

# ESTATES OF SIMS CREEK

LYING IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 41 SOUTH,  
RANGE 42 EAST, TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA

MAY 1999  
SHEET 1 OF 2

### DEDICATION & RESERVATIONS:

KNOW ALL MEN BY THESE PRESENTS THAT MISTY REALTY, INC., A FLORIDA CORPORATION, LICENSED TO DO BUSINESS IN FLORIDA, OWNER OF THE LAND SHOWN HEREON, BEING IN SECTION 2, TOWNSHIP 41 SOUTH, RANGE 42 EAST, TOWN OF JUPITER, FLORIDA, SHOWN HEREON AS THE ESTATES OF SIMS CREEK, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 41 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE FROM THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 2; THENCE N01°27'33"E ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, 373.65 FEET TO THE INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF CENTER STREET; THENCE N48°14'17"E ALONG SAID SOUTH RIGHT-OF-WAY LINE, 2001.54 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N48°14'17"E ALONG SAID SOUTH RIGHT-OF-WAY LINE, 250.00 FEET TO THE INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF LOKAHATCHEE RIVER ROAD, PLAT BOOK 96, PAGES 153 AND 154, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S44°45'43"E ALONG SAID WEST RIGHT-OF-WAY LINE, 260.00 FEET TO THE INTERSECTION WITH THE CENTERLINE OF SIMS CREEK; THENCE ALONG SAID CENTERLINE THROUGH THE FOLLOWING COURSE:

THENCE S33°14'17"W, 48.00 FEET;  
THENCE S18°14'17"W, 48.00 FEET;  
THENCE S12°45'43"E, 48.00 FEET;  
THENCE S22°45'43"E, 66.00 FEET;  
THENCE S29°45'43"E, 122.00 FEET;  
THENCE S25°14'17"W, 64.00 FEET;  
THENCE S71°29'17"W, 30.74 FEET;  
THENCE DEPARTING SAID CENTERLINE N44°45'43"E, 500 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.201 ACRES, MORE OR LESS.

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

#### STREET TRACT

1. TRACT "A" AS SHOWN HEREON IS HEREBY RESERVED FOR THE ESTATES OF SIMS CREEK PROPERTY OWNERS ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, FOR PRIVATE STREET, UTILITY AND DRAINAGE PURPOSES AND OTHER PURPOSES NOT INCONSISTENT WITH THIS RESERVATION AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF JUPITER.

#### WATER MANAGEMENT TRACT

2. TRACT "B" AS SHOWN HEREON, IS HEREBY RESERVED FOR THE ESTATES OF SIMS CREEK PROPERTY OWNERS ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, FOR STORM WATER MANAGEMENT AND DRAINAGE PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF JUPITER.

#### UTILITY EASEMENTS

3. THE UTILITY EASEMENTS AS SHOWN HEREON ARE HEREBY DEDICATED IN PERPETUITY FOR THE CONSTRUCTION AND MAINTENANCE OF UTILITY FACILITIES, INCLUDING CABLE TELEVISION SYSTEMS. THE INSTALLATION OF CABLE TELEVISION SYSTEMS SHALL NOT INTERFERE WITH THE CONSTRUCTION AND MAINTENANCE OF OTHER UTILITIES. NO LANDSCAPING OR PERMANENT STRUCTURES SHALL BE CONSTRUCTED WITHIN THESE EASEMENTS WITHOUT WRITTEN APPROVALS FROM UTILITY COMPANIES.

4. THE DRAINAGE EASEMENTS AS SHOWN HEREON ARE HEREBY DEDICATED IN PERPETUITY FOR DRAINAGE PURPOSES. THE MAINTENANCE OF ALL DRAINAGE FACILITIES LOCATED THEREIN SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE ESTATES OF SIMS CREEK PROPERTY OWNERS ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF JUPITER OR JUPITER INLET DISTRICT. NO LANDSCAPING OR PERMANENT STRUCTURES SHALL BE CONSTRUCTED WITHIN THESE EASEMENTS.

5. RETENTION SWALE AND TRANSITIONAL BUFFER EASEMENT AS SHOWN HEREON IS HEREBY DEDICATED IN PERPETUITY FOR WATER RETENTION PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF THE ESTATES OF SIMS CREEK PROPERTY OWNERS ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF JUPITER OR JUPITER INLET DISTRICT. NO LANDSCAPING OR PERMANENT STRUCTURES SHALL BE PERMITTED WITHOUT WRITTEN APPROVAL FROM THE TOWN OF JUPITER.

#### LIMITED ACCESS EASEMENT

6. THE LIMITED ACCESS EASEMENT AS SHOWN HEREON IS HEREBY DEDICATED TO THE TOWN OF JUPITER, FLORIDA, FOR THE PURPOSE OF CONTROL AND JURISDICTION OVER ACCESS RIGHTS.

#### BUFFER EASEMENTS

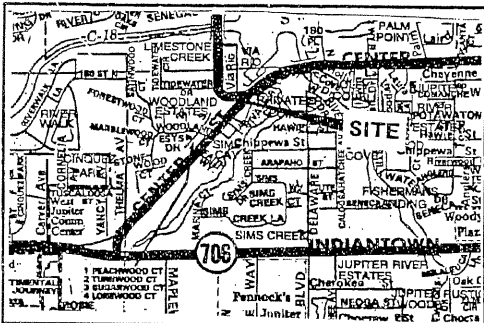
7. THE LANDSCAPE EASEMENTS AND TRANSITIONAL BUFFER EASEMENTS SHOWN HEREON ARE HEREBY RESERVED FOR THE ESTATES OF SIMS CREEK PROPERTY OWNERS ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, FOR LANDSCAPE PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF JUPITER, WHERE LANDSCAPE BUFFER EASEMENTS INTERSECT DRAINAGE AND UTILITY EASEMENTS. DRAINAGE EASEMENTS SHALL TAKE PRECEDENCE THEREIN TO BE NO STRUCTURES, LANDSCAPING, OR TREES PLANTED WITHIN THOSE AREAS.

#### RECIPROCAL MAINTENANCE EASEMENTS (RME)

8. THE RECIPROCAL MAINTENANCE EASEMENTS AS SHOWN HEREON ARE HEREBY CREATED IN PERPETUITY FOR THE ADJOINING LOT OWNERS OF THIS PLAT FOR MAINTENANCE ACCESS, ROOF OVERHANGS AND GUTTERS, WITHOUT RECOURSE TO THE TOWN OF JUPITER.

IN WITNESS WHEREOF, THE ABOVE-NAMED CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS PRESIDENT, SUSAN J. STONE, PRESIDENT, THIS 14<sup>TH</sup> DAY OF MAY, 1999.

MISTY REALTY, INC.  
A FLORIDA CORPORATION  
WITNESS: *Ken Thomas* BY: *Susan J. Stone*  
(PRINT NAME) (PRINT NAME)  
WITNESS: *Joe B. Reedell*  
(PRINT NAME)



### ACKNOWLEDGEMENT:

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
BEFORE ME PERSONALLY APPEARED SUSAN J. STONE, PRESIDENT OF MISTY REALTY, INC., WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED AS IDENTIFICATION, AND SEVERALLY ACKNOWLEDGED TO 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 14<sup>TH</sup> DAY OF MAY, 1999.  
MY COMMISSION EXPIRES: 7/13/2001  
NOTARY PUBLIC

ACCEPTANCE OF DEDICATION & RESERVATIONS:  
STATE OF FLORIDA  
COUNTY OF PALM BEACH  
THE ESTATES OF SIMS CREEK PROPERTY OWNERS ASSOCIATION HEREBY ACCEPTS THE DEDICATIONS OR RESERVATIONS TO SAID ASSOCIATION AS STATED AND SHOWN HEREON, AND HEREBY ACCEPTS ITS MAINTENANCE OBLIGATIONS FOR SAME AS STATED HEREON DATED THIS 14<sup>TH</sup> DAY OF MAY, 1999.

ESTATES OF SIMS CREEK PROPERTY OWNERS ASSOCIATION  
BY: *Susan J. Stone*  
PRESIDENT  
WITNESS: *Ken Thomas*  
WITNESS: *Joe B. Reedell*  
(PRINT NAME) (PRINT NAME)

### ACKNOWLEDGEMENT:

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
BEFORE ME PERSONALLY APPEARED SUSAN J. STONE, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS PRESIDENT OF THE ESTATES OF SIMS CREEK PROPERTY OWNERS ASSOCIATION, A CORPORATION, AND SEVERALLY ACKNOWLEDGED TO 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 14<sup>TH</sup> DAY OF MAY, 1999.

MY COMMISSION EXPIRES: 3/13/2001  
NOTARY PUBLIC

WITNESS: *Ken Thomas* BY: *Susan J. Stone*  
(PRINT NAME) (PRINT NAME)  
WITNESS: *Joe B. Reedell*  
(PRINT NAME)

### SURVEYOR'S NOTES:

- BEARINGS SHOWN HEREON ARE BASED UPON GRID NORTH; THE WEST LINE OF NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 41S, RANGE 42E, BEING N 01°27'33" W.
- ALL DISTANCES SHOWN HEREON ARE AT GROUND LEVEL WITH A SCALE FACTOR OF 1.0000366 TO CONVERT TO GRID DISTANCE.
- COORDINATES SHOWN HEREON ARE BASED UPON DATUM = NAD 83 1990 ADJUSTMENT; ZONE = FLORIDA EAST; LINEAR UNIT = US SURVEY FEET; COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION. SAID COORDINATES REPRESENT THE POSITION OF PLATTED CORNERS NOT NECESSARILY THE POSITION OF FOUND MONUMENTATION.
- NO BUILDINGS OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT PRIOR WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE TOWN APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENT.
- WHERE DRAINAGE AND UTILITY EASEMENTS CROSS, DRAINAGE EASEMENTS SHALL TAKE PRECEDENCE.
- BUILDING SETBACK LINES SHALL BE AS REQUIRED BY THE TOWN OF JUPITER ZONING REGULATIONS.
- ALL LOT LINES ARE NOT RADIAL UNLESS OTHERWISE NOTED.

COUNTY OF PALM BEACH ) SS  
STATE OF FLORIDA ) 10:09  
This Plat was filed for record at )  
the 20<sup>th</sup> day of May, 1999 )  
1:30 only prepared in Plat Book No. 85 )  
Volume 1 )  
CROSBY H. WILKIN, Clerk of Circuit Court )  
Palm Beach, Florida ) C.C.

### TITLE CERTIFICATION:

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
I, JEFFREY N. DAVERSA, 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 MISTY REALTY, INC., THAT THE CURRENT TAXES HAVE BEEN PAID, THAT THERE ARE NO MORTGAGES OF RECORD, AND THAT THERE ARE NO OTHER ENCUMBRANCES OF RECORD.  
DATED: May 12, 1999  
JEFFREY N. DAVERSA, ESQUIRE  
FLORIDA BAR NO. 126805

### SURVEYOR'S CERTIFICATION:

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; THAT PERMANENT CONTROL POINTS (P.C.P.'S) WILL BE SET UNDER THE GUARANTEES POSTED WITH THE TOWN OF JUPITER FOR THE REQUIRED IMPROVEMENTS; AND, FURTHER, THAT THE SURVEY DATA COMPLY WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED AND THE ORDINANCES OF THE TOWN OF JUPITER, JUPITER, FLORIDA.  
DAN W. DAILEY, P.E., S.  
LICENSE NO. 2439  
STATE OF FLORIDA

### SURVEYOR'S APPROVAL:

THIS PLAT HAS BEEN REVIEWED IN ACCORDANCE WITH CHAPTER 177.081 FLORIDA STATUTES TO DETERMINE CONFORMANCE WITH THE REQUIREMENTS OF THE CHAPTER 177, FLORIDA STATUTES, AND THE ORDINANCES OF THE TOWN OF JUPITER, WHILE RANDOM CHECKS OF GEOMETRIC DATA WERE PERFORMED, NO REPRESENTATION OF THE FULL VERIFICATION OF ALL DATA SHOWN HEREON HAS BEEN MADE.  
REVIEWED BY: *David C. Loberg*  
DAVID C. LOBERG, P.E., S.  
FLORIDA LICENSE NO. 3613  
DATE: May 16, 1999

### APPROVALS:

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
TOWN OF JUPITER  
THIS PLAT IS HEREBY ACCEPTED FOR RECORD, THIS 19<sup>TH</sup> DAY OF MAY, A. D. 1999.  
BY: *Karen Goldner*  
KAREN GOLDNER, MAYOR  
THIS PLAT IS HEREBY ACCEPTED FOR RECORD, THIS 19<sup>TH</sup> DAY OF MAY, A. D. 1999.  
BY: *Douglas Koenig*  
DOUGLAS KOENIG, TOWN ENGINEER  
ATTEST: *Sally Doyle*, TOWN CLERK  
BY: *Joe B. Reedell*, CLERK

THIS INSTRUMENT WAS PREPARED BY DAN W. DAILEY, P.E., S., DAILEY AND ASSOCIATES, INC., 112 N. U.S. HIGHWAY NO. 1, TALLAHASSEE, FLORIDA 32308.

\*NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SURVISED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPERSEDED 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.

**DAILEY AND ASSOCIATES, INC.**  
SURVEYING & MAPPING  
112 N. U.S. HIGHWAY NO. 1  
TALLAHASSEE, FLORIDA 32308  
PHONE: (904) 748-6484