

20100090348

COLONY AT LAKE WORTH P.U.D.

BEING A PLAT OF A PORTION OF THE SOUTHEAST 1/4, SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT COLONY AT LAKE WORTH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, OWNER OF THE LANDS SHOWN HEREON AS COLONY AT LAKE WORTH P.U.D., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A portion of land lying within the Southeast one-quarter (SE 1/4) of Section 35, Township 44 South, Range 42 East, Palm Beach County, Florida, being more particularly described as follows:

Commencing at the Southeast corner of Section 35, Township 44 South, Range 42 East; thence North 88°26'26" West (as a basis of bearings) along the South line of the Southeast one-quarter (SE 1/4) of said Section 35, a distance of 1,379.57 feet; thence North 01°33'34" East, a distance of 54.00 feet to the POINT OF BEGINNING; thence North 88°26'26" West, a distance of 637.56 feet to a point being on the West line of the East one-half (E 1/2) of the Southwest one-quarter (SW 1/4) of the Southeast one-quarter (SE 1/4) of said Section 35, the preceding course being coincident with the North right-of-way line for Lantana Road as recorded in Official Records Book 5779, Page 1217, Official Records Book 5721, Page 1590, and Official Records Book 5695, Page 137, all of the Public Records of Palm Beach County, Florida; thence North 01°59'50" East along said West line, a distance of 1,293.49 feet to a point being on the South right-of-way line for Nash Drive as recorded in Deed Book 1088, Page 518 of the Public Records of Palm Beach County, Florida; thence South 88°50'46" East along said South right-of-way line, a distance of 663.76 feet to a point being on the West right-of-way line for Myers Road as recorded in Deed Book 1088, Page 518 of the Public Records of Palm Beach County, Florida, said point to be hereinafter referred to as "Reference Point A"; thence South 02°02'52" West along said West right-of-way line, a distance of 1,273.20 feet to the Northeastly corner of right-of-way acquisition Parcel No. 110 for Lantana Road as recorded in Official Records Book 5779, Page 1217 of the Public Records of Palm Beach County, Florida; thence South 46°48'22" West along the Northerly line of said right-of-way acquisition Parcel No. 110, a distance of 35.51 feet to the Point of Beginning.

Together with:

A portion of land lying within the Southeast one-quarter (SE 1/4) of Section 35, Township 44 South, Range 42 East, Palm Beach County, Florida, being more particularly described as follows:

Commencing at the aforementioned "Reference Point A"; thence North 02°02'52" East along the Northerly prolongation of the West right-of-way line for Myers Road as recorded in Deed Book 1088, Page 518 of the Public Records of Palm Beach County, Florida, a distance of 50.01 feet to a point being on the North right-of-way line for Nash Drive as recorded in Deed Book 1088, Page 518 of the Public Records of Palm Beach County, Florida, and the Point of Beginning; thence North 88°50'46" West along said North right-of-way line, a distance of 326.90 feet to a point being on the West line of the East one-half (E 1/2) of the East one-half (E 1/2) of the Northwest one-quarter (NW 1/4) of the Southeast one-quarter (SE 1/4) of said Section 35; thence North 02°01'21" East along said West line, a distance of 341.64 feet to a point being on a line 1,007.99 feet south of and parallel to (as measured at right angles), the North line of the East one-half (E 1/2) of the Northwest one-quarter (NW 1/4) of the Southeast one-quarter (SE 1/4) of said Section 35; thence South 89°15'01" East along said line, a distance of 327.10 feet to a point being on the West right-of-way line for Myers Road as recorded in Deed Book 1088, Page 518 of the Public Records of Palm Beach County, Florida; thence South 02°02'52" West along said West right-of-way line, a distance of 343.95 feet to the Point of Beginning.

Said lands situate, lying and being in Palm Beach County, Florida.

In all totaling 971,044.219 square feet or 22.292 acres more or less.

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

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

THE LIFT STATION EASEMENT IDENTIFIED ON THE PLAT HEREON IS AN EXCLUSIVE EASEMENT AND IS HEREBY DEDICATED IN PERPETUITY TO PALM BEACH COUNTY, ITS SUCCESSORS AND ASSIGNS, FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, EXPANSION AND REPLACEMENT OF WASTEWATER LIFT STATIONS AND RELATED APPURTENANCES. THIS EASEMENT MAY BE FENCED IN BY PALM BEACH COUNTY FOR ACCESS CONTROL PURPOSES. THE MAINTENANCE OF THE UNFENCED PORTIONS OF THE LAND UNDERLYING THIS EASEMENT SHALL BE THE PERPETUAL OBLIGATION OF THE PROPERTY OWNER. NO BUILDINGS, STRUCTURES, TREES, WALLS OR FENCES SHALL BE INSTALLED WITHIN THIS LIFT STATION EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE PALM BEACH COUNTY WATER UTILITIES DEPARTMENT, ITS SUCCESSORS AND ASSIGNS.

THE MASS TRANSIT EASEMENT AS SHOWN HEREON IS DEDICATED IN PERPETUITY TO THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, ITS SUCCESSORS AND ASSIGNS, FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND USE OF A PUBLIC TRANSIT BOARDING AND ALIGHTING AREA, WHICH USE INCLUDES BUT IS NOT LIMITED TO A PUBLIC TRANSIT BUS SHELTER, TRANSFER STATION, AND ADVERTISING. THE MAINTENANCE OBLIGATION FOR THE EASEMENT AREA SHALL BE WITH THE COLONY AT LAKE WORTH CONDOMINIUM ASSOCIATION, INC., A NOT FOR PROFIT CORPORATION, LICENSED TO DO BUSINESS IN THE STATE OF FLORIDA, ITS SUCCESSORS AND ASSIGNS, UNTIL SUCH TIME THE COUNTY ITS SUCCESSORS AND OR ASSIGNS COMMENCES CONSTRUCTION OR INSTALLATION OF FACILITIES ASSOCIATED WITH UTILIZATION OF THE EASEMENT FOR ITS INTENDED PURPOSE, AT WHICH TIME MAINTENANCE OF THE EASEMENT AREA SHALL BECOME THE OBLIGATION OF THE COUNTY ITS SUCCESSORS AND ASSIGNS. THE MAINTENANCE OBLIGATION SHALL AUTOMATICALLY REVERT TO THE COLONY AT LAKE WORTH CONDOMINIUM ASSOCIATION, INC. UPON THE COUNTY'S TEMPORARY OR PERMANENT CESSATION OF USE OF THE EASEMENT. THE EASEMENT GRANTED HEREUNDER SHALL BE NON-EXCLUSIVE AND SUBORDINATED TO ANY UTILITY EASEMENT DEDICATED TO THE PUBLIC.

THE LIMITED ACCESS EASEMENTS (L.A.E.) AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, FOR THE PURPOSE OF CONTROL AND JURISDICTION OVER ACCESS RIGHTS.

TRACT "A" AND TRACT "B", AS SHOWN HEREON ARE HEREBY RESERVED BY THE COLONY AT LAKE WORTH CONDOMINIUM ASSOCIATION, INC. A NOT FOR PROFIT CORPORATION, LICENSED TO DO BUSINESS IN THE STATE OF FLORIDA, ITS SUCCESSORS AND ASSIGNS, FOR PURPOSES CONSISTENT WITH THE ZONING REGULATIONS OF PALM BEACH COUNTY, FLORIDA, AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID OWNER, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY, FLORIDA.

TRACT "C", "D" AND "E", AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, FOR THE PERPETUAL USE OF THE PUBLIC FOR PUBLIC STREET PURPOSES.

IN WITNESS WHEREOF, COLONY AT LAKE WORTH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGER THIS 19th DAY OF January, 2010.

WITNESS: Richard Torres COLONY AT LAKE WORTH LLC, A FLORIDA LIMITED LIABILITY COMPANY
WITNESS: Maileyn Coughlin BY: Elliot Monter
WITNESS: Maileyn Coughlin ELLIOT MONTER
WITNESS: Richard Torres BY: Elliot Monter
MANAGER

ACKNOWLEDGEMENT

STATE OF FLORIDA COUNTY OF PALM BEACH Nassau

BEFORE ME PERSONALLY APPEARED ELLIOT MONTER, WHO IS KNOWN TO ME OR HAS PRODUCED AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS MANAGER OF COLONY AT LAKE WORTH, LLC, A FLORIDA LIMITED LIABILITY CORPORATION, AND SEVERALLY 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 19th DAY OF January, 2010
MY COMMISSION EXPIRES: 2/1/10 Joyce Pang - NOTARY PUBLIC

ACKNOWLEDGEMENT

STATE OF FLORIDA COUNTY OF PALM BEACH Nassau

BEFORE ME PERSONALLY APPEARED GERALD MONTER, WHO IS KNOWN TO ME OR HAS PRODUCED AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS MANAGER OF COLONY AT LAKE WORTH, LLC, A FLORIDA LIMITED LIABILITY CORPORATION, AND SEVERALLY 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 19th DAY OF January, 2010
MY COMMISSION EXPIRES: 2/1/10 Joyce Pang - NOTARY PUBLIC

ACCEPTANCE OF RESERVATIONS

THE COLONY AT LAKE WORTH CONDOMINIUM ASSOCIATION, INC., A NOT FOR PROFIT CORPORATION, LICENSED TO DO BUSINESS IN THE STATE OF FLORIDA, HEREBY ACCEPTS THE DEDICATIONS OR RESERVATIONS TO SAID ASSOCIATION AS STATED AND SHOWN HEREON, AND HEREBY ACCEPTS ITS MAINTENANCE OBLIGATIONS FOR SAME AS STATED HEREON, DATED THIS 19th DAY OF 2010, JANUARY.

WITNESS: Maileyn Coughlin BY: Elliot Monter
WITNESS: Richard Torres ELLIOT MONTER
PRESIDENT

ACKNOWLEDGEMENT

STATE OF FLORIDA COUNTY OF PALM BEACH Nassau

BEFORE ME PERSONALLY APPEARED ELLIOT MONTER, WHO IS KNOWN TO ME OR HAS PRODUCED AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS PRESIDENT OF COLONY AT LAKE WORTH CONDOMINIUM ASSOCIATION, INC., A NOT FOR PROFIT CORPORATION, LICENSED TO DO BUSINESS IN THE STATE OF FLORIDA, AND SEVERALLY 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.

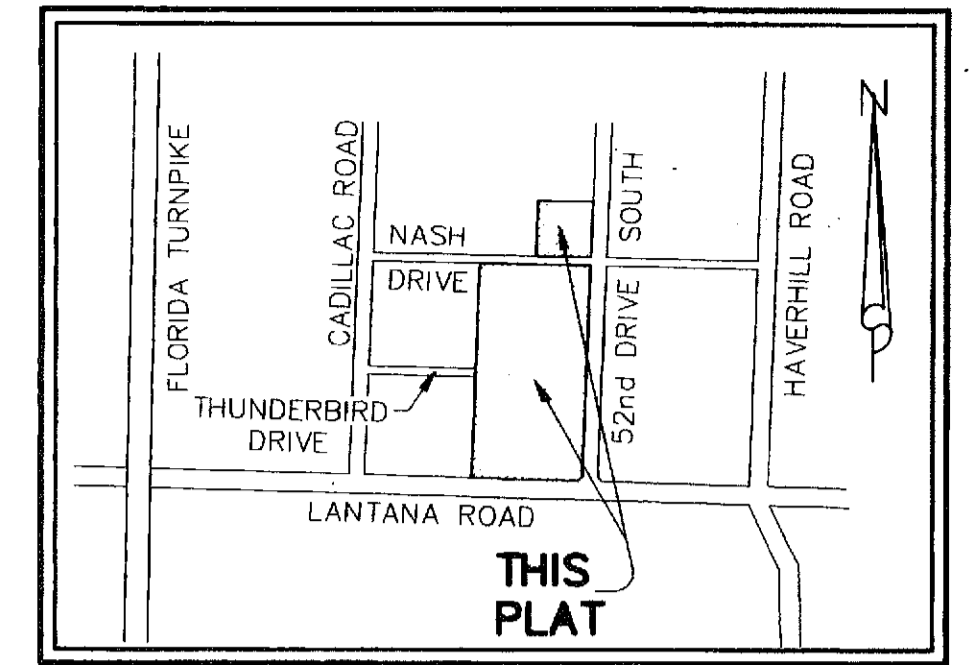
WITNESS MY HAND AND OFFICIAL SEAL THIS 19th DAY OF January, 2010.
MY COMMISSION EXPIRES: 2/1/10 Joyce Pang - NOTARY PUBLIC

TITLE CERTIFICATION

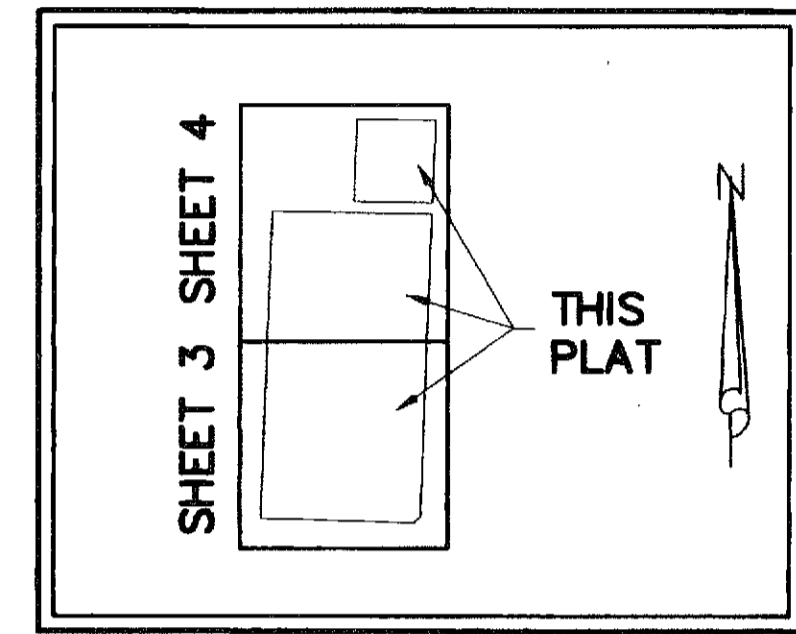
STATE OF FLORIDA COUNTY OF DADE

I HILARY S. FEINSTOCK, A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY; THAT I FIND THE TITLE TO THE PROPERTY IS VESTED IN COLONY AT LAKE WORTH, LLC, A FLORIDA LIMITED LIABILITY COMPANY; THAT THE CURRENT TAXES HAVE BEEN PAID; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON; AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED ON THIS PLAT.

DATED: 1/22/10 BY: Hilary S. Feinstock
HILARY S. FEINSTOCK, ESQUIRE



LOCATION MAP NOT TO SCALE



KEY MAP NOT TO SCALE

COORDINATE TRANSLATION DATA
- COORDINATES SHOWN ARE GRID
- DATUM = NAD 83 1990 ADJUSTMENT
- ZONE = FLORIDA EAST
- LINEAR UNIT = US SURVEY FEET
- COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION
- GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
- ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED
- SCALE FACTOR = 1.00003361354

N 88°26'26" W (PLAT) = 00°00'00"
N 88°26'26" W (GRID) = BEARING ROTATION (PLAT TO GRID)
SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SECTION 35-44S-42E..

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.S."), AND MONUMENTS ACCORDING TO SEC. 177.091 (9), F.S., HAVE BEEN PLACED AS REQUIRED BY LAW; AND, FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF PALM BEACH COUNTY, FLORIDA.

DATED: 02/11/2010
DAVID A. BOWER, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5888

COUNTY APPROVAL

THIS PLAT IS HEREBY APPROVED FOR RECORD PURSUANT TO PALM BEACH COUNTY ORDINANCE 95-33, AND IN ACCORDANCE WITH SECTION 177.071(2), F.S., THIS 10th DAY OF March, 2010, AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR & MAPPER EMPLOYED BY PALM BEACH COUNTY IN ACCORDANCE WITH SECTION 177.081(1), F.S.

BY: George T. Webb
GEORGE T. WEBB, P.E. - COUNTY ENGINEER

SURVEYOR'S NOTES

- ALL BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST. SAID LINE BEING MONUMENTED AND CALCULATED AS HAVING A BEARING OF NORTH 88°26'26" WEST, BASED UPON THE NORTH AMERICAN DATUM OF 1983 ON THE 1990 ADJUSTMENT FLORIDA EAST ZONE, TRANSVERSE MERCATOR PROJECTION.
- ALL DISTANCES SHOWN ARE GROUND DISTANCES. COORDINATES SHOWN HEREON ARE GRID COORDINATES, NORTH AMERICAN DATUM 1983, 1990 ADJUSTMENT, FLORIDA EAST ZONE, TRANSVERSE MERCATOR PROJECTION, GEODETIC CONTROL AS ESTABLISHED AND ADOPTED BY THE PALM BEACH COUNTY SURVEY SECTION. (SEE COORDINATE TRANSLATION DETAIL NOTE SHEET 1 OF 2).
- THE BUILDING SETBACK LINES SHALL BE AS REQUIRED BY CURRENT PALM BEACH COUNTY ZONING REGULATIONS.
- NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
- IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY USE RIGHTS GRANTED.
- NO BUILDINGS OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE COUNTY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS.

STATE OF FLORIDA COUNTY OF PALM BEACH } S.S.
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THIS INSTRUMENT WAS FILED FOR RECORD AT 9:17 A.M. THIS 10th DAY OF March 2010 AND DULY RECORDED IN: PLAT BOOK 113 ON PAGE 69-72 SHARON R. BOCK CLERK CLERK & COMPTROLLER PALM BEACH COUNTY BY: [Signature] DEPUTY CLERK

SHEET 1 OF 4

COLONY AT LAKE WORTH, LLC SEAL
NEW YORK COMMUNITY BANK SEAL
COUNTY ENGINEER SEAL
SURVEYOR SEAL

DENNIS J. LEAVY & ASSOCIATES, INC.
LAND SURVEYORS AND MAPPERS
460 BUSINESS PARK WAY • SUITE B • ROYAL PALM BEACH, FL • 33411
PHONE: (561) 753-0650 FAX: (561) 753-0290
SCALE: N/A CHECKED BY: DAB DATE: 01/14/10
DRAWN BY: A.P. JOB NO.: 08-110

THIS INSTRUMENT WAS PREPARED BY: DAVID A. BOWER, P.S.M. #5888 IN THE OFFICES OF DENNIS J. LEAVY AND ASSOCIATES, INC. 460 BUSINESS PARK WAY, SUITE B ROYAL PALM BEACH, FLORIDA 33411 (561) 753 - 0650