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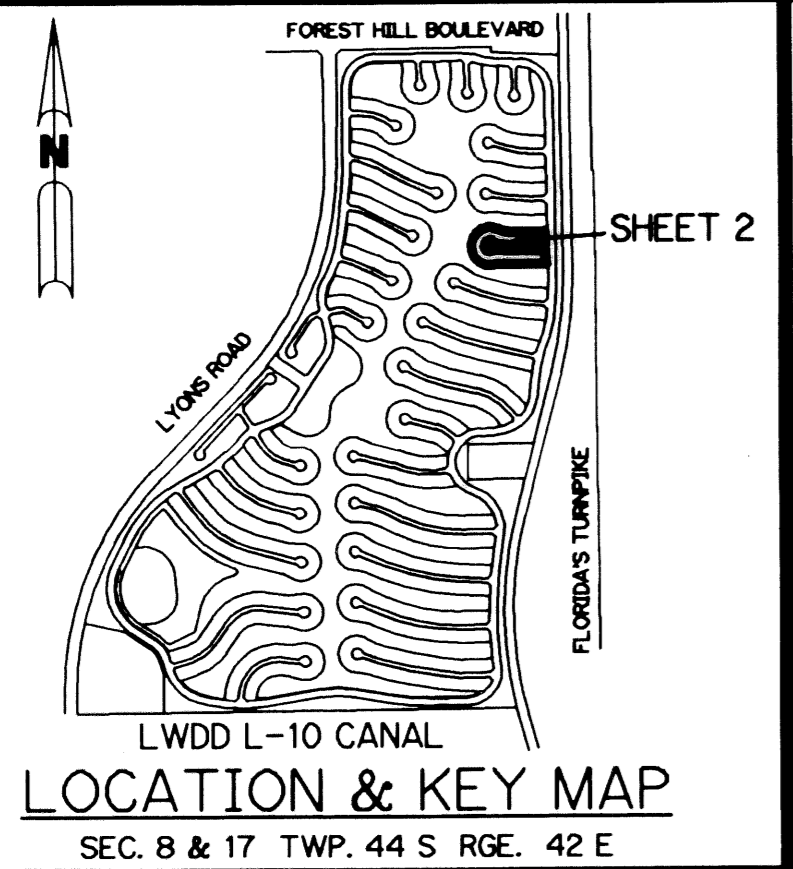
# VILLAGEWALK OF WELLINGTON - PLAT 3B

BEING A REPLAT OF LOTS 251 THROUGH 267, INCLUSIVE, ACCORDING TO THE PLAT OF VILLAGEWALK OF WELLINGTON - PLAT THREE AS RECORDED IN PLAT BOOK 99, PAGES 6 THROUGH 13, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LYING IN SECTION 17, TOWNSHIP 44 SOUTH, RANGE 42 EAST. VILLAGE OF WELLINGTON, PALM BEACH COUNTY, FLORIDA

SHEET 1 OF 2 FEBRUARY, 2004

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

COUNTY OF PALM BEACH )  
STATE OF FLORIDA ) ss  
This Plat was filed for record at )  
the City of West Palm Beach, Florida )  
on page 181-182 )  
of Plat Book No. 101 )  
by David L. Smith, P.S.M., )  
Notary Public, State of Florida )  
by Alvin S. Johnson )



### DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT DIVOSTA HOMES, L.P., A DELAWARE LIMITED PARTNERSHIP, OWNER OF THE LAND SHOWN HEREON, BEING IN SECTION 17, TOWNSHIP 44 SOUTH, RANGE 42 EAST, VILLAGE OF WELLINGTON, PALM BEACH COUNTY, FLORIDA, SHOWN HEREON AS VILLAGEWALK OF WELLINGTON - PLAT 3B AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 251 THROUGH 267, INCLUSIVE, ACCORDING TO THE PLAT OF VILLAGEWALK OF WELLINGTON - PLAT THREE AS RECORDED IN PLAT BOOK 99, PAGES 6 THROUGH 13, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LYING IN SECTION 17, TOWNSHIP 44 SOUTH, RANGE 42 EAST, VILLAGE OF WELLINGTON, PALM BEACH COUNTY, FLORIDA.

CONTAINING 203,502.86 SQUARE FEET OR 4.67 ACRES, MORE OR LESS.

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

- THE DRAINAGE EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO VILLAGEWALK OF WELLINGTON HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION NOT FOR PROFIT, ITS SUCCESSORS AND ASSIGNS, FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF STORMWATER AND DRAINAGE FACILITIES. THE MAINTENANCE OF ALL FACILITIES LOCATED THEREIN SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE VILLAGEWALK OF WELLINGTON HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION NOT FOR PROFIT, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE VILLAGE OF WELLINGTON, FLORIDA.

THE VILLAGE OF WELLINGTON 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.

- THE TEN FOOT WIDE UTILITY EASEMENTS RUNNING ADJACENT TO AND PARALLEL WITH THE TRACTS FOR PRIVATE ROAD PURPOSES, AND DRIVEWAY/PARKING TRACTS, AS SHOWN HEREON, ARE NON-EXCLUSIVE 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, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, NO BUILDINGS, STRUCTURES, IMPROVEMENTS, TREES, WALLS OR FENCES SHALL BE INSTALLED WITHIN THESE EASEMENTS WITHOUT THE PRIOR WRITTEN APPROVAL OF THE PALM BEACH COUNTY WATER UTILITIES DEPARTMENT, ITS SUCCESSORS AND ASSIGNS.

- VILLAGEWALK TRACT V6, AS SHOWN HEREON, IS HEREBY DEDICATED TO THE VILLAGEWALK OF WELLINGTON HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION NOT FOR PROFIT, ITS SUCCESSORS AND ASSIGNS, FOR ACCESS PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION WITHOUT RECOURSE TO THE VILLAGE OF WELLINGTON, FLORIDA.

IN WITNESS WHEREOF, DIVOSTA HOMES HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND GENERAL PARTNER OF DIVOSTA HOMES, L.P., A DELAWARE LIMITED PARTNERSHIP, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS PRESIDENT AND ATTESTED BY ITS VICE PRESIDENT AND ITS CORPORATE SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS,

THIS 1<sup>st</sup> DAY OF April, 2004.

DIVOSTA HOMES, L.P.,  
A DELAWARE LIMITED PARTNERSHIP  
BY: DIVOSTA HOMES HOLDINGS, LLC,  
A DELAWARE LIMITED LIABILITY COMPANY,  
ITS GENERAL PARTNER

BY: Harmon D. Smith as President, Richard E. Greene as Vice President  
HARMON D. SMITH, PRESIDENT  
RICHARD E. GREENE, VICE PRESIDENT

WITNESS AS TO BOTH:  
Phillip V. Sobel, WITNESS  
Debra Ortiz, WITNESS

### ACKNOWLEDGEMENT:

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED HARMON D. SMITH AND RICHARD E. GREENE WHO ARE PERSONALLY KNOWN TO ME, OR HAVE PRODUCED AS IDENTIFICATION AND DID / DID NOT TAKE AN OATH AND WHO EXECUTED THE FOREGOING INSTRUMENT AS PRESIDENT AND VICE PRESIDENT RESPECTIVELY OF DIVOSTA HOMES HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND GENERAL PARTNER OF DIVOSTA HOMES, L.P., A DELAWARE LIMITED PARTNERSHIP, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT THEY EXECUTED SUCH INSTRUMENT AS SUCH OFFICERS 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 1<sup>st</sup> DAY OF April, 2004.

8/31/06  
MY COMMISSION EXPIRES:  
Christine Scalamanade  
NOTARY PUBLIC - STATE OF FLORIDA  
Christine Scalamanade  
PRINT NOTARY NAME HERE  
COMMISSION NO. DD118351

### ACCEPTANCE OF RESERVATIONS:

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
VILLAGEWALK OF WELLINGTON 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 SAID ASSOCIATION HEREON, DATED THIS 1<sup>st</sup> DAY OF April, 2004.

VILLAGEWALK OF WELLINGTON HOMEOWNERS ASSOCIATION, INC.,  
A FLORIDA CORPORATION NOT FOR PROFIT  
WITNESS: Richard E. Greene as President  
BY: Richard E. Greene  
RICHARD E. GREENE, PRESIDENT  
WITNESS: Christine Scalamanade  
PRINT NAME: Christine Scalamanade

### ACKNOWLEDGEMENT:

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED RICHARD E. GREENE, WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED AS IDENTIFICATION AND DID/DID NOT TAKE AN OATH, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS PRESIDENT OF VILLAGEWALK OF WELLINGTON HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION NOT FOR PROFIT 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 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 1<sup>st</sup> DAY OF April, 2004.

8/31/06  
MY COMMISSION EXPIRES:  
Christine Scalamanade  
NOTARY PUBLIC - STATE OF FLORIDA  
Christine Scalamanade  
PRINT NOTARY NAME HERE  
COMMISSION NO. DD118351

### APPROVAL OF PLAT AND ACCEPTANCE OF DEDICATION

VILLAGE OF WELLINGTON:  
STATE OF FLORIDA  
COUNTY OF PALM BEACH

THE VILLAGE OF WELLINGTON ITS SUCCESSORS AND ASSIGNS, HEREBY APPROVES THE PLAT AND ACCEPTS THE DEDICATION TO SAID VILLAGE OF WELLINGTON AS STATED, AND SHOWN HEREON DATED THIS 1<sup>st</sup> DAY OF April, 2004.

VILLAGE OF WELLINGTON,  
A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA  
BY: Thomas M. Wenham ATTEST: Awilda Rodriguez  
THOMAS M. WENHAM MAYOR  
AWILDA RODRIGUEZ VILLAGE CLERK

### ACKNOWLEDGEMENT:

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED THOMAS M. WENHAM AND AWILDA RODRIGUEZ WHO ARE PERSONALLY KNOWN TO ME AND WHO EXECUTED THE FOREGOING INSTRUMENT AS MAYOR AND VILLAGE CLERK OF THE VILLAGE OF WELLINGTON, A FLORIDA POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT THEY EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID VILLAGE, AND THAT THE FOREGOING SEAL AFFIXED TO SAID INSTRUMENT IS THE SEAL OF SAID VILLAGE AND THAT IT WAS AFFIXED BY DUE AND REGULAR VILLAGE AUTHORITY, AND THAT THE INSTRUMENT IS THE FREE ACT AND DEED OF SAID VILLAGE.

WITNESS MY HAND AND OFFICIAL SEAL THIS 27 DAY OF April, 2004.

October 26, 2007  
MY COMMISSION EXPIRES:  
Rachel R. Callovi  
NOTARY PUBLIC  
PRINT NAME: Rachel R. Callovi  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. DD 2601382

### 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 HERON DESCRIBED PROPERTY; THAT WE FIND THE TITLE TO THE PROPERTY IS VESTED IN DIVOSTA HOMES, L.P., THAT THE CURRENT TAXES HAVE BEEN PAID; AND THAT THERE ARE NO MORTGAGES OR OTHER ENCUMBRANCES OF RECORD.

AMERICAN TITLE OF THE PALM BEACHES CORPORATION  
DATE: APRIL 1, 2004 BY: William E. Shannon  
WILLIAM E. SHANNON, PRESIDENT

### 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 MONUMENTS ACCORDING TO CHAPTER 177.091 (9) F.S., WILL BE SET UNDER THE GUARANTEES POSTED WITH THE VILLAGE OF WELLINGTON FOR THE REQUIRED IMPROVEMENTS; AND, FURTHER, THAT THE SURVEY DATA AND PLAT COMPLY WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE VILLAGE OF WELLINGTON.

DATE: 4/5/04  
Paul Z. Smith  
DAVID L. SMITH, P.S.M.  
PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NO. 4951, STATE OF FLORIDA  
LAWSON, NOBLE AND WEBB, INC.  
420 COLUMBIA DRIVE, SUITE 110  
WEST PALM BEACH, FLORIDA 33409  
LB 6674

### SURVEYOR'S NOTES:

- BEARINGS SHOWN HEREON ARE BASED ON WEST LINE OF VILLAGEWALK OF WELLINGTON - PLAT ONE AS RECORDED IN PLAT BOOK 95, PAGES 89 THROUGH 97 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. SAID LINE IS ASSUMED TO BEAR OF N00°36'00"W.
- NO BUILDING 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 VILLAGE OF WELLINGTON APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS, EXCEPT CONSTRUCTION AND PLANTING BY GOVERNMENTAL ENTITIES, OR DRIVEWAYS, SIDEWALKS AND SIMILAR SURFACE CONSTRUCTION.
- "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.
- ALL LINES INTERSECTING CIRCULAR CURVES ARE RADIAL UNLESS OTHERWISE NOTED AS FOLLOWS:  
(N.R.) = NON-RADIAL  
(R.F.) = RADIAL TO FRONT LOT LINE  
(R.R.) = RADIAL TO REAR LOT LINE
- 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 BEING DETERMINED BY USE RIGHTS GRANTED. THERE WILL BE NO ABOVE GROUND ENCROACHMENTS WHERE LAKE MAINTENANCE EASEMENTS AND UTILITY EASEMENTS OVERLAP.
- 2002 FLORIDA STATE STATUTES - TITLE XII, CHAPTER 177.101(2): VACATION AND ANNULLMENT OF PLATS SUBDIVIDING LAND. THE FOLLOWING IS STATED, AND APPLIES TO THE UNDERLYING PLAT OF PALM BEACH FARMS COMPANY PLAT NO. 3:  
"...THE APPROVAL OF A REPLAT BY THE GOVERNING BODY OF A LOCAL GOVERNMENT, WHICH ENCOMPASSES LANDS EMBRACED IN ALL OR PART OF A PRIOR PLAT FILED OF PUBLIC RECORD SHALL, UPON RECORDATION OF THE REPLAT, AUTOMATICALLY AND SIMULTANEOUSLY VACATE AND ANNUL ALL OF THE PRIOR PLAT ENCOMPASSED BY THE REPLAT."

VILLAGE ENGINEER:  
THIS PLAT IS HEREBY APPROVED FOR RECORD THIS 27<sup>th</sup> DAY OF April, 2004, AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR AND MAPPER EMPLOYED BY THE VILLAGE OF WELLINGTON IN ACCORDANCE WITH SECTION 177.081(1), F.S.

DATE: 4-27-04  
Gary R. Clough  
GARY R. CLOUGH, P.E.  
VILLAGE ENGINEER

VILLAGEWALK OF WELLINGTON HOMEOWNERS ASSOCIATION, INC.

DIVOSTA HOMES HOLDINGS, LLC

VILLAGE OF WELLINGTON ENGINEER

VILLAGE OF WELLINGTON

SURVEYOR