

Fountains South Golf Course

IN SECTION 34, TOWNSHIP 44 SOUTH, RANGE 42 EAST
BEING A REPLAT IN BLOCK 31, PALM BEACH FARMS CO. PLAT NO. 3, PLAT BOOK 3, PAGES
45 THROUGH 54 PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

RESERVATION AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS that FOUNTAINS COUNTRY CLUB, INC., a Florida corporation not for profit, the owners of the land shown hereon, being a parcel of land in Tracts 1 through 6, 8 through 16, 18 through 24, 26 through 32, 34 through 59 and the thirty foot reservations between said tracts, Block 31, Palm Beach Farms Co. Plat No. 3, as recorded in Plat Book 3, Pages 45 through 54, Public Records of Palm Beach County, Florida, said land being shown hereon as FOUNTAINS SOUTH GOLF COURSE, being more particularly described on Sheet 2, has caused the same to be surveyed and platted as shown hereon and does hereby reserve or dedicate the following:

1. GOLF COURSE TRACTS

The GOLF COURSE TRACTS as shown hereon are hereby reserved for recreational purposes for the use and enjoyment of FOUNTAINS COUNTRY CLUB, INC., a Florida corporation not for profit, and are the perpetual maintenance obligation of said corporation, and its successors, without recourse to Palm Beach County, provided, however, that if either of the Mortgagees joining in and consenting hereto, or its successors or assigns, shall acquire title to the Golf Course Tracts by foreclosure of its mortgage or by a deed in lieu of foreclosure, then such Mortgagee, its successors or assigns (which shall be deemed to include the successful bidder at a foreclosure sale in connection with such mortgage), shall succeed to the rights and responsibilities of FOUNTAINS COUNTRY CLUB, INC., as reserved herein, and said Mortgagee, its successors or assigns (including the successful bidder), shall thereafter be subject to all of the requirements of the Fountains South, P.U.D. - Resolution 78-724, and Section 500.21 of The Zoning Code of Palm Beach County, Florida in effect at the time that the P.U.D. was approved, and the Golf Course Tracts shall continue to be made available for the use and enjoyment of the residents in the Fountains South, P.U.D. in accordance with said P.U.D.

2. WATER MANAGEMENT TRACTS (W.M.T.)

The WATER MANAGEMENT TRACTS (W.M.T.) as shown hereon are hereby reserved for water management and drainage easement purposes in favor of FOUNTAINS COUNTRY CLUB, INC., a Florida corporation not for profit, and are the perpetual maintenance obligation of said corporation, and its successors, without recourse to Palm Beach County. Palm Beach County has the right, but not the obligation to maintain the portions of the drainage system associated with County maintained roads. However, if either of the Mortgagees, joining in and consenting hereto, or its successors or assigns, shall obtain title to the Water Management Tracts by foreclosure or by a deed in lieu of foreclosure, then such Mortgagee, its successors or assigns (which shall be deemed to include the successful bidder at a foreclosure sale in connection with such mortgage), shall succeed to the rights and responsibilities of FOUNTAINS COUNTRY CLUB, INC., as reserved herein, and said Mortgagee, its successors or assigns (including the successful bidder), shall thereafter be subject to all of the requirements of the Fountains South P.U.D. - Resolution 78-724, and Section 500.21 of The Zoning Code of Palm Beach County, Florida in effect at the time that the P.U.D. was approved.

3. EASEMENTS

- a.) The Utility easements as shown hereon are hereby dedicated in perpetuity for the construction and maintenance of utilities and cable television.
- b.) The Drainage and Maintenance easements as shown hereon are hereby dedicated in perpetuity for drainage purposes and for the construction and maintenance of drainage to Fountains Country Club, Inc., and are the perpetual maintenance obligation of said Association, its successors and assigns, without recourse to Palm Beach County. Palm Beach County has the right, but not the obligation to maintain that part of the drainage associated with County roads.
- c.) The Buffer easements as shown hereon are hereby dedicated for buffer purposes to Fountains Country Club, Inc., and are the perpetual maintenance obligation of said Association, its successors and assigns, without recourse to Palm Beach County.
- d.) The Limited Access easement as shown hereon is hereby dedicated to the Board of County Commissioners of Palm Beach County, Florida, for purposes of control and jurisdiction over access rights.

IN WITNESS WHEREOF, Fountains Country Club, Inc., has caused these presents to be signed by its President and attested to by its Vice President, and its corporate seal to be affixed hereto by and with the authority of its respective Board of Directors, this 25 day of September, 1990, A.D.

FOUNTAINS COUNTRY CLUB, INC.,
a Florida Corporation not for profit

ATTEST: Penny Smith, Vice President
By: Alfred J. Rauchman, President

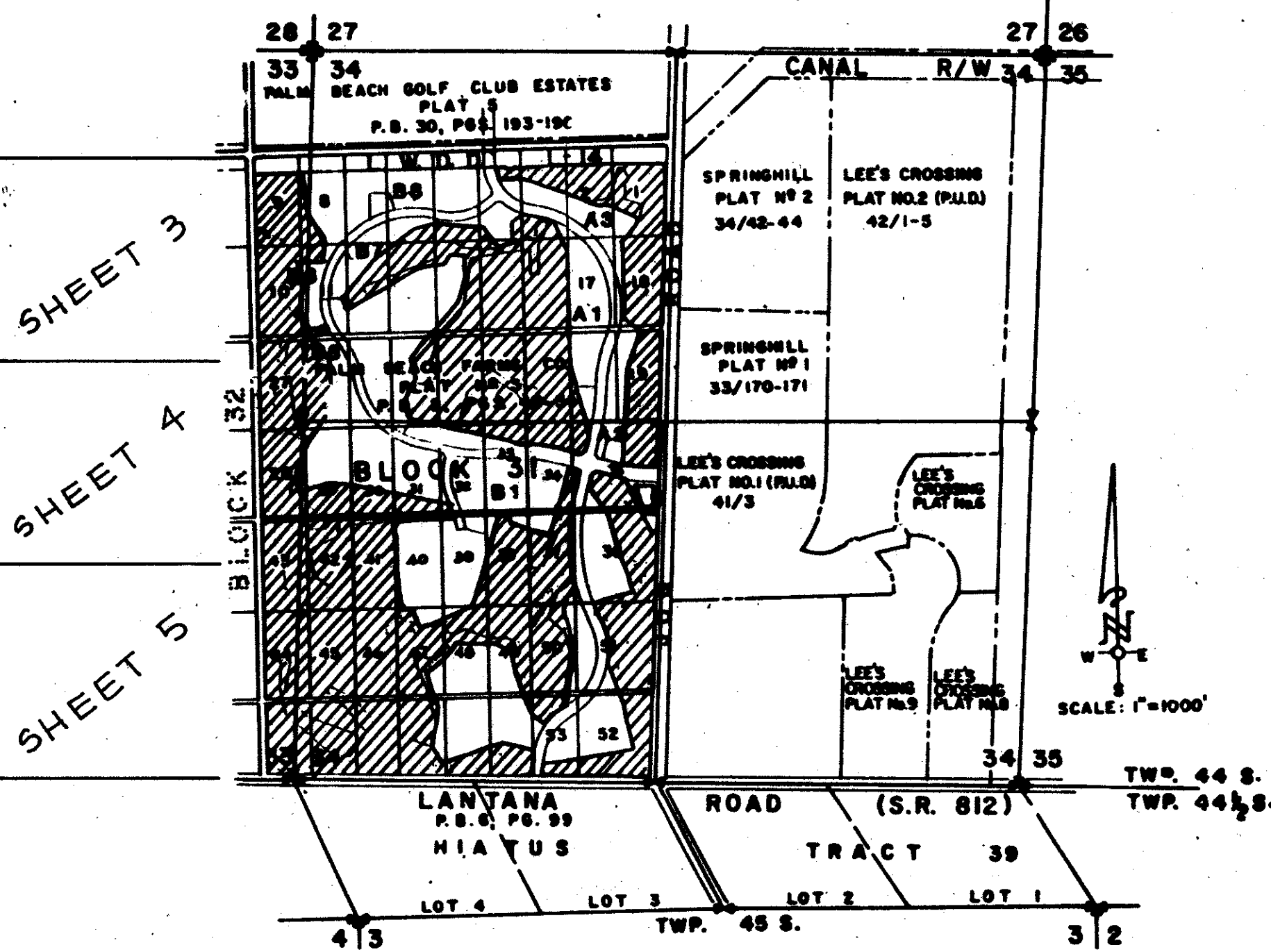
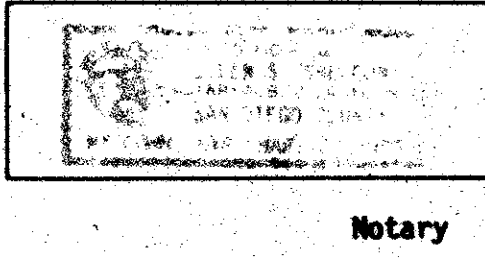
ACKNOWLEDGMENT

STATE OF FLORIDA)
COUNTY OF PALM BEACH) SS

BEFORE ME personally appeared Alfred J. Rauchman and Penny Smith, to me well known, and known to me to be the individuals described in and who executed the foregoing instrument as President and Vice President, respectively, of FOUNTAINS COUNTRY CLUB, INC., a Florida corporation not for profit, and severally acknowledged to and before me that they executed such instrument as such officers of said corporation, and that the corporate 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 25 day of September, 1990, A.D.

My commission expires: Victoria E. Day, Notary Public, State of Florida at Large



LOCATION MAP

MORTGAGEE'S CONSENT

STATE OF FLORIDA)
COUNTY OF PALM BEACH) SS

The undersigned hereby certifies that it is the mortgagee under two mortgages on the property described hereon and does hereby join in and consent to the reservation and dedication of the land described in said reservation and dedication by the owner thereof and agrees that its mortgages as recorded in Official Record Book 4167, at Page 1223, and in Official Record Book 5340, at Page 561, respectively, of the Public Records of Palm Beach County, Florida, subordinated to the reservation and dedication shown hereon, but the lien and priority of said mortgages shall not otherwise be affected.

IN WITNESS WHEREOF, Fountains of Palm Beach, a joint venture, has caused these presents to be signed by the President of Goldlist Construction Inc. and attested to by its Vice President, and signed by the Vice President of Trizec Properties, Inc., and attested to by its Treasurer, and their corporate seals to be affixed hereon by and with the authority of their respective Board of Directors this 26 day of September, 1990, A.D.

FOUNTAINS OF PALM BEACH, A JOINT VENTURE
a Florida Corporation

ATTEST: Stephen M. Platt, Vice President
By: George D. Goldlist, President

By: Trizec Properties, Inc., a Delaware Corporation, Licensed to do Business in the State of Florida

ATTEST: Aubrey MacLean, Treasurer
By: Tom Stephenson, Vice President

ACKNOWLEDGMENT

STATE OF FLORIDA)
COUNTY OF PALM BEACH) SS

BEFORE ME personally appeared George D. Goldlist and Stephen M. Platt, to me well known, and known to me to be the individuals described in and who executed the foregoing instrument as President and Vice President, respectively, of Goldlist Construction Incorporated, a joint venture of FOUNTAINS OF PALM BEACH, and severally acknowledged to and before me that they executed such instrument as such officers of said corporation, and that the corporate 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 26 day of September, 1990, A.D.

My commission expires: May 24, 1991
Notary Public, State of Florida at Large

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS

BEFORE ME personally appeared Aubrey MacLean and Tom Stephenson, to me well known, and known to me to be the individuals described in and who executed the foregoing instrument as Treasurer and Vice President of Trizec Properties, Inc., a joint venture of FOUNTAINS OF PALM BEACH, and severally acknowledged to and before me that they executed such instrument as such officers of said corporation, and that the corporate 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 28 day of SEPT., 1990, A.D.

My commission expires: MAR 9, 1993
Notary Public, State of California

APPROVALS

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA

This plat is hereby approved for record this 27 day of Nov, 1990, A.D.

John B. Dunkle, Clerk
Deputy Clerk

COUNTY ENGINEER

This plat is hereby approved for record this 22 day of Nov, 1990, A.D.

Herbert F. Kahlert, P.E., County Engineer

TITLE CERTIFICATION

STATE OF FLORIDA)
COUNTY OF PALM BEACH) SS

We, LEWIS, VEGOSEN, ROSENBACH & FITZGERALD, P.A., a duly licensed Professional Association 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 hereon described property is vested in FOUNTAINS COUNTRY CLUB, INC., a Florida corporation not for profit; that the current taxes have been paid; and that said property is encumbered by the mortgage shown hereon; and we find that all mortgages are shown and are true and correct, and that there are no other encumbrances of record.

LEWIS, VEGOSEN, ROSENBACH & FITZGERALD, P.A.

Date: September 26, 1990
By: Kenneth A. Treadwell, Attorney-at-Law

LAND SURVEYOR'S CERTIFICATION

This is to certify that the plat shown hereon is a true and correct representation of a survey made under our responsible direction and supervision and that said survey is accurate to the best of our knowledge and belief and that Permanent Reference Monuments (P.R.M.'s) have been placed as required by law and the Permanent Control Points (P.C.P.'s) will be set under the guarantees posted with Palm Beach County for the required improvements and further that the survey data complies with all requirements of Chapter 177, Florida Statutes, as amended, and ordinances of Palm Beach County, Florida.

Adair & Brady, Inc.

Date: SEPT. 24, 1990
By: Dennis Painter, Registered Land Surveyor, Florida Certificate No. 3542

This instrument was prepared by:

Dennis Painter, R.L.S.
ADAIR & BRADY, INC.
1958 South Congress Avenue
West Palm Beach, Florida

ADAIR & BRADY, INC. CONSULTING ENGINEERS & LAND SURVEYORS		FOUNTAINS SOUTH GOLF COURSE record plat	
Dr.	F.L.	Scale	
Ch. & M.	P.G.	Date OCT. 90	FP 825
Ap. dp		Job No. 699685	1 OF 5

TAZ 348

FOUNTAINS SOUTH GOLF COURSE
PAGE 18
BLOCK 31
FLOOD HAZARD MAP
BLOCK 31
RECORDING 85
JOB CODE 33463
DATE 8-1-90
BY: [Signature]