



Village of Royal Palm Beach, Florida

1050 Royal Palm Beach Boulevard Royal Palm Beach, Florida 33411

Telephone (561) 790-5100 Fax (561) 790-5174 www.royalpalmbeach.com

Mary Anne Gould
Village Clerk

June 18, 2001

Craig Unger, Vice President
Minto Communities
4400 W. Sample Road, Suite 200
Coconut Creek, FL 33307

Re: **Application No. 94-12 (SPM) - Madison Green**

Dear Mr. Unger:

Please find enclosed a certified copy of Resolution No. 01-37 confirming the Village Council's approval action pertaining to modification of the Madison Green phase of the Royal Palm Homes PUD providing for the ten acre recreational complex in the Madison Green Development for subject application as adopted by Council sitting in regular session on June 14, 2001.

If questions exist, please do not hesitate to contact us.

Sincerely,

Mary Anne Gould
Village Clerk

MAG:ms
/attachment

cc: Paul Schofield, PZ&B Director

David Lodwick
Mayor

David R. Swift
Vice Mayor

Carmela Starace
Councilwoman

Vivian A. Ferrin
Councilman

Matty Mattioli
Councilman

David B. Farber
Village Manager

RESOLUTION NO. 01-37

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 94-12 (SPM) - THE APPLICATION OF MINTO COMMUNITIES, INC. BY AGENT, CRAIG UNGER, V.P. - PERTAINING TO MODIFICATION OF THE MADISON GREEN PHASE OF THE ROYAL PALM HOMES PUD PROVIDING FOR THE TEN ACRE RECREATIONAL COMPLEX IN THE MADISON GREEN DEVELOPMENT LOCATED NORTH OF OKEECHOBEE BOULEVARD IN THE VILLAGE OF ROYAL PALM BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Village Council of the Village of Royal Palm Beach, Florida ("Village"), as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166 Florida Statutes, is authorized and empowered to consider applications relating to zoning and land development; and

WHEREAS, the notice and hearing requirements provided for in the Village Code have been satisfied where applicable; and

WHEREAS, Application No.94-12 (SPM) was presented to the Village Council at its public hearing conducted on June 14, 2001; and

WHEREAS, the Village Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various Village review agencies, boards, and commissions, where applicable; and

WHEREAS, this approval is subject to all applicable Zoning Code requirements that development commence in a timely manner.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPLICATION NO.94-12 (SPM), THE APPLICATION OF MINTO COMMUNITIES, INC. BY AGENT, CRAIG UNGER V.P., ON A PARCEL OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PLEASE SEE EXHIBIT 'A' ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

Was approved, subject to the following conditions:

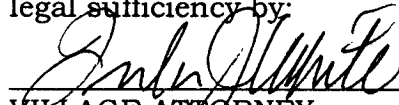
PLEASE SEE EXHIBIT 'B' ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

Councilwoman Starace moved for approval of the application. The motion was seconded by Councilman Vivian Ferrin and upon being put to a vote, the vote was as follows:

Mayor David A. Lodwick	yes
Vice Mayor David Swift	yes
Councilwoman Carmela Starace	yes
Councilman Vivian Ferrin	yes
Councilman Matty Mattioli	yes

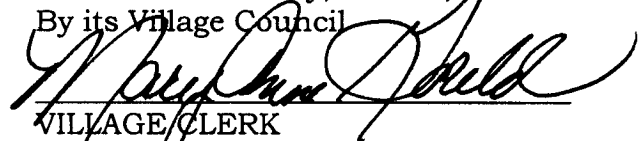
The foregoing Resolution was declared duly passed and adopted this 14th day of June, 2001, confirming the action of Village Council of June 14, 2001.

Approved as to form and
legal sufficiency by:


VILLAGE ATTORNEY


MAYOR DAVID A. LODWICK

The Village of Royal Palm Beach,
Palm Beach County, Florida,
By its Village Council


VILLAGE CLERK

APPLICATION NO. 94-12 (SPM)

EXHIBIT A

LEGAL DESCRIPTION

TRACT GC-6 MADISON GREET PLAT No. 1, AS RECORDED IN PLAT
BOOK 88, PAGES 14-30, PUBLIC RECORDS OF PALM BEACH
COUNTY FLORIDA.

Exhibit B
Conditions of Approval
Application No. 94-12(SPM), Madison Green Recreation Center

1. Development Order:

This development order constitutes approval for:

Site Plan Modification of the Madison Green Phase of the Royal Palm Homes PUD providing for final site plan approval of the 10 acre recreational complex which includes the golf course club house and cart barn, two tennis courts, two basketball courts, play ground and recreational building.

This constitutes the only approval granted by this resolution. Unless specifically discussed in this condition or subsequent site specific conditions of approval, no other approval is granted or implied.

2. Site Specific Conditions:

- A. All previous conditions of approval for the Madison Green Phase of the Royal Palm Homes PUD shall remain in full force and effect.
- B. A bicycle rack shall be added at the recreational building.
- C. A sidewalk shall be added to access the handicapped parking spaces near the golf club house.
- D. Paver bricks shall be added to the to the west end of the entry median to identify the pedestrian crossing.
- E. Dumpster shall be relocated away from the east side of the golf club house.

3. Standard Limiting Conditions:

- A. This site plan shall expire one (1) year from the date of council approval, unless appropriate applications for site plan extension are submitted pursuant to Sec. 26-66. of the Village Code of Ordinances. In no case shall the approval be extended beyond code established time frames.
- B. Where 50' roadway sections are shown on the site plan, the roadways shall be private and will not be accepted by nor maintained by the Village of Royal Palm Beach; these private streets and associated street lights shall be maintained by the appropriate Property Owners' Association ("POA"). Prospective buyers shall be informed of this condition.
- C. While the site plan approval process requires the submission of certain preliminary drawings, plans and specifications, such items are subject to change to some degree during the detailed design and construction permitting phase of the final approvals. Thus except where specifically noted herein, the specific Village Code provisions governing design standards will apply.
- D. All utility services shall be underground.

- E. Lighting shall be required on all roadways and parking facilities and shall be installed on all streets on which any building construction has commenced. No certificates of occupancy shall be issued until street lighting is installed and operating in accordance with the provisions of Chapter 22 Subdivision of Lands of the Village Code of Ordinances. Light spill over onto adjacent properties or roadways shall be less than 0.1 foot candles.
- F. The developer shall submit copies of permits from all agencies with regulatory jurisdiction prior to the issuance of a building permit.
- G. At the time of application for a building permit, seven (7) sets of engineering plans shall be submitted to the Engineering Department for review and approval. A Certified cost estimate for paving, grading, drainage, water and sewer shall be included in the engineering submittal. An engineering plan review and inspection fee of three percent (3%) of the cost estimate shall be paid to the Building Department at the time engineering drawings are submitted. Approval of site civil engineering elements will be required prior to the issuance of a building permit. Site plan approval shall not be construed as final engineering department approval.
- H. Failure of the developer to comply with any of the Conditions of Approval at any time may result in the denial or revocation of building permits, issuance of a stop work order, denial of certificates of occupancy or the denial or revocation of other Village issued permits or approvals. Failure to commence development in a timely manner may also result in the revocation of development approval.
- I. Where platting is required the plat for the subdivision shall be recorded prior to the issuance of a building permit and the public improvements associated with the project shall be complete prior to the issuance of any certificate of occupancy.
- J. Prior to the issuance of any building permit or conditional building permit the following must be completed:
 - 1. Property owners documents acceptable to the Village Engineer and Attorney must be submitted and recorded.
 - 2. The site plan, plat and engineering drawings must be submitted in electronic format compatible with AutoCad 14 or AutoCad 2000.
- K. Building plans must be submitted in electronic format for AutoCAD 14 or AutoCAD 2000.
- L. Landscaping Conditions:
 - 1. Prior to the issuance of a Certificate of Occupancy the developer's Registered Landscape Architect shall provide a signed and sealed statement of completion.

2. Vegetation removal shall not commence until a building permit has been applied for and vegetation removal permits have been issued.
3. The property owners association shall be responsible for the maintenance of landscaping in adjacent public and private roads up to the edge of pavement.
4. Participation in approved Streetscape programs shall be fully funded at the time of building permit issuance. Funding may be by a bond in the amount of 110% of the certified cost estimate or by a cash payment based on \$ 42.00 per linear foot frontage on the listed roadway.
5. The development shall conform to the recommendations of the Architectural and Aesthetic Review Commission as approved by Council.
6. The developer shall submit a landscape maintenance plan to the Village Landscape Inspector.
7. The proposed sand traps in the landscape buffer are intended to reflect the theme of the project. The applicant agrees that if these areas cannot be easily maintained, they will be filled in and sodded after one year or at the Village's request.
8. Required landscape buffer shall be installed prior to issuance of the first certificate of occupancy.

Exhibit B
Conditions of Approval
Application No. 94-12(SP) Grand Oaks (Madison Green)
Modified January 4, 2001 (Conds. 2f & 32a)

1. This site plan shall expire one (1) year from the date of Council approval, unless the Developer complies with the provisions of Sec. 26-66. of the Village Code of Ordinances. In no case shall the approval be extended beyond code established time frames.
2. In consideration for the Village granting a conservation easement in a form acceptable to the South Florida Water Management District ("SFWMD") over 97 acres, more or less, being the portion of 115 acres of Village owned property identified on Exhibit C, which excludes that area of approximately eighteen (18) acres, more or less, reserved as a public park (the "North Park Site"), the developer shall:
 - a. Convey by deed on or before the issuance of the first certificate of occupancy or no later than February 1, 2000 the fifteen (15) acre civic site shown on the site plan (which includes a wetland approximately .7 acres in size) to the Village. That property shall be free and clear of encumbrances unacceptable to the Village, and shall not be subject to current or future charges or assessments by other governmental entities or special districts.
 - b. Make a cash payment to the Village of Two hundred and forty thousand dollars (\$240,000.00) on or before December 31, 2000 for civic site improvements.
 - c. Construct a sixteen inch (16") water main to the civic site no later than December 31, 2000 at the proposed location shown on the site plan.
 - d. Construct an eight inch (8") gravity sewer line with a minimum depth of 5' to the civic site no later than December 31, 2000 at the proposed location shown on the site plan.
 - e. Clear, fill (57,000 cubic yards of in place fill) and rough grade eighteen (18) acres of the North Park Site no later than December 31, 2000, unless an extension is granted by the Village. Prior to the commencement of the fill activity, the Village shall have obtained all necessary permits, including the SFWMD permit, with the assistance of the Developer as more specifically set forth in sub-paragraph 2.h. hereinbelow. Should the Village experience a delay in obtaining the necessary permits, the Developer may place the fill at an alternate site selected by the Village and located within one (1) mile of the project.
 - f. This condition of approval left blank intentionally after modification on January 4, 2001.
 - g. The developer will provide drainage capacity for the civic site within the subdivision surface water management system consistent with the SFWMD permit
 - h. The developer shall make a payment in the amount of \$25,000 to the Village within thirty (30) days of the adoption by the Village Council of the resolution of approval of the site plan. These funds shall be utilized by

the Village in preparation of any and all State and/or federal permits required to perform the work described in paragraph 2.e. herein (public park) and construct the Village portion of the access road as described in paragraph 2.f. herein ("Village Permit"). The Village shall be the applicant and permittee for the Village Permit.

3. The Village shall prepare and execute the conservation easement contemplated in Paragraph 2. above, shall have same fully executed and delivered to the Village Attorney to be held in escrow until such time as the requirement set forth in sub-paragraph 2.a. has been met, along with a bond or irrevocable letter of credit being posted by the Developer in the amount of \$551,080 in favor of the Village which may be called by the Village, at its sole discretion, to be used by the Village for public improvements at the civic site and/or the North Park Site if all improvements required by sub-paragraphs 2.b. through 2.e. have not been timely completed, at which time the conservation easement shall be recorded.
4. Upon the completion of one or more of the obligations or improvements described in paragraphs 2.b. through 2.e. above, the Developer may request a partial release of security from the Village. Upon submittal by the Developer of a sealed certification by a Registered Engineer of the completed work or obligation, the Village shall release that portion of the security, if any, which is in excess of the cost of the remaining improvements or obligations. For the purpose of obtaining a release from the security described above, it is agreed that the cost of the obligation described in 2.b is equivalent to \$240,000; 2.c. is equivalent to \$31,800; 2.d. is equivalent to \$53,000; and 2.e. is equivalent to \$226,280.
5. The developer shall notify prospective buyers of the amount and duration of the Indian Trail Improvement District (the "ITID") infrastructure bond obligations. The notification shall include a statement that the payments are not being made to or caused by the Village of Royal Palm Beach.
6. Written approval for all construction plans shall be obtained from the Village Engineer prior to the commencement of construction. Site plan approval shall not be construed as final engineering department approval. Approval of paving, grading, drainage, water and sewer systems by the Engineering Department shall be obtained prior to the issuance of a building permit.
7. The developer shall design and install lighting on public streets in a manner that will allow Florida Power and Light ("FPL") to maintain those lights. The Village will assume the cost associated with FPL maintenance of lights in rights of way accepted by the Village.
8. Land Clearing Conditions:
 - a. A generalized work schedule shall be submitted to and approved by the Village Engineer prior to the commencement of clearing activities.
 - c. The Village clearing permits will not become effective until all permits are obtained from SFWMD and the United States Army Corps of Engineers ("USACOE") and are provided to the Village.
 - c. A pollution prevention plan shall be submitted to and approved by the Village Engineer prior to the commencement of work.

9. Wetland preservation area conditions:
 - a. All project wetland preserve areas must be properly identified, protected and marked in the field as required by SFWMD and USACOE, and shall be inspected by the Village prior to the commencement of any work on site.
 - b. All project wetland preservation tracts as required by SFWMD and USACOE shall have conservation easements recorded prior to the recordation of final plats.
10. Fencing proposed along public road rights-of-way must be installed at the rear of the landscape buffer.
11. A 10' landscape buffer shall be provided between Pod B and the Civic Site. This buffer shall be split evenly between Pod B and the Civic Site.
12. The landscape buffer along Okeechobee Boulevard shall extend to the East property line of the Civic Site.
13. Accent lighting elements shall be incorporated into the landscape planting plans at all pod entries and in medians, consistent with the approved landscape plan.
14. The developer shall participate in the Okeechobee Boulevard Streetscape Program, consistent with the approved landscape plan.
15. The 50' wide roadway rights-of-way shown on the site plan shall be private streets and shall not be accepted by nor maintained by the Village of Royal Palm Beach; these private streets and associated street lights shall be maintained by the appropriate Property Owners' Association ("POA"). See paragraph 32.e. hereinbelow.
16. The 80' wide roadway rights-of-way shown on the site plan shall include 5' sidewalks on both sides; or an 8' pathway on one side and a 4' sidewalk on the other side.
17. All roadways shall have gutters subject to construction plan approval by the Village Engineer.
18. Sidewalks shall be installed concurrently with public roadways. No final inspections of public roadways will be conducted without sidewalks in place; and no certificates of occupancy shall be issued for buildings located adjacent to a paved public street unless sidewalk installation is also complete for that section of the street. On private roads, sidewalks shall be completed adjacent to each lot prior to the issuance of a certificate of occupancy for that lot. On private streets, where sidewalks are not adjacent to residential lots, those sidewalks shall be constructed concurrently with the adjacent roadways and shall be completed prior to final inspection.
19. Driveways within road rights-of-way shall be concrete, unless the POA documents require either the POA or the owner to replace the driveway in the event that it is damaged or removed by Village maintenance operations.

20. Utility stub outs to pods shall not end under pavement.

21. Setback requirements for detached single family structures:

Non Zero Lots:

Front (Front entry garage)	25'
Front (Side entry garage)	20'
Rear	15'
Side Interior	7.5'
Side Corner	15'
Safe site radius	10'

Zero Lot Line Lots:

Front (Front entry garage)	25'
Front (Side entry garage)	20'
Rear	15'
Side Interior	10'
Side Corner	15'
Safe site radius	10'

Pools:

Rear	13'
Side	10.5'
Zero side of zero lot line	3'

Where the entire rear or side interior property line is adjacent to private open space (lake, natural preserve or golf course) which are a minimum of 50' in depth, and where adjacent to water bodies there is a minimum of 20' to the top of bank, the setback for the installation of the pool beam is allowed at 8' from the property line.

Screen Enclosures

Rear	10'
Side	7.5'
Zero side of zero lot line	0'

Where the entire rear or side interior property line is adjacent to private open space (lake, natural preserve or golf course) which are a minimum of 50' in depth, and where adjacent to water bodies there is a minimum of 20' to the top of bank, the setback for the screen enclosures is allowed at 5' from the property line.

Porches

Porches may encroach 5' into the front setback.

22. Maximum lot coverage for detached single family lots:

Non Zero Lots:

Building	50%
Total Impervious (Incl. Pool)	60%

Zero Lot Line Lots:

Building	50%
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Total Impervious (Incl. Pool) 80%

23. Minimum lot sizes for detached single family lots:

Non Zero Lots:

Area 7150 square feet
Width 65'

Zero Lot Line Lots:

Area 5000 square feet
Width 50'

24. Maximum Building Height:
Two stories and not more than 35 feet

25. Attached residential standards:

Maximum density: 8 dwelling units per acre
Minimum open space: 30%
Minimum pervious area: 50%
Minimum Floor area: 1000 sf/1 bedroom
1200 sf/2 bedroom
1350 sf/3 bedroom
1200 sf average per building

Minimum setbacks:

Front Elevation to Front Elevation 50'
Front Elevation to Side of Structure 40'
Front Elevation to Street, Water body or Perimeter 15'
Front Elevation to Right of Way Line 25'
Front Elevation to Parking Space 5'
Rear Elevation to Rear Elevation of Structure 30' or building height,
which ever is greater

Rear Elevation to Street, Parking Space, Water
Body or Perimeter 25' or building height,
which ever is greater

Side Elevation to Street, Water Body or Perimeter 20'
Side Elevation to Parking Space 5'
Side Elevation to Right of Way Line 20'
Side Elevation to Side Elevation of Structure 20' or building height,
which ever is greater

Standards not addressed in this condition will be governed by the RT-8 zoning district standards.

26. Roadway Standards:

Privately Maintained Roadways:

50' Rights-of Way
20' Travel surface
Concrete Gutters (Valley or Mountable)
4' concrete sidewalks constructed with the roadway

Notice shall be provided to prospective buyers that private roadways are not maintained by the Village and that the Village will not accept those roads for operation and maintenance in the future.

Publicly Maintained Roadways:

Shall meet the standards established in Chapters 22 and 23 of the Village Code of Ordinances.

27. The standards contained within the Architectural Guidelines for Grand Oaks dated January 13, 1999, a copy of which is on file at the Office of the Planning, Building and Zoning Director, are incorporated into and made a part of these conditions of approval.
28. Guaranteed revenue payments required under the Developers Agreement for water and sewer shall not begin until 40 months from the date of the resolution of approval for the site plan provided no appeals are filed which shall toll the time for this requirement until a final resolution of the appeal, if any, has been reached. This does not relieve the developer of the costs of connection fees or meter fees, and does not eliminate the need to make monthly payments for actual connections.
29. The application notes that many of what are generally assumed to be public facilities will be financed by Indian Trail Improvement District bonds. The Village will not accept for operation or maintenance any facility which is encumbered by debt owed to any public or private entity, nor will the village accept an obligation to pay any fees charges or assessments as.
30. Site Plan tabular data must be revised to include all information required in Sec. 26-32(5)(c)2r.
31. The Village Council will adopt a resolution encouraging the School Board of Palm Beach County to name the elementary school, which is proposed to be built on the Civic Site, the "Grand Oaks Elementary School"; the Village Council will name the park portion of the civic site "Grand Oaks Park."
32. In addition to the obligations and conditions indicated in this Site Plan Approval, the Village and developer acknowledge that there are certain other obligations of that certain Final Annexation Agreement dated March 15, 1977, as amended by the Amendment to the Final Annexation Agreement dated October 13, 1987 (collectively "Annexation Agreement"). Specifically, the developer shall remain obligated to complete the following improvements which improvements are the only obligations outstanding under the Annexation Agreement with respect to the Site Plan property:
 - a. Completion of Crestwood Boulevard as a four (4) lane landscaped median road with street lights not later than April 5, 2001. Crestwood Boulevard will be open for public use on this date.
 - b. Build a public access road to the North Park Site (that road being Pine

- Road as shown on the Site Plan, terminating at the Developer's property line) no later than December 31, 2000.
- c. No certificates of occupancy shall be issued prior to the commencement of the construction of the golf course which shall be completed not later than June 30, 2001.
 - d. The Developer shall pay to the Village the cost of installation and associated upgrades of the traffic signal at the intersection of Okeechobee Boulevard and Crestwood Boulevard for a total of forty thousand dollars (\$40,000.00) no later than July 31, 1999. The Village will assume any further obligations for any additional upgrades for the traffic light to coincide with the opening of Crestwood Boulevard and/or when warrants are issued by applicable agencies.
 - e. One (1) or more "property owners' associations" will be established for the Project and such association(s) shall be responsible for the maintenance of all private, common open space with the Project, including the lakes and drainage connections thereto, of all the private roads and access tracts within the Project and all landscaping and irrigation within the Crestwood Boulevard rights-of-way. Further, in the event that swale drainage, as permitted by the Code, is constructed for any of the collector of local streets within the Lands, the Developer agrees to make the applicable homeowner association responsible to maintain such swale areas.
- 33. Pods A, B and the maintenance facilities will require separate site plan approval and shall be subject to the usual site plan approval process as set forth in the Village Code of Ordinances prior to the submission of applications for building permits.
 - 34. Water bodies must conform to the requirements of Chapter 7. Bulkheads and waterways. Article III. Waterfront Development. of the Village Code of Ordinances.
 - 35. Drainage easements shall be recorded covering all water bodies that accept stormwater runoff from public rights-of-way and public property.
 - 36. If Royal Palm Road is a publicly maintained roadway, a turnaround must be constructed that meets the standards established in Chapters 22 and 23 of the Village Code of Ordinances.
 - 37. While the site plan approval process requires the submission of certain preliminary drawings, plans and specifications, such items are subject to change to some degree during the detailed design and construction permitting phase of the final approvals. Thus, except where noted herein, the specific Village Code provisions governing design standards will apply.
 - 38. Due to the specific nature of the site development regulations for this project as specifically set forth in this resolution of approval, any subsequent variance request shall be processed as a site plan modification.
 - 39. Failure to timely meet or abide by any of the Conditions of Approval as set forth herein shall result in an immediate cessation of the issuance of building permits

and/or certificates of occupancy for this project. No further building permits or certificates of occupancy will be issued until the Conditions of Approval have been met by the Developer or modified by the Village

Exhibit B
Conditions of Approval
Application No. 94-12(SPM) Madison Green
Pods A & B

1. This approval is for Pods A & B of the Madison Green PUD. Pod A shall consist of 192 single family residential detached zero lot line homes on 34 acres. Pod B shall consist of 165 single family zero lot line detached homes on 30.3 acres.
2. This site plan shall expire one (1) year from the date of council approval, unless appropriate applications for site plan extension are submitted pursuant to Sec. 26-66. of the Village Code of Ordinances. In no case shall the approval be extended beyond code established time frames.
3. While the site plan approval process requires the submission of certain preliminary drawings, plans and specifications, such items are subject to change to some degree during the detailed design and construction permitting phase of the final approvals. Thus, except where specifically noted herein, the specific Village Code provisions governing design standards will apply.
4. Except where specifically modified below, all of the conditions of approval for Madison Green (formerly Grand Oaks) shall remain in full force and effect.
5. The developer shall make the guaranteed revenue payments established in the Standard Develop Agreement for Potable Water and Sanitary Sewer (Agreement) in order for the site plan to remain valid. A draft of the agreement shall be submitted prior to the application being scheduled for review by the Planning & Zoning Commission, and the final Agreement must be submitted for Council approval on the next available agenda after final site plan approval.
6. No Certificates of Occupancy within individual pods will be issued until the pod plat has been recorded, and the Village has accepted all public improvements.
7. All utility services shall be underground.
8. Prior to the issuance of a Certificate of Occupancy the developer's Registered Landscape Architect shall provide a signed and sealed statement of completion.
9. Vegetation removal shall not commence until a building permit has been applied for and vegetation removal permits have been issued.
10. The developer shall submit copies of permits from all agencies with regulatory jurisdiction prior to the issuance of a building permit.
11. At the time of application for a building permit, seven (7) sets of engineering plans shall be submitted to the Engineering Department for review and approval. A Certified cost estimate for paving, grading, drainage, water and sewer shall be included in the engineering submittal. An engineering plan review and inspection fee of three percent (3%) of the cost estimate shall be paid to the Building Department at the time engineering drawings are submitted. Approval of site civil engineering elements will be required prior to the issuance of a building permit. Site plan approval shall not be construed as final engineering department approval.
12. The development shall conform to the recommendations of the Architectural and Aesthetic Review Commission as approved by Council.

13. Failure of the developer to comply with any of the Conditions of Approval at any time may result in the denial or revocation of building permits, issuance of a stop work order, denial of certificates of occupancy or the denial or revocation of other Village issued permits or approvals. Failure to commence development in a timely manner may also result in the revocation of development approval.
14. Sidewalks shall be installed concurrently with the portion of the roadway installed by the applicant. No final inspection of the roadway will be conducted without sidewalks in place; and no certificates of occupancy shall be issued for buildings located adjacent to roadways unless sidewalk installation is complete for that section of the street.
15. Roof overhangs shall not intrude into drainage easements.
16. Stop signs shall be installed for north and westbound traffic at the "T" intersection within Pod "B" located at the northwest portion of the site.
17. Front setbacks within Pod's A & B shall be twenty (20) feet.

Exhibit B
Conditions of Approval
Application No. 94-12(SPM) Madison Green
Pods A & B

1. This approval is for Pods A & B of the Madison Green PUD. Pod A shall consist of 192 single family residential detached zero lot line homes on 34 acres. Pod B shall consist of 165 single family zero lot line detached homes on 30.3 acres.
2. This site plan shall expire one (1) year from the date of council approval, unless appropriate applications for site plan extension are submitted pursuant to Sec. 26-66. of the Village Code of Ordinances. In no case shall the approval be extended beyond code established time frames.
3. While the site plan approval process requires the submission of certain preliminary drawings, plans and specifications, such items are subject to change to some degree during the detailed design and construction permitting phase of the final approvals. Thus, except where specifically noted herein, the specific Village Code provisions governing design standards will apply.
4. The developer shall make the guaranteed revenue payments established in the Standard Develop Agreement for Potable Water and Sanitary Sewer (Agreement) in order for the site plan to remain valid. A draft of the agreement shall be submitted prior to the application being scheduled for review by the Planning & Zoning Commission, and the final Agreement must be submitted for Council approval on the next available agenda after final site plan approval.
5. No Certificates of Occupancy within individual pods will be issued until the pod plat has been recorded, and all public improvements have been accepted by the Village.
6. All utility services shall be underground.
7. Prior to the issuance of a Certificate of Occupancy the developer's Registered Landscape Architect shall provide a signed and sealed statement of completion.
8. Vegetation removal shall not commence until a building permit has been applied for and vegetation removal permits have been issued.
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10. At the time of application for a building permit, seven (7) sets of engineering plans shall be submitted to the Engineering Department for review and approval. A Certified cost estimate for paving, grading, drainage, water and sewer shall be included in the engineering submittal. An engineering plan review and inspection fee of three percent (3%) of the cost estimate shall be paid to the Building Department at the time engineering drawings are submitted. Approval of site civil engineering elements will be required prior to the issuance of a building permit. Site plan approval shall not be construed as final engineering department approval.
11. The development shall conform to the recommendations of the Architectural and Aesthetic Review Commission as approved by Council.
12. Failure of the developer to comply with any of the Conditions of Approval at any time may result in the denial or revocation of building permits, issuance of a stop work order, denial of certificates of occupancy or the denial or revocation of other Village

issued permits or approvals. Failure to commence development in a timely manner may also result in the revocation of development approval.

13. Sidewalks shall be installed concurrently with the portion of the roadway installed by the applicant. No final inspection of the roadway will be conducted without sidewalks in place; and no certificates of occupancy shall be issued for buildings located adjacent to roadways unless sidewalk installation is complete for that section of the street.
14. Roof overhangs shall not intrude into drainage easements.
15. Stop signs shall be installed for north and west bound traffic at the "T" intersection within Pod "B" located at the northwest portion of the site.



Village of Royal Palm Beach, Florida

1050 Royal Palm Beach Boulevard Royal Palm Beach, Florida 33411

Telephone (561) 790-5103 Fax (561) 791-7087

March 9, 1999

Mr. Kieran Kilday
Kilday & Associates, Inc.
1551 Forum Place
Suite 100A
West Palm Beach, FL 33401

RECEIVED
MAR 9 1999
PLANNING & ZONING

Re: APPLICATION NO. 94-12 (SP) - GRAND OAKS PUD

Dear Mr. Kilday:

Please find enclosed a certified copy of Resolution No. 99-08 with 39 Conditions of Approval as adopted by the Village Council on March 4, 1999, confirming its approval of Application No. 94-12 (SP) pertaining to site plan approval for development of the Grand Oaks PUD located on the northwest corner of Okeechobee Boulevard and the M-1 Canal in the Village of Royal Palm Beach, Florida.

Please note that the only change in the Conditions of Approval as presented to Council on March 4, 1999, is in Condition 2.e. where the word "may" has been replaced with the word "will" in the last sentence which now states: Should the Village experience a delay in obtaining the necessary permits, the Developer will place the fill at an alternate site selected by the Village and located within one (1) mile of the project.

If questions exist, please call me at 790-5102.

Sincerely,

Mary Anne Gould
Village Clerk

MAG:ms
/attachment

cc: Clerk's File
Director of Planning, Building & Zoning

David Lodwick
Mayor

Matty Mattioli
Vice Mayor

Carmela Starace
Councilwoman

David R. Swift
Councilman

Vivian A. Ferrin
Councilman

David B. Farber
Village Manager

RESOLUTION NO. 99-08

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA APPROVING LAND DEVELOPMENT APPLICATION NO. 94-12 (SP) - GRAND OAKS PUD - PERTAINING TO A SITE PLAN APPROVAL FOR DEVELOPMENT OF 1,313 SINGLE FAMILY HOMES AND GOLF COURSE ON 503.13 ACRES LOCATED ON THE NORTHWEST CORNER OF OKEECHOBEE BOULEVARD AND THE M-1 CANAL IN THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, AN APPLICATION OF ATLANTIC GULF COMMUNITIES CORPORATION SUBMITTED BY AGENT, KIERAN J. KILDAY, KILDAY & ASSOCIATES, INC.

WHEREAS, the Village Council of the Village of Royal Palm Beach, Florida ("Village"), as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166 Florida Statutes, is authorized and empowered to consider applications relating to zoning and land development; and

WHEREAS, the notice and hearing requirements provided for in the Village Code have been satisfied where applicable; and

WHEREAS, Application No. 94-12 (SP) for a previously approved PUD was presented to the Village Council at its public hearing conducted on March 4, 1999, and

WHEREAS, the Village Council finds that the commencement of construction on Tracts "E" and "F" (the Saratoga subdivision) of the previously approved Royal Palm Homes PUD results in a previously approved development order which is continuing in good faith in accordance with Section 163.3167 (8), Florida Statutes, and that the previously approved master plan is consistent with the proposed site plan; and

WHEREAS, the Village Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various Village review agencies, boards, and commissions, where applicable; and

WHEREAS, the Conditions of Approval, if any, may not be modified except by action of the Village Council with reasonable notice to the applicable agent; and

WHEREAS, this approval is subject to all applicable Zoning Code requirements that development commence in a timely manner.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPLICATION NO. 94-12 (SP) THE APPLICATION OF ATLANTIC GULF COMMUNITIES CORPORATION BY AGENT, KIERAN J. KILDAY, KILDAY AND ASSOCIATES, INC., ON A PARCEL OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PLEASE SEE EXHIBIT "A" (LEGAL DESCRIPTION OF THE 503.13 ACRES), ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

Was approved, subject to the following conditions:

PLEASE SEE EXHIBIT "B" (CONDITIONS OF APPROVAL), ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

PLEASE SEE EXHIBIT "C" (GRAPHIC DEPICTION OF THE AREA OVER WHICH A CONSERVATION EASEMENT WILL BE GRANTED, EXCEPTING OUT THE EIGHTEEN (18) ACRE PARK SITE; SEE CONDITION OF APPROVAL NO. 2) ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

Vice Mayor Mattioli moved for approval of the application. The motion was seconded by Councilwoman Starace, and upon being put to a vote, the vote was as follows:

Mayor David A. Lodwick	Yes
Vice Mayor Matty Mattioli	Yes
Councilwoman Carmela Starace	Yes
Councilman David Swift	Yes
Councilman Vivian A. Ferrin	Yes

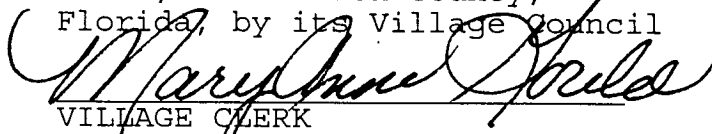
The foregoing Resolution was declared duly passed and adopted this 4th day of March, 1999, confirming the action of Village Council of March 4, 1999.

Approved as to form and legal sufficiency by:


VILLAGE ATTORNEY


MAYOR DAVID A. LODWICK

The Village of Royal Palm
Beach, Palm Beach County,
Florida, by its Village Council


VILLAGE CLERK

APPLICATION NO. 94-12 (SP)

EXHIBIT A
APPLICATION 94-12 GRAND OAKS

LEGAL DESCRIPTION

A PARCEL OF LAND SITUATE WITHIN SECTIONS 15 AND 22, TOWNSHIP 43 SOUTH, RANGE 41 EAST, VILLAGE OF ROYAL PALM BEACH, PALM BEACH COUNTY, FLORIDA AND BEING A PORTION OF "HAWTHORN SUBDIVISION", AS RECORDED IN PLAT BOOK 30 AT PAGES 104 THROUGH 114 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND A PORTION OF "HAWTHORN II", AS RECORDED IN PLAT BOOK 31 AT PAGES 26 THROUGH 35 OF SAID PUBLIC RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF TRACT "F" OF THE AFORESAID "HAWTHORN SUBDIVISION", SAID CORNER ALSO BEING THE NORTHEAST (NE) CORNER OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 15, AS SHOWN ON SAID PLAT AND ALSO LYING ON THE WEST RIGHT-OF-WAY LINE OF A 190.00 FOOT WIDE RIGHT-OF-WAY FOR PALM BEACH CANAL (ALSO KNOWN AS THE C.P.B. CANAL AND ALSO KNOWN AS THE M-1 CANAL); THENCE S 01° 49' 17" W, ALONG THE EAST LINE OF SAID SECTION 15, AS SHOWN ON SAID PLAT AND ALONG THE WEST RIGHT-OF-WAY LINE OF SAID CANAL, A DISTANCE OF 2293.11 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S 01° 49' 17" W ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 455.13 FEET TO THE NORTHEAST CORNER OF THE AFORESAID SECTION 22, AS SHOWN ON SAID PLAT; THENCE S 02° 40' 04" W, ALONG THE EAST LINE OF SAID SECTION 22 AND CONTINUING ALONG SAID WEST CANAL RIGHT-OF-WAY LINE, A DISTANCE OF 192.59 FEET TO A POINT ON THE SOUTH BOUNDARY LINE OF SAID "HAWTHORN SUBDIVISION", SAID SOUTH BOUNDARY LINE ALSO BEING THE NORTH BOUNDARY LINE OF THE AFOREMENTIONED "HAWTHORN II"; THENCE CONTINUING S 02° 40' 04" W AND CONTINUING ALONG BOTH THE SECTION LINE, AS SHOWN ON SAID "HAWTHORN II" AND ALONG SAID WEST CANAL RIGHT-OF-WAY LINE, A DISTANCE OF 5220.07 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF "OKEECHOBEE BOULEVARD", AS SHOWN ON THE RIGHT-OF-WAY MAP PREPARED BY PALM BEACH COUNTY, FLORIDA ENGINEERING DEPARTMENT, DRAWING NUMBER 43-41-22-4, SHEET 3 OF 4, THENCE S 70° 06' 34" W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 75.67 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF "OKEECHOBEE ROAD", AS SHOWN ON SAID "HAWTHORN II", SAID LINE BEING THE NORTH LINE OF A 7 FOOT WIDE TRACT OF ADDITIONAL RIGHT-OF-WAY FOR SAID "OKEECHOBEE ROAD"; THENCE S 89° 22' 11" W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 3865.83 FEET TO THE INTERSECTION OF SAID RIGHT-OF-WAY LINE AND THE WEST LINE OF SAID "HAWTHORN II"; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE, N 01° 57' 04" E, ALONG THE WEST LINE OF SAID "HAWTHORN II", A DISTANCE OF 2560.62 FEET; THENCE CONTINUE ALONG SAID BOUNDARY LINE N 89° 48' 41" E, A DISTANCE OF 1319.36 FEET; THENCE N 02° 36' 13" E, A DISTANCE OF 1239.29 FEET TO A BOUNDARY CORNER ON THE NORTH LINE OF SAID "HAWTHORN II", SAID CORNER ALSO BEING A BOUNDARY CORNER ON THE SOUTH LINE OF THE AFORESAID "HAWTHORN SUBDIVISION"; THENCE CONTINUING N 02° 36' 13" E, ALONG THE WEST LINE OF SAID "HAWTHORN SUBDIVISION", A DISTANCE OF 1380.00 FEET TO THE SOUTHEAST (SE) CORNER OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE AFOREDESCRIBED SECTION 15, AS SHOWN ON SAID "HAWTHORN SUBDIVISION", SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF A PARK PARCEL, AS RECORDED IN OFFICIAL RECORDS BOOK 5985, PAGE 1592 OF SAID PUBLIC RECORDS; THENCE CONTINUING N 02° 36' 13" E ALONG THE WEST LINE OF SAID PARK PARCEL AND DEPARTING FROM THE SOUTH LINE OF SAID "HAWTHORN SUBDIVISION", A DISTANCE OF 572.89 FEET TO THE BEGINNING OF A NON-TANGENT CURVE HAVING A RADIUS OF 900.00 FEET AND FROM WHICH A RADIAL LINE BEARS N 07° 17' 21" W; THENCE WESTERLY ALONG THE ARC OF SAID CURVE AND ALONG THE BOUNDARY LINE OF SAID PARK PARCEL, A DISTANCE OF 135.91 FEET (THROUGH AN ANGLE OF 08° 39' 09"); THENCE N 89° 38' 12" W, A DISTANCE OF 277.47 FEET; THENCE N 00° 21' 48" E, A DISTANCE OF 25.00 FEET; THENCE N 29° 23' 33" W, A DISTANCE OF 140.66 FEET; THENCE N 30° 13' 14" E, A DISTANCE OF 43.00 FEET; THENCE N 38° 14' 22" E, A DISTANCE OF

97.77 FEET; THENCE N 25° 21' 23" W, CONTINUING ALONG SAID PARK PARCEL BOUNDARY, A DISTANCE OF 78.58 FEET; THENCE N 44° 11' 56" W, A DISTANCE OF 170.94 FEET; THENCE N 17° 04' 10" E, A DISTANCE OF 62.50 FEET; THENCE N 25° 36' 49" E, A DISTANCE OF 83.41 FEET; THENCE CONTINUING ALONG SAID PARK PARCEL BOUNDARY LINE, N 08° 00' 48" E, A DISTANCE OF 88.78 FEET; THENCE N 12° 23' 43" W, A DISTANCE OF 103.14 FEET; THENCE N 39° 34' 06" W, A DISTANCE OF 141.13 FEET; THENCE N 30° 30' 56" W, A DISTANCE OF 74.01 FEET; THENCE N 35° 18' 54" W, A DISTANCE OF 158.47 FEET; THENCE CONTINUING ALONG SAID PARK PARCEL BOUNDARY N 47° 41' 20" W, A DISTANCE OF 72.29 FEET; THENCE N 25° 24' 21" W, A DISTANCE OF 107.00 FEET; THENCE N 50° 55' 14" W, A DISTANCE OF 25.00 FEET; THENCE N 43° 27' 47" W, A DISTANCE OF 60.78 FEET; THENCE CONTINUING ALONG SAID PARK PARCEL BOUNDARY, N 36° 10' 32" W, A DISTANCE OF 149.21 FEET; THENCE N 50° 51' 36" W, A DISTANCE OF 71.40 FEET; THENCE S 73° 23' 11" W, A DISTANCE OF 96.36 FEET; THENCE N 51° 37' 33" W, A DISTANCE OF 138.50 FEET; THENCE N 21° 27' 14" W, A DISTANCE OF 70.54 FEET; THENCE CONTINUING ALONG SAID PARK PARCEL BOUNDARY, N 28° 52' 08" E, A DISTANCE OF 36.71 FEET TO THE SOUTHWEST CORNER OF LOT 342 OF "SARATOGA AT ROYAL PALM PLAT I", AS RECORDED IN PLAT BOOK 61, AT PAGE 66 THROUGH 74, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S 85° 40' 39" E, A DISTANCE OF 110.64 FEET; THENCE SOUTHERLY, EASTERLY, AND NORTHERLY ALONG THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS S 85° 40' 39" E, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 206° 32' 53", AN ARC DISTANCE OF 180.25 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 42° 50' 00", AN ARC DISTANCE OF 18.69 FEET TO A POINT OF TANGENCY; THENCE N 20° 36' 29" E, A DISTANCE OF 125.84 FEET; THENCE N 66° 59' 49" E, A DISTANCE OF 36.20 FEET TO A POINT ON CURVE; THENCE EASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS S 23° 23' 08" W, HAVING A RADIUS OF 1160.00 FEET, A CENTRAL ANGLE OF 01° 31' 25", AN ARC DISTANCE OF 30.85 FEET TO A POINT OF TANGENCY; THENCE S 65° 05' 27" E, A DISTANCE OF 362.07 FEET TO A POINT ON CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS S 68° 20' 09" E, HAVING A RADIUS OF 530.00 FEET, A CENTRAL ANGLE OF 28° 17' 47", AN ARC DISTANCE OF 261.75 FEET TO THE NORTHWEST CORNER OF LOT 547 OF SAID "SARATOGA AT ROYAL PALM PLAT I"; THENCE S 40° 02' 22" E, A DISTANCE OF 100.00 FEET TO A POINT ON CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS S 40° 02' 22" E, HAVING A RADIUS OF 430.00 FEET, A CENTRAL ANGLE OF 08° 52' 10", AN ARC DISTANCE OF 66.56 FEET TO A POINT OF TANGENCY; THENCE N 58° 49' 48" E, A DISTANCE OF 120.71 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 380.00 FEET, A CENTRAL ANGLE OF 83° 19' 10", AN ARC DISTANCE OF 552.60 FEET; THENCE S 54° 27' 09" W, A DISTANCE OF 160.22 FEET TO A POINT ON CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS S 50° 28' 21" W, HAVING A RADIUS OF 220.00, A CENTRAL ANGLE OF 03° 58' 48", AN ARC DISTANCE OF 15.28 FEET TO A POINT OF TANGENCY; THENCE S 35° 32' 51" E, A DISTANCE OF 302.53 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 370.00 FEET, A CENTRAL ANGLE OF 14° 32' 05", AN ARC DISTANCE OF 93.86 FEET TO A POINT; THENCE N 68° 59' 14" E, A DISTANCE OF 60.00 FEET; THENCE N 21° 28' 33" E, A DISTANCE OF 35.87 FEET TO A POINT ON CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS N 17° 01' 26" W, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 10° 16' 52", AN ARC DISTANCE OF 8.97 FEET TO A POINT; THENCE N 85° 59' 04" E, A DISTANCE OF 124.22 FEET; THENCE S 79° 59' 32" E, A DISTANCE OF 136.97 FEET TO A POINT ON CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS S 79° 59' 33" E, HAVE A RADIUS OF 947.00 FEET, A CENTRAL ANGLE OF 03° 21' 05", AN ARC DISTANCE OF 55.39 FEET TO A POINT; THENCE S 78° 30' 46" E, A DISTANCE OF 184.70 FEET; THENCE S 11°

29' 14" W, A DISTANCE OF 5.05 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1184.96 FEET, A CENTRAL ANGLE OF 16° 33' 33", AN ARC DISTANCE OF 342.47 FEET TO A POINT; THENCE N 84° 55' 41" E, A DISTANCE OF 114.78 FEET TO A POINT ON CURVE; THENCE NORTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS N 77° 40' 23" E, HAVING A RADIUS OF 640.00 FEET, A CENTRAL ANGLE OF 00° 17' 18", AN ARC DISTANCE OF 3.22 FEET TO A POINT; THENCE N 77° 57' 41" E, A DISTANCE OF 100.00 FEET TO A POINT ON CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS N 77° 57' 41" E, HAVING A RADIUS OF 540.00 FEET, A CENTRAL ANGLE OF 18° 42' 22", AN ARC DISTANCE OF 176.30 FEET TO A POINT OF COMPOUND CURVATURE (THE PREVIOUS 29 COURSES AND DISTANCES ARE ALONG THE SOUTHERLY BOUNDARY LINE OF SAID "SARATOGA AT ROYAL PALM PLAT I"); THENCE CONTINUING SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 875.13 FEET, A CENTRAL ANGLE OF 32° 39' 34", AN ARC DISTANCE OF 498.83 FEET TO A POINT OF TANGENCY; THENCE S 63° 24' 15" E, A DISTANCE OF 359.21 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 220.00 FEET, A CENTRAL ANGLE OF 60° 44' 18", AN ARC DISTANCE OF 233.22 FEET TO A POINT; THENCE S 88° 10' 43" E, A DISTANCE OF 290.59 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 280.00 FEET, A CENTRAL ANGLE OF 42° 13' 10", AN ARC DISTANCE OF 206.32 FEET TO A POINT; THENCE N 80° 30' 00" E, A DISTANCE OF 1.97 FEET; THENCE S 01° 49' 17" W, A DISTANCE OF 143.12 FEET; THENCE S 88° 10' 43" E, A DISTANCE OF 60.00 FEET; THENCE N 01° 49' 17" E, A DISTANCE OF 54.55 FEET; THENCE S 88° 10' 43" E, A DISTANCE OF 140.00 FEET MORE OR LESS TO THE POINT OF BEGINNING. (THE PREVIOUS 10 COURSES AND DISTANCES ARE ALONG THE SOUTHERLY LINE OF THE PROPOSED PLAT OF "SARATOGA AT ROYAL PALM PLAT V", AN UNRECORDED PLAT PREPARED BY STANLEY/WANTMAN, INC. IN 1988).

SAID LANDS SITUATE IN THE CITY OF ROYAL PALM BEACH, PALM BEACH COUNTY, FLORIDA.

CONTAINING: 503.13 ACRES MORE OR LESS.

Exhibit B
Conditions of Approval
Application No. 94-12(SP) – Grand Oaks

1. This site plan shall expire one (1) year from the date of Council approval, unless the Developer complies with the provisions of Sec. 26-66. of the Village Code of Ordinances. In no case shall the approval be extended beyond code established time frames.
2. In consideration for the Village granting a conservation easement in a form acceptable to the South Florida Water Management District ("SFWMD") over 97 acres, more or less, being the portion of 115 acres of Village owned property identified on Exhibit C, which excludes that area of approximately eighteen (18) acres, more or less, reserved as a public park (the "North Park Site"), the developer shall:
 - a. Convey by deed on or before the issuance of the first certificate of occupancy or no later than February 1, 2000 the fifteen (15) acre civic site shown on the site plan (which includes a wetland approximately .7 acres in size) to the Village. That property shall be free and clear of encumbrances unacceptable to the Village, and shall not be subject to current or future charges or assessments by other governmental entities or special districts.
 - b. Make a cash payment to the Village of Two hundred and forty thousand dollars (\$240,000.00) on or before December 31, 2000 for civic site improvements.
 - c. Construct a sixteen inch (16") water main to the civic site no later than December 31, 2000 at the proposed location shown on the site plan.
 - d. Construct an eight inch (8") gravity sewer line with a minimum depth of 5' to the civic site no later than December 31, 2000 at the proposed location shown on the site plan.
 - e. Clear, fill (57,000 cubic yards of in place fill) and rough grade eighteen (18) acres of the North Park Site no later than December 31, 2000, unless an extension is granted by the Village. Prior to the commencement of the fill activity, the Village shall have obtained all necessary permits, including the SFWMD permit, with the assistance of the Developer as more specifically set forth in sub-paragraph 2.h. hereinbelow. Should the Village experience a delay in obtaining the necessary permits, the Developer ~~may~~ ^{will} place the fill at an alternate site selected by the Village and located within one (1) mile of the project.
 - f. Provide utility stub-outs to the North Park Site that terminate at the Developer's property line no later than December 31, 2000, unless an extension is granted by the Village and make a payment to the Village in the amount of \$143,810 no later than December 31, 1999 unless an extension is granted by the Village for the Village's use in installing a road and utilities from the Developer's property approximately 1970 feet west.
 - g. The developer will provide drainage capacity for the civic site within the subdivision surface water management system consistent with the SFWMD permit

- h. The developer shall make a payment in the amount of \$25,000 to the Village within thirty (30) days of the adoption by the Village Council of the resolution of approval of the site plan. These funds shall be utilized by the Village in preparation of any and all State and/or federal permits required to perform the work described in paragraph 2.e. herein (public park) and construct the Village portion of the access road as described in paragraph 2.f. herein ("Village Permit"). The Village shall be the applicant and permittee for the Village Permit.
- 3. The Village shall prepare and execute the conservation easement contemplated in Paragraph 2. above, shall have same fully executed and delivered to the Village Attorney to be held in escrow until such time as the requirement set forth in sub-paragraph 2.a. has been met, along with a bond or irrevocable letter of credit being posted by the Developer in the amount of \$551,080 in favor of the Village which may be called by the Village, at its sole discretion, to be used by the Village for public improvements at the civic site and/or the North Park Site if all improvements required by sub-paragraphs 2.b. through 2.e. have not been timely completed, at which time the conservation easement shall be recorded.
- 4. Upon the completion of one or more of the obligations or improvements described in paragraphs 2.b. through 2.e. above, the Developer may request a partial release of security from the Village. Upon submittal by the Developer of a sealed certification by a Registered Engineer of the completed work or obligation, the Village shall release that portion of the security, if any, which is in excess of the cost of the remaining improvements or obligations. For the purpose of obtaining a release from the security described above, it is agreed that the cost of the obligation described in 2.b is equivalent to \$240,000; 2.c. is equivalent to \$31,800; 2.d. is equivalent to \$53,000; and 2.e. is equivalent to \$226,280.
- 5. The developer shall notify prospective buyers of the amount and duration of the Indian Trail Improvement District (the "ITID") infrastructure bond obligations. The notification shall include a statement that the payments are not being made to or caused by the Village of Royal Palm Beach.
- 6. Written approval for all construction plans shall be obtained from the Village Engineer prior to the commencement of construction. Site plan approval shall not be construed as final engineering department approval. Approval of paving, grading, drainage, water and sewer systems by the Engineering Department shall be obtained prior to the issuance of a building permit.
- 7. The developer shall design and install lighting on public streets in a manner that will allow Florida Power and Light ("FPL") to maintain those lights. The Village will assume the cost associated with FPL maintenance of lights in rights of way accepted by the Village.
- 8. Land Clearing Conditions:
 - a. A generalized work schedule shall be submitted to and approved by the Village Engineer prior to the commencement of clearing activities.
 - c. The Village clearing permits will not become effective until all permits are obtained from SFWMD and the United States Army Corps of Engineers

- ("USACOE") and are provided to the Village.
- c. A pollution prevention plan shall be submitted to and approved by the Village Engineer prior to the commencement of work.
9. Wetland preservation area conditions:
- a. All project wetland preserve areas must be properly identified, protected and marked in the field as required by SFWMD and USACOE, and shall be inspected by the Village prior to the commencement of any work on site.
 - b. All project wetland preservation tracts as required by SFWMD and USACOE shall have conservation easements recorded prior to the recordation of final plats.
10. Fencing proposed along public road rights-of-way must be installed at the rear of the landscape buffer.
11. A 10' landscape buffer shall be provided between Pod B and the Civic Site. This buffer shall be split evenly between Pod B and the Civic Site.
12. The landscape buffer along Okeechobee Boulevard shall extend to the East property line of the Civic Site.
13. Accent lighting elements shall be incorporated into the landscape planting plans at all pod entries and in medians, consistent with the approved landscape plan.
14. The developer shall participate in the Okeechobee Boulevard Streetscape Program, consistent with the approved landscape plan.
15. The 50' wide roadway rights-of-way shown on the site plan shall be private streets and shall not be accepted by nor maintained by the Village of Royal Palm Beach; these private streets and associated street lights shall be maintained by the appropriate Property Owners' Association ("POA"). See paragraph 32.e. hereinbelow.
16. The 80' wide roadway rights-of-way shown on the site plan shall include 5' sidewalks on both sides; or an 8' pathway on one side and a 4' sidewalk on the other side.
17. All roadways shall have gutters subject to construction plan approval by the Village Engineer.
18. Sidewalks shall be installed concurrently with public roadways. No final inspections of public roadways will be conducted without sidewalks in place; and no certificates of occupancy shall be issued for buildings located adjacent to a paved public street unless sidewalk installation is also complete for that section of the street. On private roads, sidewalks shall be completed adjacent to each lot prior to the issuance of a certificate of occupancy for that lot. On private streets, where sidewalks are not adjacent to residential lots, those sidewalks shall be constructed concurrently with the adjacent roadways and shall be completed prior to final inspection.

19. Driveways within road rights-of-way shall be concrete, unless the POA documents require either the POA or the owner to replace the driveway in the event that it is damaged or removed by Village maintenance operations.

20. Utility stub outs to pods shall not end under pavement.

21. Setback requirements for detached single family structures:

Non Zero Lots:

Front (Front entry garage)	25'
Front (Side entry garage)	20'
Rear	15'
Side Interior	7.5'
Side Corner	15'
Safe site radius	10'

Zero Lot Line Lots:

Front (Front entry garage)	25'
Front (Side entry garage)	20'
Rear	15'
Side Interior	10'
Side Corner	15'
Safe site radius	10'

Pools:

Rear	13'
Side	10.5'
Zero side of zero lot line	3'

Where the entire rear or side interior property line is adjacent to private open space (lake, natural preserve or golf course) which are a minimum of 50' in depth, and where adjacent to water bodies there is a minimum of 20' to the top of bank, the setback for the installation of the pool beam is allowed at 8' from the property line.

Screen Enclosures

Rear	10'
Side	7.5'
Zero side of zero lot line	0'

Where the entire rear or side interior property line is adjacent to private open space (lake, natural preserve or golf course) which are a minimum of 50' in depth, and where adjacent to water bodies there is a minimum of 20' to the top of bank, the setback for the screen enclosures is allowed at 5' from the property line.

Porches

Porches may encroach 5' into the front setback.

22. Maximum lot coverage for detached single family lots:

Non Zero Lots:

Building	50%
Total Impervious (Incl. Pool)	60%

Zero Lot Line Lots:	
Building	50%
Total Impervious (Incl. Pool)	80%

23. Minimum lot sizes for detached single family lots:

Non Zero Lots:	
Area	7150 square feet
Width	65'

Zero Lot Line Lots:	
Area	5000 square feet
Width	50'

24. Maximum Building Height:
Two stories and not more than 35 feet

25. Attached residential standards:

Maximum density:	8 dwelling units per acre
Minimum open space:	30%
Minimum pervious area:	50%
Minimum Floor area:	1000 sf/1 bedroom
	1200 sf/2 bedroom
	1350 sf/3 bedroom
	1200 sf average per building

Minimum setbacks:	
Front Elevation to Front Elevation	50'
Front Elevation to Side of Structure	40'
Front Elevation to Street, Water body or Perimeter	15'
Front Elevation to Right of Way Line	25'
Front Elevation to Parking Space	5'
Rear Elevation to Rear Elevation of Structure	30' or building height, which ever is greater

Rear Elevation to Street, Parking Space, Water Body or Perimeter	25' or building height, which ever is greater
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Side Elevation to Street, Water Body or Perimeter	20'
Side Elevation to Parking Space	5'
Side Elevation to Right of Way Line	20'
Side Elevation to Side Elevation of Structure	20' or building height, which ever is greater

Standards not addressed in this condition will be governed by the RT-8 zoning district standards.

26. Roadway Standards:
Privately Maintained Roadways:
50' Rights-of Way

20' Travel surface
Concrete Gutters (Valley or Mountable)
4' concrete sidewalks constructed with the roadway

Notice shall be provided to prospective buyers that private roadways are not maintained by the Village and that the Village will not accept those roads for operation and maintenance in the future.

Publicly Maintained Roadways:

Shall meet the standards established in Chapters 22 and 23 of the Village Code of Ordinances.

27. The standards contained within the Architectural Guidelines for Grand Oaks dated January 13, 1999, a copy of which is on file at the Office of the Planning, Building and Zoning Director, are incorporated into and made a part of these conditions of approval.
28. Guaranteed revenue payments required under the Developers Agreement for water and sewer shall not begin until 40 months from the date of the resolution of approval for the site plan provided no appeals are filed which shall toll the time for this requirement until a final resolution of the appeal, if any, has been reached. This does not relieve the developer of the costs of connection fees or meter fees, and does not eliminate the need to make monthly payments for actual connections.
29. The application notes that many of what are generally assumed to be public facilities will be financed by Indian Trail Improvement District bonds. The Village will not accept for operation or maintenance any facility which is encumbered by debt owed to any public or private entity, nor will the village accept an obligation to pay any fees charges or assessments as.
30. Site Plan tabular data must be revised to include all information required in Sec. 26-32(5)(c)2r.
31. The Village Council will adopt a resolution encouraging the School Board of Palm Beach County to name the elementary school, which is proposed to be built on the Civic Site, the "Grand Oaks Elementary School"; the Village Council will name the park portion of the civic site "Grand Oaks Park."
32. In addition to the obligations and conditions indicated in this Site Plan Approval, the Village and developer acknowledge that there are certain other obligations of that certain Final Annexation Agreement dated March 15, 1977, as amended by the Amendment to the Final Annexation Agreement dated October 13, 1987 (collectively "Annexation Agreement"). Specifically, the developer shall remain obligated to complete the following improvements which improvements are the only obligations outstanding under the Annexation Agreement with respect to the Site Plan property:
 - a. Commencement of Construction of Crestwood Boulevard as a four (4) lane landscaped median road with street lights shall begin prior to issuance of the first building permit and shall be completed no later than December 21, 2000. Landscape improvements shall be completed no

- later than June 30, 2001.
- b. Build a public access road to the North Park Site (that road being Pine Road as shown on the Site Plan, terminating at the Developer's property line) no later than December 31, 2000.
 - c. No certificates of occupancy shall be issued prior to the commencement of the construction of the golf course which shall be completed not later than June 30, 2001.
 - d. The Developer shall pay to the Village the cost of installation and associated upgrades of the traffic signal at the intersection of Okeechobee Boulevard and Crestwood Boulevard for a total of forty thousand dollars (\$40,000.00) no later than July 31, 1999. The Village will assume any further obligations for any additional upgrades for the traffic light to coincide with the opening of Crestwood Boulevard and/or when warrants are issued by applicable agencies.
 - e. One (1) or more "property owners' associations" will be established for the Project and such association(s) shall be responsible for the maintenance of all private, common open space with the Project, including the lakes and drainage connections thereto, of all the private roads and access tracts within the Project and all landscaping and irrigation within the Crestwood Boulevard rights-of-way. Further, in the event that swale drainage, as permitted by the Code, is constructed for any of the collector of local streets within the Lands, the Developer agrees to make the applicable homeowner association responsible to maintain such swale areas.
33. Pods A, B and the maintenance facilities will require separate site plan approval and shall be subject to the usual site plan approval process as set forth in the Village Code of Ordinances prior to the submission of applications for building permits.
34. Water bodies must conform to the requirements of Chapter 7. Bulkheads and waterways. Article III. Waterfront Development, of the Village Code of Ordinances.
35. Drainage easements shall be recorded covering all water bodies that accept stormwater runoff from public rights-of-way and public property.
36. If Royal Palm Road is a publicly maintained roadway, a turnaround must be constructed that meets the standards established in Chapters 22 and 23 of the Village Code of Ordinances.
37. While the site plan approval process requires the submission of certain preliminary drawings, plans and specifications, such items are subject to change to some degree during the detailed design and construction permitting phase of the final approvals. Thus, except where noted herein, the specific Village Code provisions governing design standards will apply.
38. Due to the specific nature of the site development regulations for this project as specifically set forth in this resolution of approval, any subsequent variance request shall be processed as a site plan modification.

39. Failure to timely meet or abide by any of the Conditions of Approval as set forth herein shall result in an immediate cessation of the issuance of building permits and/or certificates of occupancy for this project. No further building permits or certificates of occupancy will be issued until the Conditions of Approval have been met by the Developer or modified by the Village



GRAND OAKS PROJECT BENEFITS

1. DENSITY REDUCTION

LAND AREA			503.13 ACRES
	<u>CURRENT PLAN</u>	<u>PROPOSED PLAN</u>	<u>CHANGE</u>
TOTAL UNITS	2,335 DU	1,312 DU	-1,023 DU 44% REDUCTION
DENSITY	4.64 U / A	2.61 U / A	-56% REDUCTION
UNIT MIX			
SINGLE FAMILY	7%	30%	+ 245 UNITS
ZERO LOT LINE	6 %	31%	+ 256 UNITS
ATTACHED SF (8 U/A)	0%	39%	+ 510 UNITS
MULTI FAMILY (12 U/A)	82%	0%	- 1,911 UNITS
OPEN SPACE / UNIT	.11 AC/UNIT	.17 AC/UNIT	+ .06 AC/ UNIT
	4,791 SF/ UNIT	7,405 SF/ UNIT	+ 2,725 SF/ UNIT

2. CIVIC SITE (PREMITTED USE FOR SCHOOL)

- CONVEY 15 AC SITE FREE AND CLEAR TO VILLAGE
- MAKE A \$240,000 PAYMENT TO VILLAGE FOR IMPROVMENTS
- CONSTRUCT WATER & SEWER LINES TO SITE
- PROVIDE DRAINAGE FOR SITE

3. NORTH PARK SITE

- CLEAR, FILL & GRADE THE NORTH PARK SITE
- PROVIDE UTILITY STUB-OUT FOR NORTH PARK
- MAKE A \$143,810 PAYMENT TO VILLAGE FOR IMPROVMENTS
- MAKE A \$25,000 PAYMENT FOR USE IN PERMITTING

4. CRESTWOOD BOULEVARD CONSTRUCTION

- FOUR LANE DIVIDED ROADWAY WITH CURB MEDIAN
- INSTALL LANDSCAPING, IRRIGATION & ACCENT LIGHTING ALONG ROADWAY
- PARTICIPATE IN OKEECHOBEE BLVD STREETScape PROGRAM

5. CLUBHOUSE / GOLF COURSE / OPEN SPACE

- GOLF VISTAS ALONG CRESTWOOD BLVD
- PUBLIC 18 HOLE GOLF COURSE

6. FULL IMPACT FEES PAID



Village of Royal Palm Beach, Florida

1050 Royal Palm Beach Boulevard Royal Palm Beach, Florida 33411

Telephone (561) 790-5100 Fax (561) 790-5174 www.royalpalmbeach.com

Mary Anne Gould
Village Clerk

June 18, 1999

Mr. Kieran Kilday
Kilday & Associates
1551 Forum Place
Building 100-A
West Palm Beach, FL 33401

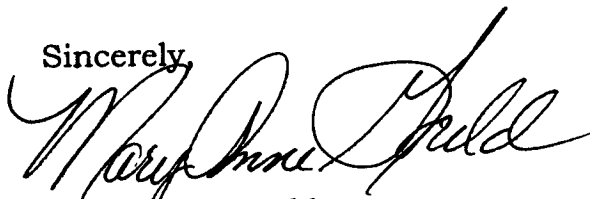
Re: Application No. 94-12 (PP) - Grand Oaks

Dear Mr. Kilday:

Please find enclosed a certified copy of Resolution No. 99-27 confirming the Royal Palm Beach Village Council's unanimous approval while sitting in regular session on June 17, 1999, of subject application of Crestwood Lakes Associates, Ltd. and Atlantic Gulf Communities.

If questions exist, please contact me at 790-5102.

Sincerely,



Mary Anne Gould
Village Clerk

MAG:ms
/attachment

cc: Clerk's File
Director of Planning, Building & Zoning

David Lodwick
Mayor

Carmela Starace
Vice Mayor

David R. Swift
Councilman

Vivian A. Ferrin
Councilman

Matty Mattioli
Councilman

David B. Farber
Village Manager

RESOLUTION NO. 99-27

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 94-12 (PP) - THE APPLICATION OF CRESTWOOD LAKES ASSOCIATES, LTD. AND ATLANTIC GULF COMMUNITIES - PERTAINING TO PRELIMINARY PLAT APPROVAL FOR THE PREVIOUSLY APPROVED ROYAL PALM HOMES PUD AUTHORIZING 1,313 UNITS ON 503 ACRES OF LAND LOCATED NORTH OF OKEECHOBEE BOULEVARD AND WEST OF THE M-1 CANAL IN THE VILLAGE OF ROYAL PALM BEACH, FLORIDA. AGENT: KIERAN KILDAY, KILDAY & ASSOCIATES.

WHEREAS, the Village Council of the Village of Royal Palm Beach, Florida ("Village"), as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166 Florida Statutes, is authorized and empowered to consider applications relating to zoning and land development; and

WHEREAS, the notice and hearing requirements provided for in the Village Code have been satisfied where applicable; and

WHEREAS, Application No. 94-12 (PP) was presented to the Village Council at its public hearing conducted on June 17, 1999; and

WHEREAS, the Village Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various Village review agencies, boards, and commissions, where applicable; and

WHEREAS, this approval is subject to all applicable Zoning Code requirements that development commence in a timely manner.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPLICATION NO. 94-12(PP), THE APPLICATION OF CRESTWOOD LAKES ASSOCIATES, LTD. AND ATLANTIC GULF COMMUNITIES BY AGENT KIERAN KILDAY, KILDAY & ASSOCIATES, ON A PARCEL OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PLEASE SEE EXHIBIT 'A' ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

Was approved with no additional Conditions.

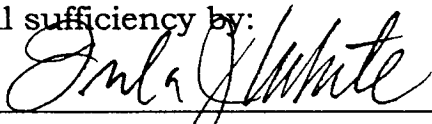
Vice Mayor Starace moved for approval of the application. The motion was seconded by Councilman Ferrin and upon being put to a vote, the vote was as

was as follows:

Mayor David A. Lodwick	Yes
Vice Mayor Carmela Starace	Yes
Councilman David Swift	Yes
Councilman Vivian Ferrin	Yes
Councilman Matty Mattioli	Absent

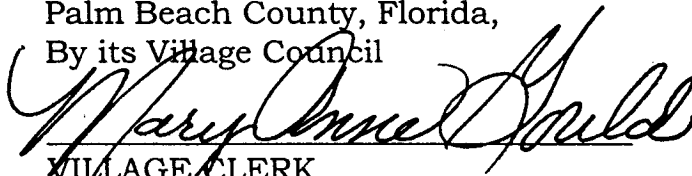
The foregoing Resolution was declared duly passed and adopted this 17th day of June, 1999, confirming the action of Village Council of June 17, 1999.

Approved as to form and
legal sufficiency by:


VILLAGE ATTORNEY


MAYOR DAVID A. LODWICK

The Village of Royal Palm Beach,
Palm Beach County, Florida,
By its Village Council


VILLAGE CLERK

APPLICATION NO. 94-12 (PP)

EXHIBIT A
APPLICATION 94-12 GRAND OAKS

LEGAL DESCRIPTION

A PARCEL OF LAND SITUATE WITHIN SECTIONS 15 AND 22, TOWNSHIP 43 SOUTH, RANGE 41 EAST, VILLAGE OF ROYAL PALM BEACH, PALM BEACH COUNTY, FLORIDA AND BEING A PORTION OF "HAWTHORN SUBDIVISION", AS RECORDED IN PLAT BOOK 30 AT PAGES 104 THROUGH 114 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND A PORTION OF "HAWTHORN II", AS RECORDED IN PLAT BOOK 31 AT PAGES 26 THROUGH 35 OF SAID PUBLIC RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF TRACT "F" OF THE AFORESAID "HAWTHORN SUBDIVISION", SAID CORNER ALSO BEING THE NORTHEAST (NE) CORNER OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 15, AS SHOWN ON SAID PLAT AND ALSO LYING ON THE WEST RIGHT-OF-WAY LINE OF A 190.00 FOOT WIDE RIGHT-OF-WAY FOR PALM BEACH CANAL (ALSO KNOWN AS THE C.P.B. CANAL AND ALSO KNOWN AS THE M-1 CANAL); THENCE S 01° 49' 17" W, ALONG THE EAST LINE OF SAID SECTION 15, AS SHOWN ON SAID PLAT AND ALONG THE WEST RIGHT-OF-WAY LINE OF SAID CANAL, A DISTANCE OF 2293.11 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S 01° 49' 17" W ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 455.13 FEET TO THE NORTHEAST CORNER OF THE AFORESAID SECTION 22, AS SHOWN ON SAID PLAT; THENCE S 02° 40' 04" W, ALONG THE EAST LINE OF SAID SECTION 22 AND CONTINUING ALONG SAID WEST CANAL RIGHT-OF-WAY LINE, A DISTANCE OF 192.59 FEET TO A POINT ON THE SOUTH BOUNDARY LINE OF SAID "HAWTHORN SUBDIVISION", SAID SOUTH BOUNDARY LINE ALSO BEING THE NORTH BOUNDARY LINE OF THE AFOREMENTIONED "HAWTHORN II"; THENCE CONTINUING S 02° 40' 04" W AND CONTINUING ALONG BOTH THE SECTION LINE, AS SHOWN ON SAID "HAWTHORN II" AND ALONG SAID WEST CANAL RIGHT-OF-WAY LINE, A DISTANCE OF 5220.07 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF "OKEECHOBEE BOULEVARD", AS SHOWN ON THE RIGHT-OF-WAY MAP PREPARED BY PALM BEACH COUNTY, FLORIDA ENGINEERING DEPARTMENT, DRAWING NUMBER 43-41-22-4, SHEET 3 OF 4, THENCE S 70° 06' 34" W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 75.67 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF "OKEECHOBEE ROAD", AS SHOWN ON SAID "HAWTHORN II", SAID LINE BEING THE NORTH LINE OF A 7 FOOT WIDE TRACT OF ADDITIONAL RIGHT-OF-WAY FOR SAID "OKEECHOBEE ROAD"; THENCE S 89° 22' 11" W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 3865.83 FEET TO THE INTERSECTION OF SAID RIGHT-OF-WAY LINE AND THE WEST LINE OF SAID "HAWTHORN II"; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE, N 01° 57' 04" E, ALONG THE WEST LINE OF SAID "HAWTHORN II", A DISTANCE OF 2560.62 FEET; THENCE CONTINUE ALONG SAID BOUNDARY LINE N 89° 48' 41" E, A DISTANCE OF 1319.36 FEET; THENCE N 02° 36' 13" E, A DISTANCE OF 1239.29 FEET TO A BOUNDARY CORNER ON THE NORTH LINE OF SAID "HAWTHORN II", SAID CORNER ALSO BEING A BOUNDARY CORNER ON THE SOUTH LINE OF THE AFORESAID "HAWTHORN SUBDIVISION"; THENCE CONTINUING N 02° 36' 13" E, ALONG THE WEST LINE OF SAID "HAWTHORN SUBDIVISION", A DISTANCE OF 1380.00 FEET TO THE SOUTHEAST (SE) CORNER OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE AFOREDESCRIBED SECTION 15, AS SHOWN ON SAID "HAWTHORN SUBDIVISION", SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF A PARK PARCEL, AS RECORDED IN OFFICIAL RECORDS BOOK 5985, PAGE 1592 OF SAID PUBLIC RECORDS; THENCE CONTINUING N 02° 36' 13" E ALONG THE WEST LINE OF SAID PARK PARCEL AND DEPARTING FROM THE SOUTH LINE OF SAID "HAWTHORN SUBDIVISION", A DISTANCE OF 572.89 FEET TO THE BEGINNING OF A NON-TANGENT CURVE HAVING A RADIUS OF 900.00 FEET AND FROM WHICH A RADIAL LINE BEARS N 07° 17' 21" W; THENCE WESTERLY ALONG THE ARC OF SAID CURVE AND ALONG THE BOUNDARY LINE OF SAID PARK PARCEL, A DISTANCE OF 135.91 FEET (THROUGH AN ANGLE OF 08° 39' 09"); THENCE N 89° 38' 12" W, A DISTANCE OF 277.47 FEET; THENCE N 00° 21' 48" E, A DISTANCE OF 25.00 FEET; THENCE N 29° 23' 33" W, A DISTANCE OF 140.66 FEET; THENCE N 30° 13' 14" E, A DISTANCE OF 43.00 FEET; THENCE N 38° 14' 22" E, A DISTANCE OF

97.77 FEET; THENCE N 25° 21' 23" W, CONTINUING ALONG SAID PARK PARCEL BOUNDARY, A DISTANCE OF 78.58 FEET; THENCE N 44° 11' 56" W, A DISTANCE OF 170.94 FEET; THENCE N 17° 04' 10" E, A DISTANCE OF 62.50 FEET; THENCE N 25° 36' 49" E, A DISTANCE OF 83.41 FEET; THENCE CONTINUING ALONG SAID PARK PARCEL BOUNDARY LINE, N 08° 00' 48" E, A DISTANCE OF 88.78 FEET; THENCE N 12° 23' 43" W, A DISTANCE OF 103.14 FEET; THENCE N 39° 34' 06" W, A DISTANCE OF 141.13 FEET; THENCE N 30° 30' 56" W, A DISTANCE OF 74.01 FEET; THENCE N 35° 18' 54" W, A DISTANCE OF 158.47 FEET; THENCE CONTINUING ALONG SAID PARK PARCEL BOUNDARY N 47° 41' 20" W, A DISTANCE OF 72.29 FEET; THENCE N 25° 24' 21" W, A DISTANCE OF 107.00 FEET; THENCE N 50° 55' 14" W, A DISTANCE OF 25.00 FEET; THENCE N 43° 27' 47" W, A DISTANCE OF 60.78 FEET; THENCE CONTINUING ALONG SAID PARK PARCEL BOUNDARY, N 36° 10' 32" W, A DISTANCE OF 149.21 FEET; THENCE N 50° 51' 36" W, A DISTANCE OF 71.40 FEET; THENCE S 73° 23' 11" W, A DISTANCE OF 96.36 FEET; THENCE N 51° 37' 33" W, A DISTANCE OF 138.50 FEET; THENCE N 21° 27' 14" W, A DISTANCE OF 70.54 FEET; THENCE CONTINUING ALONG SAID PARK PARCEL BOUNDARY, N 28° 52' 08" E, A DISTANCE OF 36.71 FEET TO THE SOUTHWEST CORNER OF LOT 342 OF "SARATOGA AT ROYAL PALM PLAT I", AS RECORDED IN PLAT BOOK 61, AT PAGE 66 THROUGH 74, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S 85° 40' 39" E, A DISTANCE OF 110.64 FEET; THENCE SOUTHERLY, EASTERLY, AND NORTHERLY ALONG THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS S 85° 40' 39" E, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 206° 32' 53", AN ARC DISTANCE OF 180.25 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 42° 50' 00", AN ARC DISTANCE OF 18.69 FEET TO A POINT OF TANGENCY; THENCE N 20° 36' 29" E, A DISTANCE OF 125.84 FEET; THENCE N 66° 59' 49" E, A DISTANCE OF 36.20 FEET TO A POINT ON CURVE; THENCE EASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS S 23° 23' 08" W, HAVING A RADIUS OF 1160.00 FEET, A CENTRAL ANGLE OF 01° 31' 25", AN ARC DISTANCE OF 30.85 FEET TO A POINT OF TANGENCY; THENCE S 65° 05' 27" E, A DISTANCE OF 362.07 FEET TO A POINT ON CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS S 68° 20' 09" E, HAVING A RADIUS OF 530.00 FEET, A CENTRAL ANGLE OF 28° 17' 47", AN ARC DISTANCE OF 261.75 FEET TO THE NORTHWEST CORNER OF LOT 547 OF SAID "SARATOGA AT ROYAL PALM PLAT I"; THENCE S 40° 02' 22" E, A DISTANCE OF 100.00 FEET TO A POINT ON CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS S 40° 02' 22" E, HAVING A RADIUS OF 430.00 FEET, A CENTRAL ANGLE OF 08° 52' 10", AN ARC DISTANCE OF 66.56 FEET TO A POINT OF TANGENCY; THENCE N 58° 49' 48" E, A DISTANCE OF 120.71 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 380.00 FEET, A CENTRAL ANGLE OF 83° 19' 10", AN ARC DISTANCE OF 552.60 FEET; THENCE S 54° 27' 09" W, A DISTANCE OF 160.22 FEET TO A POINT ON CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS S 50° 28' 21" W, HAVING A RADIUS OF 220.00, A CENTRAL ANGLE OF 03° 58' 48", AN ARC DISTANCE OF 15.28 FEET TO A POINT OF TANGENCY; THENCE S 35° 32' 51" E, A DISTANCE OF 302.53 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 370.00 FEET, A CENTRAL ANGLE OF 14° 32' 05", AN ARC DISTANCE OF 93.86 FEET TO A POINT; THENCE N 68° 59' 14" E, A DISTANCE OF 60.00 FEET; THENCE N 21° 28' 33" E, A DISTANCE OF 35.87 FEET TO A POINT ON CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS N 17° 01' 26" W, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 10° 16' 52", AN ARC DISTANCE OF 8.97 FEET TO A POINT; THENCE N 85° 59' 04" E, A DISTANCE OF 124.22 FEET; THENCE S 79° 59' 32" E, A DISTANCE OF 136.97 FEET TO A POINT ON CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS S 79° 59' 33" E, HAVE A RADIUS OF 947.00 FEET, A CENTRAL ANGLE OF 03° 21' 05", AN ARC DISTANCE OF 55.39 FEET TO A POINT; THENCE S 78° 30' 46" E, A DISTANCE OF 184.70 FEET; THENCE S 11°

29' 14" W, A DISTANCE OF 5.05 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1184.96 FEET, A CENTRAL ANGLE OF 16° 33' 33", AN ARC DISTANCE OF 342.47 FEET TO A POINT; THENCE N 84° 55' 41" E, A DISTANCE OF 114.78 FEET TO A POINT ON CURVE; THENCE NORTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS N 77° 40' 23" E, HAVING A RADIUS OF 640.00 FEET, A CENTRAL ANGLE OF 00° 17' 18", AN ARC DISTANCE OF 3.22 FEET TO A POINT; THENCE N 77° 57' 41" E, A DISTANCE OF 100.00 FEET TO A POINT ON CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS N 77° 57' 41" E, HAVING A RADIUS OF 340.00 FEET, A CENTRAL ANGLE OF 18° 42' 22", AN ARC DISTANCE OF 176.30 FEET TO A POINT OF COMPOUND CURVATURE (THE PREVIOUS 29 COURSES AND DISTANCES ARE ALONG THE SOUTHERLY BOUNDARY LINE OF SAID "SARATOGA AT ROYAL PALM PLAT I"); THENCE CONTINUING SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 875.13 FEET, A CENTRAL ANGLE OF 32° 39' 34", AN ARC DISTANCE OF 492.83 FEET TO A POINT OF TANGENCY; THENCE S 63° 24' 15" E, A DISTANCE OF 359.21 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 220.00 FEET, A CENTRAL ANGLE OF 60° 44' 18", AN ARC DISTANCE OF 233.22 FEET TO A POINT; THENCE S 88° 10' 43" E, A DISTANCE OF 290.59 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 280.00 FEET, A CENTRAL ANGLE OF 42° 13' 10", AN ARC DISTANCE OF 206.32 FEET TO A POINT; THENCE N 80° 30' 00" E, A DISTANCE OF 1.97 FEET; THENCE S 01° 49' 17" W, A DISTANCE OF 143.12 FEET; THENCE S 88° 10' 43" E, A DISTANCE OF 60.00 FEET; THENCE N 01° 49' 17" E, A DISTANCE OF 54.55 FEET; THENCE S 88° 10' 43" E, A DISTANCE OF 140.00 FEET MORE OR LESS TO THE POINT OF BEGINNING. (THE PREVIOUS 10 COURSES AND DISTANCES ARE ALONG THE SOUTHERLY LINE OF THE PROPOSED PLAT OF "SARATOGA AT ROYAL PALM PLAT V", AN UNRECORDED PLAT PREPARED BY STANLEY/WANTMAN, INC. IN 1988).

SAID LANDS SITUATE IN THE CITY OF ROYAL PALM BEACH, PALM BEACH COUNTY, FLORIDA.

CONTAINING: 503.13 ACRES MORE OR LESS.



Village of Royal Palm Beach, Florida

1050 Royal Palm Beach Boulevard Royal Palm Beach, Florida 33411

Telephone (561) 790-5100 Fax (561) 790-5174 www.royalpalmbeach.com

Mary Anne Gould
Village Clerk

November 22, 2002

Mr. Steve Gordon
Nick Miller, Inc.
Suite 105
2560 RCA Boulevard
Palm Beach Gardens, FL 33410

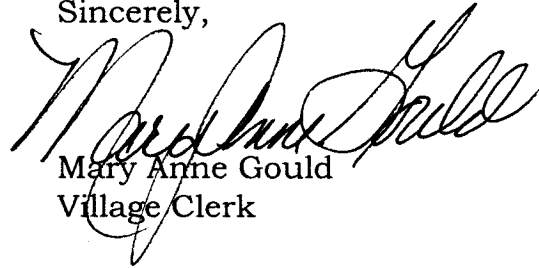
Re: **Application No. 94-12 (FP) - Madison Green Recreation Pod**

Dear Mr. Gordon:

Please find enclosed a certified copy of Resolution No. 02-66 adopted by the Royal Palm Beach Village Council confirming its approval of the final plat for the Madison Green Recreation Pod, as presented to the Council on November 21, 2002.

If questions exist, please do not hesitate to contact us.

Sincerely,



Mary Anne Gould
Village Clerk

MAG:ms
/attachment

cc: Bill Morris, Director/Planning Zoning & Building

David Lodwick
Mayor

Carmela Starace
Vice Mayor

David R. Swift
Councilman

Vivian A. Ferrin
Councilman

Matty Mattioli
Councilman

David B. Farber
Village Manager

RESOLUTION NO. 02-66

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 94-12 (FP) - THE APPLICATION OF MINTO COMMUNITIES, INC. - PERTAINING TO FINAL PLAT APPROVAL FOR THE MADISON GREEN RECREATION POD, A TEN (10) ACRE PARCEL OF LAND, LOCATED NORTH OF OKEECHOBEE BOULEVARD AND WEST OF CRESTWOOD BOULEVARD IN THE VILLAGE OF ROYAL PALM BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Village Council of the Village of Royal Palm Beach, Florida (Village), as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166 Florida Statutes, is authorized and empowered to consider applications relating to zoning and land development; and

WHEREAS, the notice and hearing requirements provided for in the Village Code have been satisfied where applicable; and

WHEREAS, Application No.94-12 (FP) was presented to the Village Council at its public hearing conducted on November 21, 2002; and

WHEREAS, the Village Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various Village review agencies, boards, and commissions, where applicable; and

WHEREAS, this approval is subject to all applicable Zoning Code requirements that development commence in a timely manner.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPLICATION NO.94-12 (FP), THE APPLICATION OF MINTO COMMUNITIES, INC., BY AGENT STEVE GORDON, NICK MILLER, INC., ON A PARCEL OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PLEASE SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

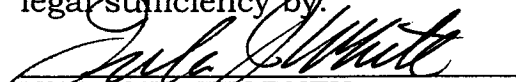
Was approved, with no additional conditions of approval.

Councilman Mattioli moved for approval of the application. The motion was seconded by Vice Mayor Starace and upon being put to a vote, the vote was as follows:

Mayor David A. Lodwick	Yes
Vice Mayor Carmela Starace	Yes
Councilman David Swift	Absent
Councilman Vivian Ferrin	Absent
Councilman Matty Mattioli	Yes


The foregoing Resolution was declared duly passed and adopted this 21st day of November, 2002, confirming the action of Village Council of November 21, 2002.

Approved as to form and
legal sufficiency by:


VILLAGE ATTORNEY


MAYOR DAVID A. LODWICK

The Village of Royal Palm Beach,
Palm Beach County, Florida,
By its Village Council


VILLAGE CLERK

APPLICATION NO. 94-12 (FP)

Exhibit A

KNOW ALL MEN BY THESE PRESENTS THAT MINTO COMMUNITIES, INC., A FLORIDA CORPORATION, OWNER OF THE LAND SHOWN HEREON BEING IN SECTIONS 15 AND 22, TOWNSHIP 43 SOUTH, RANGE 41 EAST, VILLAGE OF ROYAL PALM BEACH, FLORIDA, SHOWN HEREON AS MADISON GREEN-PLAT NO. 1, TRACT "GC-6" REPLAT BEING A REPLAT OF ALL OF TRACT GC-6 AS SHOWN ON MADISON GREEN - PLAT NO. 1, AS RECORDED IN PLAT BOOK 88, PAGES 14 THROUGH 30, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, IN SECTIONS 15 AND 22, TOWNSHIP 43 SOUTH, RANGE 41 EAST, VILLAGE OF ROYAL PALM BEACH, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF TRACT GC-6, AS SHOWN ON MADISON GREEN-PLAT NO. 1, AS RECORDED IN PLAT BOOK 88, PAGES 14 THROUGH 30 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. :

Development Review Status

File Madison
Green
Club House
94-12



Development Name Madison Green - Plat No. 1 Tract "GC-6" Replat

Development Description

Development ID
102

Developer

Company Name Mintos Communities, Inc.

Craig S. Unger P.E.

Vice President, Engineering & Planning

4400 West Sample Road, Suite 200

Coconut Creek FL 33073-3450

Work Phone (954) 978-5342

Fax Number (954) 974-7452

Mobile Phone (954) 270-8000

Email Name cunger@mintofla.com

Notes

Engineer-of-Record

Company Name Nick Miller, Inc.

Mark E. Hummel, PSM

2560 RCA Boulevard, Suite 105

Palm Beach Gardens FL 33410-

Work Phone (561) 627-5200

Fax Number (561) 627-0983

Mobile Phone

Email Name info@nickmillerinc.com

Notes

NO ISSUES

Review Status

Review ID	Project Type	Date	Review Status	Comments
646	Preliminary Plat	5 /31/2002	Received by Engineering	10 sets of 11 x 17, 2 sets of 24 x 36, 13 copies of Building Permit for Site Development, Title Certificate, Check, 3 Boundary Survey Tract GC-6.
647	Preliminary Plat	5 /31/2002	Forwarded to Planning, Zoning & Building Director for Review	10 sets of 11 x 17, 2 sets of 24 x 36, 13 copies of Building Permit for Site Development, Title Certificate, Check, 3 Boundary Survey Tract GC-6. Forwarded to you for handling.
754	Final Plat	9 /25/2002	Received by Engineering	10 - 11x17, 2 - 24x36, Title Certificate, Receipt for submittal fees and 3-boundary survey tract GC-6
755	Final Plat	9 /25/2002	Forwarded to Planning, Zoning & Building Director for Review	
756	Final Plat	9 /25/2002	Forwarded to Village Attorney for Review	
757	Final Plat	9 /25/2002	Forwarded to Village Surveyor for Review	
759	Final Plat	9 /27/2002	Received from Village Attorney	Corbett & White cannot review.
758	Final Plat	9 /27/2002	Received from Village Surveyor	ok for signatures.
798	Final Plat	11/8 /2002	Received by Engineering	

Development Review Status

799	Final Plat	11/8 /2002	Forwarded to Planning, Zoning & Building Director for Review
800	Final Plat	11/8 /2002	Forwarded to Village Surveyor for Review

Fees

<i>Fee ID</i>	<i>Type of Fee</i>	<i>Date of Transaction</i>	<i>Transaction Amount</i>	<i>Notes</i>
169	Preliminary Plat Fee	5 /31/2002	\$500.00	Check 10713 from Nick Miller.