

3H-11

Agenda Item #:

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: June 5, 2007 [X] Consent [] Regular
[] Ordinance [] Public Hearing
Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: the Boynton-Lyons plat.

Summary: On May 18, 2004, the Board approved an Exchange and Civic Site Dedication Agreement (Agreement) with Boynton Beach Associates X, LLLP (a development entity controlled by G.L. Homes) (R2004-0936) pursuant to which the County assembled 62.96 acres of land on Acme Dairy Road south of Boynton Beach Boulevard, for park and civic purposes. The total area to be platted is 125.816 acres and encompasses property owned by the County (52.165 acres), the School Board (33 acres), Boynton Beach Associates X, LLLP and Boynton Beach Associates XVIII, LLLP (40.651 acres). The Agreement with Boynton Beach Associates required them to plat the property and the County to join in the plat. The County is signing the Plat as a property owner within the platted area. Parks and Recreation is planning to develop a District Park on the County's property. (PREM) District 5 (HJF)

Background and Justification: G.L. Homes acquired the Fogg property in 2003. G.L. Homes is in the process of developing the Canyons subdivisions (Canyon Lakes, Canyon Isles and Canyon Springs) and the Canyon Town Center TMD. The County and G.L. Homes (Boynton Beach Associates) entered into the Exchange and Civic Site Dedication Agreement (R-2004-0936) which established a "civic site land bank" which was used by G.L. Homes to offset the civic dedication requirements of other G.L. Homes' projects. The Agreement with G.L. Homes resulted in the assemblage of 62.96 acres within the Fogg property. 52.16 acres is programmed for development of a Park, and 10.8 acres is programmed for a civic site within the Canyon Town Center TMD. The County closed on the acquisition of the 52.16 acre Park property in June of 2004. Title to the 10.8 acre civic site will be conveyed to the County shortly after this Plat is approved. G.L. Homes also conveyed 33 acres to the School Board for middle and elementary schools. G.L. Homes is required to plat approximately 125 acres to satisfy the requirements of the Agreement and the ULDC with respect to its Canyons projects. The Boynton-Lyons plat encompasses property owned by Boynton Beach Associates, Palm Beach County School Board and Palm Beach County.

Attachments:

- 1. Location Map
- 2. Plat

Recommended By: Ret Army Wolf 5/14/07
Department Director Date

Approved By: [Signature] 5/15/07
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u><u>-0-</u></u>	<u><u> </u></u>	<u><u> </u></u>	<u><u> </u></u>	<u><u> </u></u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes _____ No _____
 Budget Account No: Fund _____ Dept _____ Unit _____ Object _____
 Program _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

No fiscal impact

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

Approved 5.22.07
SPH/OT OFMB *05/22/07*

5/23/07
Contract Development and Control
E. Jones 5/23/07

B. Legal Sufficiency:

5/24/07
Assistant County Attorney

C. Other Department Review:

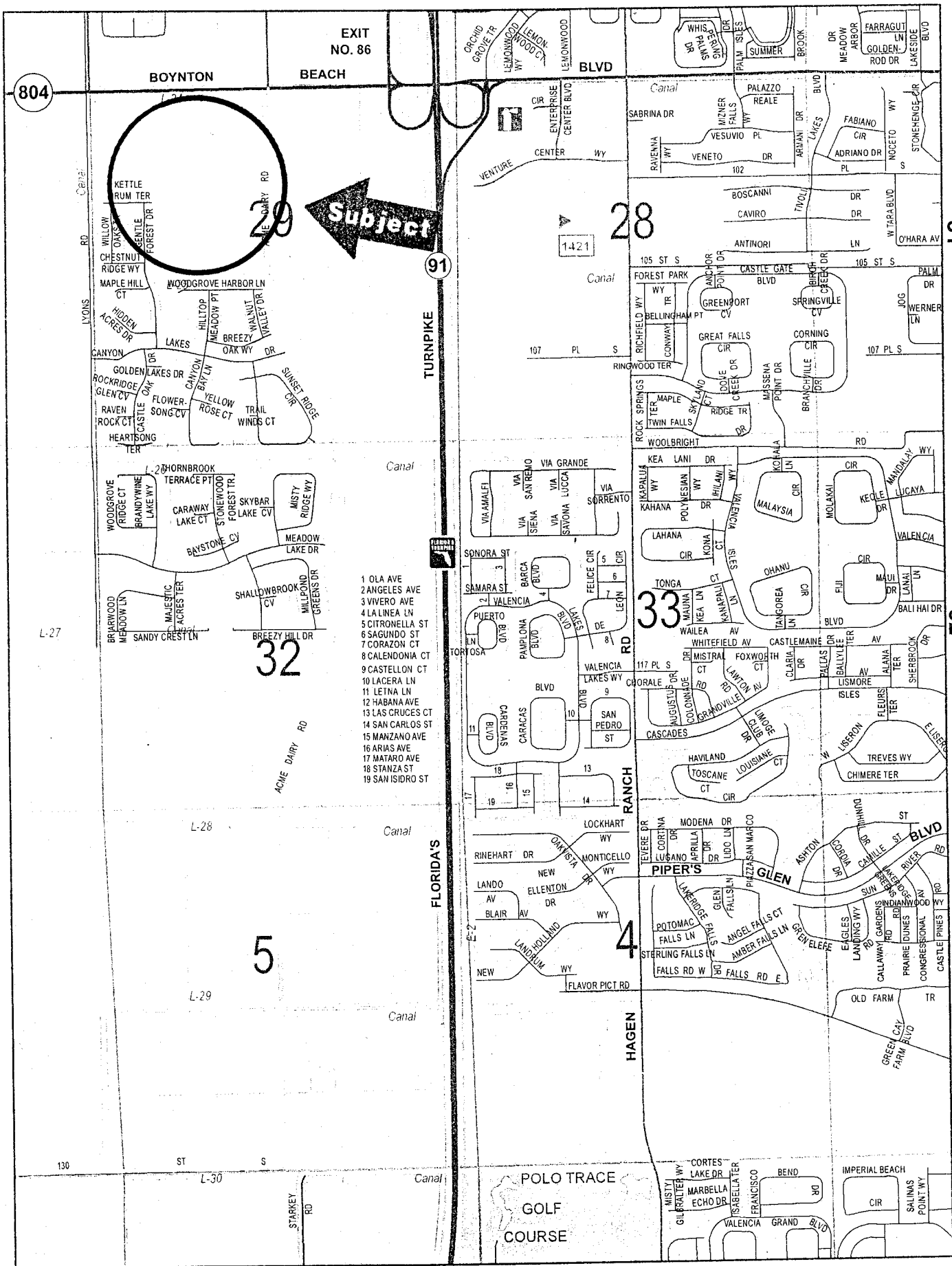
 Department Director

This summary is not to be used as a basis for payment.

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T46

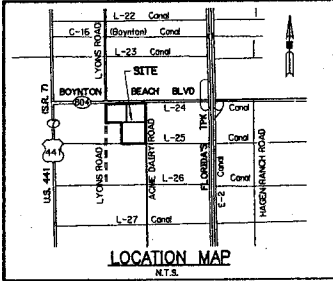


ATTACHMENT # 1

LOCATION MAP



ATTACHMENT # 2



BOYNTON - LYONS
BEING A REPLAT OF A PORTION OF TRACTS 9 THROUGH 19, 24, 41, 46, 51 AND 56 AND ALL OF TRACTS 20 THROUGH 23, 42 THROUGH 45 AND 52 THROUGH 55 AND A PORTION OF THE ROAD, DYKE AND DITCH RESERVATIONS, 30 FEET IN WIDTH, ABUTTING SAID TRACTS, BLOCK 54, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA

SHEET 1 OF 4 OCTOBER, 2006

THIS INSTRUMENT PREPARED BY
PERRY C. WHITE, P.S.M. 4213, STATE OF FLORIDA
LAWSON, NOBLE AND WEBB, INC.
ENGINEERS PLANNERS SURVEYORS
420 COLUMBIA DRIVE
WEST PALM BEACH, FLORIDA 33409
LB-6674

IN WITNESS WHEREOF, THE SCHOOL BOARD OF PALM BEACH COUNTY, A CORPORATE BODY POLITIC, HAS CAUSED THESE PRESENTS TO BE SIGNED BY AND ITS CORPORATE SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS, THIS 21st DAY OF DECEMBER, 2006.

WITNESS: (Signature)
PRINT NAME: Cary A. Keller
WITNESS: (Signature)
PRINT NAME: Alicia Gent

THE SCHOOL BOARD OF PALM BEACH COUNTY
(Signature)
BY: THOMAS ELMON WILLIAMS, CHAIRMAN
CHAIRMAN, PALM BEACH COUNTY SCHOOL BOARD

IN WITNESS WHEREOF, AS TO TRACT C ONLY, PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS BOARD OF COUNTY COMMISSIONERS AND ITS SEAL AFFIXED, HERETO, THIS 5th DAY OF DECEMBER, 2006.

BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA

BY: ADRIAN L. GIBSON, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

ATTEST: SHARON R. BOCK
CLERK AND COMPTROLLER

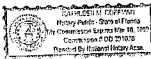
BY: (Signature)
DEPUTY CLERK AND COMPTROLLER

ACKNOWLEDGMENT
STATE OF FLORIDA
COUNTY OF BROWARD

BEFORE ME PERSONALLY APPEARED ALAN J. FANT, WHO IS PERSONALLY KNOWN TO ME AS AN IDENTIFIED PRODUCER, AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS VICE PRESIDENT OF BOYNTON BEACH X CORPORATION, A FLORIDA CORPORATION, THE GENERAL PARTNER OF BOYNTON BEACH ASSOCIATES XVII, L.L.P., 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 5th DAY OF DECEMBER, 2006.

NOTARY PUBLIC: (Signature)
PRINT NAME: Kathleen M. Coffman

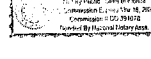


MY COMMISSION EXPIRES: March 15, 2009
DD 391078

ACKNOWLEDGMENT
STATE OF FLORIDA
COUNTY OF BROWARD

BEFORE ME PERSONALLY APPEARED ALAN J. FANT, WHO IS PERSONALLY KNOWN TO ME AS AN IDENTIFIED PRODUCER, AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS VICE PRESIDENT OF BOYNTON BEACH X CORPORATION, A FLORIDA CORPORATION, THE GENERAL PARTNER OF BOYNTON BEACH ASSOCIATES XVII, L.L.P., 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 5th DAY OF DECEMBER, 2006.

NOTARY PUBLIC: (Signature)
PRINT NAME: Kathleen M. Coffman



MY COMMISSION EXPIRES: March 15, 2009
DD 391078

ACKNOWLEDGMENT
STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED THOMAS ELMON WILLIAMS, CHAIRMAN OF THE PALM BEACH COUNTY SCHOOL BOARD, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID CORPORATE BODY POLITIC AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE CORPORATE SEAL OF SAID CORPORATE BODY POLITIC.

WITNESS MY HAND AND OFFICIAL SEAL THIS 21st DAY OF DECEMBER, 2006.

NOTARY PUBLIC: (Signature)
PRINT NAME: Ryan S. Sivas



MY COMMISSION EXPIRES: 7/16/06
DD 558200

TITLE CERTIFICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH
WE, LAWYERS TITLE INSURANCE CORPORATION, A TITLE INSURANCE COMPANY AS DULY LICENSED IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE TO THE HEREIN DESCRIBED PROPERTY; THAT WE FIND THE TITLE TO THE PROPERTY IS VESTED IN BOYNTON BEACH ASSOCIATES X, L.L.P., BOYNTON BEACH ASSOCIATES XVII, L.L.P., THE SCHOOL BOARD OF PALM BEACH COUNTY, A CORPORATE BODY POLITIC, AND PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA; THAT THE CURRENT TAXES HAVE BEEN PAID; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD NOT 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 DEFICIT BY THIS PLAT.

LAWYERS TITLE INSURANCE CORPORATION

BY: (Signature)
ROBERT B. SIEHOLTZ
VICE PRESIDENT

DATE: 12-19-2006 2:28:07 PM

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 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.

BY: (Signature)
PERRY C. WHITE
PROFESSIONAL SURVEYOR AND MAPPER
LICENSE NO. 4213, STATE OF FLORIDA

DATE: 3/28/07

MORTGAGEE'S CONSENT

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS THE HOLDER OF A MORTGAGE UPON THE PORTION OF TRACT "A" DESCRIBED HEREON OWNED BY BOYNTON BEACH ASSOCIATES X, L.L.P. 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 15232 AT PAGE 272 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SHALL BE SUBORDINATED TO THE DEDICATION SHOWN HEREON, IN WITNESS WHEREOF, THE SAID CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS VICE PRESIDENT AND ITS CORPORATE SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS THIS 20th DAY OF November, 2006.

BANK OF AMERICA, N.A. AS AGENT
A NATIONAL BANKING ASSOCIATION
BY: (Signature)
EVITA FRANZCZ, VICE PRESIDENT

WITNESS: (Signature)
PRINT NAME: Marcela Orosco

WITNESS: (Signature)
PRINT NAME: Pamela Concepcion

ACKNOWLEDGMENT

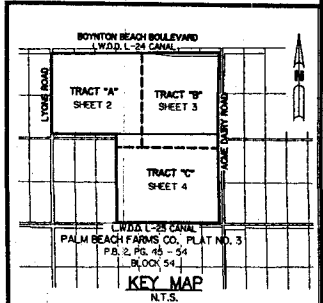
STATE OF FLORIDA
COUNTY OF MIAMI-DADE

BEFORE ME PERSONALLY APPEARED EVITA FRANZCZ, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS VICE PRESIDENT OF BANK OF AMERICA, N.A., AS AGENT, 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, WITNESS MY HAND AND OFFICIAL SEAL THIS 22nd DAY OF November, 2006.

NOTARY PUBLIC: (Signature)
PRINT NAME: Nellie Lima

MY COMMISSION EXPIRES: June 8, 2007
DD 199881

Table with 2 columns: PETITION NO., TOTAL AREA. Rows include 04-025 (125.815 ACRES), TOTAL AREA TRACT "A" (40.651 ACRES), TOTAL AREA TRACT "B" (33.000 ACRES), TOTAL AREA TRACT "C" (35.165 ACRES).



BOYNTON - LYONS

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SHEET 2 OF 4

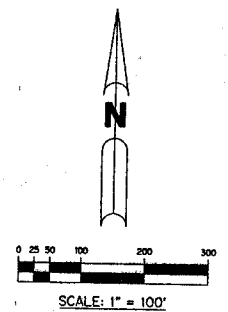
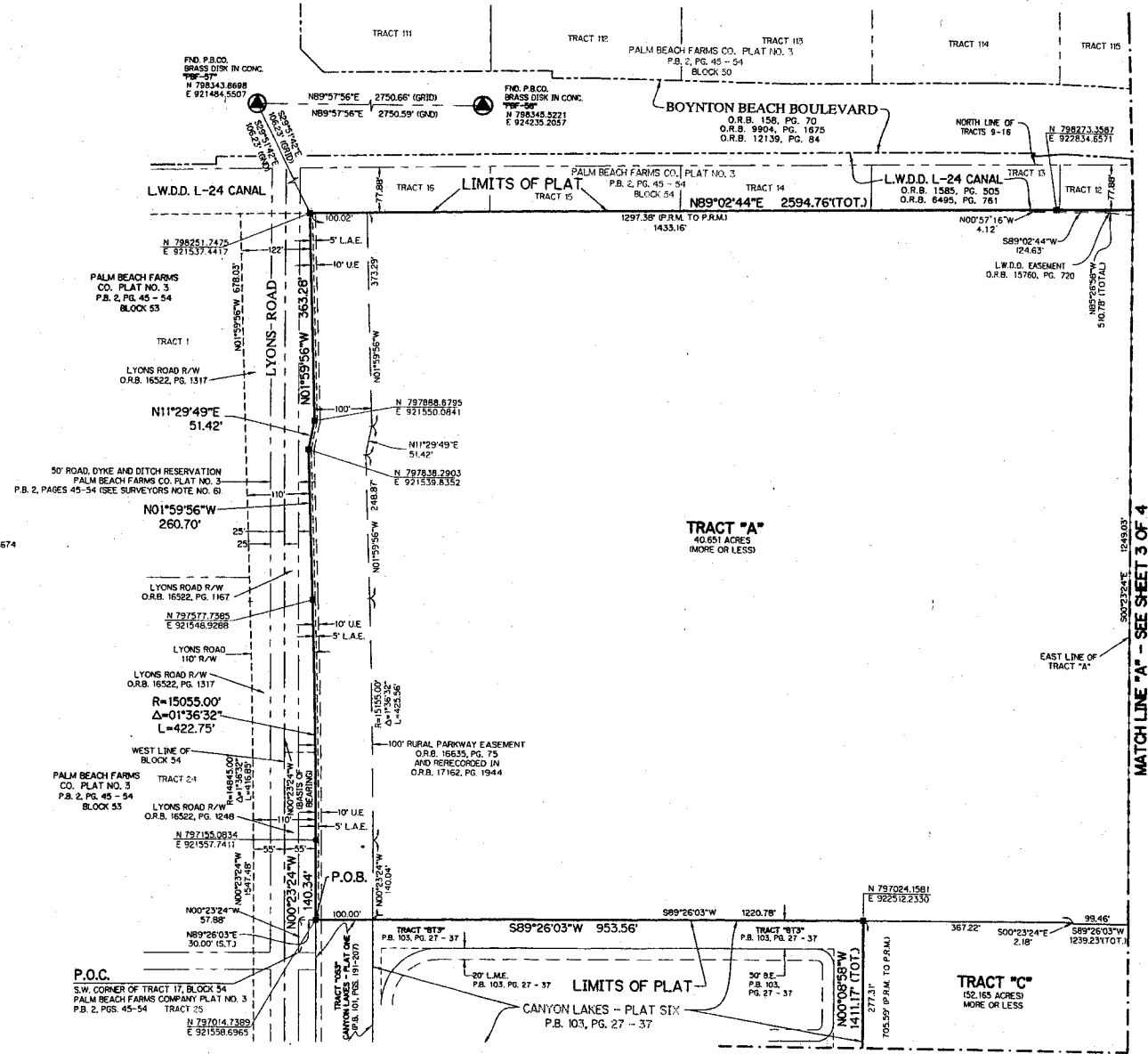
OCTOBER, 2006

NOTE:

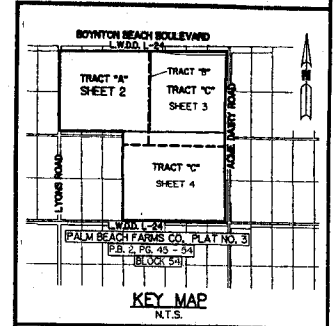
COORDINATES SHOWN ARE GRID COORDINATES DATUM = NAD 83, 1990 ADJUSTMENT AS READJUSTED BY PALM BEACH COUNTY IN 1998
 ZONE = FLORIDA EAST ZONE
 LINEAR UNIT = U.S. SURVEY FEET
 COORDINATE SYSTEM = 1983 STATE PLANE
 TRANSVERSE MERCATOR PROJECTION
 ALL DISTANCES ARE GROUND
 SCALE FACTOR = 1.0000227
 PLAT BEARING = GRID BEARING
 NO ROTATION

LEGEND:

- - FND CONCRETE MONUMENT
- - SET PERMANENT REFERENCE MONUMENT, L.B. #6674
- - SET PERMANENT CONTROL POINT, L.B. #6674
- D.B. - DEED BOOK
- L.W.D.D. - LAKE WORTH DRAINAGE DISTRICT
- N.T.S. - NOT TO SCALE
- O.R.B. - OFFICIAL RECORD BOOK
- R.D.&D. - ROAD, DYKE AND DITCH RESERVATION
- ESMT - EASEMENT
- P.B. - PLAT BOOK
- P.G.S. - PAGES
- P.S.M. - PROFESSIONAL SURVEYOR AND MAPPER
- R/W - RIGHT-OF-WAY
- S.T. - SURVEY TIE
- (TOT) - TOTAL
- U.E. - UTILITY EASEMENT
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- L.A.E. - LIMITED ACCESS EASEMENT
- N 737648.0171 - DENOTES STATE PLANE COORDINATES
- E 905258.2326



THIS INSTRUMENT PREPARED BY
 PERRY C. WHITE, P.S.M. 4213, STATE OF FLORIDA
 LAWSON, NOBLE AND WEBB, INC.
 ENGINEERS PLANNERS SURVEYORS
 420 COLUMBIA DRIVE, SUITE 110
 WEST PALM BEACH, FLORIDA 33409
 LB-6674



MATCH LINE "B" - SEE SHEET 4 OF 4

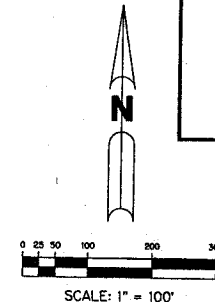
MATCH LINE "A" - SEE SHEET 3 OF 4

BOYNTON - LYONS

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SHEET 3 OF 4

OCTOBER, 2006



NOTE:

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 DATUM = NAD 83, 1990 ADJUSTMENT AS READJUSTED
 BY PALM BEACH COUNTY IN 1998
 ZONE = FLORIDA EAST ZONE
 LINEAR UNIT = U.S. SURVEY FEET
 COORDINATE SYSTEM = 1983 STATE PLANE
 TRANSVERSE MERCATOR PROJECTION
 ALL DISTANCES ARE GROUND
 SCALE FACTOR = 1.0000227
 PLAT BEARING = GRID BEARING
 NO ROTATION

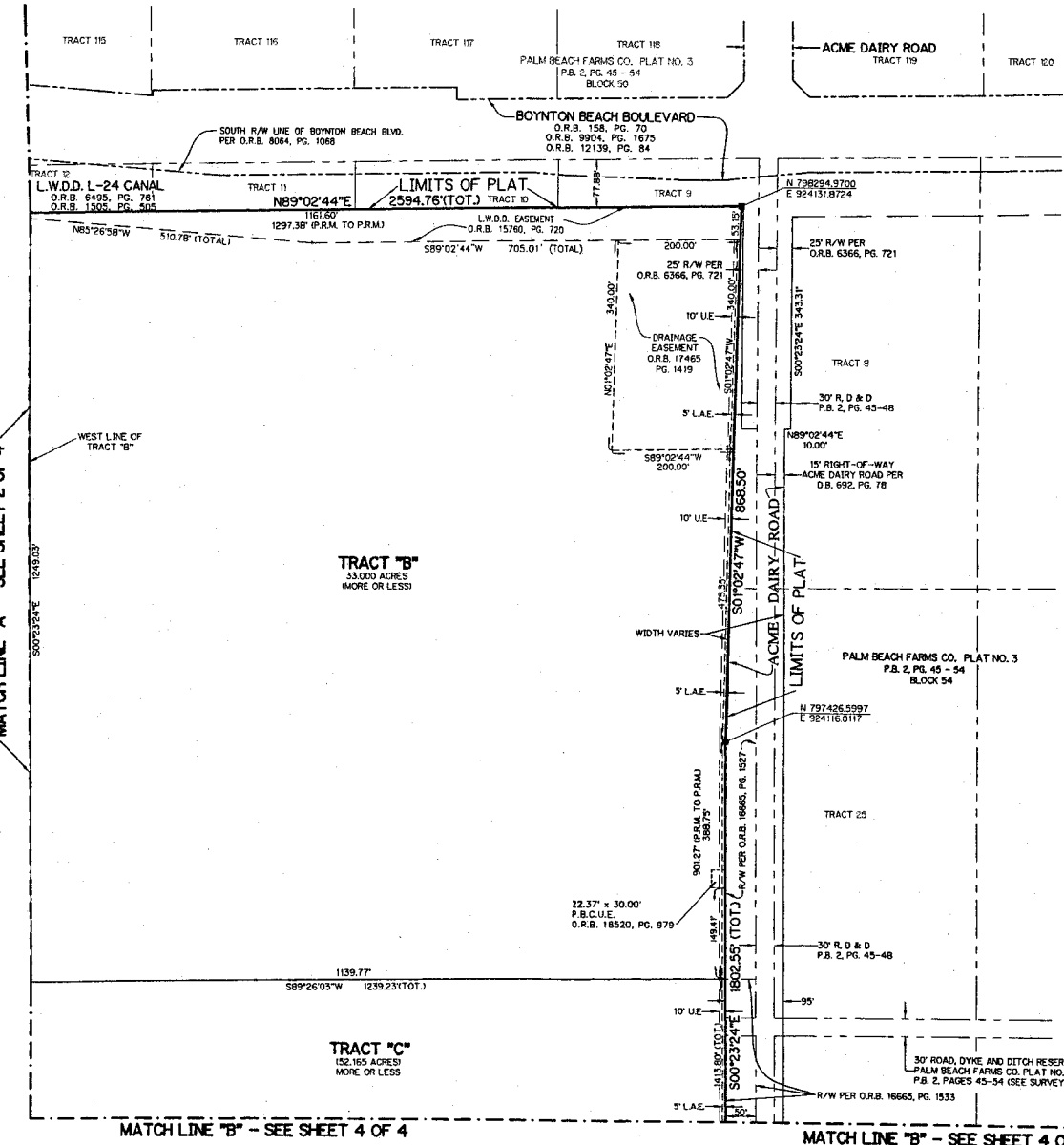
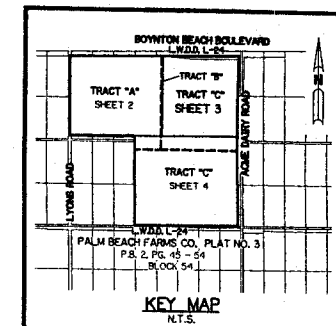
NOTE:

COORDINATES SHOWN ARE GRID COORDINATES
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 LINEAR UNIT = U.S. SURVEY FEET
 COORDINATE SYSTEM = 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION
 ALL DISTANCES ARE GROUND
 SCALE FACTOR = 1.0000228
 NO ROTATION = GRID BEARING TO PLAT BEARING

LEGEND:

- - FIND CONCRETE MONUMENT
- - SET PERMANENT REFERENCE MONUMENT, L.B. #6674
- - SET PERMANENT CONTROL POINT, L.B. #6674
- D.B. - DEED BOOK
- L.W.D.D. - LAKE WORTH DRAINAGE DISTRICT
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- ST. - SURVEY TIE
- (TOT) - TOTAL
- UE - UTILITY EASEMENT
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- L.A.E. - LIMITED ACCESS EASEMENT
- N 737648.0171 E 905258.2326 - DENOTES STATE PLANE COORDINATES

THIS INSTRUMENT PREPARED BY
 PERRY C. WHITE, P.S.M. 4213, STATE OF FLORIDA
 LAWSON, NOBLE AND WEBB, INC.
 ENGINEERS PLANNERS SURVEYORS
 420 COLUMBIA DRIVE, SUITE 110
 WEST PALM BEACH, FLORIDA 33409
 LB-6674



MATCH LINE "A" - SEE SHEET 2 OF 4

MATCH LINE "B" - SEE SHEET 4 OF 4

MATCH LINE "B" - SEE SHEET 4 OF 4

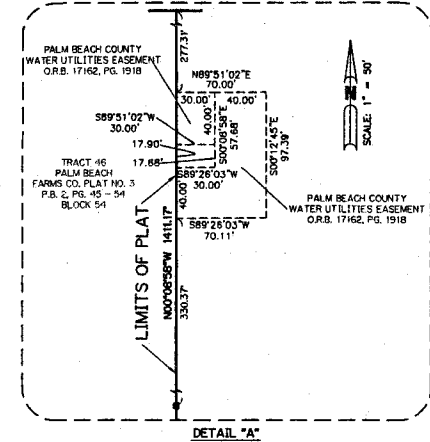
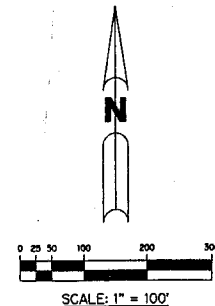
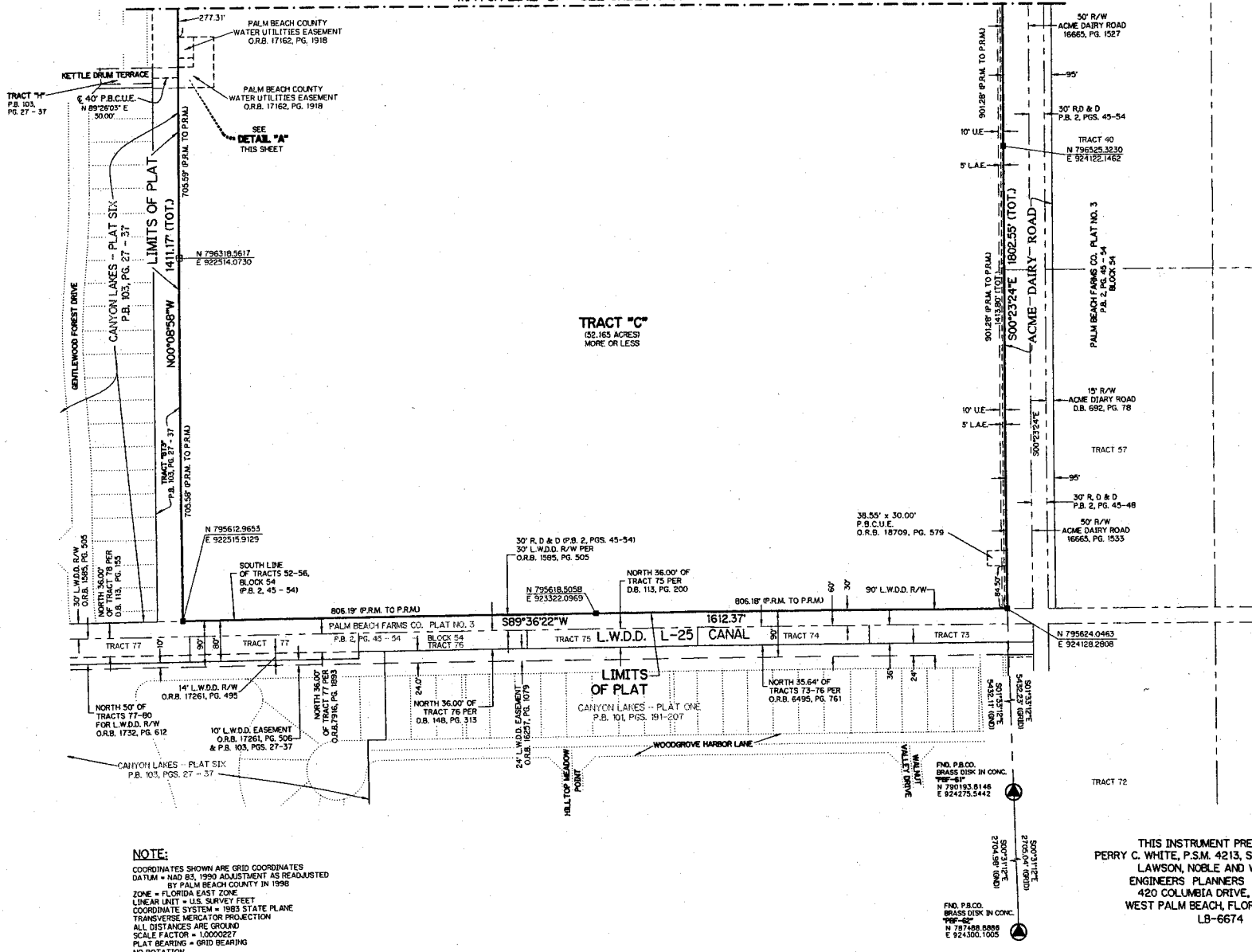
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SHEET 4 OF 4

OCTOBER, 2006

MATCH LINE "B" - SEE SHEET 3 OF 4



- LEGEND:**
- - FIND CONCRETE MONUMENT
 - - SET PERMANENT REFERENCE MONUMENT, L.B. #6674
 - - SET PERMANENT CONTROL POINT, L.B. #6674
 - - DEED BOOK
 - - DEED BOOK
 - L.W.D.D. - LAKE WORTH DRAINAGE DISTRICT
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 - (TOT) - TOTAL
 - P.O.B. - POINT OF BEGINNING
 - P.O.C. - POINT OF COMMENCEMENT
 - L.A.E. - LIMITED ACCESS EASEMENT
 - N 73°48'01" W - DENOTES STATE PLANE COORDINATES
 - E 92°02'58" W

NOTE:
 COORDINATES SHOWN ARE GRID COORDINATES
 DATUM = NAD 83, 1980 ADJUSTMENT AS READJUSTED
 BY PALM BEACH COUNTY IN 1998
 ZONE = FLORIDA EAST ZONE
 LINEAR UNIT = U.S. SURVEY FEET
 COORDINATE SYSTEM = 1983 STATE PLANE
 TRANSVERSE MERCATOR PROJECTION
 ALL DISTANCES ARE GROUND
 SCALE FACTOR = 1.000027
 PLAT BEARING = GRID BEARING
 NO ROTATION

THIS INSTRUMENT PREPARED BY
 PERRY C. WHITE, P.S.M. 4213, STATE OF FLORIDA
 LAWSON, NOBLE AND WEBB, INC.
 ENGINEERS, PLANNERS SURVEYORS
 420 COLUMBIA DRIVE, SUITE 110
 WEST PALM BEACH, FLORIDA 33409
 LB-6674

