

HIGHLANDS RESERVE
THIRD AMENDMENT TO THE PLANNED UNIT
DEVELOPMENT ZONING AGREEMENT

THIS AGREEMENT, made and entered into on this ____ day of _____, 2019, by and between HIGHLANDS RESERVE OF PALM CITY HOMEOWNERS' ASSOCIATION, INC., a Florida not-for-profit corporation, (hereinafter the "Association") and MARTIN COUNTY, a political subdivision of the State of Florida (hereinafter the "County").

WITNESSETH:

WHEREAS, after appropriate notice, public hearing and approval, Jeffrey H. Sands T/A Nassau Arms, a sole proprietorship, and Martin County, on or about the 13th day of April 2004, entered into a Planned Unit Development Zoning Agreement for the development of a project in Martin County, Florida known as "Highlands Reserve PUD", which Agreement is recorded in official records Book 1928, beginning at Page 0947, and re-recorded to correct a typographical error in the legal description in Official Records Book 2108, Page 1872, of the Public Records of Martin County, Florida, which Agreement, as amended from time to time, is hereinafter referred to as the "PUD Agreement"; and

WHEREAS, the developer of Highlands Reserve PUD subsequently created the Association to fulfill continuing responsibilities for matters of common interest within Highlands Reserve, including some of those conditions identified in the PUD Agreement; and

WHEREAS, the Association and the County believe an amendment to the PUD Agreement is warranted.

NOW, THEREFORE, the parties do hereby agree that:

1. Special Condition 18.D, Additional Requirements, of Exhibit "F" of the PUD Agreement is amended to read as follows:

D.

1. The final landscaping, irrigation, and lighting plans along CR-713 (SW High Meadow Avenue) shall be comparable to that which is along Indian Street and shall be reviewed and approved in conjunction with final site plan approval. Effective October 1, 2019, said landscaping, irrigation and lighting shall be maintained in perpetuity by Martin County, provided, however that Highlands Reserve of Palm City Homeowners' Association, Inc. continues to provide the water and electrical services necessary for the County to operate and maintain the landscaping, irrigation, and lighting systems in perpetuity.

2. The Right-of-way Maintenance Agreement for Highlands Reserve of Palm City dated August 1, 2006, between the Association and County, as recorded in Official Records

Book 2190, beginning at Page 982, of the Public Records of Martin County, Florida, is hereby terminated, effective October 1, 2019.

2. All the terms and conditions of the PUD Agreement which are not specifically amended or revised by this Agreement shall remain in full force and effect as stated therein.

IN WITNESS THEREOF, the parties hereto have executed these presents on the dates indicated below. The date of this Agreement shall be the date on which this amendment was approved by the Board of County Commissioners.

Attest:

HIGHLANDS RESERVE OF PALM CITY
HOMEOWNERS' ASSOCIATION, INC.,
a not-for-profit corporation

Attest:

By: _____

Printed Name: _____

Title: _____

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Dated: _____

STATE OF FLORIDA

COUNTY OF _____

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared _____ on behalf of the corporation, to me known to be the person described herein and who executed the foregoing instrument and acknowledged before me that he or she executed same. He or she () is personally known to me or () has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 20____.

(NOTARIAL STAMP)

Notary Public

My commission expires:

Attest:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

Carolyn Timmann, Clerk of the Circuit
Court and Comptroller

By:_____
Edward V. Ciampi, Chairman

Dated:_____

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By:_____
Krista A. Storey
Senior Assistant County Attorney