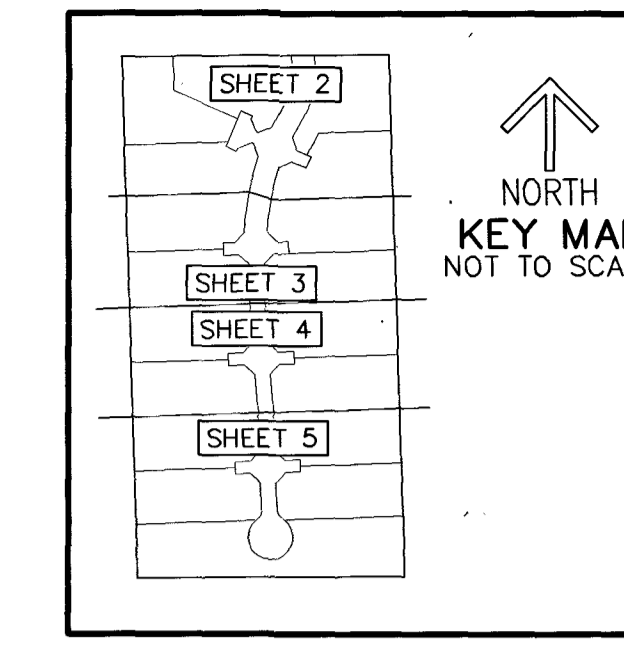
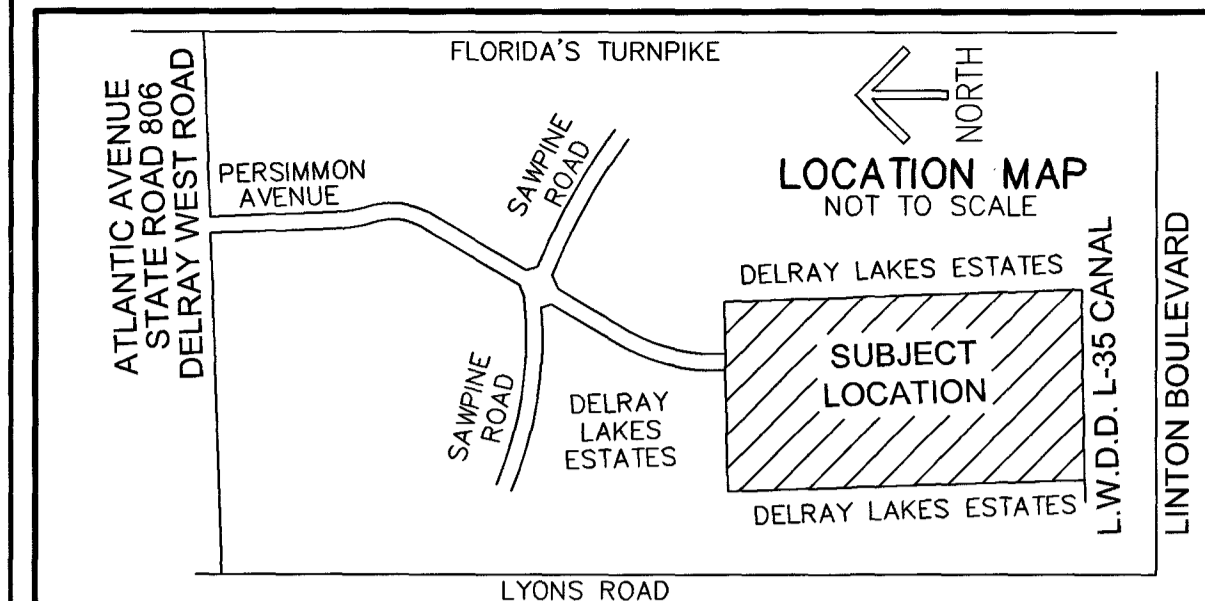


# MODERN GARDENS AT DELRAY LAKES ESTATES

BEING A REPLAT OF TRACTS 55 AND 56 AND A PORTION OF TRACTS 23, 24, 25, 40, 41, 42 AND 57, SECTION 20, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH FARMS CO. PLAT NO. 1, AS RECORDED IN PLAT BOOK 2, PAGE 26 THROUGH 28 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 20, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA

THIS INSTRUMENT PREPARED BY  
DAVID P. LINDLEY  
OF  
**CAULFIELD and WHEELER, INC.**  
SURVEYORS - ENGINEERS - PLANNERS  
7900 GLADES ROAD, SUITE 100  
BOCA RATON, FLORIDA 33434 - (561)392-1991  
CERTIFICATE OF AUTHORIZATION NO. LB3591



**124**  
STATE OF FLORIDA  
COUNTY OF PALM BEACH  
THIS PLAT WAS FILED FOR  
RECORD AT 3:05 P. M.  
THIS 6 DAY OF September  
A.D. 2023 AND DULY RECORDED  
IN PLAT BOOK 138 ON  
PAGES 124 THROUGH 128  
JOSEPH ABRUZZO,  
CLERK OF THE CIRCUIT COURT  
& COMPTROLLER  
By: \_\_\_\_\_  
DEPUTY CLERK

CLERK OF THE CIRCUIT COURT  
& COMPTROLLER



**SHEET 1 OF 5**

## DEDICATION AND RESERVATION:

KNOW ALL MEN BY THESE PRESENTS THAT FURY CONSTRUCTION & DEVELOPMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY, OWNER OF THE LANDS SHOWN HEREON AS MODERN GARDENS AT DELRAY LAKES ESTATES, BEING A REPLAT OF TRACTS 55 AND 56 AND A PORTION OF TRACTS 23, 24, 25, 40, 41, 42 AND 57, SECTION 20, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH FARMS CO. PLAT NO. 1, AS RECORDED IN PLAT BOOK 2, PAGE 26 THROUGH 28 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 20, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 38, DELRAY LAKES ESTATES P.U.D., AS RECORDED IN PLAT BOOK 41, PAGES 200 AND 201 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S01°52'29"E ALONG THE WEST LINE OF LOTS 38 THROUGH 43 OF SAID DELRAY LAKES ESTATES P.U.D. AND THE SOUTHERLY PROJECTION THEREOF, A DISTANCE OF 1351.01 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID TRACT 57; THENCE S89°23'53"W ALONG THE SOUTH LINE OF SAID TRACTS 57, 56 AND 55, A DISTANCE OF 694.73 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY PROJECTION OF THE EAST LINE OF LOTS 24 THROUGH 28 AND TRACT D-4 OF SAID DELRAY LAKES ESTATES P.U.D.; THENCE N01°51'43"W ALONG SAID SOUTHERLY PROJECTION OF THE EAST LINE OF LOTS 24 THROUGH 29 AND TRACT D-4, A DISTANCE OF 1351.01 FEET TO A BOUNDARY CORNER, BEING AN INTERSECTION WITH THE SOUTH AND EAST LINES OF SAID TRACT D-4 OF SAID DELRAY LAKES ESTATES P.U.D.; THENCE N89°23'55"E ALONG THE SOUTHERLY LINE OF SAID DELRAY LAKES ESTATES P.U.D., A DISTANCE OF 694.43 FEET TO THE POINT OF BEGINNING.

CONTAINING 938,156 SQUARE FEET/21.5371 ACRES MORE OR LESS.  
HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED, AS SHOWN HEREON, AND DO HEREBY DEDICATE AS FOLLOWS:

**1. RESIDENTIAL ACCESS STREETS**  
TRACT R, AS SHOWN HEREON IS HEREBY RESERVED FOR THE MODERN GARDENS AT DELRAY LAKES ESTATES HOMEOWNERS ASSOCIATION, INC., A FLORIDA NOT FOR PROFIT CORPORATION, ITS SUCCESSORS AND ASSIGNS, AS A RESIDENTIAL ACCESS STREET FOR PRIVATE STREET PURPOSES AND OTHER PURPOSES NOT INCONSISTENT WITH THIS RESERVATION AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.

TRACT R IS SUBJECT TO A LAKE WORTH DRAINAGE DISTRICT ACCESS EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 31403, PAGE 1302 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**2. DRAINAGE EASEMENTS**  
THE DRAINAGE EASEMENTS, AS SHOWN HEREON ARE HEREBY DEDICATED IN PERPETUITY FOR DRAINAGE PURPOSES. THE MAINTENANCE OF ALL DRAINAGE FACILITIES LOCATED THEREIN SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE MODERN GARDENS AT DELRAY LAKES ESTATES HOMEOWNERS ASSOCIATION, INC., A FLORIDA NOT FOR PROFIT CORPORATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.

PALM BEACH COUNTY SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO CONSTRUCT AND MAINTAIN ANY PORTION OF THE DRAINAGE SYSTEM ENCOMPASSED BY THIS PLAT WHICH IS ASSOCIATED WITH THE DRAINAGE OF PUBLIC STREETS, INCLUDING THE RIGHT TO UTILIZE FOR PROPER PURPOSES ANY AND ALL DRAINAGE, LAKE MAINTENANCE, AND LAKE MAINTENANCE ACCESS EASEMENTS, RESIDENTIAL ACCESS STREETS AND PRIVATE STREETS ASSOCIATED WITH SAID DRAINAGE SYSTEM.

**3. GENERAL UTILITY EASEMENTS**  
THE UTILITY EASEMENTS RUNNING ADJACENT AND PARALLEL TO THE TRACTS FOR PRIVATE ROAD PURPOSES, AS SHOWN HEREON, ARE NONEXCLUSIVE 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, TELECOMMUNICATIONS 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. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. IF OTHERWISE APPROVED BY PALM BEACH COUNTY, 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.

ALL TRACTS FOR PRIVATE STREET PURPOSES, AS SHOWN HEREON, ARE HEREBY SUBJECT TO AN OVERLYING NON-EXCLUSIVE EASEMENT 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 STORMWATER FACILITIES, 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. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. IF OTHERWISE APPROVED BY PALM BEACH COUNTY, NO BUILDINGS, STRUCTURES, IMPROVEMENTS, TREES, WALLS OR FENCES SHALL BE INSTALLED WITHIN THESE TRACTS WITHOUT THE PRIOR WRITTEN APPROVAL OF THE PALM BEACH COUNTY WATER UTILITIES DEPARTMENT, ITS SUCCESSORS AND ASSIGNS.

**4. BUFFER EASEMENT**  
THE BUFFER EASEMENT, AS SHOWN HEREON, IS HEREBY DEDICATED IN PERPETUITY TO MODERN GARDENS AT DELRAY LAKES ESTATES HOMEOWNERS ASSOCIATION, INC. A FLORIDA NOT FOR PROFIT CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR BUFFER PURPOSES, AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF MODERN GARDENS AT DELRAY LAKES ESTATES HOMEOWNERS ASSOCIATION, INC., A FLORIDA NOT FOR PROFIT CORPORATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.

IN WITNESS WHEREOF, THE ABOVE-NAMED FLORIDA LIMITED LIABILITY COMPANY HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS VICE PRESIDENT, AND ITS COMPANY SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS THIS 5th DAY OF June 2023.

FURY CONSTRUCTION & DEVELOPMENT, LLC  
A FLORIDA LIMITED LIABILITY COMPANY  
BY: Guy Gil  
NAME: Guy Gil  
TITLE: President  
WITNESS: Molly Lincoln  
PRINT NAME: Molly Lincoln  
WITNESS: Karis Jimenez  
PRINT NAME: Karis Jimenez

**ACKNOWLEDGEMENT:**  
STATE OF FLORIDA  
COUNTY OF PALM BEACH  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF  PHYSICAL PRESENCE OR  ONLINE NOTARIZATION, THIS 5th DAY OF June 2023, BY Guy Gil AS President FOR FURY CONSTRUCTION & DEVELOPMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ON BEHALF OF THE LIMITED LIABILITY COMPANY, WHO IS  PERSONALLY KNOWN TO ME OR HAS PRODUCED  AS IDENTIFICATION.  
WITNESS MY HAND AND OFFICIAL SEAL THIS 5th DAY OF June 2023.



Kristine Reyno-Marciano  
NOTARY PUBLIC  
PRINT NAME  
MY COMMISSION EXPIRES: May 2, 2026  
COMMISSION NUMBER: HH200537

**ACCEPTANCE OF RESERVATIONS:**  
STATE OF FLORIDA  
COUNTY OF PALM BEACH

THE MODERN GARDENS AT DELRAY LAKES ESTATES HOMEOWNERS ASSOCIATION, INC. 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 5th DAY OF June 2023.

WITNESS: Molly Lincoln  
PRINT NAME: Molly Lincoln  
WITNESS: Karis Jimenez  
PRINT NAME: Karis Jimenez

MODERN GARDENS AT DELRAY LAKES ESTATES HOMEOWNERS ASSOCIATION, INC.  
A FLORIDA CORPORATION NOT FOR PROFIT  
BY: Guy Gil  
PRESIDENT

**ACKNOWLEDGEMENT:**  
STATE OF FLORIDA  
COUNTY OF PALM BEACH

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF  PHYSICAL PRESENCE OR  ONLINE NOTARIZATION, THIS 5th DAY OF June 2023, BY Guy Gil AS PRESIDENT FOR MODERN GARDENS AT DELRAY LAKES ESTATES ASSOCIATION INC., A FLORIDA CORPORATION NOT FOR PROFIT, ON BEHALF OF THE CORPORATION, WHO IS  PERSONALLY KNOWN TO ME OR HAS PRODUCED  AS IDENTIFICATION.

WITNESS MY HAND AND OFFICIAL SEAL THIS 5th DAY OF June 2023.



Kristine Reyno-Marciano  
NOTARY PUBLIC  
PRINT NAME  
MY COMMISSION EXPIRES: May 2, 2026  
COMMISSION NUMBER: HH200537

FURY CONSTRUCTION & DEVELOPMENT, LLC



MODERN GARDENS AT DELRAY LAKES ESTATES HOMEOWNERS ASSOCIATION, INC.



**TITLE CERTIFICATION:**  
STATE OF FLORIDA  
COUNTY OF PALM BEACH

I, DENNIS J. EISINGER, 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 FURY CONSTRUCTION & DEVELOPMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY; THAT THE CURRENT TAXES HAVE BEEN PAID; THAT ALL PALM BEACH COUNTY SPECIAL ASSESSMENT ITEMS, AND ALL OTHER ITEMS HELD AGAINST SAID LANDS HAVE BEEN SATISFIED; THAT THERE ARE NO MORTGAGES OF RECORD; AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.  
DATED: 8-16-2023  
Dennis J. Eisinger  
DENNIS J. EISINGER

**COUNTY APPROVAL:**  
THIS PLAT IS HEREBY APPROVED FOR RECORD PURSUANT TO PALM BEACH COUNTY ORDINANCE 95-33, AND IN ACCORDANCE WITH SEC. 177.071(2), F.S., THIS 31 DAY OF August 2023, AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR & MAPPER EMPLOYED BY PALM BEACH COUNTY IN ACCORDANCE WITH SEC. 177.081(1), F.S.

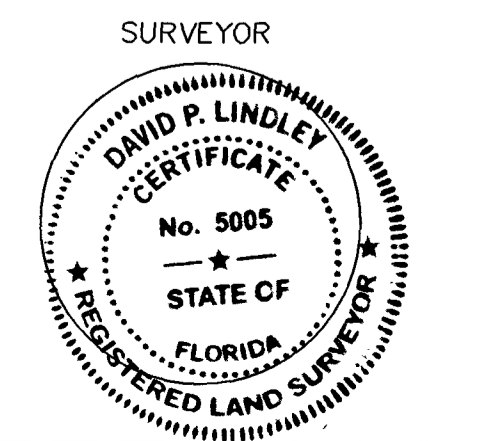
By: David L. Rick's  
DAVID L. RICKS, P.E.  
COUNTY ENGINEER

## SURVEYOR & MAPPER'S NOTES:

- 1. 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.
- 2. BUILDING SETBACK LINES SHALL BE AS REQUIRED BY CURRENT PALM BEACH COUNTY ZONING REGULATIONS.
- 3. NO BUILDINGS OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT PRIOR WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE COUNTY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS.
- 4. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF N.00°40'15"W. ALONG THE LINE BETWEEN PALM BEACH COUNTY HORIZONTAL CONTROL POINTS "LAUREL" AND "TAYLOR", RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT), THE ROTATION ANGLE FROM BEARINGS SHOWN ON DELRAY LAKES ESTATES P.U.D. ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 41, PAGES 200 AND 201 TO GRID IS 00°23'53" CLOCKWISE.
- 5. COORDINATES AND CONTROL PERMANENT REFERENCE MONUMENTS (CONTROL PRM'S) COORDINATES SHOWN HEREON MEET OR EXCEED THE LOCAL ACCURACY REQUIREMENTS OF A 2 CENTIMETER GEODETIC CONTROL SURVEY AND ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (90 ADJUSTMENT) IN U.S. SURVEY FEET. THIS WAS ACCOMPLISHED BY CONDUCTING A STATIC GPS SURVEY ON THE TWO CONTROL PRM'S SHOWN ON THE ATTACHED MAP.
- 6. "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 PALM BEACH COUNTY.
- 7. LINES INTERSECTING CIRCULAR CURVES ARE NON-RADIAL UNLESS OTHERWISE NOTED.

**SURVEYOR & MAPPER'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) HAVE BEEN PLACED AS REQUIRED BY LAW AND THAT PERMANENT CONTROL POINTS (P.C.P.'S) AND MONUMENTS ACCORDING TO SEC. 177.091(9), F.S., WILL BE SET UNDER THE GUARANTEES POSTED WITH THE PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS FOR THE REQUIRED IMPROVEMENTS; 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: 6-6-2023  
David P. Lindley  
DAVID P. LINDLEY  
PROFESSIONAL LAND SURVEYOR #5005  
STATE OF FLORIDA  
LB #3591



CFN 20230307785 PL BK 136 PG 124