



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW STAFF REPORT

A. Application Information

RIVER OAKS (F/K/A HOLMAN SUBDIVISION) PLAT

Applicant:	River Oaks, LLC
Property Owner:	River Oaks, LLC
Agent for the Applicant:	Betsy Lindsay, Inc., Elizabeth Lindsay
County Project Coordinator:	Catherine Riiska, MS, PWS, Principal Planner
Growth Management Director:	Nicki van Vonno, AICP
Project Number:	M211-005
Record Number:	DEV2019010017
Report Number:	2019_0529_M211-005_DRT_Staff_FINAL.docx
Application Received:	01/29/2019
Transmitted:	01/30/2019
Staff Report Issued:	03/08/2019
Joint Workshop:	03/14/2019
Resubmittal Received:	04/22/2019
Transmitted:	04/23/2019
Staff Report Issued:	05/29/2019
Joint Workshop:	06/13/2019

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B. Project description and analysis

This is a request by River Oaks, LLC, for approval of a plat, consistent with the approved final site plan of a residential, minor development consisting of twenty-one (21) lots on 14.9 acres resulting in a gross residential density of 1.41 units per acre. The subject site consists of two parcels located on SW Mapp Road approximately 750 feet north of SW Murphy Road, as shown in Section E, Figure 1.

The project consists of twenty-one (21) single family lots with supporting infrastructure conforming to the development standards for the current R-2B zoning district. Based upon the presence of wetlands and rare and unique upland habitat, the project includes preservation of the 2.48 acres of wetland and 4.7 acres of upland to include 3.1 acres of rare and unique upland. Access will be provided via SW Mapp Road and water and wastewater services will be provided via Martin County Utilities.

The River Oaks residential subdivision development was approved on June 1, 2018, via a Development Order as recorded in the Public Records of Martin County beginning on Book 3024, Page 161. The plat

of this development shall be consistent with the approved final site plan and with the requirements of Division 21, Article 4, Land Development Regulations, Martin County, Fla. (2018).

C. Staff recommendation

The specific findings and conclusion of each review agency related to this request are identified in Sections F through T of this report. The current review status for each agency is as follows:

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan	Catherine Riiska	288-5667	Non-Comply
F	ARDP	Samantha Lovelady	288-5664	N/A
G	Development Review	Catherine Riiska	288-5667	Non-Comply
H	Urban Design	Santiago Abasolo	288-5485	N/A
H	Community Redevelopment	Santiago Abasolo	288-5485	N/A
I	Property Management	Colleen Holmes	288-5794	N/A
J	Environmental	Shawn McCarthy	288-5508	Comply
J	Landscaping	Karen Sjoholm	288-5909	Comply
K	Transportation	Lukas Lambert	221-2300	N/A
L	County Surveyor	Tom Walker	288-5928	Non-Comply
M	Engineering	Michelle Cullum	288-5512	N/A
N	Addressing	Emily Kohler	288-5692	Non-Comply
N	Electronic File Submission	Emily Kohler	288-5692	N/A
O	Water and Wastewater	James Christ	320-3034	Comply
O	Wellfields	James Christ	320-3034	N/A
P	Fire Prevention	Doug Killane	288-5633	N/A
P	Emergency Management	Dan Wouters	219-4942	N/A
Q	ADA	Judy Lamb	221-1396	N/A
R	Health Department	Todd Reinhold	221-4090	N/A
R	School Board	Kimberly Everman	223-3105	N/A
S	County Attorney	Krista Storey	288-5443	Review Ongoing
T	Adequate Public Facilities	Catherine Riiska	288-5667	Exemption

D. Review Board action

In accordance with Section 10.5.A.2., Land Development Regulations (LDR), Martin County, Fla. (2016), this application for a Plat shall be considered by the Board of County Commissioners (BCC) at a public meeting.

Pursuant to Section 10.4.A.1., Land Development Regulations, Martin County, Fla., a review of this application is not required by the Local Planning Agency (LPA).

Pursuant to Section 10.1.F, Land Development Regulations, Martin County, Fla., it shall at all times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

The applicant is required to re-submit materials in response to the non-compliance findings within this report. Upon receipt, the re-submitted materials will be transmitted for review to the appropriate review agencies and individuals that participate in the County's review process. A revised staff report will be created once the next review cycle has been completed.

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[illegible]

An aerial photograph of a residential neighborhood. A large, irregularly shaped wooded area is outlined in red. This area is labeled 'SW LITTLE CANYON' in the center and 'SW MAPLE RD' on the right side. The surrounding area includes several houses, streets, and a golf course. The map also shows other street names like 'SW LITTLE CANYON' and 'SW MAPLE RD' in different locations.

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

Unresolved Issues:

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)

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

Unresolved Issues:

Item #1:

Surety

Pursuant to Section 4.913., LDR, Martin County, Fla. (2002), before a plat shall be recorded in the public records all improvements and infrastructure required shall have been constructed and approved by the County Engineer. In lieu of the completion of the required improvements and infrastructure prior to plat recordation, security may be posted in a form acceptable to the BCC to insure such completion.

Remedy/Suggestion/Clarification:

As previously requested, the required security must run for the period stipulated in Section 4.913., LDR, utilizing the dates established by the approval of the final site plan.

Thank you for submitting a draft surety bond as Exhibit B to the contract for construction. However, it identifies, in paragraph 3 on page 1, that the bond would be void on the date that the improvements are due to be completed, which is not consistent with the code requirements or paragraph 2 of the contract for construction, which require the require the surety to be for a term no shorter than 15 months after the infrastructure completion due date.

Please submit a revised draft surety that meets the term requirements.

(RESPONSE) Please refer to the email (copy attached) from Michelle Cullum, dated July 5, 2019. Per her email and attachment thereto, the dates provided on the performance bond are to match the development order timeframe, and once the development is complete and accepted, a Maintenance Surety Bond with a Commitment will replace the Performance Bond and Contract for the 15 month warranty period. The attached draft contract and surety documents have been revised accordingly.

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., LDR SECTION 4.871.B. (2016)

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)

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

No dedication of additional right of way is required or proposed by the Applicant pursuant to the Roadway Classifications set forth in Section 4.843.B, Land Development Regulations, Martin County, Fla. [2001] which includes Table 4.19.1 that lists the minimum right of way requirements. Therefore, the Applicant is not required to submit due diligence materials for review by the Martin County Real Property Division.

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

Environmental

Findings 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

Findings of Compliance:

The Growth Management Department Environmental Division staff has reviewed the application and finds it in compliance with the applicable Land Development Regulations Article 4, Division 15 - Landscaping, Buffering, and Tree Protection. [2013].The applicant has proposed construction of a 21 lot subdivision within this phase.

The plat documents are consistent with the approved final site plan and approved development order. The survey provides for required areas of landscape and buffering.

K. Determination of compliance with transportation requirements - Engineering Department

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

L. Determination of compliance with county surveyor - Engineering Department

Unresolved Issues:

Item #1:

A legend of all symbols and abbreviations must be shown. [DOACS, Chapter 5J-17.051, Ch 177.091.(29), Prt 1, F. S.]

Remedy/Suggestion/Clarification:

1. Unused Abbreviations Remaining including: A.E.; COM MIN; P.T.; S.R.
2. Missing Abbreviations including: EASE; (C); (M); (P)
3. Boundary Corners erroneously defined as PCPs.
4. PCP symbol not properly defined.

(RESPONSE) Revised per comments

Item #2:

The plat must show the following: Permanent reference monuments (P.R.M.) must be placed at each corner or change in direction on the boundary of the lands being platted and must not be more than 800 feet apart unless inaccessible. Permanent control points (P.C.P.) must be set at the intersection of the centerline of the right-of-way at the intersection of all streets and shown on the plat.

Remedy/Suggestion/Clarification:

1. Add PCP at the West end of SW Pinewood Way abutting Lot 11.
2. PCP washers should be stamped "PCP".
3. PCP symbol not properly defined (see Item #1).
4. If Mag nails will be used in lieu of PK Nails, please update Legend accordingly.

[\(RESPONSE\) Revised per comments](#)

Item #3:

Plat certification and consent language must be provided in substantial conformance to ... [Resolution No. 02-6.1]

Remedy/Suggestion/Clarification:

1. Fix County Approval Signature Line: Dates (Not previously Addressed).
2. Fix Typo in Public Flow-Through Drainage Easement Dedication.
Should read: "...WILL CONSTITUTE AN EQUITABLE OR SPECIAL ASSESSMENT LIEN..."

[\(RESPONSE\) Revised per comments](#)

Item #4:

Address inconsistencies between Closure Report and Plat.

Remedy/Suggestion/Clarification:

1. Lot 21: Inconsistent distances and square footage. [\(RESPONSE\) new closure report attached.](#)
2. Upland Preserve Tract 2: Inconsistent distances, acreage and square footage including Detail "A"; Appears to include Open Tract 3 in the Closure Report. [\(RESPONSE\) new closure report attached.](#)
3. Missing Open Tract 3 from the Closure Report. [\(RESPONSE\) new closure report attached](#)

Item #5:

Add missing Tract corners for Open Tracts 1, 2, & 3, Dry Retention Areas 1 & 2, and Wetland Preserve Tract. [\(RESPONSE\) we have added monument symbols to the open tracts. We will not be setting monuments for the preserve tracts and dry retention areas.](#)

Item #6:

Remove or otherwise clarify the Calculated distance of 675.55 feet along the Eastern Boundary of the Plat. [\(RESPONSE\) this distance was to the section corner. It has been removed.](#)

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

Engineering requirements are reviewed in conjunction with the Final Site Plan, with which this plat must be consistent. There are no changes proposed to the Final Site Plan, pursuant to Section 10.1.F, LDR,

Martin County, Fla. (2016). Therefore, the Engineering Reviewer was not required to review this application.

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

Addressing

Unresolved Issues:

Item #1:

Street Naming

Please change the street type for the north/south road from SW Pinewood Way to SW Pinewood Ct.

(RESPONSE) Revised Way to Court.

Electronic Files

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

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, Article 4, Division 6 and 7, (2016)]

Wellfield and Groundwater Protection

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

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

Fire Prevention

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

Emergency Preparedness

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

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

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

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

Martin County Health Department

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

Martin County School Board

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

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

Review Ongoing

T. Determination of compliance with the adequate public facilities requirements - responsible departments

The standards for a Certificate of Adequate Public Facilities Exemption (Article 5, LDR) for development and alterations or expansions to approved developments that do not create additional impacts on public facilities are met:

Development that does not create additional impact on public facilities includes:

- A. Additions to nonresidential uses that do not create additional impact on public facilities;
- B. Changes in use of property when the new use does not increase the impact on public facilities over the pre-existing use, except that no change in use will be considered exempt when the preexisting use has been discontinued for two years or more;
- C. Zoning district changes to the district of lowest density or intensity necessary to achieve consistency with the Comprehensive Growth Management Plan;
- D. Boundary plats which permit no site development.

Exempted development will be treated as committed development for which the county assures concurrency.

U. Post-approval requirements

Approval of the development order is conditioned upon the applicant's submittal of all required documents, executed where appropriate, to the Growth Management Department (GMD), including

unpaid fees, within sixty (60) days of the final action granting approval.

Item #1:

Post Approval Requirements List: After approval the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. The applicant will return the Post Approval Requirements List along with the required documents in a packet with the documents arranged in the order shown on the list.

Item #2:

Recording Costs: The applicant is responsible for all recording costs. The Growth Management Department will calculate the recording costs and contact the applicant with the payment amount required. Checks should be made payable to the Martin County Clerk of Court.

Item #3:

Three (3) copies 24" x 36" of the approved plat.

Item #4:

A completed Notice of Subdivision Plat Filing Form to be forwarded to the State of Florida Department of Business Regulation.

Item #5:

Original executed Declarations of Covenants and Restrictions for the homeowner's association.

Item #6:

Original executed plat on Mylar or other plastic, stable material. All names, signatures, stamps, and related data must be inscribed in 'India' ink or similar indelible ink to assure permanent legibility.

Item #7:

One (1) digital file copy of the plat in AutoCAD 2010-2017 drawing format (.dwg). For other types of computer software that may be utilized by the applicant, a digital exchange file (.dxf) version 2004 may be substituted. The digital version of the boundary survey must match the hardcopy version as submitted.

Item #8:

One (1) copy of the approved cost estimate and, if changed, a revised Cost Estimate with an explanation of its change signed and sealed by the Engineer of Record licensed in the State of Florida.

Item #9:

Original and one (1) copy of the executed Contract for Construction of Required Improvements including the current cost estimate labeled Exhibit A and corresponding surety labeled as Exhibit B.

V. Local, State, and Federal Permits

There are no applicable Local, State and Federal Permits required in conjunction with this plat application.

W. Fees

Public advertising fees for the development order will be determined and billed subsequent to the public

hearing. Fees for this application are calculated as follows:

<i>Fee type:</i>	<i>Fee amount:</i>	<i>Fee payment:</i>	<i>Balance:</i>
Application review fees:	\$13,600.00	\$13,600.00	\$0.00
Advertising fees*:	TBD		
Recording fees**:	TBD		
Mandatory impact fees:	TBD		
Non-mandatory impact fees:	TBD		

* Advertising fees will be determined once the ads have been placed and billed to the County.

** Recording fees will be identified on the post approval checklist.

X. General application information

Applicant: River Oaks, LLC
Don R. Mancil
8530 SW Jayme Way
Palm City, FL 34990
772-800-2453

Agent: Betsy Lindsay, Inc.
Elizabeth A. Lindsay
7997 SW Jack James Dr
Stuart, FL 34997
772-286-5753
blindsay@betsylinday.com

Y. Acronyms

ADA Americans with Disability Act
AHJ Authority Having Jurisdiction
ARDP..... Active Residential Development Preference
BCC..... Board of County Commissioners
CGMP Comprehensive Growth Management Plan
CIE Capital Improvements Element
CIP Capital Improvements Plan
FACBC Florida Accessibility Code for Building Construction
FDEP..... Florida Department of Environmental Protection
FDOT Florida Department of Transportation
LDR..... Land Development Regulations
LPA Local Planning Agency
MCC..... Martin County Code
MCHD..... Martin County Health Department
NFPA National Fire Protection Association
SFWMD..... South Florida Water Management District
W/WWSA.... Water/Waste Water Service Agreement

Z. Attachments



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

Engineering requirements are reviewed in conjunction with the Final Site Plan, with which this plat must be consistent. There are no changes proposed to the Final Site Plan, pursuant to Section 10.1.F, LDR,

Martin County, Fla. (2016). Therefore, the Engineering Reviewer was not required to review this application.

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

Addressing

Unresolved Issues:

Item #1:

Street Naming

Please change the street type for the north/south road from SW Pinewood Way to SW Pinewood Ct.

(RESPONSE) Revised Way to Court.

Electronic Files

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

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, Article 4, Division 6 and 7, (2016)]

Wellfield and Groundwater Protection

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

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

Fire Prevention

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

Emergency Preparedness

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

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

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

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

Martin County Health Department

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

Martin County School Board

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

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

Review Ongoing

T. Determination of compliance with the adequate public facilities requirements - responsible departments

The standards for a Certificate of Adequate Public Facilities Exemption (Article 5, LDR) for development and alterations or expansions to approved developments that do not create additional impacts on public facilities are met:

Development that does not create additional impact on public facilities includes:

- A. Additions to nonresidential uses that do not create additional impact on public facilities;
- B. Changes in use of property when the new use does not increase the impact on public facilities over the pre-existing use, except that no change in use will be considered exempt when the preexisting use has been discontinued for two years or more;
- C. Zoning district changes to the district of lowest density or intensity necessary to achieve consistency with the Comprehensive Growth Management Plan;
- D. Boundary plats which permit no site development.

Exempted development will be treated as committed development for which the county assures concurrency.

U. Post-approval requirements

Approval of the development order is conditioned upon the applicant's submittal of all required documents, executed where appropriate, to the Growth Management Department (GMD), including

unpaid fees, within sixty (60) days of the final action granting approval.

Item #1:

Post Approval Requirements List: After approval the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. The applicant will return the Post Approval Requirements List along with the required documents in a packet with the documents arranged in the order shown on the list.

Item #2:

Recording Costs: The applicant is responsible for all recording costs. The Growth Management Department will calculate the recording costs and contact the applicant with the payment amount required. Checks should be made payable to the Martin County Clerk of Court.

Item #3:

Three (3) copies 24" x 36" of the approved plat.

Item #4:

A completed Notice of Subdivision Plat Filing Form to be forwarded to the State of Florida Department of Business Regulation.

Item #5:

Original executed Declarations of Covenants and Restrictions for the homeowner's association.

Item #6:

Original executed plat on Mylar or other plastic, stable material. All names, signatures, stamps, and related data must be inscribed in 'India' ink or similar indelible ink to assure permanent legibility.

Item #7:

One (1) digital file copy of the plat in AutoCAD 2010-2017 drawing format (.dwg). For other types of computer software that may be utilized by the applicant, a digital exchange file (.dxf) version 2004 may be substituted. The digital version of the boundary survey must match the hardcopy version as submitted.

Item #8:

One (1) copy of the approved cost estimate and, if changed, a revised Cost Estimate with an explanation of its change signed and sealed by the Engineer of Record licensed in the State of Florida.

Item #9:

Original and one (1) copy of the executed Contract for Construction of Required Improvements including the current cost estimate labeled Exhibit A and corresponding surety labeled as Exhibit B.

V. Local, State, and Federal Permits

There are no applicable Local, State and Federal Permits required in conjunction with this plat application.

W. Fees

Public advertising fees for the development order will be determined and billed subsequent to the public

hearing. Fees for this application are calculated as follows:

<i>Fee type:</i>	<i>Fee amount:</i>	<i>Fee payment:</i>	<i>Balance:</i>
Application review fees:	\$13,600.00	\$13,600.00	\$0.00
Advertising fees*:	TBD		
Recording fees**:	TBD		
Mandatory impact fees:	TBD		
Non-mandatory impact fees:	TBD		

* Advertising fees will be determined once the ads have been placed and billed to the County.

** Recording fees will be identified on the post approval checklist.

X. General application information

Applicant: River Oaks, LLC
Don R. Mancil
8530 SW Jayme Way
Palm City, FL 34990
772-800-2453

Agent: Betsy Lindsay, Inc.
Elizabeth A. Lindsay
7997 SW Jack James Dr
Stuart, FL 34997
772-286-5753
blindsay@betsylinday.com

Y. Acronyms

ADA Americans with Disability Act
AHJ Authority Having Jurisdiction
ARDP..... Active Residential Development Preference
BCC..... Board of County Commissioners
CGMP Comprehensive Growth Management Plan
CIE Capital Improvements Element
CIP Capital Improvements Plan
FACBC Florida Accessibility Code for Building Construction
FDEP..... Florida Department of Environmental Protection
FDOT Florida Department of Transportation
LDR..... Land Development Regulations
LPA Local Planning Agency
MCC..... Martin County Code
MCHD..... Martin County Health Department
NFPA National Fire Protection Association
SFWMD..... South Florida Water Management District
W/WWSA.... Water/Waste Water Service Agreement

Z. Attachments

Unresolved Issues:

Item #1:

Surety

Remedy/Suggestion/Clarification:

As previously requested, the required security must run for the period stipulated in Section 4.913., LDR, utilizing the dates established by the approval of the final site plan.

Thank you for submitting a draft surety bond as Exhibit B to the contract for construction. However, it identifies, in paragraph 3 on page 1, that the bond would be void on the date that the improvements are due to be completed, which is not consistent with the code requirements or paragraph 2 of the contract for construction, which require the require the surety to be for a term no shorter than 15 months after the infrastructure completion due date.

Please submit a revised draft surety that meets the term requirements.

Please refer to the email (copy attached) from Michelle Cullum, dated July 5, 2019. Per her email and attachment thereto, the dates provided on the performance bond are to match the development order timeframe, and once the development is complete and accepted, a Maintenance Surety Bond with a Commitment will replace the Performance Bond and Contract for the 15 month warranty period. The attached draft contract and surety documents have been revised accordingly.

From: [Michelle Cullum](#)
To: [Scott Montgomery](#)
Cc: [Stephanie Piche](#); [Jana Cox](#)
Subject: RE: Contract for Completion & Surety - River Oaks
Date: Friday, July 05, 2019 9:06:55 AM
Attachments: [Contract for Construction of Req'd Improvements REV with Surety and atta....pdf](#)

Hi Scott,

The dates on the Contract are correct; however, the dates on the Performance Surety Bond are not. This is a Performance bond, so it coincides with the development timeframe. Once the development is complete and accepted, a Maintenance Surety Bond with a Commitment will replace Performance Bond and Contract for the 15 month warranty period.

I marked the dates on the attachment on page 10. Please let me know if you have any questions.

Thank you,

Michelle Cullum, P.E.
Development Review Administrator
Public Works Department
Martin County Board of County Commissioners
772-288-5512 (office)

From: Scott Montgomery [mailto:scott@ccmaengineers.com]
Sent: Wednesday, July 03, 2019 11:18 AM
To: Michelle Cullum; Stephanie Piche
Subject: FW: Contract for Completion & Surety - River Oaks

Hi Michelle or Stephanie,

Referring to Maureen Saltzer's email below, could you take a quick look at the wording and dates in the draft surety to the contract, primarily page 10 with respect to the 15 months beyond the two-year completion date?

Thank You.

Regards,

Scott T. Montgomery, P.E.
C. Calvert Montgomery & Associates, Inc.
P.O. Box 92
Stuart, FL 34995
(772) 287-3636

From: Maureen Saltzer <maureen@mancils.com>

Sent: Friday, June 28, 2019 5:42 PM

To: Scott Montgomery <scott@ccmaengineers.com>; Elizabeth A. Lindsay
<blindsay@betsylindsay.com>

Subject: Contract for Completion & Surety - River Oaks

After the staff workshop and conversations with Scott, I *think* this is the form and dates that the county wants to see on the surety.

Scott, is it possible to run this by someone to make SURE this will be acceptable before Betsy turns it in with the other changes?

Also, do either of you know if the first part of this (the contract) needs to be signed now (I know the surety is just a draft) or if this all goes in unsigned at this point and is executed as part of the post-approval process?

Thank you.

Maureen Saltzer
Director of Marketing & Business Development
Mancil's Complete Sitework
8530 Jayme Way
Palm City FL 34990
Direct Line: 772-800-2453
Office Phone: 772-288-0951
Email: Maureen@Mancils.com
Website: www.mancils.com



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

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**CONTRACT FOR CONSTRUCTION OF REQUIRED IMPROVEMENTS
AND INFRASTRUCTURE FOR**

THIS CONTRACT, made and entered into this _____ day of _____, 20____, by and between River Oaks, LLC, hereinafter referred to as Developer, and Martin County, a political subdivision of the State of Florida, hereinafter referred to as County.

W I T N E S S E T H:

WHEREAS, the Developer has made application to County for approval and recordation of the plat of River Oaks (F/K/A Holman Subdivision); and

WHEREAS, completion of certain improvements and infrastructure is required prior to plat recordation; and

WHEREAS, Section 4.913.B, Land Development Regulations, Martin County Code, provides that in lieu of completion of the required improvements and infrastructure prior to plat recordation, security may be posted to insure completion.

NOW THEREFORE, the Developer and County agree as follows:

1. By June 1, 2020, Developer shall complete the required improvements and infrastructure for the above referenced project pursuant to the final site plan approved on June 1, 2018, and construction plans accepted by the County Engineer or his designee, hereinafter referred to as the County Engineer. The itemized list of required improvements and infrastructure is more particularly set forth in Exhibit A, attached hereto and made a part hereof.

2. The Developer shall supply the County with security, in a form acceptable to the Board of County Commissioners, in the amount of \$ 689,042.25. Said security is attached as Exhibit B, which represents one hundred percent (100%) of the estimated cost of the completion of the required improvements and infrastructure as submitted by a professional engineer licensed in the State of Florida and accepted by the County Engineer and as shown on Exhibit A. The expiration date for any security provided shall be no

sooner than fifteen (15) months after the completion date for the required improvements as set forth in Paragraph 1 above, which is comprised of the warranty period plus three months.

3. The required improvements and infrastructure shall be constructed in full compliance with the specifications and requirements of the County under the supervision of Developer's Engineer. When complete, Developer's Engineer shall furnish an Engineer's Certification of Construction Completion to the County Engineer for acceptance.

4. Release of Security

- a. Upon receipt of the Engineer's Certification of Construction Completion and a request to release up to ninety percent (90%) of the posted security, the County Engineer will perform a site acceptance inspection of the constructed improvements and infrastructure with the Developer's Engineer. Should it be determined that all improvements and infrastructure are complete and acceptable to the County Engineer, up to ninety percent (90%) of the posted security shall be released accordingly. At the request of the Developer's Engineer in the form of a reduction schedule, partial releases may be authorized by the County Engineer up to ninety percent (90%) of the posted security as work is completed and accepted. The remaining ten percent (10%) shall be held as warranty security.
- b. In the event Developer's Engineer and the County Engineer agree that certain "punchlist" items remain outstanding, one-hundred (100%) of the value of said "punchlist" items shall be added to the ten percent (10%) and included as warranty security.
- c. The warranty security shall be held for the additional fifteen (15) months from the date of the site acceptance by the County Engineer, at which time the Developer's Engineer shall request its release and the County Engineer will perform a final inspection. If all improvements and infrastructure, including "punchlist" items, are free of defects due to faulty field engineering,

construction, workmanship, or materials, the warranty security shall be released by the County Engineer.

5. In the event the required improvements and infrastructure are not completed by the date set forth in Paragraph 1, or Developer fails to maintain the required security as set forth in Paragraph 2, or the County is advised that the term of the required security will not be extended, County shall have, and is hereby granted, the right to cause the required improvements and infrastructure to be made and to use the security provided herewith for payment of all costs and expenses incurred in the construction thereof, including but not limited to, engineering, legal, and contingent costs. Furthermore, it is agreed by the parties hereto that County shall be reimbursed from the security provided for any damages, either direct or consequential, which the County may sustain as a result of the failure of Developer to carry out and execute all of the provisions of this Contract. County shall have the option to construct and install the required improvements with County employees and equipment, or pursuant to public advertisement and receipt of bids, in the event of Developer's failure or refusal to do so in accordance with the terms of this Contract. In the event that the total costs incurred in construction and full completion of the improvements exceeds the amount of security provided, such additional costs shall be paid by Developer on written demand by the County Engineer.

6. Developer designates the following person as its representative to be contacted and to receive all notices regarding this Contract:

Don R. Mancil, Jr.
Name
8530 SW Jayme Way
Address
Palm City FL 34990
City, State and Zip
772-288-0951
Telephone

IN WITNESS WHEREOF, the parties hereto have executed these presents on the dates indicated below. The date of this Contract shall be the date on which this Contract

was approved by the Board of County Commissioners.

Exhibit A – Engineer’s Opinion of Probable Cost

Exhibit B –Security Form (sample forms are available by requested or located at www.martin.fl.us)

[For an individual acting in his own right]

OWNER/DEVELOPER

WITNESSES:

OWNER(S):

Name _____

Name _____

Name _____

Name _____

Name _____

Name _____

Date: _____

Address: _____

STATE OF _____]
COUNTY OF _____]

The foregoing Contract for Construction of Required Improvements and Infrastructure is acknowledged before me this ____ day of _____, 20__, by _____ and _____ . He or she () is / are personally known to me or () has / have produced _____ as identification.

[NOTARY STAMP]

NOTARY PUBLIC

Name _____
My Commission Expires: _____

COUNTY

ATTEST

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

Carolyn Timmann, Clerk of the
Circuit Court and Comptroller

, Chair

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Krista A. Storey
Senior Assistant County Attorney

OWNER/DEVELOPER

WITNESSES:

Name _____

Name _____

CORPORATION:

River Oaks, LLC

Name of Corporation
By: _____
Name _____
Title: _____
Attest:

Secretary
Date: _____
Address: _____

STATE OF _____]
COUNTY OF _____]

I hereby certify that on this day, before me, an officer duly authorized in the aforesaid State and County to take acknowledgments, personally appeared _____ and _____ President and Secretary of _____, a _____ corporation on behalf of the corporation, to me known to be the persons described herein and who executed the foregoing Contract for Required Improvements and Infrastructure and acknowledged before me that he executed same. Witness my hand and official seal in the County and State last aforesaid this ____ day of _____, 20__.

[NOTARY STAMP]

NOTARY PUBLIC

Name: _____
My Commission Expires: _____

COUNTY

ATTEST

**BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

Marsha Ewing, Clerk

Chairman

**APPROVED AS TO FORM AND
CORRECTNESS**

Krista A. Storey
Senior Assistant County Attorney

EXHIBIT A



MARTIN COUNTY ENGINEERING DEPARTMENT ENGINEER'S OPINION OF PROBABLE COST

PROJECT NAME: River Oaks Subdivision

PHASE/PARCEL/PLAT: _____

<u>ITEM</u>	<u>QTY</u>	<u>UNIT</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
EARTHWORK/SITEWORK				
a) Mobilization	<u>1</u>	LS	\$8,000.00	8,000.00
b) Clearing, grading and grubbing	<u>5.0</u>	AC	\$3,000.00	15,000.00
c) Excavation (cut)	<u>6,310</u>	CY	\$7.00	44,170.00
d) Embankment (fill)	<u>6,310</u>	CY	\$12.50	78,875.00
e) Sod and seed/mulch	<u>8,245</u>	SY	\$2.00	16,490.00
f) Concrete disposal	<u>0.0</u>	TN	\$60.00	0.00
g) Erosion control	<u>1</u>	LS	\$31,500.00	31,500.00
h) Fencing/railing	<u>0</u>	LS	\$0.00	0.00
i) Materials testing	<u>1</u>	LS	\$9,000.00	9,000.00
			Subtotal	203,035.00
ROADWORK				
a) Asphalt milling, 1" avg.	<u>1,792</u>	SY	\$1.50	2,688.00
b) Stabilized subgrade, roll in place	<u>4,141</u>	SY	\$3.00	12,423.00
c) Stabilized subgrade, Type B, 12" thick	<u>0</u>	SY	\$7.50	0.00
d) Paving base, optional base group 6	<u>3,423</u>	SY	\$12.50	42,787.50
e) Paving base, optional base group 9	<u>0</u>	SY	\$15.50	0.00
f) Paving base, other	<u>0</u>	SY	\$21.00	0.00
g) Asphaltic concrete, SP-9.5, 1-1/2" thick	<u>730</u>	SY	\$15.00	10,950.00
h) Asphaltic concrete, SP-9.5, 2 1/2" thick	<u>2,617</u>	SY	\$25.00	65,425.00
i) Asphaltic concrete, SP-9.5, 3" thick	<u>0</u>	SY	\$30.00	0.00
j) Asphalt overlay, SP-9.5 (<= 150 tons)	<u>135.0</u>	TN	\$150.00	20,250.00
k) Asphalt overlay, SP-9.5 (> 150 tons)	<u>0.0</u>	TN	\$120.00	0.00
l) Pervious asphalt or concrete	<u>0</u>	SY	\$60.00	0.00
m) Concrete curb & gutters	<u>2,479</u>	LF	\$14.25	35,325.75
q) Sidewalk, 6' wide	<u>1,384</u>	LF	\$25.00	34,600.00
r) Maintenance of traffic (M.O.T.)	<u>1</u>	LS	\$6,870.00	6,870.00
			Subtotal	231,319.25
DRAINAGE				
a) Inlets / Manholes (<10' depth)	<u>15</u>	EA	\$3,000.00	45,000.00
b) Inlets / Manholes (10' or > depth)	<u>0</u>	EA	\$4,000.00	0.00
c) Control structures	<u>1</u>	EA	\$6,000.00	6,000.00
d) Endwalls	<u>0</u>	CY	\$700.00	0.00
e) Rip-rap	<u>0</u>	CY	\$80.00	0.00
f) Storm culvert, 15" dia. or equiv.	<u>586</u>	LF	\$28.00	16,408.00
g) Storm culvert, 18" dia. or equiv.	<u>953</u>	LF	\$34.00	32,402.00
h) Storm culvert, 24" dia. or equiv.	<u>0</u>	LF	\$48.00	0.00
i) Storm culvert, 30" dia. or equiv.	<u>0</u>	LF	\$65.00	0.00



MARTIN COUNTY ENGINEERING DEPARTMENT ENGINEER'S OPINION OF PROBABLE COST

j) Storm culvert, 36" dia. or equiv.	<u>0</u>	LF	\$88.00	0.00
k) Storm culvert, 48" dia. Or equiv.	<u>0</u>	LF	\$125.00	0.00
l) Exfiltration trench	<u>0</u>	LF	\$100.00	0.00
			Subtotal	99,810.00

UTILITIES

a) Water main, 4"	<u>0</u>	LF	\$13.00	0.00
b) Water main, 6"	<u>582</u>	LF	\$17.50	10,185.00
c) Water main, 8"	<u>436</u>	LF	\$23.50	10,246.00
d) Water main, 10"	<u>0</u>	LF	\$31.25	0.00
e) Water main, 12"	<u>0</u>	LF	\$40.00	0.00
f) Water service, single	<u>5</u>	EA	\$790.00	3,950.00
g) Water service, double	<u>8</u>	EA	\$930.00	7,440.00
h) Fire hydrant assembly	<u>3</u>	EA	\$3,600.00	10,800.00
i) Sewer main, 8" gravity (<=8' depth)	<u>697</u>	LF	\$28.00	19,516.00
j) Sewer main, 8" gravity (<8'-12' depth)	<u>367</u>	LF	\$43.00	15,781.00
k) Sewer main, 8" gravity (<12'-16' depth)	<u>0</u>	LF	\$88.00	0.00
l) Sewer main, 8" gravity (<16'-20' depth)	<u>0</u>	LF	\$104.00	0.00
m) Sewer main, force, (4")	<u>0</u>	LF	\$13.50	0.00
n) Sewer manhole (<=8' depth)	<u>5</u>	EA	\$2,900.00	14,500.00
o) Sewer manhole (<8'-12' depth)	<u>1</u>	EA	\$3,850.00	3,850.00
p) Sewer manhole (<12'-16' depth)	<u>0</u>	EA	\$5,500.00	0.00
q) Sewer manhole (<16'-20' depth)	<u>0</u>	EA	\$8,800.00	0.00
r) Sewer lateral, single	<u>5</u>	EA	\$900.00	4,500.00
s) Sewer lateral, double	<u>8</u>	EA	\$1,100.00	8,800.00
t) Lift Station	<u>0</u>	EA	\$0.00	0.00
u) Directional drill (<= 6" dia.)	<u>0</u>	LF	\$50.00	0.00
v) Directional drill (8"-10" dia.)	<u>100</u>	LF	\$88.00	8,800.00
w) Directional drill (12" or > dia.)	<u>0</u>	LF	\$140.00	0.00
			Subtotal	\$118,368.00

TRAFFIC

a) Signage	<u>1</u>	LS	\$1,900.00	1,900.00
b) Striping	<u>1</u>	LS	\$7,565.00	7,565.00
c) Control devices (signals)	<u>0</u>	EA	\$0.00	0.00
			Subtotal	\$9,465.00

SURVEY

a) Setting P.C.P.'s	<u>1</u>	LS	\$1,000.00	1,000.00
b) Setting and replacing all P.R.M.'s	<u>1</u>	LS	\$1,000.00	1,000.00
c) Setting all lot corners	<u>1</u>	LS	\$2,500.00	2,500.00
			Subtotal	\$4,500.00



MARTIN COUNTY ENGINEERING DEPARTMENT ENGINEER'S OPINION OF PROBABLE COST

MISCELLANEOUS

a)	Paver Brick Cross-walk	1	LS	\$4,125.00	4,125.00
b)	15" M.E.S.	2	EA	\$1,155.00	2,310.00
c)	18" M.E.S.	4	EA	\$1,265.00	5,060.00
d)	Armor Tile Detectable Warnings	2	EA	\$400.00	800.00
e)	Relocate Exist. Wd. PP (FPL)	1	LS	\$5,000.00	5,000.00
f)	Wet Tap Water Main	1	LS	\$5,250.00	5,250.00

Subtotal **\$22,545.00**

TOTAL ESTIMATED COST OF IMPROVEMENTS **\$689,042.25**

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:

Scott T. Montgomery
Professional Engineer's Name


Professional Engineer's Signature / Seal

#45954
P.E. No.

September 10, 2018
Date

C. Calvert Montgomery & Assoc., Inc. #00160
Firm's Name and Licensed Business No. (if applicable)

P.O. Box 92, Stuart, FL 34995
Firm's Address

772-287-3636
Phone No.

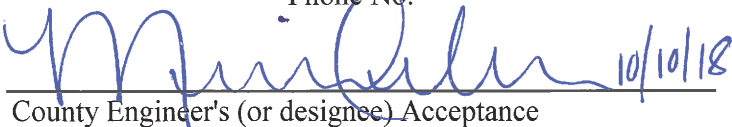

County Engineer's (or designee) Acceptance

EXHIBIT B

PERFORMANCE SURETY BOND

Bond No. _____

KNOWN ALL MEN BY THESE PRESENTS:

That River Oaks, LLC as Principal, and North American Specialty Insurance, as Surety, are held and firmly bound unto Martin County Board of County Commissioners, Stuart, Florida, as Obligee, in the sum of \$689,042.25, for the payment of which sum, well and truly to be made, the Principal and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

This bond is delivered to Obligee pursuant to Section 4.913B of the Martin County Land Development Code ("Section 4.913B") and the terms of the Minor Development Final Site Plan Approval between the Obligee and the Principal dated June 1, 2018, a copy of which is attached as Exhibit A and incorporated into this bond by reference. As a condition precedent to the Obligee's agreement(s), approval(s), and/or acceptance(s) set forth in Exhibit A, the Principal is required to deliver a good and sufficient bond to warrant and ensure the performance of the work specified in Exhibit A, and to indemnify and save harmless the Obligee from any and all damages and costs caused by the failure to complete the work and/or project in the manner and within the time period described in Exhibit A.

The condition of this obligation is such that if the Principal fully performs its obligations to complete the work described in Exhibit A within **two years from June 1, 2018 as** evidenced by written approval of the Obligee in the form required by Section 4.913B, then this bond shall be void. Otherwise, this bond remains in full force and effect.

The Surety unconditionally agrees that, upon 30 days written notice by the Obligee (or its authorized agent or officer) stating that the Principal has defaulted on its obligations to perform and complete the work described under Exhibit A, the Surety will fully perform and complete the work, pay the costs of doing so, and indemnify, defend and hold harmless the Obligee for any and all damages and costs (including attorneys' fees) incurred as a result of the Principal's default, up to the dollar amount of this bond stated above. If the Surety fails to perform its obligations under this bond, the Obligee shall have the right to resort to any and all legal and equitable remedies against the Principal and the Surety, or either one of them, including, but not limited to, specific performance.

The Surety and the Principal jointly and severally agree that, as an alternative to requiring the Surety to perform and complete the work described in Exhibit A upon the

Principal's default, the Obligee, at its option, shall have the right to perform and complete the work (either itself or through its agents or contractors). In the event the Obligee elects to exercise this right, the Surety and Principal shall be jointly and severally liable to reimburse the Obligee for all costs of performing and completing such work and indemnify, defend and hold harmless the Obligee for any and all damages and costs (including attorneys' fees) incurred as a result of the Principal's default, up to the dollar amount of this bond stated above.

IN WITNESS WHEREOF, the Principal and Surety have caused this performance bond to be executed by their authorized agents this _____ day of _____, 20____.

SURETY

[INSERT NAME OF SURETY]

PRINCIPAL

[INSERT NAME OF PRINCIPAL]

By:_____

Name:_____

Title:_____

By:_____

Name:_____

Title:_____


Power of Attorney Must be Attached

Date: Nov. 27, 2018

Martin County Growth Management

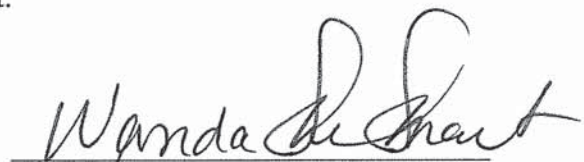
RE: PLAT OF RIVER OAKS

This letter is to serve as my authorization for Elizabeth A. Lindsay, P.L.S., of Betsy Lindsay, Inc., to act as my agent to acquire plat approval for the plat of RIVER OAKS.


Don R. Mancil, Jr., manager
River Oaks LLC
PO Box 1833
Palm City FL 34991

State of Florida)
 ss.:
County of Martin)

I hereby certify that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements personally appeared Don. R. Mancil, Jr., [☒] who is personally known to me or [☐] who produced a driver's license as identification and executed this document.


Notary Public



WANDA SUE SMART
Commission # GG 200367
Expires April 25, 2022
Bonded Thru Budget Notary Services

Printed Name: _____
Commission Expires: _____

**CERTIFICATE OF AUTHORITY OF
MANAGERS TO ACT ON BEHALF OF RIVER OAKS, LLC**

The undersigned, as all of the members of River Oaks, LLC, a Florida limited liability company (the "Company"), hereby certify that:

01. The Company is a duly formed, validly existing limited liability company in good standing under the laws of the State of Florida.
02. The Company is a manager managed limited liability company.
03. As shown on the records of the Division of Corporations of the office of Secretary of State of the State of Florida as shown on the attached **Exhibit 1**, the managers of the Company are Don R. Mancil and Paul D. Filipe.
04. The minutes of the Company reflect that the managers of the Company are Don R. Mancil and Paul D. Filipe.
05. The Operating Agreement of the Company provides in part as follows:
 - 6.04 **Decisions of Managers.** When there is more than one Manager, any Manager may take any action permitted to be taken by the Managers, unless the approval of more than one Manager is required by this Agreement, by the Act, or by other applicable law.
06. There are no provisions in the Operating Agreement or law which prevents either of the managers, Don R. Mancil or Paul D. Filipe, from individually representing the Company in the processing of the plat of River Oaks (F/K/A Holman Subdivision) under Martin County, Florida Project Number M211-005.

The undersigned have executed this Certificate on the date(s) set forth below.

River Oaks, LLC, a Florida limited liability company by all of its members


Don R. Mancil
March 18, 2019


Paul D. Filipe
March 18, 2019



This document has been prepared
by and is to be returned to:

ROBERT A. BURSON, P.A.

By: Robert A. Burson, Esquire
Florida Bar# 217638

Mailing Address:

Post Office Box 1620
Stuart, Florida 34995-1620

Street Address:

900 East Ocean Blvd., Suite C-120
Stuart, Florida 34994
(772) 286-1616

RAB File Number: 19-045

SATISFACTION OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS:

The undersigned as the owner and holder of a certain mortgage deed identified below, hereby acknowledges full payment and satisfaction of said note and mortgage deed, and surrenders the same as canceled, and hereby directs the Clerk of the said Circuit Court to cancel the same of record.

The note and mortgage deed are identified as follows:

01. Original Mortgagor: **Eileen G. Enterprises, LLC**, a Florida limited liability company
02. Subsequent Mortgagor: **River Oaks, LLC**, a Florida limited liability company
03. Original mortgagee: **Potsdam LLC**, a Florida limited liability company
04. Date of signing: December 21, 2017
05. Recorded in Official Records Book 2966. Page 2861, Martin County, Florida, public records
06. Modified in Official Records Book 3009, page 284; Martin County, Florida, public records; and
07. Further modified by Loan Assumption Agreement in Official Records Book 3009, page 293, of the public records of Martin County, Florida;
08. Original principal sum of \$300,000 and increased by modification to \$360,000.00
09. Encumbers the following property:

That part of the North one half of the Northeast one quarter of the Northwest one quarter of Section 7, Township 38 South, Range 41 East, Martin County, Florida described as follows:

Commence at the Southeast corner of Lot 11, Oak Ridge Plat No. 1, recorded in Plat Book 12, Page 39, Martin County, Florida public records and run South 0° 31' 00" West along a line which is parallel to and 50.00 feet West of the East line of the Northwest one quarter of said Section 7 for 2.00 feet to the Point of Beginning for the following described parcel: Thence continue South 0° 31' 00" West along said parallel line for 198.00 feet; thence run North 89° 38' 23" West for 200.00 feet; thence run North 0° 31' 00" East for 198.00 feet to a point on a line which is 2.00 feet South of and parallel to the South line of Oak Ridge Plat No. 1; thence run South 89° 38' 23" East along said parallel line for 200.00 feet to the point of beginning;

IN WITNESS WHEREOF the undersigned has executed this Satisfaction of Mortgage on the date set forth below.

POTSDAM LLC

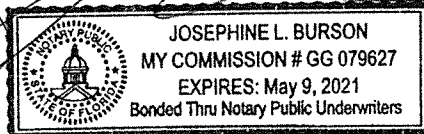
By: Stephen Fry
Its Manager
July 15, 2019

STATE OF FLORIDA
COUNTY OF MARTIN

Subscribed and acknowledged before me on July 15, 2019, by Stephen Fry, as manager of Potsdam LLC, a Florida limited liability company, on behalf of said company and he is personally known to me.

(Signature of Notary Public)

(Notary Seal)



(Print, type, or stamp commissioned name of Notary Public)

my 5/9/2021