

# COLONY PRESERVE, P.U.D.

A PARCEL OF LAND LYING AND BEING WITHIN THE NORTHEAST QUARTER (N.E. 1/4) OF THE SOUTHEAST QUARTER (S.E. 1/4) OF SECTION 2, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA

SHEET 1 OF 5 APRIL, 2003

COUNTY OF PALM BEACH ) ss  
 STATE OF FLORIDA )  
 This Plat was filed for record at P M.  
 This day of January 20 2004  
 and duly recorded in Plat Book No. 101  
 on page 19-23  
 DOROTHY H. WILKIN, Clerk of Circuit Court  
 by *Alison Federal* Notary Public



### DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE COLONY PRESERVE, LLC, A FLORIDA LIMITED LIABILITY COMPANY, OWNER OF THE LAND SHOWN HEREON AS COLONY PRESERVE, P.U.D., LYING AND BEING WITHIN THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 2, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 2; THENCE SOUTH 02°11'12" EAST, ALONG THE EAST LINE OF SAID SECTION 2, A DISTANCE OF 66.02 FEET; THENCE SOUTH 89°09'07" WEST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT LATERAL L-29, PER CHANCERY CASE 407, A DISTANCE OF 60.02 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 02°11'12" EAST, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF MILITARY TRAIL (STATE ROAD 809) FOR THE FOLLOWING FIVE COURSES, A DISTANCE OF 604.75 FEET; THENCE SOUTH 89°09'35" WEST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 02°11'12" EAST, A DISTANCE OF 114.98 FEET; THENCE SOUTH 02°24'07" WEST, A DISTANCE OF 75.00 FEET; THENCE SOUTH 02°11'12" EAST, A DISTANCE OF 360.94 FEET; THENCE SOUTH 43°29'55" WEST, ALONG THE NORTHERLY RIGHT-OF-WAY OF FLAVOR PICT ROAD FOR THE FOLLOWING FIVE COURSES, A DISTANCE OF 54.58 FEET; THENCE SOUTH 89°11'02" WEST, A DISTANCE OF 400.00 FEET; THENCE SOUTH 88°02'15" WEST, A DISTANCE OF 150.11 FEET; THENCE SOUTH 88°03'21" WEST, A DISTANCE OF 49.89 FEET; THENCE SOUTH 89°11'00" WEST, A DISTANCE OF 648.28 FEET; THENCE NORTH 01°53'38" WEST, ALONG THE WEST LINE OF THE EAST 33 FEET OF THE NORTHWEST (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 2, A DISTANCE OF 1197.40 FEET; THENCE NORTH 89°08'07" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT LATERAL L-29, A DISTANCE OF 1297.24 FEET TO THE POINT OF BEGINNING.

CONTAINING 35.490 ACRES, MORE OR LESS.

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

- TRACT "A" AS SHOWN HEREON, IS HEREBY RESERVED FOR COLONY PRESERVE OF BOYNTON BEACH HOMEOWNERS ASSOCIATION, INC., 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 "B", AS SHOWN HEREON, IS HEREBY RESERVED FOR COLONY PRESERVE OF BOYNTON BEACH HOMEOWNERS ASSOCIATION, INC., 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 "BT1", AS SHOWN HEREON, IS HEREBY RESERVED FOR COLONY PRESERVE OF BOYNTON BEACH HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS FOR BUFFER AND LANDSCAPE PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.
- TRACTS "C1" AND "C2", AS SHOWN HEREON, ARE HEREBY RESERVED FOR COLONY PRESERVE OF BOYNTON BEACH HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR PRIVATE CIVIC PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.
- TRACT "D", AS SHOWN HEREON, IS HEREBY DEDICATED TO THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, FOR THE PERPETUAL USE OF THE PUBLIC FOR THE PUBLIC STREET PURPOSES.
- TRACT "L", THE WATER MANAGEMENT TRACT AS SHOWN HEREON, IS HEREBY RESERVED FOR COLONY PRESERVE OF BOYNTON BEACH HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR STORMWATER MANAGEMENT AND DRAINAGE PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS WITHOUT RECOURSE TO PALM BEACH COUNTY, AND ARE SUBJECT TO AN EXISTING LITTORAL ZONE RESTRICTIVE COVENANT AGREEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 12332, PAGE 1002, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- TRACTS "OS1" THROUGH "OS6" AS SHOWN HEREON, ARE HEREBY RESERVED FOR COLONY PRESERVE OF BOYNTON BEACH HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR OPEN SPACE PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.
- TRACT "R", AS SHOWN HEREON, IS HEREBY RESERVED FOR THE COLONY PRESERVE OF BOYNTON BEACH HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR RECREATIONAL PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.
- TRACT "P", AS SHOWN HEREON, IS HEREBY RESERVED FOR THE COLONY PRESERVE OF BOYNTON BEACH HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR VEGETATION PRESERVATION PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY. THIS PERPETUAL MAINTENANCE OBLIGATION IS SET FORTH IN THE PRESERVATION MANAGEMENT PLAN REQUIRED BY THE PALM BEACH COUNTY UNIFIED LAND DEVELOPMENT CODE, SECTION 9.5.

10. BUFFER EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED FOR COLONY PRESERVE OF BOYNTON BEACH HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR BUFFER PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION WITHOUT RECOURSE TO PALM BEACH COUNTY. THERE SHALL BE NO LANDSCAPING IN THE PORTION OF A BUFFER EASEMENT THAT OVERLAPS ANOTHER EASEMENT EXCEPT IN ACCORDANCE WITH SURVEYOR'S NOTE 2.

11. 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 COLONY PRESERVE OF BOYNTON BEACH HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY. 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, LAKE MAINTENANCE, AND LAKE MAINTENANCE ACCESS EASEMENTS AND PRIVATE ROADS ASSOCIATED WITH SAID DRAINAGE SYSTEM.

12. THE LAKE MAINTENANCE EASEMENTS AND LAKE MAINTENANCE ACCESS EASEMENTS, AS SHOWN HEREON, ARE HEREBY RESERVED FOR COLONY PRESERVE OF BOYNTON BEACH HOMEOWNERS ASSOCIATION, INC., 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 PALM BEACH COUNTY.

13. OVERHANG EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE LOT OWNER WHOSE DWELLING UNIT ABUTS SAID EASEMENT, ITS SUCCESSORS AND ASSIGNS, FOR ROOF OVERHANG, UTILITY SERVICES, AND BUILDING MAINTENANCE PURPOSES WITHOUT RECOURSE TO PALM BEACH COUNTY.

14. PEDESTRIAN ACCESS EASEMENTS, AS SHOWN HEREON, ARE HEREBY RESERVED FOR THE COLONY PRESERVE OF BOYNTON BEACH HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR PEDESTRIAN ACCESS. THE MAINTENANCE OF ALL PEDESTRIAN FACILITIES INSTALLED THEREIN SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION WITHOUT RECOURSE TO PALM BEACH COUNTY.

15. 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.

16. THE LIMITED ACCESS EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, FOR THE PURPOSE OF CONTROL AND JURISDICTION OVER ACCESS RIGHTS.

17. LANDSCAPE EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED FOR COLONY PRESERVE OF BOYNTON BEACH HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR LANDSCAPE PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION WITHOUT RECOURSE TO PALM BEACH COUNTY. THERE SHALL BE NO LANDSCAPING IN THE PORTION OF A LANDSCAPE EASEMENT THAT OVERLAPS ANOTHER EASEMENT EXCEPT IN ACCORDANCE WITH SURVEYOR'S NOTE 2.

IN WITNESS WHEREOF, THE ABOVE NAMED LIMITED LIABILITY COMPANY HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MEMBER, THIS 22 DAY OF Sept, 2003.

THE COLONY PRESERVE, LLC, A FLORIDA LIMITED LIABILITY COMPANY

WITNESS: *Alison Federal* BY: *Richard Spirio* RICHARD SPIRIO, MEMBER

WITNESS: *Charles Halberstam*

### ACKNOWLEDGMENT

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED RICHARD SPIRIO, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED *Alison Federal* AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS MEMBER OF THE COLONY PRESERVE, LLC AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID COMPANY, 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 COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL THIS 22 DAY OF Sept, 2003.

NOTARY PUBLIC: *Alison Federal*

PRINT NAME: *Alison Federal* MY COMMISSION EXPIRES: *Exp 3-25-2005*

NOTARY PUBLIC STATE OF FLORIDA ALISON FEDERAL MY COMMISSION # 00006768 EXPIRES: MARCH 25, 2005

### ACCEPTANCE OF RESERVATIONS

STATE OF FLORIDA  
COUNTY OF PALM BEACH

COLONY PRESERVE OF BOYNTON BEACH HOMEOWNERS ASSOCIATION, INC., HEREBY ACCEPTS THE DEDICATIONS AND RESERVATIONS TO SAID ASSOCIATION AS STATED HEREON, AND HEREBY ACCEPTS ITS MAINTENANCE OBLIGATIONS FOR SAME AS STATED HEREON, DATED THIS 22 DAY OF Sept, 2003.

COLONY PRESERVE OF BOYNTON BEACH HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION NOT FOR PROFIT

BY: *Richard Spirio* RICHARD SPIRIO, VICE PRESIDENT

WITNESS: *Alison Federal*

PRINT NAME: *Alison Federal*

WITNESS: *Charles Halberstam*

PRINT NAME: *Charles Halberstam*

### ACKNOWLEDGMENT

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED RICHARD SPIRIO, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED *Alison Federal* AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS VICE PRESIDENT OF COLONY PRESERVE HOMEOWNERS ASSOCIATION, INC., 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 22 DAY OF Sept, 2003.

NOTARY PUBLIC: *Alison Federal*

PRINT NAME: *Alison Federal* MY COMMISSION EXPIRES: *Exp 3-25-2005*

NOTARY PUBLIC STATE OF FLORIDA ALISON FEDERAL MY COMMISSION # 00006768 EXPIRES: MARCH 25, 2005

### SITE PLAN DATA

ZONING PETITION NO. PDD2002-038.004  
TOTAL AREA 35.49 AC.  
TOTAL DWELLING UNITS 143  
DENSITY 4.03 DU/AC.

### COLONY PRESERVE

THIS INSTRUMENT PREPARED BY WILBUR F. DIVINE, P.S.M. 4190, STATE OF FLORIDA  
LAWSON, NOBLE AND WEBB, INC.  
ENGINEERS PLANNERS SURVEYORS  
420 COLUMBIA DRIVE, SUITE 110  
WEST PALM BEACH, FLORIDA 33409  
LB6674

### TITLE CERTIFICATION

STATE OF FLORIDA  
COUNTY OF PALM BEACH

I, NORMAN LEOPOLD, ATTORNEY, DULY LICENSED IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED TITLE TO THE HEREON DESCRIBED PROPERTY; THAT I FIND THE TITLE TO THE PROPERTY IS VESTED IN THE COLONY PRESERVE, LLC, A FLORIDA LIMITED LIABILITY COMPANY, THAT THE 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.

LEOPOLD, KORN, & LEOPOLD, P.A.

BY: *Norman Leopold* NORMAN LEOPOLD

DATE: *9/19/03* *10/31/03*

### COUNTY ENGINEER

THIS PLAT IS HEREBY APPROVED FOR RECORD PURSUANT TO PALM BEACH COUNTY ORDINANCE 95-33, AND IN ACCORDANCE WITH SECTION 177.07(2), FLORIDA STATUTES, THIS 23 DAY OF September, 2004, AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR & MAPPER EMPLOYED BY PALM BEACH COUNTY IN ACCORDANCE WITH SECTION 177.081 (1) FLORIDA STATUTES.

BY: *George T. Webb* GEORGE T. WEBB, P.E.  
COUNTY ENGINEER

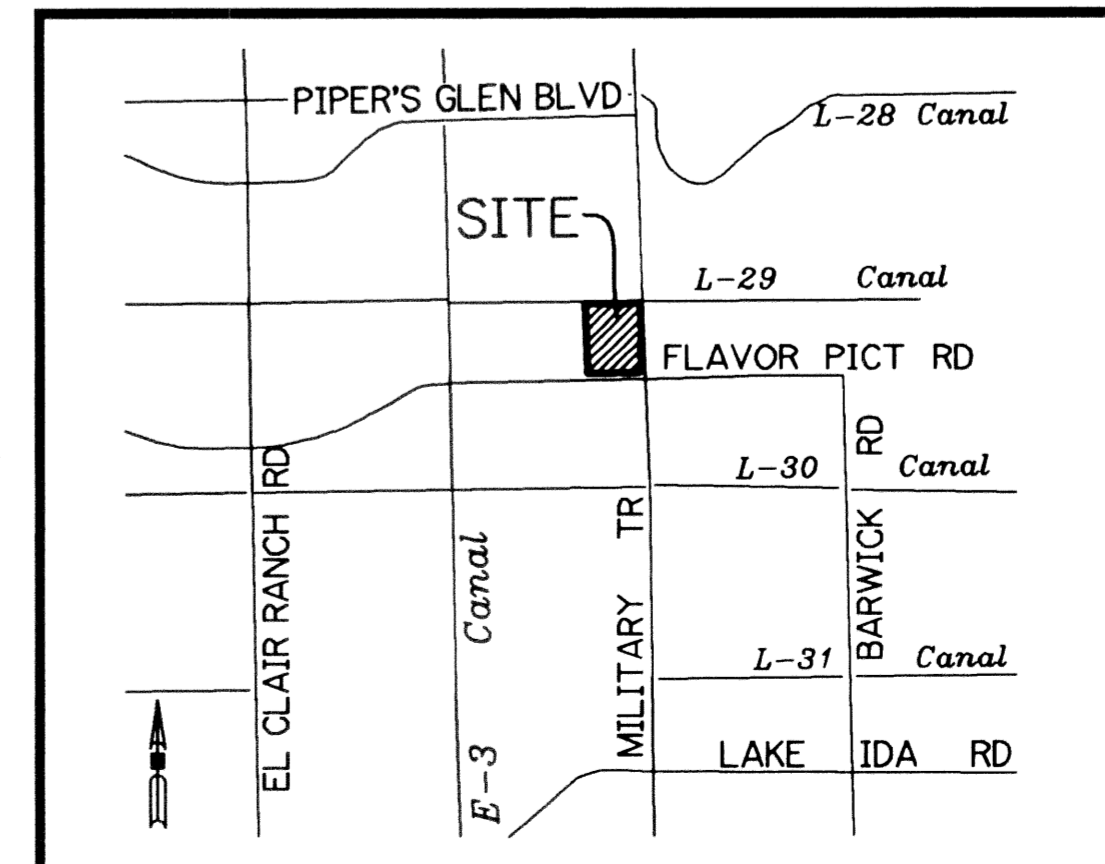
DATE: *01/23/04*

### SURVEYOR'S CERTIFICATE

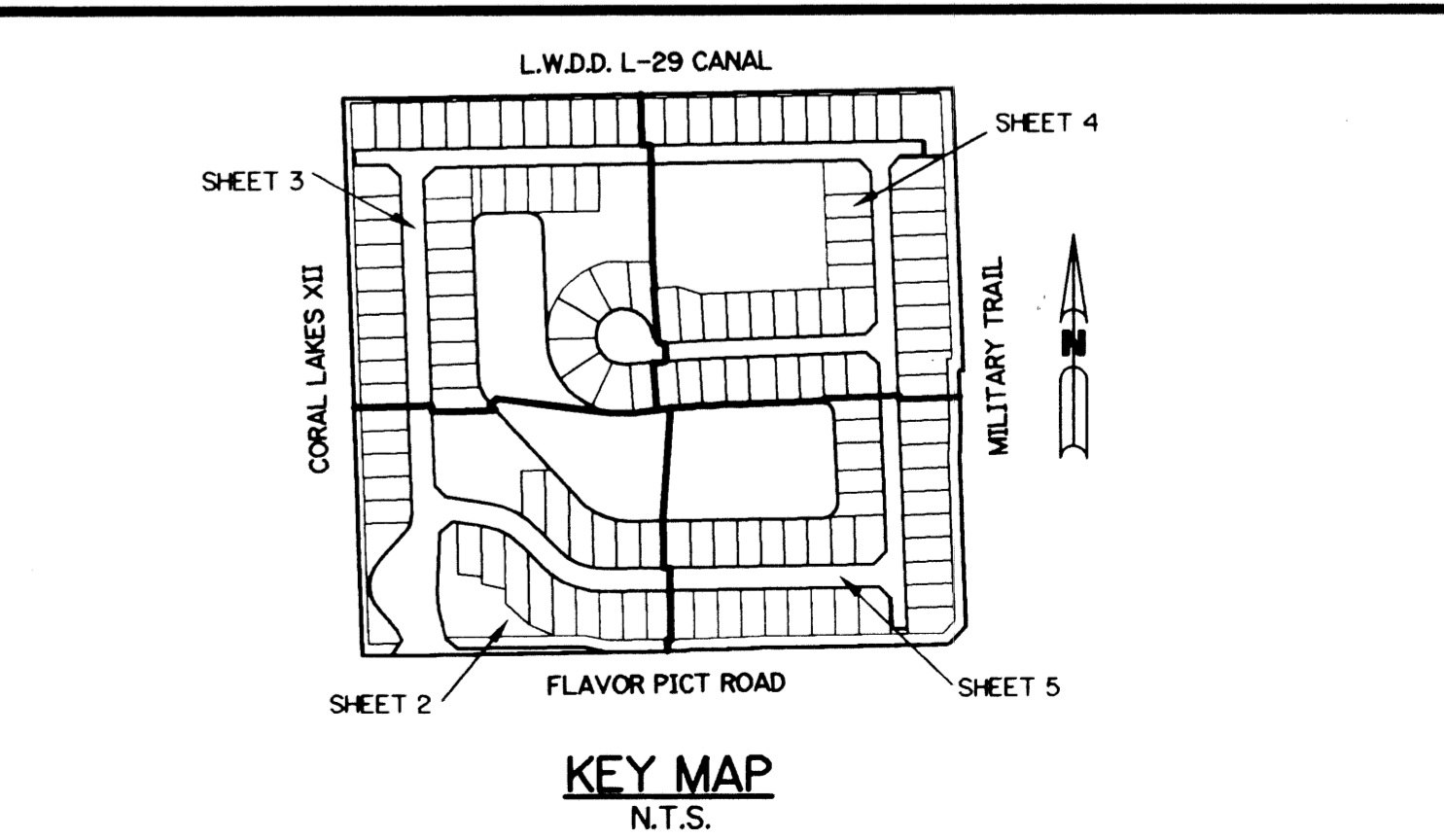
THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.S") HAVE BEEN PLACED AS REQUIRED BY LAW AND THAT PERMANENT CONTROL POINTS ("P.C.P.'S") AND MONUMENTS ACCORDING TO SEC. 177.091 (9) F.S., 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.

BY: *Wilbur F. Divine* WILBUR F. DIVINE, PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NO. 4190, STATE OF FLORIDA

DATE: *9/25/03*



LOCATION MAP N.T.S. SEC. 2 TWP. 46 S RGE. 42 E



KEY MAP N.T.S.

SUBDIVISION COLONY PRESERVE PUD  
BLOCK 101 PAGE 19 FLOOD MAP # 205 B  
REGULATORY ZONE B ZONING PUD  
QUAD # 20 SE ZIP CODE 33430  
TAZ 415 PUD NAME COLONY PRESERVE

