

ORDINANCE NO. 3396-01

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, RELATING TO THE CHANGE OF BOUNDARIES OF THE CITYPLACE CDD; CHANGING THE BOUNDARIES OF THE DISTRICT; DESCRIBING THE REVISED BOUNDARIES OF THE DISTRICT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the Downtown Uptown Community Development District ("District") was created by the City of West Palm Beach, pursuant to Chapter 190, *Florida Statutes*, by Ordinance No. 2380-90 on March 26, 1990; and

WHEREAS, a petition to amend the boundaries of the District, and to rename the District as CityPlace Community Development District was approved by the City through the adoption of Ordinance No. 3182-98; and

WHEREAS, a petition to again amend the boundaries of the District pursuant to Chapter 190, *Florida Statutes*, was submitted to the City by the District on December 18, 2000 ("Petition"); and

WHEREAS, the proposed CityPlace Community Development District comprises approximately 25 acres, all located within the City of West Palm Beach; and

WHEREAS, pursuant to *Florida Statutes*, §190.046, notice of the public hearing on the petition to amend the boundaries has been published in the *Palm Beach Post* once a week for four consecutive weeks prior to the January 22, 2001 hearing; and

WHEREAS, the City, having considered the Petition and all information presented at the public hearing, and being fully advised and informed of the premises, has determined that it is in the best interests of the citizens of West Palm Beach to approve the Petition to amend the boundaries

of the CityPlace Community Development District.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, that:

SECTION 1: The City Commission of the City of West Palm Beach hereby makes the following findings of fact and conclusions of law:

1. The CityPlace Community Development District submitted a petition to amend the District boundaries of District pursuant to Chapter 190, *Florida Statutes*, to the City of West Palm Beach on December 18, 2000.
2. The Petition contains all of the information required by Chapter 190, *Florida Statutes*, and the City has found all such statements to be true and correct.
3. The Petition requests that certain District boundaries be expanded, while other boundaries be contracted, resulting in a net increase of approximately 5 acres to the District
4. The amendment to the District boundaries is not inconsistent with any applicable element or portion of the State Comprehensive Plan or the West Palm Beach Comprehensive Plan.
5. The amended area of the CityPlace Community Development District is of sufficient size, is sufficiently compact, and is sufficiently contiguous with the District to be developable as one functional, interrelated community.
6. The amendment of the District's boundaries is the best alternative available for delivering the community development services and facilities to the area to be served by the District.

7. The services and facilities of the District, with the amended boundaries, will be compatible with the capacity and uses of existing City and regional community development services and facilities.

8. The property comprising the amended CityPlace Community Development District is amenable to separate special-district government.

SECTION 2: The City Commission of the City of West Palm Beach hereby grants the Petition to amend the boundaries of the CityPlace Community Development District.

SECTION 3: The District, as amended, is generally bounded on the west by South Sapadilla, on the east by the FEC Railway, on the south by Okeechobee Boulevard, on the north by Gardenia and the alley north of Fern Street. The exact legal description of the District, as amended, is contained in Exhibit A, attached hereto, consisting of 12 pages. The description of those areas to be excluded from the District are included within Exhibit A..

SECTION 4: Any portions of Ordinance Nos. 2380-90 and 3182-98 in conflict herewith are hereby repealed. All other portions of Ordinance Nos. 2380-90 and 3182-98 not in conflict with this Ordinance shall remain valid and in full force and effect.

SECTION 5: Should any part or provision of this Ordinance, or any portion , paragraph, sentence or word thereof, be declared by a court of competent jurisdiction to be invalid, such decision shall in no manner affect the validity of the remainder of the

Ordinance No. 3396-01

Ordinance which shall remain in full force and effect.

SECTION 6: This ordinance shall become effective upon second reading in accordance with law.

FIRST READING THIS 5th DAY OF January, 2001.

SECOND AND FINAL PASSAGE THIS 22nd DAY OF January, 2001.

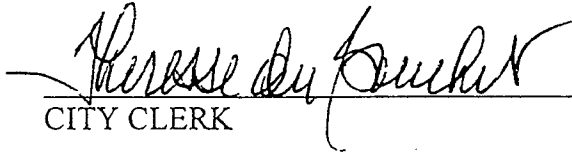
(CORPORATE SEAL)

CITY OF WEST PALM BEACH
BY ITS CITY COMMISSION

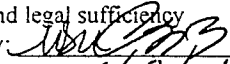


PRESIDING OFFICER

ATTEST:



CITY CLERK

CITY ATTORNEY'S OFFICE
Approved as to form
And legal sufficiency
By: 
Date: 1/9/01

LEGAL DESCRIPTION FOR CITYPLACE NON-RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICT:

ALL LOT 5, BLOCK 21 AND A PORTION OF THE RIGHT-OF-WAY FOR SAPODILLA STREET, NOW KNOWN AS SOUTH SAPODILLA AVENUE, AS SHOWN ON THE MAP OF THE TOWN OF WEST PALM BEACH, DADE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 2 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH A PORTION OF LOT 9 AND ALL OF LOT 10, BLOCK 72 AS SHOWN ON THE PLAT OF THE ADDITION OF WEST PALM BEACH FOR THE HIGHLAND PARK LAND CO., INC., ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 122 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH A PORTION OF THAT CERTAIN 14' RIGHT-OF-WAY ABANDONED BY DISCLAIMER RECORDED IN OFFICIAL RECORDS BOOK 8449, PAGE 1616 OF SAID PUBLIC RECORDS, TOGETHER WITH ALL OF TRACT A, CHURCH TRACT 1, CHURCH TRACT 2, PLAZA TRACT, TRACT C, TRACT D AND TRACT E, THE RIGHTS-OF-WAY FOR SOUTH ROSEMARY AVENUE, HIBISCUS STREET, GARDENIA STREET AND FERN STREET, A PORTION OF TRACT A-1, TRACT B AND TRACT D-1, ALL AS SHOWN ON CITYPLACE PLAT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 93, PAGES 193-198 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA TOGETHER WITH A PORTION OF PARCEL B, PARCEL C, PARCEL D, PARCEL E, PARCEL F AND PARCEL G, ALL AS SHOWN ON CITYPLACE RESIDENTIAL PLAT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 87, PAGES 137-138 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST MOST SOUTHWEST CORNER OF SAID TRACT A-1, THENCE NORTH 89°07'21" WEST, ALONG A PORTION OF THE NORTH RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR STATE ROAD NO. 704, SECTION 93280-0000, SAID SHEETS 5, 6 AND 7 OF 8, A DISTANCE OF 50.00 FEET TO THE WEST RIGHT-OF-WAY OF SAID SOUTH SAPODILLA AVENUE; THENCE NORTH 00°52'49" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 1190.51 FEET TO THE NORTH RIGHT-OF-WAY OF SAID GARDENIA STREET; THENCE SOUTH 89°11'15" EAST, ALONG SAID NORTH RIGHT-OF-WAY LINE OF GARDENIA STREET, A DISTANCE OF 10.00 FEET TO SAID WEST RIGHT-OF-WAY LINE; THENCE NORTH 00°52'49" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 483.52 FEET; THENCE SOUTH 88°47'25" EAST, ALONG THE NORTH BOUNDARY OF SAID TRACT E AND THE WESTERLY AND EASTERLY EXTENSION THEREOF, A DISTANCE OF 579.83 FEET TO THE EAST RIGHT-OF-WAY LINE OF SOUTH ROSEMARY AVENUE AS SHOWN ON SAID CITYPLACE PLAT NO. 1; THENCE SOUTH 00°52'09" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE OF SOUTH ROSEMARY AVENUE, A DISTANCE OF 193.10 FEET TO THE NORTHWEST CORNER OF SAID LOT 5; THENCE SOUTH 38°47'33" EAST, ALONG THE NORTH BOUNDARY OF SAID LOT 5, A DISTANCE OF 100.05 FEET TO THE NORTHEAST CORNER OF SAID LOT 5, THENCE SOUTH 00°52'16" WEST, ALONG THE EAST BOUNDARY OF SAID LOT 5 AND THE SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 157.06 FEET TO THE TO SOUTH LINE OF THE NORTH ONE-HALF (N. 1/2) OF SAID ALLEY; THENCE NORTH 88°43'41" WEST, ALONG SAID SOUTH LINE OF THE NORTH ONE-HALF OF SAID ALLEY, A DISTANCE OF 29.01 FEET; THENCE SOUTH 00°52'09" WEST, A DISTANCE OF 32.64 FEET; THENCE NORTH 89°07'51" WEST, A DISTANCE OF 13.00 FEET; THENCE SOUTH 00°52'09" WEST, A DISTANCE OF 79.75 FEET; THENCE SOUTH 89°07'51" EAST, A DISTANCE OF 13.00 FEET; THENCE SOUTH 00°52'09" WEST, A DISTANCE OF 16.50 FEET TO THE SOUTH BOUNDARY OF SAID LOT 9, ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF GARDENIA STREET AS SHOWN ON SAID CITYPLACE PLAT NO. 1; THENCE SOUTH 89°11'15" EAST, ALONG SAID NORTH RIGHT-OF-WAY LINE OF GARDENIA STREET, A DISTANCE OF 429.15 FEET TO THE WEST RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY AS SHOWN ON SAID CITYPLACE PLAT NO. 1; THENCE SOUTH 00°52'42" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY, ALSO BEING ALONG THE EAST BOUNDARY LINE OF SAID CITYPLACE PLAT NO. 1, A DISTANCE OF 987.25 FEET; THENCE NORTH 39°07'51" WEST, A DISTANCE OF 190.30 FEET; THENCE NORTH 00°52'09" EAST, A DISTANCE OF 56.65 FEET; THENCE NORTH 39°07'51" WEST, A DISTANCE OF 32.28 FEET; THENCE SOUTH 00°52'09" WEST, A DISTANCE OF 35.08 FEET; THENCE NORTH 89°07'51" WEST, A DISTANCE OF 34.94 FEET; THENCE SOUTH 00°52'09" WEST, A DISTANCE OF 143.16 FEET; THENCE SOUTH 89°07'51" EAST, A DISTANCE OF 4.95 FEET; THENCE SOUTH 00°52'09" WEST, A DISTANCE OF 70.52 FEET TO A POINT ON THE SAID NORTH RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD, SAID POINT BEING ON THE SOUTH BOUNDARY LINE OF SAID TRACT B; SAID POINT ALSO BEARS SOUTH 10°55'24" EAST; THENCE WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2236.83 FEET AND A CENTRAL ANGLE OF 02°01'34", A DISTANCE OF 92.12 FEET; THENCE NORTH 48°50'50" WEST, NON-RADIAL TO THE LAST DESCRIBED CURVE, A DISTANCE OF 84.08 FEET; THENCE NORTH 89°07'51" WEST, A DISTANCE OF 30.00 FEET; THENCE SOUTH 00°52'09" WEST, A DISTANCE OF 20.93 FEET; THENCE SOUTH 43°13'40" WEST, A DISTANCE OF 56.69 FEET TO A POINT WHICH BEARS SOUTH 04°14'49" EAST FROM THE RADIUS POINT OF THE LAST HEREIN DESCRIBED CURVE; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 2236.83 FEET AND A CENTRAL ANGLE OF 03°10'53", A DISTANCE OF 124.20 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 38°56'04" WEST, A DISTANCE OF 245.61 FEET; THENCE NORTH 45°05'33" WEST, A DISTANCE OF 60.40 FEET; THENCE NORTH 89°07'21" WEST, A DISTANCE OF 16.46 FEET TO THE POINT OF BEGINNING, THE LAST NINE (9) DESCRIBED COURSES AND DISTANCES BEING ALONG SAID NORTH RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD, THE LAST NINE (9) DESCRIBED COURSES AND DISTANCES ALSO BEING ALONG THE SOUTH BOUNDARY OF SAID CITYPLACE NO. 1 PLAT.

THE FOLLOWING PORTION OF THE PREVIOUSLY DESCRIBED LANDS ARE RESTRICTED TO A MAXIMUM HEIGHT ELEVATION OF 39.67: (A BLOCK RETAIL)

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT A, THENCE SOUTH 00°52'09" WEST, ALONG A PORTION OF THE EAST BOUNDARY OF SAID TRACT A, ALSO BEING ALONG A PORTION OF THE WEST RIGHT-OF-WAY OF SAID SOUTH ROSEMARY AVENUE, A DISTANCE OF 739.95 FEET; THENCE NORTH 89°07'51" WEST, A DISTANCE OF 144.00 FEET; THENCE NORTH 00°52'09" EAST, A DISTANCE OF 95.00 FEET; THENCE

SOUTH 89°07'51" EAST, A DISTANCE OF 16.00 FEET; THENCE NORTH 00°52'09" EAST, A DISTANCE OF 559.00 FEET; THENCE NORTH 89°07'51" WEST, A DISTANCE OF 15.00 FEET; THENCE NORTH 00°52'09" EAST, A DISTANCE OF 35.81 FEET TO THE NORTH BOUNDARY OF SAID TRACT A; THENCE SOUTH 89°11'06" EAST, ALONG A PORTION OF SAID NORTH BOUNDARY, A DISTANCE OF 143.00 FEET TO THE POINT OF BEGINNING.

THE FOLLOWING DESCRIBED PORTION OF THE PREVIOUSLY DESCRIBED LANDS ARE RESTRICTED TO A MINIMUM ELEVATION OF 21.00 AND A MAXIMUM ELEVATION OF 29.17: (A BLOCK GARAGE)

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT A-1; THENCE SOUTH 00°52'09" WEST, ALONG A PORTION OF THE EAST BOUNDARY OF SAID TRACT A-1, A DISTANCE OF 114.60 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°52'09" WEST, ALONG THE LAST DESCRIBED COURSE, A DISTANCE OF 505.88 FEET; THENCE NORTH 89°07'51" WEST, A DISTANCE OF 130.12 FEET; THENCE NORTH 00°52'09" EAST, A DISTANCE OF 505.88 FEET; THENCE SOUTH 89°07'51" EAST, A DISTANCE OF 130.12 FEET TO THE POINT OF BEGINNING.

THE FOLLOWING DESCRIBED PORTION OF THE PREVIOUSLY DESCRIBED LANDS ARE RESTRICTED TO A MINIMUM ELEVATION OF 14.00 AND A MAXIMUM ELEVATION OF 89.00: (B BLOCK GARAGE)

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT B; THENCE SOUTH 00°52'42" WEST, ALONG THE EAST BOUNDARY OF SAID TRACT B, A DISTANCE OF 595.15 FEET; THENCE NORTH 89°07'51" WEST, A DISTANCE OF 190.90 FEET; THENCE NORTH 00°52'09" EAST, A DISTANCE OF 56.65 FEET; THENCE NORTH 89°07'51" WEST, A DISTANCE OF 4.00 FEET; THENCE NORTH 00°52'45" EAST, A DISTANCE OF 538.32 FEET TO THE NORTH BOUNDARY OF SAID TRACT B; THENCE SOUTH 89°11'06" EAST, ALONG SAID NORTH BOUNDARY OF TRACT B, A DISTANCE OF 194.90 FEET TO THE POINT OF BEGINNING.

THE FOLLOWING DESCRIBED PORTION OF THE PREVIOUSLY DESCRIBED LANDS ARE RESTRICTED TO A MINIMUM ELEVATION OF 13.00 AND A MAXIMUM ELEVATION OF 78.00: (C BLOCK GARAGE)

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT C; THENCE NORTH 89°11'06" WEST, ALONG THE SOUTH BOUNDARY OF SAID TRACT C, ALSO BEING ALONG THE NORTH RIGHT-OF-WAY OF HIBISCUS STREET AS SHOWN ON SAID PLAT, A DISTANCE OF 130.04 FEET; THENCE NORTH 00°52'14" EAST, A DISTANCE OF 292.09 FEET TO THE NORTH BOUNDARY OF SAID TRACT C, ALSO BEING THE SOUTH RIGHT-OF-WAY OF GARDENIA STREET AS SHOWN ON SAID PLAT; THENCE SOUTH 89°11'15" EAST, ALONG SAID NORTH BOUNDARY, ALSO BEING ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 130.08 FEET TO THE NORTHEAST CORNER OF SAID TRACT C; THENCE SOUTH 00°52'42" WEST, ALONG THE EAST BOUNDARY OF SAID TRACT C, A DISTANCE OF 292.09 FEET TO THE POINT OF BEGINNING.

THE FOLLOWING DESCRIBED PORTION OF THE PREVIOUSLY DESCRIBED LANDS ARE RESTRICTED TO A MAXIMUM HEIGHT ELEVATION OF 40.17: (D BLOCK RETAIL)

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT D; THENCE SOUTH 00°52'09" WEST, ALONG A PORTION OF THE EAST BOUNDARY OF SAID TRACT D, ALSO BEING ALONG A PORTION OF THE WEST RIGHT-OF-WAY OF SAID SOUTH ROSEMARY AVENUE, A DISTANCE OF 345.32 FEET; THENCE NORTH 89°07'51" WEST, A DISTANCE OF 130.00 FEET; THENCE NORTH 00°52'09" EAST, A DISTANCE OF 292.00 FEET; THENCE NORTH 89°07'51" WEST, A DISTANCE OF 10.00 FEET; THENCE NORTH 00°52'09" EAST, A DISTANCE OF 54.14 FEET TO THE NORTH BOUNDARY OF SAID TRACT D; THENCE SOUTH 88°47'33" EAST, ALONG A PORTION OF SAID NORTH BOUNDARY, A DISTANCE OF 140.00 FEET TO THE POINT OF BEGINNING.

THE FOLLOWING DESCRIBED PORTION OF THE PREVIOUSLY DESCRIBED LANDS ARE RESTRICTED TO A MINIMUM ELEVATION OF 14.00 AND A MAXIMUM ELEVATION OF 81.00 AND ALSO AFFECTED BY THE EASEMENT FOR PARKING SPACES RECORDED IN OFFICIAL RECORDS BOOK 11704, PAGE 664 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA: (D BLOCK GARAGE)

COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT D-1; THENCE NORTH 89°11'06" WEST, ALONG A PORTION OF THE SOUTH BOUNDARY OF SAID TRACT D-1, ALSO BEING ALONG A PORTION OF THE NORTH RIGHT-OF-WAY OF HIBISCUS STREET AS SHOWN ON SAID PLAT, A DISTANCE OF 89.60 FEET; THENCE NORTH 00°52'09" EAST, A DISTANCE OF 72.93 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°07'11" WEST, ALONG THE SOUTH LINE OF A 4' (4 FOOT) FOOTING EASEMENT AS SHOWN ON SAID CITYPLACE RESIDENTIAL PLAT NO. 1 AND THE EASTERLY EXTENSION THEREOF, A DISTANCE OF 200.11 FEET; THENCE NORTH 00°52'49" EAST, ALONG THE WEST LINE OF A 6' (6 FOOT) FOOTING EASEMENT AS SHOWN ON SAID CITYPLACE RESIDENTIAL PLAT NO. 1, A DISTANCE OF 297.91 FEET; THENCE SOUTH 89°07'11" EAST, ALONG THE NORTH LINE OF A 6' (6 FOOT) FOOTING EASEMENT AS SHOWN ON SAID CITYPLACE RESIDENTIAL PLAT NO. 1, A DISTANCE OF 200.05 FEET; THENCE SOUTH 00°52'09" WEST, ALONG THE EAST LINE OF A 7' (7 FOOT) FOOTING EASEMENT AS SHOWN ON SAID CITYPLACE RESIDENTIAL PLAT NO. 1 AND THE SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 297.91 FEET TO THE POINT OF BEGINNING.

THE FOLLOWING DESCRIBED PORTION OF THE PREVIOUSLY DESCRIBED LANDS ARE RESTRICTED TO A MINIMUM ELEVATION OF 22.17 AND A MAXIMUM ELEVATION OF 38.17: (BALLET VILLAGE)

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 10; THENCE NORTH 00°52'09" EAST, ALONG THE WEST BOUNDARY OF SAID LOT 10, ALSO BEING ALONG THE EAST RIGHT-OF-WAY OF SOUTH ROSEMARY AVENUE AS SHOWN ON CITYPLACE PLAT NO. 1 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 33, PAGES 193-198 OF SAID PUBLIC RECORDS, A DISTANCE OF 129.46 FEET; THENCE SOUTH 88°43'41" EAST, ALONG THE NORTH BOUNDARY OF SAID SOUTH ONE-HALF (S 1/2) OF A 14' RIGHT-OF-WAY, A DISTANCE OF 72.93 FEET; THENCE SOUTH 00°52'09" WEST, A DISTANCE OF 32.64 FEET; THENCE

NORTH 89°07'51" WEST, A DISTANCE OF 18.00 FEET; THENCE SOUTH 00°52'09" WEST, A DISTANCE OF 73.75 FEET; THENCE SOUTH 89°07'51" EAST, A DISTANCE OF 18.00 FEET; THENCE SOUTH 00°52'09" WEST, A DISTANCE OF 16.50 FEET TO THE SOUTH BOUNDARY OF SAID LOT 3; THENCE NORTH 89°11'15" WEST, ALONG SAID SOUTH BOUNDARY OF LOT 3 AND THE SOUTH BOUNDARY OF SAID LOT 10, ALSO BEING ALONG THE NORTH RIGHT-OF-WAY OF GARDENIA STREET AS SHOWN ON SAID CITYPLACE PLAT NO. 1, A DISTANCE OF 71.03 FEET TO THE POINT OF BEGINNING.

THE FOLLOWING DESCRIBED PORTION OF THE PREVIOUSLY DESCRIBED LANDS ARE RESTRICTED TO A MINIMUM ELEVATION OF 22.17 AND A MAXIMUM ELEVATION OF 38.17: (BALLET VILLAGE)

ALL LOT LOT 5, BLOCK 21 AS SHOWN ON THE MAP OF THE TOWN OF WEST PALM BEACH, DADE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 2 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT: (A BLOCK RESIDENTIAL)

COMMENCING AT THE WEST MOST SOUTHWEST CORNER OF SAID TRACT A-1; THENCE NORTH 00°52'49" East, ALONG A PORTION OF THE EAST RIGHT-OF-WAY OF SAID SOUTH SAPODILLA AVENUE, ALSO BEING ALONG A PORTION OF THE WEST BOUNDARY LINE OF SAID TRACT A-1, A DISTANCE OF 57.36 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°52'49" EAST, ALONG THE LAST DESCRIBED COURSE, A DISTANCE OF 741.16 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID HIBISCUS STREET; THENCE SOUTH 89°11'06" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF HIBISCUS STREET, ALSO BEING ALONG THE NORTH BOUNDARY LINE OF SAID TRACT A-1, A DISTANCE OF 316.14 FEET; THENCE SOUTH 00°52'09" WEST, ALONG THE EAST LINE OF SAID TRACT A-1, A DISTANCE OF 114.60 FEET; THENCE NORTH 89°07'51" WEST, A DISTANCE OF 130.12 FEET; THENCE SOUTH 00°52'09" WEST, A DISTANCE OF 505.88 FEET; THENCE SOUTH 89°07'51" EAST, A DISTANCE OF 130.12 FEET TO SAID EAST LINE OF TRACT A-1; THENCE SOUTH 00°52'09" WEST, ALONG SAID EAST LINE OF TRACT A-1, A DISTANCE OF 111.98 FEET; THENCE NORTH 89°07'51" WEST, A DISTANCE OF 256.35 FEET; THENCE SOUTH 00°52'09" WEST, A DISTANCE OF 9.00 FEET; THENCE NORTH 89°07'51" WEST, A DISTANCE OF 59.94 FEET TO THE POINT OF BEGINNING. LESS THEREFROM THE FOLLOWING DESCRIBED PARCELS: UNITS C-1 AND C-2 AS SHOWN ON SHEET 5 OF 29, EXHIBIT A OF THE DECLARATION OF CONDOMINIUM OF CITYPLACE TOWER CONDOMINIUM RECORDED IN OFFICIAL RECORDS BOOK 12015, PAGE 981 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND UNIT C-1, BUILDING 4A AS SHOWN ON SHEET 63 OF 74, EXHIBIT A OF THE DECLARATION OF CONDOMINIUM OF CITYPLACE GARDEN APARTMENTS CONDOMINIUM RECORDED IN OFFICIAL RECORDS BOOK 12015, PAGE 1086 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

FURTHER LESS AND EXCEPT: (D BLOCK RESIDENTIAL)

THAT PORTION OF SAID TRACT D-1 REPLATTED AS CITYPLACE RESIDENTIAL PLAT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 37, PAGES 137-138 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THEREFROM THE LANDS CONTAINED ON THE 4' (FOOT), 6' (FOOT) AND 7' (FOOT) FOOTING EASEMENT AS SHOWN ON SAID PLAT.

SAID LANDS SITUATE IN THE CITY OF WEST PALM BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAIN 1,278,616 SQUARE FEET (29.353 ACRES) MORE OR LESS.

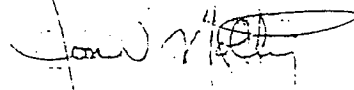
THE BEARINGS REFERENCED HEREIN ARE BASED ON A BEARING OF NORTH 00°52'49" EAST ALONG THE EAST RIGHT-OF-WAY OF GEORGIA AVENUE (NOW KNOWN AS SAPODILLA STREET) AS SHOWN ON SAID FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP.

THE ELEVATIONS REFERENCED HEREIN ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929.

CERTIFICATE:

WE HEREBY CERTIFY THAT THIS DESCRIPTION AND SKETCH CONFORMS TO THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS OUTLINED IN CHAPTER 61G17-6 (FLORIDA ADMINISTRATIVE CODE), AS ADOPTED BY THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN SEPTEMBER, 1981, AS AMENDED, PURSUANT TO CHAPTER 472.007 OF THE FLORIDA STATUTES, AND IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

Craven Thompson & Associates, P.C.
CERTIFICATE OF AUTHORIZATION NUMBER LB27:



JON V. NOLTING
PROFESSIONAL SURVEYOR AND MAPPER NO. 4499
STATE OF FLORIDA



CRAVEN THOMPSON & ASSOCIATES INC.

ENGINEERS • PLANNERS • SURVEYORS

3563 N.W. 53RD. STREET, FORT LAUDERDALE, FLORIDA 33309 (954) 739-6400
OFFICES: FORT LAUDERDALE, VERO BEACH (FAX) 954-739-6409

SKETCH TO ACCOMPANY DESCRIPTION KEY MAP FOR CITYPLACE NON-RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICT

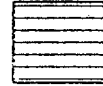
NOTE: THIS IS NOT A SKETCH OF SURVEY, but only a graphic depiction of the description shown hereon. There has been no field work, viewing of the subject property, or monuments set in connection with the preparation of the information shown hereon.



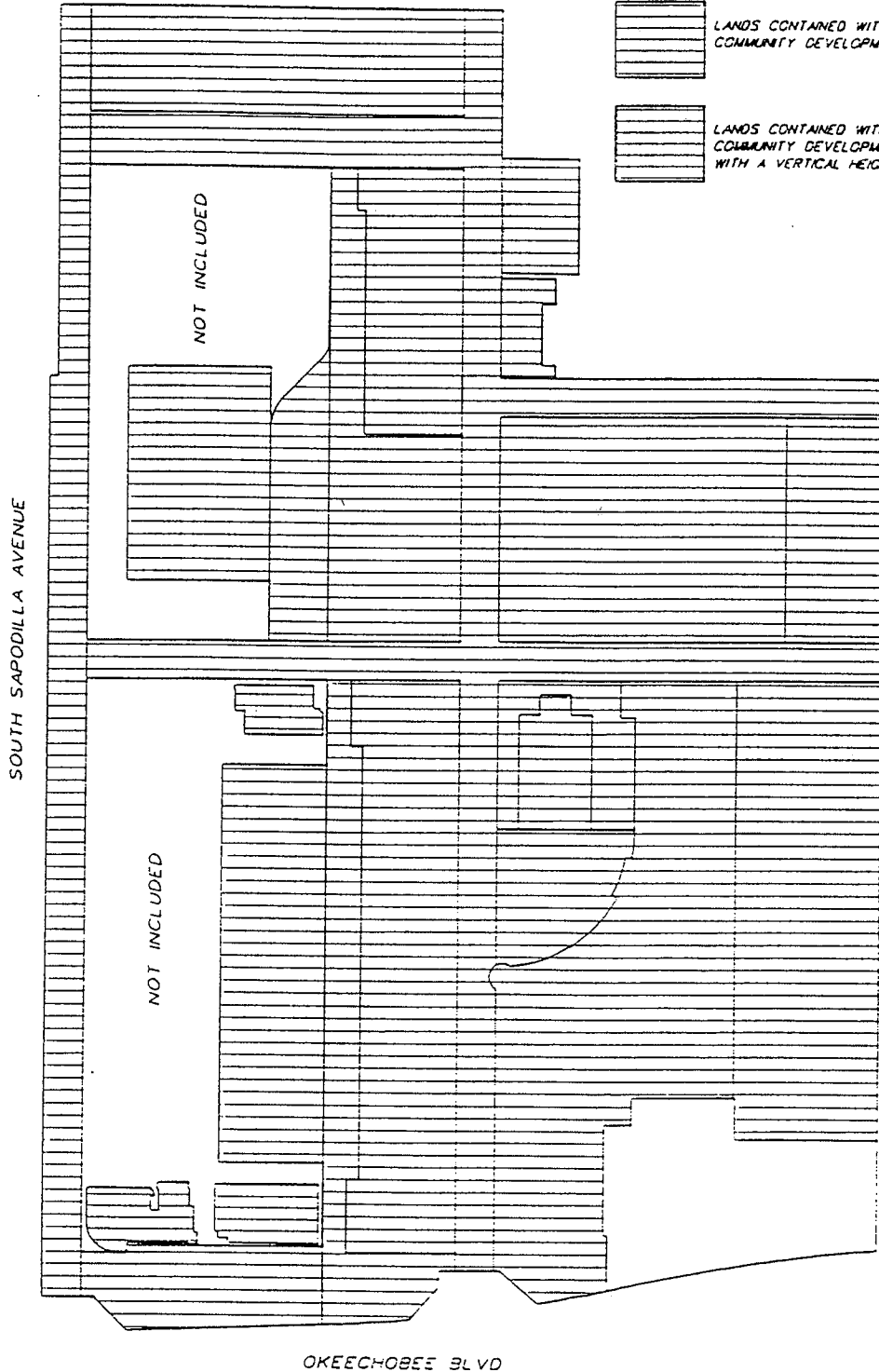
LEGEND



LANDS CONTAINED WITHIN THE
COMMUNITY DEVELOPMENT DISTRICT



LANDS CONTAINED WITHIN THE
COMMUNITY DEVELOPMENT DISTRICT
WITH A VERTICAL HEIGHT RESTRICTION



FOR: CITYPLACE PARTNERS

SHEET 4 OF 8

UPDATES and/or REVISIONS	DATE	BY	CK'D
ADD GARAGE	7/21/98	JVN	JVN
REV CCD	11/1/00	JVN	JVN
REV CCD	12/20/00	JVN	JVN

NOTE: The undersigned and CRAVEN-THOMPSON & ASSOCIATES, Inc. make no representations or warranties as to the information reflected hereon pertaining to easements, rights-of-way, set back lines, reservations, agreements and other similar matters, and further, this instrument is not intended to reflect or set forth such matters, such information should be obtained and confirmed by others through appropriate title verification.



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SKETCH TO ACCOMPANY DESCRIPTION

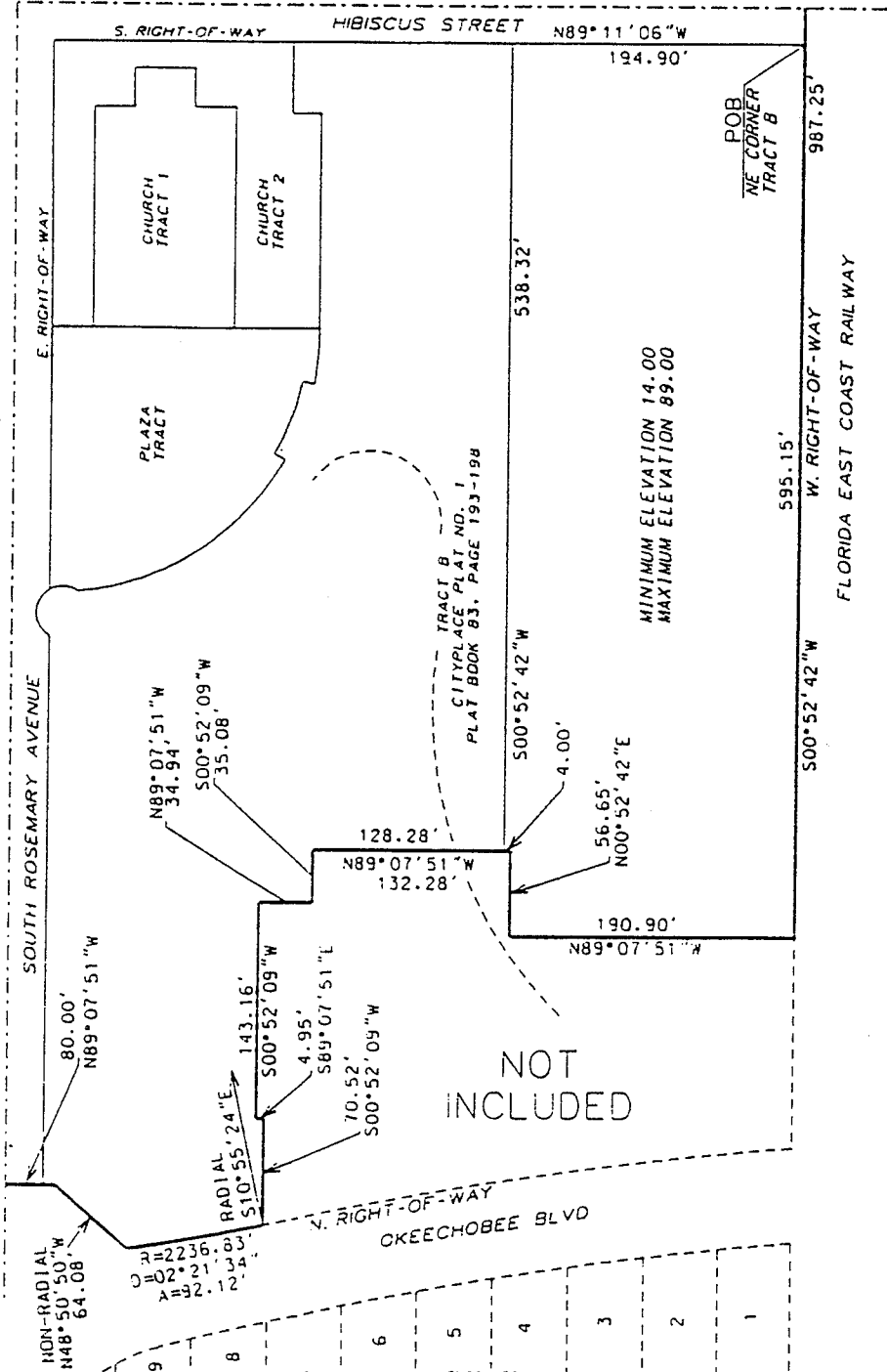
LEGAL DESCRIPTION FOR CITYPLACE NON-RESIDENTIAL
COMMUNITY DEVELOPMENT DISTRICT

NOTE: THIS IS NOT A SKETCH OF SURVEY, but only a graphic depiction of the description shown hereon. There has been no field work, viewing of the subject property, or monuments set in connection with the preparation of the information shown hereon.

MATCH LINE SEE SHEET B



MATCH LINE SEE SHEET 5



POB-POINT OF BEGINNING
 POC-POINT OF COMMENCING
 RP-REFERENCE POINT
 R-RADIUS
 Δ-DELTA
 A-ARC LENGTH
 FOR: CITYPLACE PARTNERS

NOTE:
 ALL RECORDING INFORMATION SHOWN HEREON IS FOUND
 IN THE PUBLIC RECORDS OF PALM BEACH COUNTY
 ALL ELEVATIONS ARE NATIONAL GEODETIC VERTICAL
 DATUM OF 1929.

SHEET 7 OF 8

UPDATES and/or REVISIONS	DATE	BY	CK'D	NOTE
ADD GARAGE	7/21/98	JVN	JVN	The undersigned and CRAVEN-THOMPSON & ASSOCIATES, Inc. make no representations or warranties as to the information reflected hereon pertaining to encumbrances, mortgages, liens, taxes, assessments, easements and other



CRAVEN THOMPSON & ASSOCIATES INC.

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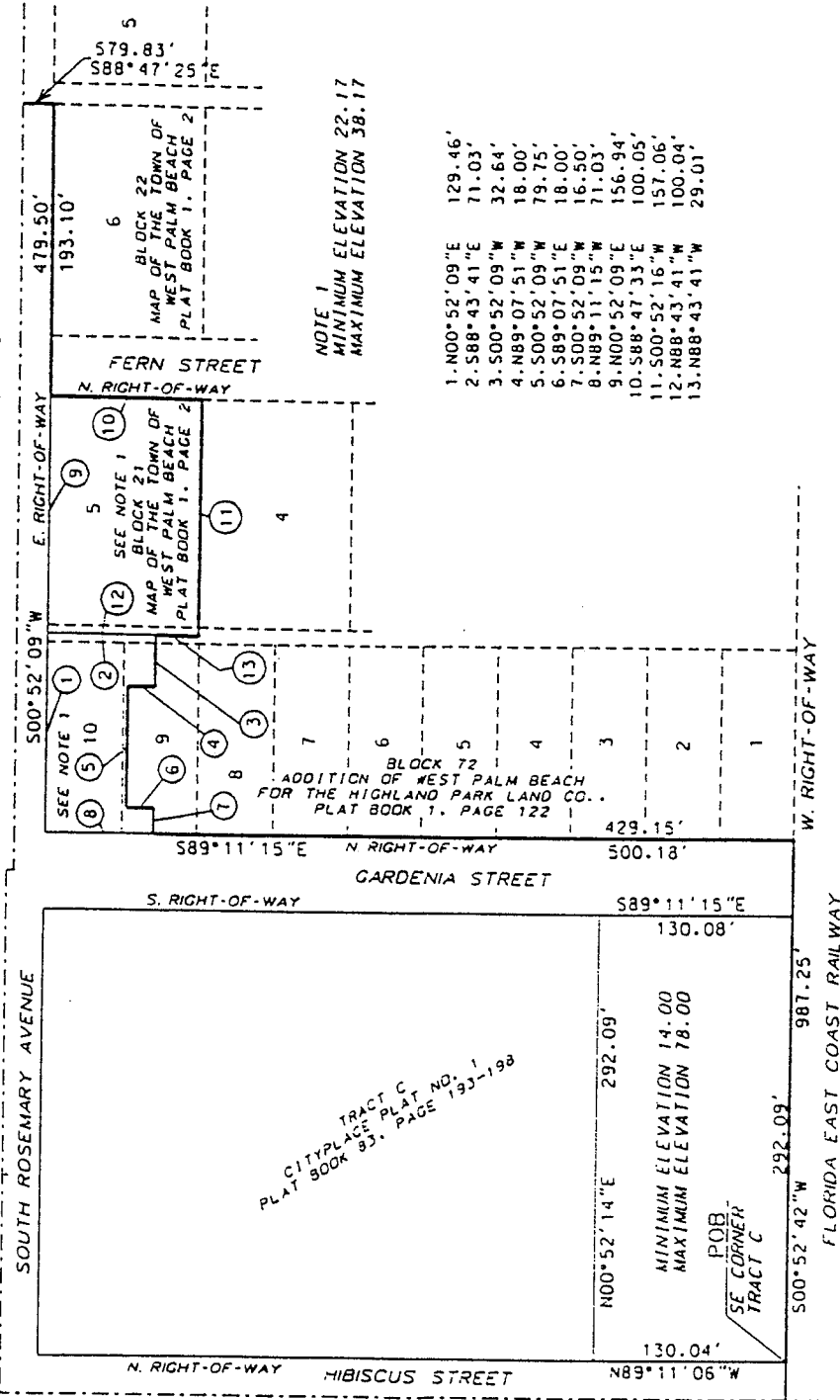
3563 N.W. 53RD. STREET, FORT LAUDERDALE, FLORIDA 33309 (954) 739-6400
OFFICES: FORT LAUDERDALE, VERO BEACH (FAX) 954-739-6409

SKETCH TO ACCOMPANY DESCRIPTION LEGAL DESCRIPTION FOR CITYPLACE NON-RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICT

NOTE: THIS IS NOT A SKETCH OF SURVEY, but only a graphic depiction of the description shown hereon. There has been no field work, viewing of the subject property, or monuments set in connection with the preparation of the information shown hereon.



MATCH LINE SEE SHEET 6



1. N00°52'09"E 129.46'
2. S88°43'41"E 71.03'
3. S00°52'09"W 32.64'
4. N89°07'51"W 18.00'
5. S00°52'09"W 79.75'
6. S89°07'51"E 18.00'
7. S00°52'09"W 16.50'
8. N89°11'15"W 71.03'
9. N00°52'09"E 156.94'
10. S88°47'33"E 100.05'
11. S00°52'16"W 157.06'
12. N88°43'41"W 100.04'
13. N88°43'41"W 29.01'

POB-POINT OF BEGINNING
 POC-POINT OF COMMENCING
 RP-REFERENCE POINT
 R-RADIUS
 D-DELTA
 A-ARC LENGTH
 FOR: CITYPLACE PARTNERS

NOTE:
 ALL RECORDING INFORMATION SHOWN HEREON IS FOUND
 IN THE PUBLIC RECORDS OF PALM BEACH COUNTY
 ALL ELEVATIONS ARE NATIONAL GEODETIC VERTICAL
 DATUM OF 1929.

SHEET 3 OF 3

UPDATES and/or REVISIONS	DATE	BY	CK'D	NOTE
ADD GARAGE	7/21/98	JVN	JVN	The undersigned and CRAVEN-THOMPSON & ASSOCIATES, inc. make no representations or warranties as to the information reflected hereon pertaining to easements, encroachments, or other matters not shown on this plan.

DESCRIPTION: (ADDITIONAL CDD LANDS)

A PORTION OF THE NORTH ONE-HALF (N. 1/2) OF THAT CERTAIN 14' RIGHT-OF-WAY ABANDONED BY DISCLAIMER RECORDED IN OFFICIAL RECORDS BOOK 8449, PAGE 1616 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 5, BLOCK 21 AS SHOWN ON THE MAP OF THE TOWN OF WEST PALM BEACH, DADE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 2 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 88°43'41" EAST, ALONG THE SOUTH BOUNDARY OF SAID LOT 5, A DISTANCE OF 100.04 FEET TO THE SOUTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 00°52'16" WEST, ALONG THE SOUTHERLY EXTENSION OF THE EAST BOUNDARY OF SAID LOT 5, A DISTANCE OF 7.00 FEET TO THE SOUTH LINE OF SAID NORTH ONE-HALF OF THAT CERTAIN 14' ALLEY; THENCE NORTH 88°43'41" WEST, ALONG SAID SOUTH LINE OF THE NORTH ONE-HALF, A DISTANCE OF 100.04 FEET; THENCE NORTH 00°52'09" EAST, ALONG THE SOUTHERLY EXTENSION OF THE EAST BOUNDARY OF SAID LOT 5, A DISTANCE OF 7.00 FEET TO THE **POINT OF BEGINNING.**

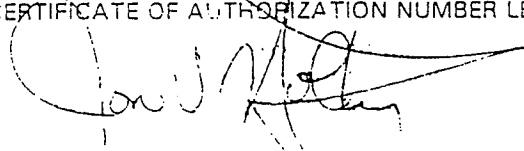
SAID LANDS SITUATE IN THE CITY OF WEST PALM BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAIN 700 SQUARE FEET MORE OR LESS.

THE BEARINGS REFERENCED HEREIN ARE BASED ON AN ASSUMED BEARING OF SOUTH 88°43'41" EAST, ALONG THE SOUTH LINE OF SAID LOT 5.

CERTIFICATE:

WE HEREBY CERTIFY THAT THIS DESCRIPTION AND SKETCH CONFORMS TO THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS OUTLINED IN CHAPTER 61G17-6 (FLORIDA ADMINISTRATIVE CODE), AS ADOPTED BY THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN SEPTEMBER, 1981, AS AMENDED, PURSUANT TO CHAPTER 472.027 OF THE FLORIDA STATUTES, AND IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

CRAVEN THOMPSON & ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB271



JON V. NOLTING
PROFESSIONAL SURVEYOR AND MAPPER NO. 4499
STATE OF FLORIDA



CRAVEN THOMPSON & ASSOCIATES INC.

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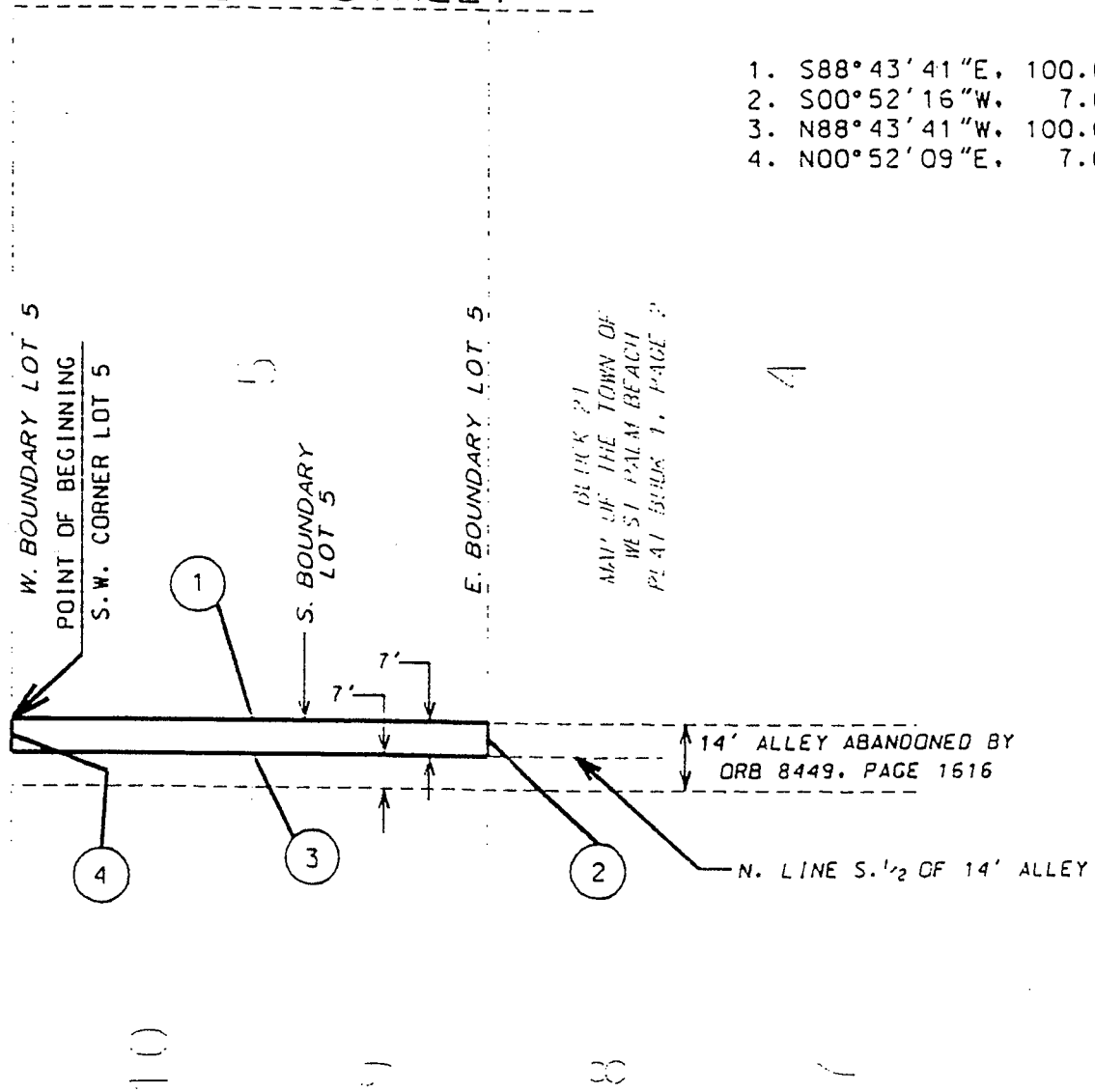
SKETCH TO ACCOMPANY DESCRIPTION
 ADDITIONAL CDD LANDS
 FERN STREET

NOTE: THIS IS NOT A SKETCH OF SURVEY, but only a graphic depiction of the description shown hereon. There has been no field work, viewing of the subject property, or monuments set in connection with the preparation of the information shown hereon.



1. S88° 43' 41" E, 100.04'
2. S00° 52' 16" W, 7.00'
3. N88° 43' 41" W, 100.04'
4. N00° 52' 09" E, 7.00'

SOUTH ROSEMARY AVENUE



BLOCK 72
 ADDITION OF WEST PALM BEACH
 FOR THE ISLAND PARK LAND CO.,
 PLAT BOOK 1, PAGE 122

R = RADIUS
 D = DELTA
 A = ARC LENGTH

GARDENIA STREET

FOR: CITYPLACE PARTNERS

NOTE: ALL RECORDING INFORMATION SHOWN HEREON IS FOUND IN THE PUBLIC RECORDS OF PALM BEACH COUNTY

SHEET 2 OF 2

UPDATES and/or REVISIONS	DATE	BY	CK'D	NOTE
				The undersigned and CRAVEN-THOMPSON & ASSOCIATES, Inc. make no representations of warranties as to the information reflected hereon pertaining to easements, rights-of-way, set back lines, reservations, agreements and other similar matters, and further, this instrument is not intended to reflect or set forth

DESCRIPTION: (BLOCK B CDD MODIFICATION)

A PORTION OF TRACT B, CITYPLACE PLAT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 83, PAGES 193-198 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(ADDITIONAL LANDS)

COMMENCING AT THE SOUTH MOST SOUTHWEST CORNER OF SAID TRACT B, SAID POINT BEING ON THE ARC OF A CURVE FROM WHICH THE RADIUS POINT OF THE NEXT DESCRIBED CURVE BEARS NORTH 08°33'50" WEST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, ALSO ALONG THE SOUTH BOUNDARY OF SAID PARCEL B, ALSO BEING ALONG THE NORTH RIGHT-OF-WAY OF OKEECHOBEE BOULEVARD AS SHOWN ON SAID PLAT, HAVING A RADIUS OF 2236.83 FEET AND A CENTRAL ANGLE OF 02°33'41", A DISTANCE OF 88.97 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°52'09" EAST, A DISTANCE OF 67.66 FEET; THENCE NORTH 89°07'51" WEST, A DISTANCE OF 4.67 FEET; THENCE NORTH 00°52'09" EAST, A DISTANCE OF 125.09 FEET; THENCE SOUTH 89°07'51" EAST, A DISTANCE OF 2.80 FEET TO A POINT, SAID POINT HEREINAFTER TO BE KNOWN AS REFERENCE POINT "A"; THENCE SOUTH 00°52'09" WEST, A DISTANCE OF 121.59 FEET; THENCE SOUTH 89°07'51" EAST, A DISTANCE OF 4.95 FEET; THENCE SOUTH 00°52'09" WEST, A DISTANCE OF 70.52 TO A POINT ON SAID SOUTH BOUNDARY, SAID POINT ALSO BEARS SOUTH 10°55'24" EAST FROM THE RADIUS POINT OF SAID CURVE; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, ALSO BEING ALONG A PORTION OF SAID SOUTH BOUNDARY, HAVING A RADIUS OF 2236.83 FEET AND A CENTRAL ANGLE OF 00°04'50", A DISTANCE OF 3.15 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN THE CITY OF WEST PALM BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAIN 802 SQUARE FEET MORE OR LESS.

(EXCLUDED LANDS)

BEGINNING AT SAID REFERENCE POINT "A"; THENCE NORTH 00°52'09" EAST, A DISTANCE OF 21.57 FEET; THENCE SOUTH 89°07'51" EAST, A DISTANCE OF 34.94 FEET; THENCE NORTH 00°52'09" EAST, A DISTANCE OF 35.08 FEET; THENCE SOUTH 89°07'51" EAST, A DISTANCE OF 132.28 FEET; THENCE SOUTH 00°52'09" WEST, A DISTANCE OF 56.65 FEET; THENCE NORTH 89°07'51" WEST, A DISTANCE OF 167.22 FEET TO THE POINT OF BEGINNING.

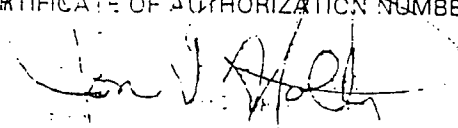
SAID LANDS SITUATE IN THE CITY OF WEST PALM BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAIN 3.020 SQUARE FEET MORE OR LESS.

THE BEARINGS REFERENCED HEREIN ARE BASED ON A BEARING OF SOUTH 00°52'09" WEST ALONG THE WEST BOUNDARY OF SAID TRACT B AS SHOWN ON SAID PLAT.

CERTIFICATE:

WE HEREBY CERTIFY THAT THIS DESCRIPTION AND SKETCH CONFORMS TO THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS OUTLINED IN CHAPTER 61G17-6 (FLORIDA ADMINISTRATIVE CODE), AS ADOPTED BY THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN SEPTEMBER, 1981, AS AMENDED, PURSUANT TO CHAPTER 472.027 OF THE FLORIDA STATUTES, AND IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

CRAVEN THOMPSON & ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB271



JON V. NOLTING
PROFESSIONAL SURVEYOR AND MAPPER NO. 4499
STATE OF FLORIDA



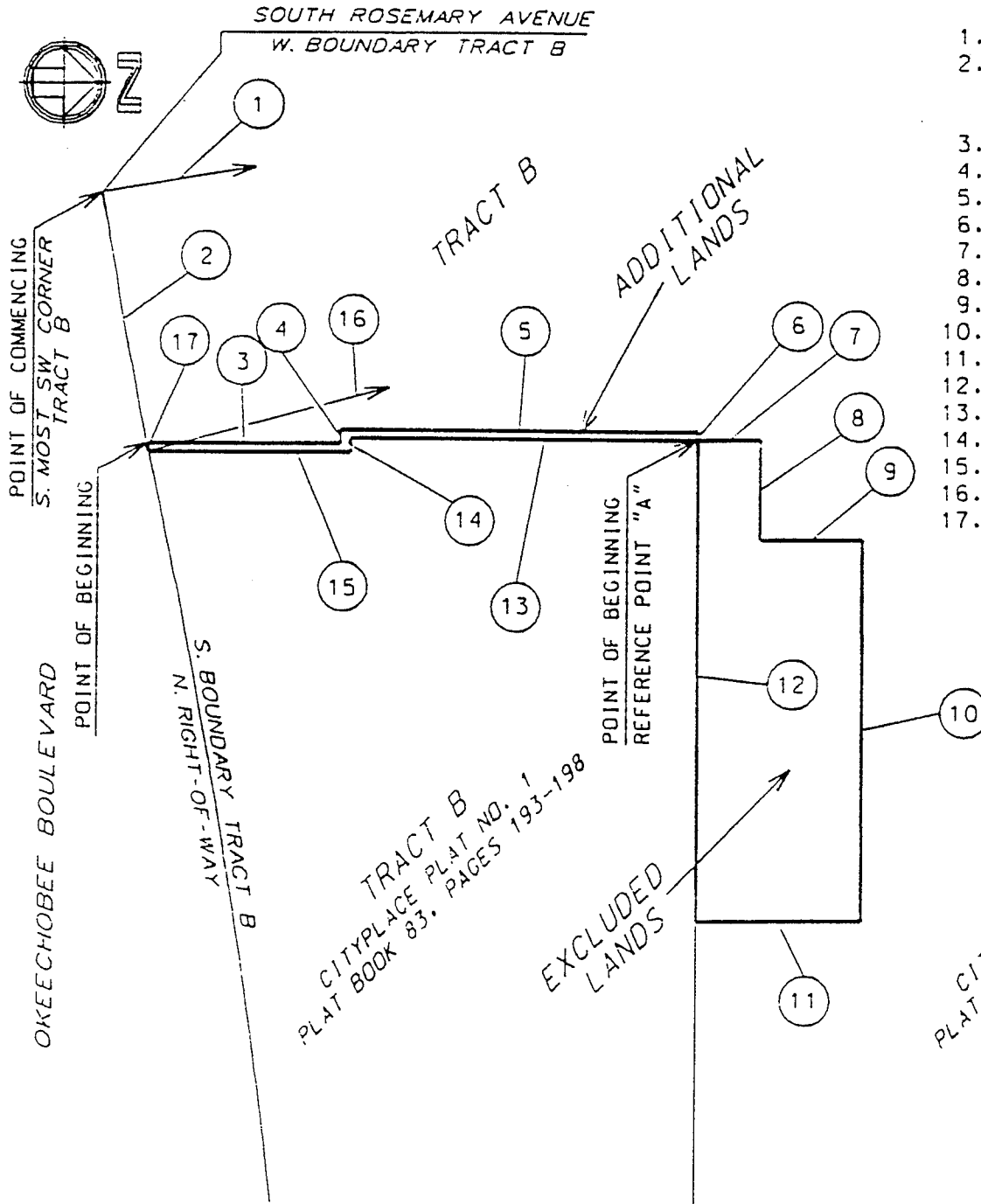
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SKETCH TO ACCOMPANY DESCRIPTION CDD MODIFICATION

NOTE: THIS IS NOT A SKETCH OF SURVEY, but only a graphic depiction of description shown hereon. There has been no field work, viewing of the subject property, or monuments set in connection with the preparation of the information shown hereon.



1. N08°33'50"W (RADIAL)
2. R=2236.83'
D= 02°16'44"
A= 88.97'
3. N00°52'09"E 67.66'
4. N89°07'51"W 4.67'
5. N00°52'09"E 125.09'
6. S89°07'51"E 2.80'
7. N00°52'09"E 21.57'
8. S89°07'51"E 34.94'
9. N00°52'09"E 35.08'
10. S89°07'51"E 132.28'
11. S00°52'09"W 56.65'
12. N89°07'51"W 167.22'
13. S00°52'09"W 121.59'
14. S89°07'51"E 4.95'
15. S00°52'09"W 70.52'
16. S10°55'24"E (RADIAL)
17. R=2236.83'
D=00°04'50"
A=3.15'

R = RADIUS
 D = DELTA
 A = ARC LENGTH

FOR: CITYPLACE PARTNERS

NOTE: ALL RECORDING INFORMATION SHOWN HEREON IS FOUND IN THE PUBLIC RECORDS OF PALM BEACH COUNTY

SHEET 2 OF

UPDATES and/or REVISIONS	DATE	BY	CK'D

NOTE: The undersigned and CRAVEN-THOMPSON & ASSOCIATES, Inc. make no representations of warranties as to the information reflected hereon pertaining to easements, rights-of-way, set back lines, reservations, agreements and other similar matters and hereby this information is not intended to constitute a contract or any other legal instrument.