

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

RESOLUTION NUMBER 20-

**[REGARDING DISSOLUTION OF STUART 95 PLAZA PROPERTY
OWNERS' ASSOCIATION]**

WHEREAS, this Board has made the following determinations of fact:

1. 41164 Jack James, LLC, has requested that the Board of County Commissioners (BCC) formally approve dissolution of the Stuart 95 Plaza Property Owners' Association (Association).
2. The Stuart 95 Plaza Planned Unit Development Zoning Agreement (PUD Agreement) which was approved in 1992 and recorded at Official Records Book 985, Page 732, has expired.
3. Section IV.2 of the PUD Agreement prohibited dissolution of the Association without the approval of the County. Because the PUD Agreement had expired and did not require approval of the dissolution to be granted by the BCC, on August 12, 2019, approval of the dissolution was granted by the Growth Management Director.
4. During its due diligence regarding purchase of a portion of the property previously encumbered by the PUD Agreement, 41164 Jack James, LLC became aware of a provision in Article IV. Section 7 of the Declaration of Covenants, Conditions, Easements & Restrictions of the Stuart 95 Plaza PUD, recorded in Official Records Book, 1291, Page 2252, which specifically requires the approval of the BCC prior to the dissolution of the Association.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF
MARTIN COUNTY, FLORIDA, THAT:**

- A. Pursuant to the requirement within Article IV. Section 7 of the Declaration of Covenants, Conditions, Easements & Restrictions of the Stuart 95 Plaza PUD that the Board of County Commissioners approve of the dissolution of the Stuart 95 Plaza Property Owners' Association and recognizing that the PUD Agreement has expired, such approval is hereby granted.
- B. A copy of this resolution shall be provided to 11464 Jack James, LLC who may elect to record it in the public records of Martin County, Florida at its expense.

DULY PASSED AND ADOPTED THIS 19TH DAY OF MAY, 2020.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

BY: _____
CAROLYN TIMMANN, CLERK OF
THE CIRCUIT COURT AND
COMPTROLLER

BY: _____
HAROLD E. JENKINS II, CHAIRMAN

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

BY: _____
KRISTA A. STOREY
SENIOR ASSISTANT COUNTY ATTORNEY