

# PHASE 5 ROADWAY AT BALLENISLES

BEING A PORTION OF SECTION 14, TOWNSHIP 42 SOUTH, RANGE 42 EAST,  
CITY OF PALM BEACH GARDENS, PALM BEACH COUNTY, FLORIDA

JUNE 1995

IN TWO SHEETS

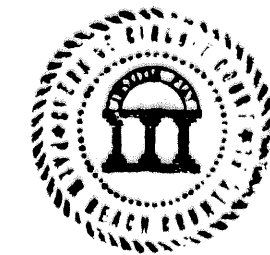
SHEET NO. ONE

43

STATE OF FLORIDA  
COUNTY OF PALM BEACH

THIS PLAT WAS FILED FOR  
RECORD AT 5:40 P.M.  
THIS 14<sup>TH</sup> DAY OF November  
1995, AND DULY RECORDED  
IN PLAT BOOK 76 ON PAGES  
43 AND 44

DOROTHY H. WILKINSON, Secretary  
By: *William L. Kerslake*, D.C.



## NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT ACCEPTANCE

The NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT hereby accepts the fee simple dedication of TRACTS R-1, R-2 and the Water Management Easements, as shown hereon; and hereby accepts the Water Management Easements over all of TRACTS ECA-1 and ECA-2, as shown hereon; and hereby accepts the Ingress-Egress easement (I.E.E.), as shown hereon; and hereby acknowledges NPBCID has no maintenance obligations on or under the land included in said TRACTS R-1, R-2, ECA-1 and ECA-2; and hereby accepts the right, but not the obligation, to construct, operate, inspect and maintain its facilities within said TRACTS R-1, R-2, the Water Management Tract and the Water Management Easements; and NPBCID hereby accepts, acknowledges and agrees as follows:

The dedication in fee of TRACT R-1 and TRACT R-2 to the NPBCID for restricted limited access roadway, restricted limited access ingress-egress, utility, drainage and related purposes, is subject to the restrictions, covenants and easements in this plat, said TRACTS R-1 and R-2 being the perpetual maintenance responsibility of BALLENISLES COMMUNITY ASSOCIATION, INC., its successors and/or assigns without recourse to the NPBCID and without recourse to the CITY OF PALM BEACH GARDENS.

IN WITNESS WHEREOF, the undersigned has caused these presents to be signed by its PRESIDENT, and attested by its SECRETARY and its seal to be affixed hereon by and with the authority of its BOARD OF SUPERVISORS this 29<sup>th</sup> day of September, 1995.

NORTHERN PALM BEACH COUNTY  
IMPROVEMENT DISTRICT  
a Florida Corporation  
Attest: *Peter L. Pimentel*  
PETER L. PIMENTEL, Secretary  
Board of Supervisors  
By: *William L. Kerslake*  
WILLIAM L. KERSLAK, President  
Board of Supervisors

## APPROVALS

CITY OF PALM BEACH GARDENS  
COUNTY OF PALM BEACH, FLORIDA

This plat is hereby approved for record  
this 19<sup>th</sup> day of October, 1995

This plat is hereby accepted for record  
this 12<sup>th</sup> day of October, 1995

By: *Lernart E. Lindahl*  
LERNART E. LINDAHL, PE  
CITY ENGINEER

ATTEST: *Linda Koster*  
LINDA KOSTER, CITY CLERK

## SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION AND THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS (P.R.M.'s) HAVE BEEN PLACED AS REQUIRED BY LAW AND PERMANENT CONTROL POINTS (P.C.P.'s) WILL BE SET AS REQUIRED BY LAW PRIOR TO THE EXPIRATION OF THE BOND ON THE OTHER SURVEY AND FURTHER THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177 FLORIDA STATUTES, AS AMENDED, AND ORDINANCES OF THE CITY OF PALM BEACH GARDENS, PALM BEACH COUNTY, FLORIDA

DATE: *September 28, 1995*  
TIMOTHY M. SMITH, P.S.W.  
FLORIDA CERTIFICATE NO. 4676

NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

THIS INSTRUMENT WAS PREPARED BY TIMOTHY M. SMITH-IN THE OFFICES OF MOCK, ROOS & ASSOC., INC., 5720 CORPORATE WAY WEST PALM BEACH, FLORIDA, 33407.

SHEET 1 OF 2

MOCK, ROOS & ASSOCIATES, INC.  
5720 CORPORATE WAY, WEST PALM BEACH, FL 33407 (407) 683-3113  
SCALE: N/A DATE: JUNE 1995  
P. A. NO. N3123.15 CAD FILE: BALLRPO2  
PHASE 5 ROADWAY AT BALLENISLES

## DESCRIPTION

A parcel of land lying in Section 14, Township 42 South, Range 42 East, Palm Beach County, Florida, described as follows:

Commencing at the Southeast corner of the Southwest Quarter (SW1/4) of said Section 14, run thence North 88-31-06 West along the South line of the said Southwest Quarter (SW1/4) of Section 14 a distance of 653.18 feet; thence North 02-16-22 East, departing from said South line of the Southwest Quarter (SW1/4) of Section 14, a distance of 2.46 feet to a point on the North right-of-way line of Northlake Boulevard as same is described in Official Record Book 6349, Pages 379 through 381, Public Records of Palm Beach County, Florida said point also being the Point of Beginning; thence North 88-31-06 West along said North right-of-way line of Northlake Boulevard a distance of 252.43 feet; thence North 01-28-54 East (departing from said North right-of-way line), a distance of 9.54 feet; thence North 88-31-06 West, a distance of 150.10 feet to a point on said North right-of-way line of Northlake Boulevard; thence North 84-42-15 West (continuing along said North right-of-way line), a distance of 36.98 feet; thence North 88-31-06 West, a distance of 143.00 feet; thence North 43-31-06 West, a distance of 56.57 feet; thence North 01-28-54 East, a distance of 18.54 feet; thence North 88-31-06 West, a distance of 80.00 feet; thence South 01-28-54 West, a distance of 30.54 feet; thence South 46-28-54 West, a distance of 56.57 feet; thence North 88-31-06 West, a distance of 31.95 feet; thence North 46-28-54 East, (departing said North right-of-way line of Northlake Boulevard), a distance of 15.09 feet; thence North 01-28-54 East, a distance of 511.05 feet to the Point of Curvature of a curve concave easterly having a radius of 733.71 feet; thence northerly along the arc of said curve through a central angle of 17-18-42, a distance of 221.69 feet to the Point of Tangency; thence North 18-47-36 East, a distance of 54.41 feet to the Point of Curvature of a curve concave southeasterly having a radius of 760.00 feet; thence northeasterly along the arc of said curve through a central angle of 31-02-59, a distance of 411.86 feet to the Point of Tangency; thence North 49-50-35 East, a distance of 208.16 feet; thence North 04-50-35 East, a distance of 35.36 feet; thence North 40-09-25 West, a distance of 492.06 feet to the Point of Curvature of a curve concave southerly having a radius of 266.00 feet; thence westerly along the arc of said curve through a central angle of 38-05-32, a distance of 176.85 feet; thence North 11-45-03 East, a distance of 60.00 feet to a point on a curve concave southerly having a radius of 326.00 feet (a radial line passing through said point bears North 11-45-03 East); thence easterly along the arc of said curve through a central angle of 38-05-32, a distance of 216.74 feet to the Point of Tangency; thence South 40-09-25 East, a distance of 444.84 feet; thence North 49-50-35 East, a distance of 567.77 feet to a point on the southerly prolongation of the East line of Tract W-18, as same is shown on the Plat Three Ballenisles, recorded in Plat Book 73, Pages 27 through 43, Public Records of Palm Beach County, Florida; thence North 15-22-18 East along said southerly prolongation and along said East line, a distance of 871.21 feet to the Point of Curvature of a curve concave southeasterly having a radius of 665.00 feet; thence northeasterly along the arc of said curve through a central angle of 28-53-44, a distance of 335.37 feet to the Point of Tangency; thence North 44-16-02 East, a distance of 21.29 feet to the Northeast corner of said Tract W-18, said Northeast corner also being a point on the southerly right-of-way line of Tract R-2 (Coquina Way) as same is shown on the Plat of Coquina Way at Ballenisles, recorded in Plat Book 72, Pages 136 and 139, Public Records of Palm Beach County, Florida; thence South 51-25-53 East along the said South line of Tract R-2 (Coquina Way), a distance of 58.09 feet; thence South 03-34-56 East, a distance of 37.07 feet to a point on the northwesterly line of Tract R-1, as same is shown the said Plat of Coquina Way at Ballenisles; thence South 44-16-02 West along said northwesterly line of Tract R-1, a distance of 2.29 feet to the most westerly corner of said Tract R-1; thence South 45-43-58 East along the southwesterly line of said Tract R-1, a distance of 120.00 feet to the most southerly corner of said Tract R-1, said point also being a point on the easterly right-of-way line of Ballenisles Drive (Tract R-1), said point also being a point on the West line of Tract W-12, as same is shown on Plat Two Hansen-JDM, recorded in Plat Book 69, Pages 195 through 200, Public Records of Palm Beach County, Florida, said point also being a point on a curve concave southeasterly (a radial line passing through said point bears North 45-43-58 West) having a radius of 469.00 feet; thence southwesterly along the said West line of Tract W-12 and along the arc of said curve through a central angle of 18-12-42, a distance of 146.21 feet to a point on the North line of the said Southwest Quarter (SW1/4) of Section 14; thence South 88-19-51 East, a distance of 79.52 to a point on the West line of Gibson Road, a same is described in Deed Book 809, Page 317, Public Records of Palm Beach County, Florida; thence South 01-57-05 West along said West line of Gibson Road, a distance of 1333.39 feet to the Northeast Corner of Cypress Hollow, recorded in Plat Book 56, Page 147, Public Records of Palm Beach County, Florida; thence North 88-25-32 West along said North line, a distance of 615.32 feet to the Northwest corner of said Cypress Hollow; thence South 02-16-22 West along the West line of said Cypress Hollow, a distance of 1331.33 feet to the Point of Beginning.

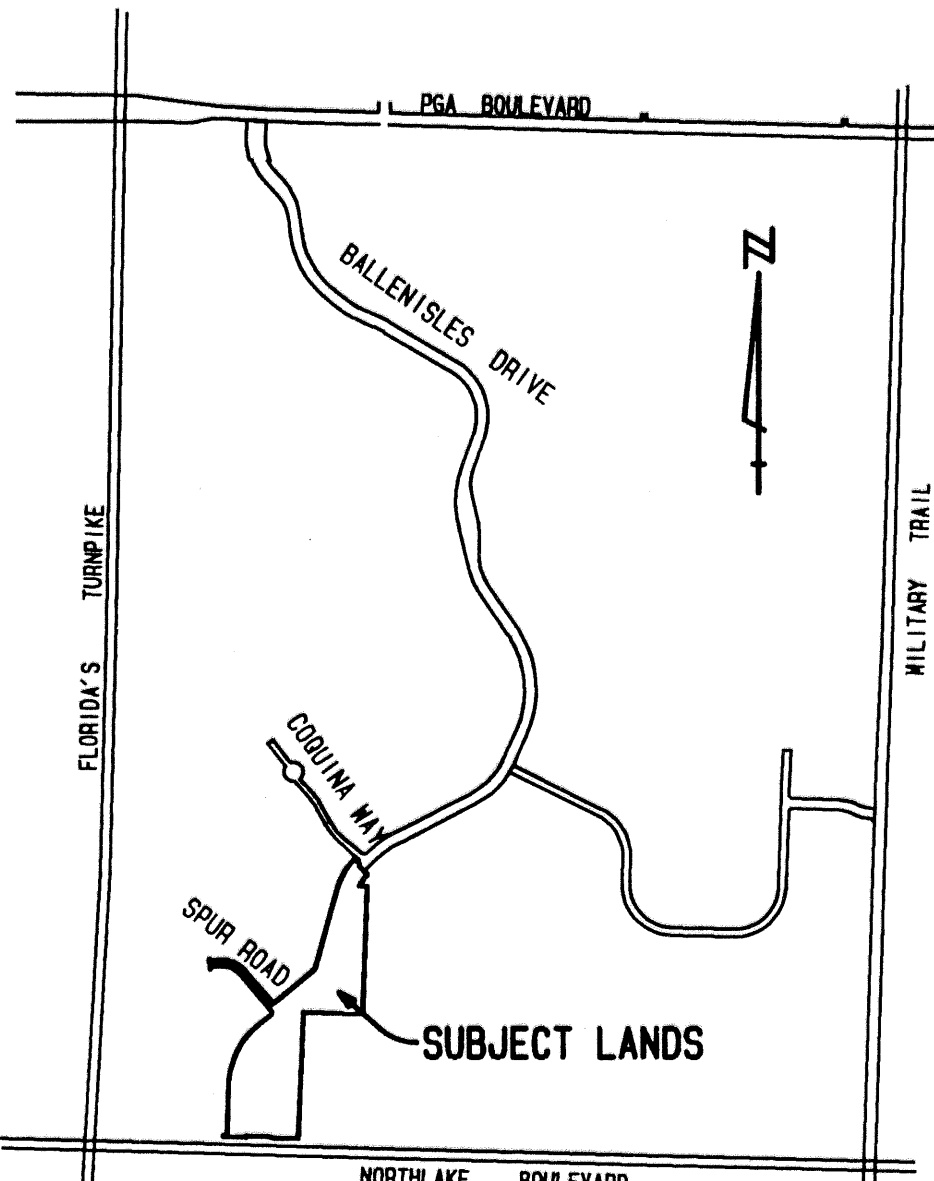
Containing 38.023 acres, more or less.

## DEDICATIONS AND RESERVATIONS

STATE OF FLORIDA  
COUNTY OF PALM BEACH

Know all men by these presents that DEXTER DEVELOPMENT COMPANY, a Florida corporation, as owner of the land ("Land") shown and described hereon, has caused the same to be surveyed and platted as shown and conveyed hereon and do hereby dedicate in fee the specific parcels so described and conveyed hereon and do also hereby dedicate the following specific easements solely for the specific purposes described herein:

- TRACTS R-1 and R-2 are hereby dedicated in fee to the NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT, a political subdivision of the State of Florida ("NPBCID") for restricted limited access roadway, restricted limited access ingress-egress, utility, including cable vision, drainage and related purposes, said TRACTS R-1 and R-2 being the perpetual maintenance responsibility of BALLENISLES COMMUNITY ASSOCIATION, INC., its successors and/or assigns, without recourse to the NPBCID and without recourse to the CITY OF PALM BEACH GARDENS. The NPBCID shall have the right, but not the responsibility, to construct, operate, inspect and maintain its facilities within said TRACTS R-1 and R-2. TRACTS R-1 and R-2 shall be subject to the following easements and restrictions, the enforcement of which shall be the perpetual responsibility of the BALLENISLES COMMUNITY ASSOCIATION, INC. and its successors, provided, however, NPBCID and its successors and assigns, shall also have the right, but not the obligation, to enforce same. TRACTS R-1 and R-2 shall be subject to a perpetual easement for ingress, egress and access by: (a) the owners of the property located within that certain development known as "BALLENISLES" as hereinafter defined; (b) the BALLENISLES COMMUNITY ASSOCIATION, INC. and any other similar associations responsible for administering any development of parcels within BALLENISLES ("NEIGHBORHOOD ASSOCIATIONS") and their successors and assigns; (c) BALLENISLES COUNTRY CLUB, INC. located within BALLENISLES or its successors and assigns; (d) any golf course clubs, tennis clubs or other recreational clubs having facilities located within Ballenisles; (e) the members, employees, lessees, invitees, and guests as applicable of subparagraphs (a) through (d) above, inclusive; (f) the NPBCID and its employees, agents and successors; and (g) any governmental agencies, quasigovernmental agencies and service provider entities having jurisdiction over or whose service areas encompass BALLENISLES while engaged in their respective functions, including installation, operation and maintenance of their respective facilities (collectively the persons and entities permitted to use Tracts R-1 and R-2 as stated herein shall be referred to hereinafter as "Permitted Users"). For purposes of these easements and restrictions, "BALLENISLES" shall mean and refer to the property which is currently described as Exhibit "A" in that certain Notice and Disclosure of Taxing Authority by NPBCID, a Political Subdivision of the State of Florida, recorded in Official Record Book 6319, Page 140B, Public Records of Palm Beach County, Florida (without consideration to any future modification of said Notice) less and except the following: TRACTS 1 through 9, inclusive, PLAT 1 HANSEN-JDM, as recorded in Plat Book 64, Page 67, Public Records of Palm Beach County, Florida; the definition of "BALLENISLES" and "Permitted Users" as used herein may be modified only by either MACARTHUR HOLDING A, INC., or such other party as MACARTHUR HOLDING A, INC. may authorize to so modify the definition of "BALLENISLES" or "Permitted Users" in a document recorded in the public records of Palm Beach County, Florida (MacArthur Modification Assignee); or by BALLENISLES COMMUNITY ASSOCIATION, INC. in a document recorded in such public records, but notwithstanding anything to the contrary herein any such modification may only increase the property included within the definition of "BALLENISLES" and/or increase the parties considered to be Permitted Users herein, and shall never delete any property then within the definition of BALLENISLES or delete any parties then within the definition of Permitted Users unless such deletion is (a) approved in writing by the NPBCID in accordance with the laws of the State of Florida, and said approval is recorded in the Public Records of Palm Beach County, Florida; and (b) (i) if MACARTHUR HOLDING A, INC. then holds title to any property located within the then definition of "BALLENISLES" then said deletion must be approved in writing by MACARTHUR HOLDING A, INC. and said approval must be recorded in such public records; or (b) (ii) if MACARTHUR HOLDING A, INC. does not then hold title to any property located within the then definition of "BALLENISLES", but MacArthur Modification Assignee then holds title to property located within the then definition of "BALLENISLES" said deletion must be approved in writing by MacArthur Modification Assignee, and said approval must be recorded in such public records. TRACTS R-1 and R-2 shall never be deemed to be for the use of the general public. These covenants, easements and restrictions shall be a burden on Tracts R-1 and R-2, shall be for the benefit of the Permitted Users, and shall be deemed a covenant running with the land.
- Subject to Landscape Easements referred to below, the exclusive use of TRACTS ECA-1 and ECA-2 as shown hereon is hereby granted to BALLENISLES COMMUNITY ASSOCIATION, INC. for use as nonexclusive common areas of the Association. Said TRACTS shall be the perpetual maintenance responsibility of the said ASSOCIATION, its successors and/or assigns, without recourse to the CITY OF PALM BEACH GARDENS or NPBCID.
- The Water Management Tract, as shown hereon, is hereby dedicated in fee to NPBCID, a political subdivision of the State of Florida, for the construction, operation, inspection and maintenance of NPBCID facilities. Said Water Management Tract being the perpetual maintenance responsibility of NPBCID, without recourse to the City of Palm Beach Gardens.



LOCATION MAP  
NOT TO SCALE

## CORPORATE ACKNOWLEDGEMENT CERTIFICATE

STATE OF FLORIDA  
COUNTY OF PALM BEACH

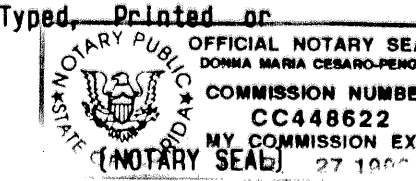
The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of SEPT. 1995 (date) by *ROY H. DAVIDSON* and *JOHN W. COBB, JR.* (print name) of DEXTER DEVELOPMENT COMPANY, a Florida Corporation on behalf of the corporation. They are personally known to me or have produced (PERSONALLY KNOWN) as identification.

*Dorothy H. Wilkinson* (signature of Person Taking Acknowledgment)

*DOANNA H. OSWALD-PENNEY* (Name of Acknowledger Typed, Printed or Stamped)

*ADMINISTRATIVE ASSISTANT* (Title or Rank)

*CC 448622* (Commission Number)



## ACCEPTANCE JOINDER AND CONSENT OF BALLENISLES COMMUNITY ASSOCIATION, INC.

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BALLENISLES COMMUNITY ASSOCIATION, INC. a Florida corporation, not-for-profit, does hereby consent to and join in those dedications of land, easements, restrictions and covenants by the owner thereof and does further consent to and join in the filing and recordation of a Plat affecting said property and all matters appearing thereon.

Dated this 29<sup>th</sup> day of SEPTEMBER, 1995

ATTEST: BALLENISLES COMMUNITY ASSOCIATION, INC. a Florida corporation, not-for-profit

By: *Thomas B. Mitchell* Secretary

Its: *Secretary*

By: *Roy H. Davidson* President

Its: *President*

## CORPORATE ACKNOWLEDGEMENT CERTIFICATE

STATE OF FLORIDA  
COUNTY OF PALM BEACH

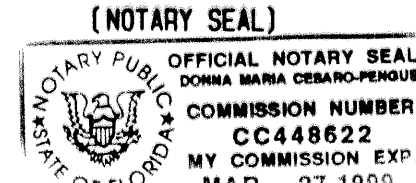
The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of SEPT. 1995 (date) by *ROY H. DAVIDSON* and *JOHN W. COBB, JR.* (print name) as President and as Secretary, respectively, of BALLENISLES COMMUNITY ASSOCIATION, INC. a Florida not-for-profit corporation, on behalf of the corporation. They are personally known to me (PERSONALLY KNOWN) or have produced as identification.

*Dorothy H. Wilkinson* (signature of Person Taking Acknowledgment)

*DOANNA H. OSWALD-PENNEY* (Name of Acknowledger Typed, Printed or Stamped)

*ADMINISTRATIVE ASSISTANT* (Title or Rank)

*CC 448622* (Commission Number)



## TITLE CERTIFICATION

I, *Alyce Necker Daniels*, an attorney duly licensed to practice law in the State of Florida, do hereby certify that I have examined the title to the herein described property, that I find that the record title to said property as of the 29<sup>th</sup> day of September, 1995 is vested in DEXTER DEVELOPMENT COMPANY, a Florida corporation and that the current taxes for said property have been paid.

Date: *9/29/95*

*Alyce Necker Daniels*  
Attorney at Law  
Fl. Bar No. 354600

IN WITNESS WHEREOF, the above named corporation has caused these presents to be signed by its President, and attested to by its Secretary and its corporate seal to be affixed hereto by and with the authority of its Board of Directors this 29<sup>th</sup> day of Sept. 1995.

DEXTER DEVELOPMENT COMPANY,  
a Florida Corporation

By: *Roy H. Davidson*

Attest: *Dorothy H. Wilkinson*

Title: *President*

PHASE 5 ROADWAY AT  
SUBDIVISION # BALLENISLES  
BOOK 76 PAGE 43  
FLOOD ZONE -  
QUAD # -  
SE -  
ZONING -  
ZIP CODE -  
PUD NAME/CITY OF PALM BEACH GARDENS

MAR 27 10:00 AM '95

SEAL NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT  
SEAL OFFICE OF PALM BEACH GARDENS  
SEAL DEXTER DEVELOPMENT COMPANY  
SEAL NOTARY PUBLIC  
SEAL BALLENISLES COMMUNITY ASSOCIATION, INC.  
SEAL NOTARY PUBLIC  
SEAL ATTORNEY  
SEAL SURVEYOR