

**RESOLUTION NO. 44-08-08**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A FINAL PLAT PLAN FOR CONGRESS AVENUE ASSOCIATES DEFINING THE KOHL'S PROPERTY BOUNDARIES AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town has such powers and authority as conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town Commission has previously considered and approved a site plan for the property known as Kohl's; and

**WHEREAS**, a plat for the property known as Kohl's has been prepared which complies with the platting requirements of Chapter 177, Florida Statutes and the Town Code.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:**

**Section 1.** The foregoing recitals are incorporated herein as true and correct and are findings of the Town Commission.

**Section 2.** The Mayor is hereby authorized and directed to execute the Final Plat Plan that will be filed with the County Clerk for the property known as Kohl's on Congress Avenue, a copy of which is attached hereto and incorporated herein as **Exhibit "A"**.

**Section 3.** This Resolution shall be effective upon adoption.

The foregoing Resolution was offered by Commissioner Balius, who moved its adoption. The motion was seconded by Commissioner Osterman and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR DESCA DUBOIS	<u>/</u>	___
VICE-MAYOR ED DALY	<u>/</u>	___
COMMISSIONER CHUCK BALIUS	<u>/</u>	___
COMMISSIONER JEFF CAREY	<u>/</u>	___
COMMISSIONER PATRICIA OSTERMAN	<u>/</u>	___

The Town Commission thereupon declared the foregoing Resolution NO. 44-08-08 duly passed and adopted this 20 day of August, 2008.

TOWN OF LAKE PARK, FLORIDA  
BY: Desca Dubois  
DESCA DUBOIS  
MAYOR

ATTEST:

Vivian Mendez Lemley  
VIVIAN MENDEZ LEMLEY  
TOWN CLERK  
TOWN OF LAKE PARK  
FLORIDA  
(TOWN SEAL)

Approved as to form and legal sufficiency:  
BY: Thomas J. Baird  
THOMAS J. BAIRD  
TOWN ATTORNEY

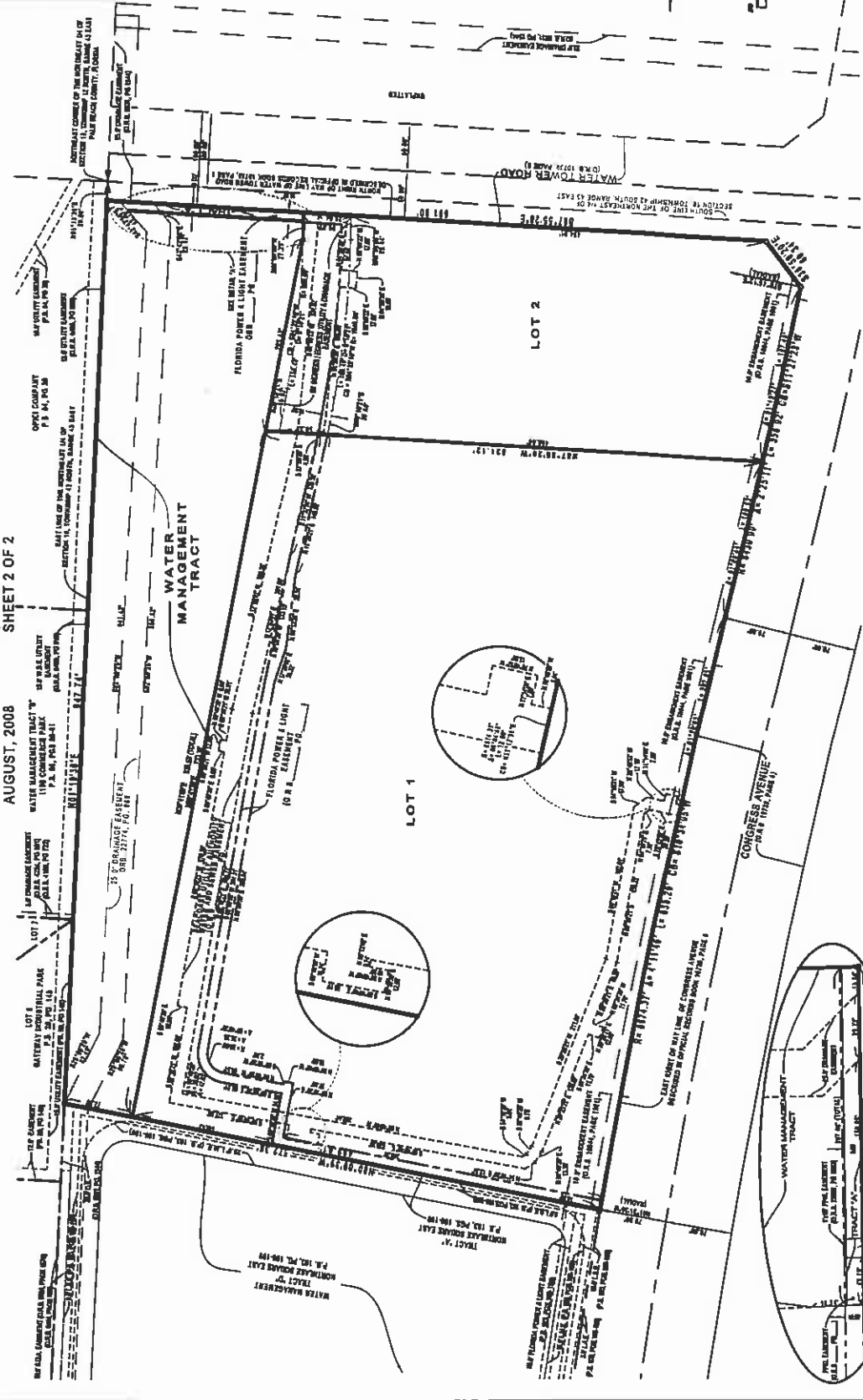


# CONGRESS AVENUE RETAIL

BEING A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF  
SECTION 19, TOWNSHIP 42 SOUTH, RANGE 43 EAST  
TOWN OF LAKE PARK

PALM BEACH COUNTY, FLORIDA  
AUGUST, 2008  
SHEET 2 OF 2

SCALE OF FEET  
1" = 100'  
1" = 200'  
1" = 300'  
1" = 400'  
1" = 500'  
1" = 600'  
1" = 700'  
1" = 800'  
1" = 900'  
1" = 1000'



**LIBBERG LAND SURVEYING, INC.**  
1100 S. PALM BEACH BLVD. SUITE 200  
PALM BEACH, FLORIDA 33480  
TEL: 561-833-1100  
FAX: 561-833-1101  
WWW.LIBBERG.COM

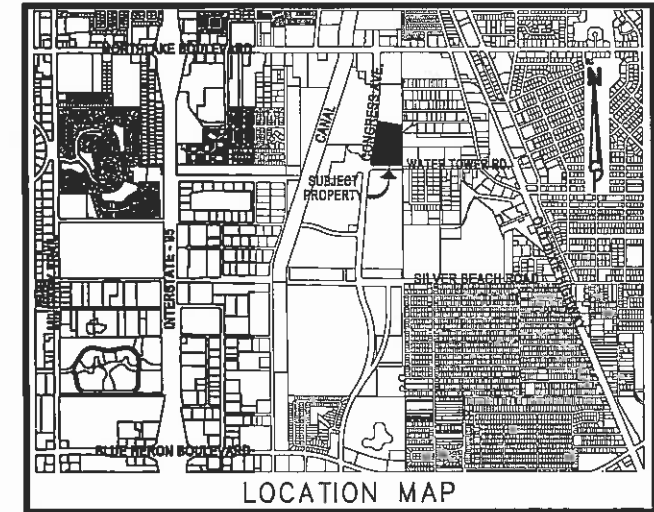
DATE	DESCRIPTION	BY	SCALE
08/11/08	FINAL PLAN	JAL	1" = 100'
08/11/08	REVISION	JAL	1" = 100'
08/11/08	REVISION	JAL	1" = 100'
08/11/08	REVISION	JAL	1" = 100'
08/11/08	REVISION	JAL	1" = 100'
08/11/08	REVISION	JAL	1" = 100'
08/11/08	REVISION	JAL	1" = 100'
08/11/08	REVISION	JAL	1" = 100'
08/11/08	REVISION	JAL	1" = 100'
08/11/08	REVISION	JAL	1" = 100'

DETAIL "A"  
NOT TO SCALE

SCALE: 1" = 100' (SEE SHEET 1 OF 2)

# CONGRESS AVENUE RETAIL

BEING A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 43 EAST TOWN OF LAKE PARK, PALM BEACH COUNTY, FLORIDA  
AUGUST, 2008 SHEET 1 OF 2



STATE OF FLORIDA  
COUNTY OF PALM BEACH  
This plat was filed for record on \_\_\_\_\_, 2008, at \_\_\_\_\_ o'clock \_\_\_\_\_ of \_\_\_\_\_, 2008, and duly recorded in Plat Book No. \_\_\_\_\_, on Page \_\_\_\_\_ thru \_\_\_\_\_.  
Sharon E. Sack  
Clerk and Comptroller  
By \_\_\_\_\_, D.C.

## DEDICATIONS AND RESERVATIONS

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
TOWN OF LAKE PARK

KNOW ALL MEN BY THESE PRESENTS THAT CONGRESS AVENUE PROPERTIES, LTD., A FLORIDA LIMITED PARTNERSHIP, OWNER OF THE LAND SHOWN HEREON AS CONGRESS AVENUE RETAIL, BEING MORE PARTICULARLY DESCRIBED AS:

A PARCEL OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BOUNDED ON THE NORTH BY THE SOUTH LINE OF NORTHLAKE SQUARE EAST, AS RECORDED IN PLAT BOOK 103, PAGES 196 THROUGH 199, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; BOUNDED ON THE EAST BY THE EAST LINE OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19; BOUNDED ON THE SOUTH BY THE NORTH RIGHT OF WAY LINE FOR WATER TOWER ROAD AS RECORDED IN OFFICIAL RECORDS BOOK 10739, PAGE 6, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; BOUNDED ON THE WEST BY THE EAST RIGHT OF WAY LINE FOR CONGRESS AVENUE AS RECORDED IN SAID OFFICIAL RECORDS BOOK 10739, PAGE 6.

CONTAINING A TOTAL OF 641,824 SQUARE FEET OR 14.73 ACRES, MORE OR LESS.

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

1. LOT 1 AND LOT 2, AS SHOWN HEREON, ARE HEREBY RESERVED BY CONGRESS AVENUE PROPERTIES, LTD., A FLORIDA LIMITED PARTNERSHIP, ITS SUCCESSORS AND ASSIGNS FOR THE PURPOSES OF DEVELOPMENT AND CONSTRUCTION OF NONRESIDENTIAL FACILITIES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID PARTNERSHIP, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF LAKE PARK, FLORIDA.

2. THE WATER MANAGEMENT TRACT, AS SHOWN HEREON, IS HEREBY RESERVED BY CONGRESS AVENUE PROPERTIES, LTD., A FLORIDA LIMITED PARTNERSHIP, ITS SUCCESSORS AND ASSIGNS, FOR BYDRAINAGE MANAGEMENT AND DRAINAGE PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID PARTNERSHIP, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF LAKE PARK, FLORIDA AND NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT.

3. TRACT "A", AS SHOWN HEREON, IS HEREBY RESERVED BY CONGRESS AVENUE PROPERTIES, LTD., A FLORIDA LIMITED PARTNERSHIP, ITS SUCCESSORS AND ASSIGNS, FOR OPEN SPACE, DRAINAGE AND UNDERGROUND UTILITY PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID PARTNERSHIP, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF LAKE PARK, FLORIDA AND NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT.

4. THE DRAINAGE AND UTILITY EASEMENT SHOWN HEREON IS HEREBY RESERVED BY CONGRESS AVENUE PROPERTIES, LTD., A FLORIDA LIMITED PARTNERSHIP, ITS SUCCESSORS AND ASSIGNS FOR THE CONSTRUCTION AND MAINTENANCE OF DRAINAGE AND UTILITY FACILITIES, INCLUDING CABLE TELEVISION SYSTEMS. THE INSTALLATION OF CABLE TELEVISION SYSTEMS SHALL NOT INTERFERE WITH THE CONSTRUCTION AND MAINTENANCE OF OTHER UTILITIES. THE OPERATION AND MAINTENANCE OF DRAINAGE FACILITIES SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF CONGRESS AVENUE PROPERTIES, LTD., ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF LAKE PARK AND NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT.

5. THE INGRESS-EGRESS EASEMENT SHOWN HEREON IS HEREBY RESERVED BY CONGRESS AVENUE PROPERTIES, LTD., A FLORIDA LIMITED PARTNERSHIP, ITS SUCCESSORS AND ASSIGNS, TO PROVIDE ACCESS BETWEEN WATER TOWER ROAD AND LOT 1 AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF CONGRESS AVENUE PROPERTIES, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF LAKE PARK, AND IS SUBJECT TO THE CONDITIONS OF A RECIPROCAL EASEMENT AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 22611, PAGE 486 AND AS AMENDED, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

IN WITNESS WHEREOF, THE ABOVE NAMED LIMITED PARTNERSHIP HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS GENERAL PARTNER, THIS DAY \_\_\_\_\_ OF \_\_\_\_\_, 2008.

CONGRESS AVENUE PROPERTIES, LTD.,  
A FLORIDA LIMITED PARTNERSHIP

WITNESSES: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

WITNESSES: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

BY: \_\_\_\_\_  
DIANE L. STEPHANOS, PRESIDENT

## ACKNOWLEDGMENT

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED DIANE L. STEPHANOS, WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED A DRIVER'S LICENSE AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS PRESIDENT OF PERPETUITIES TRUST HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT SHE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID COMPANY, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE CORPORATE SEAL OF SAID COMPANY 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 COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008.

MY COMMISSION EXPIRES: \_\_\_\_\_

COMMISSION NUMBER: \_\_\_\_\_ NOTARY PUBLIC

NOTARY SEAL: \_\_\_\_\_ PRINT NAME: \_\_\_\_\_

## TITLE CERTIFICATION

STATE OF FLORIDA  
COUNTY OF PALM BEACH

I, JACK B. OWEN, JR., A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA DO HEREBY CERTIFY THAT I HAVE EXAMINED TITLE TO THE HEREON DESCRIBED PROPERTY; THAT I FIND THE TITLE TO THE PROPERTY IS VESTED IN CONGRESS AVENUE PROPERTIES, LTD., A FLORIDA LIMITED PARTNERSHIP; THAT THE CURRENT TAXES HAVE BEEN PAID; THAT THERE ARE NO MORTGAGES OF RECORD; AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

DATE: \_\_\_\_\_  
JACK B. OWEN JR.  
FLORIDA BAR NO.: 472920

## NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT ACCEPTANCE

UNIT NO. 49  
STATE OF FLORIDA  
COUNTY OF PALM BEACH

THE NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT HEREBY ACKNOWLEDGES THAT THERE ARE NO DEDICATIONS TO, NOR ANY MAINTENANCE OBLIGATIONS BEING INCURRED, ACCEPTED OR ASSUMED BY NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT ON THIS PLAT.

BY: \_\_\_\_\_  
MARILYN LEW-JACOBS, PRESIDENT  
BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
ONEAL BARDIN, JR., SECRETARY  
BOARD OF SUPERVISORS

## TOWN OF LAKE PARK APPROVAL

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
TOWN OF LAKE PARK

THIS PLAT IS HEREBY APPROVED FOR RECORD PURSUANT TO ORDINANCES OF THE TOWN OF LAKE PARK, AND IN ACCORDANCE WITH SECTION 177.471(1)(a), FLORIDA STATUTES, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008.

BY: \_\_\_\_\_  
JOHN P. DOWNES, P.E.  
TOWN ENGINEER

BY: \_\_\_\_\_  
DECCA DUBOIS  
MAYOR

ATTEST: \_\_\_\_\_  
VIVIAN MENDEZ LEMLEY  
TOWN CLERK

## TOWN OF LAKE PARK REVIEWING SURVEYOR

STATE OF FLORIDA  
COUNTY OF PALM BEACH

THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY IN ACCORDANCE WITH CHAPTER 177.001(1) OF THE FLORIDA STATUTES AND THE ORDINANCES OF THE TOWN OF LAKE PARK.

DATE: \_\_\_\_\_  
KEVIN M. BECK, P.S.M.  
PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NO. 6188  
STATE OF FLORIDA

## SURVEYOR'S CERTIFICATION

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY AND PLAT MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY AND PLAT ARE 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 CHAPTER 177.001(9), FLORIDA STATUTES, WILL BE SET UNDER THE GUARANTEE POSTED WITH THE TOWN OF LAKE PARK FOR THE REQUIRED IMPROVEMENTS; AND FURTHER THAT THE PLAT COMPLIES WITH ALL THE SURVEY REQUIREMENT OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE TOWN OF LAKE PARK, FLORIDA.

DATE: \_\_\_\_\_  
DAVID C. LIDBERG, P.S.M.  
LICENSE NO. 3619  
STATE OF FLORIDA

## SURVEYOR'S NOTES

- BOUNDARIES SHOWN HEREON ARE BASED ON AND RELATIVE TO THE BOUNDARIES OF NORTH 01°11'38" EAST ALONG THE EAST LINE OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.
- DENOTES 4"x4" CONCRETE MONUMENT "PERMANENT REFERENCE MONUMENT (P.R.M.) STAMPED "PRM L3 4431", UNLESS OTHERWISE NOTED.
- THERE SHALL BE NO BUILDING OR ANY HABITABLE STRUCTURE PLACED ON DRAINAGE EASEMENTS OR UTILITY EASEMENTS.
- THERE SHALL BE NO TREES OR SHRUBS PLACED ON UTILITY EASEMENTS WHICH ARE PROVIDED FOR WATER AND SEWER USE OR UPON DRAINAGE EASEMENTS.
- LANDSCAPING ON OTHER UTILITY EASEMENTS SHALL BE ALLOWED ONLY AFTER CONSENT OF ALL UTILITY COMPANIES OCCUPYING SAME.
- IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OVERLAP, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY THE USE OF RIGHTS GRANTED.
- THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL UNDER NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
- THIS INSTRUMENT WAS PREPARED BY JOHN R. O'BRIEN IN AND FOR THE OFFICE OF LIDBERG LAND SURVEYING, INC.

## ABBREVIATIONS

(P) = AS SHOWN ON PLAT	P.B. = PLAT BOOK
Δ = CURVE'S DELTA ANGLE	PG. = PAGE
C.B. = CURVE'S CHORD BEARING	PGS. = PAGES
D.E. = DRAINAGE EASEMENT	R = CURVE'S RADIUS
L = CURVE'S ARC LENGTH	R/W = RIGHT OF WAY
L.A.E. = LIMITED ACCESS EASEMENT	S.U.A. = SEACOAST UTILITY AUTHORITY
L.B.E. = LANDSCAPE BUFFER EASEMENT	U.E. = UTILITY EASEMENT
L.M.E. = LAKE MAINTENANCE EASEMENT	W.S.E. = WATER AND SEWER EASEMENT
O.R.B. = OFFICIAL RECORD BOOK	

## AREA TABULATION

DESCRIPTION	ACREAGE
LOT 1	8.87
LOT 2	2.76
TRACT "A"	0.04
WATER MANAGEMENT TRACT	3.07
TOTAL	14.73

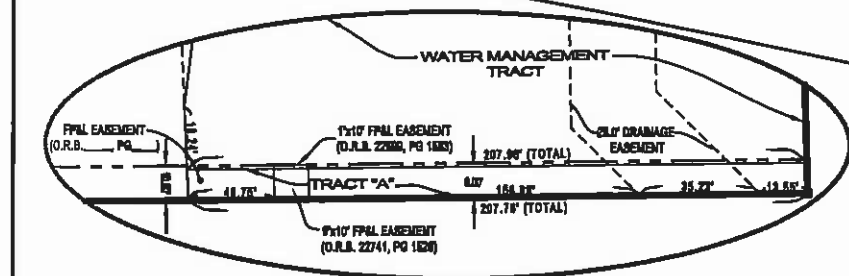
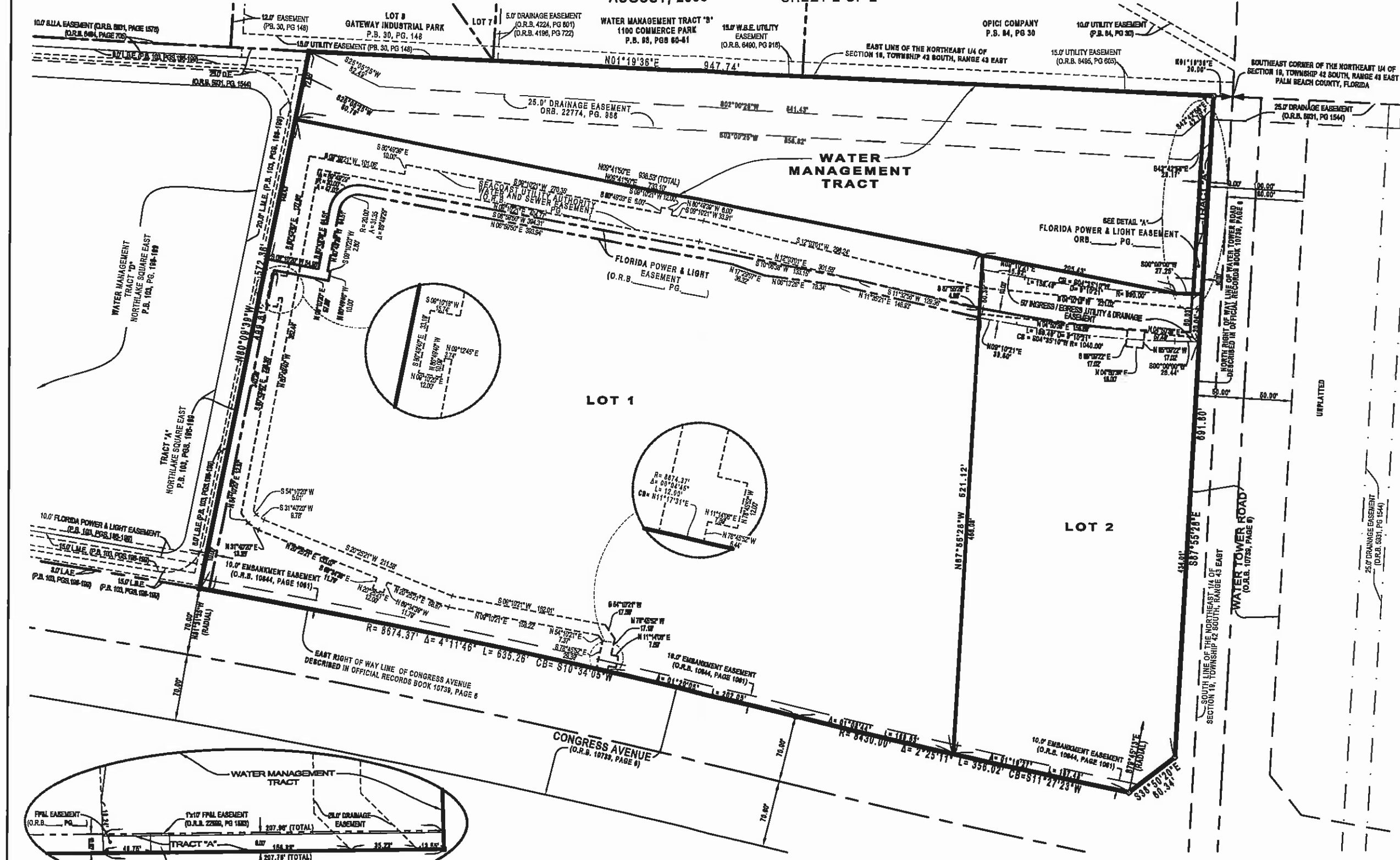


675 West Indian Town Road, Suite 200,  
Jupiter, Florida 33458 TEL. 888-748-8454

CAD K:\AUTOCAD\2008\194243\01-039\DWG\01-039-306.DWG			
REF			
PLD	JLB	FR	PC
OFF	JLB		
CKD	DCL	SHEET 1	OF 1

# CONGRESS AVENUE RETAIL

BEING A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF  
SECTION 19, TOWNSHIP 42 SOUTH, RANGE 43 EAST  
TOWN OF LAKE PARK  
PALM BEACH COUNTY, FLORIDA  
AUGUST, 2008 SHEET 2 OF 2



STATE OF FLORIDA  
COUNTY OF PALM BEACH  
This plat was filed for  
record at \_\_\_\_\_, this day  
of \_\_\_\_\_, 2008, and duly  
recorded in Plat Book No. \_\_\_\_\_  
on Pages \_\_\_\_\_ thru \_\_\_\_\_.  
Sharon B. Beck  
Clark and Comptroller  
By \_\_\_\_\_, C.C.

**LIDBERG LAND SURVEYING, INC.**  
875 West Indianwood Road, Suite 200,  
Jupiter, Florida 33458 TEL 561-746-8454

CAB K:\AUTOCAD2000\194243\01-038\DWG\01-038-30A.DWG			
REP	PLD	FB	PL
OFF	J.K.G.		
CKD	D.C.L.	SHEET 1 OF 2	DWG 001-038P