

20090333751

OXYGEN DEVELOPMENT RE-PLAT

BEING A RE-PLAT OF A PORTION OF OXYGEN-FOREST HILL CENTER AS RECORDED IN PLAT BOOK 112, PAGES 71-74, AND LYING IN SECTION 7, TOWNSHIP 44 SOUTH, RANGE 43 EAST VILLAGE OF PALM SPRINGS, PALM BEACH COUNTY, FLORIDA
SHEET 1 OF 3 SEPTEMBER 2009

DESCRIPTION AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT OXYGEN HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, DATED APRIL 20, 2009, BEING OWNERS OF THE PARCEL OF LAND SHOWN HEREON AS OXYGEN DEVELOPMENT RE-PLAT; AND BEING A RE-PLAT OF A PORTION OF OXYGEN-FOREST HILL CENTER AS RECORDED IN PLAT BOOK 112, PAGES 71-74, AND LYING IN SECTION 7, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACTS 6 AND 7 AND THE LAKE TRACT, OF THE OXYGEN - FOREST HILL CENTER PLAT, A RE-PLAT OF PLAT BOOK 10, PAGE 20, WHICH RE-PLAT IS RECORDED IN PLAT BOOK 112, PAGES 71-74, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

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

1. LAKE TRACT:
THE LAKE TRACT, AS SHOWN HEREON, IS HEREBY RESERVED FOR THE OWNERS OF THE LANDS AS SHOWN HEREON AND THEIR SUCCESSORS AND ASSIGNS, FOR STORMWATER MANAGEMENT AND DRAINAGE PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID OWNERS THEIR SUCCESSOR AND ASSIGNS, WITHOUT RECOURSE TO THE VILLAGE OF PALM SPRINGS.

2. LAKE MAINTENANCE EASEMENT:
THE LAKE MAINTENANCE EASEMENT AS SHOWN HEREON IS HEREBY RESERVED FOR THE OWNERS OF THE LANDS AS SHOWN HEREON AND THEIR SUCCESSORS AND ASSIGNS, FOR ACCESS TO STORMWATER MANAGEMENT AND DRAINAGE FACILITIES LOCATED WITHIN THE ASSOCIATED LAKE TRACT FOR PURPOSES OF PERFORMING ANY AND ALL MAINTENANCE ACTIVITIES PURSUANT TO THE MAINTENANCE OBLIGATION OF SAID OWNERS THEIR SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE VILLAGE OF PALM SPRINGS. THE VILLAGE OF PALM SPRINGS SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MAINTAIN ANY PORTION OF THE DRAINAGE SYSTEM ENCOMPASSED BY THIS PLAT WHICH IS ASSOCIATED WITH THE DRAINAGE OF PUBLIC STREETS, INCLUDING THE RIGHT TO UTILITIES FOR PROPER PURPOSES ANY AND ALL DRAINAGE, LAKE MAINTENANCE, AND LAKE MAINTENANCE ACCESS EASEMENTS, AND PRIVATE STREETS ASSOCIATED WITH SAID DRAINAGE SYSTEM.

3. 20' DRAINAGE EASEMENT:
THE 20' DRAINAGE EASEMENT AS SHOWN HEREON IS HEREBY RESERVED FOR THE OWNERS OF THE LANDS AS SHOWN HEREON AND THEIR SUCCESSORS AND ASSIGNS, FOR DRAINAGE PURPOSES. THE MAINTENANCE OF ALL DRAINAGE FACILITIES LOCATED THEREIN SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID OWNERS THEIR SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE VILLAGE OF PALM SPRINGS. THE VILLAGE OF PALM SPRINGS SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MAINTAIN ANY PORTION OF THE DRAINAGE SYSTEM ENCOMPASSED BY THIS PLAT WHICH IS ASSOCIATED WITH THE DRAINAGE OF PUBLIC STREETS, INCLUDING THE RIGHT TO UTILIZE FOR PROPER PURPOSES ANY AND ALL DRAINAGE, LAKE MAINTENANCE, AND LAKE MAINTENANCE ACCESS EASEMENTS, AND PRIVATE STREETS ASSOCIATED WITH SAID DRAINAGE SYSTEM.

4. TRACTS 6 AND 7:
TRACTS 6 AND 7 ARE HEREBY RESERVED FOR THE 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 THE VILLAGE OF PALM SPRINGS.

5. TRACT 8:
TRACT 8 IS HEREBY RESERVED FOR THE 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 THE VILLAGE OF PALM SPRINGS.
TRACT 8 IS SUBJECT TO THE RESTRICTIONS SET FORTH IN ORB 23480 PAGE 349 AND ORB 5547 PAGE 1438 IN FAVOR OF LAKE WORTH DRAINAGE DISTRICT.

6. 17 FOOT AND 46.5 FOOT ACCESS EASEMENT:
THE 17 FOOT AND 46.5 FOOT ACCESS EASEMENT, AS SHOWN HEREON, IS HEREBY RESERVED FOR THE OWNERS OF THE LANDS SHOWN HEREON FOR INGRESS AND EGRESS, ALONG WITH THE DESIGNATION OF LOADING ZONES AND LOCATION OF REFUSE ENCLOSURES WITH A MINIMUM OF TWENTY FOUR FEET OF TRAVEL LANE BEING PROVIDED AND OTHER PURPOSES NOT INCONSISTENT WITH THIS RESERVATION, AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID OWNERS, THEIR SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE VILLAGE OF PALM SPRINGS.

7. 10 FOOT LANDSCAPE BUFFER EASEMENTS:
THE 10 FOOT LANDSCAPE BUFFER EASEMENTS ARE HEREBY RESERVED FOR THE OWNERS OF THE LANDS SHOWN HEREON FOR OPEN SPACE PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID OWNERS, THEIR SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE VILLAGE OF PALM SPRINGS.

8. 20' IRRIGATION EASEMENT:
THE 20' IRRIGATION EASEMENT AS SHOWN HEREON IS HEREBY RESERVED FOR THE OWNERS OF THE LANDS AS SHOWN HEREON AND THEIR SUCCESSORS AND ASSIGNS, FOR IRRIGATION AND WATER WITHDRAWAL PURPOSES. THE MAINTENANCE OF ALL IRRIGATION FACILITIES LOCATED THEREIN SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID OWNERS THEIR SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE VILLAGE OF PALM SPRINGS.

9. BUS STOP EASEMENT:
THE BUS STOP EASEMENT AS SHOWN HEREON IS HEREBY DEDICATED TO THE VILLAGE OF PALM SPRINGS FOR THE PURPOSE OF A BUS STOP.

IN WITNESS WHEREOF, THE BELOW NAMED CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY THE VICE PRESIDENT, AND THE CORPORATE SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS ON THE DATE SET FORTH BELOW THIS 18 DAY OF September, 2009.
OXYGEN HOLDINGS, A LIMITED LIABILITY CORPORATION
WITNESS: *Philippe A. Cohen* BY: *Philippe A. Cohen*
WITNESS: *Philippe A. Cohen* BY: *Philippe A. Cohen*
(PRINT NAME) *Philippe A. Cohen* (PRINT NAME) *Philippe A. Cohen* PHILIPPE A. COHEN (VICE PRESIDENT)
DATE: *9-18-2009* DATE: *9/18/2009*

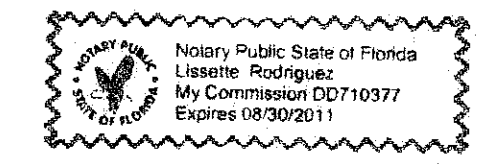
TITLE CERTIFICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH
BARRY CURTIN ESQ., A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY; THAT I FIND THE TITLE TO THE PROPERTY IS VESTED TO OXYGEN HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, DATED APRIL 20, 2009; THAT THE CURRENT TAXES FOR 2008 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.
DATED: *9/18/09* BY: *BARRY CURTIN ESQ.*

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF BROWARD
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 18 DAY OF September, 2009, PHILIPPE A. COHEN AS VICE PRESIDENT OF OXYGEN HOLDINGS, A LIMITED LIABILITY CORPORATION, FOR AND ON BEHALF OF THIS CORPORATION. HE IS [] PERSONALLY KNOWN TO ME, OR [] HAS PRODUCED A DRIVER'S LICENSE AS IDENTIFICATION.
WITNESS MY HAND AND OFFICIAL SEAL THIS 18 DAY OF September, 2009.

BY: *Notary Public* MY COMMISSION NUMBER: *DD 710377*
NOTARY PUBLIC - STATE OF *Broward* COUNTY
PRINT NAME: *Wendy Rodriguez* MY COMMISSION EXPIRES: *8/30/2011*



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 MORTGAGE WHICH IS RECORDED IN OFFICIAL RECORD BOOK 23200, AT PAGE 88, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SHALL BE SUBORDINATED TO THE TERMS OF THE DEDICATION SHOWN HEREON.

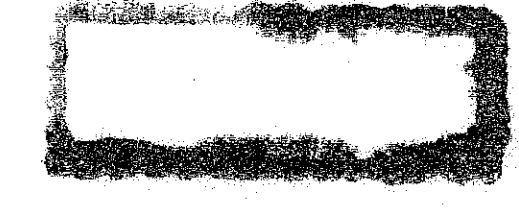
IN WITNESS WHEREOF, THE SAID CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS VICE-PRESIDENT, AND ITS CORPORATE SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS THIS 18 DAY OF September, 2009.

WITNESS: *David E. Bolton* FLORIDA SHORES BANK SE.
BY: *Fonnie K. Gill*
PRINT NAME: *DAVID E. BOLTON* FONNIE K. GILL - VICE-PRESIDENT
WITNESS: *Sonia East-Nayank*
PRINT NAME: *SONIA EAST-NAYANK*

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF PALM BEACH
BEFORE ME PERSONALLY APPEARED FONNIE K. GILL WHO IS PERSONALLY KNOWN TO ME, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS VICE-PRESIDENT OF FLORIDA SHORES BANK SE., A FLORIDA BANK, AND ACKNOWLEDGED TO AND BEFORE ME THAT SHE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID BANK, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE CORPORATE SEAL OF SAID BANK 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 BANK.
WITNESS MY HAND AND OFFICIAL SEAL THIS 18 DAY OF September, 2009.

BY: *Sonia East-Nayank* MY COMMISSION NUMBER: *DD 856903*
NOTARY PUBLIC
STATE OF FLORIDA
PRINT NAME: *SONIA EAST-NAYANK* MY COMMISSION EXPIRES: *2-1-2013*



SURVEYORS NOTES

- PERMANENT REFERENCE MONUMENTS ARE SHOWN THUS: PRM LB#6603
- BEARINGS SHOWN HEREON ARE BASED ON A GRID BEARING ALONG THE SOUTH LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-7 CANAL; WHICH IS TAKEN AS BEING N88°20'34"W.
- NO BUILDING OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE MUNICIPAL APPROVALS OR PERMITS AS REQUIRED FOR SUCH IMPROVEMENTS.
- IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY USE RIGHTS GRANTED.
- DISTANCES SHOWN HEREON ARE REFERENCED TO THE HORIZONTAL PLANE AND ARE IN US SURVEY FEET.
- PLAT AREA: 14.52 ACRES.

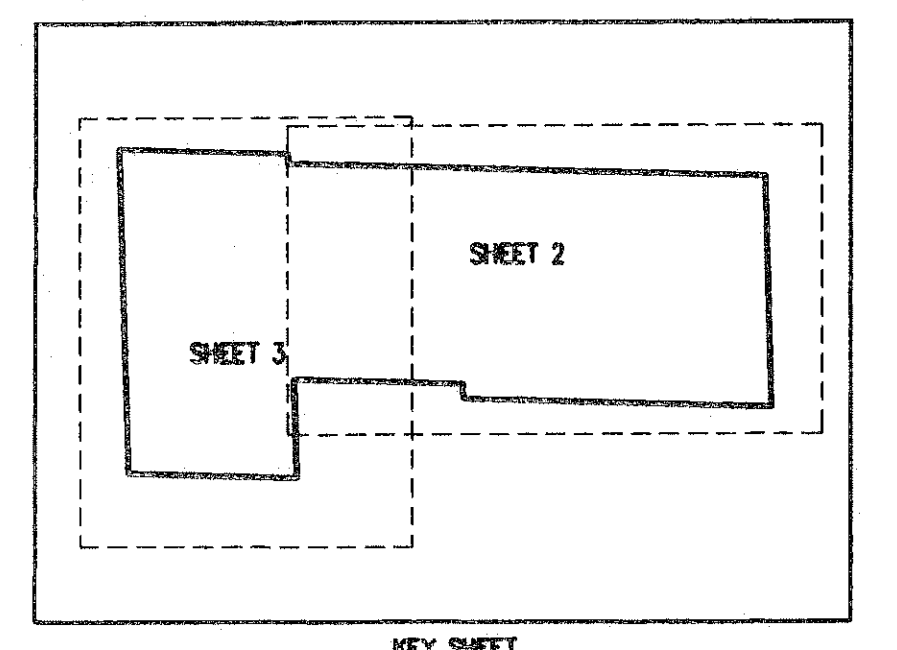
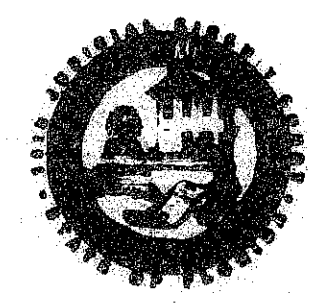
NOTICE:

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 THIS COUNTY.

LEGEND

- R RADIUS
- L ARC LENGTH
- Δ DELTA ANGLE
- (M) MEASURED
- O.R.B. OFFICIAL RECORD BOOK
- L.A.E. LIMITED ACCESS EASEMENT
- R.O.W. RIGHT-OF-WAY
- C.B. CHORD BEARING
- P.R.C. POINT OF REVERSE CURVATURE
- P.B. PLAT BOOK
- P.G. PAGE
- P.B.C.U.E. PALM BEACH COUNTY UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- ☉ CENTER LINE
- ☐ EXISTING PERMANENT REFERENCE MONUMENT LB#6603
- SET PERMANENT REFERENCE MONUMENT LB#6603
- N.R. NON-RADIAL
- LWDD LAKE WORTH DRAINAGE DISTRICT

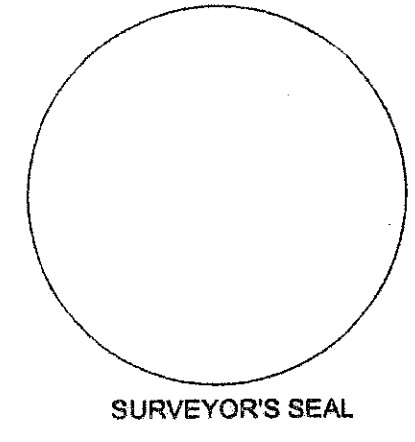
179
STATE OF FLORIDA
COUNTY OF PALM BEACH } S.S.
THIS INSTRUMENT WAS FILED FOR RECORD AT 11:00 A.M. THIS 21 DAY OF September, 2009 AND DULY RECORDED IN PLAT BOOK NO. 179-18 ON PAGE 179-18.
SHARON R. BOCK, CLERK AND COMPTROLLER
BY: *Sharon R. Bock* D.C.
VILLAGE OF PALM SPRINGS, FLORIDA
SEC. 07 TWP. 44 RNG. 43
LOCATION MAP
N.T.S.



SURVEYORS CERTIFICATE

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON WAS MADE UNDER MY SUPERVISION AND 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 THE ORDINANCES OF VILLAGE OF PALM SPRINGS, FLORIDA.

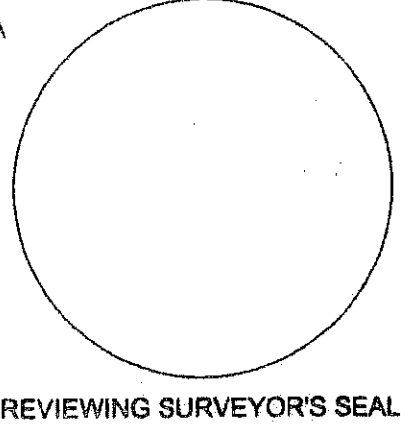
GARY A. RAGER, PSM
LICENSE NO. LS 4828
STATE OF FLORIDA
DATE: *9/18/2009*



REVIEWING SURVEYOR'S STATEMENT

THIS PLAT HAS BEEN REVIEWED IN ACCORDANCE WITH CHAPTER 177.081 (1) F.S. TO DETERMINE THAT ALL DATA REQUIRED BY CHAPTER 177 F.S. IS SHOWN, WHILE RANDOM CHECKS OF GEOMETRIC DATA REFLECT ITS ADEQUACY, NO REPRESENTATION OF THE FULL VERIFICATION OF SAID DATA IS MADE.

REVIEWING SURVEYOR: *N. Howard*
NORMAN J. HOWARD
PROFESSIONAL SURVEYOR AND MAPPER
LICENSE NO. LS 5776, STATE OF FLORIDA
DATE: *9/22/2009*



VILLAGE OF PALM SPRINGS APPROVAL

THIS RE-PLAT OXYGEN DEVELOPMENT RE-PLAT IS HEREBY APPROVED FOR RECORD THIS 21 DAY OF September, 2009.
BY: *Jean M. Bolton*
MAYOR
BY: *Sonia East-Nayank*
VILLAGE CLERK

THIS INSTRUMENT PREPARED BY GARY A. RAGER, P.S.M. LS4828 STATE OF FLORIDA. ENGENUITY GROUP, INC. ENGINEERS SURVEYORS AND GIS MAPPERS 1201 BELVEDERE ROAD, WEST PALM BEACH, FLORIDA 33405. CERTIFICATE OF AUTHORIZATION NO. LB0006603

OXYGEN DEVELOPMENT RE-PLAT
A Higher Standard of Excellence
engenuity group inc.
ENGINEERS • SURVEYORS • GIS MAPPERS
1201 BELVEDERE ROAD, WEST PALM BEACH, FLORIDA 33405
PH (561)655-1151 • FAX (561)832-9390
WWW.ENGENUITYGROUP.COM
DATE: SEPT. 2009
SCALE: 1" = 50'
CAD FILE: 7045.01
DRAWN: ATGIII
CHECKED:
S H E E T 1/3
JOB NO. 7045.01