N.T.S.

UPJOHN - P.U.D. VIZCAYA, PLAT No. 4

A Replat of a Portion of Parcel "D", "MIZNER VILLAGE", as recorded in Plat Book <u>89</u>, Pages <u>170</u> thru <u>173</u> and a Replat of a Portion of Tracts "D-1", "L.B./O.S.-3", "L.B./O.S.-4" and "L.B./O.S.-5" of the Plat of "UPJOHN P.U.D. PLAT ONE", as recorded in Plat Book 86, Pages 1 thru 3, all of the Public Records of Palm Beach County, Florida,

lying in Section 21, Township 46 South, Range 42 East, Palm Beach County, Florida

Petition No. PDD92 - 005(C) P.U.D. Statistics:

33.826 Acres Gross Acreage: 195 D.U. Total Dwelling Units: 5.76 D.U./Acres Density:

DEDICATION AND RESERVATIONS

KNOW ALL MEN BY THESE PRESENTS that OH INVESTMENTS, INC., a Florida Corporation, owners of the lands shown hereon, being a Replat of;

A portion of Parcel "D", "MIZNER VILLAGE", according to the Plat thereof as recorded in Plat Book 99, Pages 170 through 179, of the Public Records of Palm Beach County, Florida, and a portion of Tracts "D-1", "L.B./O.S.-3", "L.B./O.S.-4" and "L.B./O.S.-5" of "UPJOHN P.U.D. PLAT ONE", according to the plat thereof as recorded in Plat Book 86, Pages 1 through 3, of the Public Records of Palm Beach County, Florida, shown hereon as VIZCAYA, PLAT NO. 4, being more particularly described as follows:

COMMENCE at the East 1/4 corner of Section 21, Township 46 South, Range 42 East, Palm Beach County, Florida: thence S.89°07'43"W., along the South line of the Northeast 1/4 of said Section 21, a distance of 130.04 feet to the POINT of BEGINNING of the hereinafter described Parcel of Land; thence continue S.89°07'43"W., along the South line of the Northeast 1/4 of said Section 21 (the same being the South line of said Parcel "D"), a distance of 1205.86 feet; thence N.02°06'03"W., along the East line of Tract "L.B./O.S.-13" of the said Plat of "UPJOHN P.U.D. PLAT ONE", a distance of 1205.50 feet; thence N.87°53'57"E., a distance of 1193.08 feet to a point on the arc of a circular curve to the right, at which the radius point bears S.77°34'33"W.; thence Southerly along the arc of said curve, along the West Line of Tract "L.B./O.S.-3", having a radius of 540.00 feet and a central angle of 05°35'52", for an arc distance of 52.76 feet; thence N.40°11'16"E., a distance of 13.56 feet; thence S.73°41'11"E., a distance of 10.94 feet to a point on the arc of a circular curve to the right, at which the radius point bears S.82°40'01"W.; thence Southerly along the arc of said curve, having a radius of 560.00 feet and a central angle of 05°02'32", for an arc distance of 49.28 feet; thence S.02°17'27"E., a distance of 93.42 feet; thence S.65°12'32"W., a distance of 10.82 feet; thence N.47°17'27"W., a distance of 14.14 feet; thence S.02°17'27"E., along the West Line of Tract "L.B./O.S.-4", a distance of 380.05 feet; thence N.42°42'33"E., a distance of 28.28 feet; thence S.02°17'27"E., along the West Line of said Tract "D-1", a distance of 140.00 feet; thence N.47°17'27"W., a distance of 28.28 feet; thence S.02°17'27"E., along the West Line of Tract "L.B./O.S.-4", a distance of 389.15 feet; thence N.42°42'33"E., a distance of 14.14 feet; thence S.69°47'27"E., a distance of 10.82 feet; thence S.02°17'27"E., along the West Line of said Tract "D-1", a distance of 100.02 feet; thence S.65°12'32"W., a distance of 10.82 feet; thence N.47°17'27"W., a distance of 14.14 feet; thence S.02°17'27"E., along the West Line of Tract "L.B./O.S.-5", a distance of 91.34 feet to the POINT of BEGINNING.

Said Lands lying in the Northeast 1/4 of Section 21, Township 46 South, Range 42 East, Palm Beach County, Florida, and contains 33.826 acres, more or less.

Have caused the same to be Surveyed and Platted as shown hereon and do hereby Dedicate as follows:

- 1. DRAINAGE EASEMENTS: 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 VIZCAYA P.U.D. MASTER HOMEOWNERS ASSOCIATION, INC., a Florida Corporation, Not-for-Profit its Successors and Assigns, without recourse to Palm Beach County.
- 2. UTILITY EASEMENTS: 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.
- 3. TRACT "A" (Private Street), as shown hereon, is hereby reserved for the VIZCAYA P.U.D. MASTER HOMEOWNERS ASSOCIATION, INC., a Florida Corporation Not-for-Profit, its Successors and Assigns, for Private Street 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 Palm Beach County.

TRACT "A", is hereby reserved as a Utility and Drainage Easement in addition to the aforementioned reservation.

4. TRACT "B" (Residential Access Street), as shown hereon, is hereby reserved for the VIZCAYA P.U.D. MASTER HOMEOWNERS ASSOCIATION, INC., a Florida Corporation, Not-for-Profit, its Successors and Assigns, as a Residential Access Street for Private Street 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 Palm Beach County.

TRACT "B", is hereby reserved as a Utility and Drainage Easement in addition to the aforementioned reservation.

- 5. TRACTS "C", "D", "E", "F", "G", "H", "I", "J", "K", "M" and "N" (Open Space), as shown hereon, are hereby reserved for the VIZCAYA P.U. D. MASTER HOMEOWNERS ASSOCIATION, INC., a Florida Corporation, Not-for-Profit, its Successors and Assigns, for Open Space purposes and is the perpetual maintenance obligation of said Association, its Successors and Assigns, without recourse to Palm Beach County.
- 6. TRACT "L-1" (Water Management Tract), as shown hereon, is hereby reserved for the VIZCAYA P.U.D. MASTER HOMEOWNERS ASSOCIATION, INC., a Florida Corporation, Not-for-Profit, 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 Palm Beach County, and is subject to an existing Littoral Zone Restrictive Covenant Agreement as recorded in Official Record Book 9812, Page 159, of the Public Records of Palm Beach County.
- 7. OVERHANG EASEMENTS: the Overhang Easements, as shown hereon, are hereby Dedicated to the Lot Owner, his and/or Her Successors and Assigns, whose Dwelling Unit abuts said Easement for Roof Overhang purposes, Utility Services and Building Maintenance purposes, without recourse to Palm Beach County.
- 8. Palm Beach County 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 Easements and Private Streets associated with said Drainage System.
- 9. The Limited Access Easement, as shown hereon, is hereby Dedicated to the BOARD OF COUNTY COMMISSIONERS of PALM BEACH, County, Florida, for the purpose of control and jurisdiction over access rights.

DEDICATION AND RESERVATIONS (continued)

- 10. LAKE MAINTENANCE EASEMENTS: The Lake Maintenance Easements, as shown hereon, are hereby reserved for the VIZCAYA P.U.D. MASTER HOMEOWNERS ASSOCIATION, INC., a Florida Corporation, Not-for- Profit, its Successors and Assigns, for access to storm water management and drainage facilities located within the associated water management tracts for purposes of performing any and all maintenance activities pursuant to the maintenance obligation of said Association, its Successors and Assigns, without recourse to Palm Beach County.
- 11. LANDSCAPE BUFFER EASEMENTS: The Landscape Buffer Easements as shown hereon, are hereby reserved for the VIZCAYA P.U. D. MASTER HOMEOWNERS ASSOCIATION, INC., a Florida Corporation, Not-for-Profit, its Successors and Assigns, for Landscape Buffer purposes and is the perpetual maintenance obligation of said Association, its Successors and Assigns, without recourse to Palm Beach County.
- 12. TRACTS "O" (Open Space), as shown hereon, are hereby reserved for the VIZCAYA P.U. D. MASTER HOMEOWNERS ASSOCIATION, INC., a Florida Corporation, Not-for-Profit, its Successors and Assigns, for Open Space purposes and is the perpetual maintenance obligation of said Association, its Successors and Assigns, without recourse to Palm Beach County. subject to easements of record in favor of the LAKE WORTH DRAINAGE DISTRICT, recorded in Official Records Book 6588, Page 921 of the Public Records of Palm Beach County, Florida.
- 13. LAKE MAINTENANCE ACCESS EASEMENTS: The Lake Maintenance Access Easements, as shown hereon, are hereby reserved for the VIZCAYA P.U.D. MASTER HOMEOWNERS ASSOCIATION, INC., a Florida Corporation, Not-for-Profit, its Successors and Assigns, for access to storm water management and drainage facilities located within the associated water management tracts for purposes of performing any and all maintenance activities pursuant to the maintenance obligation of said Association, its Successors and Assigns, without recourse to Palm Beach County.

IN WITNESS WHEREOF, the above-named Corporation has caused these presents to be signed by its Chief Executive Officer, and its Corporate Seal to be affixed hereto by and with the authority of its Board of Directors, this

day of FEBRUARY 20-81

OH INVESTMENTS. INC. a Florida Corporation

ACKNOWLEDGEMENT

State of Florida County of Palm Beach S.S.

BEFORE ME personally appeared R.D. Levy who is personally known to me and who executed the foregoing instrument as Chief Executive Officer of OH INVESTMENTS, INC., a Florida Corporation, and severally acknowledged to and before me that he 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 14 day of ESRUARY

MY COMMISSION # CC 855945 EXPIRES: November 17, 2003 Bonded Thru Notary Public Underwriter

ACCEPTANCE OF RESERVATIONS

State of Florida County of Broward S.S.

My Commission Expires:

The VIZCAYA P.U.D. MASTER HOMEOWNERS ASSOCIATION, INC., a Florida Corporation, Not-for-Profit 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 ______/5 TH_ day of _FEBRUARY_

(Print Name) ALBERT GOMEZ

VIZCAYA P.U.D. MASTER HOMEOWNERS ASSOCIATION, INC.

Witness: (Print Name) NANCY CHAM BERLAIN

a Florida Corporation not-for-profit

ACKNOWLEDGEMENT

State of Florida County of Broward S.S.

Notary Public - State of Florida

My Commission Expires:

BEFORE ME personally appeared

Mitchell A. Cox who is personally known to me and who executed the foregoing instrument as President of VIZCAYA P.U.D. MASTER HOMEOWNERS ASSOCIATION, INC., a Florida Corporation, Not-for-Profit and severally acknowledged to and before me that he executed such 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 ______/5TA day of __FEBRUARU_

GABRIELA LAMBERTI MY COMMISSION # CC 900712 EXPIRES: April 16, 2004

Atlantic | Avenue KINGS POINT UPJOHN. P.U.D. GOLF COURSE VIZCAYA, KINGS POINT PLAT No. 4 Linton Boulevard **LOCATION MAP:**

State of Florida County of Palm Beach S.S. This Plat was Filed for Record at 9-091 this 3 of May and Duly Recorded in Plat Book on Pages 5 through 101 Dorothy A. Wilken, Clerk By: Muson Val D.C. Sheet 1 of 3 Sheets

MORTGAGEE'S CONSENT

State of Texas S.S. County of Dallas

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 1/950 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 signed by its Sr. Vice President and its Corporate seal to be affixed hereon by and with the authority of its Board of Directors this 2014 day of FEBRUARY,

(Print Name) Unda GOY CLO (Print Name) WENDELL GAMBLE

Guaranty Federal Bank, FSB

ACKNOWLEDGEMENT

State of Toxus Iss

County of Jallas

BEFORE ME personally appeared Paul J. Pirok who is personally known to me and who executed the foregoing instrument as Sr. Vice President of Guaranty Federal Bank, FSB, and severally acknowledged to and before me that he executed such 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 2 oth day of February

Notary Public - State of Texas

CANDACE JOHNSON Notary Public STATE OF TEXAS My Commission Expires: 11-08-03 My Comm. Exp. 11-08-2008

SURVEYOR'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) 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 Palm Beach County Board of County Commissioners for the required Improvements; and, further, that the survey data complies with all the requirements of Chapter 177, Florida Statutes, as amended, and the ordinances of Palm Beach County, Florida.

Thomas R. Palbicke, Professional Land Surveyor, Florida Registration No. 5061 2-15-01

TITLE CERTIFICATION

State of Florida County of Palm Beach S.S.

We RELIANCE/TITLE COMPANY,a Title Insurance Company, 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 OH INVESTMENTS INC., a Florida Corporation; that current taxes have been paid; that there are no mortgages of record; and that there are encumbrances of record but those encumbrances do not prohibit the creation of the

subdivision depicted by this Plat. That all mortgages not satisfied or released of record nor otherwise terminated by law are shown hereon.

Larry Rothenberg, President, Reliance Title Company COUNTY APPROVAL

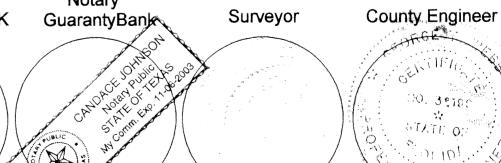
COUNTY ENGINEER This Plat is hereby approved for record pursuant to Palm Beach County Ordinance 95-33, and in accordance with

Section 177.071(2), Florida Statutes, this 3D day of APRi, 200/, and has been reviewed by a Professional Surveyor and Mapper employed by Palm Beach County in accordance with Section 177.081 (1), Florida Statutes.

Swyn T. Wold George T. Webb, P.E., County Engineer

This Instrument Prepared by Thomas R. Palbicke of HAGER PALBICKE AND ASSOCIATES, INC. Professional Land Surveyors Certificate of Authorization No. 6772

3850 N.W. Boca Raton Blvd. Boca Raton, Florida 33431 Phone: (561) 395-3600 Fax: (561) 395-2237 E-Mail: hwajlh @ bellsouth.net



VIZCAYA P.U.D. MASTER Homeowners Association OH Investments, Inc. OH Investments, Inc. GUARANTYBANK

SEAL