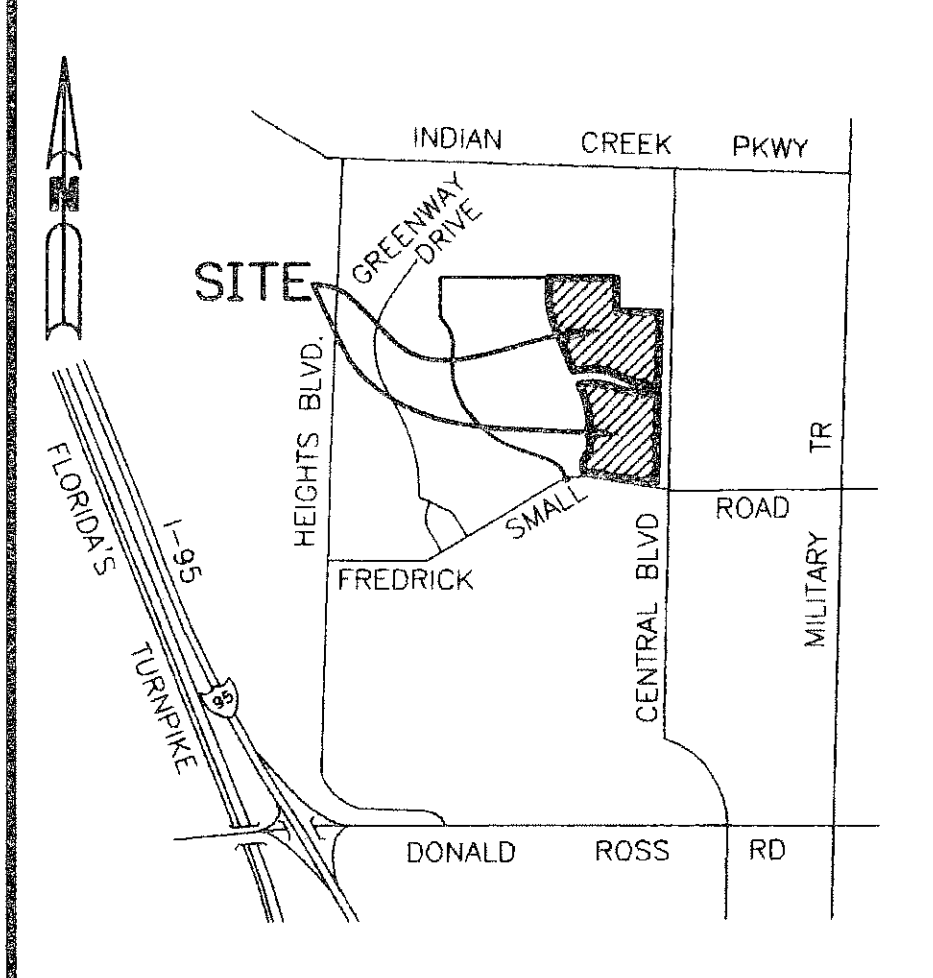


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LOCATION MAP N.T.S.

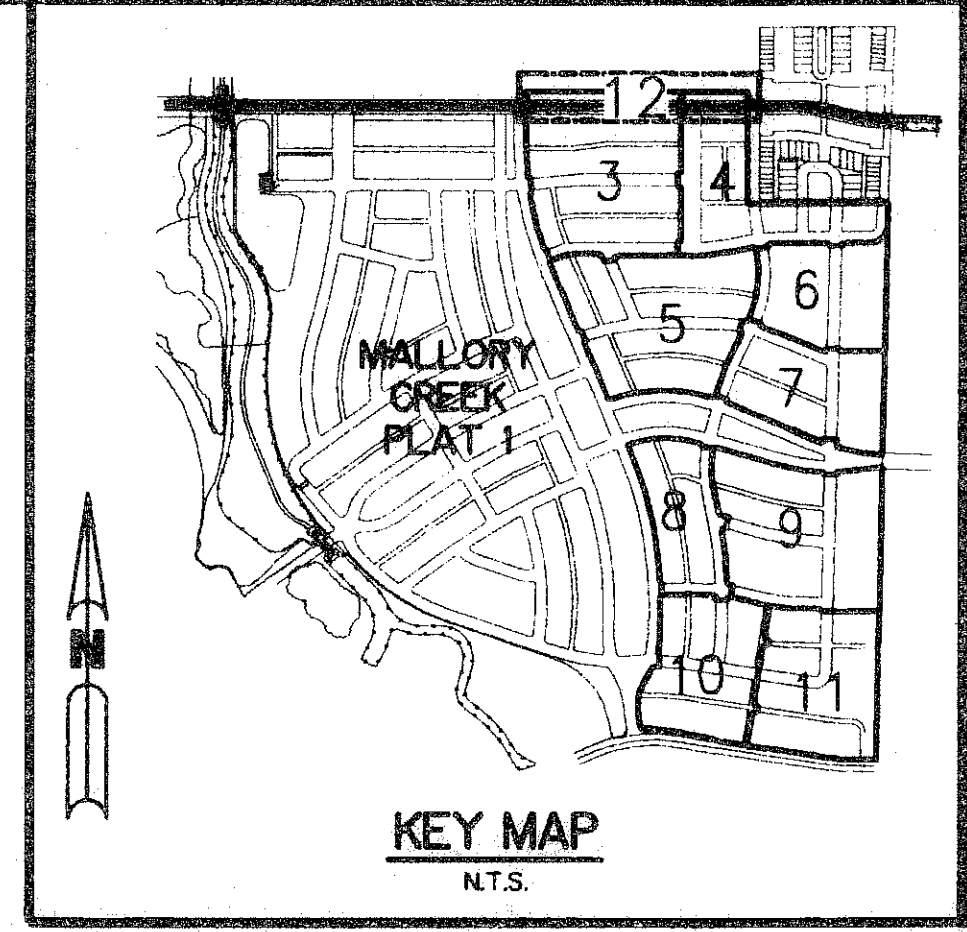
MALLORY CREEK AT ABACOA - PLAT TWO

BEING A REPLAT OF DEV-1 TRACT AND DEV-2 TRACT ACCORDING TO MALLORY CREEK AT ABACOA - PLAT ONE AS RECORDED IN PLAT BOOK 109, PAGES 97 THROUGH 113, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 14, TOWNSHIP 41 SOUTH, RANGE 42 EAST, TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA

SHEET 1 OF 12 AUGUST, 2008

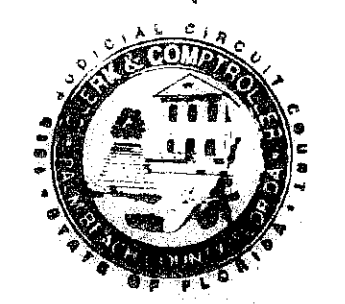
00030-073

THIS INSTRUMENT PREPARED BY PERRY C. WHITE, P.S.M. 4213, STATE OF FLORIDA ARCADIS U.S., Inc. ENGINEERS PLANNERS SURVEYORS 2081 VISTA PARKWAY WEST PALM BEACH, FLORIDA 33411 LB7062



KEY MAP N.T.S.

STATE OF FLORIDA COUNTY OF PALM BEACH This Plat was filed for record at 3:48 P.M. this 12th day of December 20 08 and duly recorded in Plat Book on Pages 12-23 112 Sharon R. Buck, Clerk & Comptroller By C.S. 12/23/08



DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT DIVOSTA HOMES, L.P., A DELAWARE LIMITED PARTNERSHIP, OWNER OF THE LANDS SHOWN HEREON AS "MALLORY CREEK AT ABACOA - PLAT TWO", BEING A REPLAT OF ALL OF TRACTS DEV-1 AND DEV-2 ACCORDING TO MALLORY CREEK AT ABACOA - PLAT ONE AS RECORDED IN PLAT BOOK 109, PAGES 97 THROUGH 113, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LAND LYING AND SITUATE IN SECTION 14, TOWNSHIP 41 SOUTH, RANGE 42 EAST, THE TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA.

CONTAINING 2,944,595 SQUARE FEET OR 67.599 ACRES, MORE OR LESS.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DO HEREBY DEDICATE AS FOLLOWS:

- TRACTS "A" AND "B", AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE TOWN OF JUPITER IN FEE SIMPLE, AS ROAD RIGHT-OF-WAY FOR PERPETUAL USE OF THE PUBLIC FOR ACCESS, UTILITY AND DRAINAGE PURPOSES. THE DRAINAGE FACILITIES LYING WITHIN TRACT "A" AND "B" SHALL BE THE MAINTENANCE RESPONSIBILITY OF THE TOWN OF JUPITER. THE MALLORY CREEK AT ABACOA HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, SHALL HAVE THE RIGHT TO INSTALL PAVER BRICK SYSTEMS, LANDSCAPING, (PLANTINGS AND SO2) AND IRRIGATION FACILITIES WITHIN TRACT "A" AND "B", AS SHOWN HEREON, PROVIDED PLANS ARE SUBMITTED, APPROVED AND PERMITTED PER THE TOWN OF JUPITER, AND SAID FACILITIES ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT OR THE TOWN OF JUPITER.
- TRACTS OST-30 THROUGH OST-66, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE MALLORY CREEK AT ABACOA HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR OPEN SPACE, LANDSCAPING, IRRIGATION, TEMPORARY SURFACE WATER RETENTION, DRAINAGE AND PUBLIC PEDESTRIAN ACCESS PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF JUPITER AND WITHOUT RECOURSE TO NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT.
- THE PRESERVATION OF NATIVE PLANT MATERIALS WITHIN THESE TRACTS SHALL BE MAINTAINED, TO THE EXTENT POSSIBLE.
- TRACTS W.M.T.-1 AND W.M.T.-2, AS SHOWN HEREON, ARE HEREBY DEDICATED, IN FEE SIMPLE ABSOLUTE, TO THE NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT FOR WATER MANAGEMENT PURPOSES, SAID WATER MANAGEMENT TRACT BEING THE PERPETUAL MAINTENANCE OBLIGATION OF SAID DISTRICT, ITS SUCCESSORS AND/OR ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF JUPITER.
- TRACTS "C" THROUGH "F", AS SHOWN HEREON, ARE HEREBY DEDICATED TO MALLORY CREEK AT ABACOA HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, AS ALLEY RIGHT-OF-WAY FOR THE PERPETUAL USE OF THE PUBLIC FOR INGRESS-EGRESS, UTILITY AND DRAINAGE PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF JUPITER, AND WITHOUT RECOURSE TO NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT.
- THE TOWN OF JUPITER AND NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MAINTAIN ANY PORTION OF THE DRAINAGE SYSTEM SHOWN BY THIS PLAT, INCLUDING THE RIGHT TO UTILIZE FOR PUBLIC PURPOSES ANY AND ALL DRAINAGE, LAKE MAINTENANCE, LAKE MAINTENANCE ACCESS EASEMENTS, ROADS PRIVATE OR PUBLIC AND PARKING AND ACCESS TRACTS ASSOCIATED WITH SUCH DRAINAGE SYSTEM. SHOULD THE TOWN DEEM IT NECESSARY TO MAINTAIN ANY PORTION OF THE DRAINAGE SHOWN BY THIS PLAT, FOR PUBLIC PURPOSES, THE TOWN MAY REQUIRE THE PROPERTY OWNERS, ASSIGNS OR SUCCESSORS TO PAY ALL OR PART OF THE MAINTENANCE COST.
- PUBLIC DRAINAGE EASEMENTS, (P.D.E.), AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE TOWN OF JUPITER FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF DRAINAGE FACILITIES.
- NO STRUCTURE OR BUILDING OR ANY KIND OF LANDSCAPING, EXCEPT DRIVEWAYS, SIDEWALKS, AND SIMILAR SURFACE CONSTRUCTION SHALL BE PLACED ON OR WITHIN ANY EASEMENT WITHOUT THE PRIOR WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND THE TOWN ENGINEER.
- THE DRAINAGE EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO MALLORY CREEK AT ABACOA HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF DRAINAGE FACILITIES, AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS WITHOUT RECOURSE TO NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT OR THE TOWN OF JUPITER. THE TOWN OF JUPITER AND THE MALLORY CREEK AT ABACOA HOME OWNERS ASSOCIATION, INC., SHALL HAVE THE RIGHT BUT NOT THE OBLIGATION TO REPAIR AND/OR CLEAN ANY PORTION OF THE DRAINAGE FACILITIES THAT ARE CONNECTED TO THE TOWN'S DRAINAGE SYSTEM. ALL COSTS ASSOCIATED WITH SUCH REPAIR AND/OR CLEANING SHALL BE PAID BY MALLORY CREEK AT ABACOA HOMEOWNERS ASSOCIATION, INC.

NO STRUCTURE OR BUILDING OR ANY KIND OF LANDSCAPING, EXCEPT DRIVEWAYS, SIDEWALKS, AND SIMILAR SURFACE CONSTRUCTION SHALL BE PLACED ON OR WITHIN ANY EASEMENT WITHOUT THE PRIOR WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND THE TOWN ENGINEER.

DEDICATION (CONTINUED)

8. THE LANDSCAPE EASEMENT (L.D.E.), AS SHOWN HEREON, IS HEREBY DEDICATED JOINTLY TO THE MALLORY CREEK AT ABACOA HOMEOWNERS ASSOCIATION, INC. ("ASSOCIATION"), ITS SUCCESSORS AND ASSIGNS, AND THE TOWN OF JUPITER, FOR ACCESS TO MAINTAIN OAK TREES PLANTED WITHIN THE L.D.E. ("STREETSCAPE TREES"). MAINTENANCE OF THE STREETSCAPE TREES WITHIN THE L.D.E. IS THE PERPETUAL OBLIGATION OF SAID ASSOCIATION ITS SUCCESSORS AND ASSIGNS. THE TOWN OF JUPITER HAS THE RIGHT BUT NOT THE OBLIGATION TO MAINTAIN THE STREETSCAPE TREES SHOULD THE TOWN DETERMINE IT IS NECESSARY DUE TO LACK OF MAINTENANCE BY THE ASSOCIATION. ALL COSTS ASSOCIATED WITH SUCH MAINTENANCE SHALL BE BORNE BY SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS.

NO STRUCTURE, BUILDING, OR ANY KIND OF SURFACE CONSTRUCTION SHALL BE PLACED ON, OR WITHIN THE L.D.E. WITHOUT THE PRIOR WRITTEN CONSENT OF THE TOWN ENGINEER.

THERE WILL BE NO REMOVAL OR RELOCATION OF STREETSCAPE TREES LYING WITHIN THE L.D.E. WITHOUT THE PRIOR WRITTEN CONSENT OF THE NATURAL RESOURCES COORDINATOR OF THE TOWN OF JUPITER OR HIS DESIGNEE.

9. THE UTILITY EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED IN PERPETUITY FOR THE CONSTRUCTION AND MAINTENANCE OF UTILITY FACILITIES, INCLUDING CABLE TELEVISION SYSTEMS AND OTHER TELECOMMUNICATION SERVICES. THE INSTALLATION OF CABLE TELEVISION SYSTEMS AND OTHER TELECOMMUNICATION SERVICES SHALL NOT INTERFERE WITH THE CONSTRUCTION AND MAINTENANCE OF OTHER UTILITIES.

NO STRUCTURE OR BUILDING OR ANY KIND OF LANDSCAPING, EXCEPT DRIVEWAYS, SIDEWALKS, AND SIMILAR SURFACE CONSTRUCTION SHALL BE PLACED ON OR WITHIN ANY EASEMENT WITHOUT THE PRIOR WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND THE TOWN ENGINEER.

10. THE LIFT STATION EASEMENT, AS SHOWN HEREON, IS HEREBY DEDICATED TO THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT FOR ACCESS TO AND MAINTENANCE OF LIFT STATION FACILITIES.

11. THE WELL SITE EASEMENT, AS SHOWN HEREON, IS HEREBY DEDICATED TO THE TOWN OF JUPITER, FLORIDA, FOR ACCESS TO AND MAINTENANCE OF WELL SITE FACILITIES.

12. THE LIMITED ACCESS EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE TOWN OF JUPITER, FLORIDA, FOR THE PURPOSE OF CONTROL AND JURISDICTION OVER ACCESS RIGHTS.

13. THE SAFE SIGHT EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE TOWN OF JUPITER FOR THE CONTROL AND JURISDICTION OF CONSTRUCTION RIGHTS WITHIN SAID EASEMENTS. NO CONSTRUCTION, BUILDINGS, DECORATIVE SIGNS, MONUMENTS OR ANY KIND OF LANDSCAPING SHALL BE PLACED IN SAID EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL FROM THE TOWN ENGINEER.

BY THIS DEDICATION, THE CONSTRUCTION AND MAINTENANCE OF STREET SIGNS AND OTHER INFORMATIONAL TRAFFIC SIGNS ARE PERMITTED WITHIN THE SAFE SIGHT EASEMENT

14. THE SIDEWALK EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE TOWN OF JUPITER FOR PUBLIC PEDESTRIAN ACCESS PURPOSES AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE TOWN OF JUPITER.

IN WITNESS WHEREOF, DIVOSTA HOMES, L.P., A DELAWARE LIMITED PARTNERSHIP, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS PRESIDENT AND ITS CORPORATE SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS THIS 8th DAY OF DECEMBER, 2008.

DIVOSTA HOMES, L.P., A DELAWARE LIMITED PARTNERSHIP BY: DIVOSTA HOMES HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS GENERAL PARTNER.

By: David A. Koon, President

Attest: Christopher Vohs, Vice President

Witness: Phillip R. Cross, Witness: Karen Janeczek

Print Name: Phillip R. Cross, Print Name: Karen Janeczek

NO STRUCTURE OR BUILDING OR ANY KIND OF LANDSCAPING, EXCEPT DRIVEWAYS, SIDEWALKS, AND SIMILAR SURFACE CONSTRUCTION SHALL BE PLACED ON OR WITHIN ANY EASEMENT WITHOUT THE PRIOR WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND THE TOWN ENGINEER.

ACKNOWLEDGEMENT:

STATE OF FLORIDA COUNTY OF PALM BEACH THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 8th DAY OF December 2008 BY DAVID A. KOON, PRESIDENT AND CHRISTOPHER VOHS, VICE PRESIDENT OF DIVOSTA HOMES HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND GENERAL PARTNER OF DIVOSTA HOMES, L.P., A DELAWARE LIMITED PARTNERSHIP, ON BEHALF OF THE PARTNERSHIP. THE SUBSCRIBING PARTY IS PERSONALLY KNOWN TO ME.

MY COMMISSION EXPIRES: January 12, 2010

Notary Seal for Rachel Blackwell, Notary Public State of Florida, Commission Number: DD050682-2

ACCEPTANCE OF DEDICATIONS AND RESERVATIONS:

STATE OF FLORIDA COUNTY OF PALM BEACH THE MALLORY CREEK AT ABACOA HOMEOWNERS ASSOCIATION, INC., HEREBY ACCEPTS THE DEDICATIONS AND RESERVATIONS TO SAID ASSOCIATION AS STATED AND SHOWN HEREON, AND HEREBY ACCEPTS ITS MAINTENANCE OBLIGATIONS FOR SAME AS STATED HEREON, DATED THIS 8th DAY OF DECEMBER, 2008.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF MALLORY CREEK AT ABACOA HOMEOWNERS ASSOCIATION, INC.

By: Diana Cabrera, President

Witness: Karen Janeczek, Witness: Mark D. Thomson

Print Name: Karen Janeczek, Print Name: Mark D. Thomson

ACKNOWLEDGEMENT:

STATE OF FLORIDA COUNTY OF PALM BEACH THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 8th DAY OF December 2008 BY DIANA CABRERA, PRESIDENT OF MALLORY CREEK AT ABACOA HOMEOWNERS ASSOCIATIONS, INC., A FLORIDA CORPORATION NOT FOR PROFIT, ON BEHALF OF THE CORPORATION. THE SUBSCRIBING PARTY IS PERSONALLY KNOWN TO ME.

MY COMMISSION EXPIRES: January 12, 2010

Notary Seal for Rachel Blackwell, Notary Public State of Florida, Commission Number: DD050682-2

ACCEPTANCE OF DEDICATIONS OR RESERVATIONS:

STATE OF FLORIDA COUNTY OF PALM BEACH ABACOA PROPERTY OWNERS' ASSEMBLY, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, HEREBY ACCEPTS THE DEDICATIONS TO SAID ASSEMBLY AS STATED AND SHOWN HEREON, AND HEREBY ACCEPTS ITS MAINTENANCE OBLIGATIONS FOR SAME AS STATED HEREON, DATED THIS 11th DAY OF DECEMBER, 2008.

THIS 11th DAY OF December, 2008.

By: Peter R. Lippman, President

Witness: Louise Lippman, Witness: Barbara Bretan

Print Name: Louise Lippman, Print Name: Barbara Bretan

ACKNOWLEDGEMENT:

STATE OF FLORIDA COUNTY OF PALM BEACH BEFORE ME PERSONALLY APPEARED PETER R. LIPPMAN, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED AS IDENTIFICATION AND WHO EXECUTED THE FOREGOING INSTRUMENT AS PRESIDENT OF THE ABACOA PROPERTY OWNERS' ASSEMBLY, INC., A FLORIDA CORPORATION NOT FOR PROFIT, AND ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID CORPORATION, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE CORPORATE SEAL OF SAID CORPORATION AND THAT IT WAS AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR CORPORATE AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL THIS 11th DAY OF December 2008.

MY COMMISSION EXPIRES: 7/25/2010

Notary Seal for Barbara Bretan, Notary Public State of Florida, Commission Number: DD 577828

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT ACCEPTANCE

THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT HEREBY ACCEPTS THE LIFT STATION EASEMENT, AS SHOWN HEREON, FOR ACCESS AND MAINTENANCE PURPOSES THIS 11th DAY OF December, 2008.

By: Richard C. Dent, Executive Director

Attest: Richard C. Dent, Winston R. Yerkes

Print Name: Richard C. Dent, Winston R. Yerkes

NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT ACCEPTANCE

THE NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT HEREBY ACCEPTS THE FEE SIMPLE ABSOLUTE DEDICATION AND THE PERPETUAL MAINTENANCE OBLIGATION OF WATER MANAGEMENT TRACTS "WMT-1" AND "WMT 2", AND HEREBY ACKNOWLEDGES SAID NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT HAS NO MAINTENANCE OBLIGATION ON OR UNDER THE LANDS OVER WHICH SAID TRACTS LIE, AND HEREBY ACCEPTS THE RIGHT, BUT NOT THE OBLIGATION TO CONSTRUCT, OPERATE, INSPECT AND MAINTAIN ITS WATER MANAGEMENT FACILITIES LYING WITHIN SAID WATER MANAGEMENT EASEMENTS.

IN WITNESS WHEREOF, NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT HAS CAUSED THESE PRESENTS TO BE SIGNED BY MARILYN LEW-JACOBS, ITS PRESIDENT, AND O'NEAL BARDIN, JR., ITS SECRETARY, AND ITS SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS BOARD OF SUPERVISORS, THIS 12 DAY OF November, 2008.

NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT

By: Marilyn Lew-Jacobs, President Board of Supervisors

Attest: O'Neal Bardin, Jr., Secretary

