

20180420797

OCTOBER 2018

SHEET 1 OF 2

DEDICATION:

STATE OF FLORIDA )
COUNTY OF PALM BEACH )

KNOW ALL MEN BY THESE PRESENTS, THAT BANYAN CAY DEV. LLC, A DELAWARE LIMITED LIABILITY COMPANY, OWNER OF THE LAND SHOWN HEREON AS BANYAN CAY RESORT REPLAT OF TRACT "L1", BEING A REPLAT OF TRACT "L1", BANYAN CAY RESORT, AS RECORDED IN PLAT BOOK 125, PAGE 114, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, AND LYING IN SECTIONS 7 AND 8, TOWNSHIP 43 SOUTH, RANGE 43 EAST, CITY OF WEST PALM BEACH, PALM BEACH COUNTY, FLORIDA.

CONTAINING: 6.17 ACRES, MORE OR LESS

SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED, AS SHOWN HEREON, AND DO HEREBY MAKE THE FOLLOWING DEDICATIONS AND/OR RESERVATIONS:

- 1. EAGLE OAKS LANE (PRIVATE STREET TRACT), AS SHOWN HEREON, IS HEREBY DEDICATED TO THE BANYAN CAY MASTER ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, ITS SUCCESSORS OR ASSIGNS, FOR PRIVATE STREET AND OTHER PURPOSES NOT INCONSISTENT WITH THIS DEDICATION, AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS OR ASSIGNS, WITHOUT RECOURSE TO THE CITY OF WEST PALM BEACH.
2. THE CITY OF WEST PALM BEACH WATER AND SEWER EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE CITY OF WEST PALM BEACH FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF WATER AND SANITARY SEWER FACILITIES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID CITY, ITS SUCCESSORS OR ASSIGNS.
3. THE DRAINAGE EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO BANYAN CAY MASTER ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, ITS SUCCESSORS OR ASSIGNS, FOR DRAINAGE PURPOSES. THE MAINTENANCE OF ALL DRAINAGE FACILITIES LOCATED THEREIN SHALL BE THE PERPETUAL OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS OR ASSIGNS, WITHOUT RECOURSE TO THE CITY OF WEST PALM BEACH.
4. THE SIDEWALK EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO BANYAN CAY DEV. LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS SUCCESSORS OR ASSIGNS, FOR PEDESTRIAN WALKWAY PURPOSES. THE MAINTENANCE OF THE WALKWAY LOCATED THEREIN SHALL BE THE PERPETUAL OBLIGATION OF SAID COMPANY, ITS SUCCESSORS OR ASSIGNS, WITHOUT RECOURSE TO THE CITY OF WEST PALM BEACH.
5. THE UTILITY EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED IN PERPETUITY FOR THE CONSTRUCTION AND MAINTENANCE OF UTILITY FACILITIES, INCLUDING CABLE TELEVISION SYSTEMS AND OTHER TELECOMMUNICATION SERVICES. THE INSTALLATION OF CABLE TELEVISION AND OTHER TELECOMMUNICATION SYSTEMS SHALL NOT INTERFERE WITH THE CONSTRUCTION AND MAINTENANCE OF OTHER UTILITIES.
6. THE ACCESS EASEMENT, AS SHOWN HEREON, IS HEREBY DEDICATED TO THE BANYAN CAY MASTER ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, ITS SUCCESSORS OR ASSIGNS, AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS OR ASSIGNS, WITHOUT RECOURSE TO THE CITY OF WEST PALM BEACH.

IN WITNESS WHEREOF, DOMENIC J. GATTO, JR., THE MANAGING MEMBER OF DJG REALTY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, THE MANAGER OF BC DEV. LLC, A FLORIDA LIMITED LIABILITY COMPANY, THE MANAGER OF BANYAN CAY DEV. LLC, A DELAWARE LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE SIGNED THIS 11th DAY OF October, 2018.

BANYAN CAY DEV. LLC
A DELAWARE LIMITED LIABILITY COMPANY

WITNESS: Richard G. Cherry BY: BC DEV. LLC, A FLORIDA LIMITED LIABILITY COMPANY, ITS MANAGER

PRINT NAME: Richard G. Cherry BY: DJG REALTY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ITS MANAGER

WITNESS: Deborah J. Bryson BY: DOMENIC J. GATTO, JR. ITS MANAGING MEMBER

PRINTED NAME: Deborah J. Bryson

ACKNOWLEDGMENT:

STATE OF FLORIDA )
COUNTY OF PALM BEACH )

BEFORE ME PERSONALLY APPEARED DOMENIC J. GATTO, JR., THE MANAGING MEMBER OF DJG REALTY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, THE MANAGER OF BC DEV. LLC, A FLORIDA LIMITED LIABILITY COMPANY, THE MANAGER OF BANYAN CAY DEV. LLC, A DELAWARE LIMITED LIABILITY COMPANY, ON BEHALF OF THE COMPANY, AND HE ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS MANAGING MEMBER OF SAID COMPANY AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID COMPANY. He is personally known to me.

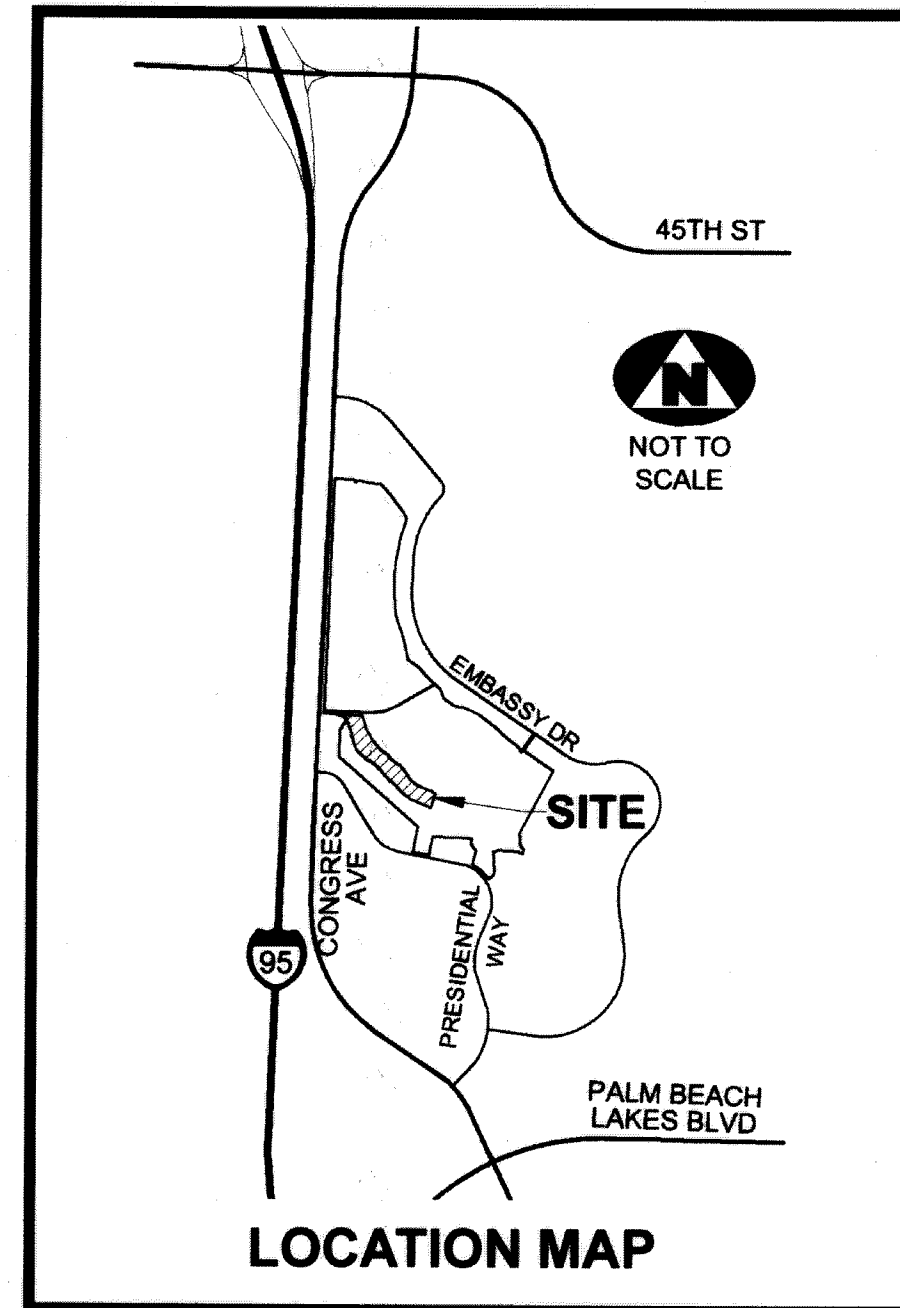
WITNESS MY HAND AND OFFICIAL SEAL THIS 11th DAY OF October, 2018.

MY COMMISSION EXPIRES: 11/11/20 BY: Deborah J. Bryson

PRINTED NAME: Deborah J. Bryson COMMISSION NO. GG044700

BANYAN CAY RESORT REPLAT OF TRACT "L1"

BEING A REPLAT OF TRACT "L1", BANYAN CAY RESORT, AS RECORDED IN PLAT BOOK 125, PAGE 114, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, AND LYING IN SECTIONS 7 AND 8, TOWNSHIP 43 SOUTH, RANGE 43 EAST, CITY OF WEST PALM BEACH, PALM BEACH COUNTY, FLORIDA



AREA SUMMARY
LOTS: 1.09 ACRES
TOTAL: 6.17 ACRES

GENERAL EASEMENT NOTES & RESTRICTIVE COVENANTS:

- 1. BUILDING SETBACKS SHALL CONFORM TO THE CITY OF WEST PALM BEACH, FLORIDA, ZONING AND LAND DEVELOPMENT REGULATIONS OR AS APPROVED BY THE BANYAN CAY RESORT DESIGN GUIDELINES.
2. NO BUILDINGS OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE CITY OF WEST PALM BEACH APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS.
3. WHERE DRAINAGE AND UTILITY EASEMENTS INTERSECT, THE AREAS WITHIN THE INTERSECTION ARE UTILITY AND DRAINAGE EASEMENTS. CONSTRUCTION AND MAINTENANCE OF UTILITY FACILITIES SHALL NOT INTERFERE WITH THE DRAINAGE FACILITIES WITHIN THESE AREAS OF INTERSECTION.

DISTANCE AND BEARING NOTES:

- 1. THE BEARING BASIS (BASE BEARING), AS SHOWN HEREON, IS BASED ON THE PLATTED BEARING OF N88°48'09"W, ALONG THE NORTH LINE OF TRACT "L1", BANYAN CAY RESORT, AS RECORDED IN PLAT BOOK 125, PAGE 114, AS SHOWN HEREON, AND ALL OTHER BEARINGS ARE RELATIVE THERETO.
2. THE LINEAR DIMENSIONS SHOWN HEREON ARE GROUND DISTANCES IN U.S. FEET AND DECIMAL PARTS THEREOF.

TITLE CERTIFICATION:

STATE OF FLORIDA )
COUNTY OF PALM BEACH )

I, RICHARD G. CHERRY, 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 IN BANYAN CAY DEV. LLC, A DELAWARE LIMITED LIABILITY COMPANY; THAT THE CURRENT TAXES HAVE BEEN PAID; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD OR 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 CREATED BY THIS PLAT

DATE: 10/11/18 BY: Richard G. Cherry

RICHARD G. CHERRY, ATTORNEY-AT-LAW LICENSED IN FLORIDA
FLORIDA BAR NO. 303860
8409 N. MILITARY TRAIL, SUITE 123
PALM BEACH GARDENS, FL 33410

ACCEPTANCE OF DEDICATIONS:

STATE OF FLORIDA )
COUNTY OF PALM BEACH )

BANYAN CAY MASTER ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, HEREBY ACCEPTS THE DEDICATIONS TO SAID CORPORATION AS STATED AND SHOWN HEREON, AND HEREBY ACCEPTS ITS MAINTENANCE OBLIGATIONS FOR THE SAME AS STATED HEREON, DATED THIS 11th DAY OF October, 2018.

BANYAN CAY MASTER ASSOCIATION, INC.
A FLORIDA NOT-FOR-PROFIT CORPORATION

BY: Alicia Lewis, President

MORTGAGEE'S CONSENT:

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 29932, PAGE 121, PALM BEACH COUNTY, FLORIDA, PUBLIC RECORDS, SHALL BE SUBORDINATED TO THE DEDICATION SHOWN HEREON.

IN WITNESS WHEREOF, THE MORTGAGEE HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS AUTHORIZED SIGNATORY THIS 11th DAY OF October, 2018.

U.S. REAL ESTATE CREDIT HOLDINGS III-A, LP
AN IRISH LIMITED PARTNERSHIP, ACTING BY ITS GENERAL PARTNER,
U.S. REAL ESTATE CREDIT HOLDINGS III-A GP LIMITED

WITNESS: Alvin Morande BY: CALMWATER ASSET MANAGEMENT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS INVESTMENT MANAGER

PRINT NAME: Alvin Morande BY: Dean Chang

WITNESS: Huell Kim

PRINTED NAME: Huell Kim

NAME: Dean Chang

TITLE: Authorized Signatory

ACKNOWLEDGMENT:

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

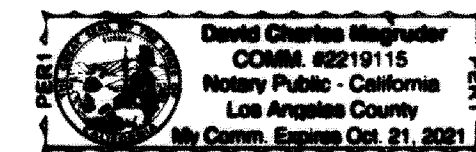
STATE OF CALIFORNIA )
COUNTY OF Los Angeles )

ON October 18, 2018, BEFORE ME, David Charles Morande, A NOTARY PUBLIC, PERSONALLY APPEARED Dean Chang, AS Authorized Signatory OF CALMWATER ASSET MANAGEMENT, LLC, INVESTMENT MANAGER OF U.S. REAL ESTATE CREDIT HOLDINGS III-A GP LIMITED, GENERAL PARTNER OF U.S. REAL ESTATE CREDIT HOLDINGS III-A, LP, AN IRISH LIMITED PARTNERSHIP, WHO PROVED TO ME THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON (S) WHOSE NAME (S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER THEIR AUTHORIZED CAPACITY (IES), AND THAT BY HIS/HER/THEIR SIGNATURE (S) ON THE INSTRUMENT THE PERSON (S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON (S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL

SIGNATURE: David Charles Morande



ACKNOWLEDGMENT:

STATE OF FLORIDA )
COUNTY OF PALM BEACH )

BEFORE ME PERSONALLY APPEARED ALICIA LEWIS, WHO (IS) (IS NOT) PERSONALLY KNOWN TO ME AND (HAS) (HAS NOT) PRODUCED AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING AS PRESIDENT OF BANYAN CAY MASTER ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT SHE 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 11th DAY OF October, 2018.

MY COMMISSION EXPIRES: 11/11/20 BY: Deborah J. Bryson

PRINTED NAME: Deborah J. Bryson COMMISSION NO. GG044700

CITY OF WEST PALM BEACH APPROVALS
COUNTY OF PALM BEACH, STATE OF FLORIDA

THIS PLAT IS HEREBY APPROVED FOR RECORD BY THE CITY COMMISSION OF WEST PALM BEACH, FLORIDA, AND THE COMMISSION ACCEPTS THE DEDICATIONS TO THE CITY OF WEST PALM BEACH CONTAINED ON THIS PLAT, THIS 5th DAY OF November, 2018.

BY: Geraldine Muoio, Mayor

CITY SURVEYOR'S APPROVAL:

THIS PLAT HAS BEEN REVIEWED IN ACCORDANCE WITH CHAPTER 98-20, SECTION 177.081, FLORIDA STATUTES.

BY: Vincent J. Noel, P.S.M. DATE: 10/24/18
PROFESSIONAL LAND SURVEYOR AND MAPPER, L. S. 4169

SURVEYOR'S CERTIFICATION:

I HEREBY 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 THAT PERMANENT CONTROL POINTS (P.C.P.'S), AND MONUMENTS ACCORDING TO SECTION 177.091(9), FLORIDA STATUTES, WILL BE SET UNDER THE GUARANTEES POSTED WITH THE CITY OF WEST PALM BEACH, FLORIDA; AND FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND ORDINANCES OF THE CITY OF WEST PALM BEACH, FLORIDA.

BY: Stephen L. Shirley DATED THIS 11th DAY OF October, 2018.



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.

THIS INSTRUMENT WAS PREPARED BY STEPHEN L. SHIRLEY, P.S.M. 3918 IN AND FOR THE OFFICES OF ASSOCIATED LAND SURVEYORS, INC., 4152 WEST BLUE HERON BOULEVARD, SUITE 121, RIVIERA BEACH, FLORIDA.

ASSOCIATED LAND SURVEYORS, INC.
4152 W. BLUE HERON BLVD. - SUITE 121
RIVIERA BEACH, FLORIDA 33404
PHONE: (561) 848-2102 LB NO. 7344 EMAIL: ALS@ALLSURVEY.NET

RECORD PLAT
BANYAN CAY RESORT REPLAT OF TRACT "L1"