



TRANSMITTAL

Date:	October 1, 2020		
To:	Pete Walden, Principal Planner		
From:	Morris Crady <i>MC</i>		
Subject:	McArthur Golf Club M189-006	Project No.	20-165

Per our discussion, the application is for a "Revised Final Site Plan" to add a golf course as an accessory use to the existing project. The existing McArthur Golf Course has received all final site plan approvals and completed all construction.

Since there is not a required master plan or phasing plan proposed, the application fee for a revised final site plan is \$9,127.00.

Accordingly, we have updated the previously submitted revised final site plan to include the existing approved revised final site plan for the existing golf course (East Course) and included the following additional materials:

- Revised application form;
- Digital submittal affidavit;
- Revised project narrative;
- The currently approved development order from 2007;
- The overall legal description of the entire parcel for the revised final site plan development order;
- A draft unity of title for the entire project area
- The PAMP; and
- A 2017 boundary survey for the entire parcel. (A current survey and topo for the proposed new golf course was already included in the original application).

The zoning change application for the area zoned A-1 is being submitted under separate cover.

In addition to the additional application materials noted above and the enclosed application fee check, we have also provided the original application package, and additional set of the 24x36 plans, and a CD with PDF copies of the application.

Per the attached completeness letter dated 9-21-20, the items needing additional attention have been addressed as follows:

Item #1: ENVIRONMENTAL ASSESSMENT

RESPONSE: The environmental assessment is included in the revised PAMP enclosed.

Item #2: ENVIRONMENTAL WAIVER

RESPONSE: Based on follow-up discussions between Paul Ezzo with EW Consultants, and environmental review staff, it was determined that an environmental waiver or fee is not required. As per the revised PAMP enclosed, the improvements to the existing wetland area are considered a stormwater improvement and wetland restoration project, which does not require a wetland waiver.

Item #3: PAMP

RESPONSE: See paper copy of revised PAMP enclosed.

Please feel free to contact me if you have any questions or comments.



MARTIN COUNTY

BOARD OF COUNTY COMMISSIONERS

2401 S.E. MONTEREY ROAD • STUART, FL 34996

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September 21, 2020

Mr. Morris Crady
Lucido & Associates
701 SE Ocean Blvd.
Stuart, FL 34994

Record No.: DEV2020090003

Project Number: M189-006

Re: Completeness Review

McArthur West Golf Club Revised Major Master Final Site Plan

Dear Mr. Crady:

The above referenced application has been determined to be complete for review by the County. Pete Walden, Principal Planner, will be the County's project coordinator for this request. As such, please direct all future questions and correspondence to his attention.

Although the review was determined complete, the following items need additional attention:

The application is determined to be a Revised Major Master Final Site Plan due to the fact that all access and parking are dependent on the existing Golf Club. The revised documents should incorporate the existing golf club with unity of title to be administered upon approval. A rezoning of the existing area under the A-1 zoning district, is still required as stated in the Pre-application meeting.

Item #1: ENVIRONMENTAL ASSESSMENT: An environmental assessment of the property pursuant to Section 4.32., LDR, Martin County, Fla. (2013) and State issued wetland delineation. (Note: A Phase 1 ESA does not satisfy this requirement.)

Comments: Please provide an environmental assessment.

Item #2: ENVIRONMENTAL WAIVER: Environmental waiver, when appropriate. (Separate fee required, see fee schedule).

Comments: Please provide a paper copy of the proposed environmental waiver.

Item #3: PAMP: A preserve area management plan, if the environmental assessment identifies wetlands or native habitats that are required to be preserved.

Comments: Please provide a paper copy of the proposed PAMP.

You may review the application on-line at <https://aca3.accela.com/martinco>. Select Search Development Review and enter the Record Number above.

At this time, please submit the full application with a bookmarked disc and an extra set of plans, along with an application fee in the amount of **\$12,000.00** (check payable to Martin County Board of County Commissioners) to the Growth Management Department, Development Review Division. Each set must duplicate the application submitted for completeness review. Each set must contain original signed and sealed documents. The review of the application will commence the date after the project coordinator distributes the copies to the various agencies and individuals who participate in the review process for this application. At the end of the review period, you will be provided with a completed staff report for this application.

In the meantime, it is required that a sign be erected on the subject property. The project number **M189-006** must be included on the sign(s). Prior to preparing your sign, please read Section 10.6, Land Development Regulations, Martin County, Fla., which contains the required information that must be on the sign. Please provide documentation (i.e., photograph and certification to the project coordinator) that the property has been posted in accordance to the notification requirements.

Sincerely,



Paul Schilling
Growth Management Director

PS:PW:kk

cc: McArthur Golf Club LLC, 6550 SE Osprey Street, Hobe Sound, FL 33455



September 8, 2020

Hand Delivery

Paul Schilling, Director
Martin County Growth Management Department
2401 SE Monterey Road
Stuart, Florida 34996

**Re: McArthur West Golf Club – Major Final Site Plan Application and Public Facilities
Exemption (Our Reference: #20-165)**

Dear Paul:

On behalf of the property owner, McArthur Golf Club, LLC, we are pleased to submit this application for major final site plan application for the McArthur West Golf Course, which is located west of the intersection of US-1 and Osprey Street in Hobe Sound, Florida.

As more particularly described in the enclosed project narrative, the 518-acre property is located within the Primary and Secondary Urban Service District, immediately west of the existing McArthur Golf Club, which has primary access from US-1 at the intersection of Osprey Street in Hobe Sound. The existing owners and members of McArthur Golf Club would like to expand the existing club to include an additional 18-hole course on the subject property. Access, parking and clubhouse amenities would be accommodated at the existing club.

The proposed use as a golf course is a permitted use within the existing Rural Density future land use and RE-2A zoning district.

The proposed application was discussed at a pre-application workshop on July 9, 2020; however, the application has been slightly revised to exclude the construction of a maintenance facility and secondary access through the undeveloped and unopened roads within the Poinciana Gardens, which is located to the north of the subject site. Construction of the new golf course including access and maintenance will occur through the existing golf course until such time as alternative access through Poinciana Gardens can be obtained, if at all.

As discussed at the workshop, the project is an additional amenity to the club members and their guests and no residential units or cottages are proposed. Therefore, a traffic study is not required and the project qualifies for a Public Facilities Exemption.

With this understanding, please find enclosed the sufficiency review fee check in the amount of \$290.00, the CD with PDF copies of the application materials, and the original application package containing the following materials (the additional set of the 24x36 plans will be submitted upon a completeness determination):

1. Application form;
2. Digital submittal affidavit;
3. Project narrative;
4. The owner's notarized power of attorney for representation by Lucido & Associates;
5. Recorded deed documenting ownership by McArthur Golf Club, LLC;

6. The Disclosure of Interest Affidavit;
7. The “no property transfer” statement;
8. Legal description;
9. Unity of Title;
10. Location map;
11. Current aerial;
12. Current future land use map
13. Current zoning map;
14. Excavation, fill and hauling form;
15. Stormwater report and calculations;
16. Stormwater maintenance plan;
17. Traffic impact statement;
18. Preserve Area Management Plan including environmental assessment and waiver;
19. Proposed water sources;
20. Letter dated August 31, 2020 from South Martin Regional Utilities;
21. Groundwater model;
22. Signed & sealed boundary survey/topo, and digital copy of same;
23. Proposed final site plan, and digital copy of same;
24. Protected tree survey (See memorandum from EW Consultants);
25. Landscape plan; and
26. Construction plans including land clearing and erosion control plan.

The following standard application materials are not provided for the reasons indicated:

- **Land Dedication Requirements** – No land dedications are required or proposed;
- **Traffic Impact Analysis** – As confirmed during the pre-application workshop, a traffic statement is sufficient because the project is an additional amenity to the existing golf club.
- **Evacuation Plan** – The project does not include any homes or buildings that may be threatened by wind or flood;
- **Fire Wildfire Scoresheet** – The project does not include any homes or buildings that may be threatened by wildfire;
- **School Impact Worksheet** – No residential housing is proposed;
- **Landscaping Alternative Compliance** – Alternative landscape compliance is not proposed;
- **CRA Alternative Compliance** – The project is not located in a CRA;
- **Utilities Water & Wastewater Agreement Information** – No potable water or sewer service is proposed, however an IQ water agreement from South Martin Regional Utility (SMRU) will be provided prior to the commencement of construction;
- **Utility Certification** – See response above.
- **Utility Letters** - The existing irrigation wells already have service provided by FPL – no cable, ATT, waste management or other utility services are required;
- **Utility Calculations** - The project does not require utility services;
- **Surrounding Property Owners List** – To be provided prior to scheduling for the first public meeting;
- **Architectural Elevations/Floor Plans** – No buildings except for golf course shelters are proposed; and
- **Lighting Plan** – A lighting plan is not required or proposed.

Paul Schilling
September 8, 2020
Page 3 of 3

Upon a determination of completeness, we will submit the additional set of 24x36 plans and the application fee in the amount of \$9,127.00.

Please feel free to contact me or my assistant, Shirley Lyders, if you have any questions or comments.

Sincerely,

A handwritten signature in dark ink, appearing to read "M. Crady", with a stylized flourish at the end.

Morris A. Crady, AICP
Senior Vice President

Encl.

Copy: Development Team (electronic)



**Martin County, Florida
Growth Management Department
DEVELOPMENT REVIEW DIVISION**

2401 SE Monterey Road, Stuart, FL 34996 772-288-5495 www.martin.fl.us

DEVELOPMENT REVIEW APPLICATION

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A. GENERAL INFORMATION

Type of Application: Revised Major Final Site Plan

Name or Title of Proposed Project: McArthur West Golf Club

Brief Project Description:

See project narrative

Was a Pre-Application Held? ☒ YES/NO ☐ **Pre-Application Meeting Date:** July 9, 2020

Is there Previous Project Information? ☒ YES/NO ☐

Previous Project Number if applicable: M189

Previous Project Name if applicable: _____

Parcel Control Number(s)

34-38-42-000-160-00000-3

34-38-42-000-160-00010-0

34-38-42-043-407-00080-0

34-38-42-000-160-00010-0

B. PROPERTY OWNER INFORMATION

Owner (Name or Company): McArthur Golf Club, LLC

Company Representative: Kevin Murphy, General Manager

Address: 6550 SE Osprey Street

City: Hobe Sound, **State:** FL **Zip:** 33455

Phone: _____ **Email:** _____

C. PROJECT PROFESSIONALS

Applicant (Name or Company): Same as property owner

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Agent (Name or Company): Lucido & Associates

Company Representative: Morris A. Crady, AICP

Address: 701 SE Ocean Boulevard

City: Stuart, State: FL Zip: 34994

Phone: 772-220-2100 Email: mcrady@lucidodesign.com

Contract Purchaser (Name or Company): None

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Land Planner (Name or Company): Same as agent

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Landscape Architect (Name or Company): Same as agent

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Surveyor (Name or Company): Northstar Geomatics, Inc.

Company Representative: Gregory S. Fleming, P.S.M.

Address: PO Box 2371

City: Stuart, State: FL Zip: 34995

Phone: 772 781-6400 ext 101 Email: Gregf@nsgeo.com

Civil Engineer (Name or Company): Bowman Consulting

Company Representative: Lisa B. Leonard, P.E.

Address: 301 SE Ocean Blvd, Suite 301

City: Stuart, State: FL Zip: 34994

Phone: 772 283-1413 Email: lleonard@bowmanconsulting.com

PROJECT PROFESSIONALS CONTINUED

Traffic Engineer (Name or Company): Same as civil engineer

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Architect (Name or Company): None

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Attorney (Name or Company): None

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Environmental Planner (Name or Company): EW Consultants, Inc.

Company Representative: Paul Ezzo

Address: 1000 SE Monterey Commons Blvd.

City: Stuart, State: FL Zip: 34996

Phone: 772 287-8771 Email: Pezzo@ewconsultants.com

Other Professional (Name or Company): Geology & Groundwater Consultants, Inc.

Company Representative: Herman Taube, III, P.G.

Address: 445 1st Street

City: Vero Beach, State: FL Zip: 32962

Phone: 772 380-5903 Email: htgeologist@bellsouth.net

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.

Morris A. Crady
Applicant Signature

10-1-2020
Date

Morris A. Crady
Printed Name

NOTARY ACKNOWLEDGMENT

STATE OF: FLORIDA COUNTY OF: MARTIN

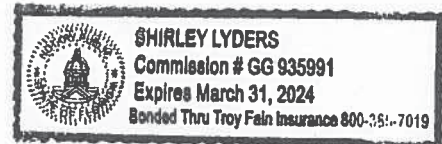
I hereby certify that the foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 1ST day of October 2020, by Morris A. Crady.

He X is personally known to me or has produced as identification.

Shirley Lyders
Notary Public Signature

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

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Digital Submittal Affidavit

I, Morris A. Crady, attest that the electronic version included for the project McArthur Golf Club Revised FSP application 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.


Applicant Signature

10-1-2020
Date

NOTARY ACKNOWLEDGMENT

STATE OF: FLORIDA

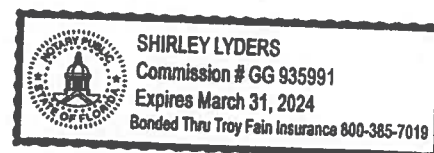
COUNTY OF: MARTIN

I hereby certify that the foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 1ST day of October, 2020, by Morris A. Crady.

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


Notary Public Signature

Printed name



STATE OF: FLORIDA at-large



PROJECT NARRATIVE
McArthur Golf Club
Revised Final Site Plan Application
September 29, 2020

The 518-acre subject property is located within the Primary and Secondary Urban Service Districts, immediately west of McArthur Golf Club, which has primary access from US-1, at the signalized intersection of US-1 and Osprey Street in Hobe Sound. The property is currently vacant, but portions of the site were previously cleared, ditched and developed as rowcrops, which are now dominated by exotic vegetation.

The property is separated from the existing MacArthur Golf Club by a wetland slough that runs along the west side of the Atlantic Coastal Ridge from Seabranche Boulevard south to Bridge Road. The easterly limits of the wetland slough generally forms the line between the Primary and Secondary Urban Service District.

Primary access to the property is through the existing McArthur Golf Club by way of an existing stabilized dirt road through the wetland slough that was constructed during the time the property was being farmed. The crossing includes culverts under the road that allow the drainage flow from north to south. Additional access to the property may be provided (but is not proposed with this application) through several opened and un-opened public roads within the adjacent Poinciana Gardens subdivision platted rights-of-way, which terminate at the project's northern boundary.

The majority of the site is designated for Rural Density future land use and zoned RE-2A. The portion of the property within the Primary Urban Service District is designated for Low Density future land use and zoned A-1.

Surrounding Properties

The properties to the south and west of the subject site include vacant, unimproved agricultural lands designated for Rural Density future land use with an A-1 zoning district, and conservation lands within the Atlantic Ridge Preserve State Park.

The property to the north consists almost entirely of undeveloped platted public rights-of-way and undeveloped lots within the Poinciana Gardens subdivision. Although, the minimum 7,500 sf lots within the subdivision are platted consistent with existing Low Density future land use and R-2 zoning, none of the subdivision's infrastructure within this portion of the project, i.e. roads, drainage, water and sewer, was constructed or is planned to be constructed.

Project Site History

A Master Site Plan application was submitted on August 12, 2008, which included 70, minimum 2-acre lots designed in accordance with the Rural Density future land use and RE-2A zoning district.

On March 17, 2009, the Board of County Commissioners approved a mandatory zoning district change from A-1 to RE-2A on the portion of the property within the Secondary Urban Service District designated for Rural Density future land use.

The application for Master Site Plan approval was formally withdrawn by the applicant in May, 2009 due to the “Great Recession”.

The portion of the site within the Primary Urban Service District, which is designated Low Density Residential, was the subject a scrivener’s error that was corrected by Resolution of the Board of County Commissioners on December 1, 2009 (Res. No. 09-12-14).

Proposed Project

The existing owners of McArthur Golf Club would like to expand the existing golf club to include an additional 18-hole course on the subject property. Access, parking, maintenance and clubhouse amenities would be accommodated at the existing club. The new course facilities will be limited to the golf course and golf shelters.

As shown on the concept plan, primary access for golfers will be by way of the existing wetland crossing at the southern end of the site, which can also accommodate emergency access vehicles, construction and maintenance equipment. An additional construction and emergency access to the site is possible by way of a obtaining a road opening permit within the public right-of-way of the adjacent Poinciana Gardens subdivision, however access through Poinciana Gardens is not requested or required as part of this application.

The golf course design is based on an updated wetland jurisdictional map that identifies approximately 195 acres of wetlands that will be preserved and protected with minimum 50’ wetland buffers for isolated wetlands, and 75’ wide buffers for the wetland slough and wetlands connected to the wetland slough. To the extent possible, the 100 acres of golf course area and 30 acres of lakes that are necessary to construct the golf course have been limited to the upland areas previously impacted by agricultural activities. More than 100 acres of existing upland habitat will be preserved adjacent to almost 200 acres of wetlands that will be restored and preserved in perpetuity by way of a Preserve Area Management Plan.

The existing McArthur Golf Club utilizes existing permitted wells supplemented by Irrigation Quality (IQ) water from South Martin Regional Utilities (SMRU). The new golf course has been designed to minimize water use by integrating preserve areas and native landscape areas. Based on preliminary discussions with SMRU, approximately 150,000 gpd of additional IQ water is available. The additional IQ water along with supplemental surface water withdrawals via a modified water use permit from the South Florida Water Management District, will be used to irrigate the golf course.

McArthur Golf Club, LLC
6550 SE Osprey Street
Hobe Sound, FL 33455

August 31, 2020

Paul Schilling, Director
Martin County Growth Management Department
2401 S.E. Monterey Road
Stuart, FL 34996

Re: McArthur Golf Club West - Final Site Plan Application
PCN: 34-38-42-000-160-00000-3
PCN: 34-38-42-000-012-00010-0
PCN: 34-38-42-043-407-00080-0

Dear Mr. Schilling:

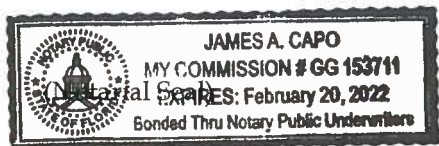
As owner of the property referenced above, please consider this correspondence formal authorization for Lucido & Associates to represent McArthur Golf Club, LLC during the governmental review process of the final site plan applications.


Sincerely,


Kevin Murphy, General Manager

STATE OF Florida
COUNTY OF Martin

The foregoing was acknowledged before me this 1st day of September, 2020,
by Kevin Murphy who [☒] is personally known to me or [] has produced _____
Personally known as identification.




NOTARY PUBLIC
My Commission Expires:



This instrument prepared by
(and after recording return to):

Foley & Lardner LLP
Megan J. Ellis, Esq.
100 N. Tampa St, Suite 2700
Tampa, Florida 33602

Parcel Id Nos. 34-38-42-000-160-00000-3
34-38-42-000-160-00010-0
34-38-42-043-407-00080-0

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made the 13th day of June, 2017 by McArthur Golf, LLC, a Florida limited liability company (successor by conversion to McArthur Golf, LLC, a Pennsylvania limited liability company) ("**Grantor**"), whose mailing address is 6550 SW Osprey Street, Hobe Sound, Florida 33455, to McArthur Golf Club, L.L.C., a Delaware limited liability company ("**Grantee**"), whose mailing address is 6250 N. River Road, Suite 9000, Rosemont, IL 60018.

Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, conveys and confirms, and by these presents does grant, bargain, sell, alien, convey and confirm unto the Grantee, all that certain real property situate in Martin County, Florida, as more particularly described on Exhibit A attached hereto and incorporated herein by reference, along with any rights, privileges, hereditaments, appurtenances, and easements related to such real property (collectively, the "**Property**").

SUBJECT to real estate taxes and assessments for 2017 and all subsequent years, and the matters described on Exhibit B attached hereto and incorporated herein by reference (the "**Permitted Exceptions**"), without the intent of re-imposing same.

Grantor specially warrants the title to the Property, subject to the Permitted Exceptions, and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but not otherwise.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, Seller has signed, sealed and delivered this Special Warranty Deed as of the day and year set forth above.

GRANTOR:

Signed in the presence of:

McArthur Golf, LLC, a Florida limited liability company

Nicholas L. Campitello
(print name): NICHOLAS L. CAMPITELLO

By: Peter Lund

Print: Peter Lund

Title: Managing Member

W. Scott Turnbull
(print name): W. Scott Turnbull

STATE OF FLORIDA

COUNTY OF MARTIN

The foregoing instrument was signed, sealed, and acknowledged before me this 12 day of June, 2017, by Peter Lund, as Managing Member of McArthur Golf, LLC, a Florida limited liability company, on behalf of the company. Such person is personally known to me or produced _____ as identification.

(SEAL)

Printed/typed name: _____

Notary Public-State of _____

Commission Number: _____

Commission expires: _____



LENORE REINE CRUZ
MY COMMISSION # GG 079976
EXPIRES: March 6, 2021
Bonded Thru Budget Notary Services

EXHIBIT A

Legal Description

The land referred to herein below is situated in the County of Martin, State of Florida, and is described as follows:

PARCEL 1:

All of that certain real property located in Martin County, Florida, more particularly described as follows:

Beginning at a point in the Westerly line of the Gomez Grant a distance Southerly along the same 4,600 feet from the Northwestern corner of said Grant and running thence (1) North $68^{\circ}26'$ East about 6,894.77 feet to the Westerly line of U.S. Highway No. 1; thence (2) Southerly along the same about 10,083.72 feet to the Southerly line of the herein described parcel; thence (3) South $68^{\circ}26'$ West parallel to the first course and at right angles to the Westerly line of the Gomez Grant 9,684.01 feet to a concrete monument; thence (4) North $21^{\circ}34'$ West along the Westerly line of the Gomez Grant 9,667.8 feet to the point of beginning.

EXCEPTING THEREFROM, HOWEVER, THE FOLLOWING:

Parcel (a): Sections 1 and 2 of POINCIANA GARDENS, recorded in Plat Book 2, Page 95, Martin County Records;

Parcel (b): Sections 3 and 4 of POINCIANA GARDENS, recorded in Plat Book 2, Page 105, Martin County Records;

Parcel (c): Section 5 of POINCIANA GARDENS, recorded in Plat Book 3, Page 47, Martin County Records; Parcel (d): Lots 16 and 17, LAKE PARK ADDITION and other lots in LAKE PARK ADDITION lying Northerly of Ocean Way (said Ocean Way being shown on Plat of Section 4 of POINCIANA GARDENS) of LAKE PARK ADDITION, according to the Plat recorded in Plat Book 2, at page 86, Martin County Records; and, Parcel (e): The Southerly 1,950 feet thereof.

Parcels (a), (b), (c), (d) and (e) above are the same parcels as those set out in that deed dated May 6, 1963, and recorded in O.R. Book 114, at Page 326, of said Public Records.

FURTHER EXCEPTING THEREFROM THE FOLLOWING:

Being a parcel of land lying in the Gomez Grant, Martin County, Florida, said parcel being more particularly described as follows:

BEGIN at the Northwest corner of Poinciana Gardens Section 5, as recorded in Plat Book 3, Page 47 of the Public Records of Martin County, Florida; thence North $58^{\circ}51'30''$ East, along the North line of said Poinciana Gardens Section 5, a distance of 1285.00 feet to a point, said point being the

Northeast corner of Lot 14, Block 402 of said Poinciana Gardens Section 5; thence South $31^{\circ}08'30''$ East along the East line of said Lot 14, a distance of 125.00 feet to a point in the Northerly right-of-way line of Sherwood Road; thence North $58^{\circ}51'30''$ East along said Northerly right-of-way line, a distance of 250.87 feet to a point in the Westerly right-of-way line of Circle Drive; thence North $39^{\circ}43'30''$ West along said Westerly right-of-way line, a distance of 88.30 feet to the beginning of a curve concave to the Southwest, having a radius of 1760.00 feet; thence Northerly along the arc of said curve through a central angle of $16^{\circ}06'50''$, a distance of 494.98 feet to a point, said point being on the South line of Poinciana Gardens Section 4, as recorded in Plat Book 2, Page 105 of the Public Records of Martin County, Florida; thence South $58^{\circ}51'30''$ West along said South line of Poinciana Gardens Section 4, a distance of 1496.41 feet; thence departing said South line, South $45^{\circ}57'00''$ East, a distance of 449.94 feet to the POINT OF BEGINNING.

PARCEL 2:

Lot 8, Block 407, POINCIANA GARDENS, SECTION 5, according to the Plat thereof, recoded in Plat Book 3, Page 47, Public Records of Martin County, Florida.

EXHIBIT B
Permitted Exceptions

All of the following as recorded in the Public Records of Martin County, Florida:

- (1) Easements to AT&T recorded in Deed Book 42, Page 475 and Deed Book 42, Page 405; and as affected by Assignment recorded in O.R. Book 821, Page 1406; and as further affected by Easement Reduction and Relocation Agreement recorded in O.R. Book 856, Page 239.
- (2) Easement in O.R. Book 856, Page 239 in the approximate location shown on the ALTA/NSPS Land Title Survey made by Kevin David Crowe on behalf of Bock & Clark Corporation dated April 11, 2017, last revised June 9, 2017, and designated Job No. 201700970-1 (the "**Survey**"). (As to Parcel 1 only)
- (3) Terms, provisions and easement contained in Warranty Deed recorded in O.R. Book 100, Page 217. (As to Parcel 1)
- (4) Easement for Drainage recorded in O.R. Book 114, Page 320.
- (5) Easement Reservation, for drainage, as shown in O.R. Book 114, Page 326.
- (6) Easement in favor of Florida Power and Light Company recorded in O.R. Book 179, Page 260 and O.R. Book 179, Page 262.
- (7) Drainage Easement recorded in O.R. Book 675, Page 325.
- (8) Reserved lot shown on the Plat of Lake Park Addition, according to the plat thereof recorded in Plat Book 2, Page 86, and as approximately shown on the Survey. (As to Parcel 1 only)
- (9) Conservation Easement in favor of the South Florida Water Management District, establishing perpetual conservation easements over the land, recorded July 31, 2001, in O.R. Book 1571, Page 1171, as affected by Amendment of Conservation Easement recorded in O.R. Book 1666, Page 2022, as approximately shown on the Survey. (As to Parcel 1 only)
- (10) Resolution Number 01-4.12 of the Board of County Commissioners, Martin County, Florida, regarding Master Site Plan Approval for McArthur Golf Club With A Request for Public Facilities Deferral, recorded August 8, 2001, in O.R. Book 1573, Page 2086, and as affected by Martin County Florida Revised Major Development Order recorded in O.R. Book 1655, Page 2830, and as further affected by Martin County Florida Revised Major Development Order recorded in O.R. Book 1739, Page 2277, and as further affected by Martin County Florida Revised Major Development Order recorded in O.R. Book 2246, Page 2481, and wetland buffer in the approximate location shown on the Survey. (As to Parcel 1 only)
- (11) Unity of Title recorded August 8, 2001, in O.R. Book 1573, Page 2175.
- (12) Resolution No. 00-11.24 of the Board of County Commissioners, Martin County, Florida, Regarding Change in Zoning District Classification from R-3A to MDR and A-1 and R-2B to LDR for McArthur Golf LLC with a Certificate of Public Facilities Exemption, as recorded

in O.R. Book 1526, Page 1705.

- (13) Resolution No. 01-6.25 of the Board of County Commissioners, Martin County, Florida, Regarding Final Site Plan Approval for McArthur Golf Club, Phase 1, with a Certificate of Public Facilities Reservation, as recorded in O.R. Book 1584 , Page 857.
- (14) Deed of Conservation Easement in favor of South Florida Water Management District, recorded in O.R. Book 1666, Page 2057, and as approximately shown on the Survey. (As to Parcel 1 only)
- (15) Non-exclusive easement granted by the Utility Easement in favor of the Town of Jupiter Island, recorded in O.R. Book 1846, Page 2432, and as approximately shown on the Survey. (As to Parcel 1 only)
- (16) Non-exclusive easement granted by the Utility Easement in favor of the Town of Jupiter Island, recorded in O.R. Book 1846, Page 2452, and as approximately shown on the Survey. (As to Parcel 1 only)
- (17) Non-exclusive easement granted by the Utility Easement in favor of the Town of Jupiter Island, recorded in O.R. Book 1846, Page 2464, and as approximately shown on the Survey. (As to Parcel 1 only)
- (18) Non-exclusive easement granted by the Utility Easement in favor of the BellSouth Telecommunications, Inc., recorded in O.R. Book 1846, Page 2473, and as approximately shown on the Survey. (As to Parcel 1 only)
- (19) Non-exclusive electric utility easement granted by the Easement in favor of Florida Power & Light Company, recorded in O.R. Book 1849, Page 87, and as approximately shown on the Survey. (As to Parcel 1 only)
- (20) Non-exclusive electric utility easement granted by the Easement in favor of Florida Power & Light Company, recorded in O.R. Book 1849, Page 110, and as approximately shown on the Survey. (As to Parcel 1 only)
- (21) Non-exclusive easement granted by the Drainage Easement in favor of Martin County, recorded in O.R. Book 1942, Page 1586, and as affected by County Resolution No. 04-9.41 accepting the same, recoded in O.R. Book 1942, Page 1585, and as approximately shown on the Survey. (As to Parcel 1 only)
- (22) Resolution No. 09-12.14 of the Board of County Commissioners , Martin County, Florida, relating to future land use, recoded in O.R. Book 2427, Page 2527. Eastern Reservation Area as approximately shown on the Survey. (As to Parcel 1 only)
- (23) 10' utility easement and 20' drainage easement shown on the Plat of POINCIANA GARDENS, SECTION 5, according to the Plat thereof, recoded in Plat Book 3, Page 47. (As to Parcel 1 only)
- (24) Martin County Resolution No. 01-12.2, accepting Easements for the Poinciana Gardens Retrofit Project, recorded in O.R. Book 1614, Page 1385.

UNITY OF TITLE

In consideration of the issuance of a Permit to **McArthur Golf Club LLC**, a **Florida limited liability company**, as "Owner", for the construction of the McArthur Golf Course in Hobe Sound, Martin County, Florida, and for other good and valuable considerations, the undersigned hereby agrees to restrict the use of lands described in Exhibit "A" attached hereto in the following manner:

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

Signed, acknowledged and notarized on this ____ day of _____, 2020.

OWNER

**McArthur Golf Club LLC, a Florida
limited liability company**

WITNESSES:

Sign: _____
Print: _____

By: _____
Kevin Murphy, Authorized Agent

Sign: _____
Print: _____

Address: 6550 SE Osprey Street
Hobe Sound, FL 33455

STATE OF FLORIDA
COUNTY OF MARTIN

I HEREBY CERTIFY that the foregoing instrument was acknowledged
before me this _____ day of _____, 2020, by KEVIN
MURPHY, Authorized Agent for McArthur Golf Club LLC, a Florida limited
liability company, who [] is personally known to me or [] has produced _____
_____ as identification.

(Notarial Seal)

NOTARY PUBLIC
My Commission Expires:

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

EXHIBIT A
MCARTHUR GOLF CLUB
LEGAL DESCRIPTION

TRACT 1 (EAST GOLF COURSE)

All of that certain real property located in Martin County, Florida, more particularly described as follows:

BEGINNING at a point in the Westerly line of the Gomez Grant, a distance Southerly along the same 4,600 feet from the Northwestern corner of said Grant and running thence (1) North 68°26' East about 6,894.77 feet to the Westerly line of U.S. Highway No.1; thence (2) Southerly along the same about 10,083.72 feet to the Southerly line of the herein described parcel; thence (3) South 68°26' West parallel to the first course and at right angles to the Westerly line of the Gomez Grant 9,684.01 feet to a concrete monument; thence (4) North 21°34' West along the Westerly line of the Gomez Grant 9,667.8 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM, HOWEVER, THE FOLLOWING:

- Parcel (a): Sections 1 and 2 of Poinciana Gardens, recorded in Plat Book 2, Page 95, Martin County, Florida, Public Records;
- Parcel (b): Sections 3 and 4 of Poinciana Gardens, recorded in Plat Book 2, Page 105, Martin County, Florida, Public Records;
- Parcel (c): Sections 5 of Poinciana Gardens, recorded in Plat Book 3, Page 47, Martin County, Florida, Public Records;
- Parcel (d): Lots 16 and 17, Lake Park Addition and other lots in Lake Park Addition lying Northerly of Ocean Way (said Ocean Way being shown on plat of Section 4 of Poinciana Gardens) of Lake Park Addition, according to the plat recorded in Plat Book 2, Page 86, Martin County, Florida, Public Records;
- Parcel (e): The Southerly 1,950 feet thereof; and
- Parcel (f): The Westerly 518.07 acres, more or less.

Parcels (a), (b), (c), (d) and (e) above are the same parcels as those set out in that deed dated May 6, 1963, and recorded in Official Records Book 114, page 326, Martin County, Florida, Public Records.

Containing 471.89 acres, more or less.

TOGETHER WITH:

TRACT 2 (WEST GOLF COURSE)

BEING A PARCEL OF LAND LYING IN THE GOMEZ GRANT, MARTIN COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

McArthur Golf Club legal description continued

BEGINNING AT THE SOUTHWESTERLY CORNER OF THE PLAT OF POINCIANA GARDENS, SECTIONS 3 AND 4, AS RECORDED IN PLAT BOOK 2, PAGE 105 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE, ALONG THE SOUTHERLY BOUNDARY OF SAID POINCIANA GARDENS SECTIONS 3 AND 4, BY THE FOLLOWING COURSES AND DISTANCES: THENCE NORTH 68°29'17" EAST, A DISTANCE OF 140.00 FEET; THENCE NORTH 21°30'43" WEST, A DISTANCE OF 50.00 FEET; THENCE NORTH 68°29'17" EAST, A DISTANCE OF 3434.03 FEET; THENCE NORTH 59°19'00" EAST, A DISTANCE OF 1578.87 FEET; THENCE DEPARTING SAID LINE, SOUTH 25°16'15" WEST A DISTANCE OF 843.79 FEET; THENCE SOUTH 21°13'53" EAST, A DISTANCE OF 1048.94 FEET; THENCE SOUTH 02°37'35" EAST, A DISTANCE OF 1136.69 FEET; THENCE SOUTH 23°55'52" EAST, A DISTANCE OF 701.70 FEET; THENCE SOUTH 21°43'54" EAST, A DISTANCE OF 151.56 FEET; THENCE SOUTH 03°28'54" WEST, A DISTANCE OF 276.51 FEET; THENCE SOUTH 60°32'43" EAST, A DISTANCE OF 431.44 FEET; THENCE SOUTH 38°40'30" EAST, A DISTANCE OF 531.11 FEET; THENCE SOUTH 08°52'46" EAST A DISTANCE OF 343.14 FEET; THENCE SOUTH 87°38'00" EAST, A DISTANCE OF 242.21 FEET; THENCE SOUTH 57°31'16" EAST, A DISTANCE OF 169.91 FEET; THENCE SOUTH 21°34'33" EAST, A DISTANCE OF 142.34 FEET; THENCE SOUTH 68°25'27" WEST, A DISTANCE OF 4724.76 FEET TO A POINT ON THE WESTERLY LINE OF THE GOMEZ GRANT; THENCE ALONG THE WEST LINE OF THE GOMEZ GRANT, BY THE FOLLOWING COURSES AND DISTANCES: NORTH 21°38'25" WEST, A DISTANCE OF 708.64 FEET; THENCE NORTH 21°50'09" WEST, A DISTANCE OF 2654.68 FEET; THENCE NORTH 21°13'53" WEST, A DISTANCE OF 1701.10 FEET TO THE POINT OF BEGINNING.

CONTAINING 518.07 ACRES, MORE OR LESS.

PARCEL ID NUMBERS: 34-38-42-000-160-00000-3
34-38-42-000-160-00010-0
34-38-42-043-407-00080-0