TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2016-03

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THE LOXAHATCHEE GROVES COMMONS RE-PLAT, FOR LAND OWNED BY ATLANTIC LAND INVESTMENTS, LLC, CONSISTING OF 21.73 ACRES MORE OR LESS, LOCATED AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND "B" ROAD LOXAHATCHEE GROVES, FLORIDA, LEGALLY DESCRIBED IN EXHIBIT "A" TO THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 177, Florida Statutes requires approval of a plat by the municipality in which it is located; and

WHEREAS, the Town Council, on October 2, 2012, adopted Resolution 2012-17 approving the Simon Trust Boundary Plat which created the Loxahatchee Groves Commons parcel of land legally described in Exhibit A hereto; and

WHEREAS, the Town Council, on February 17, 2015, adopted Ordinance 2013-09 approving the rezoning of the property from the Agricultural Residential (AR) zoning district to Commercial Low Planned Unit Development (CL/PUD), including the Final Conceptual Master Plan and Final Conditions of Approval ; and

WHEREAS, the Town Council, on February 17, 2015, adopted Resolution 2015-05 approving the Loxahatchee Groves Commons Final Site Plan 2014-02, including the Final Site Plan, Statement of Use and Final Conditions of Approval ; and

WHEREAS, the Town Council, on August 4, 2015, adopted Resolution 2015-22 approving the Loxahatchee Groves Commons Site Plan Amendment SP(A) 2015-04, including the amended Final Site Plan, Statement of Use and Final Conditions of Approval ; and

WHEREAS, the notice and hearing requirements, as provided for in Section 115-010 *Table of public notice requirements* of the Town of Loxahatchee Groves Unified Land Development Code have been satisfied; and

WHEREAS, the Town Engineering Consultant has completed a Technical Compliance Review (TCR) and recommended approval of the Loxahatchee Groves Commons Re-Plat Approval PA 2016-01; and

WHEREAS, the Loxahatchee Groves Commons Re-Plat Approval PA 2016-01, was presented to the Town Council at a quasi-judicial public hearing conducted on January 19, 2016; and

WHEREAS, the Town Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of Town Consulting Engineer and Town staff.

NOW, THEREFORE, be it resolved by the Town Council of the Town of Loxahatchee Groves as follows:

Section 1. Each "WHEREAS" clause set forth above is true and correct and herein incorporated by this reference.

Section 2. The Town Council has considered the findings in the agenda report dated January 19, 2016 and Town Consulting Engineer TCR and Town staff recommendation and makes the following findings of fact:

1. Re-Plat Approval PA 2016-01 is consistent with the purposes, goals, objectives and policies of the Town of Loxahatchee Groves Comprehensive Plan, including standards for building and structural intensities and intensities of use.

2. Re-Plat Approval PA 2016-001 is consistent with Resolutions 2012-17 (Simon Trust Boundary Plat), 2015-05 (Final Site Plan) and 2015-22 (Amended Final Site Plan) approved by the Town Council.

3. Re-Plat Approval PA 2016-01, as presented in Exhibit B hereto, complies with Sections 140-030 *Plat submittal requirements* and Section 140-035 *Platted reservations and dedications* of the Town of Loxahatchee Groves Unified Land Development Code (ULDC) as determined by the Town Consulting Engineer. This Re-Plat Approval, as presented in Exhibit B hereto, along with conditions of approval, as adopted and presented in Exhibit C hereto, complies with standards and conditions imposed on it by Resolutions 2015-05 and 2015-22 and all other applicable provisions of the Town ULDC. The Town Council finds the conditions of approval, as presented in Exhibit B hereto, to be reasonable, and rationally related to the proposed development, and consistent with the Town's character.

Section 3. Section 140-040 *Procedure,* Subsection (B) of the Town of Loxahatchee Groves Unified Land Development Code requires that the action of the Town Council of Loxahatchee Groves be adopted by resolution. Therefore, the Town Council of the Town of Loxahatchee Groves approves for recordation the Loxahatchee Groves Commons Re-Plat Approval PA 2016-01 for the parcel of land legally described in Exhibit A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in Exhibit A, attached hereto and made a part hereof. A copy of PA 2016-01 and conditions of approval are presented in Exhibits B and C hereto and made a part hereof.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 6. This Resolution shall become effective upon adoption.

RESOLVED AND ADOPTED by the Town Council of the TOWN OF LOXAHATCHEE GROVES, Florida this 19th day of January, 2016.

ATTEST:

Virginia M Walton
TOWN CLERK

APPROVED AS TO LEGAL FORM:

Town Attorney

TOWN OF LOXAHATCHEE GROVES, FLORIDA

David Browning
Mayor David Browning

Ronald Jarriel
Vice Mayor Ron Jarriel

Council Member Jim Rockett

Council Member Ryan Liang

Council Member Tom Goltzene

EXHIBIT A

LEGAL DESCRIPTION AND LOCATION MAP

The following Legal Description is applicable to Resolution 2016-03:

Parcel Control Number: 41-41-43-31-09-000-0020

LOT 2, SIMON TRUST BOUNDARY PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 116, PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS AND RIGHTS-OF-WAY OF RECORD.

LOCATION MAP

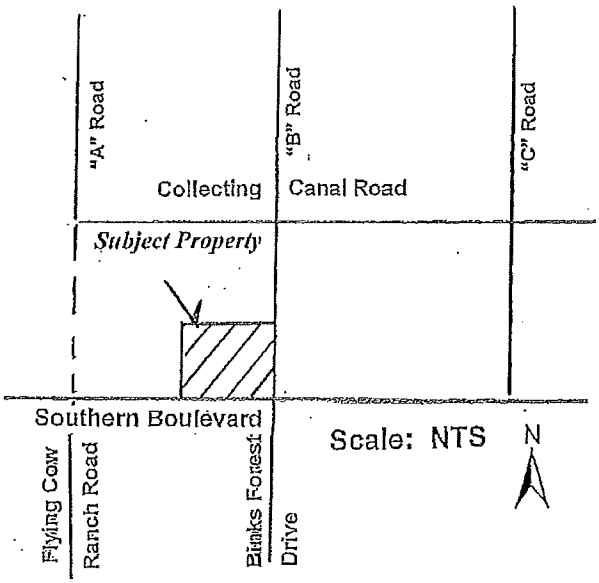


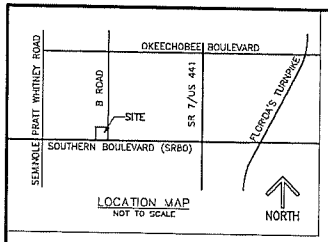
EXHIBIT B

LOXAHATCHEE GROVES COMMONS RE-PLAT PA 2016-01

Resolution 2016-03

LOXAHATCHEE GROVES COMMONS

BEING A REPLAT OF LOT 2, SIMON TRUST BOUNDARY PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 116, PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,
LYING IN SECTION 31, TOWNSHIP 43 SOUTH, RANGE 41 EAST, THE TOWN OF LOXAHATCHEE GROVES, PALM BEACH COUNTY, FLORIDA



LOCATION MAP
NOT TO SCALE

THIS INSTRUMENT PREPARED BY
DAVID P. LINDLEY
OF
CAULFIELD and WHEELER, INC.
SURVEYORS – ENGINEERS – PLANNERS
7301–A WEST PALMETTO PARK ROAD, SUITE 100A
BOCA RATON, FLORIDA 33433 – (561)392–1991
LB #3591

STATE OF FLORIDA
COUNTY OF PALM BEACH
THIS PLAT WAS FILED FOR RECORD AT _____ M.
THIS ____ DAY OF _____ A.D. 2015 AND DULY RECORDED IN PLAT BOOK _____ ON PAGES ____ AND ____
SHARON R. BOCK
CLERK AND COMPTROLLER
BY: _____
DEPUTY CLERK

SHEET 1 OF 4

SHEET INDEX
1 – COVER SHEET
2 – MAP SHEET
3 – PBC UTILITY EASEMENT GEOMETRY
4 – UTILITY EASEMENT GEOMETRY

DEDICATION AND RESERVATIONS:

KNOW ALL MEN BY THESE PRESENTS THAT ATLANTIC LAND INVESTMENTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, THE OWNER OF THE LAND SHOWN HEREON AS LOXAHATCHEE GROVES COMMONS BEING A REPLAT OF LOT 2, SIMON TRUST BOUNDARY PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 116, PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LYING IN SECTION 31, TOWNSHIP 43 SOUTH, RANGE 41 EAST, THE TOWN OF LOXAHATCHEE GROVES, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 2, SIMON TRUST BOUNDARY PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 116, PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 946,700 SQUARE FEET OR 21.7332 ACRES, MORE OR LESS.

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

1. TRACT A AND OUT PARCEL E, F AND G

TRACT "A" AND OUT PARCELS E, F AND G, AS SHOWN HEREON, ARE HEREBY RESERVED FOR ATLANTIC LAND INVESTMENTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS, FOR PURPOSES PURSUANT TO PLANNING AND ZONING REGULATIONS OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF LOXAHATCHEE GROVES, FLORIDA.

2. TRACT RW–1

TRACT RW–1, AS SHOWN HEREON, IS HEREBY DEDICATED IN FEE SIMPLE TO THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, FOR THE PERPETUAL USE OF THE PUBLIC FOR PUBLIC STREET PURPOSES.

3. WATER MANAGEMENT TRACTS

TRACTS WM–1, WM–2 AND WM–3, AS SHOWN HEREON, ARE HEREBY RESERVED FOR ATLANTIC LAND INVESTMENTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS, FOR STORMWATER MANAGEMENT AND DRAINAGE PURPOSES AND EQUESTRIAN ACCESS AND USE AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID COMPANY, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF LOXAHATCHEE GROVES, FLORIDA.

4. LAKE MAINTENANCE EASEMENTS

THE LAKE MAINTENANCE EASEMENTS, AS SHOWN HEREON, ARE HEREBY RESERVED FOR ATLANTIC LAND INVESTMENTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS, FOR STORMWATER MANAGEMENT AND DRAINAGE FACILITIES LOCATED WITHIN THE ASSOCIATED WATER MANAGEMENT TRACT FOR PURPOSES OF PERFORMING ANY AND ALL MAINTENANCE ACTIVITIES PURSUANT TO THE MAINTENANCE OBLIGATION OF SAID COMPANY, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF LOXAHATCHEE GROVES, FLORIDA.

5. LIMITED ACCESS EASEMENTS

THE LIMITED ACCESS EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, FOR THE PURPOSE OF CONTROL AND JURISDICTION OVER ACCESS RIGHTS.

6. UTILITY EASEMENTS

THE UTILITY EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED IN PERPETUITY TO THE PUBLIC FOR THE CONSTRUCTION AND MAINTENANCE OF UTILITY FACILITIES, INCLUDING CABLE TELEVISION SYSTEMS. THE INSTALLATION OF CABLE TELEVISION SYSTEMS SHALL NOT INTERFERE WITH THE CONSTRUCTION AND MAINTENANCE OF OTHER UTILITIES.

THE PALM BEACH COUNTY UTILITY EASEMENT (PBCUE) IDENTIFIED ON THE PLAT HEREON IS AN EXCLUSIVE EASEMENT AND IS HEREBY DEDICATED IN PERPETUITY TO PALM BEACH COUNTY, ITS SUCCESSORS AND ASSIGNS, FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, EXPANSION AND REPLACEMENT OF POTABLE WATER PIPELINES, RAW WATER PIPELINES, WASTEWATER PIPELINES, RECLAIMED WATER PIPELINES, AND RELATED APPURTENANCES. THE MAINTENANCE OF THE LAND UNDERLYING THIS EASEMENT SHALL BE A PERPETUAL OBLIGATION OF THE PROPERTY OWNER, IF OTHERWISE APPROVED BY PALM BEACH COUNTY, NO BUILDINGS, STRUCTURES, IMPROVEMENTS, TREES, WALLS OR FENCES SHALL BE INSTALLED WITHIN THIS EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE PALM BEACH COUNTY WATER UTILITIES DEPARTMENT, ITS SUCCESSORS AND ASSIGNS.

7. LANDSCAPE BUFFER EASEMENTS

LANDSCAPE BUFFER EASEMENTS, AS SHOWN HEREON, ARE HEREBY RESERVED FOR ATLANTIC LAND INVESTMENTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS, FOR LANDSCAPE BUFFER, DRAINAGE, AND SIGNAGE PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID COMPANY, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF LOXAHATCHEE GROVES, FLORIDA.

DEDICATION AND RESERVATIONS CONTINUED:

8. TOWN OF LOXAHATCHEE DRAINAGE SYSTEM GROVES DRAINAGE SYSTEM EASEMENT

THE TOWN OF LOXAHATCHEE GROVES SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MAINTAIN AND/OR REPAIR ANY PORTION OF THE DRAINAGE SYSTEM WITHIN THE LIMITS OF THE PLAT BUT ONLY TO THE EXTENT SUCH DRAINAGE SYSTEM PROVIDES DRAINAGE SERVICES TO OR FOR THE BENEFIT OF B ROAD, WHICH WOULD INCLUDE THE LIMITED RIGHT OF UTILIZING, FOR THE SOLE PURPOSE OF MAINTAINING AND/OR REPAIRING ANY PORTION OF THE DRAINAGE SYSTEM WITHIN THE LIMITS OF THE PLAT THAT PROVIDES DRAINAGE SERVICES TO OR FOR THE BENEFIT OF B ROAD, ANY AND ALL DRAINAGE, LAKE MAINTENANCE, LAKE MAINTENANCE ACCESS EASEMENTS, ROADS PRIVATE OR PUBLIC AND PARKING AND ACCESS TRACTS ASSOCIATED WITH SUCH APPLICABLE PORTION OF THE DRAINAGE SYSTEM. THE APPLICABLE PORTION OF THE DRAINAGE SYSTEM THAT PROVIDES DRAINAGE SERVICES TO OR FOR THE BENEFIT OF B ROAD SHALL BE DEFINED AS DRAINAGE STRUCTURES, PIPES AND WATER MANAGEMENT TRACTS WITHIN THE LIMITS OF THIS PLAT THAT PROVIDE POSITIVE PASS THROUGH DRAINAGE FROM "B" ROAD, WESTERLY, NORTHWESTERLY, WESTERLY THROUGH THE SAID WATER MANAGEMENT TRACTS AND THEN RUNNING SOUTHERLY TO THE FLORIDA DEPARTMENT OF TRANSPORTATION CONNECTION POINT LOCATED WITHIN THE SOUTHWESTERLY CORNER OF THIS PLAT. SHOULD THE TOWN EVER IT NECESSARY TO MAINTAIN AND/OR REPAIR ANY PORTION OF THE SUCH DRAINAGE SYSTEM WITHIN THE LIMITS OF THE PLAT THAT PROVIDES DRAINAGE SERVICES TO OR FOR THE BENEFIT OF B ROAD, THE TOWN MAY REQUIRE THE PROPERTY OWNERS, AND THEIR RESPECTIVE ASSIGNS OR SUCCESSORS, TO PAY ALL OR PART OF SUCH MAINTENANCE AND/OR REPAIR COST.

9. TRACT C–1 CONSERVATION TRACT

TRACT C–1, AS SHOWN HEREON, IS HEREBY RESERVED FOR ATLANTIC LAND INVESTMENTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS, FOR PUBLIC COMMUNITY PARK AND VEGETATIVE PRESERVE PURPOSES AND EQUESTRIAN ACCESS AND USE AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID COMPANY, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF LOXAHATCHEE GROVES, FLORIDA.

IN WITNESS WHEREOF, THE ABOVE–NAMED FLORIDA LIMITED LIABILITY COMPANY HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGING MEMBER, THIS _____ DAY OF _____, 2015.

ATLANTIC LAND INVESTMENTS, LLC
A FLORIDA LIMITED LIABILITY COMPANY,

WITNESS: _____
PRINT NAME: _____
BY: _____
JOSEPH D LELONEK, AS MANAGER

WITNESS: _____
PRINT NAME: _____

ACKNOWLEDGMENT:

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

BEFORE ME PERSONALLY APPEARED JOSEPH D. LELONEK, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS MANAGER, OF ATLANTIC LAND INVESTMENTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS MANAGER OF SAID LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 2015.

MY COMMISSION EXPIRES: _____ _____
NOTARY PUBLIC

COMMISSION NUMBER: _____ _____
PRINT NAME

MORTGAGEES CONSENT:

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS THE HOLDER OF A MORTGAGE, UPON THE PROPERTY DESCRIBED HEREON AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LAND DESCRIBED IN SAID DEDICATION BY THE OWNER THEREOF AND AGREES THAT ITS MORTGAGE, SECURITY AGREEMENT, FINANCING STATEMENT AND ASSIGNMENT OF RENTS FROM ATLANTIC LAND INVESTMENTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, TO BRANCH BANKING AND TRUST COMPANY RECORDED SEPTEMBER 3, 2015 IN OFFICIAL RECORDS BOOK 27782, PAGE 1824, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SHALL BE SUBORDINATED TO THE DEDICATION SHOWN HEREON.

IN WITNESS WHEREOF, THE SAID CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS _____ AND ITS CORPORATE SEAL TO BE AFFIXED HEREON BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS THIS _____ DAY OF _____, 2015.

BRANCH BANKING AND TRUST COMPANY
A BANKING CORPORATION AUTHORIZED
TO DO BUSINESS IN FLORIDA

WITNESS: _____
PRINT NAME: _____
BY: _____
PRINT NAME
TITLE

WITNESS: _____
PRINT NAME: _____

TABULAR DATA

NAME	SQUARE FEET	ACRES
TOTAL AREA THIS PLAT	946,700	21.7332
AREA OF TRACT A	507,925	11.6603
AREA OF OUT PARCEL E	49,458	1.1354
AREA OF OUT PARCEL F	35,903	0.8242
AREA OF OUT PARCEL G	36,486	0.8376
AREA OF TRACT RW–1	6,047	0.1388
AREA OF TRACT WM–1	235,138	5.3980
AREA OF TRACT WM–2	26,782	0.6148
AREA OF TRACT WM–3	15,228	0.4185
AREA OF TRACT C–1	30,732	0.7055

ACKNOWLEDGMENT:

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

BEFORE ME PERSONALLY APPEARED _____ WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS _____ OF _____ AND _____ OF _____, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT HE/SHE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID CORPORATION, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE CORPORATE SEAL OF SAID CORPORATION AND THAT IT WAS AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR CORPORATE AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 2015.

MY COMMISSION EXPIRES:

COMMISSION NO

_____
NOTARY PUBLIC

_____
PRINTED NAME:

APPROVALS, TOWN OF LOXAHATCHEE GROVES:

THE PLAT IS HEREBY APPROVED FOR RECORD BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES PURSUANT TO THE ORDINANCES OF THE SAID TOWN IN ACCORDANCE WITH SECTION 177.071(2), F.S., THIS ____ DAY OF _____, 2015.

ATTEST: _____
VIRGINIA WALTON
TOWN CLERK

BY: _____
DAVID BROWNING
MAYOR

BY: _____
WILLIAM UNDERWOOD
TOWN MANAGER

DATED: _____

BY: _____
RANDY WERTEPNY, P.E.
TOWN ENGINEER

TITLE CERTIFICATION:

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

I, BRIAN HICKEY, A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY; THAT I FIND THE TITLE TO THE PROPERTY IS VESTED IN ATLANTIC LAND INVESTMENTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY; THAT THE CURRENT REAL ESTATE TAXES HAVE BEEN PAID FOR SUCH PROPERTY THAT ARE OTHERWISE DUE AND PAYABLE; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON; AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

DATED: _____

_____
BRIAN HICKEY
ATTORNEY AT LAW
LICENSED IN FLORIDA

APPROVALS, TOWN OF LOXAHATCHEE GROVES WATER CONTROL DISTRICT:

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

THIS PLAT IS HEREBY APPROVED FOR RECORD BY THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT THIS _____ DAY OF _____, 2015.

BOARD OF SUPERVISORS
LOXAHATCHEE GROVES WATER CONTROL DISTRICT

_____
STEPHEN E. YOHE, P.E.
DISTRICT ADMINISTRATOR

BY: _____
DAVID DeMARDIS, CHAIRMAN

ATTEST: _____
JOHN RYAN, SECRETARY

REVIEWING SURVEYOR

STATE OF FLORIDA
COUNTY OF PALM BEACH

THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY IN ACCORDANCE WITH CHAPTER 177.081(1) OF THE FLORIDA STATUTES AND THE ORDINANCES FOR THE TOWN OF LOXAHATCHEE GROVES, FLORIDA. THIS REVIEW DOES NOT INCLUDE THE VERIFICATION OF THE GEOMETRIC DATA OR THE FIELD VERIFICATION OF THE PERMANENT REFFRENCE MARKERS (P.R.M.'S) OR PERMANENT CONTROL POINTS (P.C.P.'S).

BY: _____ DATE: _____
SCOTT F. GRYSON
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO.: 5801

SURVEYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.'S") HAVE BEEN PLACED AS REQUIRED BY LAW AND THAT MONUMENTS ACCORDING TO SEC. 177.091(9), F.S., WILL BE SET UNDER THE GUARANTEES POSTED WITH THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, FOR THE REQUIRED IMPROVEMENTS; AND, FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE TOWN OF LOXAHATCHEE GROVES, FLORIDA.

DATED: _____

_____
DAVID P. LINDLEY
REG. LAND SURVEYOR #5005
STATE OF FLORIDA

ATLANTIC LAND INVESTMENTS, LLC (SEAL) | ATLANTIC LAND INVESTMENTS, LLC NOTARY | MORTGAGEE | MORTGAGEE NOTARY | LOXAHATCHEE GROVES WATER CONTROL DISTRICT | TOWN OF LOXAHATCHEE GROVES | TOWN OF LOXAHATCHEE GROVES ENGINEER | REVIEWING SURVEYOR | SURVEYOR

THIS INSTRUMENT PREPARED BY
DAVID P. LINDLEY
OF
CAULFIELD and WHEELER, INC.
SURVEYORS – ENGINEERS – PLANNERS
7301-A WEST PALMETTO PARK ROAD, SUITE 100A
BOCA RATON, FLORIDA 33433 – (561)392-1991
LB #3591

LOXAHATCHEE GROVES COMMONS

BEING A REPLAT OF LOT 2, SIMON TRUST BOUNDARY PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 116, PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
LYING IN SECTION 31, TOWNSHIP 43 SOUTH, RANGE 41 EAST, THE TOWN OF LOXAHATCHEE GROVES, PALM BEACH COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF PALM BEACH
THIS PLAT WAS FILED FOR RECORD AT _____ M.
THIS ___ DAY OF _____ A.D. 2015 AND DULY RECORDED IN PLAT BOOK _____ ON PAGES _____ AND _____
SHARON R. BOCK
CLERK AND COMPTROLLER
BY: _____
DEPUTY CLERK

SHEET 2 OF 4

SHEET INDEX
1 – COVER SHEET
2 – MAP SHEET
3 – PBC UTILITY EASEMENT GEOMETRY
4 – UTILITY EASEMENT GEOMETRY

NOTES
COORDINATES, BEARINGS AND DISTANCES
COORDINATES SHOWN ARE GRID
DATUM = NAD 83 2002 ADJUSTMENT
ZONE = FLORIDA EAST
LINEAR UNIT = US SURVEY FEET
COORDINATE SYSTEM 1983 STATE PLANE
TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND
SCALE FACTOR = 1.000002
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
ROTATION EQUATION:
SOUTH 89°12'34" EAST (PLAT)
SOUTH 89°12'37" EAST (GRID)
PLAT TO GRID BEARING = 00°00'03" COUNTER CLOCKWISE

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

COORDINATE VALUES SHOWN ARE PER SIMON TRUST BOUNDARY PLAT PLAT BOOK 116, PAGE 26

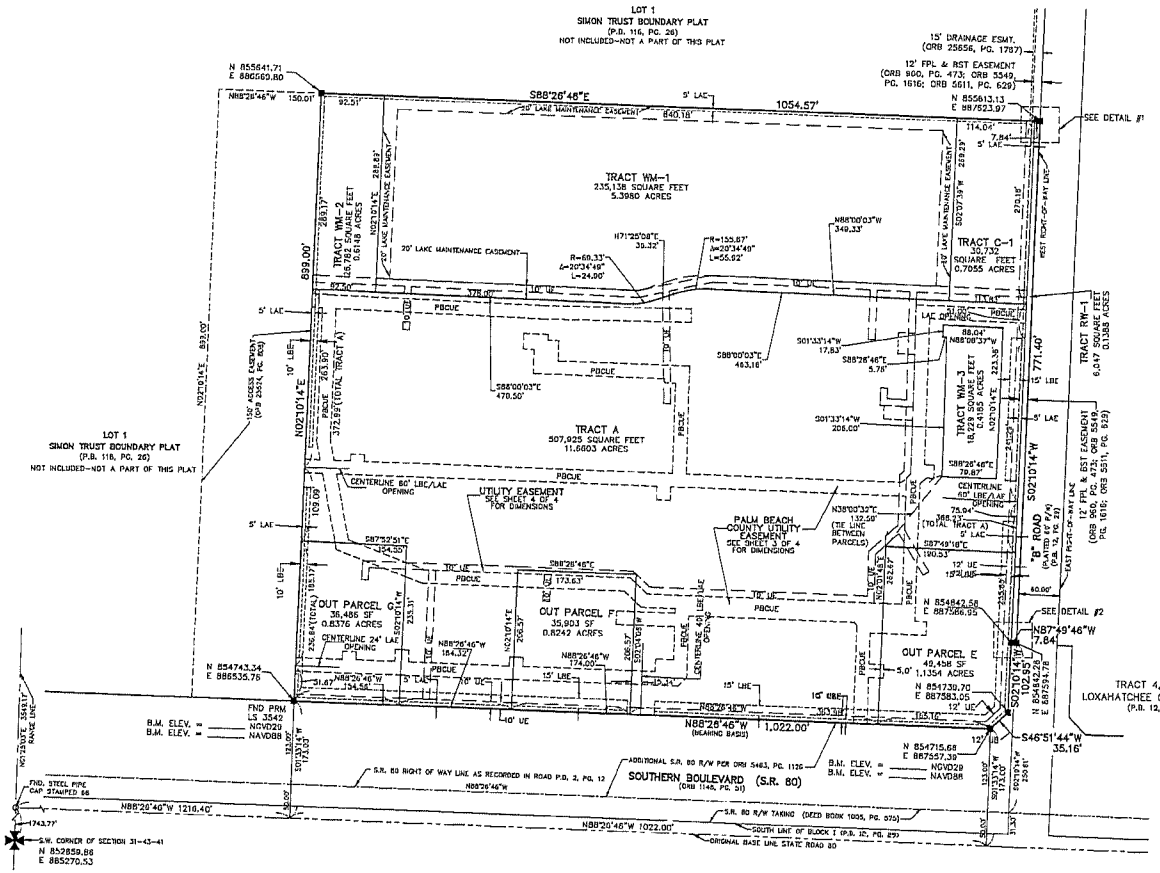
SURVEY NOTES:

1. IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY USE RIGHTS GRANTED.

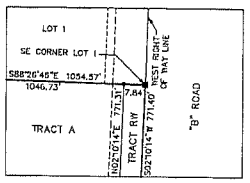
2. BUILDING SETBACK LINES SHALL BE AS REQUIRED BY CURRENT TOWN OF LOXAHATCHEE GROVES ZONING REGULATIONS.

3. BEARINGS ARE RELATIVE TO A PLAT BEARING OF N88°26'46"W ALONG THE NORTH RIGHT-OF WAY LINE OF STATEROAD 80 AS SHOWN ON THE PLAT OF SIMON TRUST BOUNDARY PLAT, AS RECORDED IN PLAT BOOK 116, PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

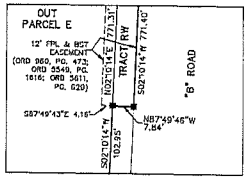
4. "NOTICE" THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF PALM BEACH COUNTY.



LEGEND:
BST – BELL SOUTH TELEPHONE
B.M. ELEV.–BENCHMARK ELEVATION
F.D.O.T. – FLORIDA DEPARTMENT OF TRANSPORTATION
FND. – FOUND
FPL – FLORIDA POWER & LIGHT
LAE – DENOTES LIMITED ACCESS EASEMENT
LBE – DENOTES LANDSCAPE BUFFER EASEMENT
NGVD29 – NATIONAL GEODETIC VERTICAL DATUM OF 1929
NAVD88–NORTH AMERICAN VERTICAL DATUM OF 1988.
N.T.S. – DENOTES NOT TO SCALE
O.R.B. – DENOTES OFFICIAL RECORDS BOOK
(P) – DENOTES PLAT
P.B. – DENOTES PLAT BOOK
PBCUE – PALM BEACH COUNTY UTILITY EASEMENT
PG. – DENOTES PAGE
Δ – DENOTES DELTA (CENTRAL ANGLE)
L – DENOTES ARC LENGTH
R – DENOTES RADIUS
R/W – DENOTES RIGHT-OF-WAY
SF – DENOTES SQUARE FEET
S.R. – DENOTES STATE ROAD
UE – INDICATES UTILITY EASEMENT.
P.R.M. ■ – INDICATES 4" X 4" X 24" PERMANENT REFERENCE MONUMENT MARKED LB 3591, UNLESS OTHERWISE NOTED



DETAIL #1
NOT TO SCALE



DETAIL #2
NOT TO SCALE

THIS INSTRUMENT PREPARED BY
DAVID P. LINDLEY
OF
CAULFIELD and WHEELER, INC.
SURVEYORS – ENGINEERS – PLANNERS
7301–A WEST PALMETTO PARK ROAD, SUITE 100A
BOCA RATON, FLORIDA 33433 – (561)392–1991
LB #3591

LOXAHATCHEE GROVES COMMONS

BEING A REPLAT OF LOT 2, SIMON TRUST BOUNDARY PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 116, PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,
LYING IN SECTION 31, TOWNSHIP 43 SOUTH, RANGE 41 EAST, THE TOWN OF LOXAHATCHEE GROVES, PALM BEACH COUNTY, FLORIDA

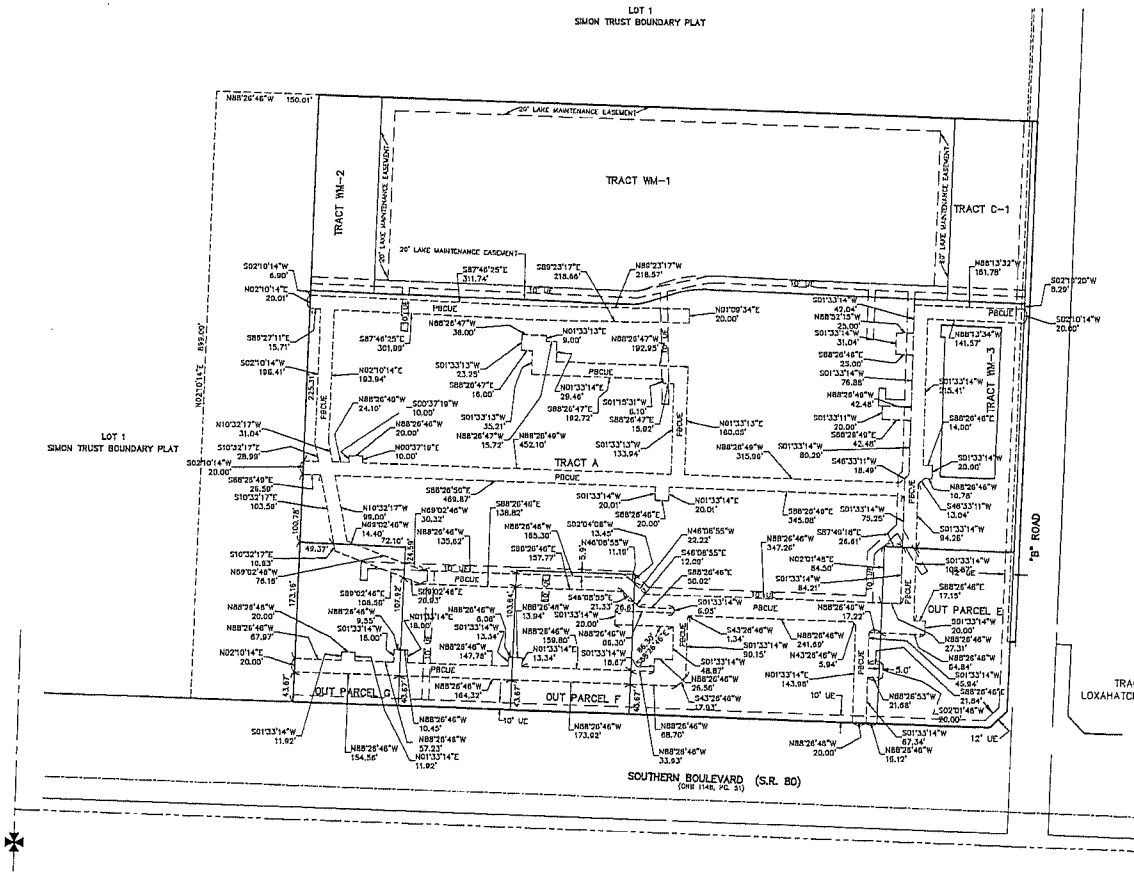
STATE OF FLORIDA
COUNTY OF PALM BEACH
THIS PLAT WAS FILED FOR
RECORD AT _____ M.
THIS _____ DAY OF _____
A.D. 2015 AND DULY RECORDED
IN PLAT BOOK _____ ON
PAGES _____ AND _____

SHARON R. BOCK
CLERK AND COMPTROLLER

BY: _____
DEPUTY CLERK

SHEET 3 OF 4

SHEET INDEX
1 – COVER SHEET
2 – MAP SHEET
3 – PBC UTILITY EASEMENT GEOMETRY
4 – UTILITY EASEMENT GEOMETRY



LEGEND:
BST – BELL SOUTH TELEPHONE
ELEV.–BENCHMARK ELEVATION
F.D.O.T. – FLORIDA DEPARTMENT OF TRANSPORTATION
FND. – FOUND
FPL – FLORIDA POWER & LIGHT
LAE – DENOTES LIMITED ACCESS EASEMENT
LBE – DENOTES LANDSCAPE BUFFER EASEMENT
NGVD29 – NATIONAL GEODETIC VERTICAL DATUM OF 1929
NAVD88–NORTH AMERICAN VERTICAL DATUM OF 1988.
N.T.S. – DENOTES NOT TO SCALE
O.R.B. – DENOTES OFFICIAL RECORDS BOOK
(P) – DENOTES PLAT
P.B. – DENOTES PLAT BOOK
PBCUE – PALM BEACH COUNTY UTILITY EASEMENT
PG. – DENOTES PAGE
Δ – DENOTES DELTA (CENTRAL ANGLE)
L – DENOTES ARC LENGTH
R – DENOTES RADIUS
R/W – DENOTES RIGHT–OF–WAY
SF – DENOTES SQUARE FEET
S.R. – DENOTES STATE ROAD
UE – INDICATES UTILITY EASEMENT.
P.R.M. ■ – INDICATES 4" X 4" X 24" PERMANENT REFERENCE MONUMENT MARKED LB 3591, UNLESS OTHERWISE NOTED

GRAPHIC SCALE
80 0 40 80 160 320
(IN FEET)
1 INCH = 80 FT.

THIS SHEET FOR DETAIL OF VARIABLE WIDTH PALM BEACH COUNTY UTILITY EASEMENT GEOMETRY ONLY

THIS INSTRUMENT PREPARED BY
DAVID P. LINDLEY
OF
CAULFIELD and WHEELER, INC.
SURVEYORS – ENGINEERS – PLANNERS
7301-A WEST PALMETTO PARK ROAD, SUITE 100A
BOCA RATON, FLORIDA 33433 – (561)392-1991
LB #3591

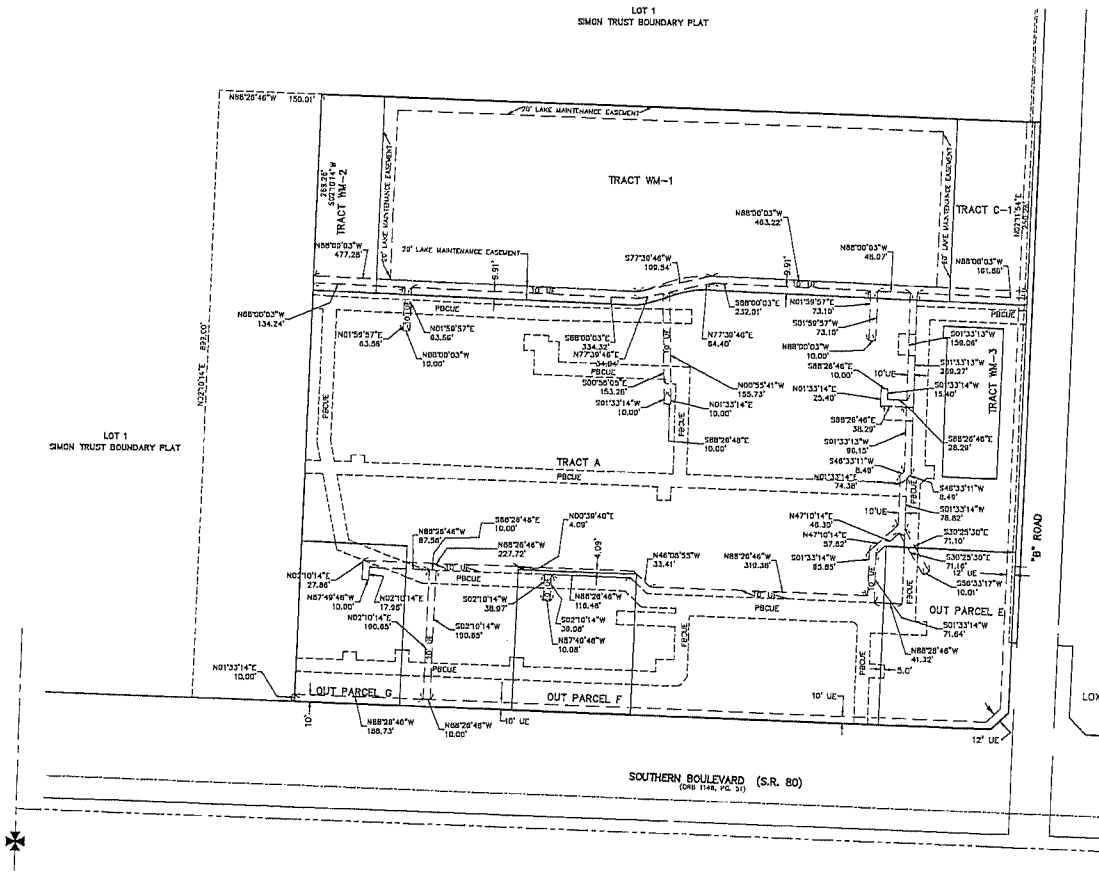
LOXAHATCHEE GROVES COMMONS

BEING A REPLAT OF LOT 2, SIMON TRUST BOUNDARY PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 116, PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
LYING IN SECTION 31, TOWNSHIP 43 SOUTH, RANGE 41 EAST, THE TOWN OF LOXAHATCHEE GROVES, PALM BEACH COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF PALM BEACH
THIS PLAT WAS FILED FOR RECORD AT _____ M.
THIS ____ DAY OF _____
A.D. 2015 AND DULY RECORDED IN PLAT BOOK _____ ON PAGES _____ AND _____
SHARON R. BOCK
CLERK AND COMPTROLLER
BY: _____
DEPUTY CLERK

SHEET 4 OF 4

SHEET INDEX
1 – COVER SHEET
2 – MAP SHEET
3 – PBC UTILITY EASEMENT GEOMETRY
4 – UTILITY EASEMENT GEOMETRY



LEGEND:
BST – BELL SOUTH TELEPHONE
B.M. ELEV.–BENCHMARK ELEVATION
F.D.O.T. – FLORIDA DEPARTMENT OF TRANSPORTATION
FND. – FOUND
FPL – FLORIDA POWER & LIGHT
LAE – DENOTES LIMITED ACCESS EASEMENT
LBE – DENOTES LANDSCAPE BUFFER EASEMENT
NGVD29 – NATIONAL GEODETIC VERTICAL DATUM OF 1929
NAD88–NORTH AMERICAN VERTICAL DATUM OF 1988.
N.T.S. – DENOTES NOT TO SCALE
O.R.B. – DENOTES OFFICIAL RECORDS BOOK
(P) – DENOTES PLAT
P.B. – DENOTES PLAT BOOK
PBCUE – PALM BEACH COUNTY UTILITY EASEMENT
PG. – DENOTES PAGE
Δ – DENOTES DELTA (CENTRAL ANGLE)
L – DENOTES ARC LENGTH
R – DENOTES RADIUS
R/W – DENOTES RIGHT-OF-WAY
SF – DENOTES SQUARE FEET
S.R. – DENOTES STATE ROAD
UE – INDICATES UTILITY EASEMENT.
P.R.M. ■ – INDICATES 4" X 4" X 24" PERMANENT REFERENCE MONUMENT MARKED LB 3591, UNLESS OTHERWISE NOTED

GRAPHIC SCALE
80 0 40 80 160 320
(IN FEET)
1 INCH = 80 FT.

THIS SHEET FOR DETAIL OF 10' UTILITY EASEMENT GEOMETRY ONLY

EXHIBIT C
LOXAHATCHEE GROVES COMMONS RE-PLAT PA 2016-01
CONDITIONS OF APPROVAL

1. Prior to recording, Applicant shall obtain a final Technical Compliance Review by the Town Engineer and sign-off on Re-Plat PA 2016-01 by the Town Manager.

2. Within 60 calendar days after approval by the Town Council, the Town shall record Re-Plat PA 2016-01 with the Palm Beach County Clerk's Office.

3. Within 30 calendar days after Re-Plat PA 2016-01 is recorded with the Palm Beach County Clerk's Office, digital files of the approved Re-Plat shall be submitted to the Town of Loxahatchee Groves.

4. A building permit shall be obtained no later than January 19, 2017.

5. Should the approved Site Plan be Administratively Amended pursuant to Section 155-005 (B), an additional re-plat shall not be required.

6. Should the approved Site Plan be amended to the extent that platted outparcel dimensions are changed, an additional re-plat shall be required.

7. In the event that an infrastructure permit is issued prior to Re-Plat recordation, Applicant shall submit a certified statement from the Surveyor-of-Record which states that there have been no changes to the approved Re-Plat.

8. Should the approved Site Plan be amended to the extent that platted utility easements need to be modified to accommodate facilities that were installed outside of their respective easements, abandonments of voided easement areas and the creation of new easements to accommodate the constructed facilities may be prepared by metes and bounds legal descriptions and sketches and filed into the public record with the Palm Beach County Clerk.

KESHAVARZ & ASSOCIATES
Civil Engineers – Land Surveyors

Town of Loxahatchee Groves
14579 Southern Boulevard, Suite 2
Loxahatchee Groves, FL 33470

January 7th, 2016

K&A Project No. 15-1069

Attention: Mr. Jim Fleischmann, Town Planning Consultant

Reference: Loxahatchee Groves Commons, C&W Project #4879

Technical Compliance Review

Engineer: **David P. Lindley, RLS, Caulfield & Wheeler, Inc.**
Plat: **Loxahatchee Groves Commons Plat**

We have reviewed the plat pursuant to Chapter 177 State Statute and pursuant to Article 140 – Subdivision of Land, Loxahatchee Groves Unified Land Development Code. We hereby recommend Technical Compliance Approval.

The approval shall be in accordance with the following documents:

1. Loxahatchee Groves Commons Plat, prepared by Caulfield & Wheeler, Inc., 4 sheets dated January 7, 2016

2. Boundary Survey, prepared by Caulfield & Wheeler, Inc., 1 sheet, with a revision date of March 25, 2015

Should you have any questions or require any additional information, please contact our office.

Sincerely,
KESHAVARZ & ASSOCIATES, INC.

Scott F. Bryson, P.S.M.
Vice President

CC: Mr. William F. Underwood, II, ICMA-CM
Mr. Michael D. Cirullo, Jr.

Town of Loxahatchee Groves, FLORIDA
TOWN COUNCIL AGENDA ITEM REPORT

AGENDA ITEM NO. 6.a

PREPARED BY: Jim Fleischmann

SUBJECT: Re-Plat Approval Application PA 2016-01 for Loxahatchee Groves Commons

1. BACKGROUND/HISTORY

Problem Statement: The Town Council should review and consider approval of the proposed Loxahatchee Groves Commons Re-Plat PA 2016-01 (Resolution 2016-03).

Problem Solution: Approval, approval with conditions or denial of Resolution 2016-03.

The Applicant, Atlantic Land Investments, LLC, has requested approval of a re-plat for the Loxahatchee Groves Commons parcel. The Town Council, on October 2, 2012, adopted Resolution 2012-07 approving the Simon Trust Boundary Plat which created the 21.73 acre Loxahatchee Groves Commons parcel and the 75.0 acre Palm Beach State College parcel at the 96.73 acre northwest corner of State Road 80 and "B" Road.

2. CURRENT ACTIVITY

The Town Council, on February 17, 2015, adopted Resolution 2015-05 approving the Loxahatchee Groves Site Plan, including Final Site Plan, Statement of Use and Conditions of Approval. The Town Council, on August 4, 2015, adopted Resolution 2015-22 approving the Loxahatchee Groves Amended Site Plan, including Amended Final Site Plan, Statement of Use and Conditions of Approval. Current uses allowed include: Grocery – 46,031 sq. ft.; Agricultural Indoor Sales – 19,097 sq. ft.; In-Line Retail – 17,550 sq. ft.; and three outparcels; Gas/Convenience Store – 3,010 sq. ft., Retail/Restaurant – 5,200 sq. ft., and Fast-Food Restaurant – 3,767 sq. ft. A total of 94,655 sq. ft. of shopping center space is approved.

The Applicant has requested approval of a Re-Plat of Lot 2 (Loxahatchee Groves Commons parcel) of the previous Simon Trust Boundary Plat. The Re-Plat will not change the size of Lot 2; rather, it will provide ULDC-required survey detail of the Loxahatchee Groves Commons development not provided on the Boundary Plat, including: Existing easements and rights-of-way within the plat limits; location and width of all proposed and required ultimate rights-of-way; easements; lot lines; public areas; and land reserved for public use.

Re-Plat Approval Application PA 2016-01 has been reviewed, and found in compliance with the Loxahatchee Groves ULDC and Amended Final Site Plan by the Town's Consulting Engineer and Planning Consultant.

3. ATTACHMENTS

1. Resolution 2016-03
2. Town Consulting Engineer's Technical Compliance Review (TCR).

4. FINANCIAL IMPACT

Work on this project is funded by a Cost Recovery Account funded by the Applicant.

5. RECOMMENDED ACTION

Staff finds Re-Plat Approval Application PA 2016-01 consistent with the Loxahatchee Groves Amended Final Plan and Town land development regulations and recommends approval of Resolution 2016-03.