

PLAT OF BANYAN ISLE AT BALLENISLES

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LYING IN SECTION 13, TOWNSHIP 42 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, CITY OF PALM BEACH GARDENS MARCH 1995 SHEET 1 OF 3

LEGAL DESCRIPTION

STATE OF FLORIDA COUNTY OF PALM BEACH

A parcel of land lying in Section 13, Township 42 South, Range 42 East, Palm Beach County, Florida; said parcel of land being more particularly described as follows:

Commencing at the southwest corner of the northwest quarter of said Section 13, thence North 01°35'02" East along the West line of the northwest quarter of said Section 13, a distance of 72.61 feet; thence South 88°24'58" East departing said section line a distance of 51.24 feet to the POINT OF BEGINNING:

Thence North 01°46'37" East a distance of 269.68 feet to the point of curvature of a curve concave westerly, having a radius of 549.00 feet; thence northerly along said curve through a central angle of 06°59'54" a distance of 67.06 feet to the end of said curve; thence South 88°13'23" East a distance of 155.09 feet; thence South 78°47'02" East a distance of 82.32 feet to a point on a curve concave northwesterly, having a radius of 200.00 feet and whose radius point bears North 01°46'37" East; thence northeasterly along said curve through a central angle of 62°35'18" a distance of 218.48 feet to the point of tangency; thence North 29°11'19" East, a distance of 671.40 feet; thence North 80°42'22" West a distance of 53.18 feet; thence North 29°11'19" East a distance of 143.39 feet to the point of curvature of a curve concave southeasterly, having a radius of 150.00 feet; thence northeasterly along said curve through a central angle of 73°37'27" a distance of 192.75 feet to the point of tangency; thence South 77°11'14" East a distance of 91.95 feet to the point of curvature of a curve concave southeasterly, having a radius of 150.00 feet; thence southeasterly along said curve through a central angle of 44°27'01" a distance of 116.37 feet to the point of tangency; thence South 32°44'13" East a distance of 68.95 feet to the point of curvature of a curve concave westerly, having a radius of 114.00 feet; thence southerly along said curve through a central angle of 61°55'32" a distance of 123.21 feet to the point of tangency; thence South 29°11'19" West a distance of 524.44 feet to the point of curvature of a curve concave northwesterly having a radius of 650.00 feet; thence southeasterly along said curve through a central angle of 62°35'18" a distance of 710.04 feet to the point of tangency; thence North 88°13'23" West a distance of 158.37 feet to a point on a curve concave easterly, having a radius of 451.00 feet; and whose radius point bears North 79°21'57" East; thence northerly along said curve through a central angle of 12°24'40", a distance of 97.69 feet to the POINT OF BEGINNING.

Containing 14.66 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, 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 and declaration and PCD recorded in Official Record Book 7787, Page 609, Public Records of Palm Beach County, Florida, have caused the same to be surveyed and platted as shown hereon as Plat of Banyan Isle at BalleNISLES, 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:

- Utility easements shown hereon as U.E., 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 facilities.
- Street tract shown and designated hereon as Tract "R1" is hereby dedicated fee simple to BalleNISLES Community Association, Inc., a Florida not-for-profit corporation, as common areas, for roadway, ingress, egress, drainage, utilities and related purposes, said street tract being the perpetual maintenance responsibility of said association, its successors and/or assigns, without recourse to Northern Palm Beach County Water Control District or the City of Palm Beach Gardens.
- A non-exclusive easement for ingress and egress over the street Tract "R1" as shown hereon is hereby dedicated to Northern Palm Beach County Water Control District for the perpetual maintenance obligation of BalleNISLES Community Association, Inc., a Florida not-for-profit corporation, its successors and/or assigns, without recourse to Northern Palm Beach County Water Control District or the City of Palm Beach Gardens.
- A non-exclusive easement for ingress and egress over street Tract "R1", and Tracts "D-1", ECA-3, ECA-4 and ECA-5 is hereby dedicated to Seacoast Utility Authority, its successors and/or assigns for access purposes only, said land being the perpetual maintenance obligation of BalleNISLES Community Association, Inc., a Florida not-for-profit corporation, its successors and/or assigns. A non-exclusive easement on, over and under street Tract "R1", and ECA-3, ECA-4 and ECA-5 is hereby dedicated to Seacoast Utility Authority, its successors and/or assigns for water and sewer construction and maintenance purposes, and no above ground utilities or appurtenances thereto are to be constructed that would obstruct or prevent access over Tract "R1". An exclusive sub-surface easement under Tract "D-1" is hereby dedicated to Seacoast Utility Authority, its successors and/or assigns for subsurface utility construction and maintenance only, and no above ground utilities or appurtenances thereto are to be constructed that would obstruct or prevent access over said Tract "D-1", said lands encumbered by said easements being the perpetual maintenance obligation of BalleNISLES Community Association, Inc., a Florida not-for-profit corporation, its successors and/or assigns.
- Landscape easements over all of ECA-3, ECA-4 and ECA-5 inclusive, as shown and designated hereon as L.E. are hereby dedicated to BalleNISLES Community Association, Inc., a Florida not-for-profit corporation, exclusively for landscape purposes; said landscaping being the perpetual maintenance responsibility of said association, its successors and/or assigns, without recourse to the City of Palm Beach Gardens or the Northern Palm Beach County Water Control District.
- Tracts ECA-1 through ECA-5, inclusive, as shown hereon are hereby dedicated fee simple to BalleNISLES Community Association, Inc., a Florida not-for-profit corporation, for use as exclusive common areas of the association. All of said tracts less tracts ECA-1 and ECA-2, as shown hereon, shall be the perpetual maintenance responsibility of said Association, its successors and/or assigns. The maintenance of the said excepted tracts shall be the responsibility of the Northern Palm Beach County Water Control District, its successors and/or assigns, without recourse to the City of Palm Beach Gardens.
- Easements for drainage purposes as shown and designated hereon as D.E. are hereby dedicated solely to BalleNISLES Community Association, Inc., a Florida not-for-profit corporation, and are the perpetual maintenance responsibility of said association, its successors and/or assigns without recourse to Northern Palm Beach County Water Control District or the City of Palm Beach Gardens.
- Easements for water purposes as shown hereon and designated W.L.E. are hereby dedicated solely to Seacoast Utility Authority, its successors and/or assigns, exclusively for construction and maintenance of water facilities, said lands encumbered by said easements being the perpetual maintenance responsibility of the owner or owners of the fee simple interest in said lands, their successors and/or assigns.
- Easements for maintenance purposes as shown hereon and designated OHE are hereby dedicated to BalleNISLES Community Association, Inc., a Florida not-for-profit corporation, for access and maintenance of property.
- Tract "C" as shown hereon is hereby dedicated fee simple to the Northern Palm Beach County Water Control District for water management and other authorized purposes, said water management tract being the perpetual maintenance responsibility of said district, its successors and/or assigns without recourse to the City of Palm Beach Gardens.
- A non-exclusive easement for ingress and egress over Tracts "B", "D-1" and "D-2" as shown hereon, are hereby dedicated to the Northern Palm Beach County Water Control District for access to and from said district's water management facilities, lands and easements for water management purposes, the lands encumbered by said ingress-egress easements being the perpetual maintenance responsibility of BalleNISLES Community Association, Inc., a Florida not-for-profit corporation, its successors and/or assigns, without recourse to the City of Palm Beach Gardens or the Northern Palm Beach County Water Control District.

- A non-exclusive easement for ingress and egress over Tract "D-2" is hereby dedicated to utility service suppliers for access purposes only, said land being the perpetual maintenance obligation of BalleNISLES Community Association, Inc., a Florida not-for-profit corporation, its successors and/or assigns. An exclusive sub-surface easement under Tract "D-2" is hereby dedicated to utility service suppliers for subsurface utility construction and maintenance only, and no above ground utilities or appurtenances thereto are to be constructed that would obstruct or prevent access over said Tract "D-2", said lands encumbered by said easements being the perpetual maintenance obligation of BalleNISLES Community Association, Inc., a Florida not-for-profit corporation, its successors and/or assigns.
- Tracts "B", "D-1" and "D-2" are hereby dedicated fee simple to BalleNISLES Community Association, Inc., a Florida not-for-profit corporation, for use as common areas of the Association.

In witness whereof, the above named corporations have caused these presents to be signed by their President or Vice 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 11th day of APRIL, 1995.

Dexter Development Company
A Florida corporation
MacArthur Holding A, Inc.
A Florida not-for-profit corporation

By: Roy H. Davidson, President
Roy H. Davidson, President

By: Dale E. Smith, Vice Pres.
Dale E. Smith, Vice Pres.

Attest: John W. Gary, III

Attest: Steven Cohen

Title: Secretary

Title: Secretary

CORPORATE ACKNOWLEDGEMENT CERTIFICATE

STATE OF FLORIDA COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 11th day of APRIL, 1995 by Dale E. Smith, Vice President and Steven Cohen, Secretary 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 a drivers license as identification.

By: Kaye Sauls (signature of person taking acknowledgment)
Kaye Sauls (name of acknowledger typed, printed or stamped)
Notary Public (title or rank)
CC 579621 (commission number)

ACCEPTANCE, JOINDER AND CONSENT OF BALLENISLES COMMUNITY ASSOCIATION, INC. A FLORIDA NOT-FOR-PROFIT CORPORATION

STATE OF FLORIDA COUNTY OF PALM BEACH

BalleNISLES Community Association, Inc., a Florida not-for-profit corporation, 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 11th day of April, 1995.

Attest: BalleNISLES Community Association, Inc.
a Florida not-for-profit corporation

By: Steven Cohen By: Roy H. Davidson

Its: Secretary Its: President

CORPORATE ACKNOWLEDGEMENT CERTIFICATE

STATE OF FLORIDA COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 11th day of April, 1995 by Roy H. Davidson and Steven Cohen 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 or have produced a drivers license as identification.

By: Heather P. Meligonis (signature of person taking acknowledgment)
Heather P. Meligonis (name of acknowledger typed, printed or stamped)
Notary Public (title or rank)
CC 334233 (commission number)

STATE OF FLORIDA COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 11th day of April, 1995 by Roy H. Davidson, President and John W. Gary, III, Secretary of Dexter Development Company, a Florida corporation, on behalf of the corporation they are personally known to me or have produced a drivers license as identification.

By: Heather P. Meligonis (signature of person taking acknowledgment)
Heather P. Meligonis (name of acknowledger typed, printed or stamped)
Notary Public (title or rank)
CC 334233 (commission number)

NORTHERN PALM BEACH COUNTY WATER CONTROL DISTRICT ACCEPTANCE

The Northern Palm Beach County Water Control District hereby accepts the ingress-egress easement over street Tract "R1", as shown hereon, and hereby acknowledges said District has no maintenance responsibility over said street Tract "R1"; and said district further acknowledges and accepts Tract "C" in fee simple and accepts the perpetual maintenance responsibility of Tract "C"; and hereby accepts the ingress-egress easements shown hereon as Tracts "B" & "D-1" and "D-2" and acknowledges that the said District has no maintenance obligation in connection with said ingress-egress easements; and hereby accepts the perpetual maintenance responsibility of Tracts ECA-1 and ECA-2; and said District acknowledges that there are no other dedications to nor other maintenance obligations being incurred by said District on this plat.

Date: 4/14/95 Northern Palm Beach County Water Control District

Attest: Peter L. Pimentel By: William L. Kerslake
Peter L. Pimentel, Secretary Board of Supervisors William L. Kerslake, President Board of Supervisors

TITLE CERTIFICATION

I, Alys 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 record title to said property as of this 11th day of April, 1995, 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: 4/14/95
Alys N. Daniels
Alys N. Daniels
Attorney at Law
Florida Bar No. 354600

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

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 the 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 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.

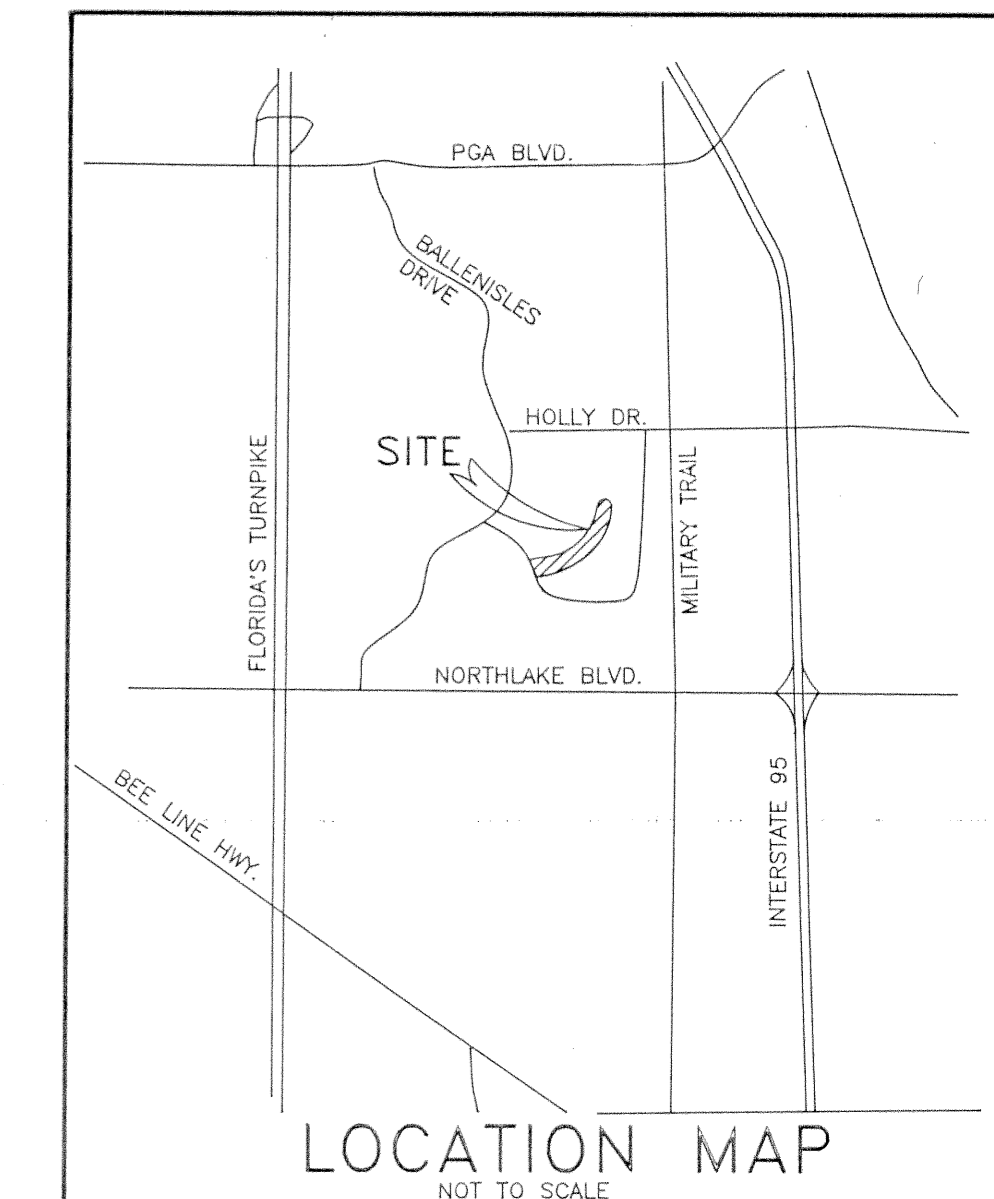
By: David C. Lidberg Date: APRIL 7, 1995

David C. Lidberg, Professional Land Surveyor
Florida Registration No. 3613

Surveyor's Notes:

- There may be additional restrictions that are not recorded on this plat that may be found in the Public Records of Palm Beach County, Florida.
- There shall be no buildings, structures, construction of any kind, trees or shrubs placed on Tracts ECA-1 or ECA-2, as shown hereon, unless approved, in permit form, by the Northern Palm Beach County Water Control District.
- Where drainage and utility easements intersect, drainage easements will take precedence.
- There shall be no trees, shrubs, or landscaping placed on water and sewer easements or drainage easements, except as shown on the approved final development plan and/or landscape plan.
- There shall be no buildings or any kind of construction placed on utility easements or drainage easements.
- Approval of landscaping on utility easements shall be only with the approval of the utilities occupying same.
- Lot lines are not radial unless noted (rad).
- Bearing basis: Bearings hereon are based upon the West line of the northwest one-quarter of Section 13, Township 42 South, Range 42 East, Palm Beach County, Florida, being North 01°35'02" East.
- Indicates set permanent reference monument LS 3613.
- Indicates set permanent control point LS 3613.
- E.C.A. = Exclusive Common Area
- D.E. = Drainage Easement
- W.L.E. = Water Line Easement
- O.H.E. = Overhang Easement
- L.E. = Landscape Easement
- W.M.E. = Water Management Easement
- AC. = Acres
- O.R.B. = Official Record Book

COUNTY OF PALM BEACH } ss
STATE OF FLORIDA }
This Plat was filed for record at 11:51 A.M.
this 27th day of JUNE, 1995
and duly recorded in Plat Book No. 76
on page 65-67
DOROTHY H. WILKEN, Clerk of Circuit Court
by John W. Gary, III D.C.



APPROVALS

CITY OF PALM BEACH GARDENS COUNTY OF PALM BEACH, FLORIDA

This plat is hereby approved for record
this 15th day of June, 1995.

By: Joseph R. Russo
Joseph R. Russo - Mayor

This plat is hereby accepted for record
this 15th day of June, 1995.

Attest: Cindy Hawkey, Deputy Clerk
Linda V. Krier, Clerk
By: Lennart E. Lindahl
Lennart E. Lindahl, P.E. - City Engineer

This instrument was prepared by David C. Lidberg
in the offices of Lidberg Land Surveying, Inc.
675 West Indiantown Road, Suite 200
Jupiter, Florida 33458
(407) 746-8454/ FAX 575-3735

LIDBERG LAND SURVEYING INC.

675 West Indiantown Road, Suite 200,
Jupiter, Florida 33458 TEL. 407-746-8454

FLD.	JOB	95-55	FB.	PG.	
OFF.	E.A.O.	DATE	MARCH 1995	DWG.	D95-55
CKD.	D.C.L.	REF.		SHEET	1 OF 3

SUBDIVISION * Banyan Isle at BalleNISLES
BOOK 75
FLOOD ZONE -
QUAD # -
SE -
PUD NAME CIPB Gardens

