

# COQUINA WAY at BallenIsles

BEING A PORTION OF SECTION 14, TOWNSHIP 42 SOUTH, RANGE 42 EAST

PALM BEACH COUNTY, FLORIDA

CITY OF PALM BEACH GARDENS

# 138

MAY 1994

SHEET 1 OF 2

### DESCRIPTION

A parcel of land lying in the North 1/2 of Section 14, Township 42 South, Range 42 East, Palm Beach County, Florida, and being more particularly described as follows:

COMMENCE at the center of said Section 14; thence N 88° 19' 50" W, along the South line of said North 1/2 of Section 14, a distance of 119.92 feet, to a point on a curve concave to the Southeast from which a radial line bears S 63° 56' 40" E; thence along the arc of said curve and the Westerly line of Tract W-12 of the plat of PLAT TWO, HANSEN-JDM as recorded in Plat Book 69 at Pages 195 through 200 of the Public Records of Palm Beach County, Florida, through a central angle of 18° 12' 42", a radius of 460.00 feet and a chord of N 35° 03' 41" E - 145.60 feet, an arc distance of 146.21 feet, to the POINT OF BEGINNING; thence N 45° 43' 59" W, along a radial line, a distance of 120.00 feet; thence N 44° 16' 02" E, a distance of 2.29 feet; thence N 03° 34' 56" W, a distance of 37.07 feet; thence N 51° 25' 53" W, a distance of 228.22 feet, to the Point of Curvature of a curve concave to the Northeast; thence along the arc of said curve, through a central angle of 22° 07' 36" and a radius of 703.00 feet, an arc distance of 271.49 feet; thence N 29° 18' 17" W, a distance of 297.52 feet, to the Point of Curvature of a curve concave to the Southwest; thence along the arc of said curve, through a central angle of 06° 11' 48" and a radius of 300.00 feet, an arc distance of 32.45 feet; thence N 35° 30' 05" W, a distance of 157.37 feet, to the Point of Curvature of a curve concave to the Southwest; thence along the arc of said curve, through a central angle of 43° 43' 00" and a radius of 67.00 feet, an arc distance of 51.12 feet, to a Point of Reverse Curvature of a curve concave to the Northeast; thence along the arc of said curve, through a central angle of 86° 42' 00" and a radius of 135.00 feet, an arc distance of 204.28 feet, to a Point of Reverse Curvature of a curve concave to the Southwest; thence along the arc of said curve, through a central angle of 43° 43' 11" and a radius of 67.00 feet, an arc distance of 51.12 feet; thence N 36° 14' 15" W, a distance of 222.20 feet, to a point on a curve concave to the Northwest from which a radial line bears N 32° 44' 31" W, thence along the arc of said curve, through a central angle of 36° 06' 47", a radius of 100.00 feet and a chord of N 39° 12' 05" E - 61.99 feet, an arc distance of 63.03 feet to a point; thence S 36° 14' 15" E, a distance of 244.79 feet, to the Point of Curvature of a curve concave to the Northeast; thence along the arc of said curve, through a central angle of 40° 19' 47" and a radius of 75.00 feet, an arc distance of 52.79 feet, to a Point of Reverse Curvature of a curve concave to the Southwest; thence along the arc of said curve, through a central angle of 81° 23' 33" and a radius of 127.00 feet, an arc distance of 180.41 feet, to the Point of Reverse Curvature of a curve concave to the Northeast; thence along the arc of said curve, through a central angle of 40° 19' 35" and a radius of 75.00 feet, an arc distance of 52.79 feet; thence S 38° 30' 05" E, a distance of 281.28 feet, to the Point of Curvature of a curve concave to the Southwest; thence along the arc of said curve, through a central angle of 06° 11' 48" and a radius of 300.00 feet, an arc distance of 32.45 feet; thence S 29° 18' 17" E, along the Southerly lines of Tracts GC-12 and W-13 of said plat of PLAT TWO, HANSEN-JDM, a distance of 190.25 feet, to the Point of Curvature of a curve concave to the Northeast; thence along the arc of said curve and the Southerly and Westerly lines of Tracts W-13 and CA-2 of said plat of PLAT TWO, HANSEN-JDM, through a central angle of 22° 07' 36" and a radius of 631.00 feet, an arc distance of 243.88 feet; thence S 51° 25' 53" E, along said Southerly and Westerly line of tract W-13 and CA-2, a distance of 263.02 feet; thence S 45° 43' 58" E, a distance of 120.00 feet; thence S 44° 16' 02" W, along said Westerly line of Tract W-12 of the plat of PLAT TWO, HANSEN-JDM, a distance of 102.27 feet, to the POINT OF BEGINNING. Containing 2.948 acres, more or less.

### DEDICATION

STATE OF FLORIDA  
COUNTY OF PALM BEACH

Know all men by these presents that MACARTHUR HOLDING A, INC., a Florida not-for-profit corporation, as owner of the land ("Land") shown hereon being more particularly described on Sheet 1 hereof, and DEXTER DEVELOPMENT COMPANY, a Florida corporation, as to any and all rights DEXTER DEVELOPMENT COMPANY, a Florida corporation, may have as developer by virtue of that certain assignment of rights under declaration and PCD recorded in Official Record Book 7787, Page 809, Public Records of Palm Beach County, Florida, have caused the same to be surveyed and platted as shown hereon and do hereby dedicate the following specific easements solely for the specific purposes described herein and do also hereby dedicate the specific parcels described herein as follows:

1. Tract R-1 and R-2 are hereby dedicated in fee to the Northern Palm Beach County Water Control District, a political subdivision of the State of Florida ("NPBCWCD") for restricted limited access roadway, restricted limited access ingress-egress, utility, drainage and related purposes, said R-1 and R-2 being the perpetual maintenance responsibility of BallenIsles Community Association, Inc., its successors and/or assigns, without recourse to the NPBCWCD and without recourse to the City of Palm Beach Gardens. The NPBCWCD shall have the right, but not the responsibility, to construct, operate, inspect and maintain its facilities within said 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 BALLENSLES COMMUNITY ASSOCIATION, INC. and its successors; provided, however, the NORTHERN PALM BEACH COUNTY WATER CONTROL DISTRICT 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 NPBCWCD and its employees, agents and successors; and (g) any governmental and quasi-governmental agencies and service entities having jurisdiction over BallenIsles while engaged in their respective functions (collectively the persons and entities permitted to use 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 Northern Palm Beach County Water Control District, A Political Subdivision of the State of Florida, recorded in Official Record Book 6318, Page 1408, 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 I 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. 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 NPBCWCD 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 (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 R-1 and R-2, shall be for the benefit of the Permitted Users, and shall be deemed a covenant running with the land.

2. A Water Management Easement, shown and designated hereon as WME, over all of TRACTS R-1 and R-2, as shown hereon, is hereby dedicated solely to the NORTHERN PALM BEACH COUNTY WATER CONTROL DISTRICT for the construction, operation, inspection and maintenance of water management facilities, the lands therein and thereunder being the perpetual maintenance responsibility of the BALLENSLES COMMUNITY ASSOCIATION, INC., its successors and/or assigns, without recourse to said DISTRICT and without recourse to the CITY OF PALM BEACH GARDENS. Said DISTRICT shall be the right, but not the obligation, to construct, operate, inspect and maintain water management facilities within this easement.

IN WITNESS WHEREOF, the above named corporations have caused these presents to be signed by their President, and attested by their Secretary and their corporate seal to be affixed hereto by and with the authority of their Board of Directors this 29 day of April, 1994.

DEXTER DEVELOPMENT COMPANY,  
a Florida Corporation  
By: Roy H. Davidson  
Attest By: [Signature]  
Title: President

MACARTHUR HOLDING A, INC.,  
a Florida Corporation  
By: L.L. Landrey  
Attest By: [Signature]  
Title: Secretary

### CORPORATE ACKNOWLEDGMENT CERTIFICATE

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this April 29th, 1994 (date) by Roy H. Davidson and John W. Berry III (print name) of DEXTER DEVELOPMENT COMPANY, a Florida corporation, on behalf of the corporation. They are personally known to me or have produced (type of identification) as identification.

Kathryn P. Kirby (signature of Person Taking Acknowledgment)  
(Name of Acknowledger Typed, Printed or Stamped)  
(Title or Rank)  
(Commission Number) (NOTARY SEAL)  
OFFICIAL SEAL  
KATHRYN P. KIRBY  
Notary Public State of Florida  
Commission No. CC 08825  
Expires May 20, 1995

### CORPORATE ACKNOWLEDGMENT CERTIFICATE

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this April 29th, 1994 (date) by Larry Landrey and Steven Cohen (print name) of MACARTHUR HOLDING A, INC., a Florida not-for-profit corporation, on behalf of the corporation. They are personally known to me or have produced (type of identification) as identification.

Nathan P. Meligaris (signature of Person Taking Acknowledgment)  
(Name of Acknowledger Typed, Printed or Stamped)  
(Title or Rank)  
(Commission Number) (NOTARY SEAL)  
OFFICIAL NOTARY SEAL  
NATHAN P. MELIGARIS  
Notary Public State of Florida  
Commission No. CC 334233  
MY COMMISSION EXP. DEC. 6, 1997

### CORPORATE ACKNOWLEDGMENT CERTIFICATE

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this April 29th, 1994 (date) by ROY H. DAVIDSON and Steven Cohen (print names) as President and as Secretary, respectively, of BALLENSLES COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation, on behalf of the corporation. They are personally known to me or have produced (type of identification) as identification.

Allys Nagler Daniels (signature of Person Taking Acknowledgment)  
(Name of Acknowledger Typed, Printed or Stamped)  
(Title or Rank)  
(Commission Number) (NOTARY SEAL)  
OFFICIAL SEAL  
ALYS NAGLER DANIELS  
Notary Public State of Florida  
Commission No. CC 081688  
Expires March 10, 1995

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

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BALLENSLES 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 recording of a Plat affecting said property and all matters appearing thereon.

Dated this 29 day of April, 1994.

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

By: [Signature] By: [Signature]  
Its: Secretary Its: President

### TITLE CERTIFICATION

I, Allys N. 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 title to said property as of this 29th day of April, 1994, is vested in MACARTHUR HOLDING A, INC., a Florida not-for-profit corporation, and that the current taxes for said property have been paid.

Date: 4/29/94

Allys N. Daniels  
ALYS N. DANIELS  
Attorney at Law  
Florida Bar No. 354600

### APPROVALS

CITY OF PALM BEACH GARDENS  
COUNTY OF PALM BEACH, FLORIDA

This plat is hereby approved for record this 2nd day of May, 1994.

[Signature]  
DAVID CLARK - MAYOR

This plat is hereby accepted for record this 3rd day of May, 1994.

[Signature]  
LINDA KOSTER, CITY CLERK

[Signature]  
LENNART E. LINDAHL, P.E. - CITY ENGINEER



LOCATION MAP  
NOT TO SCALE

### NORTHERN PALM BEACH COUNTY WATER CONTROL DISTRICT ACCEPTANCE

The NORTHERN PALM BEACH COUNTY WATER CONTROL DISTRICT hereby accepts, acknowledges and agrees as follows:

The dedication of the Water Management Easement over all of TRACT R-1 and R-2, as shown hereon; the dedication in fee of TRACT R-1 and TRACT R-2 to the NORTHERN PALM BEACH COUNTY WATER CONTROL DISTRICT for restricted limited access roadway, restricted limited access ingress-egress, utility, drainage, and related purposes, and subject to the restrictions, covenants and easements stated in this Plat, said TRACTS R-1 and R-2 being the perpetual maintenance responsibility of BALLENSLES COMMUNITY ASSOCIATION, INC., its successors and/or assigns without recourse to the said DISTRICT and without recourse to the CITY OF PALM BEACH GARDENS. The NORTHERN PALM BEACH COUNTY WATER CONTROL DISTRICT shall have the right, but not the responsibility, to construct, operate, inspect and maintain its facilities within said TRACTS R-1 and R-2.

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 hereto by and with the authority of its BOARD OF SUPERVISORS this 29th day of APRIL, 1994.

NORTHERN PALM BEACH COUNTY  
WATER CONTROL DISTRICT  
a Florida Corporation

Attest: [Signature] By: [Signature]  
PETER L. PIMENTEL, Secretary Board of Supervisors  
WILLIAM L. KERSLAKE, President Board of Supervisors

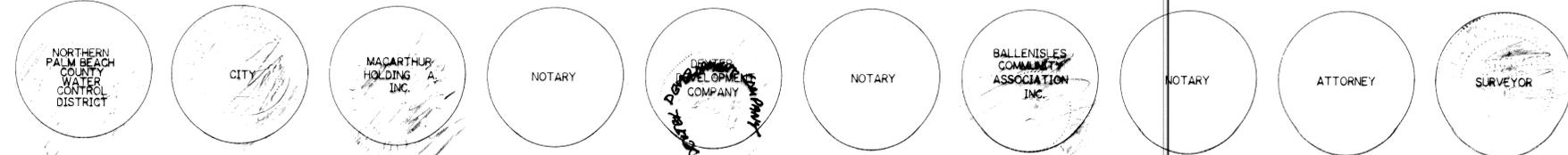
### SURVEYOR'S CERTIFICATION:

STATE OF FLORIDA  
COUNTY OF PALM BEACH } S.S.

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 OR THE OTHER SURETY 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.

[Signature] DATE: APRIL 29, 1994  
RICHARD P. BREITENBACH, PROFESSIONAL LAND SURVEYOR  
FLORIDA REGISTRATION No. 3978

SUBDIVISION # COQUINA WAY  
BOOK 72 PAGE 138  
FLOOD ZONE FLOOD HAZ. #  
QUAD # ZONING  
SE ZIP CODE  
PUD NAME BALLENSLES COMMUNITY ASSOCIATION  
TR-95



**KESHAVARZ & ASSOCIATES, INC.**  
THIS INSTRUMENT WAS PREPARED BY RICHARD P. BREITENBACH IN THE OFFICES OF KESHAVARZ & ASSOCIATES, INC.  
1280 N. CONGRESS AVENUE, SUITE 206  
WEST PALM BEACH, FLORIDA 33409  
(407) 689-8600 / FAX 689-7476