

Application Materials  
Adoption Hearing  
Rezoning, CPA 19-22 Publix Supermarket FLUM  
May 5, 2020



**GUNSTER**  
FLORIDA'S LAW FIRM FOR BUSINESS

Our Client No: 30531.00030  
Writer's Direct No.: (772) 288-1980  
Writer's E-mail Address: jlong@gunster.com

July 2, 2019

Ms. Nicki van Vonno, AICP  
Growth Management Director  
2401 S.E. Monterey Road  
Stuart, FL 34996

**Re: Rezoning Application Cover Letter  
Publix on SW Kanner Hwy & SW Pratt Whitney Rd**

Dear Nicki:

It is our pleasure to submit on behalf of our client Publix Super Markets, Inc. a Rezoning Application for a 16.72 acre property located on the Southeast corner of Southwest Kanner Highway (SR76) and Southwest Pratt Whitney Road (CR711). This application is one of three concurrent applications being submitted on behalf of our client; together our application consist of a Future Land Use Map Amendment with Concurrent Rezoning and Comprehensive Plan Text Amendment.

Enclosed you will find one (1) paper copy of Rezoning Application materials and one (1) disk which contains an electronic versions of all required documents. Each application checklist item which is not included with our submittal is identified below. For ease of review we use the same numbering system found on the County Checklist.

Rezoning Application

Rezoning Application

14. School Impact Worksheet – Not applicable

If you have any questions or need further information please do not hesitate to contact me at 772-288-1980.

Best regards,

Joshua I. Long, AICP

cc: Client  
Robert S. Raynes, Jr., Esq.  
Enclosures

WPB\_ACTIVE 9496905.1



Martin County, Florida  
Growth Management Department  
DEVELOPMENT REVIEW DIVISION  
2401 SE Monterey Road, Stuart, FL 34996 772-288-5495 [www.martin.fl.us](http://www.martin.fl.us)

## DEVELOPMENT REVIEW APPLICATION

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### A. GENERAL INFORMATION

Type of Application: Zoning Change

Name or Title of Proposed Project: Publix Super Market @ SW Kanner Hwy & Pratt Whitney Ro

#### Brief Project Description:

Three part, concurrent request for a Comp Plan FLUM Application, a Comp Plan Text Amendment and a Rezoning Application for a new Publix Super Market on the SE corner of SW Kanner Hwy & SW Pratt Whitney Road. The 16.72 acre site, is undeveloped and contains Category C zoning designations that are inconsistent with the property's land use designations. Our applications request CG land use and GC zoning for the entire 16.72 acre parcel.

Was a Pre-Application Held? ☐ YES/NO ☒ Pre-Application Meeting Date: \_\_\_\_\_

Is there Previous Project Information? ☐ YES/NO ☒

Previous Project Number if applicable: N/A

Previous Project Name if applicable: N/A

#### Parcel Control Number(s)

18-39-41-000-002-00010-8

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### B. PROPERTY OWNER INFORMATION

Owner (Name or Company): Daniel P. Grealish, L. William Spencer & Thomas B. Grealish

Company Representative: N/A

Address: 1815 Washington Road

City: Pittsburgh, State: PA Zip: 15241

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**C. PROJECT PROFESSIONALS**

**Applicant (Name or Company):** Publix Super Markets, Inc.

Company Representative: Tonya Karcher

Address: 3300 Publix Corporate Parkway

City: Lakeland, State: FL Zip: 33811

Phone: 863-616-5777 Email: tonya.karcher@publix.com

**Agent (Name or Company):** Gunster Law Firm

Company Representative: Robert S. Raynes, Jr., Esq.

Address: 800 S.E. Monterey Commons Blvd., Suite 200

City: Stuart, State: FL Zip: 34996

Phone: 772-288-1980 Email: rraynes@gunster.com

**Contract Purchaser (Name or Company):** Same as Applicant

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Land Planner (Name or Company):** Gunster Law Firm

Company Representative: Joshua I. Long, AICP

Address: 800 S.E. Monterey Commons Blvd., Suite 200

City: Stuart, State: FL Zip: 34996

Phone: 772-288-1980 Email: \_\_\_\_\_

**Landscape Architect (Name or Company):** N/A

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Surveyor (Name or Company):** Bowman Consulting Group

Company Representative: Richard E. Barnes, Jr.

Address: 301 S.E. Ocean Blvd.

City: Stuart, State: FL Zip: 34994

Phone: 772-678-4344 Email: rbarnes@bowmanconsulting.com

**Civil Engineer (Name or Company):** Bowman Consulting Group

Company Representative: Lisa Leonard, P.E.

Address: 301 S.E. Ocean Blvd.

City: Stuart, State: FL Zip: 34994

Phone: 772-678-4344 Email: lleonard@bowmanconsulting.com



## PROJECT PROFESSIONALS CONTINUED

**Traffic Engineer (Name or Company):** O'Rourke Engineering & Planning

Company Representative: Susan E. O'rourke, P.E.

Address: 969 SE Federal Highway, Suite 402

City: Stuart, State: FL Zip: 34994

Phone: 772-781-7918 Email: seorourke@comcast.net

**Architect (Name or Company):** N/A

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Attorney (Name or Company):** Same as Agent

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Environmental Planner (Name or Company):** N/A

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Other Professional (Name or Company):** \_\_\_\_\_

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### D. Certification 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. (125.022(1), Fla. Stat.)



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

**E. 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.

[Signature]  
Applicant Signature

7/2/19  
Date

Robert S. Raynes, Jr.  
Printed Name

**NOTARY ACKNOWLEDGMENT**

STATE OF: Florida COUNTY OF: Martin

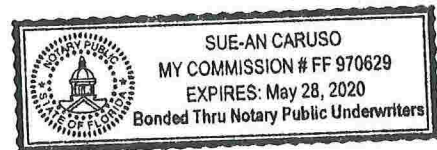
I hereby certify that the foregoing instrument was acknowledged before me this 2nd day of July, 20 19, by Robert S. Raynes, Jr.

He or She is personally known to me or has produced \_\_\_\_\_ as identification.

[Signature]  
Notary Public Signature

Sue-An Caruso  
Printed name

STATE OF: Florida at-large





**Martin County County Florida Growth Management Department**  
**DEVELOPMENT REVIEW DIVISION**  
2401 SE Monterey Road, Stuart, FL 34996  
772-288-5495 [www.martin.fl.us](http://www.martin.fl.us)

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### Digital Submittal Affidavit

I, Joshua I. Long, AICP, attest that the electronic version included for the project Publix on SW Kanner Hwy & SW Pratt Whitney Road 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.

[Signature]  
Applicant Signature

07-03-2019

Date

### NOTARY ACKNOWLEDGMENT

STATE OF: Florida

COUNTY OF: Martin

I hereby certify that the foregoing instrument was acknowledged before me this 3 day of July, 20 19, by Josh Long.

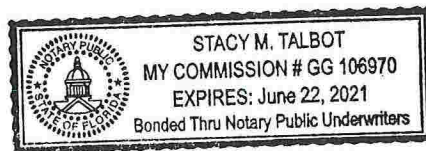
☒ He or She ☐ is personally known to me or        has produced        as identification.

[Signature]  
Notary Public Signature

Stacy Talbot  
Printed name

STATE OF: Florida

at-large







July 2, 2019

Ms. Nicki van Vonno, AICP  
Growth Management Director  
Martin County Administration  
2401 S.E. Monterey Road  
Stuart, FL 34996

**Re: Justification Statement/Narrative  
Future Land Use Map Amendment with Concurrent Rezoning and  
Comprehensive Plan Text Amendment**

Dear Nicki:

It is our pleasure to submit on behalf of our client Publix Super Markets, Inc. a Future Land Use Map Amendment with Concurrent Rezoning and Comprehensive Plan Text Amendment for a 16.72 acre property located on the Southeast corner of Southwest Kanner Highway (SR76) and Southwest Pratt Whitney Road (CR711), herein identified as the "Property." A location map which identifies the Property is included as **Exhibit "A."** It is our client's intent to develop the Property as a 48,387 square foot Publix Supermarket with 9,600 square feet of attached retail; the approval of which will be handled through a separate site plan application after the Future Land Use Map Amendment, Rezoning and Text Amendments have been processed. The proposed Publix will be constructed to comply with the Martin County Building Code and Land Development Regulations.

**Background**

The Property is currently vacant and contains a split land use designation and zoning category, see **Exhibit "B."** The majority of the Property (10.72 acres) has a land use designation of Commercial General with a zoning category of R-3A Liberal Multi-Family, hereinafter the "Commercial Portion". A majority of the Commercial Portion is located within the Martin County Primary Urban Service Boundary, the "USB". However, approximately 1.57 acres of the Commercial Portion is located outside the USB, see **Exhibit "B."** The remaining portion of the Property, located to the east of the Commercial Portion, has a land use designation of Agricultural with a Zoning Category of A-1 Small Farms, hereinafter the "Agricultural Portion," and is located outside of the USB. Notwithstanding the split land use and zoning designations, the property has always been considered as one unified parcel.

As previously mentioned, the Property is located at the intersection of SW Kanner Hwy and SW Pratt Whitney Road, both roads are identified as Arterial Roads on the Martin County Roadway Functional Class and Evacuation Map, see **Exhibit "C."** SW Kanner Hwy is

classified as a Major Arterial and SW Pratt Whitney is classified as a Minor Arterial. The subject intersection is located on the County's Hurricane Evacuation Map and is a critical intersection to provide commercial goods and services for the County during emergency evacuations. Major and Minor Arterial Roads are appropriate for locating Commercial General land use designations.

The Property has approximately 1,204 linear feet of frontage along SW Pratt Whitney Road; of which approximately 719 feet of the frontage is the Commercial Portion of the Property with the remaining 485 feet of the frontage being the Agricultural Portion of the Property. Approximately 10.72 acres of the Property is covered by the Commercial Portion and approximately 6 acres of the Property is covered by the Agricultural Portion.

The subject intersection already contains Commercial land use designations on three (3) of the four (4) corners with the other corner containing a large residential development, see **Exhibit "B."** The existing land use designation and developed use for each corner is identified below:

- Northwest Corner: Land Use – Commercial Limited  
Existing Use – Self-Storage Warehouse
- Southwest Corner: Land Use – Commercial General and Commercial Limited  
Existing Use – Gas Station with Convenience Store
- Northeast Corner: Land Use – Estate Density 2UPA  
Existing Use – Florida Club Residential Development
- Southeast Corner: Land Use – Commercial General and Agricultural  
Existing Use - Vacant

### **The Property is Undevelopable**

The Property is currently undevelopable due to environmental constraints on the Commercial Portion and inappropriate land use and zoning designations on the Agricultural Portion.

#### **Environmental Constraints:**

The Property is 16.72 acres in size with 3.32 acres of wetlands and 3.78 acres of required Upland Preserve/Wetland Buffer. Therefore, a total of 7.1 acres cannot be developed due to environmental constraints. The Commercial Portion of the Property contains approximately 2.857 acres of wetlands. These wetlands extend across the entire length of the Commercial Portion of the Property. Martin County does not allow impacts to wetlands. Furthermore, the County requires Upland Preserves/Wetland Buffers adjacent to all wetlands. The combined prohibition on impacts to wetlands and the requirement of Upland Preserve/Wetland Buffers makes the entire Commercial Portion of the Property undevelopable, see **Exhibit "D."**



#### Inappropriate Land Use and Zoning Designations:

Both, the Commercial Portion and Agricultural Portion of the Property are undevelopable as currently configured due to inappropriate land use and zoning. A mandatory rezoning for both portions of the Property is required.

A rezoning of the Agricultural Portion to the A-20 zoning designation would be required in order to be consistent with the current Agricultural land use designation. However, this is not possible given the fact that the A-20 zoning designation requires a minimum lot size of 20 acres. Currently, the Agricultural land use designation covers only 5.95 acres of the Property. As previously noted the size of the entire Property is only 16.72 acres, well under the 20-acre minimum lot requirements for the A-20 zoning designation. Therefore, a land use and zoning change are required on the Agricultural Portion.

The Commercial Portion's Commercial General land use designation only provides two possible Category A options for rezoning, 1) General Commercial or 2) Community Commercial; there are no other compatible Category A zoning designations for Commercial General land use. General Commercial zoning is the most appropriate zoning for the Property. The Property is strategically located at an important intersection for the area on two arterial roads on a hurricane evacuation route and the Property has historically been intended to be commercial.

#### Future Land Use and Rezoning Request

The Property's environmental constraints requires that alternative development options be explored. The Property contains an adequate amount of non-environmentally sensitive lands within the Agricultural Portion of the Property that could be developed if the entire Property had a land use designation of Commercial General and a zoning category of General Commercial. Publix has created a draft Site Plan that avoids nearly all of the environmentally sensitive lands on the Property and provides the required Upland Preserve/Wetland Buffers, see **Exhibit "E."** The only disturbance to environmentally sensitive areas with the Publix design provided in **Exhibit "E"** is for a secondary access point which is required for fire department and first responder access. Access waivers through environmentally sensitive areas are allowed under the Martin County Environmental Protection Standards and our site plan application will request all required waivers.

If the entire Property was assigned a Commercial General land use and General Commercial zoning then approximately 9.62 acres of the 16.72 could be developable as a commercial use which has long been intended for the Property.

Prior to the Martin County Comprehensive Plan the zoning for the Property was R-3A. In 1982 when the first land use designations were assigned to properties throughout Martin County the Commercial Portion was assigned a land use designation of Commercial General recognizing the intended use of that portion of the Property for commercial purposes. Accordingly, this

Property has long been intended for the type of use Publix is proposing to provide to the community. The proposed 9.62 acres of developable land that would be achieved with these applications is 1.05 acres less than the current acreage (10.77 acres) for the Commercial Portion of the Property.

Assigning the General Commercial land use and zoning designations to the entire Property would also correct the inappropriate land use designation that currently exists on the Agricultural Portion. Changing the Agricultural land use designation that currently exists on the Property to another Agricultural land use designation, such as Agricultural Ranchette or Rural Density would create "spot zoning" because none of those land use categories exist in the immediate area.

Our client has proposed a Comprehensive Plan Sub-Area Development Restriction for the entire Property that would set the maximum non-residential development intensity at 63,810 square feet.

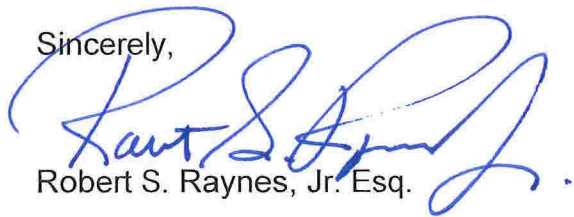
Accordingly, this submittal contains two (2) two-part applications for the following:

1. A concurrent Future Land Use Map Amendment with Rezoning for:
  - a. An Amendment to the Future Land Use Map, [Section 1.1 – An Exhibit of the Martin County Comprehensive Plan] to change the Future Land Use designation on the Agricultural Portion of the Property from Agricultural to Commercial General.
  - b. A Rezoning request to change the zoning on the Commercial Portion and the Agricultural Portion of the Property from R3-A Liberal Multi-family and A-1 Small Farms to General Commercial.
2. A two-part text amendment to:
  - a. Comprehensive Plan Policy 4.1.B.2 to establish sub-area development restrictions for the Property limiting the maximum intensity to 63,810 sq. ft. of non-residential use.
  - b. An alteration of the Primary Urban Service District Boundary (USB) to extend the USB line approximately 599 feet east of the existing USB line to cover the entire Property.

The Commercial General land use and General Commercial zoning designations are the most appropriate designations for the Property. The Property is strategically located at an important intersection for the area that has historically been intended to be commercial. Without the requested Comprehensive Plan amendments and zoning requests the Property cannot be developed because of environmental constraints and inappropriate land use and zoning designations.

Ms. Nicki van Vonno, AICP  
July 2, 2019  
Page 5

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert S. Raynes, Jr.", with a stylized flourish at the end.

Robert S. Raynes, Jr. Esq.

Enclosures

cc:

Client



Consistency with the CGMP:

**5.2 Section 1.11.C(2) – Procedures upon application: Staff can recommend approval of a requested change provided it is consistent with all other elements of this Plan and at least one of the following three situations has been demonstrated by the applicant to exist:**

- (a) Past changes in land use designations in the general area make the proposed use logical and consistent with these uses and adequate public services are available of and growth in the area—in terms of development of vacant land, redevelopment and availability of public services—has altered the character of the area such that the proposed request is now reasonable and consistent with area land use characteristics; or**
- (b) The proposed change would correct an inappropriately assigned land use designation; or**
- (c) The proposed change is a County initiated amendment that would correct a public facility deficiency in a County facility that provides for the health, safety or general welfare of County residents and cannot otherwise be adequately provided in a cost effective manner at locations where the proposed land use is currently consistent with the CGMP.**

**Demonstration of compliance with Section 1.11.C(2)(a):** This application complies with both Section 1.11.C(2)(a) and (b) by addressing the land use changes that have occurred in the area south and west of the Florida Turnpike herein referred to as the “Planning Area,” please see **Exhibit “F.”** The Planning Area has developed into a large residential area within Martin County. The existence of residential homes in this Planning Area requires commercial services be available. Currently, there are no grocery stores in the Planning Area to serve the needs of the residents, see **Exhibit “G.”** Our client intends to build a Publix Super Market to serve the needs of the residents within the Planning Area. Martin County recognized the need for commercial services for the Planning Area by adopting commercial land use designations at the intersection of SW Kanner Hwy and SW Pratt Whitney Road. In fact, the Property was assigned a Commercial General land use designation to meet the needs of this area. However, the portion of the Property that received the Commercial General land use designation is undevelopable due to environmental constraints. This application seeks to expand the Commercial General land use designation to the Agricultural Portion in order to address the commercial needs of the Planning Area.

This application also addresses the inappropriate land use and zoning designations by eliminating the inconsistency that exists with the Commercial and Agricultural Portions of the Property. The Agricultural land use with A-1 Small Farms zoning designation and the Commercial General land use with R-3A zoning are inappropriate land use and zoning designations that renders the Property undevelopable. The most appropriate land use and zoning designations for the Commercial and Agricultural Portions of the Property is the Commercial General land use with the General Commercial zoning.

### **Section 1.5. - Economic Principles**

**A principal goal of Martin County is to promote balanced, orderly, sustainable economic growth by creating and promoting an economic environment consistent with Sec. 1.1 above that will enhance prosperity for all communities and citizens of the County. .... Our environment and quality of life are the foundations for Martin County's economy. Protecting both, while providing for orderly growth and development, is fundamental to our success in maintaining a strong and vibrant economy that is free from over development.**

**Demonstration of compliance with Section 1.5:** The proposed amendment complies with the economic principles of Section 1.5 by implementing the intended plan for commercial services at this intersection. The Property is located at the intersection of two arterial roads. Approximately two-thirds of the Property already has a Commercial General land use designation. However, the Commercial Portion of the Property cannot be developed because of environmental constraints. Assigning a Commercial General land use designation to the remainder of the Property will further the goals of the County by recognizing the use that has historically been intended at this intersection.

### **Compatibility with surrounding uses**

**The CGMP provides that existing residential areas shall be protected from encroachment by incompatible development. This application outlines how the proposed amendment would result in a logical, timely and orderly development pattern which is compatible with the character of the existing land uses in the adjacent and surrounding area.**

**Objective 2.1A. Text amendments to the CGMP and amendments to the FLUM shall allocate land use to provide for compatibility with existing development and long term planning goals.**

### **Policy 2.1A.1: No land uses, or development shall:**

- (1) Exceed 15 units per acre.**
- (2) Have more than four stories. Rebuilding of oceanfront structures on Hutchinson Island to the original building configuration shall not be considered inconsistent with this policy.**
- (3) Be more than 40 feet high. Building height shall be measured as described in the Land Development Regulations.**

**Demonstration of Compliance with Policy 2.1A.1** – Our application is consistent with Objective 2.1A and Policy 2.1A.1 by providing Commercial General land use at the intersection of two arterial roads on a Property which already been assigned Commercial General, but is



currently undevelopable. The requested land use amendments will make possible the historically intended use of the Property for General Commercial purposes.

**Policy 2.1A.2. Existing and future residential areas shall be protected from encroachment by commercial or industrial development or other non-residential uses, which would be incompatible with such residential uses.**

**Demonstration of Compliance with Policy 2.1A.2** – No existing residential areas will be encroached upon by commercial development with this application.

**Goal 4.10 – To provide for adequate and appropriate sites for commercial land uses to serve the needs of the County's anticipated residents and visitors.**

**Demonstration of Compliance with Goal 4.10** - The Property is located at the intersection of two arterial roads and has already been identified as an appropriate location for commercial land use to serve the residents of the Planning Area. The majority of the Property already has a Commercial General land use designation. However, the Commercial Portion of the Property cannot be developed because of environmental constraints. Assigning a Commercial General land use designation to the remainder of the Property will further the goals of the County by recognizing the use that has historically been intended at this intersection.

**Objective 4.10A. To continue using the Land Development Regulations to provide a variety of commercial zoning districts to implement future land use designations and provide sufficient space for a variety of activities.**

**Demonstration of Compliance with Objective 4.10A.** – The proposed amendment complies with Objective 4.10A by providing Commercial General land use and General Commercial zoning which is a very important commercial designation for a major intersection where arterial roads meet and that was historically intended to be used for General Commercial. Providing Commercial General land use at this intersection will provide a variety of commercial uses that are not available with the Limited Commercial land use designations on the NW and SW corners of this intersection.

## **Environmental Protection**

**Section 1.5.D. Protection of the quality of life and the environment in Martin County is a critical factor in economic growth and sustainability. Martin County shall maintain a long-term commitment to improve land and water management plans and practices and to protect and restore environmental resources.**

**Demonstration of Compliance with Section 1.5.D:** Without the requested land use amendments the Property is undevelopable. However, the proposed amendments will allow development of the Property that is consistent with Section 1.5D.

**Section 2.1.** - Martin County has endeavored to establish a Comprehensive Growth Management Plan which broadens, enhances, and protects the quality of life for its residents. The overall goals for the Comprehensive Growth Management Plan are keyed to maintaining quality residential and nonresidential uses, natural resource conservation and preservation of beneficial and protective natural systems, enhanced economic development, and fiscal conservancy.

**Demonstration of Compliance with Section 2.1.** - The Project complies with the Comprehensive Plan by providing much needed Commercial General land use for the residents of the Planning Area. Providing commercial services at arterial roads adjacent to residentially developed areas improves the quality of life for the residents of that area by reducing the drive time associated with getting the common goods and services required for residential life within Martin County. The project also avoids naturally sensitive areas and enhances economic development by providing space for commercial businesses to serve the adjacent residential.

**2.2A.** Martin County shall preserve all wetlands regardless of size unless prohibited by state law.

**Policy 2.2A.1.** All wetlands shall be preserved except as set out in the exceptions listed below. "Wetlands" means those areas that are inundated or saturated by surface water or groundwater at a frequency and a duration enough to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils.

**Demonstration of Compliance with Objective 2.2A. and Policy 2.2A.1** – All wetlands will be preserved in accordance with Objective 2.2A and Policy 2.2A.1, except as set forth in the exceptions that provide for the secondary access point identified on Exhibit "E."

**Policy 2.2B.1.** Except as set forth in Policy 9.1G.11, Martin County shall assure that a minimum of 25% of existing upland native habitat will be preserved in all development where such habitat exists. Additional requirements for native upland habitat that is endangered or threatened, and for unique oak/cabbage palm hammocks are outlined in Chapter 9.

**Demonstration of Compliance with Objective 2.2B. and Policy 2.2B.1.** – The proposed plan will exceed the 25% preservation of existing native upland habitat.

**Policy 2.2B.2.** Upland preservation areas and PAMPs approved by the County to protect them shall be designed and maintained to ensure sustainability.

**Demonstration of Compliance with Policy 2.2B.2.** – Any proposal will incorporate the applicable PAMPS and ensure preservation areas are protected in such documentation in accordance with CGMP and Land Development Regulation policies as they pertain to



environmental protections in place that govern the development parameters and protection measures of a property.

**Policy 2.2B.3.** Martin County shall protect native habitats utilized by species that are designated by the federal government and the State of Florida as "Endangered" or "Threatened."

**Demonstration of Compliance with Policy 2.2B.3.** – The proposal will follow strict policy requirements regarding the protections of native habitats in accordance with federal, state and local policy protection measures and permitting in place.

#### **Concurrency**

**Policy 2.3B.1.** Martin County shall enforce the concurrency standards

**Demonstration of Compliance with Policy 2.3B.1.** – Infrastructure will be provided through the existing planned and funded infrastructure.

**Policy 2.3B.4.** No FLUM amendment or text amendments shall lessen the requirements of this Plan to provide an acceptable level of public services

**Demonstration of Compliance with Policy 2.3B.4.** – The proposed amendments do not lessen the requirements of this Plan to provide an acceptable level of public services and will actually promote the use of existing utilities already located adjacent to the property.

**Policy 4.1B.2.** Analysis of availability of public facilities.

**Demonstration of Compliance with Policy 4.1B.2.** The majority of the Property is located within the USB. Adequate water and sewer supplies exist to support the proposed development within the Utility Department's planning horizon. The traffic analysis indicates that adequate infrastructure exists for the proposed project.

**Policy 4.7A.1.** Designation of land uses to support urban services.

**Demonstration of Compliance with Policy 4.7A.1.** – A majority of the Property is already located inside the USB. Extension of the USB on the remainder of the Property and the development of the property will result in uses that support the existing USB and provide for efficient delivery of urban services. Urban services are intended to be extended to the property to accommodate water and sewer.

**Policy 4.7A.2.** Development in Primary Urban Service District

**Demonstration of Compliance with Policy 4.7A.2.** – All non-residential uses will be located within the Primary Urban Service District as a result of the modification of the USB.

**Policy 4.7A.6.** Any proposed amendment to either the Primary Urban Service District or the Secondary Urban Service District boundaries shall be considered only after the regular update to the Residential Capacity Analysis and an analysis that public facilities are available to fully serve land in the two existing urban service districts as well as any potential expansion of an urban service district. The Board of County Commissioners must adopt both studies before applications for amendments to the Primary or Secondary Urban Service Districts can be determined complete.

**Demonstration of Compliance with Policy 4.7A.6.** – The Residential Capacity Analysis is inapplicable in this case because we are requesting Commercial General land use on the Agricultural Portion of the Property. Public facilities are available to fully serve land in the existing USB as well as the proposed expansion of the USB for this project.

***Policy 4.7A.7. Allowed alterations to the Primary Urban Service District boundary.*** The Primary Urban Service District boundaries delineated on Figure 4-2 (Urban Services District Boundary Map) are intended to separate urban from nonurban areas. The land uses and intensity of development permitted in the Primary Urban Service District and development in the district must have all public facilities and services at adopted LOS standards. Therefore, during consideration of any expansion, creation or contraction of these boundaries through the plan amendment process, the Board of County Commissioners must find that the requested alteration to the Primary Urban Service District boundary will:

- (1) Not create any internal inconsistency with other elements of the adopted CGMP;
- (2) Not result in incompatibilities with adjacent land uses;
- (3) Not adversely impact environmental, natural, historical or archaeological resources, features or systems to a degree that is inconsistent with this Plan;
- (4) Be consistent with Goal 4.9 relating to appropriate residential land use capacities;
- (5) Demonstrate that reasonable capacity does not exist on suitable land in the existing Primary Urban Service District for the 15-year planning period. For the purpose of this subsection, "reasonable" means available for development from the standpoint of environmental concerns, efficient use and expansion of public facilities and services, or availability of development sites in relationship to the projected needs of the population;
- (6) Demonstrate that the land affected is suitable for urban uses; at a minimum, unsuitable uses include environmentally sensitive areas (to the degree they are protected by this Plan), prime agricultural areas, prime groundwater recharge areas and critical habitat for endangered or threatened species. This criterion is not intended to



preclude development of surrounding lands provided that the unsuitable areas are fully protected;

(7) Demonstrate that the full range of urban public facilities and services can be economically and efficiently supplied at the adopted LOS standards; and

(8) Be consistent with the adopted Capital Improvements Element.

**Demonstration of Compliance with Policy 4.7A.7.** - The proposal does not create any internal inconsistencies with the CGMP and actually will correct inconsistencies and inappropriate land use and zoning designations that currently exist on the Property. A majority of the Property is already located inside the USB. However, a portion of the Property that currently has a land use designation of Commercial General is located outside the USB. Extension of the USB on the remaining portion of the Property will correct this inconsistency. The proposed land use change will not result in incompatibilities with the adjacent land uses because the current Commercial General portion of the Property abuts Agricultural land uses that already exist within the area. As it currently stands the property is undevelopable due to existing environmental constraints. However, the requested land use change will protect the existing wetlands while at the same time providing development rights for the property owners and commercial services for the Planning Area. The proposal is not inconsistent with Goal 4.9, because residential land use designations are not being requested. The Property has historically been intended to be developed as a commercial property. A full range of public facilities and services are currently available and located adjacent to the Property.

## **Proposed Types of Use**

**Policy 4.10A.1. Diverse commercial zoning districts.** Appropriate zoning districts shall be provided, at a minimum, for research and development facilities; targeted industries; business and professional offices; general retail sales and services; limited commercial uses; wholesale trades and services; and marine waterfront commercial uses.

**Demonstration of Compliance with Policy 4.10A.1.** The proposed application complies with this policy by providing much needed General Commercial uses at a location intended for General Commercial. The Property is located at the intersection of two arterial roads in a heavily developed residential area that lacks General Commercial uses to serve the residents of that area.

**Objective 4.10B. To consider the space requirements and location of commercial development and its impact on a community when assigning commercial future land use designations.**

**Demonstration of Compliance with Objective 4.10B.-** The commercial development proposed will not negatively impact the existing community. The proposed commercial uses



will provide services that compliment and support the community and that were intended to be located at this intersection prior to the creation of the Comprehensive Plan.

**Policy 4.10B.1. Criteria for commercial land use designation.** The following criteria, at a minimum, shall be used for assigning a commercial land use designation at a given location on the Future Land Use Map:

- (1) Trip generation characteristics; impact on existing and planned transportation facilities; and ability to achieve functional internal circulation and a landscaped parking area.
- (2) Specific needs of commercial activities, such as market area, anticipated employment generation and floor area requirements.
- (3) Compatibility with and impact on other surrounding commercial activities.
- (4) Relationship to surrounding land uses and natural systems.
- (5) Impact on existing and planned community services and utilities.

**Demonstration of Compliance with Policy 4.10B.1.** – A majority of the Property is already within the USB and has a Commercial General land use designation. Utilities exist right outside of the Property's boundary along the western portion of the Property as shown on the survey submitted with this application. Our Traffic Analysis shows conformance with the Martin County Traffic Performance Standards and the proposed application meets the commercial needs of the residents within the immediate area. The Property is located at the intersection of two arterial roads. Commercial land uses currently exists at this intersection and are consistent with the intended uses for a major intersection.

**Policy 4.10B.2. Criteria for siting commercial development.** Commercial development shall be strategically directed to areas best able to accommodate its specific requirements of land area, site, public facilities and market location. The aim is to promote efficient traffic flow along thoroughfares, achieve orderly development and minimize adverse impacts on residential quality.

**Demonstration of Compliance with Policy 4.10B.2.** – The proposed commercial is strategically located and intended at the intersection of two arterial roads in compliance with the Martin County Growth Management Policy on siting of commercial development. The two arterial roads serve the residents within the Planning Area. This substantial residential area has limited Commercial availability of services and the proposed application will provide much needed commercial services for those residents.

**Policy 4.10B.3. Avoidance of strip commercial development.** Changes in land use designation shall not be granted if the Board of County Commissioners finds (upon review by the Local Planning Agency) that the change will lead or contribute to a proliferation of strip commercial development. The existence of commercial areas on one corner shall not dictate development with the same or similar use on all corners.

**Nor shall the existence of commercial development on a major thoroughfare dictate similar use for all frontages. Mixed-use development shall not be considered strip commercial development.**

**Demonstration of Compliance with Policy 4.10B.3.** The proposed application is not strip commercial development. The intersection has long been designated as location for commercial activity. The Property itself has long been designated as an appropriate location for Commercial General land use. This application follows the already established commercial siting pattern established by Martin County for commercial at this intersection.

## **Expanding the Urban Service District**

**Goal 4.1. To manage growth and development in a way that is fiscally efficient, consistent with the capabilities of the natural and manmade systems and maintains quality-of-life standards acceptable to Martin County's citizens.**

**Demonstration of Compliance with Goal 4.1.** The project will provide for fiscally efficient managed growth by clustering development in the area currently adjacent to the USB, while protecting environmentally sensitive habitat.

### **Policy 4.1B.2. Analysis of availability of public facilities.**

**Demonstration of Compliance with Policy 4.1B.2.** Adequate water and sewer services exist to support the proposed development within the Utility Department's planning horizon and are currently adjacent to the Property. The traffic analysis indicates that adequate infrastructure exists for the proposed project.

**Policy 4.7C.2. Orderly Expansion of the Primary or Secondary Urban Service District.** Martin County shall not establish new, isolated, Primary or Secondary Urban Service Districts. Orderly expansion shall be on land contiguous to an existing Primary or Secondary Urban Service District, if a determination of need is made consistent with policies supporting Objective 4.7A. or Objective 4.7B., respectively

**Demonstration of Compliance with Policy 4.7C.2 -** A majority of the Property is already located within the USB. An expansion of USB, on the remainder of the Property, will provide for the orderly expansion of the USB and does not establish new isolated service districts.

## **Addressing Urban Sprawl**

In 2011 the Florida legislation adopted HB 7207 that amends the Growth Management Act, F.S. §163.3177(3)(a)9. Under HB 7207, requiring any amendment to the Future Land Use Element of the County's Comprehensive Plan to discourage urban sprawl. The statute defines "urban sprawl" as "a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a



clear separation between urban and rural uses.” The statute provides a list of **thirteen “primary indicators”** that a plan amendment “does not discourage the proliferation of urban sprawl.” HB 7207 provides an additional eight criteria, of which four must be met, in order to judge whether an amendment can be determined to discourage the proliferation of urban sprawl.

The evaluation of presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

- (1) ***Promotes, allows, or designates for development substantial areas of the jurisdiction as low-intensity, low-density, or single-use development or uses.***

**Response:** No. A majority of the Property already has a Commercial General land use designation. The application proposes the extension of Commercial General land use across the remainder of the Property.

- (2) ***Promotes, allows, or designates significant amounts of urban development to occur in rural areas as substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.***

**Response:** No. A portion of the Property is already located within the USB. The Property is located adjacent to several residential communities and is therefore not a substantial distance from existing urban areas. Most of which, are already served by water, sewer and other public facilities.

- (3) ***Promotes, allows, or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments.***

**Response:** No. The application calls for compact commercial development on a Property which has always been intended for commercial development.

- (4) ***Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.***

**Response:** No. The application will protect wetlands and native habitats by providing development opportunities without impacting environmentally sensitive areas.

- (5) ***Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silviculture activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.***

**Response:** No. The subject property has never been used for agricultural purposes.

**(6) *Fails to maximize use of existing public facilities and services.***

**Response:** No. Water and Sanitary service will be provided to the site via existing Martin County Utilities water and wastewater pipes already located adjacent to the Property.

**(7) *Fails to maximize use of future public facilities and services.***

**Response:** No. The site will utilize existing public facilities and services which are already located directly adjacent to the Property.

**(8) *Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.***

**Response:** No. The Property is located at the intersection of two arterial roads which is a very efficient and appropriate location which decreases the costs associated with providing services to the area.

**(9) *Fails to provide a clear separation between rural and urban uses.***

**Response:** No. The requested Comprehensive Plan amendments does not affect the current separation between urban and rural uses.

**(10) *Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.***

**Response:** No. The project does not discourage or inhibit infill development or redevelopment within the Planning Area. The proposed amendment will actually allow for the development of the Property as historically intended.

**(11) *Fails to encourage a functional mix of uses.***

**Response:** No. The proposed land use amendments allows and encourages a functional mix of uses by providing Commercial General uses that do not exist within the Planning Area.

**(12) *Results in poor accessibility among linked or related land uses.***

**Response:** No. The project does not create poor accessibility links between related land uses as it is located at the intersection of two major arterial roads.



**(13) *Results in the loss of significant amounts of functional open space.***

**Response:** No. The proposed preservation of wetlands and upland habitat will enable those systems to continue to provide ecosystem services.

Florida Statute provides an additional eight criteria in order to judge whether an amendment can be determined to discourage the proliferation of urban sprawl. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl, if it incorporates a development pattern or urban form that achieves four or more of the following eight factors:

**(1) *Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.***

**Response:** Yes. The proposed application directs economic growth away from environmentally sensitive areas, thereby reducing any adverse impact of the natural resources or the ecosystem.

**(2) *Promotes the efficient and cost-effective provision or extension of public infrastructure and services.***

**Response:** Yes. The proposed amendment utilizes existing utility connection which are already adjacent to the Property.

**(3) *Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.***

**Response:** Yes. The proposed project will provide additional walkways and connection points from both Southwest Kanner Highway and Pratt Whitney Road.

**(4) *Promotes conservation of water and energy.***

**Response:** Yes. The proposed Publix will promote energy conservation by provide goods and services to the residents in the Planning Area, thereby reducing greenhouse gas emissions by reducing travel times and distances. Publix works diligently to reduce their carbon intensity, Publix partners with conservation organizations to help conserve energy and Publix recycles 100's of 1,000's of tons of material each year. More information on Publix's sustainability programs can be found at [www.Publix.com/sustainability](http://www.Publix.com/sustainability)



- (5) *Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.***

**Response:** Not applicable. The Property has never been used for agricultural purposes.

- (6) *Preserves open space and natural lands and provides for public open space and recreation needs.***

**Response:** Yes. The application will protect a large area of wetlands and native upland habitat.

- (7) *Creates a balance of land uses based upon demands of the residential population for the non-residential needs of an area.***

**Response:** Yes. The application will provide Commercial General land use which will serve a large residential population west of the Florida Turnpike.

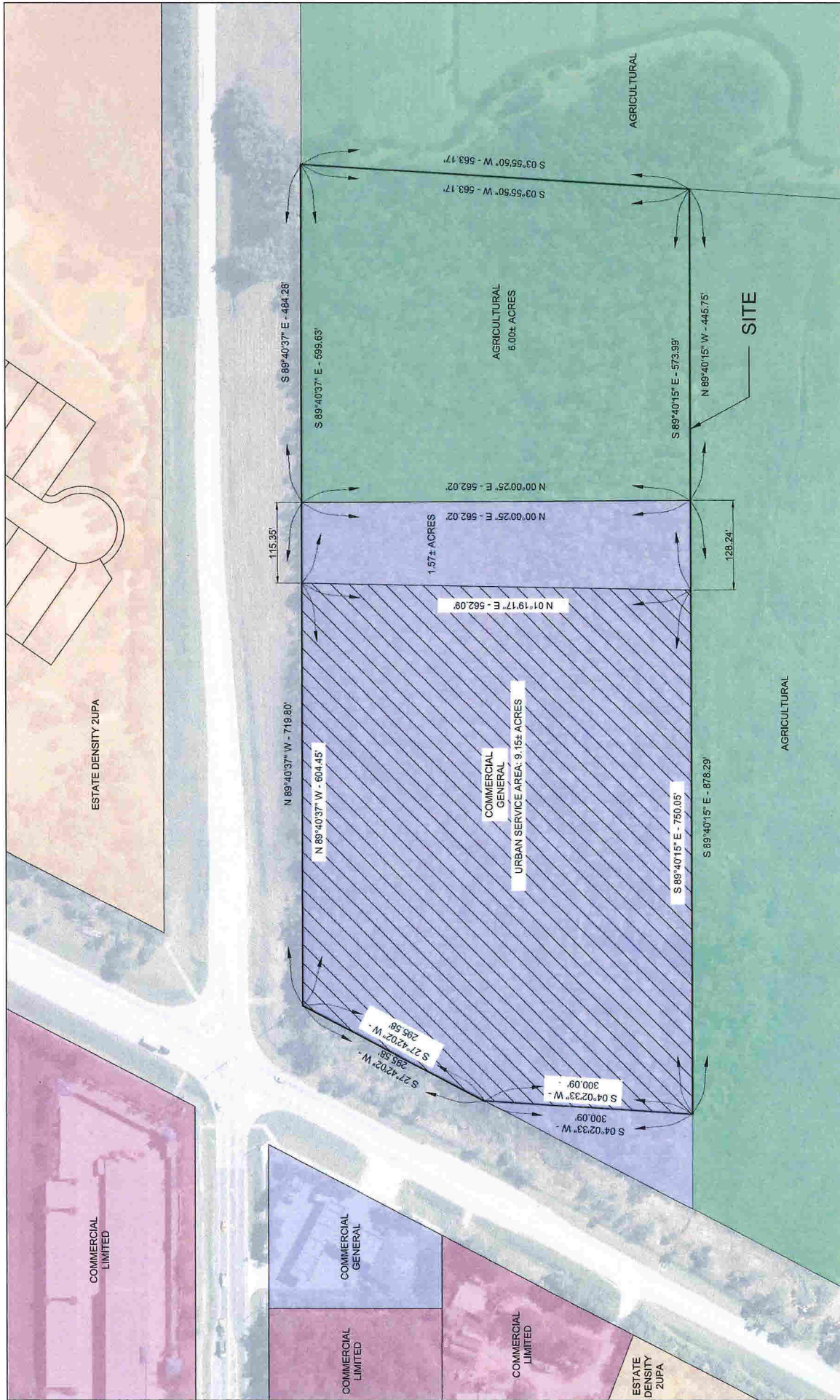
- (8) *Provides uses, densities, and intensities of use and urban form that would remediate an existing of planned development pattern such as transit-oriented developments or new towns.***

**Response:** Not applicable. Transit oriented development and urban development are not appropriate for this location.



<b>Bowman</b> <b>C O N S U L T I N G</b> Professional Engineers, Certificate of Authorization License No. 30452 Professional Surveyors and Mappers, Certificate License No. LB. 8030			LOCATION MAP		Grocery Store Florida SR 76 & Pratt Whitney Road Stuart, FL 34997		DATE June 2019
301 SE Ocean Blvd. Suite 301, Stuart, FL 34994 Phone: (772) 283-4413 Fax: (772) 283-7881 <a href="http://www.bowmanconsulting.com">www.bowmanconsulting.com</a> © Bowman Consulting Group, Ltd.			FILE NO. 010529-EXHIBITS	DRAWN BY GC	CHECKED BY VF	PROJECT NO. 010529-02-001 SCALE: 1"=200' SHEET EX A	





URBAN SERVICE BOUNDARY



DATE	June 2019
PROJECT NO.	010529-02-001
SCALE	1"=200'
SHEET	EX B

Grocery Store  
Florida SR 76 & Pratt Whitney Road  
Stuart, FL 34997

# FUTURE LAND USE/URBAN SERVICE BOUNDARY OVERLAP EXHIBIT

CHECKED BY  
VF

DRAWN BY  
GC

FILE NO.  
010529-EXHIBITS

**Bowman**  
CONSULTING  
Professional Engineers, Certificate of Authorization License No. 30462  
Professional Surveyors and Mappers, Certificate License No. LB, 8030

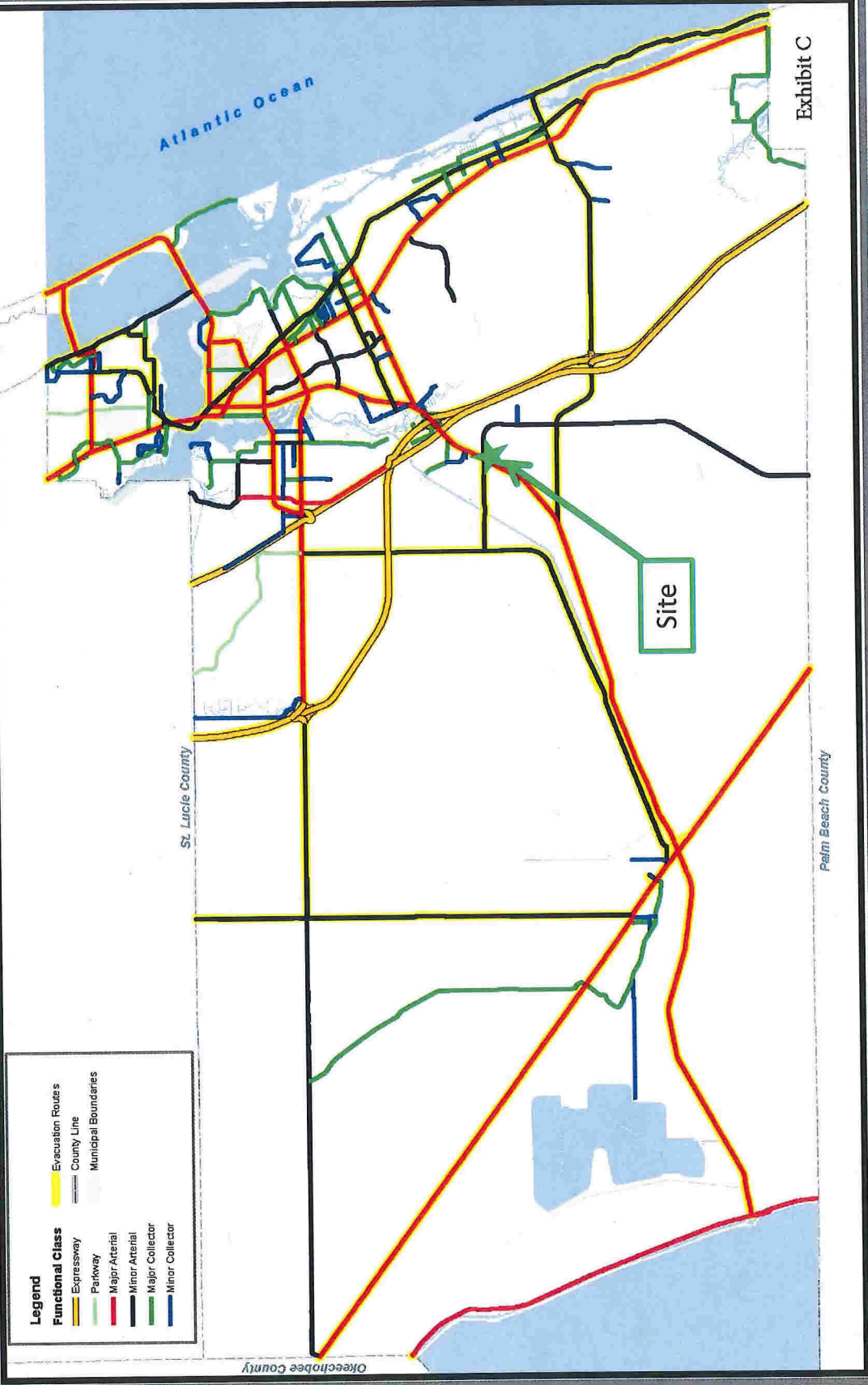
Bowman Consulting Group, Ltd., Inc.  
301 SE Ocean Blvd.  
Suite 301, Stuart, FL 34954  
Phone: (772) 282-1413  
Fax: (772) 282-7881  
www.bowmanconsulting.com  
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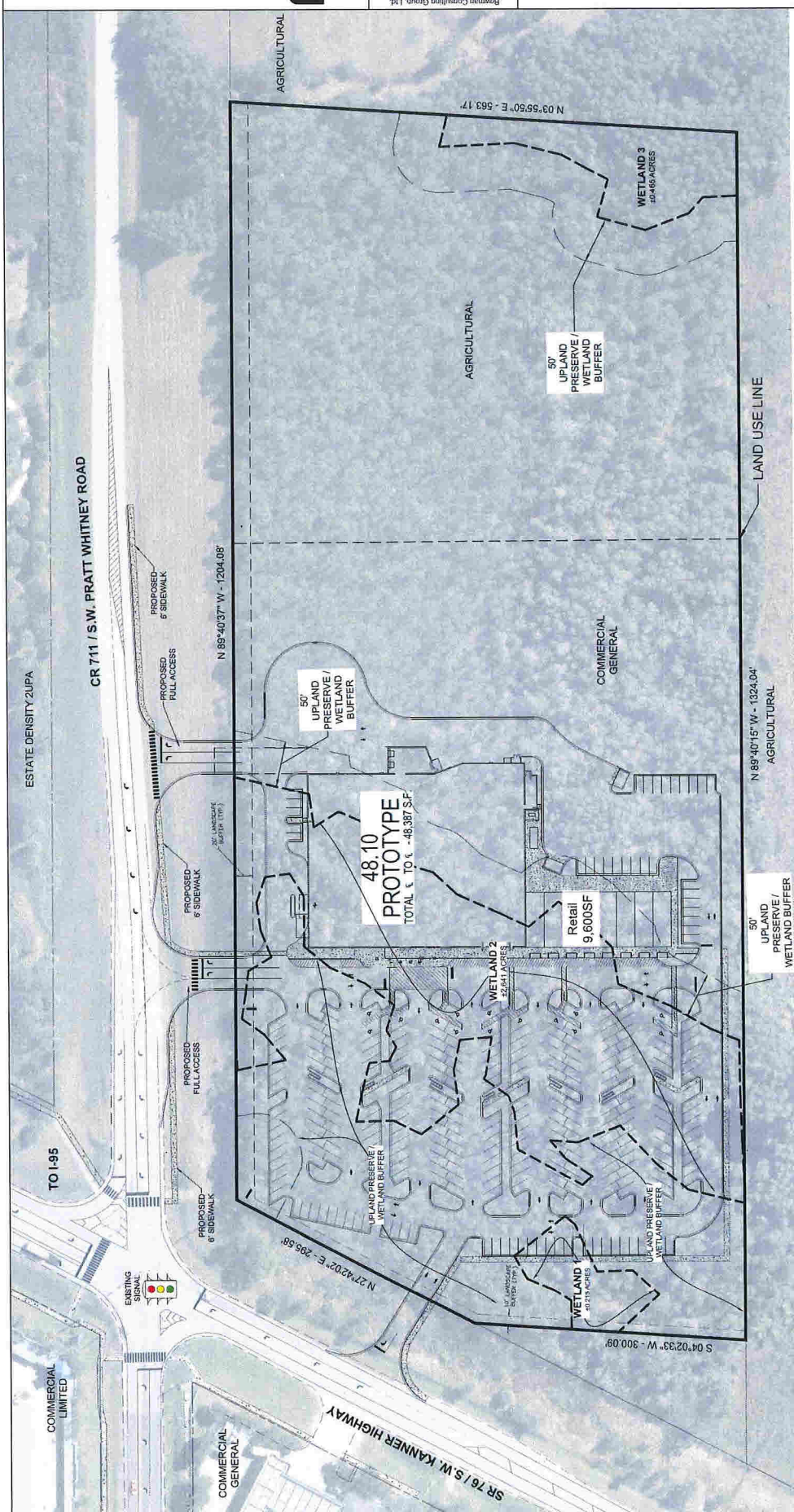
**Martin County**

**2017 Transportation Map  
Roadway Functional Class and Evacuation  
Figure 5-1A**

October 24, 2017








GRAPHIC SCALE

1" = 50'



## SITE PLAN

FRONT	25'
REAR	25'
SIDE	20'

MAX BUILDING HEIGHT	40'
MAX BUILDING COVERAGE	60%
MIN OPEN SPACE	20%

TOTAL SITE AREA	728,181 SF	16.72 AC	100%
WETLAND AREA	144,654 SF	3.32 AC	20%
UPLAND AREA	583,527 SF	13.40 AC	80%
TOTAL UPLAND AREA	583,527 SF	13.40 AC	100%
UPLAND PRESERVE	164,457 SF	3.78 AC	28%
UPLAND DEVELOPED AREA	419,070 SF	9.62 AC	72%
TOTAL WETLAND	144,654 SF	3.32 AC	100%
WETLAND MITIGATION	6,961 SF	0.16 AC	5%
WETLAND PRESERVED	137,693 SF	3.16AC	95%
TOTAL DEVELOPMENT AREA	419,070 SF	9.62 AC	100%
IMPERVIOUS AREA	286,674 SF	6.58 AC	68%
BUILDING AREA	57,987 SF	1.33 AC	14%
PAVEMENT AREA	228,687 SF	5.25 AC	54%
PERVIOUS AREA	132,396 SF	3.04 AC	32%
OPEN SPACE AREA	85,970 SF	1.97 AC	21%
DETENTION AREA	46,426 SF	1.07 AC	11%

TOTAL PARKING PROVIDED:	295 / (57,987/1000) = 5.09 PARKING RATIO INCLUDES 14 HANDICAP SPACES
TOTAL CODE PARKING REQUIRED	57,987 / 250 = 231 SPACES REQUIRED

SECTION 4.663.B.

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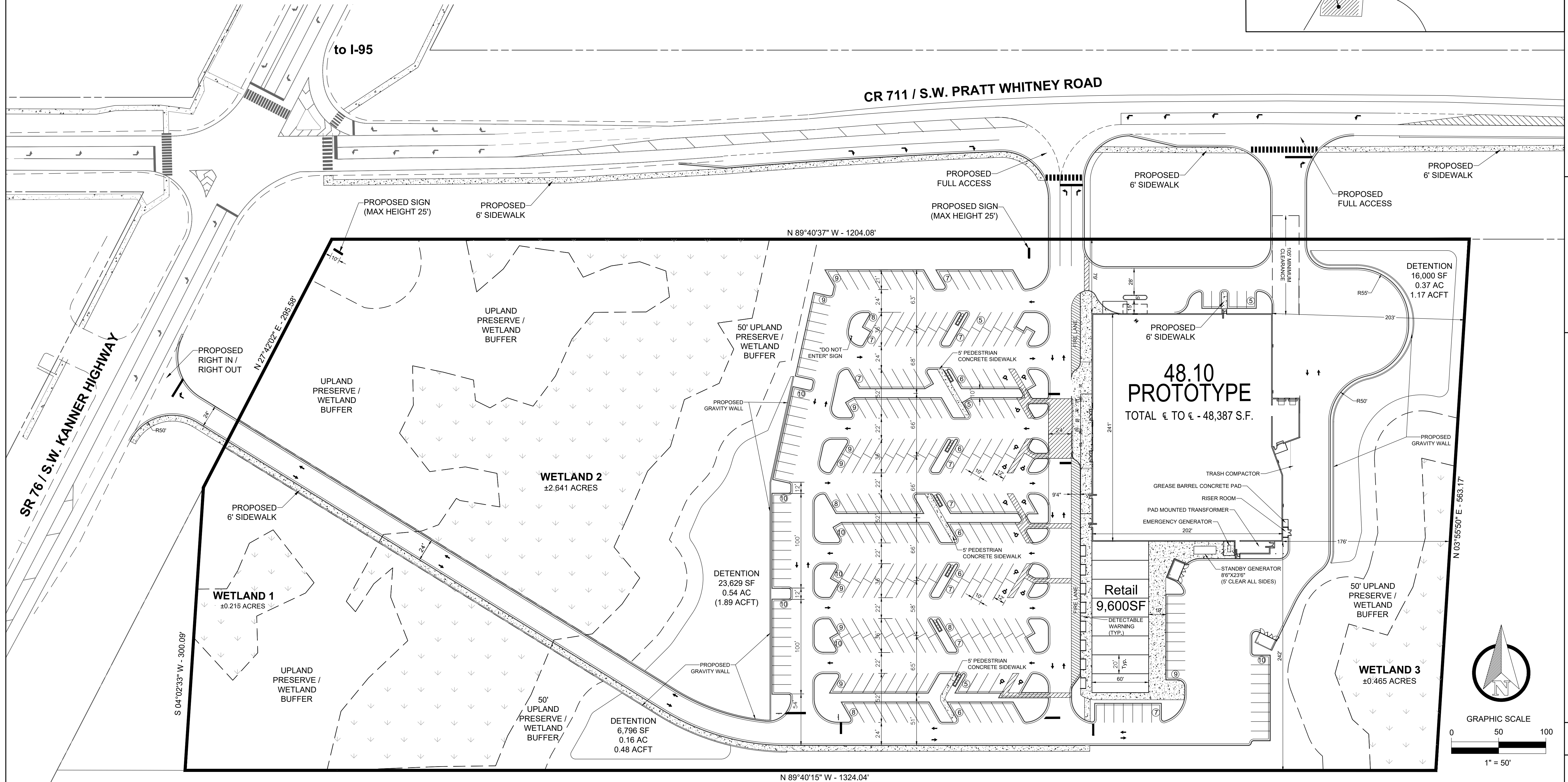
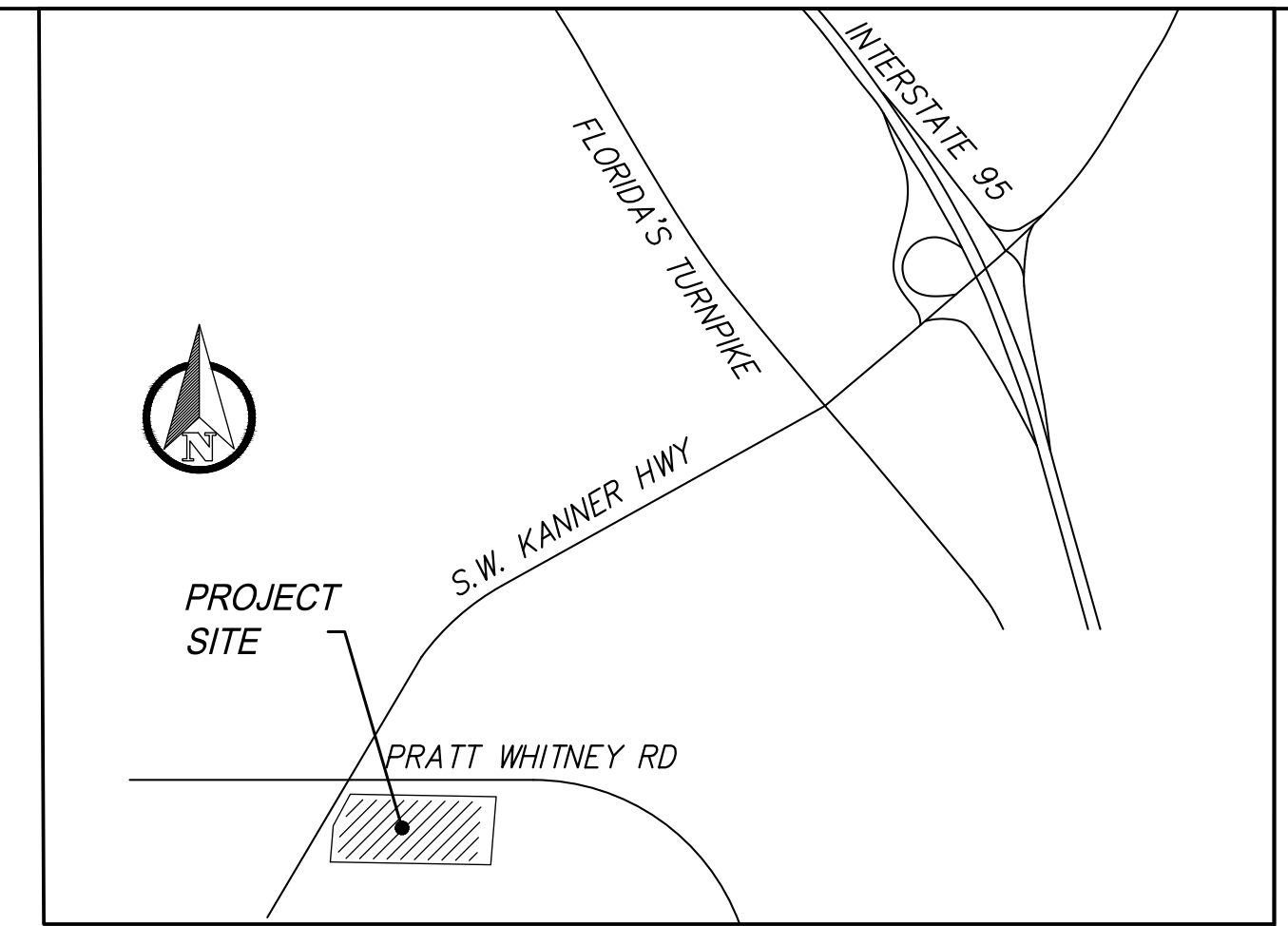
500 SF OF LANDSCAPE PER 5,000 SF OF PAVEMENT

111,700 SF / 5,000 X 500 = 22,869

REQUIRED: 22,869 SF

PROVIDED: 43,731 SF

EX. ZONING:	R-3A LIBERAL MULTI-FAMILY / A1
EX LAND USE:	COMMERCIAL GENERAL / AUG
FUTURE ZONING:	GC - GENERAL COMMERCIAL / A1
FUTURE LAND USE:	COMMERCIAL GENERAL / AUG



## SITE PLAN

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY BOWMAN CONSULTING SHALL BE WITHOUT LIABILITY TO BOWMAN CONSULTING.

**Bowman Consulting Group, Ltd.**  
301 SE Ocean Blvd,  
Suite 301, Stuart, FL 34994  
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[www.bowmanconsulting.com](http://www.bowmanconsulting.com)  
© Bowman Consulting Group, Ltd.

GROCERY STORE  
Florida SR 76 & Pratt Whitney Road  
Stuart, FL 34997

DATE  
04/18/19

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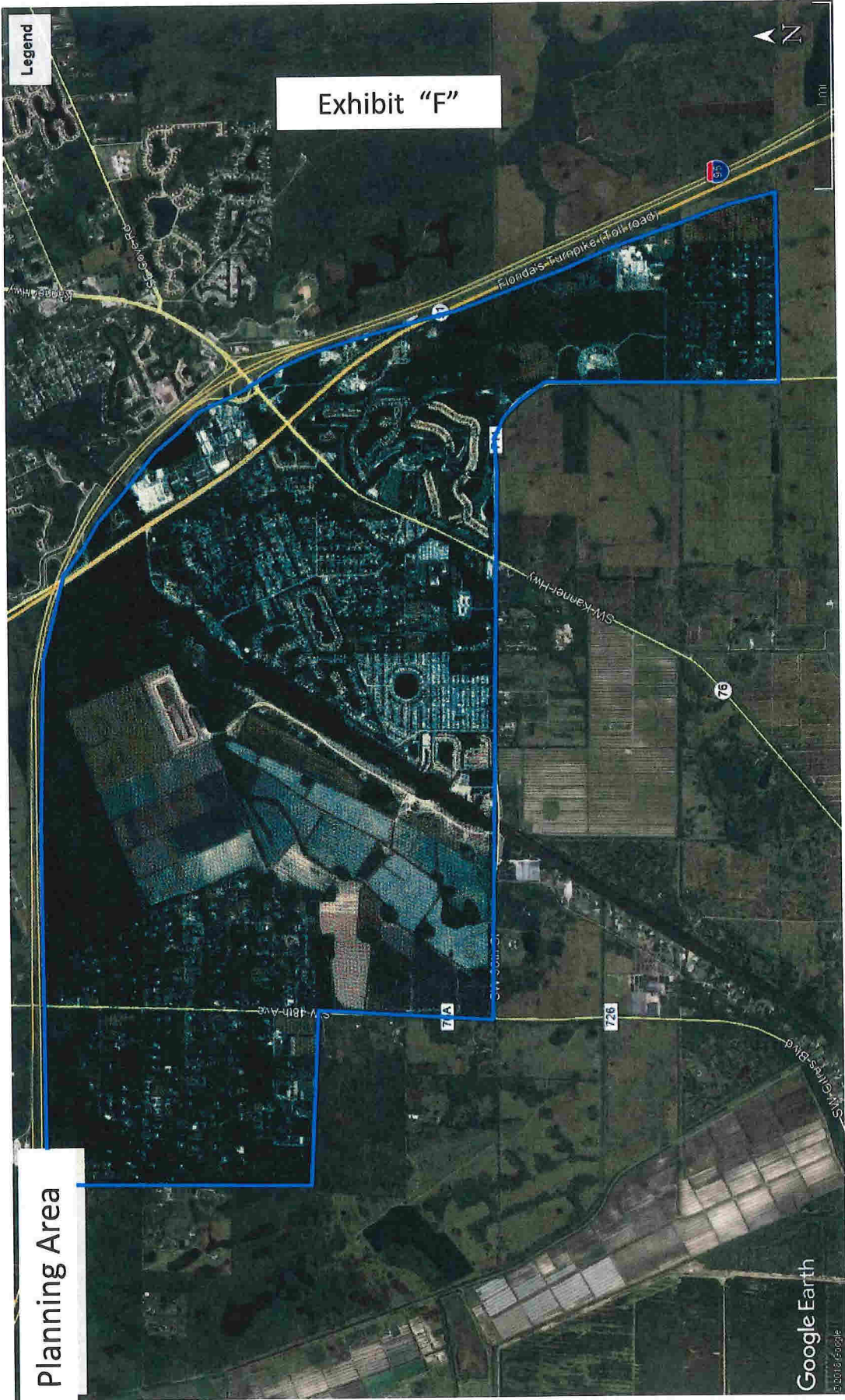
PROJECT NO.  
010529-001

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SHEET  
**EX-E**

**Bowman**  
CONSULTING



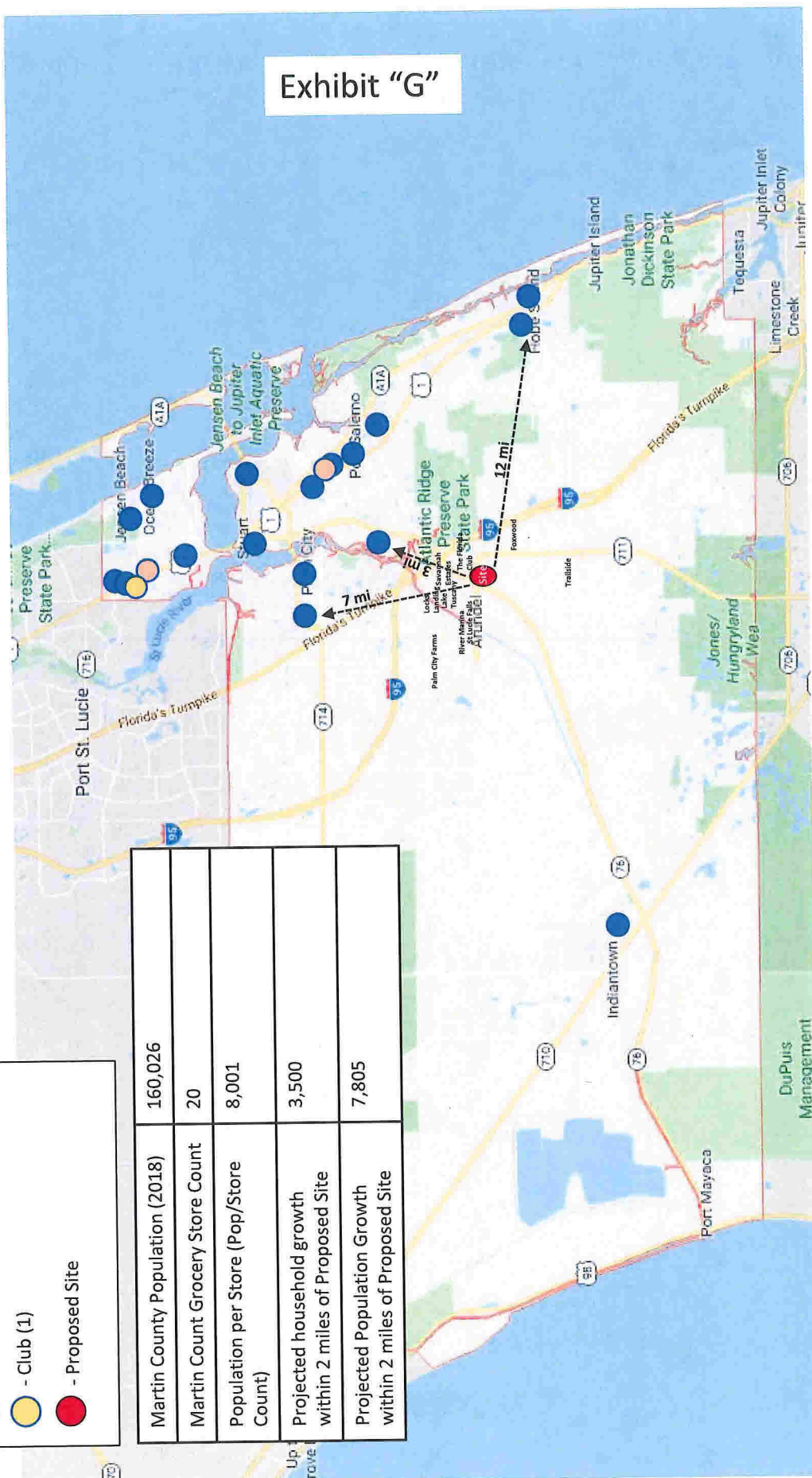


# Martin County Grocery Demand

Exhibit "G"

- Supermarket (17)
- Mass Merchandiser (2)
- Club (1)
- Proposed Site

Martin County Population (2018)	160,026
Martin Count Grocery Store Count	20
Population per Store (Pop/Store Count)	8,001
Projected household growth within 2 miles of Proposed Site	3,500
Projected Population Growth within 2 miles of Proposed Site	7,805





## LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that We, Douglas A. Reichert Jr. and James. D. Reichert, as Co-Successor Trustees of the Martha D. Reichert Revocable Trust dated June 4, 1999 ("Owner"), do hereby authorize Publix Super Markets, Inc., a Florida corporation ("Publix"), to represent the Owner, with respect to that certain land consisting of approximately sixteen and seventy-one hundredths (16.71) acres +/- located on the southeast corner of Kanner Highway and Pratt Whitney Road, Stuart, Martin County, Florida, being more particularly described on Exhibit A (the "Property"), of which Publix is under contract with the Owner to purchase, in any and all matters pertaining to zoning, land use, and operational approvals requested from all governmental and quasi-governmental authorities having jurisdiction over the Property and from all other persons or entities that are necessary or desirable for the development and operation of the Property for Publix's intended use and intended improvements, including, but not limited to: zoning approvals, variances and the like, conditional use approvals, building permits, site/land development permits, curb cut permits, site plan approvals, water and sanitary sewer tap permits, stormwater approvals, and utility permits and approvals, and any and all other permits, approvals, consents and/or any other documents which may be deemed necessary or desirable in order for Publix to develop and construct its intended improvements upon the Property. This authorization shall continue until revoked by the Owner or until Publix acquires fee simple title to the Property.

Martha D. Reichert Revocable Trust dated June 4, 1999

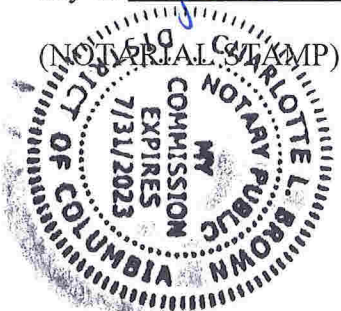
By: Douglas A. Reichert Jr.  
Name: Douglas A. Reichert Jr.  
Title: Co-Successor Trustee

STATE OF DISTRICT  
COUNTY OF COLUMBIA

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of DISTRICT and in the County of COLUMBIA to take acknowledgments, personally appeared Douglas A. Reichert Jr., Co-Successor Trustee of the Martha D. Reichert Revocable Trust dated June 4, 1999, to me known to be the person described herein and who executed the foregoing, and acknowledged before me that he executed same, on behalf of the company. He/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 4<sup>th</sup> day of JUNE, 2019.

(NOTARIAL SEAL)



Charlotte S. Brown  
Notary Public  
My Commission Expires: 7/31/2023

By: James D. Reichert  
Name: James D. Reichert  
Title: Co-Successor Trustee

STATE OF CO  
COUNTY OF Denver

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of CO and in the County of Denver to take acknowledgments, personally appeared James D. Reichert, Co-Successor Trustee of the Martha D. Reichert Revocable Trust dated June 4, 1999, to me known to be the person described herein and who executed the foregoing, and acknowledged before me that he executed same, on behalf of the company.

He/She is [ ] personally known to me or [X] has produced CO-DL as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 4 day of June, 2019.

(NOTARIAL STAMP)

Notary Public  
My

Aubrey M. O'Neal  
Commission Expires 09/25/2021

Expires: 09/25/2021



**EXHIBIT "A"**  
LEGAL DESCRIPTION

**The North One-Half (N ½) of Lot 2, Section 18, TROPICAL FRUIT FARMS, according to the Plat thereof, as recorded in Plat Book 3, Page 6, of the Public Records of Palm Beach County, Florida, LESS AND EXCEPT the North 100 feet thereof and also LESS AND EXCEPT the right of way for Kanner Highway.**



## LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, Thomas B. Grealish, ("Owner"), do hereby authorize Publix Super Markets, Inc., a Florida corporation ("Publix"), to represent the Owner, with respect to that certain land consisting of approximately sixteen and seventy-one hundredths (16.71) acres +/- located on the southeast corner of Kanner Highway and Pratt Whitney Road, Stuart, Martin County, Florida, being more particularly described on Exhibit A (the "Property"), of which Publix is under contract with the Owner to purchase, in any and all matters pertaining to zoning, land use, and operational approvals requested from all governmental and quasi-governmental authorities having jurisdiction over the Property and from all other persons or entities that are necessary or desirable for the development and operation of the Property for Publix's intended use and intended improvements, including, but not limited to: zoning approvals, variances and the like, conditional use approvals, building permits, site/land development permits, curb cut permits, site plan approvals, water and sanitary sewer tap permits, stormwater approvals, and utility permits and approvals, and any and all other permits, approvals, consents and/or any other documents which may be deemed necessary or desirable in order for Publix to develop and construct its intended improvements upon the Property. This authorization shall continue until revoked by the Owner or until Publix acquires fee simple title to the Property.



Name: Thomas B. Grealish


STATE OF Pennsylvania

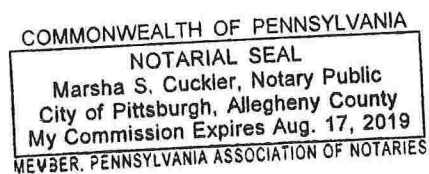
COUNTY OF Allegheny

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of Pennsylvania and in the County of Allegheny to take acknowledgments, personally appeared Thomas B. Grealish, to me known to be the person described herein and who executed the foregoing, and acknowledged before me that he executed same, on behalf of the company. He/She is [ ] personally known to me or [X] has produced PA Drivers License as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 13 day of May, 2019.

(NOTARIAL STAMP)

  
Notary Public  
My Commission Expires: \_\_\_\_\_



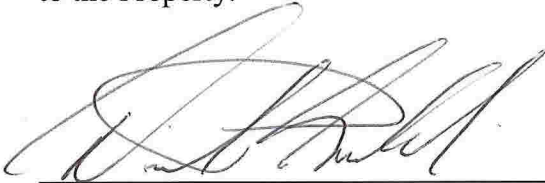
**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**The North One-Half (N ½) of Lot 2, Section 18, TROPICAL FRUIT FARMS, according to the Plat thereof, as recorded in Plat Book 3, Page 6, of the Public Records of Palm Beach County, Florida, LESS AND EXCEPT the North 100 feet thereof and also LESS AND EXCEPT the right of way for Kanner Highway.**



## LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, Daniel P. Grealish, ("Owner"), do hereby authorize Publix Super Markets, Inc., a Florida corporation ("Publix"), to represent the Owner, with respect to that certain land consisting of approximately sixteen and seventy-one hundredths (16.71) acres +/- located on the southeast corner of Kanner Highway and Pratt Whitney Road, Stuart, Martin County, Florida, being more particularly described on Exhibit A (the "Property"), of which Publix is under contract with the Owner to purchase, in any and all matters pertaining to zoning, land use, and operational approvals requested from all governmental and quasi-governmental authorities having jurisdiction over the Property and from all other persons or entities that are necessary or desirable for the development and operation of the Property for Publix's intended use and intended improvements, including, but not limited to: zoning approvals, variances and the like, conditional use approvals, building permits, site/land development permits, curb cut permits, site plan approvals, water and sanitary sewer tap permits, stormwater approvals, and utility permits and approvals, and any and all other permits, approvals, consents and/or any other documents which may be deemed necessary or desirable in order for Publix to develop and construct its intended improvements upon the Property. This authorization shall continue until revoked by the Owner or until Publix acquires fee simple title to the Property.



Name: Daniel P. Grealish

STATE OF Pennsylvania

COUNTY OF Allegheny

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of Pennsylvania and in the County of Allegheny to take acknowledgments, personally appeared Daniel P. Grealish, to me known to be the person described herein and who executed the foregoing, and acknowledged before me that he executed same, on behalf of the company. He/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 22ND day of May, 2019.

(NOTARIAL STAMP)

Karen Lewis  
Notary Public  
My Commission Expires: Oct 23, 2021

Commonwealth of Pennsylvania - Notary Seal  
Karen Lewis, Notary Public  
Allegheny County  
My commission expires October 23, 2021  
Commission number 1322327  
Member, Pennsylvania Association of Notaries

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**The North One-Half (N ½) of Lot 2, Section 18, TROPICAL FRUIT FARMS, according to the Plat thereof, as recorded in Plat Book 3, Page 6, of the Public Records of Palm Beach County, Florida, LESS AND EXCEPT the North 100 feet thereof and also LESS AND EXCEPT the right of way for Kanner Highway.**



## LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, Patricia L. Grealish, as Trustee under the provisions of the Daniel P. Grealish 2011 Trust f/b/o Daniel W. Grealish ("Owner"), do hereby authorize Publix Super Markets, Inc., a Florida corporation ("Publix"), to represent the Owner, with respect to that certain land consisting of approximately sixteen and seventy-one hundredths (16.71) acres +/- located on the southeast corner of Kanner Highway and Pratt Whitney Road, Stuart, Martin County, Florida, being more particularly described on Exhibit A (the "Property"), of which Publix is under contract with the Owner to purchase, in any and all matters pertaining to zoning, land use, and operational approvals requested from all governmental and quasi-governmental authorities having jurisdiction over the Property and from all other persons or entities that are necessary or desirable for the development and operation of the Property for Publix's intended use and intended improvements, including, but not limited to: zoning approvals, variances and the like, conditional use approvals, building permits, site/land development permits, curb cut permits, site plan approvals, water and sanitary sewer tap permits, stormwater approvals, and utility permits and approvals, and any and all other permits, approvals, consents and/or any other documents which may be deemed necessary or desirable in order for Publix to develop and construct its intended improvements upon the Property. This authorization shall continue until revoked by the Owner or until Publix acquires fee simple title to the Property.

Daniel P. Grealish 2011 Trust f/b/o Daniel W. Grealish

By: Patricia L. Grealish  
Name: Patricia L. Grealish  
Title: Trustee

STATE OF Pennsylvania

COUNTY OF Allegheny

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of Pennsylvania and in the County of Allegheny to take acknowledgments, personally appeared Patricia L. Grealish, Trustee under the provisions of the Daniel P. Grealish 2011 Trust f/b/o Daniel W. Grealish, to me known to be the person described herein and who executed the foregoing, and acknowledged before me that he executed same, on behalf of the company. He/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 22ND day of May, 2019.

(NOTARIAL STAMP)

Karen Lewis  
Notary Public  
My Commission Expires: Oct. 23, 2021

Commonwealth of Pennsylvania - Notary Seal  
Karen Lewis, Notary Public  
Allegheny County  
My commission expires October 23, 2021  
Commission number 1322327  
Member, Pennsylvania Association of Notaries

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**The North One-Half (N ½) of Lot 2, Section 18, TROPICAL FRUIT FARMS, according to the Plat thereof, as recorded in Plat Book 3, Page 6, of the Public Records of Palm Beach County, Florida, LESS AND EXCEPT the North 100 feet thereof and also LESS AND EXCEPT the right of way for Kanner Highway.**



## LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, Patricia L. Grealish, as Trustee under the provisions of the Daniel P. Grealish 2011 Trust f/b/o Katherine G. Grealish ("Owner"), do hereby authorize Publix Super Markets, Inc., a Florida corporation ("Publix"), to represent the Owner, with respect to that certain land consisting of approximately sixteen and seventy-one hundredths (16.71) acres +/- located on the southeast corner of Kanner Highway and Pratt Whitney Road, Stuart, Martin County, Florida, being more particularly described on Exhibit A (the "Property"), of which Publix is under contract with the Owner to purchase, in any and all matters pertaining to zoning, land use, and operational approvals requested from all governmental and quasi-governmental authorities having jurisdiction over the Property and from all other persons or entities that are necessary or desirable for the development and operation of the Property for Publix's intended use and intended improvements, including, but not limited to: zoning approvals, variances and the like, conditional use approvals, building permits, site/land development permits, curb cut permits, site plan approvals, water and sanitary sewer tap permits, stormwater approvals, and utility permits and approvals, and any and all other permits, approvals, consents and/or any other documents which may be deemed necessary or desirable in order for Publix to develop and construct its intended improvements upon the Property. This authorization shall continue until revoked by the Owner or until Publix acquires fee simple title to the Property.

Daniel P. Grealish 2011 Trust f/b/o Katherine G. Grealish

By: Patricia L. Grealish  
Name: Patricia L. Grealish  
Title: Trustee

STATE OF Pennsylvania  
COUNTY OF Allegheny

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of Pennsylvania and in the County of Allegheny to take acknowledgments, personally appeared Patricia L. Grealish, Trustee under the provisions of the Daniel P. Grealish 2011 Trust f/b/o Katherine G. Grealish, to me known to be the person described herein and who executed the foregoing, and acknowledged before me that he executed same, on behalf of the company. He/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 22ND day of May, 2019.

(NOTARIAL STAMP)

Commonwealth of Pennsylvania - Notary Seal  
Karen Lewis, Notary Public  
Allegheny County  
My commission expires October 23, 2021  
Commission number 1322327  
Member, Pennsylvania Association of Notaries

Karen Lewis  
Notary Public  
My Commission Expires: Oct 23, 2021

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**The North One-Half (N ½) of Lot 2, Section 18, TROPICAL FRUIT FARMS, according to the Plat thereof, as recorded in Plat Book 3, Page 6, of the Public Records of Palm Beach County, Florida, LESS AND EXCEPT the North 100 feet thereof and also LESS AND EXCEPT the right of way for Kanner Highway.**



## LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, Kevin Kelly, ("Owner"), do hereby authorize Publix Super Markets, Inc., a Florida corporation ("Publix"), to represent the Owner, with respect to that certain land consisting of approximately sixteen and seventy-one hundredths (16.71) acres +/- located on the southeast corner of Kanner Highway and Pratt Whitney Road, Stuart, Martin County, Florida, being more particularly described on Exhibit A (the "Property"), of which Publix is under contract with the Owner to purchase, in any and all matters pertaining to zoning, land use, and operational approvals requested from all governmental and quasi-governmental authorities having jurisdiction over the Property and from all other persons or entities that are necessary or desirable for the development and operation of the Property for Publix's intended use and intended improvements, including, but not limited to: zoning approvals, variances and the like, conditional use approvals, building permits, site/land development permits, curb cut permits, site plan approvals, water and sanitary sewer tap permits, stormwater approvals, and utility permits and approvals, and any and all other permits, approvals, consents and/or any other documents which may be deemed necessary or desirable in order for Publix to develop and construct its intended improvements upon the Property. This authorization shall continue until revoked by the Owner or until Publix acquires fee simple title to the Property.

Kevin Kelly

Name: Kevin Kelly

STATE OF South Carolina

COUNTY OF Allen

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of South Carolina and in the County of Allen to take acknowledgments, personally appeared Kevin Kelly, to me known to be the person described herein and who executed the foregoing, and acknowledged before me that he executed same, on behalf of the company. He/She is [ ] personally known to me or [ ] has produced Driver's License as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 16 day of May, 2019.

(NOTARIAL STAMP)

Kaitlin Vancamp

Notary Public

My Commission Expires: April 3 2029

KAITLIN VANCAMP  
Notary Public - State of South Carolina  
My Commission Expires April 3, 2029

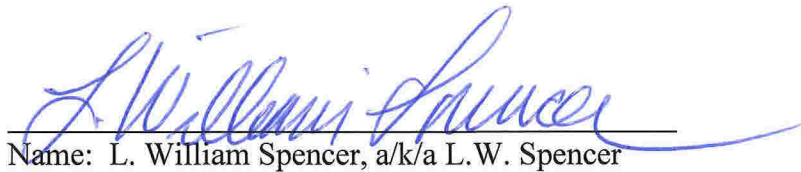
**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**The North One-Half (N ½) of Lot 2, Section 18, TROPICAL FRUIT FARMS, according to the Plat thereof, as recorded in Plat Book 3, Page 6, of the Public Records of Palm Beach County, Florida, LESS AND EXCEPT the North 100 feet thereof and also LESS AND EXCEPT the right of way for Kanner Highway.**



## LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, L. William Spencer, a/k/a L.W. Spencer, ("Owner"), do hereby authorize Publix Super Markets, Inc., a Florida corporation ("Publix"), to represent the Owner, with respect to that certain land consisting of approximately sixteen and seventy-one hundredths (16.71) acres +/- located on the southeast corner of Kanner Highway and Pratt Whitney Road, Stuart, Martin County, Florida, being more particularly described on Exhibit A (the "Property"), of which Publix is under contract with the Owner to purchase, in any and all matters pertaining to zoning, land use, and operational approvals requested from all governmental and quasi-governmental authorities having jurisdiction over the Property and from all other persons or entities that are necessary or desirable for the development and operation of the Property for Publix's intended use and intended improvements, including, but not limited to: zoning approvals, variances and the like, conditional use approvals, building permits, site/land development permits, curb cut permits, site plan approvals, water and sanitary sewer tap permits, stormwater approvals, and utility permits and approvals, and any and all other permits, approvals, consents and/or any other documents which may be deemed necessary or desirable in order for Publix to develop and construct its intended improvements upon the Property. This authorization shall continue until revoked by the Owner or until Publix acquires fee simple title to the Property.

  
Name: L. William Spencer, a/k/a L.W. Spencer

STATE OF Pennsylvania


COUNTY OF Allegheny

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of Pennsylvania and in the County of Allegheny to take acknowledgments, personally appeared L. William Spencer a/k/a L.W. Spencer, to me known to be the person described herein and who executed the foregoing, and acknowledged before me that he executed same, on behalf of the company. He/She is [ ] personally known to me or [ ☒ ] has produced PA Driver's License as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 14 day of May, 2019.

(NOTARIAL STAMP)

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
Denise L. Reilly, Notary Public  
Bethel Park Boro, Allegheny County  
My Commission Expires Nov. 22, 2020

  
Notary Public  
My Commission Expires: Nov 22, 2020

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**The North One-Half (N ½) of Lot 2, Section 18, TROPICAL FRUIT FARMS, according to the Plat thereof, as recorded in Plat Book 3, Page 6, of the Public Records of Palm Beach County, Florida, LESS AND EXCEPT the North 100 feet thereof and also LESS AND EXCEPT the right of way for Kanner Highway.**

*fw*



## LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, Caitlin Orosz, formerly known as Caitlin Patricia Kelly, ("Owner"), do hereby authorize Publix Super Markets, Inc., a Florida corporation ("Publix"), to represent the Owner, with respect to that certain land consisting of approximately sixteen and seventy-one hundredths (16.71) acres +/- located on the southeast corner of Kanner Highway and Pratt Whitney Road, Stuart, Martin County, Florida, being more particularly described on Exhibit A (the "Property"), of which Publix is under contract with the Owner to purchase, in any and all matters pertaining to zoning, land use, and operational approvals requested from all governmental and quasi-governmental authorities having jurisdiction over the Property and from all other persons or entities that are necessary or desirable for the development and operation of the Property for Publix's intended use and intended improvements, including, but not limited to: zoning approvals, variances and the like, conditional use approvals, building permits, site/land development permits, curb cut permits, site plan approvals, water and sanitary sewer tap permits, stormwater approvals, and utility permits and approvals, and any and all other permits, approvals, consents and/or any other documents which may be deemed necessary or desirable in order for Publix to develop and construct its intended improvements upon the Property. This authorization shall continue until revoked by the Owner or until Publix acquires fee simple title to the Property.

Caitlin Orosz

Name: Caitlin Orosz, f/k/a Caitlin Patricia Kelly

STATE OF PA

COUNTY OF Allegheny

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of PA and in the County of Allegheny to take acknowledgments, personally appeared Caitlin Orosz f/k/a Caitlin Patricia Kelly, to me known to be the person described herein and who executed the foregoing, and acknowledged before me that he executed same, on behalf of the company. He/She is [ ] personally known to me or [ ] has produced PA Drivers License as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 18th day of May, 2019.

(NOTARIAL STAMP)

Megan Andrews

Notary Public

My Commission Expires: 10-15-2022

Commonwealth of Pennsylvania - Notary Seal  
Megan Andrews, Notary Public  
Allegheny County  
My commission expires October 15, 2022  
Commission number 1339709  
Member, Pennsylvania Association of Notaries

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**The North One-Half (N ½) of Lot 2, Section 18, TROPICAL FRUIT FARMS, according to the Plat thereof, as recorded in Plat Book 3, Page 6, of the Public Records of Palm Beach County, Florida, LESS AND EXCEPT the North 100 feet thereof and also LESS AND EXCEPT the right of way for Kanner Highway.**

## LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, Sean Kelly, ("Owner"), do hereby authorize Publix Super Markets, Inc., a Florida corporation ("Publix"), to represent the Owner, with respect to that certain land consisting of approximately sixteen and seventy-one hundredths (16.71) acres +/- located on the southeast corner of Kanner Highway and Pratt Whitney Road, Stuart, Martin County, Florida, being more particularly described on Exhibit A (the "Property"), of which Publix is under contract with the Owner to purchase, in any and all matters pertaining to zoning, land use, and operational approvals requested from all governmental and quasi-governmental authorities having jurisdiction over the Property and from all other persons or entities that are necessary or desirable for the development and operation of the Property for Publix's intended use and intended improvements, including, but not limited to: zoning approvals, variances and the like, conditional use approvals, building permits, site/land development permits, curb cut permits, site plan approvals, water and sanitary sewer tap permits, stormwater approvals, and utility permits and approvals, and any and all other permits, approvals, consents and/or any other documents which may be deemed necessary or desirable in order for Publix to develop and construct its intended improvements upon the Property. This authorization shall continue until revoked by the Owner or until Publix acquires fee simple title to the Property.

Sean Kelly  
Name: Sean Kelly

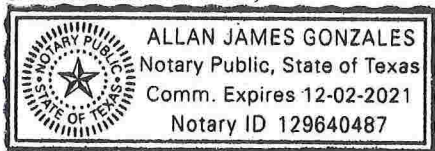
STATE OF Texas

COUNTY OF Tarrant

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of Texas and in the County of Tarrant to take acknowledgments, personally appeared Sean Kelly, to me known to be the person described herein and who executed the foregoing, and acknowledged before me that he executed same, on behalf of the company. He/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 15<sup>th</sup> day of May, 2019.

(NOTARIAL STAMP)



[Signature]  
Notary Public  
My Commission Expires: 12/2/21



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**The North One-Half (N ½) of Lot 2, Section 18, TROPICAL FRUIT FARMS, according to the Plat thereof, as recorded in Plat Book 3, Page 6, of the Public Records of Palm Beach County, Florida, LESS AND EXCEPT the North 100 feet thereof and also LESS AND EXCEPT the right of way for Kanner Highway.**

**LIMITED POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS, that I, Patrick Kelly, ("Owner"), do hereby authorize Publix Super Markets, Inc., a Florida corporation ("Publix"), to represent the Owner, with respect to that certain land consisting of approximately sixteen and seventy-one hundredths (16.71) acres +/- located on the southeast corner of Kanner Highway and Pratt Whitney Road, Stuart, Martin County, Florida, being more particularly described on Exhibit A (the "Property"), of which Publix is under contract with the Owner to purchase, in any and all matters pertaining to zoning, land use, and operational approvals requested from all governmental and quasi-governmental authorities having jurisdiction over the Property and from all other persons or entities that are necessary or desirable for the development and operation of the Property for Publix's intended use and intended improvements, including, but not limited to: zoning approvals, variances and the like, conditional use approvals, building permits, site/land development permits, curb cut permits, site plan approvals, water and sanitary sewer tap permits, stormwater approvals, and utility permits and approvals, and any and all other permits, approvals, consents and/or any other documents which may be deemed necessary or desirable in order for Publix to develop and construct its intended improvements upon the Property. This authorization shall continue until revoked by the Owner or until Publix acquires fee simple title to the Property.

Patrick Kelly  
Name: Patrick Kelly

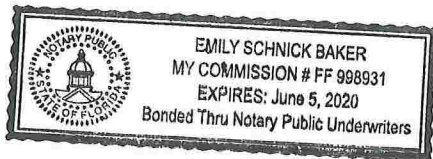
STATE OF Florida  
COUNTY OF Palm Beach

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of Florida and in the County of Palm Beach to take acknowledgments, personally appeared Patrick Kelly, to me known to be the person described herein and who executed the foregoing, and acknowledged before me that he executed same, on behalf of the company. He/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 14 day of May, 2019.

(NOTARIAL STAMP)

[Signature]  
Notary Public  
My Commission Expires: June 5, 2020



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**The North One-Half (N ½) of Lot 2, Section 18, TROPICAL FRUIT FARMS, according to the Plat thereof, as recorded in Plat Book 3, Page 6, of the Public Records of Palm Beach County, Florida, LESS AND EXCEPT the North 100 feet thereof and also LESS AND EXCEPT the right of way for Kanner Highway.**



## LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, Danielle Bellows, as Personal Representative of the Estate of Willard M. Bellows ("Owner"), do hereby authorize Publix Super Markets, Inc., a Florida corporation ("Publix"), to represent the Owner, with respect to that certain land consisting of approximately sixteen and seventy-one hundredths (16.71) acres +/- located on the southeast corner of Kanner Highway and Pratt Whitney Road, Stuart, Martin County, Florida, being more particularly described on Exhibit A (the "Property"), of which Publix is under contract with the Owner to purchase, in any and all matters pertaining to zoning, land use, and operational approvals requested from all governmental and quasi-governmental authorities having jurisdiction over the Property and from all other persons or entities that are necessary or desirable for the development and operation of the Property for Publix's intended use and intended improvements, including, but not limited to: zoning approvals, variances and the like, conditional use approvals, building permits, site/land development permits, curb cut permits, site plan approvals, water and sanitary sewer tap permits, stormwater approvals, and utility permits and approvals, and any and all other permits, approvals, consents and/or any other documents which may be deemed necessary or desirable in order for Publix to develop and construct its intended improvements upon the Property. This authorization shall continue until revoked by the Owner or until Publix acquires fee simple title to the Property.

Estate of Willard M. Bellows

By: Danielle Bellows  
Name: Danielle Bellows  
Title: Personal Representative

STATE OF PENNSYLVANIA

COUNTY OF WASHINGTON

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of PENNSYLVANIA and in the County of WASHINGTON to take acknowledgments, personally appeared Danielle Bellows, Personal Representative of the Estate of Willard M. Bellows, to me known to be the person described herein and who executed the foregoing, and acknowledged before me that he executed same, on behalf of the company. He/She is [ ] personally known to me or [ ] has produced PA DRIVERS LICENSE as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 17<sup>th</sup> day of MAY, 2019.

(NOTARIAL STAMP)

Joanne V. Thompson  
Notary Public

My Commission Expires: 03-19-2020

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
Joanne V. Thompson, Notary Public  
Canonsburg Boro, Washington County  
My Commission Expires March 19, 2020  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**The North One-Half (N ½) of Lot 2, Section 18, TROPICAL FRUIT FARMS, according to the Plat thereof, as recorded in Plat Book 3, Page 6, of the Public Records of Palm Beach County, Florida, LESS AND EXCEPT the North 100 feet thereof and also LESS AND EXCEPT the right of way for Kanner Highway.**

## LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that We, Robert B. Martin and Robin K. Martin ("Owner"), do hereby authorize Publix Super Markets, Inc., a Florida corporation ("Publix"), to represent the Owner, with respect to that certain land consisting of approximately sixteen and seventy-one hundredths (16.71) acres +/- located on the southeast corner of Kanner Highway and Pratt Whitney Road, Stuart, Martin County, Florida, being more particularly described on Exhibit A (the "Property"), of which Publix is under contract with the Owner to purchase, in any and all matters pertaining to zoning, land use, and operational approvals requested from all governmental and quasi-governmental authorities having jurisdiction over the Property and from all other persons or entities that are necessary or desirable for the development and operation of the Property for Publix's intended use and intended improvements, including, but not limited to: zoning approvals, variances and the like, conditional use approvals, building permits, site/land development permits, curb cut permits, site plan approvals, water and sanitary sewer tap permits, stormwater approvals, and utility permits and approvals, and any and all other permits, approvals, consents and/or any other documents which may be deemed necessary or desirable in order for Publix to develop and construct its intended improvements upon the Property. This authorization shall continue until revoked by the Owner or until Publix acquires fee simple title to the Property.

Robert B. Martin  
Robert B. Martin

Robin K. Martin  
Robin K. Martin

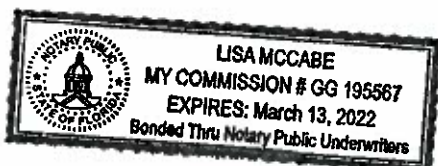
STATE OF Florida

COUNTY OF Palm Beach

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of Florida and in the County of Palm Beach to take acknowledgments, personally appeared Robert B. Martin and Robin K. Martin, to me known to be the persons described herein and who executed the foregoing, and acknowledged before me that they executed same. They are [ ☒ ] personally known to me or [ ☐ ] have produced \_\_\_\_\_ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 8th day of July, 2019.

(NOTARIAL STAMP)



Lisa McCabe  
Notary Public  
My Commission Expires: March 13, 2022



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**The North One-Half (N ½) of Lot 2, Section 18, TROPICAL FRUIT FARMS, according to the Plat thereof, as recorded in Plat Book 3, Page 6, of the Public Records of Palm Beach County, Florida, LESS AND EXCEPT the North 100 feet thereof and also LESS AND EXCEPT the right of way for Kanner Highway.**



**RE: Limited Power of Attorney for new Publix Supermarket in Martin County, FL**

June 19, 2019

To whom it may concern:

We the undersigned, hereby authorize Robert S. Raynes Jr., Esq. (Gunster Law) and Joshua I. Long, AICP (Gunster Law) to act on our behalf in all manners relating to applications for future land use map amendments, comprehensive plan text amendments, rezoning applications, site plan applications, building permits, speaking with Martin County staff, speaking at public meetings, and signing of all documents relating to any matters related to the approval and construction of the proposed Publix Super Market at the southeast corner of SW Pratt Whitney Road and SW Kanner Highway in Martin County, Florida. Any and all acts carried out by these individuals on our behalf shall have the same effect as acts of our own.

This release is for any Gunster Law personnel as needed.

The parcel control number for the subject parcel is 18-39-41-000-002-00010-8

This authorization is valid until further written notice from Publix Super Markets, Inc.

Sincerely,

William W. Rayburn, IV  
Publix Super Markets, Inc.

STATE OF FLORIDA  
COUNTY OF POLK

Sworn to (or affirmed) and subscribed before me this 19<sup>th</sup> day of June, 2019, by William W. Rayburn, IV.

  
\_\_\_\_\_  
Signature of Notary Public  
Print, Type/Stamp Name of Notary

Personally known: ✓  
OR Produced Identification: \_\_\_\_\_  
Type of Identification Produced: \_\_\_\_\_



PATRICIA COOLEY  
Commission # GG 209772  
Expires August 20, 2022  
Bonded Thru Budget Notary Services



Recorded in Martin County, FL 10/18/2018 10:19 AM  
 Carolyn Timmann, Clerk of the Circuit Court & Comptroller  
 Rec Fees: \$18.50 Deed Tax: \$1,575.00  
 CFN#2721225 BK 3022 PG 766 PAGE 1 of 2

Prepared by and return to:

**Mathews & Piazza, P.A.**  
**George W. Mathews III, Esq**  
**1325 S. Congress Avenue, Suite 104**  
**Boynton Beach, FL 33426**  
**561-738-5501**  
**Will Call: 13 MP**

**PREPARER DID NOT CONDUCT A TITLE  
 SEARCH AND NO REPRESENTATION IS  
 MADE AS TO TITLE**

File Number: 18-0100-LPG / 18-1035-LK G

Parcel Identification No. 18-39-41-000-002-00010-8

[Space Above This Line For Recording Data]

## Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 10 day of October, 2018 between, **Kerry Sujilida**, a single woman, whose post office address is **30 East George Street, #314, Indianapolis, IN 46204**, grantor\*, and **Daniel P. Grealish**, as to an undivided 25% interest, **L. William Spencer**, as to an undivided 50% interest and **Thomas B. Grealish**, as to an undivided 25% interest, whose post office address is **1815 Washington Road, Pittsburgh, PA 15241**, grantee\*,

Witnesse<sup>th</sup> that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Martin County, Florida**, to-wit:

**AS TO ALL OF THE GRANTOR'S UNDIVIDED 16.5% INTEREST IN AND TO THE  
 FOLLOWING DESCRIBED REAL PROPERTY:**

**The North Half (N ½) of Lot 2, Section 18, TROPICAL FRUIT FARMS, according to the Plat thereof, recorded in Plat Book 3, Page 6, of the Public Records of Palm Beach County, Florida (now being MARTIN county, Florida); being part of Township 39 South, Range 41 East, Less the North 100 feet thereof.**

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

\* "Grantor" and "Grantee" are used for singular or plural, as context requires.



CFN#2721225 BK 3022 PG 767 PAGE 2 of 2

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]  
 Witness  
 Print Name: Chris KARNAN

Kerry Sujilida (Seal)  
 Kerry Sujilida

[Signature]  
 Witness  
 Print Name: Sared W. Lex

State of Indiana  
 County of Marion

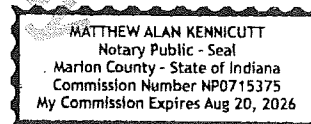
The foregoing instrument was acknowledged before me this 16 day of October, 2018 by Kerry Sujilida, who ☐ is personally known or ☒ has produced a Driver's License as identification.

[Signature] Matthew Alan Kennicutt [Notary Seal]  
 Name:

Notary Public - State of Indiana

Commission No.: NP0715375

My Commission Expires: Aug 20 2026



**LEGAL DESCRIPTION:**

THE NORTH ONE-HALF (N ½) OF LOT 2, SECTION 18, TROPICAL FRUIT FARMS,  
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 6,  
OF THE PUBLIC RECORDS OF PALM BEACH COUNTY (NOW MARTIN COUNTY),  
FLORIDA, BEING PART OF TOWNSHIP 39 SOUTH, RANGE 41 EAST

LESS THE NORTH 100 FEET THEREOF.

AS PER O.R.B. 2722, PAGE 2860

Parcel Control Number - 18-39-41-000-002-00010-8

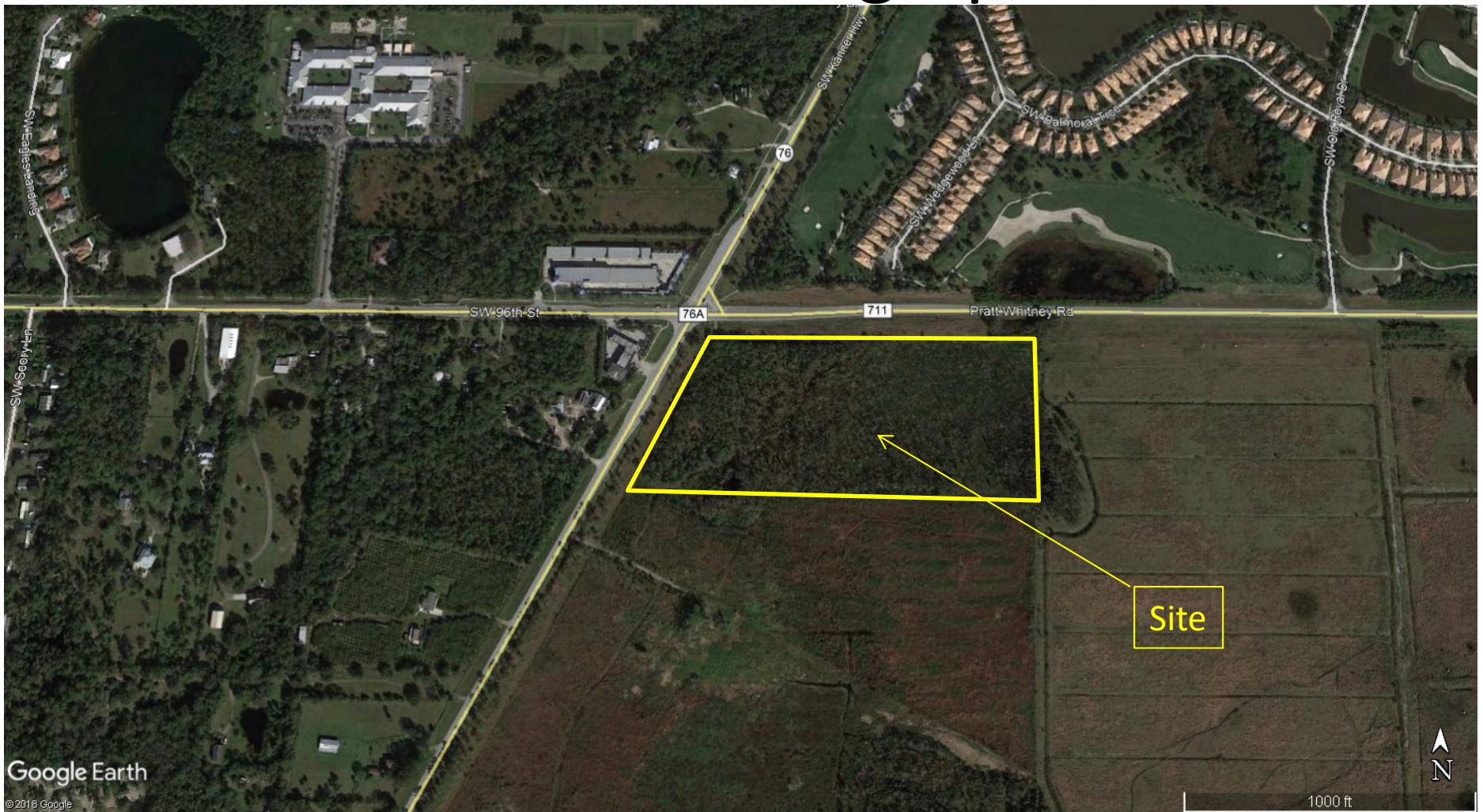
CAD file name: P:\010529 - Public\010529-03-001 (ENG) - Kanner Hwy\Engineering\CAD\_Plans (dwg)\010529-EXHIBITS.dwg 6/28/2019



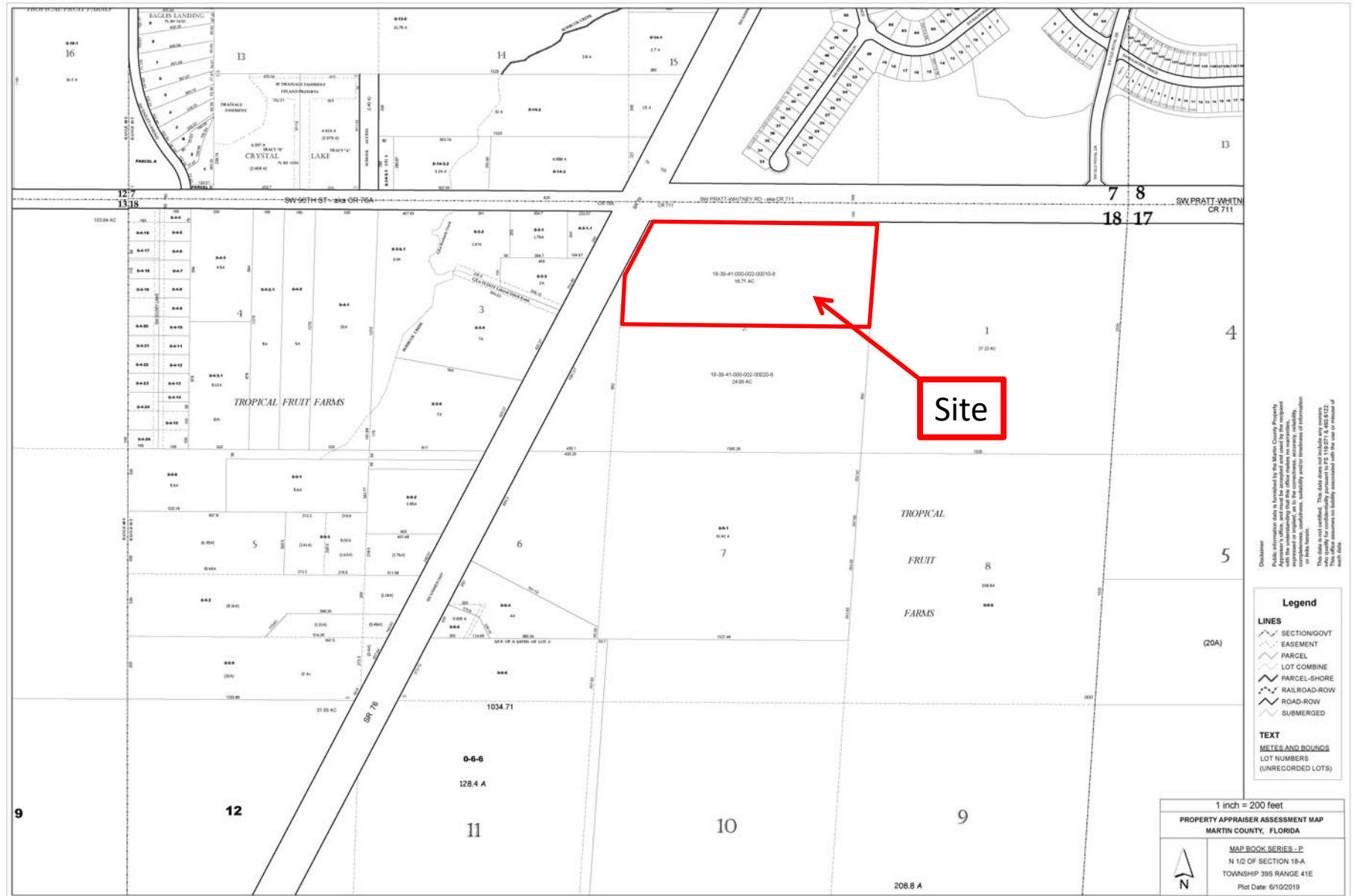
<div><div>Bowman Consulting Group, Ltd., Inc.</div><div><div><div><div><div></div><div>Bowman</div><div>CONSULTING</div></div></div><div><div>Professional Engineers, Certificate of Authorization License No. 30462</div><div>Professional Surveyors and Mappers, Certificate License No. LB. 8030</div></div></div></div></div>		LOCATION MAP			Grocery Store Florida SR 76 & Pratt Whitney Road Stuart, FL 34997		DATE June 2019
							PROJECT NO. 010529-02-001
		FILE No. 010529-EXHIBITS	DRAWN BY GC	CHECKED BY VF			SCALE: 1"=200'
							SHEET EX A



# Aerial Photograph



# Martin County Assessment Map







Bowman Consulting Group, Ltd., Inc.



## FUTURE LAND USE MAP

DRAWN BY  
GC

Grocery Store  
Florida SR 76 & Pratt Whitney Road  
Stuart, FL 34997





736 colorado avenue, suite a, stuart, florida 34994 · phone: (772) 283-5590 fax: (772) 283-5699 email: ptatitle@bellsouth.net

June 25, 2019

Ownership Search

Prepared For: Gunster

We 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 parcel of land:

See Exhibit "A" attached hereto & made a part hereof.

TAX ID:        See Exhibit "B" attached hereto  
OWNER:        & made a part hereof.  
ADDRESS:

The apparent property owners of land surrounding the above referenced property are as follows: The list does not include any owners who qualify for confidentiality (See attached).

A handwritten signature in blue ink that reads 'Karen Rae Hyche'.

Karen Rae Hyche  
President



736 colorado avenue, suite a, stuart, florida 34994 · phone: (772) 283-5590 fax: (772) 283-5699 email: ptatitle@bellsouth.net

## OWNERSHIP REPORT

SEARCH NO. P19-11,479/KRH

THE ATTACHED REPORT IS ISSUED TO GUNSTER. THE ATTACHED REPORT MAY NOT BE RELIED ON BY ANY OTHER PARTY. NO LIABILITY IS ASSUMED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY FOR ANY UNAUTHORIZED USE OR RELIANCE. THIS OWNERSHIP REPORT IS ISSUED PURSUANT TO FLORIDA STATUTE SECTION 627.7843 AND LIABILITY HEREUNDER FOR INCORRECT INFORMATION IS LIMITED TO THE SUM OF \$1,000.00.

The attached Report prepared in accordance with the instructions given by the user named above includes a listing of the owner(s) of a 1000 foot area surrounding subject property. It is the responsibility of the party named above to verify receipt of each document listed. If a copy of any document listed is not received, the office issuing this Report must be contacted immediately. This Report does not include easements, restrictions, notices or other documents not listed above.

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 other form of guarantee or warranty of title. This Report shall not be used for the issuance of any title insurance policy or form.

Use of the term "Report" herein refers to this Ownership Report and the documents attached hereto.

The land referred to herein is described as follows:

See Exhibit "A" attached hereto & made a part hereof.

PRESTIGE TITLE AGENCY, INC.

736 Colorado Ave. Ste. A

Stuart FL 34994

By: Karen Rae Hyche

Karen Rae Hyche

**LEGAL DESCRIPTION:**

THE NORTH ONE-HALF (N ½) OF LOT 2, SECTION 18, TROPICAL FRUIT FARMS,  
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 6,  
OF THE PUBLIC RECORDS OF PALM BEACH COUNTY (NOW MARTIN COUNTY),  
FLORIDA, BEING PART OF TOWNSHIP 39 SOUTH, RANGE 41 EAST

LESS THE NORTH 100 FEET THEREOF.

AS PER O.R.B. 2722, PAGE 2860

Exhibit "A"



# Martin County, Florida - Laurel Kelly, C.F.A

generated on 6/13/2019 10:16:06 AM EDT

## Summary

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
18-39-41-000-002-00010-8	61456	UNASSIGNED, STUART	\$1,746,930	6/8/2019

### Owner Information

Owner(Current)	SPENCER L W <b>ETAL</b>
Owner/Mail Address	898 SW 21ST ST BOCA RATON FL 33486
Sale Date	10/10/2018
Document Book/Page	<u>3022 0766</u>
Document No.	2721225
Sale Price	225000

### Location/Description

Account #	61456	Map Page No.	P-18A
Tax District	3003	Legal Description	THE NORTH ONE-HALF OF LOT 2 SECTION 18-39-41 TROPICAL FRUIT FARMS ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3 PAGE 6 PUBLIC RECORDS MARTIN COUNTY FLORIDA LESS AND EXCEPT THE NORTH 100 FEET THEREOF
Parcel Address	UNASSIGNED, STUART		
Acres	16.7100		

### Parcel Type

Use Code	1000 Vacant Commercial
Neighborhood	51700 Kanner_SW 96th

### Assessment Information

Market Land Value	\$1,746,930
Market Improvement Value	
Market Total Value	\$1,746,930

Subject property

Exhibit "B"

HON. RUTH PIETRUSZEWSKI  
REAL ESTATE

MARTIN COUNTY

**Advalorem Taxes**

ACCOUNT NUMBER: 18-39-41-000-002-00010.80000 2018 TAX DISTRICT: 3003  
 ASSESSED VALUE: 1,469,386 EXEMPTIONS: \* NONE \* TAXABLE VALUE: 1,469,386  

TAXING AUTHORITY	PHONE	MILLAGE	ASSESSED	EXEMPTIONS	TAXABLE	TAXES
COUNTY-GENERAL FUND-OP	772-288-5504	6.5971	1,469,386	0	1,469,386	9,693.69
SCHOOL-GENERAL FUND	772-219-1200	4.1140	1,746,930	0	1,746,930	7,186.87
SCHOOL - DISCRETIONARY	772-219-1200	.7480	1,746,930	0	1,746,930	1,306.70
SCHOOL CAPITAL OUTLAY	772-219-1200	1.5000	1,746,930	0	1,746,930	2,620.40
SCHOOL ADDTNL VOTER MIL	772-219-1200	.5000	1,746,930	0	1,746,930	873.47
CHILDRENS SERVICES ORDNCS	772-288-5758	.3618	1,469,386	0	1,469,386	531.62
FL-INLAND NAVIGATION DIST	561-627-3386	.0320	1,469,386	0	1,469,386	47.02
DISTRICT THREE MSTU	772-288-5504	.0663	1,469,386	0	1,469,386	97.42
MSTU FIRE RESCUE UNINCORP	772-288-5504	2.6319	1,469,386	0	1,469,386	3,867.28
MSTU-PARKS & RECREATION	772-288-5504	.1615	1,469,386	0	1,469,386	237.31
MSTU UNINCORP STORMW/ROAD	772-288-5504	.5679	1,469,386	0	1,469,386	834.46
SOUTH FLORIDA WATER MANAGEMENT	561-686-8800	.2936	1,469,386	0	1,469,386	431.41
COUNTY ASSESSED:			1,469,386	SCHOOL ASSESSED:		1,746,930

EXEMPTION:NONE

**Non-Advalorem Taxes**

LEVYING AUTHORITY	PURPOSE	RATES/BASIS	AMOUNT
	NON AD VALOREM ASSESSMENTS:		0.00
	COMBINED TAXES & ASSESSMENTS TOTAL:		27,727.65

0 UNASSIGNED

18-39-41-000-002-00010.80000 2018

SPENCER L W

BELLOWS WILLARD M

DANIEL P GREALISH 2011 TRUST FBO D ET AL

C/O HIMMELRICH & COMPANY

\*\*\* PAID \*\*\* PAID \*\*\* PAID \*\*\*

01/30/19 PERIOD 03

JAN 1-JAN 31	FEB 1-FEB 28	MAR 1-MAR 31	DELINQUENT ON
27,173.10	27,450.37	27,727.65	APRIL 1, 2019

HON. RUTH PIETRUSZEWSKI  
REAL ESTATE

MARTIN COUNTY

JAN 1-JAN 31	FEB 1-FEB 28	MAR 1-MAR 31	DELINQUENT ON
27,173.10	27,450.37	27,727.65	APRIL 1, 2019

EX-TYPE	ESCROW	MILLAGE	TAXES LEVIED	REMIT PAYMENT IN U.S. FUNDS TO:
		3003		

VALUES AND EXEMPTIONS TAXES 27,727.65  
 COUNTY ASMT 1,469,386 TOTAL 27,727.65

HON. RUTH PIETRUSZEWSKI  
3485 SE WILLOUGHBY BLVD  
STUART, FL 34994

18 39 41

THE NORTH ONE-HALF OF LOT 2 SECT  
 ION 18-39-41 TROPICAL FRUIT FARM  
 S ACCORDING TO THE PLAT THEREOF  
 RECORDED IN PLAT BOOK 3 PAGE 6 P  
 PUBLIC RECORDS MARTIN COUNTY FLOR  
 IDA LESS AND EXCEPT THE NORTH 10

18-39-41-000-002-00010.80000 2018

SPENCER L W

BELLOWS WILLARD M

DANIEL P GREALISH 2011 TRUST FBO D ET AL

C/O HIMMELRICH & COMPANY

898 SW 21ST ST

BOCA RATON, FL 33486

\*\*\* PAID \*\*\* PAID \*\*\* PAID \*\*\*

01/30/19 PERIOD 03

011-2018-0043711.0001

\$27,173.10 CK

Subject property

L.W. Spencer, Willard M. Bellows, Daniel P.  
Grealish (Tr) ET AL  
c/o Himmelrich & Company  
898 SW 21<sup>st</sup> St.  
Boca Raton FL 33486

Bellavida Corporation  
5870 SW 76<sup>th</sup> Ave.  
Davie FL 33328

Paul G. & Debra J. Eaton  
1945 SW Kanner Hwy.  
Stuart FL 34997

William Elkins  
Deborah J. Razete-Elkins  
1966 SW 96<sup>th</sup> St.  
Stuart FL 34997

Mitchell P. & Dorothy Colligan  
1901 SW Kanner Hwy.  
Stuart FL 34997

Stor-A-Way II Inc.  
5094 SE Federal Hwy.  
Stuart FL 34997

Florida Golf Club LLC  
1380 SW Kanner Hwy.  
Stuart FL 34997

Christopher D. & Gail L. Bach  
PO Box 190  
Frostproof FL 33843

Paul & Frances Birmingham  
1482 SW Balmoral Trce.  
Stuart FL 34997

Nicholas Picchione II  
1518 SW Balmoral Trace  
Stuart FL 34997

Martin County  
2401 SE Monterey Rd.  
Stuart FL 34996

Hobe Sound Ranch Ltd.  
4500 PGA Blvd. Ste. 207  
Palm Beach Gardens FL 33418

Robert C. & Sandra L. Klein  
505 SE St. Lucie Blvd.  
Stuart FL 34996

JPDR Investments LLC  
8732 Club Estates Way  
Lake Worth FL 33467

Jean E. Elkins  
2040 SW 96<sup>th</sup> St.  
Stuart FL 34997

Andre R. & Lisa Ann Boucher  
2069 SW 96<sup>th</sup> St.  
Stuart FL 34997

John S. & Barbara J. Warren  
1422 SW Balmoral Trace  
Stuart FL 34997

Janice M. Berardelli Living Trust  
1458 SW Balmoral Trce.  
Stuart FL 34997

Richard & Colleen Venezia  
1494 SW Balmoral Trce.  
Stuart FL 34997

Kevin William & Suzanne  
Washuta  
1530 SW Balmoral Trc.  
Stuart FL 34997

State of Florida  
Dept. Of Transportation  
3400 W. Commercial Blvd.  
Ft. Lauderdale FL 33309-3421

Walter Robert Karpinia  
1955 SW Kanner Hwy.  
Stuart FL 34997

7-Eleven Inc.  
PO Box 711  
Dallas TX 75221

Chung-Chih Shih  
Sheue-Yann Shih  
445 75<sup>th</sup> Ave. S.  
West Palm Beach FL 33413-2232

DC Saxon LLC  
12525 Oak Arbor Ln.  
Boynton Beach FL 33436

Florida Club Prop. Owners Assoc.  
9250 SW Old Royal Dr.  
Stuart FL 34997

Carol Marie Savage  
Carol A. Savage  
1434 SW Balmoral Trc.  
Stuart FL 34997

Nicholas S. & Pamela M. Cintia  
1470 SW Balmoral Trace  
Stuart FL 34997

Dennis L. & Lizbeth L. Fadden  
1506 SW Balmoral Trace  
Stuart FL 34997

Everett L. & Theresa M. Lewis  
1542 SW Balmoral Trce.  
Stuart FL 34997



James Y. Adkins  
9423 SW Wedgewood Ln.  
Stuart FL 34997

Brian P. & Patricia A. Hickey  
9435 SW Wedgewood Ln.  
Stuart FL 34997

Dolores Carrera  
9447 SW Wedgewood Ln.  
Stuart FL 34997

Bruce M. & Judith L. Thomson  
9459 SW Wedgewood Ln.  
Stuart FL 34997

William & Maureen McGuinniss  
9471 SW Wedgewood Ln.  
Stuart FL 34997

Carolyn B. Merlino Trust  
9483 SW Wedgewood Ln.  
Stuart FL 34997

Marc Tkaczow  
9495 SW Wedgewood Ln.  
Stuart FL 34997

Alisa Diane Davis  
9507 SW Wedgewood Ln.  
Stuart FL 34997

Peter Hoffmann  
Maria H. Czbur  
9519 SW Wedgewood Ln.  
Stuart FL 34997

Sandra L. & Larry M. Ramsey  
9531 SW Wedgewood Ln.  
Stuart FL 34997

Peter G. & Cynthia A. Lindblad  
9543 SW Wedgewood Ln.  
Stuart FL 34997

Richard J. & Kimberly B. Chupick  
9555 SW Wedgewood Ln.  
Stuart FL 34997

Thomas A. & Gail P. Cifrodella  
9592 SW Wedgewood Ln.  
Stuart FL 34997

Stephen T. & Debra Moore  
19 Meirs Rd.  
Cream Ridge NJ 08514

Linda D. Malone  
9568 SW Wedgewood Ln.  
Stuart FL 34997

Robert G. & Deborah L. Frank  
9556 SW Wedgewood Ln.  
Stuart FL 34997

Charles A. & Rosalie F. Schmitz  
9669 49<sup>th</sup> Ct.  
Plesant Prairie WI 53158

Kenneth H. & Melinda D. Gorles  
9532 SW Wedgewood Ln.  
Stuart FL 34997

Maria E. Varona  
1073 Vintner Blvd.  
Palm Beach Gardens FL 33410

Peter J. Pagano  
Tamara Ordonez  
9508 SW Wedgewood Ln.  
Stuart FL 34997

Erwin Eibert  
9496 SW Wedgewood Ln.  
Stuart FL 34997

Karen M. Wood  
9484 SW Wedgewood Ln.  
Stuart FL 34997

Daniel H. & Patricia E. Dohany  
9472 SW Wedgewood Ln.  
Stuart FL 34997

Charles T. Ancona  
Dorothy E. Carr  
9460 SW Wedgewood Ln.  
Stuart FL 34997

Virginia M. Carricato (Estate)  
9448 SW Wedgewood Ln.  
Stuart FL 34997

B. Dean & Debra M. Hoffman  
8 Stone Meadow Farm Dr.  
Shrewsbury MA 01545

John & Joyce L. Paolantonio  
470 Monmouth Rd.  
West Long Branch NJ 07764

Carol Stein  
9412 SW Wedgewood Ln.  
Stuart FL 34997

Lee Holland & Norma Ruth Mayer  
Trust  
9400 SW Wedgewood Ln.  
Stuart FL 34997

Carlton L. & Miriam Hoffman  
1554 SW Balmoral Trace  
Stuart FL 34997

Grady H. & Linda D. Holloway  
1541 SW Balmoral Trace  
Stuart FL 34997

George H. & Mary C. Winterling  
1517 SW Balmoral Trace  
Stuart FL 34997

Dennis E. McGregor  
1493 SW Balmoral Trce.  
Stuart FL 34997

Warren & Susan Sigman  
1469 SW Balmoral Trce.  
Stuart FL 34997

Francisco & Kimberly Kathryn  
Rivera  
1445 SW Balmoral Trce.  
Stuart FL 34997

Florida Club Property Owners  
Assoc.  
9250 SW Old Royal Dr.  
Stuart FL 34997

Florida Golf Club LLC  
1380 SW Kanner Hwy.  
Stuart FL 34997

## 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
SEE ATTACHED	SHEET NO. 1

(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
SEE ATTACHED	SHEET NO. 2	%
		%
		%

(If more space is needed attach separate sheet)



**Sheet No. 1**  
**(List of Record Property Owners)**

<b>Name:</b>	<b>Address:</b>
<b>L.W. Spencer</b>	1815 Washington Road Pittsburgh, Pa 15241
<b>Thomas B., Grealish</b>	c/o Henderson Brothers 920 Fort Duquesne Blvd. Pittsburgh, PA 15222
<b>Daniel P. Grealish</b>	c/o Henderson Brothers 920 Fort Duquesne Blvd. Pittsburgh, PA 15222
<b>Patricia L. Grealish</b> as Trustee under the provisions of the Daniel P. Grealish 2011 Trust fbo Katherine G. Grealish	c/o Henderson Brothers 920 Fort Duquesne Blvd. Pittsburgh, PA 15222
<b>Patricia L. Grealish</b> as Trustee under the provisions of the Daniel P. Grealish 2011 Trust fbo Daniel W. Grealish	c/o Henderson Brothers 920 Fort Duquesne Blvd. Pittsburgh, PA 15222
<b>Kevin Kelly</b>	209 Sea Grass Lane Aiken, SC 29803
<b>Caitlin Orosz</b> <b>f/k/a Caitlin Patricia Kelly</b>	136 Buckingham Drive Pittsburgh, PA 15237
<b>Patrick Kelly</b>	11254 54 <sup>th</sup> St. N West Palm Beach, FL 33411
<b>Sean Kelly</b>	815 Edgewood Drive Keller, TX 76248
<b>Douglas A. Reichert, Jr.</b> , Co-successor Trustee of the Martha D. Reichert Revocable Trust dated June 4, 1999	2402 Oakmont Court Oakton, VA 22124
<b>James D. Reichert</b> , a Co-successor Trustee of the Martha D. Reichert Revocable Trust dated June 4, 1999	3507 Osage Street Denver, CO
<b>Robert B. Martin</b> and <b>Robin K. Martin</b> , husband and wife	12314 Plantation Lane North Palm Beach, FL 33408

**Sheet No. 2**

**(List of every natural person and entity with a legal or equitable interest in the property)**

<b>Name:</b>	<b>Address:</b>	<b>Interest:</b>
<b>L.W. Spencer</b>	1815 Washington Road Pittsburgh, Pa 15241	24.75%
<b>Thomas B., Grealish</b>	c/o Henderson Brothers 920 Fort Duquesne Blvd. Pittsburgh, PA 15222	11.625%
<b>Daniel P. Grealish</b>	c/o Henderson Brothers 920 Fort Duquesne Blvd. Pittsburgh, PA 15222	4.125%
<b>Patricia L. Grealish</b> as Trustee under the provisions of the Daniel P. Grealish 2011 Trust fbo Katherine G. Grealish	c/o Henderson Brothers 920 Fort Duquesne Blvd. Pittsburgh, PA 15222	3.75%
<b>Katherine G. Grealish</b>	c/o Henderson Brothers 920 Fort Duquesne Blvd. Pittsburgh, PA 15222	beneficiary of the trust
<b>Patricia L. Grealish</b> as Trustee under the provisions of the Daniel P. Grealish 2011 Trust fbo Daniel W. Grealish	c/o Henderson Brothers 920 Fort Duquesne Blvd. Pittsburgh, PA 15222	3.75%
<b>Daniel W. Grealish</b>	c/o Henderson Brothers 920 Fort Duquesne Blvd. Pittsburgh, PA 15222	beneficiary of the trust
<b>Kevin Kelly</b>	209 Sea Grass Lane Aiken, SC 29803	17%
<b>Caitlin Orosz</b> <b>f/k/a Caitlin Patricia Kelly</b>	136 Buckingham Drive Pittsburgh, PA 15237	5%
<b>Patrick Kelly</b>	11254 54 <sup>th</sup> St. N West Palm Beach, FL 33411	5%
<b>Sean Kelly</b>	815 Edgewood Drive Keller, TX 76248	5%
<b>Douglas A. Reichert, Jr.,</b> Co-successor Trustee of the Martha D. Reichert	2402 Oakmont Court Oakton, VA 22124	10% (with James)

**James D. Reichert**, a Co-successor  
Trustee of the Martha D. Reichert  
Revocable Trust dated June 4, 1999

3507 Osage Street (see above)  
Denver, CO

**Robert B. Martin** and **Robin K. Martin**,  
husband and wife

12314 Plantation Ln 10%  
North Palm Beach, FL 33408



## DISCLOSURE OF INTEREST AFFIDAVIT

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
Publix Super Markets, Inc	3300 Publix Corporate Parkway Lakeland Florida 33811	Contract Purchaser
WindCrest Development Group, Inc.	605 E. Robinson Street Suite 340 Orlando, FL 32801	Broker
Himmelrich & Company	898 S.W. 21 <sup>st</sup> Street Boca Raton, FL 33486	Broker

(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 <sup>1*</sup>

(If more space is needed attach separate sheet)

<sup>1</sup> Status defined as: A = Approved P = Pending D = Denied W = Withdrawn

## DISCLOSURE OF INTEREST AFFIDAVIT

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.

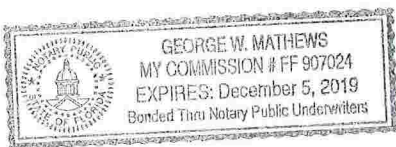
AFFIANT

*Paul D. Himmelrich*  
Signature  
PAUL D. Himmelmrich  
Print name

STATE OF: FLORIDA

COUNTY OF: PALM BEACH

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me this 3<sup>rd</sup> day of JULY, 20 19, by PAUL HIMMELRICH, who is personally known to me or have produced \_\_\_\_\_ as identification.



(Notary Seal)

*[Signature]*  
Signature

Notary Public, State of FLORIDA

Print Name: George W. Mathews

My Commission Expires: 12/5/19

# DISCLOSURE OF INTEREST AFFIDAVIT

## **Exhibit "A"** **(Disclosure of Interest and Affidavit) (Legal Description)**

The North one-half (N 1/2) of Lot 2, Section 18, Tropical Fruit Farms, according to the Plat thereof, as recorded in Plat Book 3, Page 6 of the Public Records of Palm Beach County (now being Martin County), Florida, being part of Township 39 South, Range 41 East, less the North 100 feet thereof.



# DISCLOSURE OF INTEREST AFFIDAVIT

## Appendix

### Article 10.2.B.3. Article 10, Development Review Procedures; Land Development Regulations; Martin County Code

10.2.B. Application submittal for development approval. Applications for development approval shall comply with the following described procedures:

1. Initiation. A development application shall be filed with the County Administrator by the owner or other person having a power of attorney from the owner to make the application.
2. Acceptance of the application. A development application will be received for processing on any working day.
3. Verification of property ownership. The documents required below are required prior to an application being determined complete. After the application is determined to be complete, the applicant has a continuing obligation to provide revised documents to reflect any changes to the information provided that may occur before and as of the date of the final public hearing or final action on the application.
  - a. Proof of ownership must be provided for any application for any type of development order. The applicant shall provide a copy of the recorded deed for the subject property, and shall certify any subsequent transfers of interests in the property. If the applicant is not the owner of record, the applicant is required to report its interest in the subject property.
  - b. The applicant must disclose the names and addresses of each and every natural person or entity with any legal or equitable interest in the property of the proposed development, including all individuals, children, firms, associations, joint adventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, limited liability company, professional associations and all other groups or combinations.
  - c. For those entities that are a firm, association, joint adventure, partnership, estate, trust, business trust, syndicate, fiduciary, corporation, limited liability company, professional associations and all other groups or combinations thereof, every natural person or entity that enjoys a legal or equitable interest in property of the proposed development shall be disclosed including but not limited to any partners, members, shareholders, trustees, and stockholders.
  - d. The disclosure required in b. and c. above shall not apply to companies that are publicly traded and to consultants and contractors who may perform professional services or work related to the property.
  - e. In addition, the disclosure must include those having 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.
  - f. The applicant must list all other applications for which they have an interest as defined in subsection b. and c. above that is currently pending before Martin County. The list shall include any development applications, waiver applications, road opening applications, and lien reduction requests.
  - g. Any development order, including applications for Planned Unit Developments which was granted or approved based on false or incomplete disclosure will be presumed to have been fraudulently induced and will be deemed by the Martin County Board of County Commissioners to be void ab initio and set aside, repealed, or vacated.