

## UNITY OF TITLE

In consideration of the issuance of a Permit to **F.M. AYRES 2, LLC, a Florida limited liability company**, and **SUNRISE RESTAURANTS, LLC, a Florida limited liability company**, as "Owner", for the construction of the expansion of the Conchy Joe's Restaurant in Jensen Beach, Martin County, Florida, and for other good and valuable considerations, the undersigned hereby agrees to restrict the use of lands described in Exhibit "A" attached hereto in the following manner:

1. That said property shall be considered as one plot and parcel of land and that no portion of said plot and parcel of land shall be sold, transferred, devised, or assigned separately except in its entirety as one plot and parcel of land; with the sole exception being that a portion of said property may be sold, transferred, devised or assigned to any governmental entity.
2. The undersigned further agrees that this condition, restriction and limitation shall be deemed a covenant running with the land, and shall remain in full force and effect, and be binding upon the undersigned, their heirs and assigns until such time as the same may be released in writing by the Board of County Commissioners.
3. The undersigned further agrees that this instrument shall be recorded in the Public Records of Martin County.
4. Nothing herein contained shall limit, in any manner, the Owner, or their successors or assigns, to mortgage or encumber the property or any part thereof.

Signed, acknowledged and notarized on this \_\_\_\_ day of \_\_\_\_\_, 2019.

**OWNER**

**F.M. AYRES 2, LLC, a Florida limited liability company**

WITNESSES:

Sign: \_\_\_\_\_  
Print: \_\_\_\_\_

By: \_\_\_\_\_  
Frederic M. Ayres, IV, Manager

Sign: \_\_\_\_\_  
Print: \_\_\_\_\_

Address: P.O. Box 1056  
Jensen Beach, FL 34958

STATE OF FLORIDA  
COUNTY OF MARTIN

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by FREDERIC M. AYRES, IV, Manager of F.M. AYRES 2, LLC, a Florida limited liability company, who [ ] is personally known to me or [ ] has produced \_\_\_\_\_ as identification.

(Notarial Seal)

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires:

**SUNRISE RESTAURANTS, LLC, a Florida limited liability company**

WITNESSES:

Sign: \_\_\_\_\_  
Print: \_\_\_\_\_

By: \_\_\_\_\_  
Frederic M. Ayres, IV, Manager

Sign: \_\_\_\_\_  
Print: \_\_\_\_\_

Address: P.O. Box 1056  
Jensen Beach, FL 34958

STATE OF FLORIDA  
COUNTY OF MARTIN

I HEREBY CERTIFY that the foregoing instrument was acknowledged  
before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by FREDERIC  
M. AYRES, IV, Manager of SUNRISE RESTAURANTS, LLC, a Florida limited  
liability company, who [ ] is personally known to me or [ ] has produced \_\_\_\_\_  
\_\_\_\_\_ as identification.

(Notarial Seal)

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires:

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

**EXHIBIT A**  
**CONCHY JOE'S RESTAURANT**  
**LEGAL DESCRIPTION**

ALL THAT CERTAIN LAND SITUATED AND BEING IN MARTIN COUNTY, FLORIDA, TO WIT:

PROPERTY APPRAISER'S PARCEL I.D. NO. 15-37-41-004-006-00041-8

**PARCEL 1:**

ALL THAT PART OF THE SOUTH 200 FEET OF LOT 6A, GAINES ESTATES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 90, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, LYING EAST OF STATE ROAD 707.

**PARCEL 2:**

A PARCEL OF SUBMERGED LAND IN THE INDIAN RIVER IN SECTION 15, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE POINT WHERE THE SOUTH LINE OF THE SOUTH 100 FEET OF TRACT 6A OF GAINES ESTATES, AS RECORDED IN PLAT BOOK 1, PAGE 90, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, INTERSECTS THE MEAN HIGH WATER MARK OF INDIAN RIVER; THENCE EASTERLY ALONG THE EXTENSION OF THE SAID SOUTH LINE OF THE SOUTH 100 FEET OF TRACT 6A, 85 FEET; THENCE NORTHERLY PARALLEL TO THE MEAN HIGH WATER MARK TO THE INTERSECTION WITH THE EASTERLY EXTENSION OF THE NORTHERN LINE OF THE SOUTH 100 FEET OF SAID TRACT 6A; THENCE WESTERLY ALONG SAID EXTENSION OF THE NORTH LINE OF THE SOUTH 100 FEET OF TRACT 6A, 85 FEET TO THE SAID MEAN HIGH WATER MARK OF INDIAN RIVER, THEN SOUTHERLY ALONG SAID MEAN HIGH WATER MARK TO THE POINT OF BEGINNING

PROPERTY APPRAISER'S PARCEL I.D. NO. 15-37-41-004-006-00030-1

**PARCEL 3**

LOTS 1 AND 12, BLOCK 1, BLOUNT PITCHFORD PROPERTY AS RECORDED IN PLAT BOOK 1, PAGE 71, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

**PARCEL 4**

THAT PART OF SOUTH 200 FEET OF LOT 6A, GAINES ESTATES, AS RECORDED IN PLAT BOOK 1, PAGE 90, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA LYING EAST OF THE FEC RAILROAD AND WEST OF STATE ROAD 707.

PARCEL ADDRESS: 3930 NE INDIAN RIVER DR, JENSEN BEACH

PARCEL ADDRESS: 3945 NE INDIAN RIVER DR, JENSEN BEACH

AND TOGETHER WITH

PROPERTY APPRAISER'S PARCEL I.D. NO. 15-37-41-001-004-00010-3

ADMIRALS PARCEL

THE PART OF LOT 4 LYING EAST OF THE F.E.C. RAILROAD RIGHT-OF-WAY IN BALLANTINE & MOORE SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 205, PUBLIC RECORDS OF ST LUCIE (NOW MARTIN) COUNTY, FLORIDA AND THE NORTH 86.9 FEET OF TRACT 6A LYING EAST OF THE F.E.C. RAILROAD RIGHT-OF-WAY IN GAINES ESTATES SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 90, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA

SAID PARCEL CONSISTING OF 2.289 ACRES OR 100,640 SQUARE FEET MORE OR LESS.

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

PARCEL ADDRESS: 4000 NE INDIAN RIVER DR, JENSEN BEACH

THE COMBINATION OF ALL PARCELS CONTAINING 215,316 SQUARE FEET OR 4.94 ACRES MORE OR LESS



**Martin County, FL**

NE Skyline DR

NE Cheri DR

NE Indian River DR

NE 1ST ST

Pineapple Ave

0 450 Feet

Date: 3/12/2019  
 This Geographic Information System Map Product, received from Martin County ("COUNTY") in fulfillment of a public records request is provided "as is" without warranty of any kind, and the COUNTY expressly disclaims all express and implied warranties, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. The COUNTY does not warrant, guarantee, or make any representations regarding the use, or the results of the use, of the information provided to you by the COUNTY in terms of correctness, accuracy, reliability, timeliness or otherwise. The entire risk as to the results and performance of any information obtained from the COUNTY is entirely assumed by the recipient.

Author: Martin County GIS  
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Martin County, FL

A horizontal scale bar with a black segment on the left and a white segment on the right. The number '0' is at the left end, and '450' is at the right end. The word 'Feet' is written below the right end of the bar.

Date: 3/12/2019

This Geographic Information System Map Product, received from Martin County (COUNTY), in fulfillment of a public records request is provided "as is" without warranty of any kind and the COUNTY expressly disclaims all express and implied warranties including but not limited to the implied warranties of merchantability and fitness for a particular purpose. The COUNTY does not warrant, guarantee, or make any representations regarding the use or the results of the use of the information provided to you by the COUNTY in terms of correctness, accuracy, reliability, timeliness or otherwise. The entire risk as to the results and performance of any information obtained from the COUNTY is entirely assumed by the recipient.

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