4A3

RESOLUTION NO. R-2026- 0854

RESOLUTION APPROVING ZONING APPLICATION DOA-2025-00313
(CONTROL NO. 1980-00212)
a Development Order Amendment
APPLICATION OF Palm Cove Builders, LLC
BY Schmidt Nichols, Dunay, Miskel and Backman, LLP, AGENT
(Pipers Glen PUD)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider applications relating to zoning;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application DOA-2025-00313 was presented to the Board of County Commissioners at a public hearing conducted on July 14, 2026;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant and other interested parties, the recommendations of the various County Review Agencies, and the recommendation of the Zoning Commission;

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Application Processes and Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Development Order Amendment;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are true and correct and are incorporated herein.
2. Zoning Application DOA-2025-00313, the Application of Palm Cove Builders, LLC, by Schmidt Nichols, Dunay, Miskel and Backman, LLP, Agent, for a Development Order Amendment to modify the overall Planned Unit Development to delete land area (2.39 acres) from the overall 645.19-acre development and to modify Conditions of Approval for a remaining total of 642.80 acres, on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on July 14, 2026, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Joel G. Flores moved for the approval of the Resolution.

The motion was seconded by Commissioner Marci Woodward and, upon being put to a vote, the vote was as follows:

Commissioner Sara Baxter, Mayor	- Nay
Commissioner Marci Woodward, Vice Mayor	- Aye
Commissioner Maria G. Marino	- Aye
Commissioner Gregg K. Weiss	- Aye
Commissioner Joel G. Flores	- Aye
Commissioner Maria Sachs	- Nay
Commissioner Bobby Powell, Jr.	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on July 14, 2026.

Filed with the Clerk of the Board of County Commissioners on JUL 14 2026.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: _____
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

MICHAEL A. CARUSO
CLERK & COMPTROLLER

BY: _____
DEPUTY CLERK

EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION PIPERS GLENN PUD

THE NORTHWEST ONE-QUARTER OF SECTION 2, TOWNSHIP 46 SOUTH, RANGE 42 EAST.

THE NORTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 2, TOWNSHIP 46 SOUTH, RANGE 42 EAST.

THE SOUTH 120 FEET OF THE NORTH 160 FEET OF THE FOLLOWING DESCRIBED PARCELS:

THE N.W. 1/4 OF THE N.W. 1/4 OF THE N.E. 1/4 THE N.E. 1/4 OF THE N.W. 1/4 OF THE N.E. 1/4 THE N.W. 1/4 OF THEN. E. 1/4 OF THE N.E 1/4 ALL IN SECTION 2, TOWNSHIP 46 SOUTH, RANGE 42 EAST.

THE NORTH ONE-HALF OF SECTION 3, TOWNSHIP 46 SOUTH, RANGE 42 EAST. TRACTS 1 THROUGH 8, 25 THROUGH 40, 57 THROUGH 64, ALL INCLUSIVE, BLOCK 64, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54 INCLUSIVE. ALL IN PALM BEACH COUNTY, FLORIDA.

EXCEPTING THE RIGHTS OF WAY FOR LAKE WORTH DRAINAGE DISTRICT LATERAL AND EQUALIZING CANALS

ALSO, EXCEPTING THE RIGHT OF WAY FOR MILITARY TRAIL (S.R. NO 809). ALSO, EXCEPTING THE FOLLOWING DESCRIBED PARCEL OF LAND: THE EAST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 2, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

ALSO, EXCEPTING TRACT "S", PIPERS GLEN, PLAT NO. 1 (P.U.D.), ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGES 97 THROUGH 100 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALL ALSO KNOWN AS:

A PARCEL OF LAND LYING IN SECTIONS 2, 3, AND 4, TOWNSHIP 46 SOUTH, RANGE 42 EAST AND TRACTS 1 THROUGH 10, TRACTS 25 THROUGH 40, TRACTS 57 THROUGH 64 INCLUSIVE, BLOCK 64, PALM BEACH FARMS CO. PLAT NO. 3, PLAT BOOK 2, PAGES 45 THROUGH 54, AND THE PLAT OF PIPERS GLEN, PLAT NO. 1, PLAT BOOK 43, PAGES 97 THROUGH 100; OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 2; THENCE, S89°26'38"W, ALONG THE NORTH LINE OF SECTION 2, A DISTANCE OF 50.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF MILITARY TRAIL THENCE, S01°46'44"E ALONG RIGHT-OF-WAY LINE, A DISTANCE OF 40.01 FEET TO THE POINT OF BEGINNING; THENCE, CONTINUE S01°46'44"E, ALONG RIGHT-OF-WAY LINE, A DISTANCE OF 295.34 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 2 THENCE, S89°27'23"W, ALONG SAID LINE, A DISTANCE OF 10 FEET; THENCE N01°46'44"W A DISTANCE OF 150.84; THENCE N46°11'17"W A DISTANCE OF 34.99 FEET TO THE SOUTH LINE OF THE SOUTH 120.00 FEET OF THE NORTH 160.00 FEET OF THE NORTHEAST 1/4 OF SAID SECTION 2; THENCE, S89°26'38"W, ALONG SAID LINE AND WESTERLY PROLONGATION THEREOF, A DISTANCE OF 2602.51 FEET TO THE WEST RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT EQUALIZING CANAL E-3;THENCE, S01°11'41"E, ALONG RIGHT-OF-WAY LINE, A DISTANCE OF 1178.87 FEET TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2;THENCE, S89°29'38"W, ALONG SAID LINE, A DISTANCE OF 264.26 FEET TO THE WEST LINE OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2; THENCE, S01°07'18"E, ALONG SAID LINE, A DISTANCE OF 669.32 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2; THENCE, N89°31'07"E, A DISTANCE OF 265.11 FEET TO THE WEST RIGHT-OF-WAY LINE

OF E-3 CANAL; THENCE, S01°11'41"E, ALONG RIGHT-OF-WAY LINE, A DISTANCE OF 629.44 FEET TO THE NORTH RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT LATERAL CANAL L-29; THENCE, S89°32'35"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 2582.36 FEET TO THE EAST LINE OF SECTION 3; THENCE, S89°29'26"W, CONTINUING ALONG SAID LINE, A DISTANCE OF 2743.19 FEET TO THE WEST LINE OF THE EAST 60.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 3; THENCE, N00°33'54"W, ALONG SAID LINE, A DISTANCE OF 1947.16 FEET; THENCE, N45°33'54"W, A DISTANCE OF 35.36 FEET; THENCE, N02°11'29"W, A DISTANCE OF 80.03 FEET; THENCE, N43°27'22"E, A DISTANCE OF 35.95 FEET THENCE, N02°31'22"W, A DISTANCE OF 519.94 FEET TO THE SOUTH RIGHT-OF- WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT LATERAL CANAL L-28 AND NORTHWEST CORNER OF SAID PIPERS GLEN PLAT NO. 1; THENCE, N89°47'01"E, ALONG SAID LINE, A DISTANCE OF 80.05 FEET TO THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 3;THENCE, N89°34'41"E, CONTINUING ALONG SAID LINE, A DISTANCE OF 2681.21 FEET TO THE WEST LINE OF SECTION 2; THENCE, N89°26'38"E, ALONG SAID LINE, A DISTANCE OF 5191.58 FEET TO THE POINT OF BEGINNING.

CONTAINING 13,934,078 SQUARE FEET /319.8824 ACRES, MORE OR LESS.

TOGETHER WITH:

BEGINNING AT THE AFORESAID NORTHWEST CORNER OF SAID PIPERS GLEN PLAT NO. 1; SAID POINT LYING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT L-28 CANAL; THENCE S02°31'22"E ALONG THE WESTERLY BOUNDARY OF SAID PIPERS GLEN PLAT NO. 1, A DISTANCE OF 519.94 FEET; THENCE CONTINUING SOUTH ALONG THE AFOREMENTIONED WESTERLY PLAT LINE S43°27'22"W, A DISTANCE OF 35.95 FEET; THENCE S02°11'29"E, A DISTANCE OF 80.03 FEET; THENCE S45°33'54"E, FOR A DISTANCE OF 35.36 FEET; THENCE S00°33'54"E, FOR A DISTANCE OF 1947.16 FEET TO THE SOUTHWEST CORNER OF SAID PIPERS GLENN PLAT NO. 1 AND THE INTERSECTION THEREOF WITH THE NORTHERLY RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-29 CANAL; THENCE CONTINUING ALONG THE SAID NORTHERLY RIGHT-OF WAY LINE S89°29'26"W, FOR A DISTANCE OF 2622.68 FEET, TO THE INTERSECTION OF WEST LINE OF SAID SECTION 3 AND THE EAST LINE OF SAID TRACT 64, PALM BEACH FARMS CO. PLAT NO. 3; THENCE S00°35'08"E ALONG THE WEST LINE OF SAID SECTION 3, FOR A DISTANCE OF 325.41 FEET; THENCE CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF THE SAID LAKE WORTH DRAINAGE DISTRICT L-29 CANAL N89°58'27"W, FOR A DISTANCE OF 2766.76 FEET TO THE INTERSECTION THEREOF WITH THE WEST LINE OF SAID TRACT 57 AND THE EASTERLY RIGHT-OF-WAY LINE OF HAGAN RANCH ROAD;THENCE CONTINUING ALONG THE EASTERLY RIGHT-OF-WAY LINE OF HAGAN RANCH ROAD N00°01'33"E, FOR A DISTANCE OF 2635.19 FEET TO THE INTERSECTION THEREOF WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID LAKE WORTH DRAINAGE DISTRICT L-28 CANAL;THENCE ALONG SAID LAKE WORTH DRAINAGE DISTRICT L-28 CANAL S89°28'27"E FOR A DISTANCE OF 2573.37 FEET; THENCE N49°28'26"E, FOR A DISTANCE OF 53.83 FEET; THENCE S89°58'27"E, FOR A DISTANCE OF 123.99 FEET TO THE INTERSECTION THEREOF WITH THE WEST LINE OF SAID SECTION 3; THENCE N00°35'08"W, ALONG THE WEST LINE OF SECTION 3 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-28 CANAL, FOR A DISTANCE OF 105.14 FEET; THENCE CONTINUING ALONG THE AFOREMENTIONED SOUTHERLY RIGHT-OF- WAY LINE N49°28'26"E, FOR A DISTANCE OF 248.65 FEET; THENCE N89°47'01"E, FOR A DISTANCE OF 2412.97 FEET, TO THE POINT OF BEGINNING.

CONTAINING 14,066,270 SQUARE FEET /322.9171 ACRES, MORE OR LESS.

PUD OVERALL CONTAINING 28,000,348 SQUARE FEET/642.7995 ACRES, MORE OR LESS

EXHIBIT B

VICINITY SKETCH

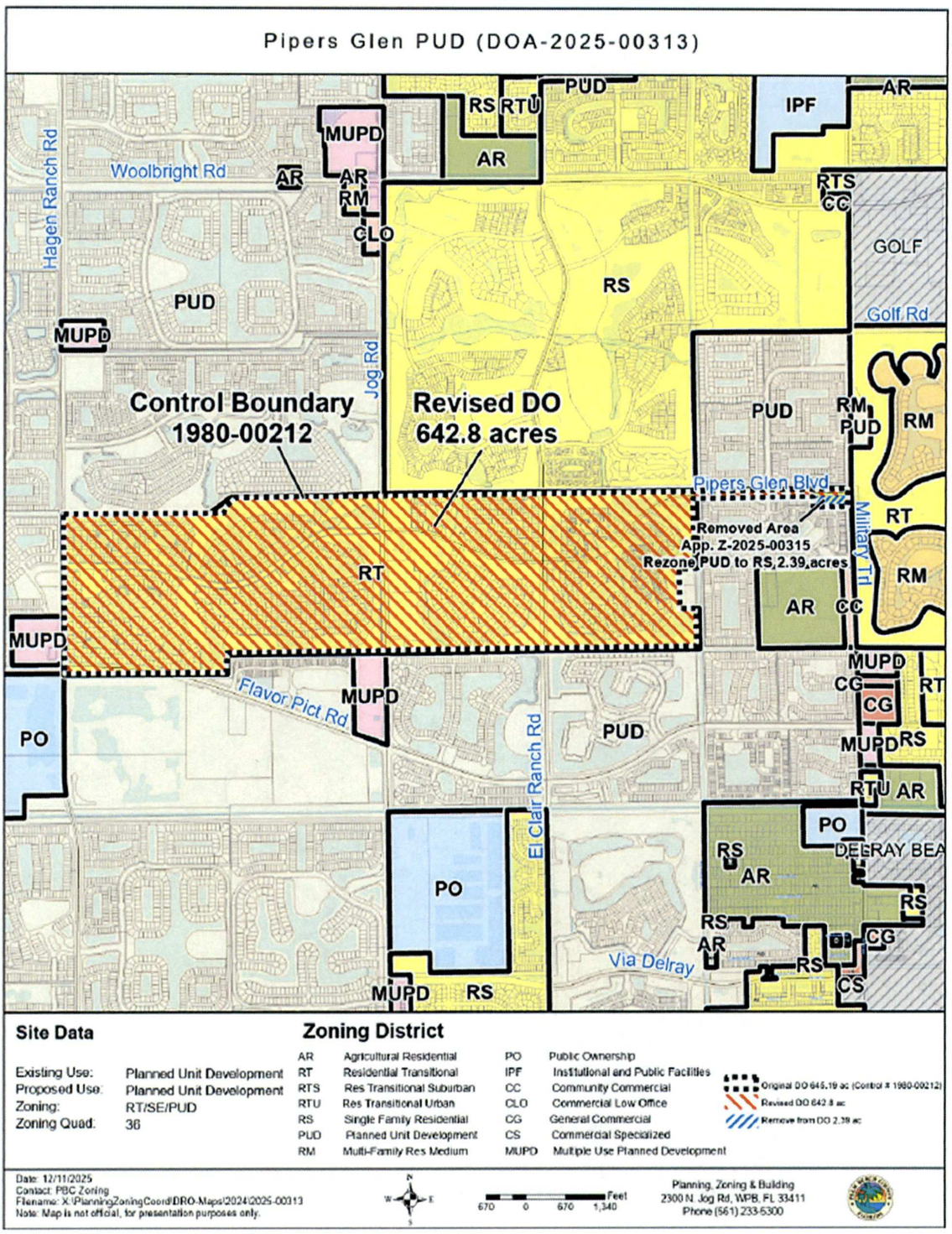

EXHIBIT C

CONDITIONS OF APPROVAL

Development Order Amendment

ALL PETITIONS
1. Previous ALL PETITIONS Condition 1 of Resolution R-2026-616, Control No.1980-00212, which currently states:

All previous Conditions of Approval applicable to the subject property, as contained in Resolutions R-2019-0261 and R-2019-0905 (Control Number 1980-00212), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code (ULDC) and the Board of County Commissioners, unless expressly modified.

Is hereby amended to read:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2026-0616 (Control Number 1980-00212), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code (ULDC) and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING - Zoning)

2. Resolution R-95-1479, Petition 80-212(E) and Resolution R-97-256, Petition 80-212(F) pertaining to pod J shall remain in full force and effect. (ONGOING: ZONING - Zoning) (Previous ALL PETITIONS Condition 2 of Resolution R-2026-616, Control No.1980-00212)

3. Previous ALL PETITIONS Condition 3 of Resolution R-2026-616, Control No.1980-00212, which currently states:

The approved Master Plan is dated March 20, 2026. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners.

Is hereby amended to read:

The approved Master Plan is dated May 14, 2026. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

ARCHITECTURAL REVIEW-(COMMERCIAL POD/ TRACT Y)
1. Similar architectural character and roof treatment shall be provided on all sides of the building(s). (ONGOING: BUILDING DIVISION - Architectural Review) (Previous ARCHITECTURAL REVIEW Condition 1 of Resolution R-2026-616, Control No.1980-00212)

2. Loading areas shall be screened from view and integrated into the building design to make it compatible with the building architecture. (ONGOING: BUILDING DIVISION - Architectural Review) (Previous ARCHITECTURAL REVIEW Condition 2 of Resolution R-2026-616, Control No.1980-00212)

BUILDING AND SITE DESIGN
1. The area of the subject property located on Military Trail and designated as a sales office site shall be used for the sale of property and units within the project only and shall not be converted for future commercial use at any point in the future. (ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous BUILDING AND SITE DESIGN Condition 1 of Resolution R-2026-616, Control No.1980-00212)

2. Petitioner shall provide legal access to the adjacent five (5) acre parcel owned by Donald Biele in accordance with Florida law prior to the commencement of any development on the subject site. (ONGOING: CODE ENF - Engineering) (Previous BUILDING AND SITE DESIGN Condition 2 of Resolution R-2026-616, Control No.1980-00212)

ENGINEERING
1. Petitioner shall convey to Palm Beach County one hundred twenty (120) feet for the ultimate

right-of-way for Jog Road thru the project's limits. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 1 of Resolution R-2019-261, Control No.1980-00212)

2. Petitioner shall convey to Palm Beach County one hundred eight (108) feet for the ultimate right-of-way for El Clair Ranch Road thru the project's limits. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-2019-261, Control No.1980-00212)

3. Petitioner shall convey to Palm Beach County sixty (60) feet from the east line of Section 2, Township 46 South, Range 42 East, for the ultimate right-of-way for Military Trail. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2019-261, Control No.1980-00212)

4. Petition shall construct Jog Road to a two-lane section thru the project's limits, as approved by the County Engineer. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-2019-261, Control No.1980-00212)

5. Petitioner shall construct El Clair Ranch Road to a two-lane section thru the project's limits, as approved by the County Engineer, to the north right-of-way line of the Lake Worth Drainage District L-28 Canal. Construction shall be in accordance with the construction plans approved by the County Engineer. This construction shall include an appropriate canal crossing over the Lake Worth Drainage Canal L-28 as approved by the Lake Worth Drainage District and the Office of the County Engineer. A complete set of construction plans shall be submitted to both the Lake Worth Drainage District and the County Engineer prior to June 15, 1990. All construction shall be completed prior to November 1, 1990. Acceptable surety shall be posted with the Office of the County Engineer prior to June 30, 1990. (DATE/ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-2019-261, Control No.1980-00212)

6. Petitioner shall construct a left turn lane, north approach, on Hagen Ranch Road at the project's entrance. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 6 of Resolution R-2019-261, Control No.1980-00212)

7. Petitioner shall construct at the intersection of the project's main road and El Clair Ranch Road:

a. left turn lane, north approach;
b. left turn lane, east approach;
c. left turn lane west approach. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 7 of Resolution R-2019-261, Control No.1980-00212)

8. Petitioner shall construct on Military Trail at the main road entrance:

a. right turn lane, north approach;
b. left turn lane, south approach. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 8 of Resolution R-2019-261, Control No.1980-00212)

9. Petitioner shall construct the main road access at Military Trail to have one lane entering and two lanes exiting. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 9 of Resolution R-2019-261, Control No.1980-00212)

10. Petitioner shall contribute the pro rata share for the construction of a left turn lane, north approach on Military Trail at S.W. 23 Avenue. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 10 of Resolution R-2019-261, Control No.1980-00212)

11. Petitioner shall construct a right turn lane, south approach, on Military Trail at S.W. 23 Avenue. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 11 of Resolution R-2019-261, Control No.1980-00212)

12. Petitioner shall construct a left turn lane, north approach, on Military Trail at Coconut Lane. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 12 of Resolution R-2019-261, Control No.1980-00212)

13. Petitioner shall signalize the intersection of the main access road and Military Trail when warranted, as determined by the County Engineer.] (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 13 of Resolution R-2019-261, Control

No.1980-00212)

14. Petitioner shall signalize the intersection of the main access road and Hagan Ranch Road when warranted, as determined by the County Engineer. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 14 of Resolution R-2019-261, Control No.1980-00212)

15. Condition deleted by Resolution R-2006-0006. (Previous ENGINEERING Condition 15 of Resolution R-2019-261, Control No.1980-00212)

16. The cost of implementing Conditions # 11, 12 & 13 shall be credited against the impact fee required by Condition #18. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 16 of Resolution R-2019-261, Control No.1980-00212)

17. Petitioner shall convey to the Lake Worth Drainage District for Lateral Canal No. 28 (L-28) the North 40.00 feet of Section 2, 46/42; the North 40.00 feet of Section 3, 46/42, except an irregular parcel in the NW corner of the said Section 3; the said irregular parcel as it is shown on Sheet 94 of 240 of our Required Right-Of-Way map as recorded in the Clerk's office; and the North 35.00 feet of Tracts 1 through 8 inclusive, Block 64, the Palm Beach Farms Company Plant No.3 as Recorded in Plat Book 2, pages 45-54 inclusive.

For Lateral Canal No. 29 (L-29), petitioner shall convey to the Lake Wroth Drainage District the South 40.00 feet of Section 2, 46/42; and the South 40.00 feet of the NW 1/4 of Section 2, 46/42.

For Equalizing Canal No. 3 (E-3), petitioner shall convey to the Lake Worth Drainage District the West 25.00 feet of the East 65.00 feet of the NE 1/4 of Section 2, 46/42; the West 25.00 feet of the East 65.00 feet of the SE 1/4 of the SE 1/4 of the NW 1/4 of Section 2, 46/42; and the East 25.00 feet of the West 65.00 feet of the North 120 feet of the NE 1/4 of Section 2, 46/42.

The Lake Worth Drainage District will accept a Quit Claim Deed or an Easement (on our form), whichever the owner prefers. (ONGOING: LAKE WORTH DRAINAGE DISTRICT - Lake Worth Drainage District) (Previous ENGINEERING Condition 17 of Resolution R-2019-261, Control No.1980-00212)

18. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County forty (40) feet from the east line for the ultimate right-of-way for Hagen Ranch Road. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 18 of Resolution R-2019-261, Control No.1980-00212)

19. Petitioner shall construct at the intersection of Hagen Ranch Road East the project's entrance road:
a. left turn lane, north approach;
b. left turn lane, east approach
c. signalization when warranted as determined by the County Engineer. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 19 of Resolution R-2019-261, Control No.1980-00212)

20. Petitioner shall construct at the intersection of El Clair Ranch Road and the project's entrance road:

a. left turn lane, north approach;
b. left turn lane, south approach;
c. left turn lane, east approach;
d. left turn lane, west approach;
e. signalization when warranted as determined by the County Engineer. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 20 of Resolution R-2019-261, Control No.1980-00212)

21. Petitioner shall construct at the project's entrance road and Military Trial:

a. right turn lane, north approach;
b. left turn lane, south approach;
c. one lane entering and two lanes exiting.
d. signalization when warranted as determined by the County Engineer. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 21 of Resolution R-2019-261, Control No.1980-00212)

22. Petitioner shall construct at the project's entrance and Jog Road:

a. left turn lane, north approach;
b. left turn lane, south approach;
c. left turn lane, east approach;
d. left turn lane, west approach. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 22 of Resolution R-2019-261, Control No.1980-00212)

23. Petitioner shall construct at the intersection of Military Trial and S.W. 23rd Avenue:

a. left turn lane, north approach;
b. left turn lane, south approach. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 23 of Resolution R-2019-261, Control No.1980-00212)

24. Petitioner shall construct at the intersection of Coconut Lane and Military Trail:
a. left turn lane, north approach. (ONGOING: ENGINEERING - Environmental Resources Management) [Note: COMPLETED] (Previous ENGINEERING Condition 24 of Resolution R-2019-261, Control No.1980-00212)

25. The Lake Worth Drainage District will require the same rights-of-way for Lateral Canals No. 28 and 29 and Equalizing Canal No. 3 as were previously set for under Zoning Petition 79-126 during the June 1979 Hearing. We will accept the right-of-way by Quit Claim Deed or Easement (on our form), whichever the owner prefers. (ONGOING: LAKE WORTH DRAINAGE DISTRICT - Lake Worth Drainage District) (Previous ENGINEERING Condition 25 of Resolution R-2019-261, Control No.1980-00212)

26. Palm Beach County will acquire right-of-way (120 feet right-of-way) for the Military Trail four-laning between Boynton West Road and Project entrance using funds provided by the developer. Funds shall be provided to Palm Beach County as required within thirty (30) days of the date of request. During right-of-way acquisition, the project may proceed with a first phase not to exceed 500 units. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 26 of Resolution R-2019-261, Control No.1980-00212)

27. The developer shall prepare plans to four-lane Military Trail from Boynton Road to project entrance (2 miles +) to County Standards (rural section, 1-5' concrete sidewalk in right of way). Plans to be approved by the County Engineer's office. Upon approval of plans, an additional 450 units may be approved. Plans shall be available within nine (9) months of project approval. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 27 of Resolution R-2019-261, Control No.1980-00212)

28. Developer shall let to contract the four-lane construction of Military Trail between Boynton Road and the project entrance as set forth herein:

a. developer shall award contracts for the clearing of the right-of-way for said road construction within sixty (60) days after receipt of written certification from the County that the right-of-way has been acquired. The clearing of said right-of-way shall be completed within ninety (90) days of the awarding of the contract for the clearing of the right-of-way, unless completion is prevented by circumstances beyond the control of the developer;

b. within Five (5) days of the completion of the clearing of the right-of-way, the developer shall notify the County of said completion so that any necessary relocation of utility lines can be undertaken by the utility companies or the County;

c. developer shall award the contract for the road construct required by this condition within ninety (90) days of receipt of written notice from the County that all utility line relocations have been completed. Actual road construction shall commence within fourteen (14) days after the contract has been awarded;

d. at the time of awarding the contract for the construction of Military Trail required by this condition, the remainder of the units authorized for construction in the project by this resolution shall be allowed to proceed to construction. In the alternative, the developer shall be entitled to proceed with the construction of said remainder of units at any time developer posts a $2 million surety for the construction of Military Trail required by this condition. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 28 of Resolution R-2019-261, Control No.1980-00212)

29. Palm Beach County shall assist with utility relocation in Military Trail right-of-way. It is the intent that the developer shall not be required to bear the cost of utility relocation. (ONGOING:

ENGINEERING - Engineering) (Previous ENGINEERING Condition 29 of Resolution R-2019-261, Control No.1980-00212)

30. The property owner shall provide to Palm Beach County a road drainage easement within the project's internal lake system which is adjacent to the property capable of accommodating all runoff from those segments of El Clair Ranch Road, Hagen Ranch Road and Jog Road along the property frontage and for a maximum of 400 feet distance along El Clair Ranch Road, Hagen Ranch Road, and Jog Road. The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge requirements of the applicable County Control District and South Florida Water Management District. The design of the system shall assume the ultimate Thoroughfare Plan Section road drainage runoff. (ONGOING: ENGINEERING - Engineering) (Previous ENGINEERING Condition 30 of Resolution R-2019-261, Control No.1980-00212)

31. Prior to July 1, 1990, or prior to the issuance of the first Building Permit, whichever shall first occur, the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for the construction of a right turn lane:

a. south approach on Hagan Ranch Road at Pipers Glen Boulevard

This right-of-way shall be a minimum of 150 feet, twelve feet in width and have a taper length of 180 feet.
(ONGOING: ENGINEERING - Environmental Resources Management) [Note: COMPLETED] (Previous ENGINEERING Condition 31 of Resolution R-2019-261, Control No.1980-00212)

32. The developer shall install signalization if warranted as determined by the County Engineer at Piper Glen Boulevard and Hagan Ranch Road and at Jog Road. Should signalization not be warranted after 12 months of the final Certificate of Occupancy this property owner shall be relieved from this condition, as an alternative, prior to April 1, 1990, the developer shall escrow funds in an amount to be determined by the County Engineer for the above signalization. (DATE/ONGOING: ENGINEERING - Engineering) (Previous ENGINEERING Condition 32 of Resolution R-2019-261, Control No.1980-00212)

33. Prior to July 1, 1991, or prior to the issuance of the first building permit whichever shall first occur, the property owner shall convey to Palm Beach County Roadway Production Division by road right-of-way warranty deed for:

a. Flavor Pict Road, 120 feet of right of way along the project's south property line on an alignment approved by the County Engineer.

b. Sufficient right of way to provide for an expanded intersection" right of way at the intersection of Hagen Ranch Road and Flavor Pict Road on an alignment approved by the County Engineer.

c. Sufficient right-of-way for a right turn land on Hagen Ranch Road at Piper's Glen Boulevard. This right-of-way shall be a minimum of 150 feet in storage length, twelve feet in width and a taper length of 180 feet.

All free of encumbrances and encroachments. Developer shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include Safe Sight Corners" where appropriate at intersections as determined by the County Engineer. (DATE/ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 33 of Resolution R-2019-261, Control No.1980-00212)

34. Prior to July 1, 1991 or prior to the issuance of the first Building Permit, the Property owner shall convey to Palm Beach County adequate road drainage tract through the project's internal surface water management system to provide legal positive outfall for all runoff from those segments of Flavor Pict Road, Jog Road El Clair Ranch Road and Hagen Ranch Road, along the property frontage and for a maximum 400 feet distance each side of the property boundary lines along Flavor Pict Road. Said easements shall be no less than 20 feet in width. The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge and treatment requirements of the applicable County Water Control District and South Florida Water Management for the combined runoff from the project and District the ultimate Thoroughfare Plan Road Section(s) of the included segment. If required and approved by the County Engineer the property owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures. Elevation and location of all construction shall be approved by the County Engineer. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 34 of

Resolution R-2019-261, Control No.1980-00212)

35. Piper's Glen PUD shall include in all written solicitations, advertisements, inducements, and other methods or attempts to encourage any person to purchase a legal or equitable interest in property which is the subject of this petition (or amendment hereto) a disclosure statement identifying all planned roadways within or adjacent to the petition property which are included in the County's Thoroughfare Plan or Five Year Road Program. These shall include Jog Road, El Clair Ranch Road, and Flavor Pict Road. (ONGOING: ENGINEERING - Engineering) (Previous ENGINEERING Condition 35 of Resolution R-2019-261, Control No.1980-00212)

36. The developer shall submit plans and construction berm and landscape buffers adjacent to the Flavor Pict Road Right-of-way subject to approval by the County Engineer and the Palm Beach County Zoning Department. Plans shall be submitted prior to site plan approval for POD G and construction shall be concurrent with paving and drainage improvements for POD G. Maintenance of this Landscape area shall be the responsibility of the Home Owners Association. (ONGOING: ENGINEERING - Engineering) (Previous ENGINEERING Condition 36 of Resolution R-2019-261, Control No.1980-00212)

37. Prior to or as part of the platting of Parcel H, the owner of parcel H shall provide written confirmation to the /County Engineer that the owner has provided Palm Beach County Water Utilities with a required wellfield site on Parcel H. The wellfield site shall be conveyed either by easement or dedicated by Plat (as determined by Palm Beach County Water Utilities Department) and shall be in a form acceptable to the Palm Beach County Water Utilities Department. The area of the wellfield site shall not exceed forty (40) by sixty (60) feet and a twenty (20) by twenty (20) area within the forty (40) by sixty (60) foot area shall be fenced. The wellfield area, except the fenced area, may overlap the community park area required in condition D.2.a. No structure or plants larger than shrubs shall be permitted in the wellfield site. The well head shall be located no closer than one hundred feet (100') from any existing water body or the forty-tow inch (42") force main on the east side of Hagen Ranch Road, nor any closer than three hundred feet (300') from a future water body. The location of and access to the wellfield site shall be coordinated with the Palm Beach County Water Utilities Department prior to site plan certification for Parcel H. No plat shall be approved for Parcel H without the wellfield site being established. This Condition shall apply only to Parcel H and shall be binding upon the owner of Parcel H, its successors and assigns. This Conditions shall not affect the development or conveyance of, or issuance of development orders for, any other property in the PUD. (ONGOING: ENGINEERING - Engineering) (Previous ENGINEERING Condition 37 of Resolution R-2019-261, Control No.1980-00212)

38. a. By no later than July 1, 1994 in coordination with the County Engineer, the parcel owners shall provide for signalization of the intersection of Pipers Glen Boulevard and El Clair Ranch Road, and for the relocation of the existing at grade golf cart crossing of El Clair Ranch Road to the signalized intersection.

b. Adequate and sufficient surety, as required by the County Engineer, shall be posted to cover the cost of the signalization by no later than May 1, 1994. This surety shall also provide for appropriate signalization at the existing golf cart crossing of Pipers Glen Boulevard between Parcels A-1 and A-2 as determined to be necessary by the County Engineer. (DATE/ONGOING: ENGINEERING - Engineering) (Previous ENGINEERING Condition 38 of Resolution R-2019-261, Control No.1980-00212)

39. The existing bridge crossing the E-3 Canal shall be modified by the Developer to meet the existing standards of the County Engineer prior to January 1, 1992. [Note: COMPLETED] (Previous ENGINEERING Condition 39 of Resolution R-2019-261, Control No.1980-00212)

40. All surety as required by the County Engineer, to provide for the construction /completion of the segment of Pipers Glen Boulevard from Jog Road through to Hagan Ranch Road shall be posted based upon an engineer's certified cost estimate to complete the roadway pursuant to minimum county standards. This surety shall be posted no later than May 1, 1994. [Note: COMPLETED] (Previous ENGINEERING Condition 40 of Resolution R-2019-261, Control No.1980-00212)

41. There shall be no further final plat approvals within the PUD (except for the proposed replat of a potion of Southpointe Plat NO.2) until such time as the PUD Work" (i.e. all remaining infrastructure improvements required by the conditions of approval of this and prior resolutions) is completed or adequate and sufficient sureties are posted for completion of such improvements. The cost of constructing the PUD Work shall be shared among the owners of all unplatted parcels within the PUD west of Jog Road as set forth in that certain Inter-Developer Agreement entered into between the various property owners dated January 24, 1994. Property owners will be

permitted to independently file and process applications for plats of their separate parcels. However, pursuant to the terms of the Inter-Developer Agreement, as agreed to by the owners of the unplatted parcels within the PUD located west of Jog Road and as set forth in that certain Inter-Developer Agreement enter into between the various property owners within the PUD located west of Jog Road, an application for plat approval shall not be considered for any parcel west of Jog Road until evidence of payment of the particular owner's share of the costs for the PUD Work, in the form of a receipt signed by the designated escrow agent (as provided for in paragraph 5 of the Inter-Developer Agreement), is presented to the Land Development Division of the County Engineer's Office. The affected property owners have acknowledged that the County Engineer is authorized to rely solely upon the receipt signed by the designated escrow agent under the Interdeveloper Agreement (currently being Chicago Title Insurance Company) as evidence of compliance with this condition. The County Engineer is not required to make any further inquiries concerning the parties' compliance with the Agreement. Palm Beach County shall have no liability whatsoever for any parcel owner's failure to perform its obligations under the Inter-Developer Agreement. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 41 of Resolution R-2019-261, Control No.1980-00212)

42. a. No later than June 1, 1994, the parcel owners shall ensure that the portions of El Clair Ranch Road, Jog Road and Pipers Glen Boulevard previously constructed within the PUD shall be improved to previously approved plans and standards of Palm Beach County, so that these road segments may be delivered to the County for maintenance.

b. Unless the work is completed by, or sureties for this work are submitted by, May 1, 1994, no submittals for plat technical compliance shall be accepted by the County Engineer's Office, except for the proposed replat of a portion of Southpointe Plat No. 2 (Parcel A2.a). For purposes of this condition, adequate surety shall be 110% (one hundred ten percent) of a professional engineer's certified cost estimate for the described work. The engineer's certified cost estimate shall be submitted to the County Engineer's Office by no later than March 1, 1994. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 42 of Resolution R-2019-261, Control No.1980-00212)

43. The western segment of Piper's Glen Boulevard within the PUD, between Jog Road on the east and Hagen Ranch Road on the west, which previously was planned as a public roadway, shall be built and maintained by the owners of the unplatted parcels within the PUD located west of Jog Road (except Westchester Golf & Country Club Association) and their successors in interest as a restricted access private roadway. (ONGOING: ENGINEERING - Engineering) (Previous ENGINEERING Condition 43 of Resolution R-2019-261, Control No.1980-00212)

44. The Property owner shall construct a left turn lane west approach on Pipers Glen Boulevard at the projects entrance road.

a. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

b. Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit.

c. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 44 of Resolution R-2019-261, Control No.1980-00212)

45. LANDSCAPE WITHIN MEDIAN OF COUNTY MAINTAINED ROADWAYS

a. Prior to issuance of a building permit, the property owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape the adjacent median of Jog Road right-of-way for the proposed commercial site and zoning petition DOA80-212(H) and shall comply with all permit requirements, including but not limited to indemnifying Palm Beach County When permitted by Palm Beach County Department of Engineering and Public Works, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the Palm Beach County Engineering and Public Works Department March 1994 Streetscape Standards. The property owner shall also be responsible to supplement any existing landscape material previously planted in this median and all new landscape material shall be consistent with the landscaping theme adopted for this roadway. All landscape material, installation, and maintenance requirements shall be subject to the standards set forth by the Streetscape Standards. If all xeriscape material is utilized, the watering of the plant material during the initial

heal-in period shall be the responsibility of the property owner. Alternative species other than those listed in the County standards may be allowed subject to approval by the County Engineer.

b. All required median landscaping, including an irrigation system if required, shall be installed at the property owner's expense. All existing landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, heirs or assignees or duly established Property Owner's Association and/or Homeowners Association. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, irrigation, and alternate watering of Xeriscape material during periods of drought in order to maintain healthy plant material. All landscape material shall be installed on or before the issuance of a Certificate of Occupancy.

c. Declaration of Covenants and Restriction Documents shall be established or amended as required evidencing this obligation, prior to issuance of a building permit to reflect this obligation. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 45 of Resolution R-2019-261, Control No.1980-00212)

46. CUTOUT" LANDSCAPE STRIPS WITHIN THE CONCRETE MEDIAN OF JOG ROAD

a. Prior to issuance of a building permit, the property permit, the property owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to provide for landscape cutouts within the concrete median of Jog Road Right-of Way contiguous to the frontage for the proposed commercial site, zoning petition DOA80-212(H). As part of this permit process, the property owner shall enter into a Right of Way concrete median cutout; Landscape and paver block Installation including appropriate Maintenance, Removal, and Indemnification agreements. When landscape plantings and the installation of paver blocks are permitted by the County Engineer, the landscape material within the concrete cutouts shall be consistent with the landscaping theme approved by Palm Beach County for this roadway. All landscape material, installation, and maintenance requirements shall be subject to the standards set forth by the Palm Beach County Streetscape Standards. Alternative species and paver block material other than those listed in the County standards may be allowed subject to approval by the County Engineer.

b. All required median landscaping, including an irrigation system, the cost of cutting out the concrete median and the installation of all landscape material shall be funded at the property owner's expense. All landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, or assignees or duly established Property Owner's Association Perpetual maintenance includes, but is not limited to, pruning, fertilizing, irrigation system to the cut-out areas. All landscape material shall be installed prior to the issuance of the first certificate of occupancy.

c. Declaration of Covenants and Restriction Documents shall be established or amended as required evidencing this obligation prior to issuance of a building permit. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 46 of Resolution R-2019-261, Control No.1980-00212)

47. Unless the cost of a right turn lane into the site from Jog Road is prohibitive as determined by the County Engineer, the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed additional right of way for the construction of a right turn lane on Jog Road at the project's entrance road. Right-of-way dedication shall be recorded prior to the issuance of a building permit. This right-of-way shall be a minimum of 280 feet in storage length, twelve feet in width and a taper length of 50 feet or as approved by the County Engineer. This additional right of way shall be free of all encumbrances and encroachments and shall include "Corner Clips" where appropriate as determined by the County Engineer. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. If the right turn lane for the site is required, the site plan for the subject parcel shall be amended accordingly. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 47 of Resolution R-2019-261, Control No.1980-00212)

48. If this right turn lane is required by the County Engineer as outlined in the condition above, the Property owner shall construct this right turn lane north approach on Jog Road at the projects entrance road.
A) This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations.

B) Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit.

C) Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 48 of Resolution R-2019-261, Control No.1980-00212)

49. Funding, based upon a certified cost estimate from the developer's engineer and subject to approval by the County Engineer for the canal crossing of the LWDD-28 Canal on El Clair Ranch Road, shall be provided to the County prior to June 13, 1991. No building permits shall be issued until these funds are provided to the County. Upon receipt of these funds Palm Beach County shall construct the canal crossing. (DATE/ONGOING: ENGINEERING - Engineering) (Previous ENGINEERING Condition 49 of Resolution R-2019-261, Control No.1980-00212)

50. Prior to the issuance of the first building permit, the Property Owner shall release the portion of the limited access easement in conflict with the proposed driveway connection. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 50 of Resolution R-2019-261, Control No.1980-00212)

51. Prior to the issuance of the first building permit, the Property Owner shall record an access easement from Pipers Glen Boulevard to the tower site. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 51 of Resolution R-2019-261, Control No.1980-00212)

52. Pursuant to the Traffic Analysis, the Buildout Date is 2028. No Building Permits for the site may be issued after December 31, 2028. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering) (Previous ENGINEERING Condition 52 of Resolution R-2026-616, Control No.1980-00212)

53. Prior to the issuance of the first building permit, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDGPMT: MONITORING - Engineering) (Previous ENGINEERING Condition 53 of Resolution R-2026-616, Control No.1980-00212)

54. Prior to the issuance of the first building permit, the Property Owner shall abandon or release, and relocate the drainage easement associated with Pipers Glen Blvd. (BLDGPMT: MONITORING - Engineering) (Previous ENGINEERING Condition 54 of Resolution R-2026-616, Control No.1980-00212)

55. Prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first, the Property Owner shall provide to Palm Beach County Right of Way Section of Roadway Production Division by warranty deed additional right of way for the construction of a right turn lane on Jog road at the intersection of Jog Road and Pipers Glen Boulevard. This right of way shall be a minimum of 280 feet in storage length, a minimum of twelve feet in width and a taper length of 50 feet, or as approved by the County Engineer. Additional width may be required to accommodate paved shoulders. The right of way shall continue across the project entrance. This additional right of way shall be free of all encumbrances and encroachments and shall include Corner Clips where appropriate, as determined by the County Engineer. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. The Property Owner shall not record the required right of way or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (BLDGPMT/ONGOING: MONITORING - Engineering) (Previous ENGINEERING Condition 55 of Resolution R-2026-616, Control No.1980-00212)

56. Prior to the approval of the Final Site Plan by the Development Review Officer, the Property Owner shall correct the proposed corner clip dimension location at the northwest corner of the property. (DRO: ENGINEERING - Engineering) (Previous ENGINEERING Condition 56 of Resolution R-2026-616, Control No.1980-00212)

57. The Property Owner shall provide to the Palm Beach County Right of Way Section of Roadway Production Division a warranty deed for road right of way and all associated documents as required by the County Engineer for the corner clip at the intersection of Jog Road and Pipers Glen Boulevard as approved by the County Engineer.

All warranty deed(s) and associated documents, including a title policy naming Palm Beach County as an insured, shall be provided and approved prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. The Property Owner shall provide to the Right of Way Section a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (BLDGPMT/ONGOING: MONITORING - Engineering) (Previous ENGINEERING Condition 57 of Resolution R-2026-616, Control No.1980-00212)

58. Pursuant to the Traffic Analysis, the Buildout Date is 2028. No Building Permits for the site may be issued after December 31, 2028. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

ENVIRONMENTAL

1. Applicant and /or property owner shall meet with Wellfield Protection staff prior to Final Site Plan approval. Site construction and design shall comply with the standards pursuant to ULDC Article 14.B. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) [Note: COMPLETED] (Previous ENVIRONMENTAL Condition 1 of Resolution R-2019-261, Control No.1980-00212)

2. Certain portions of Parcels H and I are the future location of Palm Beach County wells and are to be listed as a Wellfield Protection Zone 1 and 2. Maintenance and/or chemical storage building(s) shall not be located in Zone One (1) or Two (2) of the proposed wellfield. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) [Note: COMPLETED] (Previous ENVIRONMENTAL Condition 2 of Resolution R-2019-261, Control No.1980-00212)

3. Parcels G, H, I, F may be located in Wellfield Protection Zone 2. Sewer mains in Wellfield Protection Zone 2 are to be constructed to force main standards as outlined in Exhibit F" of the Wellfield Protection Ordinance. Any nonresidential activities shall require to approval of the Department of Environmental Resources Management. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) [Note: COMPLETED] (Previous ENVIRONMENTAL Condition 3 of Resolution R-2019-261, Control No.1980-00212)

4. No pesticides or fertilizers should be applied through aerial irrigation. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) [Note: COMPLETED] (Previous ENVIRONMENTAL Condition 4 of Resolution R-2019-261, Control No.1980-00212)

5. All land development and construction activities within the project area must use those applicable best management practices as set forth in Exhibit D" of the Wellfield Protection Ordinance. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) [Note: COMPLETED] (Previous ENVIRONMENTAL Condition 5 of Resolution R-2019-261, Control No.1980-00212)

6. If there is known or identified contaminants within 300 feet of the excavated area, prior to

issuance of the first Multi-family dwelling unit building permit or Notice of Intent to Construct for Excavations (NIC) approval, whichever comes first, the applicant shall provide ERM a copy of the Site Assessment Report (SAR) and a Soil Management Plan (SMP) (as applicable per Ch.62-777 of the F.A.C.) that is sealed by a Florida licensed Professional Engineer (P.E.) or qualified Professional Geologist (P.G) submitted to FDEP, the FDEP SAR and SMP Approval letter(s) from the FDEP District, and a signed and sealed certification letter from the Applicant's Florida licensed P.E. or qualified P.G. that the applicant is in compliance with the Contaminated Site Cleanup Criteria per Ch. 62-780 F.A.C. (BLDGPMT: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) (Previous ENVIRONMENTAL Condition 6 of Resolution R-2026-616, Control No.1980-00212)

LANDSCAPE - PERIMETER-COMMERCIAL POD/TRACT Y PERIMETER (NORTH PROPERTY LINE ADJACENT TO LWDD L-28)

1. Landscaping and buffering along the north property line shall be upgraded to include:

a. A minimum ten (10) foot wide landscape buffer strip with a five feet overlap in the utility easement for an overall fifteen (15) feet;
b. Continuous two (2) foot high berm with the height of berm measured from the top of curb;
c. The petitioner shall install a six (6) foot high green vinyl coated chain link fence along the north property line. The fence shall be located on the plateau of the berm and continue to the twenty-five (25) feet setback east of the Jog Road right of way.
d. One (1) canopy tree for each twenty (20) linear feet of perimeter property line with a maximum spacing of thirty (30) feet on center.
e. One (1) palm or pine tree for each thirty (30) linear feet perimeter property line with a maximum spacing of sixty (60) feet between clusters. A grouping of three or more palms or pine trees may supersede the requirement for a canopy tree in that location.
f. Twenty-four (24) inch high shrub or hedge material installed on the plateau of the berm. Shrub or hedge material shall be spaced no more than twenty-four (24) inches on center and maintained at a minimum height of thirty-six (36) inches. (ONGOING: MONITORING - Zoning) (Previous LANDSCAPE - PERIMETER Condition 1 of Resolution R-2026-616, Control No.1980-00212)

LANDSCAPE - PERIMETER-COMMERCIAL POD/TRACT Y PERIMETER (SOUTH PROPERTY LINE-PIPER'S GLEN FRONTAGE)

2. Landscaping and buffering along the south property line shall be upgraded to include:

a. A minimum fifteen (15) foot wide landscape buffer strip with a five (5) feet overlap in the utility easement for an overall twenty (20) feet;
b. Continuous two (2) foot high berm with the height of berm measured from the top of curb;
c. One (1) canopy tree planted every twenty (20) feet on center;
d. One (1) palm or pine tree for each thirty (30) linear feet of frontage, with a maximum spacing of sixty (60) feet on center between clusters; and,
e. Thirty (30) inch high shrub or hedge material, spaced no more than twenty-four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36) inches. (ONGOING: MONITORING - Zoning) (Previous LANDSCAPE - PERIMETER Condition 2 of Resolution R-2026-616, Control No.1980-00212)

LANDSCAPE - PERIMETER-COMMERCIAL POD/TRACT Y PERIMETER (EAST PROPERTY LINE ADJACENT TO RESIDENTIAL)

3. Landscaping and buffering along the east property line shall be upgraded to include:

a. A minimum twenty (20) foot wide landscape buffer strip;
b. Continuous two (2) foot high berm with the height of berm measured from the top of curb;
c. One (1) tree for each fifteen (15) linear feet of property line with a maximum spacing of twenty (20) feet on center;
d. The petitioner shall install a six (6) foot high opaque concrete wall along the east property line. The wall shall be located on the plateau of the berm and continue to the twenty-five (25) feet setback north of the Pipers Glen Boulevard right of way. The exterior side of the wall shall be given a finished architectural treatment which is compatible and harmonious with abutting development. (ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - PERIMETER Condition 3 of Resolution R-2026-616, Control No.1980-00212)

LANDSCAPE - PERIMETER-COMMERCIAL POD/TRACT Y PERIMETER (WEST PROPERTY LINE JOG ROAD FRONTAGE)

4. Landscaping and buffering along the west property line shall be upgraded to include:

a. A minimum twenty (20) feet wide landscape buffer with a maximum five (5) feet overlap in the existing fifteen (15) foot utility easement for an overall thirty (30) feet;
b. A minimum two (2) foot undulating berm, measured from the top of the curb;

c. One (1) canopy tree planted every twenty (20) feet on center;
d. One (1) palm or pine tree for each thirty (30) linear feet of frontage, with a maximum spacing of sixty (60) feet on center between clusters; and,
e. Twenty-four (24) inch high shrub or hedge material, spaced no more than twenty-four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36) inches. (ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - PERIMETER Condition 4 of Resolution R-2026-616, Control No.1980-00212)

PARKING-(COMMERCIAL TRACT ONLY)
1. No overnight parking of any vehicle or trucks shall be permitted. (ONGOING: CODE ENF - Zoning) (Previous PARKING Condition 1 of Resolution R-2026-616, Control No.1980-00212)

PLANNING
1. The subject request for 49 multifamily units in Pod K with a 2-unit Workforce Housing Program (WHP) obligation was calculated based on the LR-3 Future Land Use designation. No Bonus Density Programs were utilized. The WHP units will be provided On-Site and For-Sale. Should a reduction in overall units occur, the WHP obligation may be reduced subject to a new analysis, and the timing mechanisms adjusted administratively as needed. (ONGOING: PLANNING - Planning) (Previous PLANNING Condition 1 of Resolution R-2026-616, Control No.1980-00212)

2. Prior to the issuance of the first residential Building Permit, the Property Owner shall record in the public records of Palm Beach County a Declaration of Restrictive Covenants for the Workforce Housing Program, in a form acceptable to the Palm Beach County Attorney. (BLDGPMT: MONITORING - Planning) (Previous PLANNING Condition 2 of Resolution R-2026-616, Control No.1980-00212)

3. Prior to the issuance of the first residential Building Permit, the Property Owner shall provide documentation for the Workforce Housing Program, such as an affidavit on a form provided by the County, demonstrating compliance with the required design standards including compatible exteriors and the provision of a model. (BLDGPMT: MONITORING - Planning) (Previous PLANNING Condition 3 of Resolution R-2026-616, Control No.1980-00212)

4. The Developer shall notify the Planning Division and the Department of Housing and Economic Development (DHED) at the commencement of sales. (ONGOING: PLANNING - Planning) (Previous PLANNING Condition 4 of Resolution R-2026-616, Control No.1980-00212)

5. Prior to the issuance of fifty percent of the residential Building Permits (5 buildings or 24 units), fifty percent of the WHP units (1 unit) must receive Certificates of Occupancy (CO). (BLDGPMT: MONITORING - Planning) (Previous PLANNING Condition 5 of Resolution R-2026-616, Control No.1980-00212)

6. Prior to the issuance of eighty-five percent of the residential Building Permits (8 buildings or 41 units), both WHP units must receive Certificates of Occupancy (CO). (BLDGPMT: MONITORING - Planning) (Previous PLANNING Condition 6 of Resolution R-2026-616, Control No.1980-00212)

7. Should all of the Residential Building Permits be issued simultaneously, then the initial Certificates of Occupancy (CO) that are released shall be attributable to the WHP obligation. (ONGOING: PLANNING - Planning) (Previous PLANNING Condition 7 of Resolution R-2026-616, Control No.1980-00212)

PLANNED UNIT DEVELOPMENT
1. Parcel H shall be limited to a maximum of 70 dwelling units, Parcel I shall be limited to a maximum of 72 dwelling units, and Parcel F shall be limited to a maximum of 132 dwelling units. (ONGOING: ZONING - Zoning) (Previous PLANNED UNIT DEVELOPMENT Condition 2 of Resolution R-2026-616, Control No.1980-00212)

SIGNS-(COMMERCIAL POD/TRACT Y)
1. Freestanding signs fronting on Pipers Glen Boulevard shall be limited as follows:

a. Maximum number of signs - two (2); and
b. Location -
1) one to be located within thirty (30) feet of entrance on Pipers Glen Boulevard
2) one to be located at the intersection of Jog Road and Pipers Glen Boulevard. (ONGOING: BUILDING DIVISION - Zoning) (Previous SIGNS Condition 1 of Resolution R-2026-616, Control No.1980-00212)

SITE DESIGN
1. Prior to Final Approval by the Development Review Officer (DRO), the Site Data Table for the

Master Plan shall be revised to update the uses and acreage. (DRO/ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous SITE DESIGN Condition 1 of Resolution R-2026-616, Control No.1980-00212)

2. At the time of DRO Submittal, applicant shall revise the Site Plan for Pod K to add amenities for the open space area around the proposed Water Management Tract located on the east side of the site to provide equipment to the public to be used for recreation purposes such as benches, gazebos along the pathway. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous SITE DESIGN Condition 2 of Resolution R-2026-616, Control No.1980-00212)

USE LIMITATIONS-USE LIMITATIONS (COMMERCIAL TRACT, TRACT Y)
1. Delivery or unloading activities, including trash removal, shall be prohibited between the hours of 7:00 p.m. to 9:00 a.m. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 1 of Resolution R-2026-616, Control No.1980-00212)

USE LIMITATIONS-(COMMERCIAL TRACT/TRACT Y)
2. Hours of operation shall be from 6 am to 10 p.m. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 2 of Resolution R-2026-616, Control No.1980-00212)

COMPLIANCE
1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:
a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
d. Referral to Code Enforcement; and/or
e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

DISCLOSURE
1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.