

FORM 11.A.9-1C

DEDICATION AND RESERVATION - TRACTS & EASEMENTS
(Art. 11.D.1.B.15.a)

1. Streets, Parking, and Driveway Tracts:

Tract ____, as shown hereon, is hereby dedicated to the Board of County Commissioners of Palm Beach County, Florida, for the perpetual use of the public for public street purposes.

Tract ____, as shown hereon, is hereby reserved for the (name of POA), its successors and assigns, for private street purposes and other purposes not inconsistent with this reservation and is the perpetual maintenance obligation of said association, its successors and assigns, without recourse to Palm Beach County.

Tract ____, as shown hereon, is hereby reserved for the (name of POA), its successors and assigns, as a residential access street for private street purposes and other purposes not inconsistent with this reservation and is the perpetual maintenance obligation of said association, its successors and assigns, without recourse to Palm Beach County.

Tract ____, as shown hereon, is hereby reserved for the (name of POA), its successors and assigns, as a (driveway or parking) tract serving abutting lots for ingress, egress, utilities, drainage, and other purposes not inconsistent with this reservation, and is the perpetual maintenance obligation of said association, its successors and assigns, without recourse to Palm Beach County.

2. Water Management Tracts:

Tract ____, as shown hereon, is hereby reserved for the (name of POA), its successors and assigns, for stormwater management and drainage purposes and is the perpetual maintenance obligation of said association, its successors and assigns, without recourse to Palm Beach County.

[NOTE 1 for Littoral Zone/Preservation/Conservation Areas: In accordance with Art. 4.D, ULDC, as amended, littoral zones are to be established by separate recorded restrictive covenant, and are not to be reserved or delineated on the plat. Where such littoral zones are wholly within one or more water management tracts being reserved on a proposed plat, the phrase "subject to existing littoral zone restrictive covenant agreement as recorded in O.R.B. _____, Pg. _____, public records of Palm Beach County, Florida", shall be added to the applicable reservation language for the water management tract. A comparable note shall also be shown within the applicable water management tract(s) on the plat map.]

[NOTE 2 for Littoral Zone/Preservation/Conservation Areas: Dedications establishing conservation and/or preservation areas shall be reviewed and approved on a case-by-case basis due to the variability of covenants, restrictions, and responsibilities associated with the requirements for creation, protection, and ownership of such areas.]

3. Drainage and Lake Maintenance/Access Easements:

The Drainage Easements as shown hereon are hereby dedicated in perpetuity for drainage purposes. The maintenance of all drainage facilities located therein shall be the perpetual maintenance obligation of the (name of the POA) its successors and assigns, without recourse to Palm Beach County.

The (Lake Maintenance and/or Lake Maintenance Access) easements as shown hereon are hereby reserved for the (name of POA), its successors and assigns, for access to stormwater management and drainage facilities located within the associated water management tract(s) for purposes of performing any and all maintenance activities pursuant to the maintenance obligation of said association, its successors and assigns, without recourse to Palm Beach County.

The public drainage easement, as shown hereon, are hereby dedicated in perpetuity for drainage purposes. Said easements are for the purpose of providing drainage, storage, and conveyance for lands adjoining the lands platted herein or stormwater that contributes or flows through them. The maintenance of the public drainage easements including all drainage facilities located therein shall be the perpetual maintenance obligation of the (name of POA), its successors and assigns, without recourse to Palm Beach County.

Palm Beach County shall have the right, but not the obligation, to construct and maintain any portion of the drainage system encompassed by this plat which is associated with the drainage of public streets, including the right to utilize for proper purposes any and all drainage, lake maintenance, and lake maintenance access easements, and private streets associated with said drainage system.

4. Limited Access Easements:

The Limited Access Easements as shown hereon are hereby dedicated to the Board of County Commissioners of Palm Beach County, Florida, for the purpose of control and jurisdiction over access rights.

5. Sidewalk Easements:

The Sidewalk Easement, as shown hereon, is hereby reserved for the (name of POA or other entity), its successors and assigns, in perpetuity for the construction of the sidewalk for (public or private) pedestrian, bicyclist and other non-vehicular purposes and is the perpetual maintenance obligation of said the (name of POA or other entity), its successors and assigns, without recourse to Palm Beach

County. Palm Beach County shall have the right, but not the obligation, to construct and maintain any public portion of this easement.

6. Recreation Areas:

Tract ____, as shown hereon, is hereby reserved for the (name of POA), its successors and assigns, for recreational purposes and is the perpetual maintenance obligation of said association, its successors and assigns, without recourse to Palm Beach County.

7. Open Space/Landscape/Buffer/Pedestrian Access Tracts:

Tract ____, as shown hereon, is hereby reserved for the (name of POA), its successors and assigns, for open space purposes and is the perpetual maintenance obligation of said association, its successors and assigns, without recourse to Palm Beach County.

Tract ____, as shown hereon, is hereby reserved for the (name of POA), its successors and assigns, for landscape purposes and is the perpetual maintenance obligation of said association, its successors and assigns, without recourse to Palm Beach County.

Tract ____, as shown hereon, is hereby reserved for the (name of POA), its successors and assigns, for buffer purposes and is the perpetual maintenance obligation of said association, its successors and assigns, without recourse to Palm Beach County.

Tract ____, as shown hereon, is hereby reserved for the (name of POA), its successors and assigns, for (public or private) pedestrian access purposes and is the perpetual maintenance obligation of said association, its successors and assigns, without recourse to Palm Beach County. Palm Beach County shall have the right, but not the obligation, to construct and maintain any public portion of this tract.

Tract ____, as shown hereon, is hereby reserved for the (name of POA), its successors and assigns, for open space, landscape, common access and public drainage purposes and is the perpetual maintenance obligation of said association, its successors and assigns, without recourse to Palm Beach County. THE PUBLIC DRAINAGE RESERVATION IS TO REMAIN IN PERPETUITY FOR DRAINAGE PURPOSES TO PROVIDE DRAINAGE CONVEYANCE FOR LANDS ABUTTING THIS TRACT. Palm Beach County shall have the right, but not the obligation, to construct and maintain any public DRAINAGE WITHIN this tract.

If these tracts will be reserved as easements, the following language must be added to the end, "This easement shall not be extinguished by operation of law, including without limitation, the doctrines of merger or unity of title."

8. General Utility Easements:

The utility easements running adjacent and parallel to public streets, the tracts for private road purposes and driveway/parking tracts, as shown hereon, are nonexclusive easements and are hereby dedicated in perpetuity to the public for the installation, operation, maintenance, repair, expansion and replacement of utilities, both public and private, including, but not limited to, potable water pipelines, raw water pipelines, wastewater pipelines, reclaimed water pipelines, electric power lines, telecommunications lines, cable television lines, gas lines, and related appurtenances. The installation of cable television systems shall not interfere with the construction and maintenance of other utilities. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. If otherwise approved by Palm Beach County, no buildings, structures, improvements, trees, walls or fences shall be installed within these easements without the prior written approval of the Palm Beach County Water Utilities Department, its successors and assigns. **[Add the previous sentence only when the easement is within the service boundary of Palm Beach County Water Utilities Department]**

The utility easements as shown hereon are hereby dedicated in perpetuity for the construction and maintenance of utility facilities, including cable television systems. The installation of cable television systems shall not interfere with the construction and maintenance of other utilities. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages.

The lift station easement as shown hereon is hereby dedicated in perpetuity to (name of utility provider), its successors and assigns, for lift station and related purposes.

All tracts for private street purposes, and driveway/parking tracts, as shown hereon, are hereby subject to an overlying non-exclusive easement dedicated in perpetuity to the public for the installation, operation, maintenance, repair, expansion and replacement of utilities, both public and private, including, but not limited to stormwater facilities, potable water pipelines, raw water pipelines, wastewater pipelines, reclaimed water pipelines, electric power lines, telecommunication lines, cable television lines, gas lines, and related appurtenances. The installation of cable television systems shall not interfere with the construction and maintenance of other utilities. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. If otherwise approved by Palm Beach County, no buildings, structures, improvements, trees, walls or fences shall be installed within these tracts without the prior written approval of the Palm Beach County Water Utilities Department, its successors and assigns. **[Add the previous sentence only when the easement is within the service boundary of Palm Beach County Water Utilities Department]**

9. Utility Easement Language Specific to Palm Beach County Water Utilities Department:

The Palm Beach County utility easements identified on the plat hereon are exclusive easements and are hereby dedicated in perpetuity to Palm Beach County, its successors and assigns, for the installation, operation, maintenance, repair, expansion and replacement of potable water pipelines, raw water pipelines, wastewater pipelines, reclaimed water pipelines, and related appurtenances. The maintenance of the land underlying these easements shall be a perpetual obligation of the property owner. If otherwise approved by Palm Beach County, no buildings, structures, improvements, trees, walls or fences shall be installed within these easements without the prior written approval of the Palm Beach County Water Utilities Department, its successors and assigns.

The lift station easement identified on the plat hereon is an exclusive easement and is hereby dedicated in perpetuity to Palm Beach County, its successors and assigns, for the installation, operation, maintenance, repair, expansion and replacement of a wastewater lift station and related appurtenances. The easement may be fenced in by Palm Beach County for access control purposes. The maintenance of the unfenced portions of the land underlying the easement shall be the perpetual obligation of the property owner. If otherwise approved by Palm Beach County, no buildings, structures, improvements, trees, walls or fences shall be installed within this easement without the prior written approval of the Palm Beach County Water Utilities Department, its successors and assigns.

The public water supply well site easements identified on the plat hereon are exclusive easements and are hereby dedicated in perpetuity to Palm Beach County, its successors and assigns, for the installation, operation, maintenance, repair, replacement and expansion of potable water supply wells and related appurtenances. These easements may be fenced in by Palm Beach County for access control purposes. The maintenance of the unfenced portions of the land underlying these easements shall be the perpetual obligation of the property owner. If otherwise approved by Palm Beach County, no buildings, structures, improvements, trees, walls or fences shall be installed within these easements without the prior written approval of the Palm Beach County Water Utilities Department, its successors and assigns.

10. Mass Transit Easement:

The Mass Transit Easement as shown hereon is dedicated in perpetuity, by Owner, to the Board of County Commissioners of Palm Beach County, its successors and assigns (hereafter "County"), for the construction, installation, maintenance and use of a public transit boarding and alighting area, which use includes but is not limited to a public transit bus shelter, transfer station, and advertising. The Owner, its successors and assigns (hereafter "Owner"), shall maintain the easement area until such time as the County constructs improvements in the easement area for its intended use and purposes, at which

time the County will assume maintenance of the easement area so long as the improvements are located thereon and County uses the easement area for its intended purposes. The maintenance obligation shall automatically revert to the Owner upon County's temporary or permanent cessation of use of the improvements or removal of the improvements.

11. Maintenance and Overhang Easements for Zero Lot Line Properties:

Maintenance and roof overhang easements are hereby reserved in perpetuity to the owner of the lot abutting the easement and the (name of POA) for the purpose of access to and maintenance of improvements, the roof overhang, eave, gutters, drainage and utility services, decorative architectural treatment, and impact shutters within and adjacent to easement without recourse to Palm Beach County.

12. Development Tract Dedication: Pick one of the following:

Tract ____, as shown hereon, is hereby reserved for (owner), its successors and assigns, for purposes consistent with the zoning regulations of Palm Beach County, Florida, and is the perpetual maintenance obligation of (owner), its successors and assigns, without recourse to Palm Beach County.

Tract ____, as shown hereon, is hereby reserved for (owner), its successors and assigns, for use in accordance with the zoning approval of record for this site, including future amendments on file with the Palm Beach County Zoning Division. The maintenance of this tract shall be the perpetual maintenance obligation of (owner), its successors and assigns, without recourse to Palm Beach County.

When Palm Beach County is the owner:

Tract ____, as shown hereon, is hereby reserved for the fee simple owner, its successors and assigns, for use in accordance with the zoning approval of record for this site, including future amendments on file with the Palm Beach County Zoning Division. The maintenance of this tract shall be the perpetual maintenance obligation of the fee simple owner, its successors and assigns, without recourse to Palm Beach County, in the event that Palm Beach County is not the fee simple owner.

13. Road Construction Easements:

Roadway Construction Easement – The Roadway Construction Easement, as shown hereon, is hereby dedicated in perpetuity to the Board of County Commissioners of Palm Beach County, Florida, for the purposes of performing any and all construction activities associated with the adjacent road.

14. Line Sight Easements:

The Line of Sight Easement as shown hereon is hereby dedicated in perpetuity for unobstructed sight lines. The maintenance of any and all improvements located therein shall be the perpetual maintenance obligation of the __(name of the POA)_ its successors and assigns, without recourse to Palm Beach County. Palm Beach County shall have the right, but not the obligation, to maintain any portion of the Line of Sight Easement encompassed by this plat which is associated with safe traffic circulation.

15. Fire Access Dedication:

The fire emergency secondary road access easement identified on the plat hereon is hereby dedicated in perpetuity to the Board of County Commissioners, Palm Beach County, Florida, its successors and assigns, for the perpetual road access, ingress and egress, and other purposes consistent with the Florida Fire Prevention Code and the Palm Beach County Local Amendments thereto as may be amended, and is the perpetual maintenance obligation of the (owner/name of POA), its successors and assigns, without recourse to Palm Beach County. Palm Beach County shall have the right, but not the obligation, to maintain any portion of this easement.

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