

BMC REPLAT No. 1

(a MULTIPLE USE PLANNED DEVELOPMENT)

BEING A REPLAT OF A PORTION OF TRACT "A", BMC PLAT (a M.U.P.D.), ACCORDING TO THE PLAT THEREOF, ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, IN AND FOR PALM BEACH COUNTY, AS RECORDED IN PLAT BOOK 86, PAGE 162, LYING IN SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.
APRIL, 2007



COUNTY OF PALM BEACH
STATE OF FLORIDA
This Plat was filed for record on 10/30/07
The 1st day of October, 2007
and duly recorded in Plat Book No. 2011
on page 2001-2002
JESSICA JEFFUS, Notary Public
by _____

SHEET 1 OF 3

TITLE CERTIFICATION
State of Florida
County of Palm Beach

We, Lawyers Title Insurance Corporation, a Virginia corporation, 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 to Wal-Mart Stores East, LP, a Delaware limited partnership, licensed to do business in Florida, 1098 No. Military, LLC, a Florida limited liability company, The Leatherwood Company, a West Virginia corporation, 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 or 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 depicted by this plat.

Lawyers Title Insurance Corporation
Dated: July 15, 2007
December 3, 2007
By: Robert B. Sinscholtz
Robert B. Sinscholtz, Vice President
Attorney-at-law licensed in Florida

SURVEYOR & MAPPER'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) and monuments according to Sec. 177.091 (9) F.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 ordinances of Palm Beach County, Florida.

Robert J. Cajal
Professional Surveyor & Mapper
Florida Certificate No. 6266
Wallace Surveying Corporation
5553 Village Boulevard
West Palm Beach, Florida 33407
Licensed Business No. 4569

COUNTY APPROVAL
COUNTY ENGINEER:

This plat is hereby approved for record pursuant to Palm Beach County Ordinance 95-33, and in accordance with Sec. 177.07(2), F.S., this 12th day of October, 2008, and has been reviewed by a Professional Surveyor & Mapper employed by Palm Beach County in accordance with Sec. 177.081 (1), F.S.

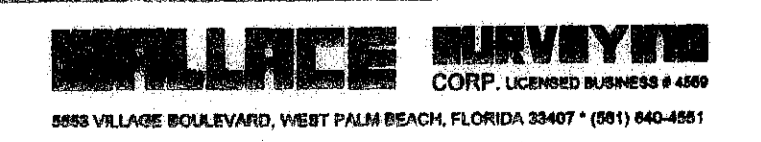
George T. Webb, P.E.
County Engineer

NOTES

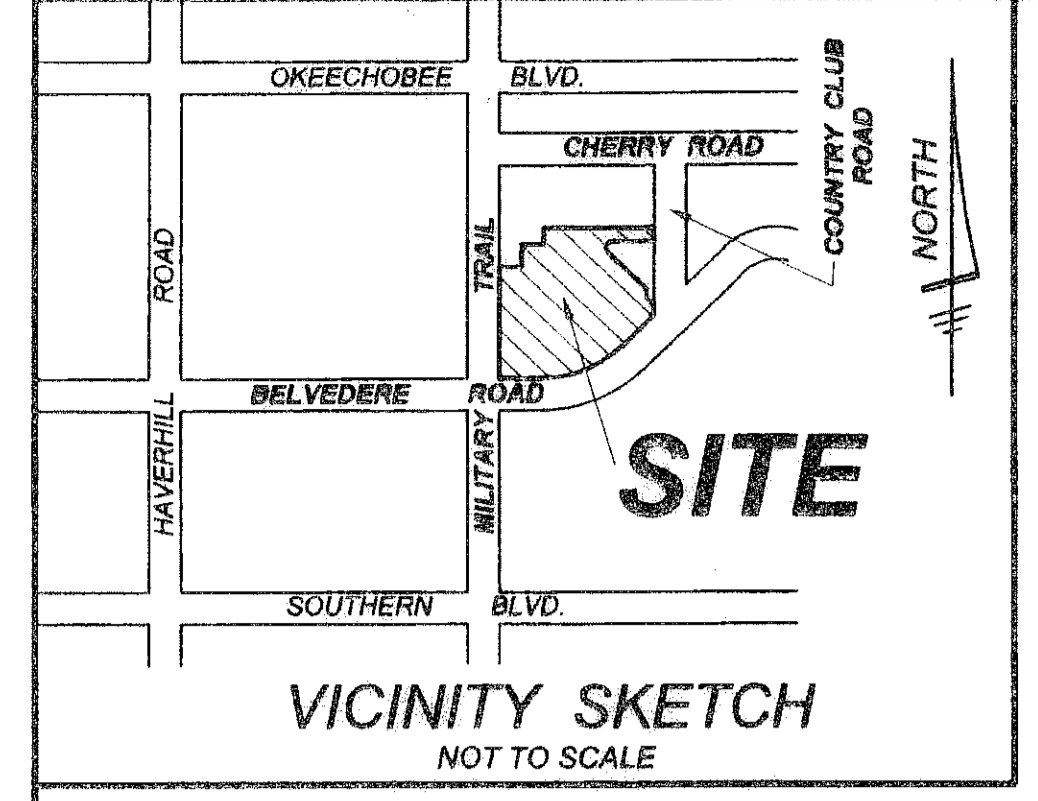
- Coordinates shown are grid.
- Datum = NAD 83, 1990 adjustment.
- Zone = Florida East
- Linear unit = US foot
- Coordinate system 1983 State Plane Transverse Mercator Projection
- All distances are ground.
- Scale factor = 1.0000380
- Ground distance x scale factor = grid distance
- Bearings shown hereon are based on the South line of the Southeast quarter of Section 25, Township 43 South, Range 42 East which bears S 88°07'58" E and all other bearings are relative thereto.
- No building or any kind of construction, 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.
- This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described hereon and will in no circumstances be supplemented in authority by any other graphic or digital form of the plat, whether graphic or digital. There may be additional restrictions that are not recorded on this plat that may be found in the public records of this county.
- This instrument prepared by: Robert J. Cajal
Wallace Surveying Corporation
5553 Village Boulevard
West Palm Beach, Florida 33407
561/840-4551

TABULAR DATA
Petition No.: 92-023D
Total Area: 22.399 Acres

BMC REPLAT No. 1



FIELD:	JOB No.: 97-1256 "MM"	F.B.:	PG.:
OFFICE: R.C.	DATE: DEC, 2003	DWG. No.: 97-1256-41	
CKD:	REF: WALMT12.ZAK	SHEET 1 OF 3	



5435-001

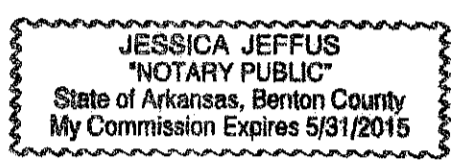
ACKNOWLEDGEMENT
State of Arkansas
County of Benton

Before me personally appeared J. Chris Callaway, who is personally known to me or has produced as identification and who executed the foregoing instrument as Assistant Vice President Real Estate of WSE Management, LLC, a Delaware limited liability company, licensed to do business in Florida, as general partner, and severally acknowledged before me that he executed said instrument for the purposes expressed therein.

WITNESS my hand and official seal this 20th day of June, 2007.

05-31-2015
My Commission Expires:
1000104358
My Commission Number:

Jessica Jeffus
Signature of Notary Public
Jessica Jeffus
Printed Name of Notary Public



IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida, has caused these presents to be signed by its chair and its seal affixed hereto this 5th day of February, 2007.

Board of County Commissioners
of Palm Beach County, Florida

ATTEST: Sharon R. Bock
Clerk & Comptroller
Palm Beach County

BY: Tracey Powell
Printed Name, Deputy Clerk
BY: Addie L. Greene
Addie L. Greene, Chairperson

IN WITNESS WHEREOF, the above-named limited liability company has caused these presents to be signed this 6th day of December, 2007.

BY: 1098 No. Military, LLC
a Florida limited liability company,

WITNESS: Robert J. Cajal
Printed Name
Robert J. Cajal
Signature
Mike Brown
Printed Name

ACKNOWLEDGEMENT
State of Florida
County of Palm Beach

Before me personally appeared Robert J. Sullivan, who is personally known to me or has produced as identification and who executed the foregoing instrument as manager of 1098 No. Military, LLC, a Florida limited liability company, and severally acknowledged before me that he executed said instrument for the purposes expressed therein.

WITNESS my hand and official seal this 6th day of December, 2007.

10/21/2008
My Commission Expires:
00346460
My Commission Number:

Krist J. Smith
Signature of Notary Public
Krist J. Smith
Printed Name of Notary Public

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 interests under that certain Mortgage from 1098 No. Military Trail, LLC, a Florida limited liability company, to Fidelity Federal Bank & Trust, a national banking association, its successors and/or assigns, as their interest may appear, dated June 2, 2005 and recorded June 3, 2005 in Official Records Book 18687, Page 1010, Public Records of Palm Beach County, Florida, shall be subordinate to the dedication shown hereon.

NATIONAL CITY BANK, SUCCESSOR BY MERGER TO FIDELITY FEDERAL BANK & TRUST

IN WITNESS WHEREOF, the said association has caused these presents to be signed by its Vice President and its association seal to be affixed hereto by and with the authority of its Board of Directors this 23rd day of July, 2007.

NATIONAL CITY BANK, SUCCESSOR BY MERGER TO FIDELITY FEDERAL BANK & TRUST

WITNESS: Regina M. Burke
Printed Name
Regina M. Burke
Signature
Cynthia S. Noel
Printed Name
Cynthia S. Noel
Signature

BY: J. Richard Collier
Print Name: J. Richard Collier
Print Title: VICE PRESIDENT

ACKNOWLEDGEMENT
State of Florida
County of Palm Beach

Before me personally appeared J. Richard Collier, who is personally known to me or has produced as identification and who executed the foregoing instrument as Vice President of Fidelity Federal Bank & Trust, a national banking association, and severally acknowledged before me that he/she executed said instrument for the purposes expressed therein.

NATIONAL CITY BANK, SUCCESSOR BY MERGER TO FIDELITY FEDERAL BANK & TRUST

WITNESS my hand and official seal this 23rd day of July, 2007.

March 23, 2009
My Commission Expires:
22# 410461
My Commission Number:

Regina M. Burke
Signature of Notary Public
Regina M. Burke
Printed Name of Notary Public

KNOW ALL MEN BY THESE PRESENTS that Wal-Mart Stores East, LP, a Delaware limited partnership, licensed to do business in Florida, 1098 No. Military, LLC, a Florida limited liability company, The Leatherwood Company, a West Virginia corporation, and Palm Beach County, a political subdivision of the State of Florida, owners of the land shown hereon being a replat of a portion of Tract "A", according to the Plat of BMC PLAT (a Multiple Use Planned Development), as recorded in Plat Book 86, Page 162, Palm Beach County Public Records, lying in Section 25, Township 43 South, Range 42 East, Palm Beach County, Florida, shown hereon as BMC REPLAT No. 1 (a Multiple Use Planned Development), being more particularly described as follows:

LEGAL DESCRIPTION:
A parcel of land being a portion of Tract "A", BMC PLAT, according to the Plat thereof, on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, as recorded in Plat Book 86, Page 162, said parcel of land being more particularly described as follows:

COMMENCE at the Southwest corner of the Southwest one-quarter (SW¼) of the Southeast one-quarter (SE¼) of Section 25, Township 43 South, Range 42 East, Palm Beach County, Florida; thence South 88° 07' 58" East, along the South line of said Southwest one-quarter (SW¼) (said South line is assumed to bear South 88° 07' 58" East and all other bearings are relative thereto) a distance of 101.30 feet; thence North 01° 52' 02" East a distance of 67.50 feet to a point on the South line of said Tract "A", BMC PLAT, said South line of Tract "A" being common with the North right of way line of Belvedere Road, as shown on said Plat and conveyed in Official Record Book 11390, Page 1364, Official Record Book 11390, Page 1371, Official Record Book 11390, Page 1378 and Official Record Book 11390, Page 1385, said Palm Beach County Public Records and the POINT OF BEGINNING of the following described parcel; thence Easterly, along said common line, through the following three courses; South 88° 07' 58" East a distance of 423.52 feet to the beginning of a curve, concave to the North, having a radius of 887.43 feet; thence Easterly, along the arc of said curve through a central angle of 02° 02' 38" a distance of 31.66 feet to the point of intersection with a non-tangent line; thence South 75° 28' 23" East, a distance of 51.07 feet to a point of intersection with a non-tangent curve, concave Northwesterly, having a radius of 901.93 feet, the radius point of said curve bears North 03° 21' 11" West; thence Northwesterly, continuing along said South line of Tract "A", said South line being common with the Northerly right of way line of said Belvedere Road, as shown on Road Plat Book 4, Page 206, said Public Records and along the arc of said curve through a central angle of 41° 33' 49" a distance of 654.28 feet to a point of tangency; thence North 45° 05' 00" East, along said tangent line, a distance of 234.23 feet to the East line of said Tract "A", said East line being common with the West right of way line of Country Club Road as shown on said plat and recorded in Deed Book 803, Page 373 and Deed Book 803, page 374, said Public Records; thence North 1° 33' 18" East, along said East line, a distance of 31.76 feet to a point of intersection with the South line of an Additional Avigation Easement and Clearance Zone, as recorded in Official Record Book 5486, Page 1293, said Public Records; thence North 53° 21' 55" West, along said South line, a distance of 28.64 feet; thence departing said South line, North 2° 34' 17" East a distance of 49.49 feet; thence North 53° 21' 55" West along a line 41.00 feet Northerly of and parallel with, as measured at right angles to, the South line of said Additional Avigation Easement and Clearance Zone a distance of 516.43 feet to the beginning of a curve, concave to the East, having a radius of 40.00 feet and a central angle of 145° 06' 38"; thence Northwesterly, Northerly and Easterly along the arc of said curve, a distance of 101.31 feet to the beginning of a tangent line, said line being 40.00 feet Southerly of and parallel with, as measured at right angles to, the North line of said Tract "A", said North line also being common with the South line of the North one-quarter (N¼) of the Southwest one-quarter (SW¼) of the Southeast one-quarter (SE¼) of said Section 25; thence South 88° 15' 17" East, along said parallel line, a distance of 405.23 feet to a point on the West right of way line of said Country Club Road as recorded in Official Records Book 16348, Page 1517, said Public Records; thence North 2° 30' 37" West, along said right of way line, a distance of 40.11 feet to a point on the North line of said Tract "A"; thence North 88° 15' 17" West, along said North line and the South line of the North one-quarter (N¼) of the Southwest one-quarter (SW¼) of the Southeast (SE¼) of said Section 25, a distance of 1094.18 feet; thence continue along the limits of said Tract "A" through the following eleven courses; South 01° 45' 32" West, a distance of 65.00 feet; thence North 88° 15' 17" West, a distance of 78.00 feet; thence South 01° 45' 32" West, a distance of 103.59 feet; thence North 88° 13' 59" West, a distance of 90.00 feet to the common line of said Tract "A" and said East right of way line of Military Trail (State Road No. 809) as shown on said BMC Plat; thence continue along said common line through the remaining courses, South 01° 45' 32" West, a distance of 168.51 feet; thence North 88° 12' 47" West, a distance of 0.72 feet; thence South 00° 29' 09" West, a distance of 99.88 feet; thence South 01° 45' 32" West, a distance of 100.22 feet; thence South 88° 07' 58" East, a distance of 12.00 feet; thence South 01° 45' 32" West, a distance of 378.57 feet; thence South 43° 11' 13" East, a distance of 39.53 feet to the POINT OF BEGINNING.

Containing in all 22.399 acres, more or less.
have caused the same to be surveyed and platted as shown hereon and do hereby dedicate as follows:

TRACT "A-1"
Tract "A-1" is hereby reserved for owners of the lands shown hereon for commercial development and other purposes not inconsistent with this reservation, and is the perpetual maintenance obligation of said owners, their successors and assigns, without recourse to Palm Beach County.

TRACTS "B" & "C"
Tracts "B" & "C", as shown hereon, are hereby dedicated to the Board of County Commissioners of Palm Beach County, Florida, for the perpetual use of the public for public street purposes.

LANDSCAPE BUFFER EASEMENTS
The Landscape Buffer Easements as shown hereon, are hereby reserved for the owners of Tract "A-1" shown hereon, their successors and assigns, for landscape buffer purposes and is the perpetual maintenance obligation of said owners, their successors and assigns, without recourse to Palm Beach County.

IN WITNESS WHEREOF, the above-named limited partnership has caused these presents to be signed by its general partner, WSE Management, LLC, a Delaware limited liability company, licensed to do business in Florida, this 20th day of June, 2007.

Wal-Mart Stores East, LP,
a Delaware limited partnership
BY: WSE Management, LLC
a Delaware limited liability company,
and general partner

WITNESS: Michele Coleman
Printed Name
Michele Coleman
Signature
WITNESS: Leticia Rudeman
Printed Name
Leticia Rudeman
Signature
BY: J. Chris Callaway
J. Chris Callaway, JDT
Assistant Vice President

ACKNOWLEDGEMENT
State of Maryland
County of Baltimore

Before me personally appeared Gregory Williams, who is personally known to me or has produced as identification and who executed the foregoing instrument as Authorized Person of The Leatherwood Company, a West Virginia corporation, and severally acknowledged before me that he executed said 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 9th day of July, 2007.

3/17/08
My Commission Expires:
N/A
My Commission Number:

Jeffrey A. Charlow
Signature of Notary Public
Jeffrey A. Charlow
Printed Name of Notary Public



	NOTARY	NOTARY	BOARD OF COUNTY COMMISSIONERS	LEATHERWOOD CORP.	NOTARY	NOTARY	SURVEYOR	ENGINEER
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