 863-422-6664 or paul@thenatives.net. Seed species to be from the following list:

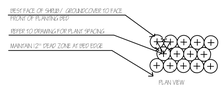
SCIENTIFIC NAME	COMMON NAME
Andropogon brachystachyus	Short-spike bluestem
Andropogon glomeratus	Bluestem
Andropogon glomeratus var. glaucopsis	Chalky bluestem
Andropogon ternarius	Splitbeard bluestem
Andropogon virginicus	Bluestem
Andropogon virginicus var. glauca	Chalky bluestem
Aristida stricta	Wiregrass
Coreopsis leavenworthii	Leavenworth's goldenrod
Elephantopus elatus	Elephant's foot
Eragrostis elliotti	Elliott's lovegrass
Eragrostis spectabilis	Purple lovegrass
Eragrostis virginica	Coastal lovegrass
Liatris sp.	Blazing star
Panicum anceps	Beaked panicum
Pityopsis graminifolia var. tracyi	Grass-leaved aster
Rudbeckia hirta	Black-eyed susan
Solidago sp.	Goldenrod
Sorgastrum secundum	Lopsided indiangrass

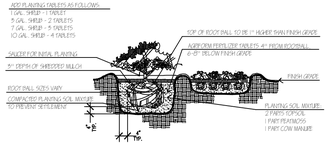
XERISCAPE REQUIREMENTS

	PTS
Plan submitted with low, medium, and high water usage indicated on the landscape plan	5
51% or more of the grass areas are made up of drought tolerant species from the list	10
51% or more of the required shrubs are made up of drought tolerant species from the list	10
51% or more of the required trees are made up of drought tolerant species from the list	10
Utilization of compacted mulch beds at least three inches deep in all planted areas except groundcover	10
Utilization of mulch other than cypress	5
TOTAL POINTS	50



TREE PLANTING DETAIL NTS





SHRUB / GROUNDCOVER PLANTING DETAIL NTS

APPROXIMATE FILLING SCHEDULE

ITEM/DESCRIPTION	
DURATION OF PROJECT (PHASE I)	3 YEARS
RESTORATION FILL (MATERIAL HAULED TO SITE) COMPACTED IN PLACE 1,422,185 CY*	

* BASED ON 28.51 ACRE LAKE (PHASE I) WITH AN AVERAGE DEPTH OF 27 FEET WITH A 30% LOSS FOR COMPACTION.

ELECTRONIC SEAL APPLIED BY AUTHOR 4.8.2019

HAT 200

William A. Flint, III
Landscape Architect
Fl. Reg. #941
Stuart, FL
772.220.0424
waflint3@gmail.com

CALL 48 HOURS BEFORE YOU DIG
IT'S THE LAW!
1-800-432-4770
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

CREATIVE LAND MANAGEMENT DEVELOPMENT
GREEN FARM ROAD
MARTIN COUNTY, FL

LAKE FILL IN - LANDSCAPE PLAN

DATE: 2.21.2018
DRAWN: WAF
CHECKED:
SCALE: 1" = 200'
PROJECT NO. 18-019

WILLIAM A. FLINT III
STATE OF FLORIDA
941
REGISTERED LANDSCAPE ARCHITECT
SEAL

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DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME, the undersigned authority, duly authorized to take acknowledgments and administer oaths, personally appeared the undersigned person on the date set forth below, who, first being duly sworn, deposes and says under penalties of perjury:

1. That the record property owner(s) of the Real Property described in **Exhibit "A"** to this Affidavit is (are) as follows:

Name	Address
Creative Land Management, LLC.	785 NE 33rd Street Boca Raton, FL 33431

(If more space is needed attach separate sheet)

2. That the following is a list of every natural person and entity with any legal or equitable interest in the property (as defined in Section 10.2.B.3. Land Development Regulations, Martin County Code):

Name	Address	Interest
Jed Brownie	5636 Matousek Street Stuart, FL 34997	Member of record property owner entity in section 1
JSP Family Holdings, LLC	785 NE 33rd Street Boca Raton, FL 33431	Member of record property owner entity in section 1
S.E. Scrap Investments, Inc.	1501 SW 16th Street Boca Raton, FL 33486	Member of record property owner entity in section 1
P & F Consulting, LLC	419 SE 2nd Court Deerfield Beach, FL 33441	Member of record property owner entity in section 1

(If more space is needed attach separate sheet)

3. That the following is a list of those, who have any interest in a contract for sale of the property, or a conveyance of any interest in the property, including but not limited to, real estate brokers and salespersons; and any and all mortgagees of the property:

Name	Address	Interest
Paradise Bank	2420 North Federal Highway Boca Raton, FL 33431	Mortgagee

(If more space is needed attach separate sheet)

4. That the following is a list of all other applications for which the applicant has an interest as defined in subsection b. and c. of Section 10.2.B.3. Land Development Regulations, Martin County Code currently pending before Martin County. The list shall include any development applications, waiver applications, road opening applications, and lien reduction requests.

Application Name and/or Project Number	Names & Addresses of Parties involved	Date	Type of Application	Status of Application*
N/A				

(If more space is needed attach separate sheet)

- Status defined as:
  A = Approved
  P = Pending
  D = Denied
  W = Withdrawn

This Affidavit is given for the purpose of establishing compliance with the provisions of Section 10.2.B.3 Land Development Regulations; Martin County Code.

FURTHER AFFIANT SAYETH NOT.

AFFIANT

Morris Kessler
PRES OF SE SCRAP INVESTMENTS, INC
MEMBER OF CREATIVE LAND MANAGEMENT LLC

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me this 20th day of DECEMBER 2018, by MORRIS KESSLER, who is personally known to me or have produced _____ as identification.

Notary Public, State of FLORIDA

(Notary Seal)

Print Name: DOLORES K SANCHEZ

My Commission Expires: 3-3-2019

DOLORES K. SANCHEZ
Notary Public - State of Florida
Commission # FF 202208
My Comm. Expires Mar 3, 2019
Bonded through National Notary Assn.

Exhibit "A"
(Disclosure of Interest and Affidavit)
(Legal Description)

PARCEL 1
A PARCEL OF LAND LYING IN PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT 'A' OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1198. PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 28 OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA: THENCE NORTHWESTERLY FOR THE NEXT THREE COURSES ALONG THE NORTHEASTERLY LINE OF THE PLAT OF DRESSAGE ESTATES AS RECORDED IN PLAT BOOK 16, PAGE 24 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA;
THENCE N40°54'40"W A DISTANCE OF 517.38 FEET; THENCE N32°45'58"W A DISTANCE OF 1259.59 FEET; THENCE N30°50'55"W A DISTANCE OF 318.29 FEET; THENCE DEPARTING FROM SAID NORTHEASTERLY BOUNDARY OF THE PLAT OF DRESSAGE ESTATES N59°09'05"E A DISTANCE OF 2202.53 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA
DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 89095-2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY LINE OF ACCESS ROAD "A" A DISTANCE OF 247.80 FEET TO THE WEST LINE OF AN 60 FOOT ACCESS EASEMENT; THENCE SOUTHEASTERLY ALONG THE WEST SIDE OF SAID 60 FOOT ACCESS EASEMENT FOR THE NEXT SIX COURSES; THENCE S10°50'15"E A DISTANCE OF 277.79 FEET; THENCE S14°57'04"E A DISTANCE OF
454.03 FEET; THENCE S16°49'52"E A DISTANCE OF 272.01 FEET; THENCE S26°50'48"E A DISTANCE OF 720.42 FEET; THENCE S27°06'17"E A DISTANCE OF 95.85 FEET; THENCE S16°59'12"E A DISTANCE OF 197.96 FEET TO THE NORTHERLY LINE OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67; THENCE WESTERLY ALONG SAID NORTHERLY LINE FOR THE NEXT THREE COURSES; THENCE S52°33'22"W A DISTANCE OF 382.90 FEET; THENCE S73°33'30"W A DISTANCE OF 949.43 FEET; THENCE S49°05'14"W A DISTANCE OF 493.08 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 100.00 ACRES MORE OR LESS. PARCEL 2
A PARCEL OF LAND BEING A PORTION OF PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT "A" OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1198. PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 27 OF THE PLAT OF "POLO CLUB", AS RECORDED IN PLAT BOOK 16, PAGE 67, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE S52°33'22"W ALONG SAID NORTH LINE OF SAID LOT 27 A DISTANCE OF 741.79 FEET; THENCE N16°59'12"W, A DISTANCE OF 197.96
FEET; THENCE N27°06'17"W, A DISTANCE OF 95.85 FEET; THENCE N26°50'48"W, A DISTANCE OF 720.42 FEET; THENCE N16°49'52"W, A DISTANCE OF 272.01 FEET; THENCE N14°57'04"W, A DISTANCE OF 454.03 FEET;
THENCE N10°50'15"W, A DISTANCE OF 277.79 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO 89095-2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 646.60 FEET; THENCE S34°07'45"E, A DISTANCE OF 1299.01 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 21.91 ACRES, MORE OR LESS.

SAID PARCEL BEING SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, DEDICATIONS OR RESTRICTIONS

SAID PARCELS CONTAINING A TOTAL OF 121.91 ACRES, MORE OR LESS.

INSTR # 2610751
OR BK 2896 PG 2800
(8 Pgs)
RECORDED 12/19/2016 03:06:46 PM
CAROLYN TIMMANN
MARTIN COUNTY CLERK

MARTIN COUNTY, FLORIDA
CODE ENFORCEMENT MAGISTRATE

Case Number: 16-0107262
Parcel Control Numbers: 303840000000002400000 and
303840000000004000000

MARTIN COUNTY, FLORIDA
Petitioner,

v.

CREATIVE LAND MANAGEMENT LLC
Respondent.

STIPULATION AND AGREED FINAL ORDER

The Petitioner and the Respondent hereby freely stipulate and agree to the following:

A. VIOLATIONS

1. Respondent is the owner or occupant of the unaddressed property located in Martin County, Florida and further described in Exhibit A attached hereto.

2. On August 10, 2016, an inspection of the property was performed by the undersigned Martin County Code Compliance Investigator, and at that time, and continuing until December 14, 2016, Respondent did maintain conditions on the property as cited in the Notice of Violation issued in this case.

3. Respondent freely admits the violations of the Code as cited.

Violation 1:
Development activities, including hauling of fill material to the site, are being conducted without the required major development site plan approval as required by Section 4.342.D., Land Development Regulations, Martin County Fla. (2001). Section 4.342.D. as set forth below:

CODE SECTION:
Land Development Regulations, Martin County Fla. (2001)
4.342.D. Excavation and/or filling of 10,000 cubic yards or more, where fill is hauled onto or off site, and any mining. Any excavation or filling of 10,000 cubic yards or more, where fill is proposed to be hauled onto or off the site, and any mining shall be subject to the major development review procedures of article 10 of the LDR. No separate excavation and filling or land clearing permits will be necessary.

Violation 2:
Failure to comply with the approved development orders and the approved construction plans for the APS Environmental Associates Sand Mine. Compliance with the approved development orders is required pursuant to Section 10.8.A, Land Development Regulations, Martin County Fla (2016), set forth below.

CODE SECTION:
Land Development Regulations, Martin County Code
Section 10.8.A - Suspension of Development Orders - Purpose and Intent
Development activity shall be in compliance with the development order at all times. Failure to comply with a development order or unauthorized development activity may result in the suspension of the current development order, and the cessation of county processing of all applications for development on the subject property and any associated phases or termination of the development order.

Unofficial Copy

B. COMPLIANCE REQUIREMENTS:

1. By January 13, 2017, Respondent shall submit a reclamation plan for review and approval by Petitioner which cures the violations that occurred at the following described mining site and complies with the requirements set forth below. Petitioner agrees to promptly review and provide comments to the Respondent regarding the submitted plan. Within thirty (30) days of the receipt of review comments from Petitioner, Respondent shall submit a reclamation plan which demonstrates compliance with criteria set forth herein as determined by Petitioner. The failure by Respondent to meet either the January 13, 2017 deadline and/or to provide a compliant reclamation plan within thirty (30) days of the receipt of review comments from Petitioner shall constitute a violation of this Stipulation and Agreed Final Order.

   Master Site Plan #A040-001, and Final Site Plan #A040-002, provided for a 25.0 acre mine on 37.66 acres, Final Site Plan approved 3/26/2002; together with

   Master Site Plan #A040-003, and Final Site Plan #A040-004, provided for a 25.7 acre mine on 31.32 acres, Final Site Plan approved 3/8/2005.

   The reclamation plan shall encompass the following properties owned by Respondent:

   Parcel control number 30384000000000002400000

   Parcel control number 30384000000000004000000

   At a minimum, the reclamation plan shall demonstrate compliance with Article 4, Division 8, Land Development Regulations, Martin County, Fla. (2001) and include:

   a. A current topographic survey of the properties, including one-foot contours to the bottom of the existing mining facility.
   b. A grading plan for the lake slopes, littoral shelves, and any other upland restoration and stabilization.
   c. A landscape plan for the establishment of the littoral and upland plantings required by Article 4, Division 8, Land Development Regulations, Martin County, Fla. (2001).
   d. Specifications for fill material.
   e. A statement that addresses the hours of operation.
   f. Locations and acreages of preserve areas.
   g. An amended preserve area management plan for the wetland and upland habitat.
   h. A provision for annual progress report to be submitted to the County Engineer within 30 days of the anniversary date of this Stipulation and Agreed Final Order. The annual progress report shall demonstrate compliance and include record ("as-built") drawings of all work done to the date of the report, as certified by a professional engineer.
   i. A timetable for the following milestones:
      1) Certification of completion of the reclamation grading by a professional engineer, which shall occur no later than 2 years from the approval date of the approval of the reclamation plan by Petitioner.

      2) Certification of establishment of the required littoral and upland plantings by an environmental professional or landscape architect, which shall occur no later than 2 ½ years from the approval date of the approval of the reclamation plan by Petitioner.

2. By January 13, 2017, Respondent shall provide an itemized cost estimate, prepared by a Florida registered engineer, for the restoration of the mining site, including items such as, but not limited to, general clean-up, grading, and revegetation of the lake banks, littoral zones and upland transition zone. A three-year performance bond/security and implementing agreement shall be required to ensure that restoration is completed. The amount of the security shall be approved by the County Engineer, and shall be based on 110 percent of the approved cost estimate. Within thirty (30) days of the approval of the itemized cost estimate by the County Engineer, Respondent shall submit the three-year performance bond/security and executed implementing agreement to ensure that restoration is completed. The failure by Respondent to meet either the January 13, 2017 deadline and/or to submit the three-year performance bond/security and executed

Unofficial Copy

implementing agreement within thirty (30) days of the approval of the itemized cost estimate by the County Engineer shall constitute a violation of this Stipulation and Agreed Final Order.

3. By January 13, 2017, Respondent shall provide an executed Unity of Title for Parcel numbers 30384000000000002400000 and 30384000000000004000000 and request the release of any conflicting Unities of Title.

4. With the certification of establishment of the required littoral and upland plantings, Respondent shall provide a three-year performance bond/security and accompanying agreement for the supply and installation cost of the required littoral and upland plantings to ensure adequate maintenance and survivability of vegetative materials. The amount of the security shall be based on 110 percent of a cost estimate prepared by a Florida registered engineer, a Florida registered professional landscape architect, or by an environmental professional.

5. Respondent agrees that no later than two years following the approval of the reclamation plan by Petitioner, all hauling of fill material to or from the site shall cease, unless otherwise authorized by an approved development order.

6. By January 13, 2017, Respondent shall provide documentation of all fill hauled from the site and pay any outstanding hauling fees at the rate of $0.21 per cubic yard.

7. Respondent agrees to pay $ 4,510 in administrative costs by December 14, 2016. Upon approval of the Stipulation and Agreed Final Order by the Code Enforcement Magistrate and the payment of the administrative costs, Respondent may resume the hauling of fill to the site. Any hauling shall be consistent with the proposed reclamation plan and in compliance with Article 4, Division 8, Land Development Regulations, Martin County, Fla.

8. If Respondent(s) fails to comply with any of the compliance deadlines established in this Stipulation and Agreed Final Order, Respondent understands that a Stop Work Order will be issued and agrees to the levy of a fine in the amount of $200.00 per day thereafter, for each and every day of non-compliance, plus all administrative costs in enforcing the action. Pursuant to Chapter 162, Florida Statutes, no further hearing shall be required for the entry of a fine and costs. In addition, all fines and costs become liens on the property of the Respondent.

9. The parties represent, under penalty of perjury that that they have read this Stipulation; that they have full authority to enter into this Stipulation; that the facts contained herein are the truth, the whole truth and nothing but the truth; that they agree to abide by its terms; that they are signing this agreement freely and voluntarily and are under no duress to execute it; that the Respondent had the opportunity to come to a Magistrate Hearing and dispute the County's Notice of Violation and Notice of Hearing upon which this Stipulation is based, but by signing this Stipulation the Respondent irrevocably waives the right to notice, and to contest or dispute the violation charged, and that Respondent intends to be bound by its terms, and the Agreed Order, below.

Unofficial Copy

CREATIVE LAND MANAGEMENT LLC

RESPONDENT(S):

By: _____

Printed Name: JED BROWNIE

Title: MANAGER / MEMBER

Date: 12/14/2016

PETITIONER: MARTIN COUNTY, FLORIDA

Jerry Mitchell
Senior Associate Planner

Date: 12/14/2016

AGREED ORDER

THE ABOVE STIPULATION is found to have been properly executed and otherwise in order.

IT IS HEREBY ORDERED that the parties shall comply with the terms of the Stipulation. If the Respondent fails to comply with the above Stipulation, the County may enforce its terms by filing a copy of this Agreed Order as a lien against the property of the Respondent.

DONE AND ORDERED in Stuart, Martin County, Florida, this 14 day of December, 2016.

PAUL J. NICOLETTI
Magistrate

Unofficial Copy

INSTR # 2523221
OR BK 2793 PG 2036
(4 Pgs)
RECORDED 07/01/2015 12:49:44 PM
CAROLYN TIMMANN
MARTIN COUNTY CLERK
DEED DOC TAX $2,164.40

Return to:
Name: Champagne Title Services, Inc.
Address: 3800 NE 3rd Avenue
Pompano Beach, FL 33064
This instrument prepared by:
Name: Dolores K. Sanchez, Esquire
Address: 4701 North Federal Highway
Suite 316 Box B-1
Lighthouse Point, Fl. 33064

Parcel I.D. No. 30-38-40-000-000-00024-0 and 30-38-40-000-000-00040-0

WARRANTY DEED

THIS INDENTURE, made effective June 29, 2015 between

ALL COUNTY ENVIRONMENTAL PRODUCTS, INC. a Florida Corporation (parcel 1) and MILO PARTNERS, LLC, a Florida Limited Liability Company (parcel 2)

whose address is: 222 Andalusia Drive, Palm Beach Gardens, FL 33418, **GRANTOR** and

CREATIVE LAND MANAGEMENT, LLC, a Florida Limited Liability Company

whose address is: 3911 NE 26th Avenue, Lighthouse Point, FL, 33064 **GRANTOR**

WITNESSETH that the Grantors, for and in consideration of the sum of Ten and No/100 (10.00) Dollars, and other good and valuable consideration to GRANTORS in hand paid by GRANTEES, the receipt whereof is hereby acknowledge, has granted, bargained, and sold to said GRANTEES and GRANTEES' heirs and assigns forever, the following described land, situate, lying and being in the County of Martin, State of Florida to wit:

SEE EXHIBIT "A" ATTACHED AND INCORPORATED HEREIN

Subject to restrictions, reservations, conditions, limitations, and easements of record, if any, and taxes for the year 2015 and subsequent years.

The Grantors do hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

Unofficial Copy

IN WITNESS WHEREOF, the GRANTORS have hereunto set their hands and seal the day and year first above written.

Signed, sealed, and delivered in the presence of:

All County Environmental Products, Inc.
A Florida Corporation

WITNESS
Print Name: Scott A. Mirsky

BY: Carl Gambino, Vice-President

WITNESS
Print Name: Hannah Bourget

STATE OF FLORIDA

COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 29 day of June, 2015 by Carl Gambino, Vice-President of All County Environmental Products, Inc., who is known to me personally or who has produced a driver's license as identification and who did not take an oath.

Notary Public, State of Florida
RAE FRANKS
(Print name)
My Commission Expires:

RAE FRANKS
MY COMMISSION # FF 080508
EXPIRES: January 29, 2018
Bonded Thru Notary Public Underwriters

Milo Partners, LLC, a Florida Limited Liability Company

WITNESS
Print Name: Scott A. Mirsky

BY: Carl Gambino, Manager/Member

Unofficial Copy

WITNESS
Print Name: Hannah Bourget

STATE OF FLORIDA

COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 29 day of June, 2015 by Carl Gambino, Manager-Member of Milo Partners, LLC, who is known to me personally or who has produced a driver's license as identification and who did not take an oath.

FL

Notary Public, State of Florida
RAE FRANKS
(Print name)
My Commission Expires:

RAE FRANKS
MY COMMISSION # FF 080598
EXPIRES: January 29, 2018
Bonded Thru Notary Public Underwriters

Unofficial Copy

EXHIBIT "A"

PARCEL 1:

A PARCEL OF LAND LYING IN PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT "A" OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1198, PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 28 OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA: THENCE NORTHWESTERLY FOR THE NEXT THREE COURSES ALONG THE NORTHEASTERLY LINE OF THE PLAT OF DRESSAGE ESTATES AS RECORDED IN PLAT BOOK 16, PAGE 24 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N40°54'40"W A DISTANCE OF 517.38 FEET; THENCE N32°45'58"W A DISTANCE OF 1259.59 FEET; THENCE N30°50'55"W A DISTANCE OF 318.29 FEET; THENCE DEPARTING FROM SAID NORTHEASTERLY BOUNDARY OF THE PLAT OF DRESSAGE ESTATES N59°09'05"E A DISTANCE OF 2202.53 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 89095-2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY LINE OF ACCESS ROAD "A" A DISTANCE OF 247.80 FEET TO THE WEST LINE OF A 60 FOOT ACCESS EASEMENT; THENCE SOUTHEASTERLY ALONG THE WEST SIDE OF SAID 60 FOOT ACCESS EASEMENT FOR THE NEXT SIX COURSES; THENCE S10°50'15"E A DISTANCE OF 277.79 FEET; THENCE S14°57'04"E A DISTANCE OF 454.03 FEET; THENCE S16°49'52"E A DISTANCE OF 272.01 FEET; THENCE S26°50'48"E A DISTANCE OF 720.42 FEET; THENCE S27°06'17"E A DISTANCE OF 95.85 FEET; THENCE S16°59'12"E A DISTANCE OF 197.68 FEET TO THE NORTHERLY LINE OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67; THENCE WESTERLY ALONG SAID NORTHERLY LINE FOR THE NEXT THREE COURSES; THENCE S52°33'22"W A DISTANCE OF 382.90 FEET; THENCE S73°33'30"W A DISTANCE OF 949.43 FEET; THENCE S49°05'14"W A DISTANCE OF 493.08 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A PARCEL OF LAND BEING A PORTION OF PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT "A" OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1198, PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 27 OF THE PLAT OF "POLO CLUB", AS RECORDED IN PLAT BOOK 16, PAGE 67, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE S52°33'22"W ALONG SAID NORTH LINE OF SAID LOT 27 A DISTANCE OF 741.79 FEET; THENCE N16°59'12"W, A DISTANCE OF 197.96 FEET; THENCE N27°06'17"W, A DISTANCE OF 95.85 FEET; THENCE N26°50'48"W, A DISTANCE OF 720.42 FEET; THENCE N16°49'52"W, A DISTANCE OF 272.01 FEET; THENCE N14°57'04"W, A DISTANCE OF 454.03 FEET; THENCE N10°50'15"W, A DISTANCE OF 277.79 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO 89095-2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 646.60 FEET; THENCE S34°07'45"E, A DISTANCE OF 1299.01 FEET TO THE POINT OF BEGINNING.

Unofficial Copy

Inst. # 2745992
Bk: 3048 Pg: 2871 Pages: 1 of 3
Recorded on:3/28/2019 8:17 AM Doc: ORD
Carolyn Timmann
Clerk of the Circuit Court & Comptroller
Martin County, FL
Rec Fees: $27.00

MARTIN COUNTY, FLORIDA
CODE ENFORCEMENT MAGISTRATE

Case Number: 16-0107262
Parcel Control Numbers: 303840000000002400000 and
303840000000004000000

MARTIN COUNTY, FLORIDA
Petitioner,

v.

CREATIVE LAND MANAGEMENT LLC
Respondent.

AMENDED STIPULATION AND AGREED FINAL ORDER

The Petitioner and the Respondent hereby freely stipulate and agree to the following:

1. On December 14, 2016, the Code Enforcement Magistrate approved a Stipulation and Agreed Final Order in reference to this matter.

2. Pursuant to Paragraph B. 5 of the Stipulation, Respondent has until April 12, 2019, to cease all hauling of fill material to or from the site unless otherwise authorized by an approved development order.

3. Respondent has submitted an application for a development order necessary to continue the operation and that application is currently under review.

4. In recognition of Respondent's compliance efforts, Petitioner is amenable to Respondent's request for an extension of time to April 13, 2020, to receive an approved development order, and to continue the hauling of fill material to or from the site in the interim. If Respondent does not receive approval of the development order necessary to continue the operation by April 13, 2020, all hauling of fill material to or from the site shall cease.

5. If Respondent fails to comply with the deadline established in Paragraph 4, Respondent understands that a Stop Work Order will be issued and agrees to the levy of a fine in the amount of $200.00 per day thereafter, for each and every day of non-compliance, plus all administrative costs in enforcing the action. Pursuant to Chapter 162, Florida Statutes, no further hearing shall be required for the entry of a fine and costs. In addition, all fines and costs become liens on the property of the Respondent.

6. The parties represent, under penalty of perjury that that they have read this Amended Stipulation; that they have full authority to enter into this Stipulation; that the facts contained herein are the truth, the whole truth and nothing but the truth; that they agree to abide by its terms; that they are signing this Amended Stipulation freely and voluntarily and are under no duress to execute it; and that Respondent intends to be bound by its terms, and the Agreed Order, below.

RESPONDENT: CREATIVE LAND MANAGEMENT LLC

By: MBR

Printed Name: Jason Pepitone

Title: Member

Date: 3/20/19

PETITIONER: MARTIN COUNTY, FLORIDA

Jerry Mitchell
Environmental Enforcement Officer

Date: _____

AGREED ORDER

THE ABOVE STIPULATION is found to have been properly executed and otherwise in order.

IT IS HEREBY ORDERED that the parties shall comply with the terms of the Stipulation. If the Respondent fails to comply with the above Amended Stipulation, the County may enforce its terms by filing a copy of this Agreed Order as a lien against the property of the Respondent.

DONE AND ORDERED in Stuart, Martin County, Florida, this 20th day of March, 2019.

Wendy Werb
Magistrate

RESPONDENT: CREATIVE LAND MANAGEMENT LLC

By:_____

Printed Name: _____

Title:_____

Date: _____

PETITIONER: MARTIN COUNTY, FLORIDA

Jerry Mitchell
Jerry Mitchell
Environmental Enforcement Officer

Date: March 20, 2019

AGREED ORDER

THE ABOVE STIPULATION is found to have been properly executed and otherwise in order.

IT IS HEREBY ORDERED that the parties shall comply with the terms of the Stipulation. If the Respondent fails to comply with the above Amended Stipulation, the County may enforce its terms by filing a copy of this Agreed Order as a lien against the property of the Respondent.

DONE AND ORDERED in Stuart, Martin County, Florida, this 20th day of March, 2019.

Wendy Werb
Magistrate

Martin County Growth Management Department
2401 S. E. Monterey Road, Stuart, FL 34996
772-288-5501 *www.martin.fl.us*

Inst. # 2643145
Bk: 2934 Pg: 1458 Pages: 1 of 5
Recorded on:6/29/2017 12:05 PM Doc: NOT
Carolyn Timmann
Clerk of the Circuit Court & Comptroller
Martin County, FL
Rec Fees: $44.00

Return to:
Martin County Growth Management Department

UNITY OF TITLE

In consideration of the issuance of a permit to Creative Land Management LLC, as Owner(s) for the construction of _____ in Martin County, Florida, and for other good and valuable considerations, the undersigned hereby agree to restrict use of lands described in **Exhibit A** attached hereto in the following manner:

Read carefully.
- ✓ **Check Box 1. - if property is non-platted/non-condominium <u>or</u>**
- ✓ **Check Box 2. - if property is a platted subdivision <u>or</u>**
- ✓ **Check Box 3. - if property is a condominium, as applicable.**

☒ 1. <u>Non-Platted/Non-Condominium.</u> 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.

OR

☐ 2. <u>Platted Subdivision (Non-Condominium).</u> 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; however that (a) individual subdivision lots may be conveyed upon approval and recordation of the plat of_____, (b) phases or portions of phases that comply with the requirements contained within the development orders may be conveyed separately upon final site plan approval of that phase or portion of a phase, (c) common elements, common open areas and developed recreation areas may be conveyed to a property owners' association or other similar entity as deemed appropriate by the Board of County Commissioners, so long as such conveyance shall be subject to the express restriction that use of the subject property shall only be for the use described on the final site plan and plat, and (d) other portions of the subject property may be conveyed and used or maintained by governmental, environmental, charitable or other organizations or agencies for such purposes as the Board of County Commissioners may deem appropriate, with the sole exception being that a portion of said property may be sold, transferred, devised, or assigned to any governmental entity.

OR

☐ 3. <u>Condominium.</u> That said property shall be developed as a condominium in which the underlying common elements 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, with the sole exception being that if any of the condominium units are developed as "land units" those parcels may be sold, transferred,

devised or assigned subject to being part of the condominium and subject to the declaration of condominium pursuant to which they were established, or a portion of said property sold, transferred, devised, or assigned to any governmental entity.

4. 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/its successors, heirs and assigns until such time as the same may be released in writing by the Martin County Board of County Commissioners.

5. The undersigned further agrees that this instrument shall be recorded in the Public Records of Martin County.

6. 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.

Martin County Growth Management Department
2401 S. E. Monterey Road, Stuart, FL 34996
772-288-5501 www.martin.fl.us

CORPORATE

Signed, acknowledged and notarized on this 9 day of Jan, 20 17

WITNESSES:

Sign: _____
Print: Melissa A. Corbett

Sign: _____
Print: Aaron Stanton

OWNER:

Creative Land Management, LLC
Name of Corporation

By: X _____
Name: Jed Brownie
Title: Manager
Address: 6636 Matousek St
Stuart, FL 34997

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

STATE OF Florida
COUNTY OF Martin

I HEREBY CERTIFY that the foregoing Unity of Title was acknowledged before me this 9 day of Jan, 2017, by Jed Brownie, Mgr (name of officer/agent and title) of Creative Land management, LLC (name of corporation) He or she (X) is personally known to me or ( ) has produced _____ as identification.

[STAMP] KIM LITTLE
MY COMMISSION # GG 039955
EXPIRES: October 28, 2020
Bonded Thru Notary Public Underwriters

NOTARY PUBLIC _____
Name: Kim Little
State of Florida at large
My commission expires:

Martin County Growth Management Department
2401 S. E. Monterey Road, Stuart, FL 34996
772-288-5501 *www.martin.fl.us*

EXHIBIT A
(Legal Description)

PARCEL ID #30-38-40-000-000-00024-0
A PARCEL OF LAND LYING IN PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT 'A' OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1198. PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 28 OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA: THENCE NORTHWESTERLY FOR THE NEXT THREE COURSES ALONG THE NORTHEASTERLY LINE OF THE PLAT OF DRESSAGE ESTATES AS RECORDED IN PLAT BOOK 16, PAGE 24 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA;
THENCE N40°54'40"W A DISTANCE OF 517.38 FEET; THENCE N32°45'58"W A DISTANCE OF 1259.59 FEET; THENCE N30°50'55"W A DISTANCE OF 318.29 FEET; THENCE DEPARTING FROM SAID NORTHEASTERLY BOUNDARY OF THE PLAT OF DRESSAGE ESTATES N59°09'05"E A DISTANCE OF 2202.53 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 89095-2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY LINE OF ACCESS ROAD "A" A DISTANCE OF 247.80 FEET TO THE WEST LINE OF AN 60 FOOT ACCESS EASEMENT; THENCE SOUTHEASTERLY ALONG THE WEST SIDE OF SAID 60 FOOT ACCESS EASEMENT FOR THE NEXT SIX COURSES; THENCE S10°50'15"E A DISTANCE OF 277.79 FEET; THENCE S14°57'04"E A DISTANCE OF 454.03 FEET; THENCE S16°49'52"E A DISTANCE OF 272.01 FEET; THENCE S26°50'48"E A DISTANCE OF 720.42 FEET; THENCE S27°06'17"E A DISTANCE OF 95.85 FEET; THENCE S16°59'12"E A DISTANCE OF 197.96 FEET TO THE NORTHERLY LINE OF THE PLAT OF POLO CLUB AS RECORDED IN PB 16, PG 67; THENCE WESTERLY ALONG SAID NORTHERLY LINE FOR THE NEXT THREE COURSES; THENCE S52°33'22"W A DISTANCE OF 382.90 FEET; THENCE S73°33'30"W A DISTANCE OF 949.43 FEET; THENCE S49°05'14"W A DISTANCE OF 493.08 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 100.01 ACRES MORE OR LESS.

TOGETHER WITH PARCEL ID #30-38-40-000-000-00040-0

A PARCEL OF LAND BEING A PORTION OF PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT "A" OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1198. PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 27 OF THE PLAT OF "POLO CLUB", AS RECORDED IN PLAT BOOK 16, PAGE 67, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE S52°33'22"W ALONG SAID NORTH LINE OF SAID LOT 27 A DISTANCE OF 741.79 FEET; THENCE N16°59'12"W, A DISTANCE OF 197.96 FEET; THENCE N27°06'17"W, A DISTANCE OF 95.85 FEET; THENCE N26°50'48"W, A DISTANCE OF 720.42 FEET; THENCE N16°49'52"W, A DISTANCE OF 272.01 FEET; THENCE N14°57'04"W, A DISTANCE OF 454.03 FEET; THENCE N10°50'15"W, A DISTANCE OF 277.79 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO 89095-2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6-14-84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 646.60 FEET; THENCE S34°07'45"E, A DISTANCE OF 1299.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 21.91 ACRES, MORE OR LESS.

SAID PARCEL BEING SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, DEDICATIONS OR RESTRICTIONS.

No.	Date:	Revision:	By
1			
2			
3			
4			
5			

Designed: M.G.C.
Drawn: A.T.
Checked: M.G.C.
Approved: M.G.C.
Date: 5-12-16
Project: P0801
File: EX MAPS.dwg

CALL 48 HOURS BEFORE YOU DIG
IT'S THE LAW: 1-800-432-4770
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

The MilCor Group, Inc.
6526 S Kanner Hwy #236, Stuart, Florida 34997
Ph: (772)223-8850 Fax: (772) 223-8851
Web: www.themilcorgroup.com
Certificate of Authorization: 26246

LEGAL DESCRIPTION

CREATIVE LAND MANAGEMENT DEVELOPMENT
MARTIN COUNTY, FLORIDA

EXHIBIT
A

J:\P08 - Progressive Waste\P0801 - Creative Land Management\DWG\DESIGN\EX MAPS.dwg, PRINTED BY: alext ON Thu, May 12 2016

EASEMENT RELEASE AGREEMENT

THIS EASEMENT RELEASE AGREEMENT ("Agreement") is entered into this _____ day of _____, 2019 ("Effective Date") by and between MARTIN COUNTY, a political subdivision of the state of Florida (hereinafter referred to as "County") and CREATIVE LAND MANAGEMENT, LLC, a Florida Limited Liability Company (hereinafter collectively referred to as "CLM"). County and CLM are sometimes collectively referred to herein as the "Parties." The Parties are executing this Agreement with respect to the following matters:

RECITALS

WHEREAS, there is currently a Mutual Quit Claim Access Easement by and between Martin County Park of Commerce, Inc. and All County Environmental Products, Inc. recorded at O.R. Book 2412 Page 2120 of the Public Records of Martin County, Florida (the "Easement");

WHEREAS, CLM is the successor in interest to both Martin County Park of Commerce, Inc. and All County Environmental Products, Inc. thus owning the entire easement rights and obligations contained in the Easement;

WHEREAS, CLM intends to convey a parcel of land described on Exhibit "A" to County and the Easement is not located on the parcel to be conveyed; and

WHEREAS, County does not wish to use the access easement,

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other valuable consideration specified herein, the parties represent and agree as follows:

AGREEMENT

1. Recitals. The Parties have read the above recitals and agree that same are correct and are hereby adopted into this Agreement.

2. Non-Use of Easement. County agrees that it will not use the access easement.

3. Release: Subject to the terms contained herein, CLM hereby releases the parcel described in Exhibit "A" from the Easement.

4. Binding on Successors. This Agreement and the covenants and conditions contained herein shall apply to, and be binding upon or inure to the administrators, executors, legal representatives, heirs, assignees, successors, agents and assigns of the Parties hereto.

5. Execution of Additional Document. The Parties shall cooperate fully with each other in order to carry out promptly and fully the terms and provisions of this Agreement. Each Party hereto shall from time to time execute and deliver such other agreements, documents or instruments and take such other actions as may be reasonably necessary or desirable to effectuate the terms of this Agreement.

6. Entire Agreement. This Agreement constitutes the sole and entire agreement of the Parties and fully supersedes any and all prior agreements or understandings, oral or written, regarding the Easement. No modifications of this Agreement shall be binding unless in writing and signed by all Parties affected.

7. Headings. The headings of various sections of the Agreement are for convenience and for reference only and are not to be construed as defining or limiting in any way the scope or intent of the provisions hereof.

8. Choice of Law and Attorney's Fees. The Agreement shall be construed according to the laws of the State of Florida. Each party hereby waives its right to a jury trial. In connection with any litigation, mediation, special proceeding or other proceeding arising out of or relating to this Agreement or its enforcement, each party shall be bear its own its costs and attorneys' fees, through and including any and all administrative, trial, bankruptcy and appellate proceedings.

Venue shall be in Martin County, Florida.

9. Waiver. The failure of any Party to this Agreement to insist upon the performance of any of the terms and conditions of this Agreement, or the waiver of any breach of any of the terms and conditions of this Agreement, shall not be construed as thereafter waiving any such terms and conditions, but the same shall continue and remain in full force and effect as if no such forbearance or waiver had occurred.

The undersigned hereby execute this Easement Release Agreement.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

_____
CAROLYN TIMMANN, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

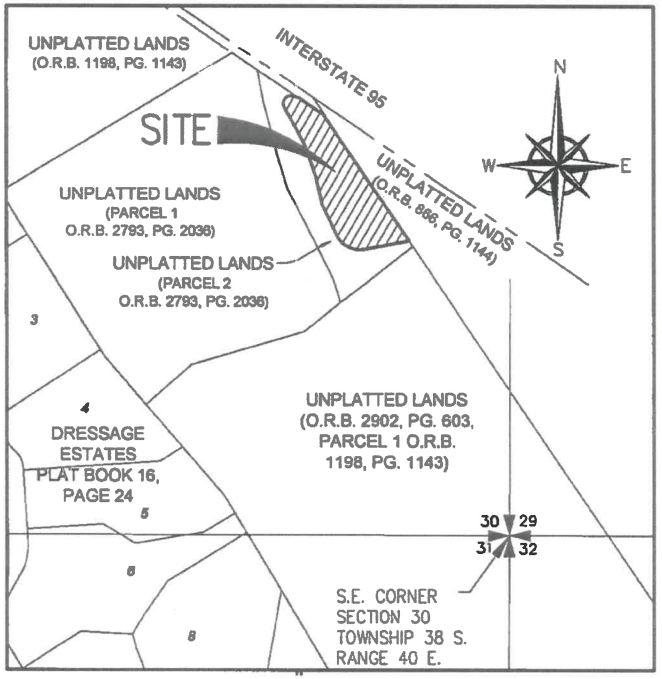
_____
EDWARD V. CIAMPI, CHAIRMAN

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

_____
KRISTA A. STOREY
ACTING COUNTY ATTORNEY

_____
Creative Land Management, LLC
BY: Jason Pepitone, Manager of
JSP Family Holdings, LLC, Member

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback



LOCATION MAP
(NOT TO SCALE)

SURVEYOR'S NOTES

1. BEARINGS AS SHOWN HEREON ARE BASED ON STATE PLANE COORDINATES, NORTH AMERICAN DATUM OF 1983/1990 (N.A.D. 83/90), FLORIDA EAST ZONE, REFERENCE A BEARING OF N52°33'22"E ALONG THE SOUTHERLY LINE OF PARCEL 2, OFFICIAL RECORDS BOOK 2793, PAGE 2036, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

2. THIS IS NOT A BOUNDARY SURVEY.

3. THIS LEGAL DESCRIPTION SHALL NOT BE VALID UNLESS PROVIDED IN ITS ENTIRETY CONSISTING OF SHEETS 1 THROUGH 3.

ABBREVIATIONS

Δ	DELTA (CENTRAL) ANGLE
F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION
L	LENGTH OF ARC
NO.	NUMBER
ORB	OFFICIAL RECORDS BOOK
PG.	PAGE
	PROFESSIONAL LAND SURVEYOR
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
R	RADIUS OF ARC

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" AS SHOWN HEREON WAS PREPARED UNDER MY DIRECTION AND CHARGE ON SEPTEMBER 30, 2017, AND THAT SAID "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT IS FURTHER CERTIFIED THAT THIS "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" COMPLIES WITH THE STANDARDS OF PRACTICE FOR "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

BETSY LINDSAY, INC.
SURVEYORS AND MAPPERS

DAVID JOSEPH WICHSER, P.S.M.
FLORIDA REGISTRATION NO. 5565

NOT VALID WITHOUT THE SIGNATURE
AND ORIGINAL RAISED SEAL OF FLORIDA
LICENSED SURVEYOR AND MAPPER

SHEET NO 1 OF 3 SHEETS	DATE	REVISIONS	A PORTION OF SECTION 30, TOWNSHIP 38 S., RANGE 40 E., MARTIN COUNTY, FLORIDA	DATE 08/30/2017
PROJECT NO. 08-67B	07/30/18	REVISE PER COMMENTS	SKETCH AND LEGAL DESCRIPTION PROGRESSIVE WASTE SOLUTIONS	SCALE NOT TO SCALE FIELD BK. DRAWING BY D.B. CHECKED BY D.J.W.

BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7997 S.W. JACK JAMES DRIVE STUART, FLORIDA 34997
(772)286-5753 (772)286-5933FAX
LICENSED BUSINESS NO. 6852

EXHIBIT "A"

S:\08 Projects\08-67 APS SANDMINE\PROGRESSIVE WASTE\dwg\SL-11 AC PARCEL.dwg, SL-11 AC (1), 8/7/2018 10:23:16 AM

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT 'A' OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1198, PAGE 1143, MORE PARTICULARLY DESCRIBED IN PARCEL 2 OF OFFICIAL RECORDS BOOK 2793, PAGE 2036, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID PARCEL 2 AS DESCRIBED IN OFFICIAL RECORDS BOOK 2793, PAGE 2036; THENCE N 34°07'45" W, ALONG THE EASTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1198, PAGE 1143, SAID LINE ALSO BEING THE EASTERLY LINE OF SAID PARCEL 2 OF OFFICIAL RECORDS BOOK 2793, PAGE 2036, A DISTANCE OF 54.61 FEET TO THE POINT OF BEGINNING; THENCE S 79°23'07" W, A DISTANCE OF 376.65 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF 75°36'54"; THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 263.95 FEET; THENCE N 24°59'59" W, A DISTANCE OF 275.98 FEET; THENCE N 13°08'18" W, A DISTANCE OF 239.36 FEET; THENCE N 18°32'36" W, A DISTANCE OF 249.82 FEET; THENCE N 27°53'05" W, A DISTANCE OF 243.44 FEET; THENCE N 30°51'24" W, A DISTANCE OF 110.73 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 82.08 FEET AND A CENTRAL ANGLE OF 50°55'54"; THENCE NORTHERLY ALONG THE ARC A DISTANCE OF 72.97 FEET TO A POINT OF COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 61.37 FEET AND A CENTRAL ANGLE OF 88°59'48"; THENCE NORTHEASTERLY ALONG THE ARC, A DISTANCE OF 95.32 FEET; THENCE S 70°55'42" E, A DISTANCE OF 40.85 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE 70 FOOT ACCESS ROAD "A" FOR STATE ROAD 9 (I-95) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 89095-2414; THENCE S 55°50'57" E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 243.60 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF SAID PARCEL 1; THENCE S 34°07'45" E ALONG SAID EASTERLY LINE, A DISTANCE OF 1,244.40 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 483,088 SQUARE FEET OR 11.09 ACRES, MORE OR LESS.

SAID PARCEL BEING SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, DEDICATIONS OR RESTRICTIONS.

SHEET NO. 2
OF 3 SHEETS
PROJECT NO. 08-67B

DATE	REVISIONS
07/30/18	REVISE PER COMMENTS

A PORTION OF SECTION 30, TOWNSHIP 38 S., RANGE 40 E., MARTIN COUNTY, FLORIDA

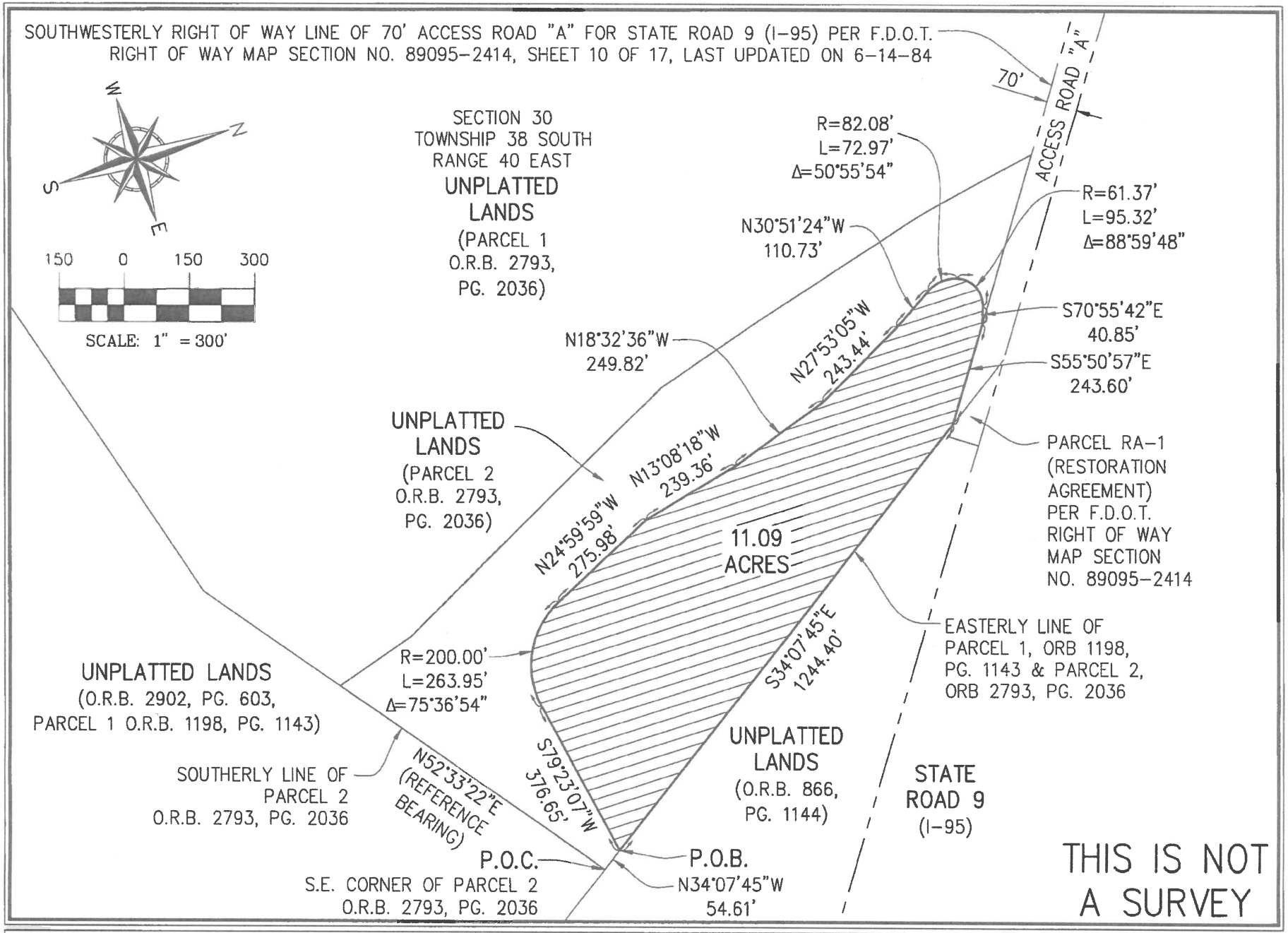
SKETCH AND LEGAL DESCRIPTION
PROGRESSIVE WASTE SOLUTIONS

DATE 08/30/2017
SCALE NOT TO SCALE
FIELD BK.
DRAWING BY D.B.
CHECKED BY D.J.W.

BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7997 S.W. JACK JAMES DRIVE STUART, FLORIDA 34997
(772)286-5753 (772)286-5933FAX
LICENSED BUSINESS NO. 6852

S:\08 Projects\08-67 APS SANDMINE\PROGRESSIVE WASTE\dwg\SL-11 AC PARCEL.dwg, SL-11 AC (2), 8/7/2018 10:23:20 AM

SOUTHWESTERLY RIGHT OF WAY LINE OF 70' ACCESS ROAD "A" FOR STATE ROAD 9 (I-95) PER F.D.O.T. RIGHT OF WAY MAP SECTION NO. 89095-2414, SHEET 10 OF 17, LAST UPDATED ON 6-14-84



SHEET NO. 3 OF 3 SHEETS PROJECT NO. 08-67B	DATE / REVISIONS 07/30/18 REVISE PER COMMENTS	A PORTION OF SECTION 30, TOWNSHIP 38 S., RANGE 40 E., MARTIN COUNTY, FLORIDA SKETCH AND LEGAL DESCRIPTION PROGRESSIVE WASTE SOLUTIONS	DATE 08/30/2017 SCALE 1" = 300' FIELD BK. DRAWING BY D.B. CHECKED BY D.J.W.

BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7997 S.W. JACK JAMES DRIVE STUART, FLORIDA 34997
(772)286-5753 (772)286-5933FAX
LICENSED BUSINESS NO. 6852

S:\08 Projects\08-67 APS SANDMINE\PROGRESSIVE WASTE\dwg\SL-11 AC PARCEL.dwg, SL-11 AC (3), 8/7/2018 10:23:24 AM

CREATIVE LAND MANAGEMENT LLC
COMMITMENT FOR RESTORATION OF MINING SITE

WHEREAS, Creative Land Management LLC, hereinafter referred to as Owner, and Martin County, hereinafter referred to as County, entered into a Stipulation and Agreed Final Order for Case Number 16-0107262 (Order), attached hereto as Exhibit 1; and

WHEREAS, among the requirements contained within the Order is Owner's obligation to restore the mining site on the property described therein; and

WHEREAS, pursuant to Section 4.350, Land Development Regulations, Martin County Code, Owner shall post a three-year performance bond/security to ensure that the restoration is complete.

NOW THEREFORE, Owner agrees as follows:

1. By April 12, 2019, which is two years from the approval date of the reclamation plan, all hauling of fill material to or from the site shall cease, unless otherwise authorized by an approved development order. Owner shall complete the restoration of the mining site, including items such as, but not limited to, general clean-up, grading, and revegetation of the lake banks, littoral zones and upland transition zone as set forth on the Reclamation Plan, attached hereto at Exhibit 2. The Owner's Florida licensed professional engineer licensed professional surveyor and mapper shall certify that the reclamation grading was completed in substantial conformance with the Reclamation Plan approved by County. The following certification statement must appear on the certification report:

I hereby notify Martin County of the completion of all restoration for the above referenced project and certify that it has been completed in conformance with the Reclamation Plan approved by County including, but not limited to, all area and quantities of vegetated littoral and upland buffer zones, all excavation and fill material quantities, excavation depths, and natural resources protection. (A copy of the approved Reclamation Plan is attached.) I hereby affix my seal this_____ day of _____/_____/ 20____.

Seal and Signature:

_____
(Printed name)
Florida Registration No._____

2. Following receipt of the certification, if an inspection by County confirms satisfactory completion of the restoration grading, the bond/security shall be released to Owner. In the event the restoration grading was not completed in substantial conformance with the Reclamation Plan approved by County, County shall have the right to complete the restoration, either itself or through its agents or contractors, and to use the security provided for payment of all costs and expenses incurred in the completion thereof, including but not limited to, engineering, consultant, legal and contingent costs. Further, County shall be reimbursed from the security provided for any damages, either direct or consequential, which County may sustain as a result of the failure of Owner to carry out and execute all of the provisions of this Commitment.

3. By October 12, 2019, which is two and one-half years from the approval date of the reclamation plan, the Owner's Florida licensed landscape architect or environmental professional shall certify the establishment of the required littoral and upland plantings in substantial conformance with the approved Preserve Area Management Plan. With the certification of establishment of the required littoral and upland plantings, the Owner shall provide a three year performance bond/security and accompanying agreement for the supply and installation cost of the required littoral and upland plantings to ensure adequate maintenance and survivability of vegetative materials. The amount of the security shall be based on 110 percent of a cost estimate prepared by a Florida licensed professional engineer, landscape architect, or environmental professional.

4. Owner designates the following person as its representative to be contacted and to receive all notices regarding this Commitment:

Name: _____

Company:_____

Address:_____

Telephone number:_____

The date of this Commitment shall be the date on which this Commitment was executed by the Owner.

Creative Land Management, LLC

_____
Signature

_____
Printed Name

_____
Title

_____
Date

STATE OF _____

COUNTY OF _____

The foregoing Commitment for Restoration of Mining Site is acknowledged before me this _____ day of _____, 20____ by _____, known to be _____ of the corporation. He or she ( ) is personally known to me or ( ) has produced _____ as identification.

Dated this _____ day of _____, 20____.

NOTARY PUBLIC

[STAMP]

_____

The MilCor Group Inc.

Engineering & Value-Driven Sustainable Solutions

Office Locations:

10975 SE Federal Hwy
Hobe Sound
Florida
33455

9955 Americana Road #15
Vero Beach
Florida
32966

Phone
772-223-8550
Fax
772-223-8551

Email
marketing@milcorgroup.com

Web
www.milcorgroup.com

Date: March 29, 2018 Project Number: P0801

To: Catherine Riiska, Senior Planner
Martin County Growth Management
2401 SE Monterey Road, Stuart Fl, 34996

Re: Creative Land Management Development – A040-015 - Sign Certification

LETTER OF TRANSMITTAL

We are transmitting via: ☐ US Mail ☐ Fed-ex ☐ Overnight Delivery
☐ Pick up ☒ Hand-Delivery ☐ Other

RECEIVED BY: _____ **DATE:** _____

The following:

☐ Drawing(s) ☐ Mylar(s) ☐ Shop Drawing(s)
☐ Specification(s) ☐ Exhibit(s) ☐ Agreement(s)
☐ Letter(s) ☐ Report(s) ☒ Other

Quantity	Date	Description
1	3/28/18	Sign Certification
1	3/28/18	Proof of sign posting photo

☐ For Your Use ☒ As Requested ☐ To Record
☐ For Review and Approval ☐ Return _____ Copies ☐ Other

Comments:

cc: File
Client

From: Kim Little

RECEIVED
MAR 29 2018
GROWTH MANAGEMENT DEPARTMENT

P:\Projects\P08 - Progressive Waste\P0801 - Creative Land -Former All County\Permitting\Martin County\Rev Major Master & Final Site Plan\Sign certification\Sign cert LOT.docx

Samuel T. Amerson
1124 NW Spruce Ridge Drive
Stuart, FL 34994
772-260-9613

March 28, 2018

Melissa G. Corbett, PE
The MilCor Group, Inc.
6526 S Kanner Highway, # 236
Stuart, FL 34997

VIA email: melissac@themilcorgroup.com

REF: Creative Land Management
Rev. Final Site Plan
Project #A040-015

Dear Ms. Corbett:

This letter is to certify that the above referenced sign was installed per Martin County requirements. The sign was posted according to and complies with the standards of the notice provisions of Article 10, Section 10.6: Development Review Procedures.

Samuel T. Amerson

3/28/18
Date

State of Florida
County of Martin

Samuel T. Amerson, who is personally known to me, who did not take an oath, acknowledged the foregoing instrument before me on 3/28/18.

Notary Public, State of Florida

JANNE WILDE
MY COMMISSION # FF 935298
EXPIRES: November 11, 2019
Bonded Thru Notary Public Underwriters

Creative Land Management_Milcor

RECEIVED
MAR 29
GROWTH MANAGEMENT DEPARTMENT

RECEIVED
MAR 29 2018
GROWTH MANAGEMENT DEPARTMENT

NOTICE
PROPOSED DEVELOPMENT
CREATIVE LAND MANAGEMENT
REV. FINAL SITE PLAN
Date, time and place of hearing(s)
& other information available from
MARTIN COUNTY GROWTH
MANAGEMENT DEPARTMENT
Call 772-288-5495
PROJECT # A040-015

LAW OFFICES OF DOLORES K. SANCHEZ
4701 N. FEDERAL HIGHWAY
SUITE 316, BOX B-1
LIGHTHOUSE POINT, FL 33064
TELEPHONE (954) 785-8585
FAX (954) 785-6163
E-MAIL: dolores@bizhall.net

PROPERTY LIST CERTIFICATION

June 20, 2019

TO: MilCor Group, Inc.

RE: Creative Land Management, LLC
Surrounding Property Certification

I hereby certify that a search has been made of the Martin County Property Appraiser's records regarding a 1000 foot area surrounding the following described subject property:

OWNER:	Creative Land Management, LLC
TAX ID/FOLIO NO.:	303840000000000240
LEGAL DESCRIPTION:	See Exhibit "A" attached

The attached report/information is issued to The Milcor Group, Inc and Creative Land Management, LLC for the specific purpose of identifying the properties in a 1000 foot area surrounding the subject property. The report was prepared at the request and direction of MilCor Group, Inc. The attached information may not be relied upon by any other party. No liability is assumed by The Law Office of Dolores K Sanchez or Dolores K. Sanchez, Esq. for any unauthorized use or reliance. This report is not title insurance. Pursuant to 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report. This report does not insure or guarantee the validity or sufficiency of any document attached nor is it to be considered a title insurance policy, an opinion of title, a guarantee of title or as any warranty of title. This report does not include easements, restrictions, notices or other documents in the chain of title of any properties. This report (which includes any documents attached) shall not be used for the issuance of any title insurance policy or form.

The attached information was derived from a search of the Martin County Property Appraiser's records based on the legal description provided by MilCor Group, Inc. (Exhibit "A") and does not guaranty or warranty the accuracy of the legal description contained therein.

Attached as Exhibit "B" is a mailing list containing the mailing addresses for the subject property and the properties within the 1000 foot surrounding area.

Attached is a copy of the property appraiser report for the subject property (Exhibit "C") and the property appraiser reports for the properties within the 1000 foot surrounding area (Exhibit "D").

Sincerely,

Dolores K. Sanchez

EXHIBIT A

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1

A PARCEL OF LAND LYING IN PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT 'A' OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1198. PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 28 OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA: THENCE NORTHWESTERLY FOR THE NEXT THREE COURSES ALONG THE NORTHEASTERLY LINE OF THE PLAT OF DRESSAGE ESTATES AS RECORDED IN PLAT BOOK 16, PAGE 24 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N40°54'40"W A DISTANCE OF 517.38 FEET; THENCE N32°45'58"W A DISTANCE OF 1259.59 FEET; THENCE N30°50'55"W A DISTANCE OF 318.29 FEET; THENCE DEPARTING FROM SAID NORTHEASTERLY BOUNDARY OF THE PLAT OF DRESSAGE ESTATES N59°09'05"E A DISTANCE OF 2202.53 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 89095–2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6–14–84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY LINE OF ACCESS ROAD "A" A DISTANCE OF 247.80 FEET TO THE WEST LINE OF AN 60 FOOT ACCESS EASEMENT; THENCE SOUTHEASTERLY ALONG THE WEST SIDE OF SAID 60 FOOT ACCESS EASEMENT FOR THE NEXT SIX COURSES; THENCE S10°50'15"E A DISTANCE OF 277.79 FEET; THENCE S14°57'04"E A DISTANCE OF 454.03 FEET; THENCE S16°49'52"E A DISTANCE OF 272.01 FEET; THENCE S26°50'48"E A DISTANCE OF 720.42 FEET; THENCE S27°06'17"E A DISTANCE OF 95.85 FEET; THENCE S16°59'12"E A DISTANCE OF 197.96 FEET TO THE NORTHERLY LINE OF THE PLAT OF POLO CLUB AS RECORDED IN PLAT BOOK 16, PAGE 67; THENCE WESTERLY ALONG SAID NORTHERLY LINE FOR THE NEXT THREE COURSES; THENCE S52°33'22"W A DISTANCE OF 382.90 FEET; THENCE S73°33'30"W A DISTANCE OF 949.43 FEET; THENCE S49°05'14"W A DISTANCE OF 493.08 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 100.00 ACRES MORE OR LESS.

PARCEL 2

A PARCEL OF LAND BEING A PORTION OF PARCEL 1 OF THOSE LANDS DESCRIBED IN EXHIBIT "A" OF THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1198. PAGE 1143, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. ALL LYING IN SECTION 30, TOWNSHIP 38 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 27 OF THE PLAT OF "POLO CLUB", AS RECORDED IN PLAT BOOK 16, PAGE 67, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE S52°33'22"W ALONG SAID NORTH LINE OF SAID LOT 27 A DISTANCE OF 741.79 FEET; THENCE N16°59'12"W, A DISTANCE OF 197.96 FEET; THENCE N27°06'17"W, A DISTANCE OF 95.85 FEET; THENCE N26°50'48"W, A DISTANCE OF 720.42 FEET; THENCE N16°49'52"W, A DISTANCE OF 272.01 FEET; THENCE N14°57'04"W, A DISTANCE OF 454.03 FEET; THENCE N10°50'15"W, A DISTANCE OF 277.79 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF ACCESS ROAD "A" FOR INTERSTATE 95 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO 89095–2414, FOR INTERSTATE 95, SHEET 12 OF 17, LAST UPDATED ON 6–14–84; THENCE S55°50'57"E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 646.60 FEET; THENCE S34°07'45"E, A DISTANCE OF 1299.01 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 21.91 ACRES, MORE OR LESS.

SAID PARCEL BEING SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, DEDICATIONS OR RESTRICTIONS.

SAID PARCELS CONTAINING A TOTAL OF 121.91 ACRES, MORE OR LESS.

EXHIBIT B

ATLAS FAM I LLC
336 E DANIA BEACH BLVD
DANIA FL 33004

ATLAS FAM I LLC
336 E DANIA BEACH BLVD
DANIA FL 33004

ATLAS FAM I LLC
336 E DANIA BEACH BLVD
DANIA FL 33004

ATLAS FAM V LLC
336 E DANIA BEACH BLVD
DANIA FL 33004

CITRUS BOULEVARD STUART LLC
1521 WESTBRANCH DR STE 200
MC LEAN VA 22102

CREATIVE LAND MANAGEMENT LLC
785 NE 3RD ST
BOCA RATON FL 33431

DEL PATO FARM LLC
80 SW 8TH ST STE 2600
MIAMI FL 33130

FAMILY RANCHES LLC
12820 CALAIS CIR
PALM BEACH GARDENS FL 33410

FAMILY RANCHES TWO LLC
12820 CALAIS CIR
PALM BEACH GARDENS FL 33410

MARANDY PROPERTIES LLC
6801 LAKE WORTH RD STE 124
GREENACRES FL 33467

MARTIN ARBORS PROPERTY OWNERS ASSOC
909 SE CENTRAL PKY
STUART FL 34994

MARTIN ARBORS PROPERTY OWNERS ASSOCI
909 SE CENTRAL PKY
STUART FL 34994

MARTIN COUNTY
2401 SE MONTEREY RD
STUART FL 34996

MARTIN COUNTY
2401 SE MONTEREY RD
STUART FL 34996

MISQUITH EUGENE A & VALERIE M
2428 BAY VILLAGE CT
WEST PALM BEACH FL 33410

OMBU RANCH LLC
80 SW 8TH ST #2600
MIAMI FL 33130

OMBU RANCH LLC
80 SW 8TH ST #2600
MIAMI FL 33130

OMBU RANCH LLC
80 SW 8TH ST #2600
MIAMI FL 33130

SFWMD
3301 Gun Club Rd
West Palm Beach, FL
33406

The MilCor Group Inc.

Engineering a Value-Driven Sustainable Environment

July 26, 2019

Via: US Mail First Class

RE: NOTICE OF HEARINGS TO SURROUNDING PROPERTY OWNERS WITHIN 1000 FEET

Dear Property Owner:

Subject and Location: **Creative Land Management, Master Site Plan, Phasing Plan, and Phase 1 Final Site Plan (A040-015)** Request by Creative Land Management, LLC, for approval of a major development, Master Site Plan, Phasing Plan, and Phase 1 Final Site Plan for the proposed filling of an existing approximately 51-acre lake to be completed in three (3) phases. Fill material is proposed to consist of source separated clean roofing materials and clean concrete from demolition sites. The site consists of approximately 121.92 acres located on the west side of I-95 approximately 1.5 miles south of the I-95/SW Martin highway interchange in Palm City. Included in this application is a request for a Certificate of Public Facilities Reservation.

As a landowner within 1,000 feet of the property identified in the above description and shown on the map attached to this letter, please be advised that consideration of a major development, Revised Master Site Plan, Phasing Plan, and Phase 1 Final Site Plan approval as noted above will occur at two public hearings. **Please be advised that the Local Planning Agency hearing previously scheduled for August 1, 2019 has been cancelled and rescheduled to August 15, 2019.**

The date, time and place of the scheduled hearings are as follows:

Time and Date: **LOCAL PLANNING AGENCY**
7:00 P.M., or as soon after as the matter may be heard, on
Thursday, August 15, 2019

Time and Date: **BOARD OF COUNTY COMMISSIONERS**
9:00 A.M., or as soon after as the matter may be heard, on
Tuesday, August 27, 2019

Place: Martin County Administrative Center
2401 S.E. Monterey Road
Stuart, Florida 34996

All interested persons are invited to attend and be heard. Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the County Administrator at (772) 221-2360, or in writing to 2401 S.E.

Office Locations:

10975 SE Federal Hwy
Hobe Sound
Florida
33455

9035 Americana Road #13
Vero Beach
Florida
32966

Phone
772-223-8850
Fax
772-223-8851

Email
marketing@themilcorgroup.com

Web
www.themilcorgroup.com

Monterey Road, Stuart, FL 34996, no later than three days before the hearing date. Persons using a TDD device, please call 711 Florida Relay Services.

When attending a public hearing, a member of the public may speak during the public comment portion of the public hearing. A person may also participate in the public meeting as an Intervenor. An Intervenor may ask questions of the staff, applicant and give testimony on the subject of the public hearing. In order to be an Intervenor, a person must qualify to receive mailed notice of the subject application in accordance with Section 10.6.E., Land Development Regulations, Martin County Code. In addition, an Intervenor must file a form of intent with the County Administrator not less than 7 business days prior to the LPA or BCC meeting. No fee will be assessed on Intervenor. If the Intervenor is representing a group/association, he/she must file a letter on official letterhead signed by an authorized representative of the group/association, stating that he/she is authorized to speak for the group. Forms are available on the Martin County website www.martin.fl.us.

If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council or advisory group, that person will need a record of the proceedings and, for such purpose, may need to insure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

For further information, please call the Growth Management Department at 772-288-5495. All written comments should be sent to Nicki van Vonno, Growth Management Director, (e-mail: nikkiv@martin.fl.us) or 2401 SE Monterey Road, Stuart, FL 34996. Copies of the item will be available from the Growth Management Department. This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator 772-320-3131, the County Administration Office 772-288-5400, Florida Relay 711, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback.

Sincerely,
The MilCor Group, Inc.

Melissa G. Corbett, P.E.
President

Attachment: Location Map