

(A.K.A. FOGG PRESERVE PARCEL/FOGG SOUTH)

# CANYON SPRINGS PRESERVE PLAT NO. 5

BEING A REPLAT OF A PORTION OF TRACTS 66 THROUGH 70, 92, 101, 102, 121, 122, 123 AND ALL OF TRACTS 93 THROUGH 95, 98 THROUGH 100, 124 THROUGH 127, AND THAT STRIP OF LAND, 30 FEET IN WIDTH, LYING BETWEEN SAID TRACTS 92 THROUGH 95 AND TRACTS 98 THROUGH 101, ALL LYING WITHIN BLOCK 59, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LYING, BEING AND SITUATE IN SECTION 32, TOWNSHIP 45 SOUTH, RANGE 42 EAST AND SECTION 5, TOWNSHIP 46 SOUTH, RANGE 42 EAST

SHEET 1 OF 3

AUGUST, 2005

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT BOYNTON BEACH ASSOCIATES XVII, L.L.P., A FLORIDA LIMITED LIABILITY PARTNERSHIP, OWNER OF THE LAND SHOWN HEREON, AS CANYON SPRINGS PRESERVE PLAT NO. 5 BEING A REPLAT OF TRACTS 66 THROUGH 70, 92, 101, 102, 121, 122, 123 AND ALL OF TRACTS 93 THROUGH 95, 98 THROUGH 100, 124 THROUGH 127, AND A ROAD, DYKE AND DITCH RESERVATION, 30 FEET IN WIDTH, LYING BETWEEN SAID TRACTS 92 THROUGH 95 AND TRACTS 98 THROUGH 101, ALL LYING WITHIN BLOCK 59, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID TRACT 121; THENCE NORTH 89°36'30" EAST, ALONG THE SOUTH LINE OF SAID TRACT 121, A DISTANCE OF 242.63 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL AND A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1,560.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 60°29'59" EAST; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°40'42", A DISTANCE OF 454.10 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1,740.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°01'29", A DISTANCE OF 668.86 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 32.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 47°19'17", A DISTANCE OF 26.43 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 77.00 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 100°02'46", A DISTANCE OF 134.45 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 32.00 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 47°19'17", A DISTANCE OF 26.43 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1,740.00 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 29°26'05", A DISTANCE OF 893.89 FEET TO A POINT OF TANGENCY; THENCE NORTH 10°41'03" WEST, A DISTANCE OF 714.32 FEET; THENCE NORTH 89°36'33" EAST, A DISTANCE OF 1,396.89 FEET; THENCE SOUTH 00°26'28" EAST, A DISTANCE OF 2,632.77 FEET; THENCE SOUTH 89°36'30" WEST, ALONG THE SOUTH LINE OF SAID TRACTS 121 THROUGH 127, A DISTANCE OF 2,067.37 FEET TO THE POINT OF BEGINNING.

CONTAINING 87.130 ACRES, MORE OR LESS.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DO HEREBY DEDICATE AS FOLLOWS:

- TRACT "A", AS SHOWN HEREON, PURSUANT TO ARTICLE 3.E.2.F.3 OF THE PALM BEACH COUNTY UNIFIED LAND DEVELOPMENT CODE, IS DEDICATED AS THE PRESERVE AREA FOR PETITION NO. 2002-069 AND IS SUBJECT TO THE CONSERVATION EASEMENT RECORDED IN OFFICIAL RECORD BOOK 20072, PAGES 109 THROUGH 124 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA IN FAVOR OF PALM BEACH COUNTY.
- TRACT "A" IS RESERVED TO BOYNTON BEACH ASSOCIATES XVII, L.L.P., A FLORIDA LIMITED LIABILITY PARTNERSHIP; ITS SUCCESSORS AND ASSIGNS; IN FEE SIMPLE TITLE INTEREST, FOR PERPETUAL MAINTENANCE IN ACCORDANCE WITH THE RECORDED CONSERVATION EASEMENT, WITHOUT RECOURSE TO PALM BEACH COUNTY. SAID TRACT IS SUBJECT TO THE RESTRICTIONS SET FORTH IN OFFICIAL RECORDS BOOK 17902, PAGE 564 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA IN FAVOR OF LAKE WORTH DRAINAGE DISTRICT.
- TRACT "A" CONTAINS A TOTAL OF 87.130 ACRES, MORE OR LESS.

IN WITNESS WHEREOF, THE BOYNTON BEACH ASSOCIATES XVII, L.L.P., A FLORIDA LIMITED LIABILITY PARTNERSHIP HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS GENERAL PARTNER, BOYNTON BEACH XVII CORPORATION, A FLORIDA CORPORATION, THIS 22<sup>nd</sup> DAY OF February, 2006.

BOYNTON BEACH ASSOCIATES XVII, L.L.P., A FLORIDA LIMITED LIABILITY PARTNERSHIP

BY: BOYNTON BEACH XVII CORPORATION, A FLORIDA CORPORATION, ITS GENERAL PARTNER

BY: Alan Fant, V.P.

WITNESS: Matthew Woods

PRINT NAME: Matthew Woods

WITNESS: Pam Dehaney

PRINT NAME: Pam Dehaney

### SITE PLAN DATA:

CANYON SPRINGS PRESERVE PLAT NO. 5  
 ZONING PETITION NO. ....PDD2002-069  
 TOTAL AREA OF TRACT "A" .....87.130 ACRES  
 TOTAL PLATTED AREA .....87.130 ACRES  
 TOTAL AREA OF ACME DAIRY ROAD R/W CONTAINED WITHIN ORIGINAL PRESERVE AREA .....2.237 ACRES  
 TOTAL AREA .....89.367 ACRES

### ACKNOWLEDGMENT

STATE OF FLORIDA  
COUNTY OF BROWARD

BEFORE ME PERSONALLY APPEARED ALAN FANT, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED \_\_\_\_\_ AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS VICE PRESIDENT OF BOYNTON BEACH XVII 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 22<sup>nd</sup> DAY OF February, 2006.

NOTARY PUBLIC: Denise Lerner

PRINT NAME: Denise Lerner

MY COMMISSION EXPIRES: July 25, 2006

COMMISSION NUMBER: DD134550

### MORTGAGEE'S CONSENT

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

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 18954, AT PAGE 1094 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SHALL BE SUBORDINATED TO THE DEDICATION SHOWN HEREON BY WHOMEVER SAID BANK OF AMERICA, N.A., A NATIONAL BANKING ASSOCIATION, AS AGENT, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS VICE PRESIDENT AND ITS SEAL TO BE AFFIXED HEREON BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS THIS 17<sup>th</sup> DAY OF February, 2006.

BANK OF AMERICA, N.A., A NATIONAL BANKING ASSOCIATION, AS AGENT

BY: Evita Francuz

EVITA FRANCUZ, VICE PRESIDENT  
BANK OF AMERICA, N.A., A NATIONAL BANKING ASSOCIATION

WITNESS: Marcela Hernandez

PRINT NAME: Marcela Hernandez

WITNESS: Ilona Inguiera

PRINT NAME: Ilona Inguiera

### ACKNOWLEDGMENT

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

BEFORE ME PERSONALLY APPEARED EVITA FRANCUZ, 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 NATIONAL BANKING ASSOCIATION, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE SEAL OF SAID ASSOCIATION AND THAT IT WAS AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID ASSOCIATION, WITNESS MY HAND AND OFFICIAL SEAL THIS 17<sup>th</sup> DAY OF February, 2006.

NOTARY PUBLIC: Wendy Linn

PRINT NAME: Wendy Linn

MY COMMISSION EXPIRES: 6/8/07

COMMISSION NUMBER: DD199581

### TITLE CERTIFICATION

STATE OF FLORIDA  
COUNTY OF BROWARD

WE, LAWYERS TITLE INSURANCE COMPANY, A TITLE INSURANCE COMPANY AS DULY LICENSED IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY, THAT WE FIND THE TITLE TO THE PROPERTY IS VESTED IN BOYNTON BEACH ASSOCIATES XVII, L.L.P.; 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 SUBDIVISION DEPICTED BY THIS PLAT.

LAWYERS TITLE INSURANCE COMPANY

BY: Robert B. Siesholtz

ROBERT B. SIESHOLTZ  
VICE PRESIDENT

DATE: 2/6/06

### 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, 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: Perry C. White  
PERRY C. WHITE,  
PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NO. 4213, STATE OF FLORIDA

DATE: 3/20/06

### 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 22<sup>nd</sup> DAY OF February, 2006, AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR & MAPPER EMPLOYED BY PALM BEACH COUNTY IN ACCORDANCE WITH SECTION 177.081 (1) FLORIDA STATUTES.

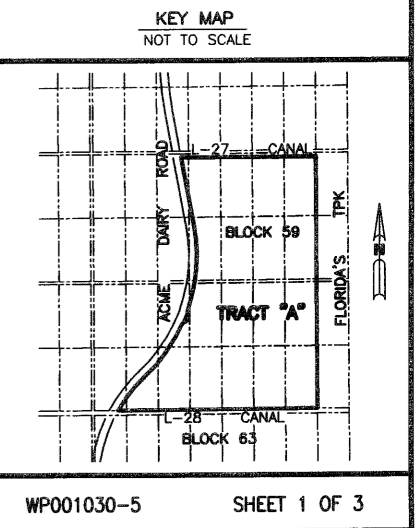
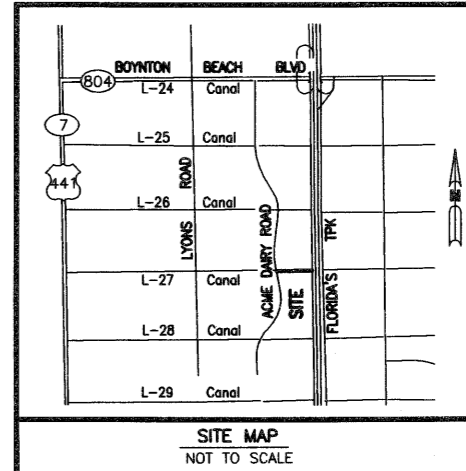
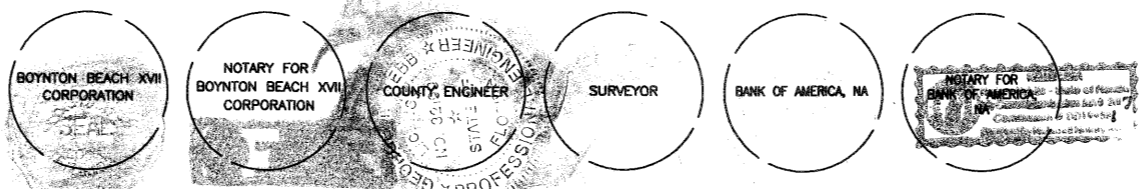
BY: George J. Webb  
GEORGE J. WEBB, P.E.  
COUNTY ENGINEER

DATE: 4/4/06

### SURVEYOR'S NOTES:

- BEARINGS SHOWN HEREON ARE BASED ON STATE PLANE GRID, NAD 83, (1990 ADJUSTMENT). THE SOUTH LINE OF TRACTS 121 THROUGH 127, BLOCK 59, PALM BEACH FARMS COMPANY PLAT NO. 3, HAVING A BEARING OF S89°36'30"W.
- 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.
- COORDINATES SHOWN ON THE GEODETIC CONTROL MEET OR EXCEED THE LOCAL ACCURACY REQUIREMENTS OF A 2 CENTIMETER GEODETIC CONTROL SURVEY. COORDINATES SHOWN ARE GRID COORDINATES. DATUM = NAD 83 (1990 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 = 1.0000244. PLAT BEARING = GRID BEARING.
- THE ROAD, DITCH & DYKE RESERVATIONS ACCORDING TO THE PLAT OF PALM BEACH FARMS COMPANY PLAT NO. 3 AND LYING WITHIN THE LANDS SHOWN HEREON, ARE INCLUDED IN THAT COURT CASE: CL-94-001668-AE, GARY NIKOLITS VS WEST PENINSULAR TITLE COMPANY ET AL. THE RESULT OF THIS LITIGATION WAS THAT THE ROAD, DITCH & DYKE RESERVATIONS REVERT BACK TO OWNERSHIP TO THE ADJOINING LAND OWNER.
- TRACT A, SUBJECT TO THIS PLAT, IS A PRESERVATION AREA APPROVED AS PART OF PETITION 2002-069 AND SHALL BE RESTRICTED TO PRESERVATION USES AS FOLLOWS:
  - PERMITTED USES:
    - CROP PRODUCTION, PASTURE, EQUESTRIAN ACTIVITIES, WHOLESALE OR RETAIL NURSERY OPERATION OR FALLOW LAND;
    - CONSTRUCTION AND MAINTENANCE OF STRUCTURES ESSENTIAL TO THE USES LISTED IN SURVEYOR'S NOTE 5a.A ABOVE, SUCH AS BARN, STABLES, PUMPS AND PUMP HOUSES, BUT SPECIFICALLY EXCLUDING AGRICULTURAL SUPPORT STRUCTURES SUCH AS PROCESSING FACILITIES AND PACKING PLANTS, WHICH ARE PROHIBITED;
    - MAINTENANCE AND OCCUPATION OF SECURITY, CARETAKER, FARM WORKER OR GROOMS QUARTERS, OR OTHER RESIDENTIAL STRUCTURE PROVIDED THAT THE QUARTERS OR STRUCTURE IS USED SOLELY FOR ONE OF THE PURPOSES LISTED UNDER TABLE 3.E.1 B-10 OF THE UNIFIED LAND DEVELOPMENT CODE, ANY APPLICABLE SPECIAL PERMIT IS OBTAINED FOR SUCH USE, AND REQUISITE DENSITY EXISTS ON THE PROPERTY FOR SUCH USE.

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



BOYNTON BEACH XVII CORPORATION  
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