MIZNER FALLS

BEING A REPLAT OF TRACTS 1 THROUGH 4, BLOCK 55, LESS THE NORTH 75 FEET THEREOF, TRACTS 26 THROUGH 32 AND THE SOUTH 220 FEET OF TRACT 5, BLOCK 55, PALM BEACH FARMS COMPANY PLAT NO. 3 ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

> SHEET 1 OF 8 AUGUST, 2000

KNOW ALL MEN BY THESE PRESENTS THAT MIZNER FALLS, LLP, A FLORIDA LIMITED LIABILITY PARTNERSHIPOWNER OF THE LAND SHOWN HEREON AS MIZNER FALLS, BEING A REPLAT OF TRACTS 1 THROUGH 4, BLOCK 55, LESS THE NORTH 75 FEET THEREOF, TRACTS 26 THROUGH 32 AND THE SOUTH 220 FEET OF TRACT 5, BLOCK 55, PALM BEACH FARMS COMPANY PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LYING IN SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST.

AND DO HEREBY DEDICATE AS FOLLOWS: 1. TRACT "A", AS SHOWN HEREON, IS HEREBY RESERVED FOR THE MIZNER FALLS HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON

ASSIGNS, 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.

2. TRACT "B", AS SHOWN HEREON, IS HEREBY RESERVED FOR THE MIZNER # FALLS HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, AS RESIDENTIAL ACCESS STREETS 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.

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

4. TRACTS OS1 THRU OS12 AS SHOWN HEREON, ARE HEREBY RESERVED FOR THE MIZNER FALLS HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR OPEN SPACE PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.

5. TRACT BT1. AS SHOWN HEREON, IS HEREBY RESERVED FOR THE MIZNER FALLS HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR BUFFER AND LANDSCAPE PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.

6. TRACTS L1 AND L2, THE WATER MANAGEMENT TRACT, AS SHOWN HEREON, ARE HEREBY RESERVED FOR THE MIZNER FALLS HOMEOWNERS ASSOCIATION. INC., ITS SUCCESSORS AND ASSIGNS, FOR STORMWATER MANAGEMENT AND DRAINAGE PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS WITHOUT RECOURSE TO PALM BEACH COUNTY, AND ARE SUBJECT TO AN EXISTING LITTORAL ZONE RESTRICTIVE COVENANT AGREEMENT AS RECORDED IN OFFICIAL RECORD BOOK 12104, PAGE 1127, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

7. TRACTS R1 AND R2, AS SHOWN HEREON, ARE HEREBY RESERVED FOR THE MIZNER FALLS HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR RECREATIONAL PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.

8. BUFFER EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED FOR THE MIZNER FALLS HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR BUFFER PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY. THERE SHALL BE NO LANDSCAPING IN THE PORTION OF A BUFFER EASEMENT THAT OVERLAPS ANOTHER EASEMENT EXCEPT IN ACCORDANCE WITH SURVEYOR'S NOTE 2.

9. 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 MIZNER FALLS HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY. PALM BEACH COUNTY SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO 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 AND PRIVATE ROADS ASSOCIATED WITH SAID DRAINAGE SYSTEM.

10. THE UTILITY EASEMENTS, 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.

11. THE LIMITED ACCESS EASEMENTS, 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.

12. THE LAKE MAINTENANCE EASEMENTS AND LAKE MAINTENANCE ACCESS EASEMENTS, AS SHOWN HEREON, ARE HEREBY RESERVED FOR THE MIZNER FALLS HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR ACCESS TO STORMWATER MANAGEMENT AND DRAINAGE FACILITIES LOCATED WITHIN THE ASSOCIATED WATER MANAGEMENT TRACTS FOR PURPOSES OF PERFORMING ANY AND ALL MAINTENANCE ACTIVITIES PURSUANT TO THE MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.

13. OVERHANG EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE LOT OWNER WHOSE DWELLING UNIT ABUTS SAID EASEMENT, ITS SUCCESSORS AND ASSIGNS, FOR ROOF OVERHANG, UTILITY SERVICES, AND BUILDING MAINTENANCE PURPOSES WITHOUT RECOURSE TO PALM BEACH COUNTY.

14. THE WELL SITE EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED IN PERPETUITY TO PALM BEACH COUNTY WATER UTILITIES, ITS SUCCESSORS AND ASSIGNS, FOR A PUBLIC WELL AND RELATED PURPOSES.

15. THE ACCESS EASEMENT, AS SHOWN HEREON, IS HEREBY RESERVED FOR MIZNER FALLS HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR INGRESS, EGRESS AND UTILITIES 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.

IN WITNESS WHEREOF, THE ABOVE NAMED LIMITED LIABILITY PARTNERSHIPHAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS GENERAL PARTNER, MIZNER FALLS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, THIS 29TH DAY OF JANUARY, 2001

MIZNER FALLS, LLP A FLORIDA LIMITED LIABILITY PARTNERSHIP

BY: MIZNER FALLS, LLC A FLORIDA LIMITED LIABILITY COMPANY, A GENERAL PARTNER

IS THE FREE ACT AND DEED OF SAID CORPORATION.

<u>ACKNOWLEDGMENT</u>

STATE OF FLORIDA COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED STEPHEN J. SIEGEL, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED DENESS LAST AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS PRESIDENT OF MANAGER MIZNER FALLS, LLC , 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 IS WAS AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR CORPORATE AUTHORITY, AND THAT SAID INSTRUMENT

WITNESS MY HAND AND OFFICIAL SEAL THIS 274 DAY OF

ACCEPTANCE OF RESERVATIONS

STATE OF FLORIDA COUNTY OF PALM BEACH

MIZNER FALLS 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 29 DAY OF JANES 2001.

MIZNER FALLS HOMEOWNERS ASSOCIATION, INC. A FLORIDA CORPORATION NOT FOR PROFIT

THIS INSTRUMENT PREPARED BY WILBUR F. DIVINE, P.S.M. 4190, STATE OF FLORIDA LAWSON, NOBLE AND WEBB, INC., LB-6674 ENGINEERS PLANNERS SURVEYORS 420 COLUMBIA DRIVE, SUITE 110 WEST PALM BEACH, FLORIDA

MIZNER FALLS SITE PLAN DATA ZONING PETITION NO.PDD 99-068 TOTAL OPEN SPACE AREA. ...14.69 AC. TOTAL AREA....58.83 TOTAL DWELLING UNITS... ...228 SINGLE FAMILY, ZERO LOT LINE ...3.88 UNITS PER AC.

ACKNOWLEDGMENT

STATE OF FLORIDA COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED JODI PUDER, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED VOIL PLANT PLANT AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS PRESIDENT OF MIZNER FALLS HOMEOWNERS ASSOCIATION, INC., AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT SHE 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.

MORTGAGEE'S CONSENT

STATE OF FLORIDA COUNTY OF PALM BEACH

THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS THE HOLDER OF A MORTGAGE UPON THE PROPERTY DESCRIBED HEREON AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LAND DESCRIBED IN SAID DEDICATION BY THE OWNER THEREOF AND AGREES THAT ITS MORTGAGE, WHICH IS RECORDED IN OFFICIAL RECORD BOOK 12418, AT PAGE 449 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SHALL BE SUBORDINATED TO THE DEDICATION SHOWN HEREON.

IN WITNESS WHEREOF, SAID CORPORATION HAS CAUSED THESE PRESENTS. TO BE SIGNED BY ITS VICE PRESIDENT AND ITS CORPORATE SEAL TO BE AFFIXED HEREON BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS THIS DAY OF

PRINT NAME: JENNEY L. PARRISH

ACKNOWLEDGMENT

STATE OF FLORIDA COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED JOSEPH C. ELLIN WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED ______ AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS VICE PRESIDENT OF SUN TRUST BANK, 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

TITLE CERTIFICATION

i, kenneth P. wurtenberger, 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 MIZNER FALLS, LLP, A. FLORIDA LIMITED LIABILITY PARTNERSHIP, 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 SUBDIMISION DEPICTED BY THIS PLAT. 1 Vhehores 4/23/01

KENNETH P. WURTENBERGER ATTORNEY AT LAW FLORIDA BAR NO. 177004

COUNTY ENGINEER

THIS PLAT IS HEREBY APPROVED FOR RECORD PURSUANT TO PALM BEACH COUNTY ORDINANCE 95-33, AND IN ACCORDANCE WITH SECTION 177.071(2), FLORIDA STATUTES, THIS 25 DAY OF ________, 2001, AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR & MAPPER EMPLOYED BY PALM BEACH COUNTY IN ACCORDANCE WITH SECTION 177.081 (1) FLORIDA STATUTES.

GEORGE TO WEBB, P.E. COUNTY ENGINEER

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") 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.

WILBUR F. DIVINE, PROFESSIONAL SURVEYOR AND MAPPER LICENSE NO. 4190, STATE OF FLORIDA

DATE: 4/23/01

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF TRACTS 26 THROUGH 32, BLOCK 55, PALM BEACH FARMS COMPANY PLAT NO. 3, HAVING A BEARING

2. NO BUILDING 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.

3. ALL LINES INTERSECTING CIRCULAR CURVES ARE RADIAL UNLESS OTHERWISE NOTED AS FOLLOWS:

(N.R.) = NON-RADIAL(R.F.) = RADIAL TO FRONT LOT LINE (R.R.) = RADIAL TO REAR LOT LINE

4. NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIMIDED 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.

5. IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OF 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. THERE WILL BE NO ABOVE GROUND ENCROACHMENTS WHERE LAKE MAINTENANCE EASEMENTS AND UTILITY EASEMENTS OVERLAP.

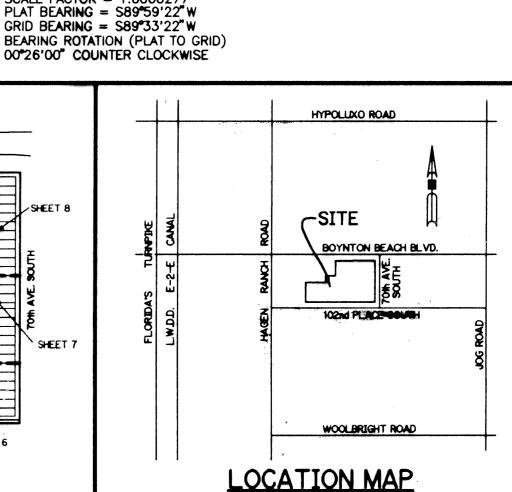
6. COORDINATES SHOWN ARE GRID COORDINATES DATUM = NAD 83 (1998 ADJUSTMENT) ZONE = FLORIDA EAST ZONE

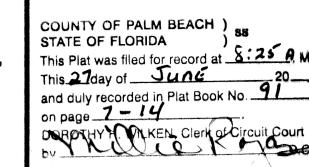
Linear unit = U.S. Survey feet COORDINATE SYSTEM = 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION ALL DISTANCES ARE GROUND SCALE FACTOR = 1.0000277 PLAT BEARING = \$89"59'22" W

00°26'00" COUNTER CLOCKWISE

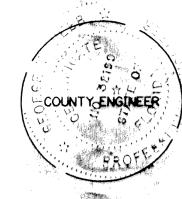
BOYNTON BEACH BLVD.

LWDD. L-24 CANAL





Justi wer with 1 1-275

















SHEET 1 OF 8

