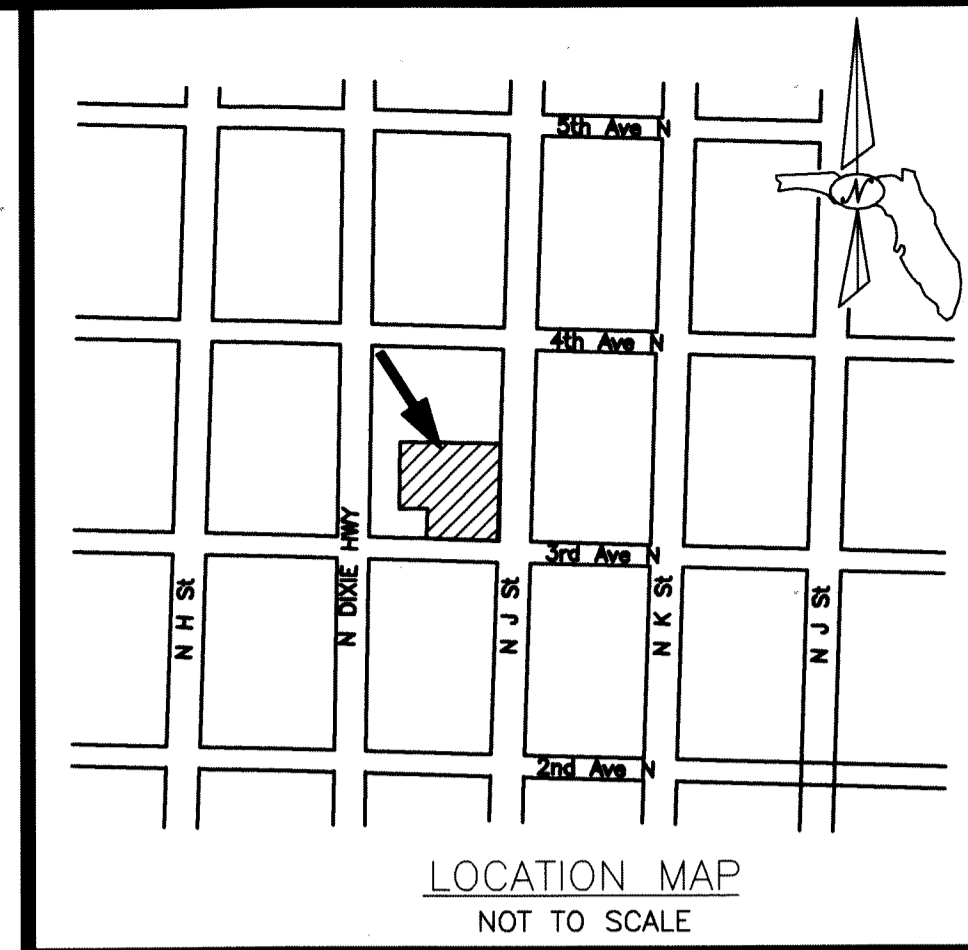


CFN 20220423817 PL BK 134 PG 145

# AVIARA ON THE AVE

BEING A REPLAT OF LOTS 79 THROUGH 103, INCLUSIVE, AND TRACT "B", HAMMON PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 109, PAGE 126, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 22, TOWNSHIP 44 SOUTH, RANGE 43 EAST, CITY OF LAKE WORTH BEACH, PALM BEACH COUNTY, FLORIDA

SHEET 1 OF 2



145  
STATE OF FLORIDA  
COUNTY OF PALM BEACH  
THIS PLAT WAS FILED FOR RECORD AT 1:48 P.M. THIS 21 DAY OF October A.D. 2022, AND DULY RECORDED IN PLAT BOOK 134 ON PAGES 145 AND 146  
JOSEPH ABRUZZO, CLERK OF THE CIRCUIT COURT & COMPTROLLER  
BY: *Denise McCook*  
DEPUTY CLERK

### DEDICATION AND RESERVATION

STATE OF FLORIDA  
COUNTY OF PALM BEACH

KNOW ALL MEN BY THESE PRESENTS THAT HAMMON PARK ON THE AVE, LLC, A FLORIDA LIMITED LIABILITY COMPANY, OWNER OF THE LAND SHOWN HEREON AS AVIARA ON THE AVE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A REPLAT OF LOTS 79 THROUGH 103, INCLUSIVE, AND TRACT "B", HAMMON PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 109, PAGE 126, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 22, TOWNSHIP 44 SOUTH, RANGE 43 EAST, CITY OF LAKE WORTH BEACH, PALM BEACH COUNTY, FLORIDA.

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

#### 1. TRACT A:

TRACT A, AS SHOWN HEREON, IS HEREBY RESERVED FOR HAMMON PARK ON THE AVE, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS, FOR PURPOSES CONSISTENT WITH THE ZONING REGULATIONS OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID HAMMON PARK ON THE AVE, LLC, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF LAKE WORTH BEACH, FLORIDA.

#### 2. UTILITY EASEMENTS (U.E.):

THE UTILITY EASEMENTS AS SHOWN HEREON, ARE NONEXCLUSIVE EASEMENTS AND ARE HEREBY DEDICATED IN PERPETUITY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, EXPANSION AND REPLACEMENT OF UTILITIES, BOTH PUBLIC AND PRIVATE, INCLUDING, BUT NOT LIMITED TO, POTABLE WATER PIPELINES, RAW WATER PIPELINES, WASTEWATER PIPELINES, RECLAIMED WATER PIPELINES, WASTEWATER PIPELINES, RECLAIMED WATER PIPELINES, ELECTRIC POWER LINES, TELECOMMUNICATIONS LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES. THE INSTALLATION OF CABLE TELEVISION SYSTEMS SHALL NOT INTERFERE WITH THE CONSTRUCTION AND MAINTENANCE OF OTHER UTILITIES. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES.

#### 3. ACCESS EASEMENTS (A.E.):

THE ACCESS EASEMENTS AS SHOWN HEREON, ARE HEREBY RESERVED FOR HAMMON PARK ON THE AVE, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS, FOR INGRESS, EGRESS, UTILITIES, DRAINAGE, AND OTHER PURPOSES NOT INCONSISTENT WITH THIS RESERVATION, AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID HAMMON PARK ON THE AVE, LLC, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF LAKE WORTH BEACH, FLORIDA.

FURTHER, HAMMON PARK HOMEOWNER'S ASSOCIATION, ITS MEMBERS, THEIR GUESTS, VENDORS, AND INVITEES, INCLUSIVE OF LOTS 73 THROUGH 78, AND 104 THROUGH 110, OF THE PLAT OF HAMMON PARK, SHALL HAVE NONEXCLUSIVE EASEMENTS FOR USE CONSISTENT WITH THE STATED RESERVATIONS FOR UTILITY EASEMENTS AND ACCESS EASEMENTS SHOWN HEREON, WITHOUT RECOURSE TO THE CITY OF LAKE WORTH BEACH, FLORIDA AS RECORDED IN THE OFFICIAL RECORDS.

#### 4. SIDEWALK EASEMENT (S.E.):

THE SIDEWALK EASEMENT AS SHOWN HEREON, IS HEREBY DEDICATED TO THE CITY OF LAKE WORTH BEACH, FOR PUBLIC PEDESTRIAN ACCESS PURPOSES AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF HAMMON PARK ON THE AVE, LLC, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF LAKE WORTH BEACH, FLORIDA.

#### NOTICE:

THE DEDICATIONS AND RESERVATIONS SHOWN HEREON ARE SUBJECT TO AN EASEMENT AGREEMENT BETWEEN HAMMON PARK ON THE AVE, LLC, AND HAMMON PARK HOMEOWNER'S ASSOCIATION, INC., RECORDED IN OFFICIAL RECORDS BOOK 32672, PAGE 59 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

IN WITNESS WHEREOF, THE ABOVE-NAMED COMPANY HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS PRESIDENT, AND ITS CORPORATE SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS, THIS 17th DAY OF March, 2022.

WITNESS: *Edward Farhat* (SIGNATURE)  
EDWARD FARHAT (PRINT NAME)  
BY: *Maher Hanna* (SIGNATURE)  
MAHER HANNA, MANAGER

WITNESS: *Georgina L. Roth* (SIGNATURE)  
GEORGINA L. ROTH (PRINT NAME)

### ACKNOWLEDGEMENT

STATE OF FLORIDA  
COUNTY OF PALM BEACH

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF  PHYSICAL PRESENCE OR  ONLINE NOTARIZATION, THIS 17th DAY OF March, 2022, BY MAHER HANNA, AS MANAGER FOR HAMMON PARK ON THE AVE, LLC, ON BEHALF OF THE CORPORATION, WHO IS  PERSONALLY KNOWN TO ME OR HAS PRODUCED \_\_\_\_\_ AS IDENTIFICATION.

MY COMMISSION EXPIRES: \_\_\_\_\_

*Delene Simon* (SIGNATURE)  
DELENE SIMON (PRINT NAME)  
NOTARY PUBLIC

(SEAL)

### TITLE CERTIFICATION

STATE OF FLORIDA  
COUNTY OF PALM BEACH

WE, ALL COUNTY TITLE SERVICES, INC., A FLORIDA TITLE INSURANCE AGENCY, AS DULY AUTHORIZED TO DO BUSINESS 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 HAMMON PARK ON THE AVE, LLC, A FLORIDA LIMITED LIABILITY COMPANY, 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.

ALL COUNTY TITLE SERVICES, INC.,  
A FLORIDA TITLE INSURANCE AGENCY

DATED: 3/15/22

BY: *Deborah Watarz* (SIGNATURE)  
DEBORAH WATARZ, PRESIDENT

### MORTGAGEE'S JOINDER AND CONSENT

STATE OF NEW YORK  
COUNTY OF NEW YORK

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 33044 AT PAGE 120 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SHALL BE SUBORDINATED TO THE DEDICATION SHOWN HEREON.

IN WITNESS WHEREOF, THE SAID CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS AUTHORIZED SIGNATORY AND ITS CORPORATE SEAL TO BE AFFIXED HEREBY BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS THIS 17th DAY OF MARCH, 2022.

1621 S DIXIE POMPAÑO 1 LLC  
A DELAWARE LIMITED LIABILITY COMPANY

WITNESS: *David Speiser* (SIGNATURE)  
DAVID SPEISER (PRINT NAME)

BY: *David Speiser* (SIGNATURE)  
DAVID SPEISER AUTHORIZED SIGNATORY

WITNESS: *Kathryn Carpio* (SIGNATURE)  
KATHRYN CARPIO (PRINT NAME)

### ACKNOWLEDGEMENT

STATE OF NEW YORK  
COUNTY OF NEW YORK

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF  PHYSICAL PRESENCE OR  ONLINE NOTARIZATION, THIS 17th DAY OF March, 2022, BY DAVID SPEISER, AS AUTHORIZED SIGNATORY FOR 1621 S DIXIE POMPAÑO 1 LLC, ON BEHALF OF THE COMPANY, WHO IS  PERSONALLY KNOWN TO ME OR HAS PRODUCED \_\_\_\_\_ AS IDENTIFICATION.

MY COMMISSION EXPIRES: \_\_\_\_\_

*David Speiser* (SIGNATURE)  
DAVID SPEISER (PRINT NAME)  
NOTARY PUBLIC

(SEAL)

### REVIEWING SURVEYOR & MAPPER'S CERTIFICATE

THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY TO CHAPTER 177.081, FLORIDA STATUTES. THIS REVIEW DOES NOT INCLUDE THE VERIFICATION OF GEOMETRIC DATA OR FIELD VERIFICATION OF THE PERMANENT REFERENCE MONUMENTS AT LOT CORNERS.

*David A. Bower* (SIGNATURE)  
DAVID A. BOWER, PSM  
STATE OF FLORIDA REGISTRATION NO. LS 5888

5/9/2022  
DATE

### 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.") ACCORDING TO SEC. 177.091(7), FLORIDA STATUTES, 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 THE CITY OF LAKE WORTH BEACH, FLORIDA.

*John E. Phillips III* (SIGNATURE)  
JOHN E. PHILLIPS, III, P.S.M.  
LICENSE NO. 4826  
STATE OF FLORIDA

4/4/22  
DATE

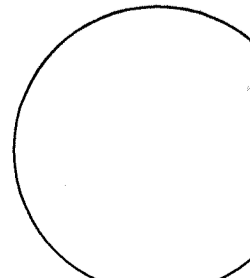
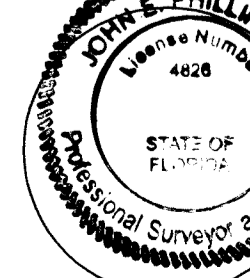
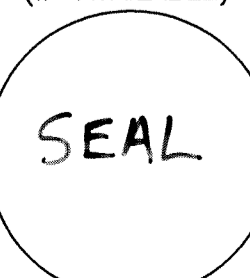
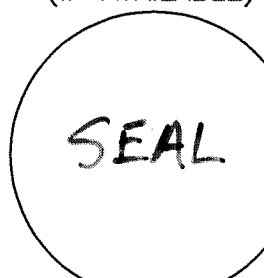
HAMMON PARK  
ON THE AVE, LLC  
SEAL  
(IF AVAILABLE)

1621 S. DIXIE  
POMPAÑO 1, LLC  
SEAL  
(IF AVAILABLE)

REVIEWING  
SURVEYOR'S  
SEAL

SURVEYOR'S  
SEAL

CITY OF LAKE  
WORTH BEACH  
SEAL



### CITY APPROVAL CITY OF LAKE WORTH BEACH, FLORIDA, A MUNICIPAL CORPORATION

STATE OF FLORIDA  
COUNTY OF PALM BEACH

THIS PLAT AS SHOWN HEREON HAS BEEN APPROVED FOR RECORD THIS 17th DAY OF March, 2022.

BY: *John Resch* (SIGNATURE)  
JOHN RESCH, MAYOR

BY: *James Y. Davis* (SIGNATURE)  
JAMES Y. DAVIS, CITY MANAGER

BY: *Greg Rice* (SIGNATURE)  
GREG RICE, PLANNING ZONING BOARD CHAIRMAN

BY: *Melissa Ann Coyne* (SIGNATURE)  
MELISSA ANN COYNE, CITY CLERK

BY: *Greg Rice* (SIGNATURE)  
GREG RICE, HISTORIC RESOURCES PRESERVATION BOARD CHAIRMAN

BY: *Brian Shields* (SIGNATURE)  
BRIAN SHIELDS, P.E.  
CITY ENGINEER

### SURVEYOR & MAPPER'S NOTES:

- BEARINGS ARE BASED ON S90°00'00"W (ASSUMED) ALONG THE NORTH RIGHT-OF-WAY OF 3rd AVENUE NORTH, PER THE PLAT HAMMON PARK, RECORDED IN PLAT BOOK 109, PAGE 126, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- AREA = 37,415 SQUARE FEET (0.859 ACRES), MORE OR LESS.
- NO BUILDINGS 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 CITY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS.
- 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 DETERMINED BY USE OF RIGHTS GRANTED.
- ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
- ALL SURVEY UNITS ARE U.S. FEET AND ARE ON THE HORIZONTAL PLANE.
- 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:

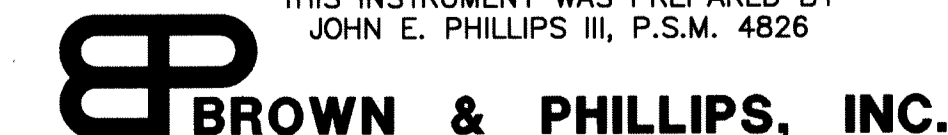
- ABBREVIATIONS:**
- ORB - OFFICIAL RECORD BOOK
  - D.B. - DEED BOOK
  - P.B. - PLAT BOOK
  - NO. - NUMBER
  - PG. - PAGE
  - R/W - RIGHT-OF-WAY
  - SEC. - SECTION
  - CL - CENTERLINE
  - NAD - NORTH AMERICAN DATUM
  - FND - FOUND
  - LB - LICENSED BUSINESS
  - (P) - PLAT DIMENSION
  - 22/44/43 - SECTION 22, TOWNSHIP 44 SOUTH, RANGE 43 EAST
  - U.E. - UTILITY EASEMENT
  - A.E. - ACCESS EASEMENT
  - D.E. - DRAINAGE EASEMENT
  - S.E. - SIDEWALK EASEMENT
  - P.S.M. - PROFESSIONAL SURVEYOR & MAPPER
  - MND - MAG NAIL & DISK, STAMPED AS NOTED

### SYMBOLS:

- PERMANENT REFERENCE MONUMENT (P.R.M.), SET 4"x4" CONCRETE MONUMENT WITH DISK STAMPED "LB6473", UNLESS NOTED OTHERWISE
- MONUMENT, SET 1/2" IRON ROD WITH "BROWN & PHILLIPS" CAP

### PREPARING SURVEYOR & MAPPER'S STATEMENT

THIS INSTRUMENT WAS PREPARED BY  
JOHN E. PHILLIPS III, P.S.M. 4826



**BROWN & PHILLIPS, INC.**  
CERTIFICATE OF AUTHORIZATION # LB 6473  
1860 OLD OKEECHOBEE RD., SUITE 509  
WEST PALM BEACH, FLORIDA 33409  
561-615-3988, 615-3986 FAX