

WAL * MART AT BOYNTON BEACH

SECTIONS 19 AND 30, TOWNSHIP 45 SOUTH, RANGE 43 EAST CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

BEING A REPLAT OF TRACTS 45, 46, 47, 49, 50, AND 51, AND PORTIONS OF TRACTS 42, 43, 44 AND 52, SUBDIVISION OF SECTION 19, TOWNSHIP 45 SOUTH, RANGE 43 EAST, AS RECORDED IN PLAT BOOK 7, PAGE 19, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; AND THE NORTH ONE-HALF OF A PLATTED 25 FOOT RIGHT OF WAY ADJACENT TO LOT 4 OF BLOCKS 4, 5, AND 6, PALM BEACH FARMS COMPANY PLAT NO. 8 AS RECORDED IN PLAT BOOK 5, PAGE 73, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA



STATE OF FLORIDA)
COUNTY OF PALM BEACH) S.S.
THIS PLAT WAS FILED FOR RECORD AT THIS OFFICE ON THIS 13th DAY OF October, 2002 AND DULY RECORDED IN PLAT BOOK 44 ON PAGES 140 AND 141.
DOROTHY H. WILKEN, CLERK
BY [Signature] D.C.

DEDICATION AND RESERVATIONS

KNOW ALL MEN BY THESE PRESENTS THAT WAL-MART STORES EAST, INC., AN ARKANSAS CORPORATION, THE FEE SIMPLE OWNER OF THE LANDS DESCRIBED AND PLATTED HEREIN AS "WAL MART AT BOYNTON BEACH", BEING IN THE CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA, HAVE CAUSED SAID LANDS TO BE SURVEYED AND PLATTED AS SHOWN HEREIN AND DOES HEREBY DEDICATE AS FOLLOWS:

A PORTION OF SECTIONS 19 AND 30, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:
FROM THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; THENCE S87°32'52"W ALONG THE SOUTH LINE OF SAID SECTION 19, A DISTANCE OF 1095.22 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF WINCHESTER PARK BOULEVARD, AS DESCRIBED IN OFFICIAL RECORDS BOOK 5356, PAGE 806, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S01°18'43"E ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF WINCHESTER PARK BOULEVARD, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING; THENCE S87°32'52"W, A DISTANCE OF 548.67 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF THAT CERTAIN 25 FOOT ROAD RIGHT-OF-WAY LYING WITHIN 25 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 30 AS SHOWN ON THE PLAT OF PALM BEACH FARMS COMPANY PLAT NO. 8 AS RECORDED IN PLAT BOOK 5, PAGE 73, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N01°03'38"W, 12.50 FEET TO A POINT ON THE CENTERLINE OF SAID 25 FOOT ROAD RIGHT-OF-WAY; THENCE S87°32'52"W ALONG SAID CENTERLINE, A DISTANCE OF 320.68 FEET; THENCE N00°49'48"W, 12.50 FEET TO THE SOUTHEAST CORNER OF TRACT 52, SUBDIVISION OF SECTION 19, TOWNSHIP 45 SOUTH, RANGE 43 EAST, AS RECORDED IN PLAT BOOK 7, PAGE 19, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S87°32'52"W ALONG THE SOUTH LINE OF SAID TRACT 52, A DISTANCE OF 628.29 FEET; THENCE N00°38'54"W ALONG A LINE 15 FEET EASTERLY FROM AND PARALLEL WITH THE WEST BOUNDARY OF SAID TRACT 52 A DISTANCE OF 330.87 FEET TO A POINT ON THE SOUTH LINE OF TRACT 51 OF SAID SUBDIVISION OF SECTION 19; THENCE S87°33'56"W ALONG THE SOUTH LINE OF TRACT 51 A DISTANCE OF 15.01 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE N00°38'54"W ALONG THE WEST LINE OF TRACT 51 (BEING ALSO THE EAST RIGHT-OF-WAY LINE OF KNUTH ROAD AS IT NOW EXISTS), A DISTANCE OF 330.88 FEET TO THE NORTHWEST CORNER OF SAID TRACT 51; THENCE N87°34'23"E ALONG THE NORTH LINE OF TRACT 51 A DISTANCE OF 313.09 FEET TO THE SOUTHWEST CORNER OF TRACT 47 OF SAID SUBDIVISION OF SECTION 19; THENCE N00°44'20"W ALONG THE WEST LINE OF SAID TRACT 47, A DISTANCE OF 612.45 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF OLD BOYNTON ROAD AS DESCRIBED IN O.R. BOOK 4239, PAGE 162, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N89°50'04"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF OLD BOYNTON ROAD A DISTANCE OF 132.30 FEET; THENCE ALONG THE SOUTHERLY RIGHT OF WAY LINE OF OLD BOYNTON ROAD AS DESCRIBED IN O.R. BOOK 12281, PAGE 279, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, FOR THE FOLLOWING THREE (3) COURSES; 1) S76°40'11"E, 64.27 FEET; 2) N89°50'04"E, 387.01 FEET; 3) N54°01'55"E, 25.64 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF OLD BOYNTON ROAD AS DESCRIBED IN O.R. BOOK 4239, PAGE 162, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N89°50'04"E ALONG SAID SOUTHERLY RIGHT OF WAY LINE A DISTANCE OF 358.58 FEET TO A POINT ON THE EAST LINE OF TRACT 45 OF SAID SUBDIVISION OF SECTION 19; THENCE S01°00'33"E ALONG THE EAST LINE THEREOF A DISTANCE OF 463.38 FEET; THENCE S89°59'15"E, 294.06 FEET; THENCE N58°57'39"E, 40.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE AFOREMENTIONED WINCHESTER PARK BOULEVARD; THENCE 263.12 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2041.31 FEET, A CENTRAL ANGLE OF 07°23'07", AND A CHORD BEARING S08°01'20"W, 262.94 FEET TO A POINT OF REVERSE CURVATURE; THENCE S23.38 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2301.99 FEET, A CENTRAL ANGLE OF 13°01'36" AND A CHORD BEARING S05°12'05"W, 522.25 FEET; THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF WINCHESTER PARK BOULEVARD, S01°18'43"E, A DISTANCE OF 27.21 FEET TO THE POINT OF BEGINNING. CONTAINING 37.402 ACRES, MORE OR LESS.

- STORM WATER TRACT 'A' IS RESERVED FOR THE BENEFIT AND USE OF BOYNTON COMMONS, INC. STORM WATER TRACTS 'B' AND 'C' ARE RESERVED FOR THE BENEFIT AND USE OF LOTS 1, 2, 3, 4, AND 5.
- STORM WATER COLLECTION, DRAINAGE AND TREATMENT FOR LOTS 1, 2, 3, 4 AND 5 IS PROVIDED OVER LOT 1, STORM WATER TRACTS 'B' AND 'C', AND EXISTING DRAINAGE COLLECTION FACILITIES WITHIN LOT 1, INCLUDING, BUT NOT LIMITED TO, EXISTING PIPES, THE PERPETUAL MAINTENANCE OBLIGATION FOR THESE FACILITIES WITHIN LOT 1, INCLUDING STORM WATER TRACT 'A', 'B', AND 'C', SHALL BE THE RESPONSIBILITY OF WAL-MART STORES EAST, INC., ITS SUCCESSORS AND ASSIGNS, AND MAY BE IMPROVED AS NECESSARY FROM TIME TO TIME AT THE SOLE DISCRETION OF WAL-MART STORES EAST, INC., ITS SUCCESSORS AND ASSIGNS WITHOUT RECOURSE TO THE CITY OR ANY OTHER PUBLIC AGENCY.
- LOTS 2, 3, 4 AND 5 MAY CONNECT TO THE EXISTING STORM WATER COLLECTION SYSTEM AT THE LOCATIONS AND STUB OUTS PROVIDED WITHIN THE RESPECTIVE LOTS, AND WITHIN THE EASEMENTS OR PORTIONS OF THE EASEMENTS AFFECTING THE SAID LOTS, OR WHEREVER WAL-MART STORES EAST, INC., ITS SUCCESSORS AND ASSIGNS, SHALL DEEM FIT AND PROPER TO GRANT IN THE FUTURE.
- LOTS 2, 3, 4 AND 5 SHALL CONNECT TO THE SEWAGE DISPOSAL SYSTEM AT THE LOCATIONS AND STUB OUTS PROVIDED WITHIN THE RESPECTIVE LOTS, AND WITHIN THE EASEMENTS OR PORTIONS OF THE EASEMENTS AFFECTING THE SAID LOTS.
- LOTS 2, 3, 4 AND 5 SHALL CONNECT TO THE POTABLE WATER DISTRIBUTION SYSTEM AT THE LOCATIONS AND STUB OUTS PROVIDED WITHIN THE RESPECTIVE LOTS, AND WITHIN THE EASEMENTS OR PORTIONS OF THE EASEMENTS AFFECTING THE SAID LOTS.
- A STRIP OF LAND 5 FEET IN WIDTH, BEING PARALLEL AND CONTIGUOUS WITH THE BOUNDARY OF THIS PLAT, EXCEPT THOSE PORTIONS THEREOF BOUNDED BY THE EDGES OF DRIVEWAY ACCESSES 1, 2, AND 3 (DA1, DA2, AND DA3), IS HEREBY RESERVED AS A LIMITED ACCESS EASEMENT (L.A.E.) AND IS HEREBY DEDICATED TO THE CITY OF BOYNTON BEACH.
- NO BUILDINGS OR STRUCTURES SHALL BE PLACED WITHIN EASEMENTS.
- THE CITY OF BOYNTON BEACH 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 EASEMENTS ASSOCIATED WITH SAID DRAINAGE SYSTEM.
- NO LANDSCAPING SHALL BE PLACED WITHIN UTILITY EASEMENTS WITHOUT THE EXPRESS APPROVAL OF THE UTILITY DEPARTMENT.
- ALL PLATTED UTILITY EASEMENTS SHALL ALLOW FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES PER F.S. 177.091(28).
- ACCESS TO OLD BOYNTON ROAD AND WINCHESTER PARK BOULEVARD IS HEREBY PROVIDED AND DEDICATED TO LOTS 2, 3, 4, AND 5 OVER THE EXISTING PARKING AND DRIVEWAY AREAS WITHIN LOT 1, INCLUDING THE ACCESS EASEMENT OVER LOT 1 RECORDED IN O.R. BOOK 12725, PAGE 19, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

IN WITNESS WHEREOF, WAL-MART STORES EAST, INC., AN ARKANSAS CORPORATION, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS ASSISTANT VICE PRESIDENT OF REAL ESTATE AND ATTESTED BY ITS ASSISTANT SECRETARY, AND ITS CORPORATE SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS THIS 24th DAY OF September, 2001.

WAL-MART STORES EAST, INC., A CORPORATION OF THE STATE OF ARKANSAS
BY: [Signature] ROBERT M. BEDARD, ASSISTANT VICE PRESIDENT OF REAL ESTATE
BY: [Signature] JOAN MLADUCKY, ASSISTANT SECRETARY



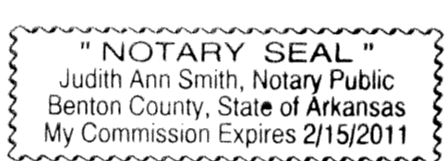
ACKNOWLEDGEMENT

STATE OF ARKANSAS) S.S.
COUNTY OF BENTON)

THIS IS TO CERTIFY THAT ON 9/24/01 BEFORE ME, AN OFFICER DULY AUTHORIZED TO TAKE ACKNOWLEDGEMENTS IN THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED ROBERT M. BEDARD AND JOAN MLADUCKY, ASSISTANT VICE PRESIDENT OF REAL ESTATE AND ASSISTANT SECRETARY, RESPECTIVELY, OF WAL-MART STORES EAST, INC., PERSONALLY KNOWN TO ME TO BE THE INDIVIDUALS AND OFFICERS DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND SEVERALLY ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR FREE ACT AND DEED AS SUCH OFFICERS THEREUNTO DULY AUTHORIZED; THAT THE OFFICIAL SEAL OF SAID CORPORATION IS DULY AFFIXED THERETO; AND THAT THE SAID DEDICATION IS THE ACT AND DEED OF SAID CORPORATION.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND SEAL ON THE ABOVE DATE.

[Signature]
NOTARY PUBLIC - STATE OF ARKANSAS
MY COMMISSION EXPIRES: 2/15/2011



LAKE MAINTENANCE PLAN

THE MAINTENANCE PLAN FOR THE PLANTED LITTORAL ZONE, RETENTION POND AND ADJACENT UPLAND SHALL INCLUDE THE FOLLOWING ELEMENTS:
MAINTENANCE OF THE WATER CONTROL STRUCTURE TO ENSURE ADEQUATE FLOW CONTROL OF EXOTIC AND NUISANCE VEGETATION
REMOVAL OF DEBRIS, AS NEEDED
REPLANTING OF NATIVE SPECIES, AS NECESSARY
MOWING OF SOD AREAS, AS NEEDED
MAINTENANCE OF TREES IN UPLAND AREAS ADJACENT TO THE POND
MAINTENANCE OF IRRIGATION SYSTEM IN UPLAND AREAS ADJACENT TO THE POND

SCHEDULE AND METHODS:
TRASH AND DEBRIS WILL BE REMOVED ON AN AS NEEDED BASIS AS PART OF THE OVERALL SITE MAINTENANCE. IT IS ANTICIPATED THAT THIS WILL OCCUR DURING MOWING OPERATIONS FOR THE SITE. THE LITTORAL ZONES WILL BE MONITORED FOR THE PRESENCE OF EXOTIC AND NUISANCE VEGETATION, BY SITE MAINTENANCE STAFF ON A SEMI-ANNUAL BASIS. EXOTIC AND NUISANCE VEGETATION COVERAGE WILL BE MAINTAINED BELOW 10% OF THE TOTAL VEGETATIVE COVER. BEST AVAILABLE TECHNOLOGY WILL BE EMPLOYED FOR CONTROL OF THESE SPECIES. THIS COULD INCLUDE HAND REMOVAL OR USE OF HERBICIDES. IF HERBICIDES ARE USED TO CONTROL THE INVASIVE SPECIES, THE HERBICIDE WILL BE APPLIED WITH A WICKING OR SIMILAR METHOD, TO AVOID OVERSPRAY OR KILLING OF DESIRABLE WETLAND SPECIES.

AS INDICATED ON THE LITTORAL PLANTING PLAN, THE CONTRACTOR WILL BE RESPONSIBLE TO ENSURE PLANT HEALTH AND SURVIVAL FOR A PERIOD OF TWO YEARS. ALL DEAD AND DYING PLANT MATERIAL WILL BE REPLACED DURING THAT TWO-YEAR PERIOD. IT IS ANTICIPATED THAT THE PLANT MATERIAL WILL HAVE BECOME ESTABLISHED WITHIN THAT TWO-YEAR PERIOD AND NO ADDITIONAL PLANTING WILL BE NEEDED.

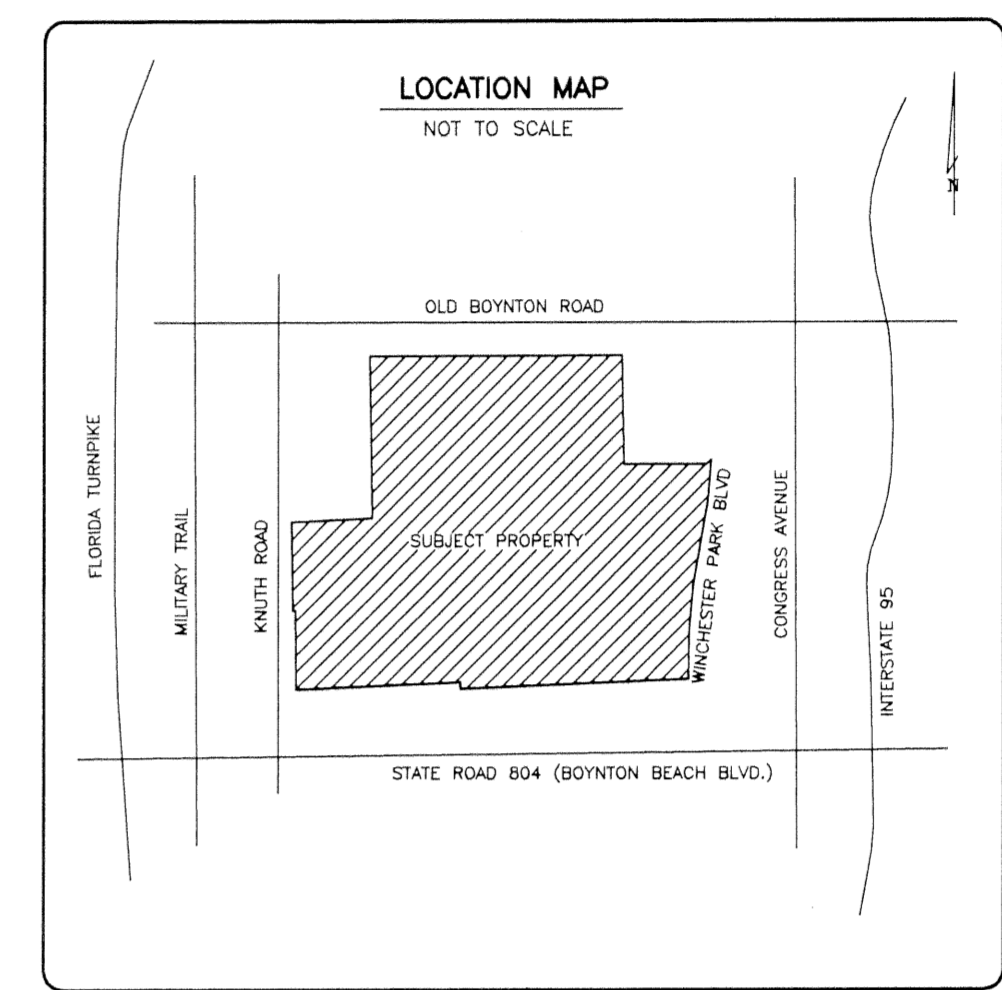
A QUARTERLY MONITORING REPORT TO BE SUBMITTED TO CITY FORESTER FOR THE 2 YEAR PERIOD.
MOWING HEIGHTS ARE TO BE MAINTAINED AT TWO TO THREE INCHES FOR ADJACENT BAHIAGRASS. THE OWNER WILL RETAIN THE OPTION TO CHOOSE MOWING HEIGHT. MOWER BLADES MUST BE SHARP AT ALL TIMES AND CLEANED AFTER EACH CUTTING SO AS NOT TO SPREAD DISEASE, PESTS, ETC. NO MORE THAN ONE-THIRD OF THE GRASS HEIGHT SHALL BE CUT AT ANY ONE MOWING. MOWING AROUND ALL PONDS AND LITTORAL ZONE PLANTINGS SHALL BE IN A MANNER AS TO EJECT CUTTINGS AWAY FROM THE WATER. CARE SHALL BE TAKEN TO STAY CLEAR OF ALL LITTORAL ZONE PLANTINGS.

TRIMMING OR THINNING OF
NO PRUNING, TRIMMING AND THIN ALL TREES PER THE NATURAL ARBORIST ASSOCIATION SPECIFICATIONS FOR PRUNING OF SHADE TREES. WHEN TRIMMING PALM TREES, NO PALM FRONDS SHALL BE REMOVED THAT CREATE A BRANCHING PATTERN THAT IS LESS THAN 90 DEGREES FROM VERTICAL. IS ALLOWED FOR TREES AROUND THE LAKE PERIMETER.
UNDER NO CIRCUMSTANCES WILL ANY TREE (PLANTED IN A SOD AREA OR MULCHED BED) BE WEEDED WITH A STRING-TYPE WEED TRIMMER. HAND WEED ONLY.

TITLE CERTIFICATION

I, DAVID K. BLATTNER, ESQ., OF RUDEN, McCLOSKEY, SMITH, SCHUSTER & RUSSELL, P.A., A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PARCEL; THAT I FIND THE TITLE TO THE PROPERTY IS VESTED TO WAL-MART STORES EAST, INC., AN ARKANSAS CORPORATION; THAT 2000 REAL ESTATE TAXES HAVE BEEN PAID AND THAT REAL ESTATE TAXES FOR THE YEAR 2001 AND SUBSEQUENT YEARS ARE NOT YET DUE AND PAYABLE ON SAID LANDS AS REQUIRED BY SECTION 197.192, FLORIDA STATUTES, AS AMENDED; 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.

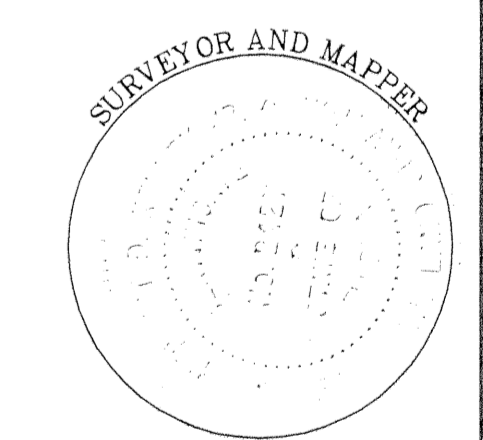
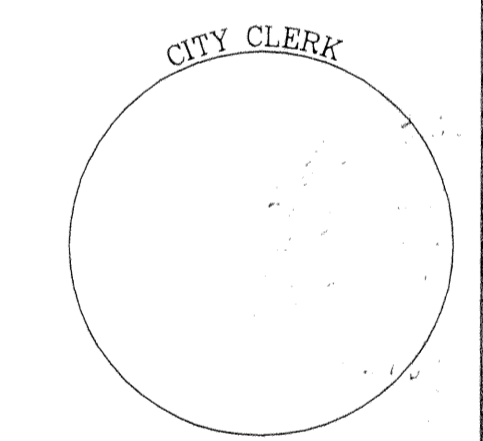
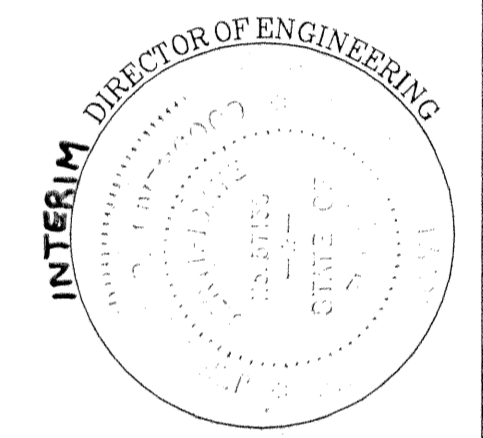
[Signature]
DAVID K. BLATTNER, ESQUIRE
FLA. BAR No. 0767387
RUDEN, McCLOSKEY, SMITH, SCHUSTER & RUSSELL, P.A.
200 E. BROWARD BOULEVARD
FT. LAUDERDALE, FL 33301



CITY OF BOYNTON BEACH APPROVALS

THIS PLAT IS HEREBY APPROVED FOR RECORD PURSUANT TO THE LAWS OF THE STATE OF FLORIDA, THE ORDINANCES OF THE CITY OF BOYNTON BEACH, AND IN ACCORDANCE WITH CHAPTER 5, LAND DEVELOPMENT REGULATIONS, THIS 16 DAY OF OCTOBER, 2001. IT HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR AND MAPPER IN THE EMPLOY OF OR UNDER CONTRACT WITH THE CITY OF BOYNTON BEACH PER SECTION 177.081(1), FLORIDA STATUTES.

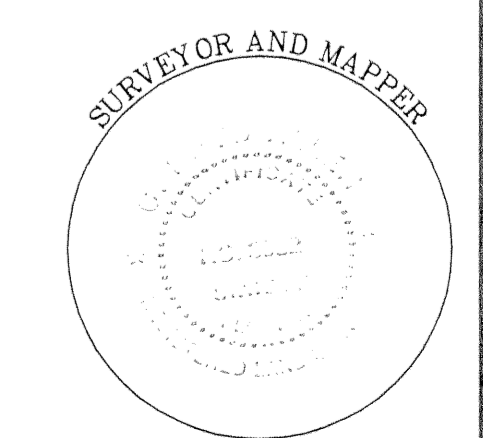
BY: [Signature] GERALD F. BROENING, MAYOR
BY: [Signature] JEFFREY R. EVERGOOD, PE, INTERIM DIRECTOR OF ENGINEERING
ATTEST: [Signature] JANET M. PRAINITO, CITY CLERK
BY: [Signature] HERBERT O. KELLEY, JR., PE/PSM, PROFESSIONAL SURVEYOR AND MAPPER 4/18/02



SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE PLAT REPRESENTED HEREON IS AN ACCURATE REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE SUPERVISION AND DIRECTION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENT (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 THE ORDINANCES OF THE CITY OF BOYNTON BEACH, AND THE PLAT MAP MATHEMATICALLY CLOSES WITHIN (.01) OF A FOOT.

[Signature]
C. BOYD ALLEN, PROFESSIONAL LAND SURVEYOR
FLORIDA REGISTRATION NO. 3932



THIS INSTRUMENT PREPARED BY:

C. BOYD ALLEN OF AMERICAN SURVEYING CO. OF TAMPA, INC. CERTIFICATE OF AUTHORIZATION NO. 4631 4517 GEORGE ROAD, SUITE 210 TAMPA, FLORIDA 33634 PHONE: (813)249-8533 FAX: (813)249-8649

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.