

# MAGNOLIA BAY

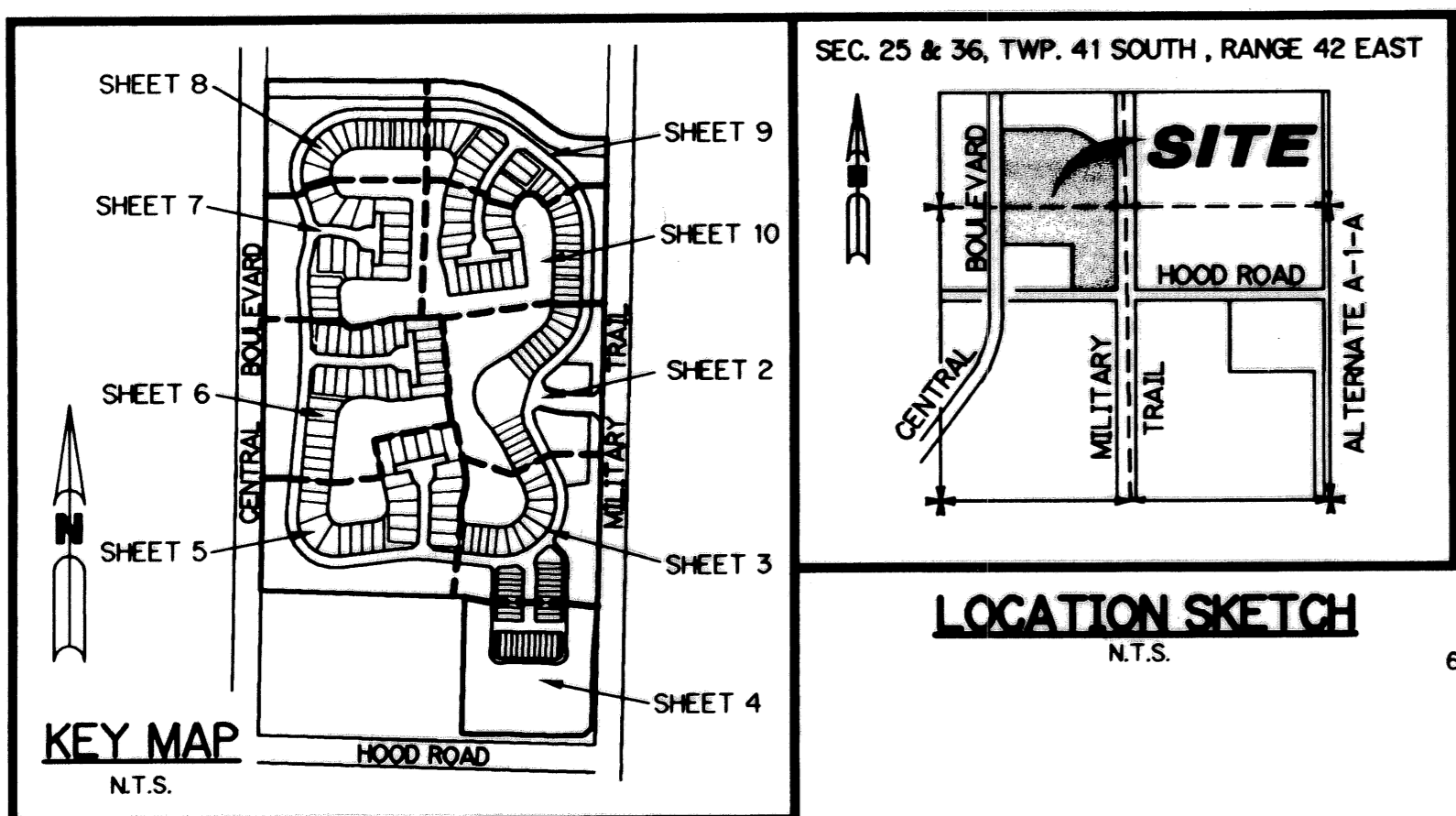
A PARCEL OF LAND SITUATE IN SECTIONS 25 AND 36, TOWNSHIP 41 SOUTH, RANGE 42 EAST, CITY OF PALM BEACH GARDENS, PALM BEACH COUNTY, FLORIDA.

SHEET 1 OF 10 MAY, 2003

# 153

COUNTY OF PALM BEACH )  
STATE OF FLORIDA )  
This Plat was filed for record at 2:24 p.m. on the 14th day of August 2003 and duly recorded in Plat Book No. 49 on page 153. Mrs. 162.  
DOROTHY H. WILKIN, Clerk of Circuit Court  
by *[Signature]* D.

THIS INSTRUMENT PREPARED BY  
DAVID L. SMITH, P.S.M. LS-4951, STATE OF FLORIDA  
LAWSON, NOBLE AND WEBB, INC.  
ENGINEERS PLANNERS SURVEYORS  
420 COLUMBIA DRIVE, SUITE 110  
WEST PALM BEACH, FLORIDA 33409  
LB 6674



### DESCRIPTION

A PARCEL OF LAND SITUATE IN SECTIONS 25 AND 36, TOWNSHIP 41 SOUTH, RANGE 42 EAST, WITHIN THE MUNICIPAL LIMITS OF THE CITY OF PALM BEACH GARDENS, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF THE WEST HALF (W 1/2) OF SAID SECTION 25 LYING SOUTHERLY OF THE SOUTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 5889, AT PAGE 534, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND LYING EASTERLY OF THE EAST RIGHT OF WAY LINE OF CENTRAL BOULEVARD, LESS AND EXCEPTING THEREFROM THE RIGHT OF WAY OF MILITARY TRAIL AND THE LAND CONVEYED TO PALM BEACH COUNTY BY THE RIGHT OF WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 7241, PAGE 600.

TOGETHER WITH THAT PART OF THE WEST HALF (W 1/2) OF SAID SECTION 36 LYING NORTHERLY OF THE NORTH RIGHT OF WAY LINE OF HOOD ROAD AND LYING EASTERLY OF THE EAST RIGHT OF WAY LINE OF CENTRAL BOULEVARD, LESS AND EXCEPTING THEREFROM THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 2982, AT PAGE 131, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, ALSO LESS THE ADDITIONAL RIGHT OF WAYS OF MILITARY TRAIL AND HOOD ROAD CONVEYED IN OFFICIAL RECORDS BOOK 7483, PAGE 1746, ALSO LESS THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 10024, PAGE 784, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

### LESS AND EXCEPTING:

BEING A PARCEL OF LAND LYING IN THE SOUTHWEST ONE-QUARTER OF SECTION 25, TOWNSHIP 41 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 25; THENCE NORTH 01°22'09" EAST, ALONG THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 1,320.98 FEET; THENCE NORTH 88°37'51" WEST, A DISTANCE OF 60.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF MILITARY TRAIL AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 88°37'51" WEST, A DISTANCE OF 100.00 FEET, TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 280.00 FEET; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 37°26'35", A DISTANCE OF 169.91 FEET, TO A POINT OF TANGENCY; THENCE NORTH 51°11'18" WEST, A DISTANCE OF 104.83 FEET, TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 640.00 FEET; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 38°00'40", A DISTANCE OF 424.59 FEET, TO A POINT OF TANGENCY; THENCE NORTH 89°11'56" WEST, A DISTANCE OF 810.71 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF CENTRAL BOULEVARD, AS CONVEYED IN OFFICIAL RECORDS BOOK 5207, PAGE 351 OF THE PUBLIC RECORDS OF SAID PALM BEACH COUNTY; THENCE NORTH 01°48'04" EAST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 640.77 FEET TO A POINT ON THE SOUTH LINE OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 5889, PAGE 534 OF THE PUBLIC RECORDS OF SAID PALM BEACH COUNTY; THENCE SOUTH 88°37'17" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 1,513.78 FEET; THENCE SOUTH 43°37'34" EAST, A DISTANCE OF 56.57 FEET TO SAID WEST RIGHT OF WAY LINE OF MILITARY TRAIL; THENCE SOUTH 01°22'09" WEST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 841.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 89.017 ACRES, MORE OR LESS.

### DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT DIVOSTA & COMPANY, INC., A FLORIDA CORPORATION, AS OWNER OF THE LAND SHOWN HEREON BEING MORE PARTICULARLY DESCRIBED HEREON, HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AS MAGNOLIA BAY, AND DOES HEREBY DEDICATE THE FOLLOWING SPECIFIC EASEMENTS SOLELY FOR THE SPECIFIC PURPOSES DESCRIBED HEREIN, AND DOES ALSO HEREBY DEDICATE OR RESERVE THE SPECIFIC TRACTS AND PARCELS DESCRIBED HEREIN AS FOLLOWS:

- THE STREET TRACT SHOWN AND DESIGNATED HEREON AS TRACT "A" IS HEREBY DEDICATED TO THE MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, NOT-FOR-PROFIT, ITS SUCCESSORS AND/OR ASSIGNS, AS EXCLUSIVE COMMON AREA, EXCLUSIVELY FOR ROADWAY, INGRESS, EGRESS, DRAINAGE, UTILITIES, INCLUDING CATV AND RELATED PURPOSES, SAID STREET TRACT BEING THE PERPETUAL MAINTENANCE RESPONSIBILITY OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF PALM BEACH GARDENS OR THE NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT. THE INGRESS-EGRESS EASEMENT OVER ALL OF TRACT "A", AS SHOWN HEREON, IS HEREBY DEDICATED IN PERPETUITY ON A NON-EXCLUSIVE BASIS TO AND FROM SAID NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT FOR ACCESS TO AND FROM SAID NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT, AND EASEMENTS FOR WATER MANAGEMENT PURPOSES, THE LANDS LYING UNDER SAID INGRESS-EGRESS EASEMENTS BEING THE PERPETUAL MAINTENANCE RESPONSIBILITY OF THE MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, NOT-FOR-PROFIT, ITS SUCCESSORS AND ASSIGNS WITHOUT RECOURSE TO THE CITY OF PALM BEACH GARDENS OR NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT.
- TRACT "B" AS SHOWN HEREON, IS HEREBY DEDICATED TO THE CITY OF PALM BEACH GARDENS FOR PERPETUAL USE FOR ACCESS, UTILITY, DRAINAGE PURPOSES, THE DRAINAGE FACILITIES LYING WITHIN TRACT "B" SHALL BE THE MAINTENANCE RESPONSIBILITY OF THE MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, NOT-FOR-PROFIT, ITS SUCCESSORS AND ASSIGNS, AS EXCLUSIVE COMMON AREA, EXCLUSIVELY FOR ROADWAY, INGRESS, EGRESS, DRAINAGE, UTILITIES, INCLUDING CATV AND RELATED PURPOSES, SAID STREET TRACT BEING THE PERPETUAL MAINTENANCE RESPONSIBILITY OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF PALM BEACH GARDENS OR THE NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT.
- TRACTS "L-1" THROUGH "L-4", AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, NOT-FOR-PROFIT, ITS SUCCESSORS AND ASSIGNS, FOR STORMWATER MANAGEMENT AND DRAINAGE PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND/OR ASSIGNS, WITHOUT RECOURSE TO THE CITY OF PALM BEACH GARDENS.
- THE LIMITED ACCESS EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE CITY OF PALM BEACH GARDENS, FLORIDA, FOR THE PURPOSE OF CONTROL AND JURISDICTION OVER ACCESS RIGHTS.
- TRACTS "OS1" THROUGH "OS27", AS SHOWN HEREON ARE HEREBY RESERVED BY THE MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, NOT-FOR-PROFIT, ITS SUCCESSORS AND/OR ASSIGNS, FOR LANDSCAPING, DRAINAGE AND OPEN SPACE PURPOSES AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND/OR ASSIGNS, WITHOUT RECOURSE TO THE CITY OF PALM BEACH GARDENS.

### DEDICATION (CONTINUED)

- TRACT "R" AS SHOWN HEREON, IS HEREBY RESERVED BY THE MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, NOT-FOR-PROFIT, ITS SUCCESSORS AND/OR ASSIGNS, FOR RECREATIONAL PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO CITY OF PALM BEACH GARDENS.
- THE LAKE MAINTENANCE EASEMENTS AND LAKE MAINTENANCE ACCESS EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, NOT-FOR-PROFIT, ITS SUCCESSORS AND ASSIGNS, FOR ACCESS TO STORMWATER 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 THE CITY OF PALM BEACH GARDENS.
- EASEMENTS FOR DRAINAGE PURPOSES AS SHOWN AND DESIGNATED HEREON AS "D.E." ARE HEREBY DEDICATED TO THE MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, NOT-FOR-PROFIT, ITS SUCCESSORS AND/OR ASSIGNS, AND ARE THE PERPETUAL MAINTENANCE RESPONSIBILITY OF SAID ASSOCIATION, ITS SUCCESSORS AND/OR ASSIGNS WITHOUT RECOURSE TO THE CITY OF PALM BEACH GARDENS. THE CITY OF PALM BEACH GARDENS ITS SUCCESSORS AND ASSIGNS 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 ASSOCIATED WITH SAID DRAINAGE SYSTEM.
- UTILITY EASEMENTS AS SHOWN HEREON AND DESIGNATED AS "U.E." 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 PUBLIC UTILITIES.
- EASEMENTS FOR WATER AND SEWER PURPOSES AS SHOWN HEREON AND DESIGNATED AS "S.E." ARE HEREBY DEDICATED TO THE CITY OF PALM BEACH GARDENS, ITS SUCCESSORS AND/OR ASSIGNS, FOR INSTALLATION, OPERATION AND MAINTENANCE OF WATER AND SEWER FACILITIES.
- A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER STREET TRACT "A" IS HEREBY DEDICATED TO SEACOAST UTILITY AUTHORITY, ITS SUCCESSORS AND/OR ASSIGNS FOR ACCESS PURPOSES ONLY, SAID LAND BEING THE PERPETUAL MAINTENANCE OBLIGATION OF THE MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, NOT-FOR-PROFIT, ITS SUCCESSORS AND ASSIGNS. A NON-EXCLUSIVE EASEMENT ON, OVER AND UNDER STREET TRACT "A" IS HEREBY DEDICATED TO SEACOAST UTILITY AUTHORITY, ITS SUCCESSORS AND/OR ASSIGNS FOR INSTALLATION, OPERATION AND MAINTENANCE OF WATER AND SEWER FACILITIES, AND NO ABOVE GROUND UTILITIES OR APPURTENANCES THERETO ARE TO BE CONSTRUCTED THAT WOULD OBSTRUCT OR PREVENT ACCESS OVER TRACT "A".
- THE PEDESTRIAN ACCESS EASEMENTS AS SHOWN HEREON ARE HEREBY DEDICATED TO THE MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, NOT-FOR-PROFIT, ITS SUCCESSORS AND/OR ASSIGNS, FOR PUBLIC PEDESTRIAN ACCESS PURPOSES AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, NOT-FOR-PROFIT, ITS SUCCESSORS AND/OR ASSIGNS. AN EASEMENT IS HEREBY GRANTED TO PALM BEACH COUNTY AND THE CITY OF PALM BEACH GARDENS OVER THE PEDESTRIAN ACCESS EASEMENTS SHOWN HEREON FOR PUBLIC PEDESTRIAN ACCESS PURPOSES. THE CITY OF PALM BEACH GARDENS AND PALM BEACH COUNTY SHALL HAVE THE RIGHT BUT NOT THE OBLIGATION TO MAINTAIN THE PEDESTRIAN ACCESS EASEMENTS.
- WATER MANAGEMENT TRACT 1, AS SHOWN HEREON, IS HEREBY DEDICATED, IN FEE SIMPLE, TO THE NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT FOR WATER MANAGEMENT PURPOSES. SAID WATER MANAGEMENT TRACT BEING THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND/OR ASSIGNS, WITHOUT RECOURSE TO THE CITY OF PALM BEACH GARDENS OR THE MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, NOT-FOR-PROFIT.
- THE WATER MANAGEMENT EASEMENTS AS SHOWN HEREON, ARE HEREBY DEDICATED TO NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT FOR THE CONSTRUCTION, OPERATION, INSPECTION AND MAINTENANCE OF WATER MANAGEMENT FACILITIES, THE LANDS THEREIN AND THEREUNDER BEING THE PERPETUAL MAINTENANCE OBLIGATION OF THE MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, NOT-FOR-PROFIT, ITS SUCCESSORS AND/OR ASSIGNS, WITHOUT RECOURSE TO SAID NORTHERN AND WITHOUT RECOURSE TO THE CITY OF PALM BEACH GARDENS. SAID NORTHERN SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO CONSTRUCT, OPERATE, INSPECT AND MAINTAIN WATER MANAGEMENT FACILITIES WITHIN THESE EASEMENTS. THERE SHALL BE NO BUILDINGS, STRUCTURES, CONSTRUCTION OF ANY TREES OR SHRUBS, ETC. PLACED ON OR INSTALLATION OF UTILITIES OR EXCAVATION ON SUCH EASEMENTS DEDICATED TO THE NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT, AS SHOWN HEREON, UNLESS APPROVED, IN PERMIT FORM, BY THE CITY OF PALM BEACH GARDENS AND SAID DISTRICT.
- THE WATER MANAGEMENT MAINTENANCE EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT FOR USE FOR ACCESS AND MAINTENANCE OF ADJACENT WATER MANAGEMENT FACILITIES, SAID EASEMENTS BEING THE PERPETUAL MAINTENANCE OBLIGATION OF THE MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, NOT-FOR-PROFIT, ITS SUCCESSORS AND/OR ASSIGNS, WITHOUT RECOURSE TO SAID NORTHERN AND WITHOUT RECOURSE TO THE CITY OF PALM BEACH GARDENS.
- THE 14 FOOT INGRESS EGRESS EASEMENT AS SHOWN HEREON IS HEREBY DEDICATED TO THE CITY OF PALM BEACH GARDENS FOR EMERGENCY VEHICLE ACCESS AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, NOT-FOR-PROFIT, ITS SUCCESSORS AND/OR ASSIGNS. THE CITY OF PALM BEACH GARDENS SHALL HAVE THE RIGHT BUT NOT THE OBLIGATION TO MAINTAIN SAID EASEMENTS.
- TRACTS "U-1" THROUGH "U-11", UPLAND PRESERVES, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, NOT-FOR-PROFIT, ITS SUCCESSORS AND/OR ASSIGNS, FOR COMMON CONSERVATION PURPOSES AND THE PERPETUAL RESPONSIBILITY OF SAID ASSOCIATION. THESE CONSERVATION AREAS MAY IN NO WAY BE ALTERED FROM THEIR NATURAL STATE. ACTIVITIES PROHIBITED WITHIN THE CONSERVATION AREAS INCLUDE, BUT ARE NOT LIMITED TO, CONSTRUCTION OR PLACING OF BUILDINGS OR ABOVE GROUND, DUMPING OR PLACING SOIL OR OTHER SUBSTANCES SUCH AS TRASH, REMOVAL OR DESTRUCTION OF TREES, SHRUBS, OR OTHER VEGETATION WITH EXCEPTION OF EXOTIC/NUISANCE VEGETATION REMOVAL. ANY OTHER ACTIVITIES DETRIMENTAL TO DRAINAGE, FLOOD CONTROL WATER CONSERVATION, EROSION CONTROL OR FISH AND WILDLIFE HABITAT CONSERVATION OR PRESERVATION.
- BUFFER EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED FOR THE MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, NOT-FOR-PROFIT, ITS SUCCESSORS AND ASSIGNS, FOR BUFFER PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION WITHOUT RECOURSE TO THE CITY OF PALM BEACH GARDENS. THERE SHALL BE NO LANDSCAPING IN THE PORTION OF A BUFFER EASEMENT THAT OVERLAPS ANOTHER EASEMENT EXCEPT IN ACCORDANCE WITH SURVEYOR'S NOTE 4.

IN WITNESS WHEREOF, THE ABOVE NAMED CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS PRESIDENT, AND ITS CORPORATE SEAL TO BE AFFIXED, HERETO BY AND WITH THE AUTHORITY OF THEIR BOARD OF DIRECTORS THIS DAY 24 OF JUNE, 2003.

DIVOSTA & COMPANY, INC. BY: *[Signature]*  
A FLORIDA CORPORATION HARMON D. SMITH, PRESIDENT

WITNESS: *[Signature]* WITNESS: *[Signature]*  
PRINTED NAME: William E. Shannon PRINTED NAME: Christine Sealamandee

### ACKNOWLEDGMENT:

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
BEFORE ME PERSONALLY APPEARED HARMON D. SMITH WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED 24 AS IDENTIFICATION AND WHO EXECUTED THE FOREGOING INSTRUMENT AS PRESIDENT OF DIVOSTA & COMPANY, 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 DUL AND REGULAR CORPORATE AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION. WITNESS MY HAND AND OFFICIAL SEAL THIS 24 DAY OF June, 2003.

8/31/06  
MY COMMISSION EXPIRES: *[Signature]*  
NOTARY PUBLIC - STATE OF FLORIDA  
*[Signature]*  
Christine Sealamandee  
PRINT NOTARY NAME HERE

### ACCEPTANCE OF RESERVATIONS:

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A NOT-FOR-PROFIT FLORIDA CORPORATION, HEREBY ACCEPTS THE DEDICATIONS OR RESERVATIONS TO SAID ASSOCIATION AS STATED AND SHOWN HEREON, AND HEREBY ACCEPTS MAINTENANCE OBLIGATIONS FOR SAME AS STATED HEREON, DATED THIS 24 DAY OF June, 2003.

MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, NOT-FOR-PROFIT  
WITNESS: *[Signature]* BY: *[Signature]*  
PRINTED NAME: William E. Shannon RICHARD E. GREENE, PRESIDENT

WITNESS: *[Signature]*  
PRINTED NAME: Christine Sealamandee

### ACKNOWLEDGMENT:

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
BEFORE ME PERSONALLY APPEARED RICHARD E. GREENE, WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED 24 AS IDENTIFICATION AND WHO EXECUTED THE FOREGOING INSTRUMENT AS PRESIDENT OF MAGNOLIA BAY GARDENS HOMEOWNERS ASSOCIATION, INC., A NOT-FOR-PROFIT FLORIDA CORPORATION, AND 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 DUL AND REGULAR CORPORATE AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION. WITNESS MY HAND AND OFFICIAL SEAL THIS 24 DAY OF June, 2003.

8/31/06  
MY COMMISSION EXPIRES: *[Signature]*  
NOTARY PUBLIC - STATE OF FLORIDA  
*[Signature]*  
Christine Sealamandee  
PRINT NOTARY NAME HERE

### NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT ACCEPTANCE

THE NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT HEREBY ACCEPTS THE FEE SIMPLE DEDICATION OF, AND THE PERPETUAL MAINTENANCE OBLIGATION OF THE WATER MANAGEMENT TRACT 1, AS SHOWN HEREON; AND HEREBY ACCEPTS THE WATER MANAGEMENT EASEMENTS, WATER MANAGEMENT MAINTENANCE EASEMENTS AND THE INGRESS AND EGRESS EASEMENT OVER ALL OF TRACT "A" AS SHOWN HEREON, AND HEREBY ACKNOWLEDGES SAID NORTHERN HAS NO MAINTENANCE OBLIGATION ON OR UNDER THE LANDS OVER WHICH SAID EASEMENTS LIE; AND HEREBY ACCEPTS THE RIGHT, BUT NOT THE OBLIGATION TO CONSTRUCT, OPERATE, INSPECT AND MAINTAIN ITS WATER MANAGEMENT FACILITIES LYING WITHIN SAID WATER MANAGEMENT EASEMENTS.

IN WITNESS WHEREOF, NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT HAS CAUSED THESE PRESENTS TO BE SIGNED BY PAMELA M. RAUCH, ITS PRESIDENT, AND ONEAL BARON, JR., ITS SECRETARY, AND ITS SEAL TO BE AFFIXED, HERETO BY AND WITH THE AUTHORITY OF ITS BOARD OF SUPERVISORS, THIS 26 DAY OF JUNE, 2003.

NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT  
BY: *[Signature]* ATTEST: *[Signature]*  
PAMELA M. RAUCH, PRESIDENT ONEAL BARON, JR., SECRETARY  
BOARD OF SUPERVISORS BOARD OF SUPERVISORS

### TITLE CERTIFICATION:

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
WE, AMERICAN TITLE OF THE PALM BEACHES CORPORATION, A TITLE INSURANCE COMPANY, AS 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 DIVOSTA AND COMPANY, INC., A FLORIDA CORPORATION; THAT THE CURRENT TAXES HAVE BEEN PAID; AND THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD OR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON; AND THAT THERE ARE NO OTHER ENCUMBRANCES OF RECORD.

AMERICAN TITLE OF THE PALM BEACHES CORPORATION  
BY: *[Signature]* DATE: June 24, 2003  
WILLIAM E. SHANNON, PRESIDENT

### REVIEWING SURVEYOR

THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY IN ACCORDANCE WITH CHAPTER 177.081 OF THE FLORIDA STATUTES AND THE ORDINANCES OF THE CITY OF PALM BEACH GARDENS. THIS REVIEW DOES NOT INCLUDE THE VERIFICATION OF THE GEOMETRIC DATA OR THE FIELD VERIFICATION OF THE PERMANENT CONTROL POINTS (P.C.P.) AND MONUMENTS AT LOT CORNERS.

BY: *[Signature]* DATE: July 4, 2003  
O. HOWARD DUKES, P.S.M.  
PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NO. 4533

### CITY APPROVALS

CITY OF PALM BEACH GARDENS  
COUNTY OF PALM BEACH, FLORIDA  
THIS PLAT IS HEREBY APPROVED FOR RECORD  
DATED THIS 24 DAY OF JUNE, 2003.

BY: *[Signature]*  
ERIC HADFIELD, CITY ENGINEER  
ATTEST: *[Signature]*  
PATRICIA SNIDER - CITY CLERK

### CITY ENGINEER

THIS PLAT IS HEREBY ACCEPTED FOR RECORD  
THIS 17 DAY OF July, 2003.  
BY: *[Signature]*  
DANIEL P. CLARK, P.E. - CITY ENGINEER

### SURVEYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON WAS PREPARED UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION AND THAT IT IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED 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 SEC. 177.091 (2) F.S. WILL BE SET UNDER THE GUARANTEES POSTED WITH THE CITY OF PALM BEACH GARDENS FOR THE REQUIRED IMPROVEMENTS AND FURTHER THAT THE PLAT DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE CITY OF PALM BEACH GARDENS.  
BY: *[Signature]* DATE: 6-24-03  
DAVID L. SMITH, P.S.M.  
PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NO. LS-4951, STATE OF FLORIDA  
LAWSON, NOBLE AND WEBB, INC. LB 6674  
420 COLUMBIA DRIVE, SUITE 110  
WEST PALM BEACH, FLORIDA 33409

### SURVEYOR'S NOTES:

- "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."
- WHERE DRAINAGE AND UTILITY EASEMENTS INTERSECT, DRAINAGE EASEMENTS WILL TAKE PRECEDENCE.
- THERE SHALL BE NO TREES, SHRUBS, OR LANDSCAPING PLACED ON WATER AND SEWER EASEMENTS OR DRAINAGE EASEMENTS, EXCEPT AS SHOWN ON THE APPROVED FINAL DEVELOPMENT PLAN AND/OR LANDSCAPE PLAN.
- NO BUILDINGS OR IMPROVEMENTS OF ANY KIND, TREE OR SHRUB, INCLUDING ANY CONNECTION OR MODIFICATION TO THE CANALS SHALL BE PLACED ON ANY EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE CITY OR COUNTY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS.
- APPROVAL OF LANDSCAPING ON UTILITY EASEMENTS SHALL BE ONLY WITH THE APPROVAL OF THE UTILITIES OCCUPYING SAME.
- LOT LINES ARE RADIAL UNLESS NOTED (N.R.) - NON-RADIAL (R.F.) - RADIAL TO FRONT (R.R.) - RADIAL TO REAR
- BEARINGS SHOWN HEREON ARE RELATIVE TO THE EAST LINE OF NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 41 SOUTH, RANGE 42 EAST OF PALM BEACH COUNTY, FLORIDA, WHICH IS ASSUMED TO BEAR NORTH 01°13'53" EAST.

