

RESOLUTION NO. 853

A RESOLUTION OF THE TOWN OF SEWALL'S POINT, FLORIDA, ADOPTING THE RELEASE OF UNITY OF TITLE FOR PROPERTY LOCATED AT 15 S. RIVER ROAD, SEWALL'S POINT, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Frederic M. Ayres III, also known as Frederic M. Ayres, entered into a Unity of Title covenant dated April 12, 1994, which is recorded at Official Records Book 1066, Page 538 of the Public records of Martin County; and

WHEREAS, the aforesaid Unity of Title is deemed a covenant running with the land and remains in full force and effect and binding until such time as the same may be released in writing by the Town Commission for the Town of Sewall's Point, Florida; and

WHEREAS, Frederic M. Ayres III, transferred the property described herein below and subject to said Unity of Title covenant to Frederic M. Ayres III, as trustee of Frederic M. Ayres III trust dated February 20, 2004, by warranty deed recorded in Official Records Book 1876, Page 2127 and modified by corrective warranty deed recorded in Official Records Book 1898, Page 1168, both in the Public Records of Martin County, Florida; and

WHEREAS, Frederic M. Ayres III died on February 8, 2016, as evidenced by a copy of his death certificate recorded in Official Records Book 2917, Page 1640, of the Public Records of Martin County, Florida; and

WHEREAS, the undersigned, Mary A. Rosseau and Thomas H. Thurlow III, have been serving as trustees under the Fredric M. Ayres III trust dated February 20, 2004 effective upon the death of Frederic M. Ayres III; and

WHEREAS, as trustees under the aforesaid trust, the undersigned, Mary A. Rosseau and Thomas H. Thurlow III, do hereby certify that they are the fee simple owners of the two adjacent parcels set forth in the aforesaid unity of title covenant, being more particularly described as follows:

Lot No. 10, less the south five feet thereof, of Heritage Place, according to the Plat thereof recorded in Plat Book 10, Page 2, Public Records of Martin County, Florida; and

Lot No. 25 of Heritage Place, according to the Plat thereof recorded in Plat Book 10, Page 2, Public Records of Martin County, Florida

(Lot 10 and Lot 25 hereinafter collectively referred to as the "Lots").

WHEREAS, the undersigned Mary A. Rosseau and Thomas H. Thurlow III, as trustees under Fredric M. Ayres III trust dated February 20, 2004 now desire to release the Lots from the aforesaid Unity of Title covenant; and

WHEREAS, the Town Commission for the Town of Sewall's Point, Florida, has agreed to release the Lots from the aforesaid Unity of Title covenant.

NOW THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the undersigned parties agree as follows:

1. The Unity of Title covenant dated April 12, 1994, and recorded at Official Records Book 1066, Page 538 of the Public records of Martin County is hereby released and discharged.

2. Said Lots shall be considered two plots and parcels of land and may be transferred, conveyed, sold devised, assigned or otherwise transferred separately and no longer subject to the said Unity of Title covenant.

3. Nothing herein shall be construed to release, terminate or otherwise effect any covenants, restrictions, easements or other matters effecting the Lots that are not stated in the said Unity of Title covenant before or after the date of the said Unity of Title covenant.

4. The undersigned parties further agree that this instrument shall be recorded in the Public Records of Martin County, Florida.

In Witness Whereof, undersigned have signed these presents on the dates indicated below.

Signed, sealed and delivered in our presence:

Date: _____

Witness Name: _____

Mary A. Rosseau

Witness Name: _____

Thomas H. Thurlow III

State of Florida
County of Martin

The forgoing instrument was acknowledged before me this ____ day of _____, 2018 by Mary A. Rosseau and Thomas A. Thurlow III, as trustees, who personally known or have produced a driver's license as identification.

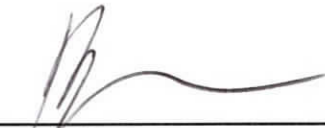
[Notary Seal]

Notary Public
Printed Name: _____
My Commission Expires: _____

TOWN OF SEWALL'S POINT, FLORIDA

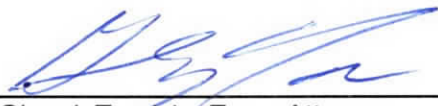
ATTEST:

Lakisha Q. Burch, Town Clerk



Paul L. Luger, Mayor

Date: _____



Glen J. Torcivia, Town Attorney

Florida Bar No. 343374

Approved as to form and legal sufficiency



Recorded in Martin County, FL 8/20/2018 10:16 AM
 Carolyn Timmann, Clerk of the Circuit Court & Comptroller
 Rec Fees: \$27.00
 CFN#2711378 BK 3011 PG 726 PAGE 1 of 3

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WHEREAS, Frederic M. Ayres III, also known as Frederic M. Ayres, entered into a Unity of Title covenant dated April 12, 1994, which is recorded at Official Records Book 1066, Page 538 of the Public records of Martin County; and

WHEREAS, the aforesaid Unity of Title is deemed a covenant running with the land and remains in full force and effect and binding until such time as the same may be released in writing by the Town Commission for the Town of Sewall's Point, Florida; and

WHEREAS, Frederic M. Ayres III transferred the property described herein below and subject to said Unity of Title covenant to Frederic M. Ayres III, as trustee of Frederic M. Ayres III trust dated February 20, 2004, by warranty deed recorded in Official Records Book 1876, Page 2127 and modified by corrective warranty deed recorded in Official Records Book 1898, Page 1168, both in the Public Records of Martin County, Florida; and

WHEREAS, Frederic M. Ayres III died on February 8, 2016, as evidenced by a copy of his death certificate recorded in Official Records Book 2075, Page 1640, of the Public Records of Martin County, Florida; and

WHEREAS, the undersigned, Mary A. Rosseau and Thomas H. Thurlow III, have been serving as trustees under the Frederic M. Ayres III trust dated February 20, 2004 effective upon the death of Frederic M. Ayres III; and

WHEREAS, as trustees under the aforesaid trust, the undersigned, Mary A. Rosseau and Thomas H. Thurlow III, do hereby certify that they are the fee simple owners of the two adjacent parcels set forth in the aforesaid unity of title covenant, being more particularly described as follows:

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NOW THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the undersigned parties agree as follows:

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3. Nothing herein shall be construed to release, terminate or otherwise effect any covenants, restrictions, easements or other matters affecting the Lots that are not stated in the said Unity of Title covenant before or after the date of the said Unity of Title covenant.
4. The undersigned parties further agree that this instrument shall be recorded in the Public Records of Martin County, Florida.

In Witness Whereof, undersigned have signed these presents on the dates indicated below.

Signed, sealed and delivered in our presence:

Date: August 1, 2018

[Signature]
Witness Name: Pamela Walker

[Signature]
Mary A. Rosseau

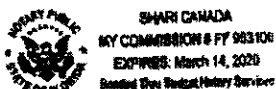
[Signature]
Witness Name: Kathryn Barberce

[Signature]
Thomas H. Thurlow III

State of Florida
County of Martin


The foregoing instrument was acknowledged before me this 1 day of August, 2018 by Mary A. Rosseau and Thomas A. Thurlow III, as trustees, who personally known or have produced a driver's license as identification.

[Notary Seal]




[Signature]
Notary Public
Printed Name: Shari Canada
My Commission Expires: 3/14/2020

TOWN OF SEWALL'S POINT, FLORIDA




 [Signature]

 Elisha G. Burch, Town Clerk



 Paul L. Luger, Mayor

 Date: _____



 Glen J. Torchia, Town Attorney

 Florida Bar No. 343374

 Approved as to form and legal sufficiency

Unofficial Copy