

20140092220

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LUTHERAN CHURCH - KIRK ROAD

BEING A REPLAT OF A PORTION OF LOT 1, BLOCK 4, PALM BEACH PLANTATIONS, PLAT BOOK 10, PAGE 20, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST VILLAGE OF PALM SPRINGS, PALM BEACH COUNTY, FLORIDA

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT LUTHERAN CHURCH OF THE HOLY CROSS, WEST PALM BEACH, INC., A FLORIDA NON PROFIT CORPORATION, LICENSED TO DO BUSINESS IN THE STATE OF FLORIDA AND DG PALM SPRINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, LICENSED TO DO BUSINESS IN THE STATE OF FLORIDA, OWNERS OF THE LAND SHOWN HEREON AS "LUTHERAN CHURCH - KIRK ROAD", BEING A REPLAT OF A PORTION OF LOT 1, BLOCK 4, PALM BEACH PLANTATIONS, PLAT BOOK 10, PAGE 20, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, VILLAGE OF PALM SPRINGS, PALM BEACH COUNTY, FLORIDA

DESCRIBED AS FOLLOWS:

A PARCEL OF LAND DESCRIBED AS THE SOUTH 100 FEET OF THE NORTH 1020 FEET OF THE EAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST; ALSO DESCRIBED AS THE SOUTH 100 FEET OF THE NORTH 1020 FEET OF THE EAST 1/2 OF LOT 1, BLOCK 4, PLAT NO. 1 OF PALM BEACH PLANTATIONS, A SUBDIVISION OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 10, PAGE 20.

LESS THE EAST 40 FEET THEREOF FOR ROAD RIGHT-OF-WAY OF KIRK ROAD, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH

THE NORTH 920 FEET OF THE EAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST; ALSO DESCRIBED AS THE NORTH 920 FEET OF THE EAST 1/2 OF LOT 1, BLOCK 4, PLAT NO. 1 OF PALM BEACH PLANTATIONS, A SUBDIVISION OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 10, PAGE 20.

LESS THE EAST 40 FEET THEREOF FOR RIGHT-OF-WAY OF KIRK ROAD AND LESS THE NORTH 55 FEET THEREOF FOR CANAL RIGHT-OF-WAY, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF LOT 1, BLOCK 4, PALM BEACH PLANTATIONS, PLAT BOOK 10, PAGE 20, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 12, RUN THENCE NORTH 88°50'07" WEST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 12, A DISTANCE OF 40.04 FEET TO A POINT ON A LINE 40.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 01°29'10" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 55.06 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°29'10" EAST CONTINUING ALONG SAID PARALLEL LINE, A DISTANCE OF 966.03 FEET TO A POINT ON A LINE 1020.00 FEET SOUTH OF AND PARALLEL WITH THE SAID NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 12; THENCE NORTH 88°50'07" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 293.63 FEET TO A POINT ON THE WEST LINE OF THE EAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 12, SAID LINE ALSO BEING THE EAST LINE OF TRACT "D", FOREST LAKES, PLAT BOOK 37, PAGE 125, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 01°29'19" WEST ALONG SAID WEST LINE AND SAID EAST LINE OF TRACT "D", A DISTANCE OF 966.04 FEET TO A POINT ON A LINE 55.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 12, THENCE SOUTH 88°50'07" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 293.67 FEET TO THE POINT OF BEGINNING.

CONTAINING 283,375 SQUARE FEET OR 6.51 ACRES, MORE OR LESS.

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

1. THE PALM BEACH COUNTY UTILITY EASEMENTS IDENTIFIED ON THE PLAT HEREON ARE EXCLUSIVE EASEMENTS AND ARE HEREBY DEDICATED IN PERPETUITY TO PALM BEACH COUNTY, ITS SUCCESSORS AND ASSIGNS, FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, EXPANSION AND REPLACEMENT OF POTABLE WATER PIPELINES, RAW WATER PIPELINES, RECLAIMED WATER PIPELINES, AND RELATED APPURTENANCES. THE MAINTENANCE OF THE LAND UNDERLYING THESE EASEMENTS SHALL BE A PERPETUAL OBLIGATION OF THE PROPERTY OWNER. NO BUILDINGS, STRUCTURES, IMPROVEMENTS, TREES, WALLS OR FENCES SHALL BE INSTALLED WITHIN THESE EASEMENTS WITHOUT THE PRIOR WRITTEN APPROVAL OF THE PALM BEACH COUNTY WATER UTILITIES DEPARTMENT, ITS SUCCESSORS AND ASSIGNS.

THE UTILITY EASEMENTS RUNNING ADJACENT AND PARALLEL TO THE TRACTS FOR PRIVATE ROAD PURPOSES, AND PARALLEL TO PUBLIC RIGHTS-OF-WAY, AS SHOWN HEREON, ARE NON-EXCLUSIVE EASEMENTS AND ARE HEREBY DEDICATED IN PERPETUITY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, EXPANSION AND REPLACEMENT OF UTILITIES, BOTH PUBLIC AND PRIVATE, INCLUDING, BUT NOT LIMITED TO, POTABLE WATER PIPELINES, RAW WATER PIPELINES, WASTEWATER PIPELINES, RECLAIMED WATER PIPELINES, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES. THE INSTALLATION OF CABLE TELEVISION SYSTEMS SHALL NOT INTERFERE WITH THE CONSTRUCTION AND MAINTENANCE OF OTHER UTILITIES. NO BUILDINGS, STRUCTURES, IMPROVEMENTS, TREES, WALLS OR FENCES SHALL BE INSTALLED WITHIN THESE EASEMENTS WITHOUT THE PRIOR WRITTEN APPROVAL OF THE PALM BEACH COUNTY WATER UTILITIES DEPARTMENT, ITS SUCCESSORS AND ASSIGNS.

IN WITNESS WHEREOF, THE ABOVE-NAMED CORPORATION 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 12th DAY OF FEB, 2014.

LUTHERAN CHURCH OF THE HOLY CROSS, WEST PALM BEACH, INC., A FLORIDA NON PROFIT CORPORATION LICENSED TO DO BUSINESS IN THE STATE OF FLORIDA
BY: Robert Emch, PRESIDENT
WITNESS: Kirk Grantham, Kirt Grantham
WITNESS: Heather Hourahan, Heather Hourahan

SHEET 1 OF 2

THIS INSTRUMENT WAS PREPARED BY TIMOTHY M. SMITH, PROFESSIONAL SURVEYOR AND MAPPER FLORIDA CERTIFICATE NO. LS 4676 TIMOTHY M. SMITH LAND SURVEYING, INC. FLORIDA CERTIFICATE NO. LB 6865 4546 CAMBRIDGE STREET WEST PALM BEACH, FL 33415 (561) 602-8160

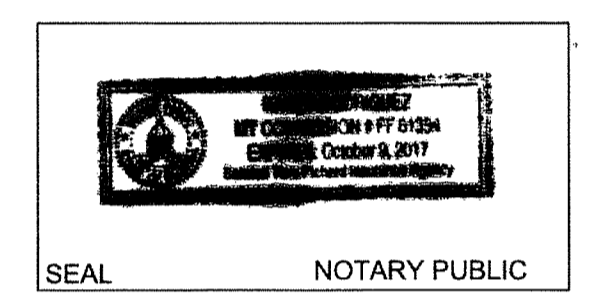
ACKNOWLEDGMENT

STATE OF FLORIDA) COUNTY OF PALM BEACH)
BEFORE ME PERSONALLY APPEARED ROBERT EMCH, WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED VALID FL. ID. LIC. AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS PRESIDENT OF LUTHERAN CHURCH OF THE HOLY CROSS, WEST PALM BEACH, INC., A FLORIDA NON PROFIT CORPORATION, LICENSED TO DO BUSINESS IN THE STATE OF FLORIDA, A 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 (IF AVAILABLE) 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 12th DAY OF FEBRUARY, 2014.

MY COMMISSION EXPIRES: _____
PRINT NAME: Karen Rodriguez
NOTARY PUBLIC

Karen Rodriguez
My Commission expires: October 9, 2017
Bonded Thru: Richard Insurance Agency



IN WITNESS WHEREOF, THE ABOVE-NAMED CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGER AND ITS CORPORATE SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS, THIS 12th DAY OF FEBRUARY, 2014.

DG PALM SPRINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY LICENSED TO DO BUSINESS IN THE STATE OF FLORIDA
BY: George Albertelli, MANAGER
WITNESS: Matthew J. Purcell, Matthew J. Purcell
WITNESS: Brock Kozlowski, Brock Kozlowski

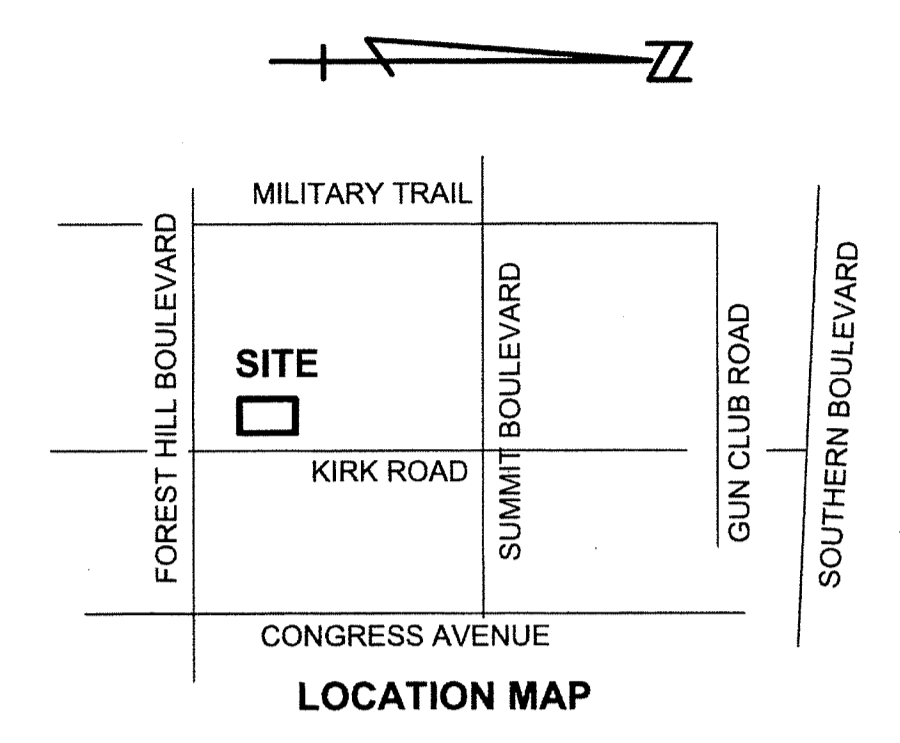
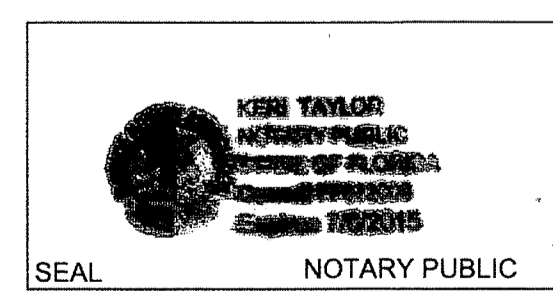
ACKNOWLEDGMENT

STATE OF FLORIDA) COUNTY OF PALM BEACH)
BEFORE ME PERSONALLY APPEARED GEORGE ALBERTELLI, WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS MANAGER OF DG PALM SPRINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, LICENSED TO DO BUSINESS IN THE STATE OF FLORIDA, A 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 (IF AVAILABLE) 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 12th DAY OF FEBRUARY, 2014.

MY COMMISSION EXPIRES: 01-01-15
PRINT NAME: Keri Taylor
NOTARY PUBLIC

COMMISSION NUMBER FF072009



TITLE CERTIFICATION

STATE OF FLORIDA) COUNTY OF PALM BEACH)
I, BRYAN L. PUTNAL, 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 LUTHERAN CHURCH OF THE HOLY CROSS, WEST PALM BEACH, INC., A FLORIDA NON PROFIT CORPORATION LICENSED TO DO BUSINESS IN THE STATE OF FLORIDA AND DG PALM SPRINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, LICENSED TO DO BUSINESS IN THE STATE OF FLORIDA; 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 BY THIS PLAT.

DATED: 2-12-2014
BY: Bryan L. Putnal, BRYAN L. PUTNAL, ESQUIRE FLORIDA BAR NO. 0501515

REVIEWING SURVEYOR

THIS PLAT HAS BEEN REVIEWED IN ACCORDANCE WITH CHAPTER 177.081(1) F.S. TO DETERMINE THAT ALL DATA REQUIRED BY CHAPTER 177 F.S. IS SHOWN, WHILE RANDOM CHECKS OF THE GEOMETRIC DATA REFLECT ITS ADEQUACY, NO REPRESENTATION OF THE FULL VERIFICATION OF SAID DATA IS MADE.

BY: Glenn W. Mark, PLS, LICENSE NO. 5304
DATE: 3/3/2014

SURVEYOR'S CERTIFICATION

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 THE SECTION 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 VILLAGE OF PALM SPRINGS, FLORIDA.

DATE: 2-12-2014
BY: Timothy M. Smith, P.S.M., FLORIDA CERTIFICATE NO. LS 004676

00070-028

STATE OF FLORIDA) COUNTY OF PALM BEACH)
THIS PLAT WAS FILED FOR RECORD 1181 am THIS 14 DAY OF March AD, 2013 AND DULY RECORDED IN PLAT BOOK 117 ON PAGES 181 AND 182

SHARON R. BOCK, CLERK AND COMPTROLLER - PALM BEACH COUNTY BY: Sharon R. Bock, D.C.

CIRCUIT COURT SEAL



VILLAGE OF PALM SPRINGS APPROVALS

VILLAGE OF PALM SPRINGS) COUNTY OF PALM BEACH)
VILLAGE ENGINEER:
THIS PLAT IS HEREBY APPROVED FOR RECORD IN ACCORDANCE WITH SECTION 177.071 (2), F.S., THIS 4 DAY OF March, 2014, AND HAS BEEN REVIEWED BY A PROFESSIONAL LAND SURVEYOR AND MAPPER UNDER CONTRACT TO THE VILLAGE OF PALM SPRINGS IN ACCORDANCE WITH SECTION 177.081 (1) FLORIDA STATUTES.

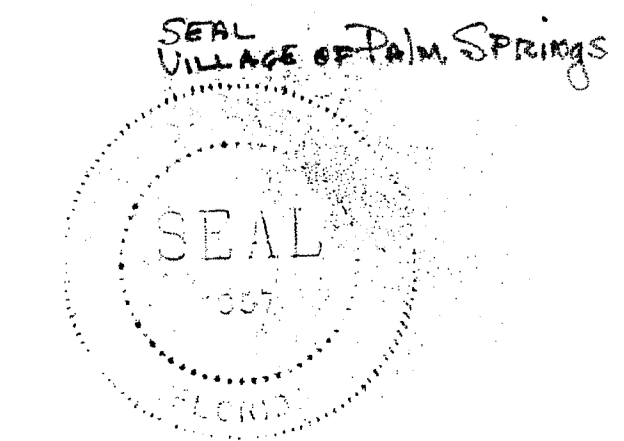
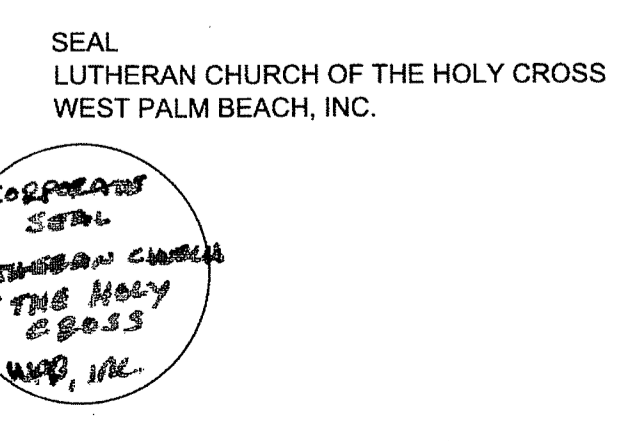
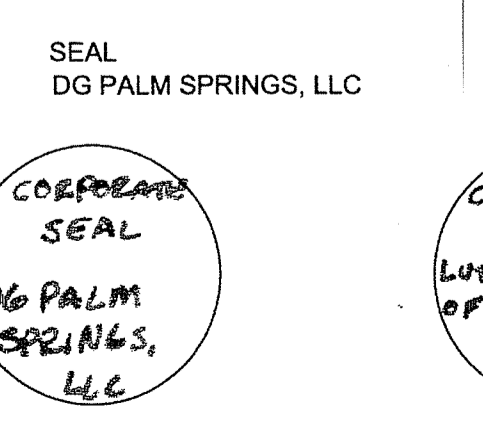
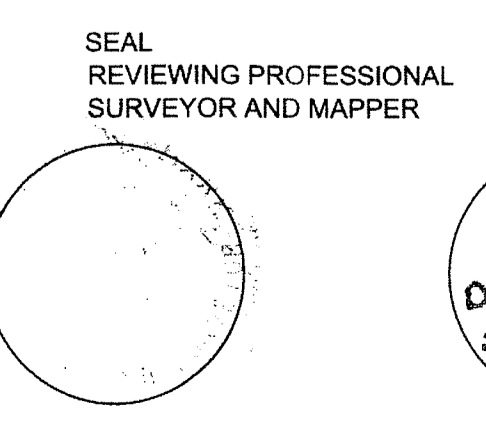
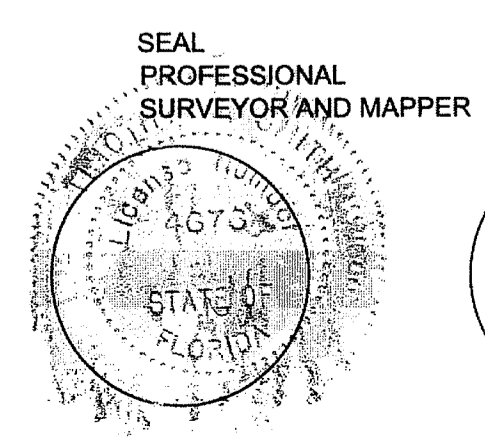
BY: Donald Eschler, VILLAGE ENGINEER

THIS PLAT IS HEREBY FOUND TO MEET ALL REQUISITE VILLAGE ORDINANCES

DATE: 3-13-2014
BY: Virginia Walton, VILLAGE CLERK

SURVEYOR'S NOTES

- 1. BEARINGS SHOWN HEREON ARE REFERENCED TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, HAVING A GRID BEARING (NORTH AMERICAN DATUM 1983/1990 ADJUSTMENT) OF NORTH 01°29'10" WEST.
- 2. THE COORDINATES SHOWN HEREON ARE STATE PLANE GRID COORDINATES ACCORDING TO THE TRANSVERSE MERCATOR PROJECTION OF THE FLORIDA EAST ZONE, N.A.D. 83, PER THE 1990 ADJUSTMENT, BASED ON THE GEODETIC CONTROL ESTABLISHED AND ACCEPTED BY THE PALM BEACH COUNTY SURVEY DEPARTMENT. THE LINEAR DIMENSIONS SHOWN HEREON ARE GROUND DISTANCES IN U.S. FEET AND DECIMAL PARTS THEREOF. THE GROUND DISTANCE TO GRID DISTANCE SCALE FACTOR IS 1.000039295 (GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE).
- 3. 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 IMPROVEMENTS.
- 4. IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS, 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 THE USE RIGHTS GRANTED. THERE SHALL BE NO LANDSCAPE OR ABOVE GROUND ENCROACHMENTS WHERE LANDSCAPE TRACTS OR EASEMENTS COINCIDE WITH MAINTENANCE EASEMENTS OR LAKE MAINTENANCE ACCESS EASEMENTS.
- 5. THE BUILDING SETBACK LINE SHALL BE AS REQUIRED BY CURRENT VILLAGE OF PALM SPRINGS ZONING REGULATIONS.
- 6. NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.



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.