

5116-000

# SOUTH WIND HEIGHTS CONGREGATE LIVING FACILITY, P.U.D.

BEING A PORTION OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE NORTHWEST QUARTER (N.W.1/4) OF SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA

SHEET 1 OF 2  
MARCH 2006

Notary Public Seal for Robin R. Boyd, Notary Public - Oregon, Commission No. 355227, My Commission Expires July 13, 2006.

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT BOYNTON BEACH RETIREMENT RESIDENCE, LLC, AN OREGON LIMITED LIABILITY COMPANY, OWNER OF THE LAND SHOWN HEREON, BEING IN SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SHOWN HEREON AS SOUTH WIND HEIGHTS CONGREGATE LIVING FACILITY P.U.D., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF THE WEST HALF (W.1/2) OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE NORTHWEST QUARTER (N.W.1/4) OF SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (N.W.1/4) OF SAID SECTION 13; THENCE N89°38'02"E, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER (N.W.1/4) OF SAID SECTION 13, A DISTANCE OF 659.63 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF (W.1/2) OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE NORTHWEST QUARTER (N.W.1/4) OF SAID SECTION 13; THENCE N0°54'42"W, ALONG SAID EAST LINE, A DISTANCE OF 400 FEET TO A POINT ON A LINE 40.0 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER (N.W.1/4) OF SAID SECTION 13 AND THE POINT OF BEGINNING; THENCE CONTINUE N0°54'42"W, ALONG SAID EAST LINE, A DISTANCE OF 852.60 FEET TO A POINT ON THE SOUTH-EASTERLY RIGHT OF WAY LINE OF MILITARY TRAIL (STATE ROAD 809); THENCE S.44°32'36"W, ALONG SAID SOUTH-EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 72.75 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTHEAST HAVING A CENTRAL ANGLE OF 29°03'58" AND A RADIUS OF 1850.08 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 938.54 FEET TO A POINT ON A LINE 40.0 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER (N.W.1/4) OF SAID SECTION 13; THENCE N89°38'02"E, ALONG SAID PARALLEL LINE, A DISTANCE OF 528.26 FEET TO THE POINT OF BEGINNING.

CONTAINING 6.21 ACRES MORE OR LESS.

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

THE UTILITY EASEMENT AS SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT AND IS 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, 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 THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE PALM BEACH COUNTY WATER UTILITIES DEPARTMENT, ITS SUCCESSORS AND ASSIGNS.

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, LAKE MAINTENANCE ACCESS EASEMENTS AND PRIVATE STREETS ASSOCIATED WITH SAID DRAINAGE SYSTEM.

THE BUFFER EASEMENTS, AS SHOWN HEREON, ARE HEREBY RESERVED FOR BOYNTON BEACH RETIREMENT RESIDENCE, LLC, ITS SUCCESSORS AND ASSIGNS FOR BUFFER PURPOSES AND OTHER PURPOSES NOT INCONSISTENT WITH THIS RESERVATION AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID BOYNTON BEACH RETIREMENT RESIDENCES, LLC, ITS SUCCESSORS AND ASSIGNS WITHOUT RECOURSE TO PALM BEACH COUNTY.

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

THE MASS TRANSIT EASEMENT AS SHOWN HEREON IS HEREBY DEDICATED IN PERPETUITY TO THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, ITS SUCCESSORS AND ASSIGNS, FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND USE OF A PUBLIC TRANSIT BOARDING AND LIGHTING AREA, SUCH USE INCLUDES BUT IS NOT LIMITED TO A PUBLIC TRANSIT BUS SHELTER, TRANSFER STATION, AND ADVERTISING. THE MAINTENANCE OBLIGATION FOR THE EASEMENT AREA SHALL BE WITH BOYNTON BEACH RETIREMENT RESIDENCE, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS, UNTIL SUCH TIME THE COUNTY, ITS SUCCESSORS AND OR ASSIGNS COMMENCES CONSTRUCTION OR INSTALLATION OF FACILITIES ASSOCIATED WITH UTILIZATION OF THE EASEMENT FOR ITS INTENDED PURPOSE, AT WHICH TIME MAINTENANCE OF THE EASEMENT AREA SHALL BECOME THE OBLIGATION OF THE COUNTY, ITS SUCCESSORS AND ASSIGNS. THE MAINTENANCE OBLIGATION SHALL AUTOMATICALLY REVERT TO BOYNTON BEACH RETIREMENT RESIDENCE, LLC, A FLORIDA LIMITED LIABILITY COMPANY UPON THE COUNTY'S TEMPORARY OR PERMANENT CESSATION OF THE USE OF THE EASEMENT. THE EASEMENT GRANTED HEREUNDER SHALL BE NON-EXCLUSIVE AND SUBORDINATED TO ANY UTILITY EASEMENT DEDICATED TO THE PUBLIC.

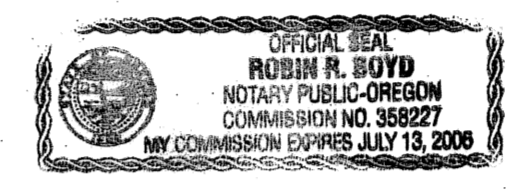
IN WITNESS WHEREOF THE ABOVE NAMED COMPANY HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS PRESIDENT AND ITS COMPANY SEAL TO BE AFFIXED HERETO BY AND WITH THE PROPER AUTHORITY THIS 21st DAY OF October, 2005.

BOYNTON BEACH RETIREMENT RESIDENCE, LLC  
AN OREGON LIMITED LIABILITY COMPANY  
WITNESS: [Signature] NAME: Mark J. Burnham  
BY: [Signature] NAME: Bruce D. Thorn  
MANAGER  
WITNESS: [Signature] NAME: Suzanne U. Hoyle

### ACKNOWLEDGEMENT

STATE OF FLORIDA OREGON  
COUNTY OF PALM BEACH MARION

BEFORE ME PERSONALLY APPEARED Bruce D. Thorn WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED [Signature] AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS MANAGER OF BOYNTON BEACH RETIREMENT RESIDENCE, LLC, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS SUCH MANAGER OF SAID COMPANY, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE COMPANY SEAL OF SAID COMPANY AND THAT IT WAS AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR COMPANY AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID COMPANY.



WITNESS MY HAND AND OFFICIAL SEAL THIS 21st DAY OF October 2005.

MY COMMISSION EXPIRES: July 13, 2006 BY: [Signature] NAME: Robin R. Boyd  
NOTARY PUBLIC FOR OREGON  
COMMISSION NO. 355227

### TITLE CERTIFICATION

STATE OF FLORIDA  
COUNTY OF ORANGE

I, CHARLES B. COSTAR, III, 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 BOYNTON BEACH RETIREMENT RESIDENCE, LLC, AN OREGON LIMITED LIABILITY COMPANY; THAT THE CURRENT TAXES HAVE BEEN PAID; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON; AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

DATED: October 26, 2005 BY: [Signature] NAME: Charles B. Costar, III  
ATTORNEY AT LAW  
STATE OF FLORIDA

### COUNTY ENGINEER

THIS PLAT IS HEREBY APPROVED FOR RECORD PURSUANT TO PALM BEACH COUNTY ORDINANCE 95-33, AND IN ACCORDANCE WITH SEC. 177.071 (2), F.S. THIS 26th DAY OF October, 2005, AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR AND MAPPER EMPLOYED BY PALM BEACH COUNTY IN ACCORDANCE WITH SECTION 177.081 (1), F.S.

[Signature]  
GEORGE T. WEBB, P.E., COUNTY ENGINEER

### MORTGAGEE'S CONSENT

STATE OF Alabama  
COUNTY OF Jefferson

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 19285, PAGE 1718 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 BE SIGNED BY ITS PRESIDENT AND ITS CORPORATE SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS THIS 21st DAY OF October, 2005.

AMSouth BANK  
A STATE BANK CORPORATION  
WITNESS: [Signature] NAME: Crystal M. Caspels  
BY: [Signature] NAME: Lawrence Clark  
TITLE VP  
WITNESS: [Signature] NAME: Krista Carroll

SITE INFORMATION
PROJECT NAME: SOUTH WIND HEIGHTS CONGREGATE LIVING FACILITY
PETITION NUMBER: 03-105
TOTAL ACREAGE: TOTAL GROSS SITE AREA 6.21 ACRES
DENSITY: 5.0/ACRES *19.1 RESIDENTS PER ACRE
TYPE OF USE: CONGREGATE LIVING FACILITY (TYPE III) ACCESSORY: CABANA WITH POOL

### ACKNOWLEDGEMENT

STATE OF Alabama  
COUNTY OF Jefferson

BEFORE ME PERSONALLY APPEARED Lawrence Clark WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED [Signature] AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS PRESIDENT OF AMSouth BANK 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 COMPANY SEAL OF SAID COMPANY AND THAT IT WAS AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR COMPANY AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL THIS 25 DAY OF October 2005.

MY COMMISSION EXPIRES: 11-8-08 BY: [Signature] NAME: Gina Hargrove  
NOTARY PUBLIC  
BY COMMISSION EXPIRES: 06 NAME: 154550

### SURVEYORS 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 THE PERMANENT REFERENCE MONUMENTS (P.R.M.'S) HAVE BEEN PLACED AS REQUIRED BY LAW; AND FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND ORDINANCES OF PALM BEACH COUNTY, FLORIDA.

[Signature] 10/31/05  
PAUL D. ENGLE  
SURVEYOR AND MAPPER #5708  
STATE OF FLORIDA

### NOTES

ALL BEARINGS SHOWN HEREON ARE RELATIVE TO THE WEST LINE OF SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST, HAVING A BEARING OF S.0°51'29"E.

COORDINATES, BEARINGS AND DISTANCES:  
COORDINATES SHOWN ARE GRID DATUM = NAD83, 1990 ADJUSTMENT ZONE = FLORIDA EAST LINEAR UNIT = U.S. SURVEY FEET COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION.

ALL DISTANCES ARE GROUND: SCALE FACTOR 1.0000372  
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

S.89°19'17"W. (PLAT BEARING)  
S.89°19'17"W. (GRID BEARING)

0°00'00" = BEARING ROTATION (PLAT TO GRID)

THE STATE PLANE COORDINATES SHOWN HEREON CONFORM TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR, EAST ZONE, ON THE NORTH AMERICAN DATUM OF 1983, 1990 ADJUSTMENT AS ESTABLISHED, ADOPTED AND PUBLISHED BY THE PALM BEACH COUNTY SURVEY SECTION.

COORDINATES SHOWN ON THE CONTROL P.R.M.'S MEET OR EXCEED THE LOCAL ACCURACY REQUIREMENTS OF A 2 CENTIMETER GEODETIC CONTROL SURVEY.

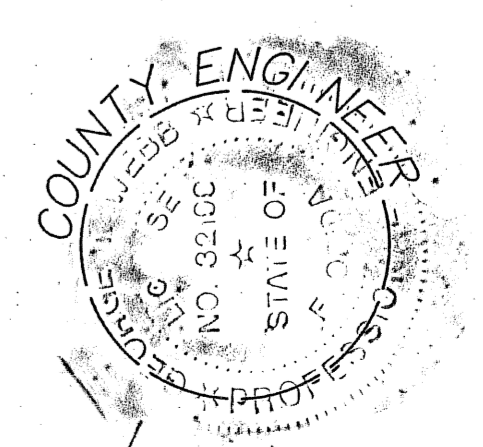
THE STATE PLANE COORDINATES SHOWN HEREON FOR THE PERMANENT REFERENCE MONUMENTS, ARE BASED ON PALM BEACH COUNTY SURVEY SECTION CONTROL POINTS AND ARE DERIVED FROM FIELD MEASUREMENTS WHICH EXCEED THE REQUIREMENTS OF THE MINIMUM TECHNICAL STANDARDS FOR COMMERCIAL HIGH RISK SURVEYS AS DEFINED IN CHAPTER 61G17-6 OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 427.027 FLORIDA STATUTES.

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.

THIS INSTRUMENT WAS PREPARED BY PAUL D. ENGLE IN THE OFFICE OF O'BRIEN, SUTER & O'BRIEN, INC., 2601 NORTH FEDERAL HIGHWAY, DELRAY BEACH, FLORIDA 33483 (561-276-4501).

PERMANENT REFERENCE MONUMENTS (#LB 353) ARE SHOWN THUS:

NO BUILDINGS OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENTS WITHOUT PRIOR WRITTEN APPROVAL OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE COUNTY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS.



SUBDIVISION South Wind Heights Congregate Living Facility  
BOOK 107  
FLOOD ZONE B  
QUAD # 094  
SE  
TAZ 042 B  
PUB. NAME

5116-000  
PAGE 3  
FLOOD MAP # 190 B  
ZONING PUD  
ZIP CODE 33470