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**FIRST AMENDMENT TO THE COVE ROYALE
PUD ZONING AGREEMENT**

THIS AMENDMENT is made and entered into this ____ day of _____, 2020, by and between TLH-46 COVE RD, LLC a Florida Limited Liability Company (hereinafter referred to as "OWNER"), and **MARTIN COUNTY**, a political subdivision of the State of Florida (hereafter referred to as "COUNTY").

WITNESSETH:

WHEREAS, after appropriate notice, public hearing and approval, TLH-46 COVE RD, LLC and the COUNTY on March 26, 2019, entered into a Planned Unit Development (PUD) Zoning Agreement for the development of a project in Martin County, Florida known as Cove Royale which agreement is recorded in Official Records Book 3093, Page 253, Public Records of Martin County, Florida; and

WHEREAS, OWNER desires to make certain changes to the project; and

WHEREAS, it is necessary to replace the PUD Master & Final Plan, Exhibit D; Timetable for Development, Exhibit E; and Preserve Area Management Plan, Exhibit G of the Cove Royale PUD Zoning Agreement in order to develop the project in two phases; and

WHEREAS, it is desirable to amend Exhibit E, Timetable for Development; and

WHEREAS, it is desirable to amend Exhibit G, Preserve Area Management Plan.

NOW, THEREFORE, it is agreed between OWNER and COUNTY as follows:

1. Exhibit D, PUD Master & Final Plan is hereby replaced by Revised Exhibit D, Revised PUD Master & Phasing Plan attached hereto and incorporated by reference. Revised Exhibit D reflects the following revision:

Cove Royale PUD shall be developed in two phases.

2. Exhibit E, Timetable for Development is hereby replaced by Revised Exhibit E, attached hereto and incorporated by reference. Revised Exhibit E reflects the extensions to the timetable for development attributable to a two phase project.

3. Exhibit G, Preserve Area Management Plan is hereby replaced by Revised Exhibit G, Preserve Area Management Plan/Abbreviated Preserve Area Management Plan, attached hereto and incorporated by reference. Revised Exhibit G reflects the following revision:

Cove Royale PUD shall be developed in two phases.

4. All terms and conditions of the Cove Royal PUD Zoning Agreement which are not specifically amended or revised by this First Amendment shall remain in full force and effect as stated therein.

IN WITNESS WHEREOF, the parties hereto have executed these presents as set forth below. The date of this Agreement shall be the date on which this Agreement was approved by the Board of County Commissioners.

Witnesses:

OWNER

Name: _____

TLH-46 COVE RD, LLC

Name: _____

By: _____
Michael Tuttle, Manager

2240 W Woolbright Rd
Suite 403
Boynton Beach, FL 33246

**STATE OF FLORIDA
COUNTY OF MARTIN**

STATE OF _____
COUNTY OF _____

The foregoing First Amendment to PUD Zoning Agreement was acknowledged before me by means of ____ physical presence or ____ online notarization this ____ day of _____, 20____, by _____ who ____ is personally known to me or ____ produced _____ as identification.

[NOTARY STAMP]

NOTARY PUBLIC

Name

My Commission Expires:

ATTEST:

COUNTY:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

Carolyn Timmann,
Clerk of the Circuit Court
And Comptroller

Harold E. Jenkins II, Chairman

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**

Krista A. Storey
Senior Assistant County Attorney

*Prepared by and when
recorded return to:*

Steven E. Wallace, Esquire
The Wallace Law Group, PL
2240 W. Woolbright Road #403
Boynton Beach, FL 33425

Revised Exhibit E
Timetable for Development

- A. This development shall be constructed in accordance with this timetable for development. This development shall be constructed in two phases.
- B. Construction of COVE ROYALE PUD Phase 1 must commence within one (1) year of final site plan approval, by _____, 2021.
- C. The development of COVE ROYALE PUD Phase 1 must be achieved within two (2) years of the final site plan approval, by _____, 2022.
- D. Construction of COVE ROYALE PUD Phase 2 must be achieved within five (5) years of PUD Master & Phasing Plan approval for COVE ROYALE PUD Phase 2, by _____, 2025.
- E. The development of COVE ROYALE PUD Phase 2 must be completed within two (2) years of final site plan approval for COVE ROYALE PUD Phase 2, by _____, 2027.
- F. The core infrastructure improvements, consisting of the required storm water management system, the appropriate NPDES components, the roads, the recreational amenities, adequate fire protection, sidewalks, utilities, Right of Way Improvements (as defined in Exhibit "F") and Public Benefit Improvements (as defined in Exhibit "F") must be substantially completed, as determined by the County Engineer prior to the issuance of any building permit.