

CYPRESS POINTE UNIT 2

A PART OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 22 EAST, CITY OF MACCLENNY, BAKER COUNTY, FLORIDA

PLAT BOOK 3 PAGE 104

SHEET 1 OF 4 SHEETS

CAPTION:

PART OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 22 EAST, BAKER COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING COMMENCE AT THE NORTHEAST CORNER OF LOT 43, CYPRESS POINTE UNIT 1, AS PLATTED AND RECORDED IN PLAT BOOK 3, PAGES 90, 91 AND 92 OF THE PUBLIC RECORDS OF BAKER COUNTY, FLORIDA; THENCE WESTERLY, SOUTHERLY AND WESTERLY ALONG THE NORTH BOUNDARY OF SAID LOT 43, ISLAMORADA DRIVE (A 60 FOOT PUBLIC RIGHT-OF-WAY), THE WEST BOUNDARY OF ISLAMORADA DRIVE AND THE NORTH BOUNDARY OF A COMMON AREA, ALL AS PLATTED BY SAID CYPRESS POINTE UNIT 1, THE FOLLOWING THREE COURSES: COURSE (1) N.84°36'38"W., A DISTANCE OF 185.00 FEET TO A POINT ON THE WEST LINE OF SAID ISLAMORADA DRIVE; COURSE (2) SOUTHERLY 13.14 FEET ALONG SAID WEST LINE, ALONG THE ARC OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 730.00 FEET, HAVING A CENTRAL ANGLE OF 1°01'52", A CHORD BEARING S.04°52'26"W. AND A CHORD DISTANCE OF 13.14 FEET TO THE NORTHEAST CORNER OF SAID COMMON AREA; COURSE (3) N.85°38'30"W., A DISTANCE OF 142.00 FEET TO THE NORTHWEST CORNER OF SAID COMMON AREA; THENCE N.07°18'10"E., A DISTANCE OF 89.38 FEET; THENCE N.13°11'31"E., A DISTANCE OF 89.38 FEET; THENCE N.19°04'52"E., A DISTANCE OF 89.38 FEET; THENCE N.24°58'13"E., A DISTANCE OF 89.38 FEET; THENCE N.30°51'34"E., A DISTANCE OF 89.38 FEET; THENCE N.36°44'55"E., A DISTANCE OF 89.38 FEET; THENCE N.37°59'58"E., A DISTANCE OF 90.05 FEET; THENCE N.48°41'29"E., A DISTANCE OF 303.99 FEET; THENCE N.41°18'31"W., A DISTANCE OF 90.85 FEET; THENCE N.77°01'36"E., A DISTANCE OF 171.53 FEET TO A POINT ON A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 260.00 FEET; THENCE NORTHERLY 50.09 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 1°02'15", A CHORD BEARING N.11°51'52"W. AND A CHORD DISTANCE OF 50.01 FEET TO A POINT ON SAID CURVE; THENCE S.77°01'36"W., A DISTANCE OF 131.22 FEET; THENCE N.12°58'24"W., A DISTANCE OF 197.38 FEET; THENCE N.00°19'17"W., A DISTANCE OF 322.24 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF AFORESAID SECTION 28; THENCE N.89°40'43"E., ALONG SAID NORTH LINE, A DISTANCE OF 140.05 FEET; THENCE S.00°19'17"E., DEPARTING SAID NORTH LINE, A DISTANCE OF 42.75 FEET; THENCE S.40°47'48"W., A DISTANCE OF 272.41 FEET; THENCE S.92°42'16"W., A DISTANCE OF 70.27 FEET; THENCE S.36°54'54"W., A DISTANCE OF 70.27 FEET; THENCE S.41°37'32"W., A DISTANCE OF 70.27 FEET; THENCE S.46°20'10"W., A DISTANCE OF 70.27 FEET; THENCE S.48°41'29"W., A DISTANCE OF 120.65 FEET; THENCE N.41°18'31"W., A DISTANCE OF 125.00 FEET; THENCE S.48°41'29"W., A DISTANCE OF 206.41 FEET; THENCE S.41°18'31"E., A DISTANCE OF 88.31 FEET; THENCE S.72°41'31"E., A DISTANCE OF 90.00 FEET; THENCE N.89°43'33"E., A DISTANCE OF 190.88 FEET; THENCE S.50°46'16"E., A DISTANCE OF 162.84 FEET; THENCE S.62°26'04"E., A DISTANCE OF 222.26 FEET; THENCE S.64°20'00"E., A DISTANCE OF 77.05 FEET; THENCE N.75°29'20"E., A DISTANCE OF 56.64 FEET TO THE EAST LINE OF AFORESAID SOUTHWEST 1/4 OF SECTION 28; THENCE S.01°22'17"W., ALONG SAID EAST LINE, A DISTANCE OF 355.20 FEET; THENCE N.30°46'29"W., DEPARTING SAID EAST LINE, A DISTANCE OF 272.61 FEET; THENCE N.69°47'51"W., A DISTANCE OF 31.82 FEET; THENCE N.89°07'56"W., A DISTANCE OF 201.09 FEET; THENCE S.71°59'08"W., A DISTANCE OF 172.30 FEET; THENCE N.57°40'28"W., A DISTANCE OF 109.61 FEET; THENCE N.72°45'30"W., A DISTANCE OF 155.44 FEET; THENCE N.70°37'34"W., A DISTANCE OF 24.68 FEET TO THE NORTHEAST CORNER OF STORMWATER BASIN 1, AS PLATTED BY AFORESAID CYPRESS POINTE UNIT 1; THENCE ALONG THE NORTHERLY AND WESTERLY BOUNDARIES OF SAID STORMWATER BASIN 1, THE FOLLOWING TEN COURSES: COURSE (1) CONTINUE N.70°37'34"W., A DISTANCE OF 55.11 FEET; COURSE (2) N.59°16'54"W., A DISTANCE OF 88.85 FEET; COURSE (3) S.48°41'29"W., A DISTANCE OF 262.53 FEET; COURSE (4) S.46°09'19"W., A DISTANCE OF 57.88 FEET; COURSE (5) S.39°14'03"W., A DISTANCE OF 74.14 FEET; COURSE (6) S.32°20'22"W., A DISTANCE OF 56.94 FEET; COURSE (7) S.26°21'02"W., A DISTANCE OF 56.94 FEET; COURSE (8) S.20°21'42"W., A DISTANCE OF 56.94 FEET; COURSE (9) S.14°22'22"W., A DISTANCE OF 56.94 FEET; COURSE (10) S.08°23'02"W., A DISTANCE OF 56.94 FEET TO THE POINT OF BEGINNING; CONTAINING 24.97 ACRES MORE OR LESS.

ADOPTION AND DEDICATION:

THIS IS TO CERTIFY THAT CYPRESS POINTE OF MACCLENNY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, UNDER THE LAWS OF THE STATE OF FLORIDA, IS THE LAWFUL OWNER OF THE LANDS DESCRIBED IN THE CAPTION HEREON AS "CYPRESS POINTE UNIT 2", HAVING CAUSED THE SAME TO BE SURVEYED AND SUB-DIVIDED, AND THAT SUNTRUST BANK, A FLORIDA BANKING CORPORATION, IS THE HOLDER OF MORTGAGE ON SAID LANDS. ALL ROADS, STREETS, COURTS, WALKWAYS, AND EASEMENTS FOR DRAINAGE, UTILITIES AND SEWERS ARE IRREVOCABLY AND WITHOUT RESERVATION DEDICATED TO THE CITY OF MACCLENNY, ITS SUCCESSORS AND ASSIGNS. TRACT "A", A STORMWATER RETENTION BASIN, AND TRACT "B", A COMMON AREA ARE PRIVATELY OWNED AND SHALL REMAIN THE SOLE AND EXCLUSIVE PROPERTY OF THE OWNER.

TRACT "A" IS HEREBY DEDICATED AS A DRAINAGE EASEMENT, AND AS SUCH SHALL PERMIT THE CITY OF MACCLENNY, ITS SUCCESSORS AND ASSIGNS, TO DISCHARGE INTO SAID TRACT "A", ALL WATER WHICH MAY FALL ON OR COME UPON ALL ROADS, STREETS, COURTS, AND WALKWAYS. HEREBY DEDICATED, TOGETHER WITH ALL SUBSTANCES OR MATTER WHICH MAY FLOW OR PASS FROM SAID ROADS, STREETS, COURTS, WALKWAYS, FROM ADJACENT LANDS OR FROM ANY OTHER SOURCE OF PUBLIC WATERS INTO OR THROUGH SAID TRACT "A"/STORMWATER MANAGEMENT FACILITY, WITHOUT ANY LIABILITY WHATSOEVER ON THE PART OF THE CITY OF MACCLENNY, ITS SUCCESSORS AND ASSIGNS FOR ANY DAMAGE, INJURIES OR LOSS TO PERSONS OR PROPERTY RESULTING FROM THE ACCEPTANCE OR USE OF THESE DRAINAGE EASEMENTS BY THE CITY OF MACCLENNY, ITS SUCCESSORS AND ASSIGNS.

TRACT "A" (POND) AND ANY WATER TREATMENT FACILITIES OR STRUCTURES WITHIN IT, OWNED IN FEE SIMPLE TITLE BY THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND ALL MAINTENANCE AND ANY OTHER MATTERS PERTAINING TO SAID TRACT "A"/STORMWATER MANAGEMENT FACILITY ARE THE RESPONSIBILITY OF THE OWNER, ITS SUCCESSORS AND ASSIGNS. THE CITY OF MACCLENNY BY ACCEPTANCE OF THIS PLAT ASSUMES NO RESPONSIBILITY WHATSOEVER FOR SAID TRACT "A" (POND) AND WATER TREATMENT SYSTEMS.

THE CITY OF MACCLENNY, ITS SUCCESSORS AND ASSIGNS, SHALL NOT BE LIABLE NOR RESPONSIBLE FOR THE CREATION, OPERATION, FAILURE OR DESTRUCTION OF WATER LEVEL CONTROL EQUIPMENT WHICH MAY BE CONSTRUCTED OR INSTALLED BY THE DEVELOPER, OWNER OR ANY OTHER PERSON WITHIN THE AREA OF LANDS HEREBY PLATTED, OR OF THE POND (AND TREATMENT SYSTEMS THEREIN) SHOWN ON THIS PLAT, BUT SHALL HAVE THE RIGHT TO MODIFY THE WATER LEVEL INCLUDING THE REPAIR OR REPLACEMENT OF THE POND/STORMWATER MANAGEMENT FACILITIES AND THE CONTROL STRUCTURES TO EFFECT ADEQUATE DRAINAGE.

THE OWNER, ITS SUCCESSORS AND ASSIGNS OF THE LANDS PLATTED AND CAPTIONED HEREON, SHALL INDEMNIFY THE CITY OF MACCLENNY AND SAVE IT HARMLESS FROM ANY SUITS, ACTIONS, DAMAGES, LIABILITY AND EXPENSE IN CONNECTION WITH LOSS OF LIFE, BODILY OR PERSONAL INJURY OR PROPERTY DAMAGE OR ANY OTHER DAMAGE ARISING FROM OR OUT OF ANY OCCURRENCE IN, UPON, AT OR FROM THE POND/STORMWATER MANAGEMENT FACILITIES DESCRIBED ABOVE OR ANY PART THEREOF, OCCASIONED WHOLLY OR IN PART BY ANY ACT OR OMISSION OF ITS AGENT, CONTRACTORS, EMPLOYEES, SERVANTS, LICENSEES OR CONCESSIONAIRES WITHIN "CYPRESS POINTE UNIT 2". THIS INDEMNIFICATION SHALL RUN WITH THE LAND AND THE SUCCESSORS AND ASSIGNS OF THE OWNER AND SHALL BE SUBJECT TO IT.

THE UNDERSIGNED OWNER(S) DO HEREBY RESERVE UNTO THEMSELVES AND ASSIGNS, AN EASEMENT FOR CONSTRUCTION OF SIGNS AND LANDSCAPING OVER TRACT "A" AND TRACT "B" AS SHOWN AND PLATTED HEREON. THE MAINTENANCE RESPONSIBILITIES OF WHICH SHALL BE THOSE OF THE OWNER, ITS SUCCESSORS AND ASSIGNS.

THOSE EASEMENTS DESIGNATED AS "UTILITY EASEMENTS" ARE HEREBY IRREVOCABLY DEDICATED TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, FOR ITS EXCLUSIVE USE IN CONJUNCTION WITH ITS UNDERGROUND ELECTRICAL SYSTEM.

IN WITNESS WHEREOF, CYPRESS POINTE OF MACCLENNY, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGING MEMBER.

OWNER:

By: Kenyon S. Atlee
KENYON S. ATLEE
MANAGING MEMBER, CYPRESS POINTE OF MACCLENNY, LLC -
A FLORIDA LIMITED LIABILITY COMPANY

Donna Mountain
WITNESS (PRINT NAME)
Molly S. Mason
WITNESS (PRINT NAME)

NOTARY FOR CYPRESS POINTE OF MACCLENNY, LLC
A FLORIDA LIMITED LIABILITY COMPANY

STATE OF FLORIDA)
COUNTY OF BAKER) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 7 DAY OF September, A.D., 2006 BY KENYON S. ATLEE, MANAGING MEMBER OF CYPRESS POINTE OF MACCLENNY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, WHO IS PERSONALLY KNOWN TO ME AND DID NOT TAKE AN OATH.

NOTARY PUBLIC, STATE OF FLORIDA
Robert K. Bort
NAME: (TYPE OR PRINT)

MY COMMISSION EXPIRES: Feb 18, 2010
COMMISSION NUMBER: 00492517

MORTGAGEE: SUNTRUST BANK

By: Molly Seiter
MOLLY SEITER
VICE PRESIDENT, REAL ESTATE FINANCE
SUNTRUST BANK

Julie D. Waite JULIE D. WAITE
WITNESS (PRINT NAME)
Jane Regante
WITNESS (PRINT NAME)

NOTARY FOR: SUNTRUST BANK
A FLORIDA BANKING CORPORATION

STATE OF FLORIDA)
COUNTY OF BAKER) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 7 DAY OF September, A.D., 2006 BY MOLLY SEITER, VICE PRESIDENT, REAL ESTATE FINANCE OF SUNTRUST BANK - A FLORIDA BANKING CORPORATION WHO IS PERSONALLY KNOWN TO ME AND DID NOT TAKE AN OATH.

Keri L. Birchfield
NOTARY PUBLIC, STATE OF FLORIDA
NAME: (TYPE OR PRINT)

MY COMMISSION EXPIRES: April 25, 2009
COMMISSION NUMBER: 00492519

MORTGAGEE: MARONDA HOMES INC. OF FLORIDA

By: Peter Chun
PETER CHUN
VICE PRESIDENT
MARONDA HOMES INC. OF FLORIDA

Robert K. Bort
WITNESS (PRINT NAME)
Sara Higgins
WITNESS (PRINT NAME)

NOTARY FOR: MARONDA HOMES INC. OF FLORIDA

STATE OF FLORIDA)
COUNTY OF BAKER) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 7 DAY OF September, A.D., 2006 BY PETER CHUN, VICE PRESIDENT, MARONDA HOMES INC. OF FLORIDA, WHO IS PERSONALLY KNOWN TO ME AND DID NOT TAKE AN OATH.

Melissa L. McNamee
NOTARY PUBLIC, STATE OF FLORIDA
NAME: (TYPE OR PRINT)

MY COMMISSION EXPIRES: 11/22/2009
COMMISSION NUMBER: 00492517

CERTIFICATE OF APPROVAL BY CITY OF MACCLENNY PLANNING AND ZONING:

THIS IS TO CERTIFY THAT ON THIS 7 DAY OF September, A.D., 2006, THE FOREGOING PLAT OR PLAN WAS APPROVED BY PLANNING AND ZONING OF THE CITY OF MACCLENNY, FLORIDA.

Claude E. Bagwell
CLAUDE E. BAGWELL
CITY OF MACCLENNY
ZONING AND BUILDING OFFICIAL

CERTIFICATE OF APPROVAL BY CITY ENGINEER:

THIS IS TO CERTIFY THAT ON THIS 13 DAY OF Sept., A.D., 2006, THE FOREGOING PLAT OR PLAN WAS EXAMINED AND APPROVED BY THE CITY ENGINEER OF THE CITY OF MACCLENNY, FLORIDA.

Frank Marabi, P.E.
FRANK MARABI, P.E.
CITY OF MACCLENNY
CITY ENGINEERING OFFICE

CERTIFICATE OF APPROVAL BY CITY OF MACCLENNY ATTORNEY:

EXAMINED AND APPROVED BY FRANK E. MALONEY, CITY ATTORNEY.

Frank E. Maloney
FRANK E. MALONEY
CITY OF MACCLENNY
CITY ATTORNEY

CERTIFICATE OF APPROVAL BY THE DIRECTOR OF PUBLIC WORKS:

THIS IS TO CERTIFY THAT ON THIS 7 DAY OF September, A.D., 2006, THE FOREGOING PLAT HAS BEEN EXAMINED AND APPROVED BY THE CITY OF MACCLENNY, FLORIDA.

David Mette
DAVID METTE
CITY OF MACCLENNY
DIRECTOR OF PUBLIC WORKS

CERTIFICATE OF APPROVAL BY THE CITY OF MACCLENNY:

THIS IS TO CERTIFY THAT ON THIS 7 DAY OF September, A.D., 2006, THE FOREGOING PLAT WAS EXAMINED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MACCLENNY, FLORIDA.

James Gerald Dopson
JAMES GERALD DOPSON, CITY MANAGER
Gary Dopson, M.D.
GARY DOPSON, M.D., MAYOR

CERTIFICATE OF THE CLERK OF THE CIRCUIT COURT:

I HEREBY CERTIFY THAT I HAVE EXAMINED THE FOREGOING PLAT AND FIND THAT IT COMPLIES IN FORM WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES AND WAS FILED FOR RECORD ON THIS 16 DAY OF Sept., A.D., 2006 IN PLAT BOOK 3 ON PAGES 104 THROUGH 107 OF THE PUBLIC RECORDS OF BAKER COUNTY, FLORIDA.

Al Fraser
AL FRASER
CLERK OF THE CIRCUIT COURT
BAKER COUNTY, FLORIDA

CERTIFICATE OF SURVEYOR:

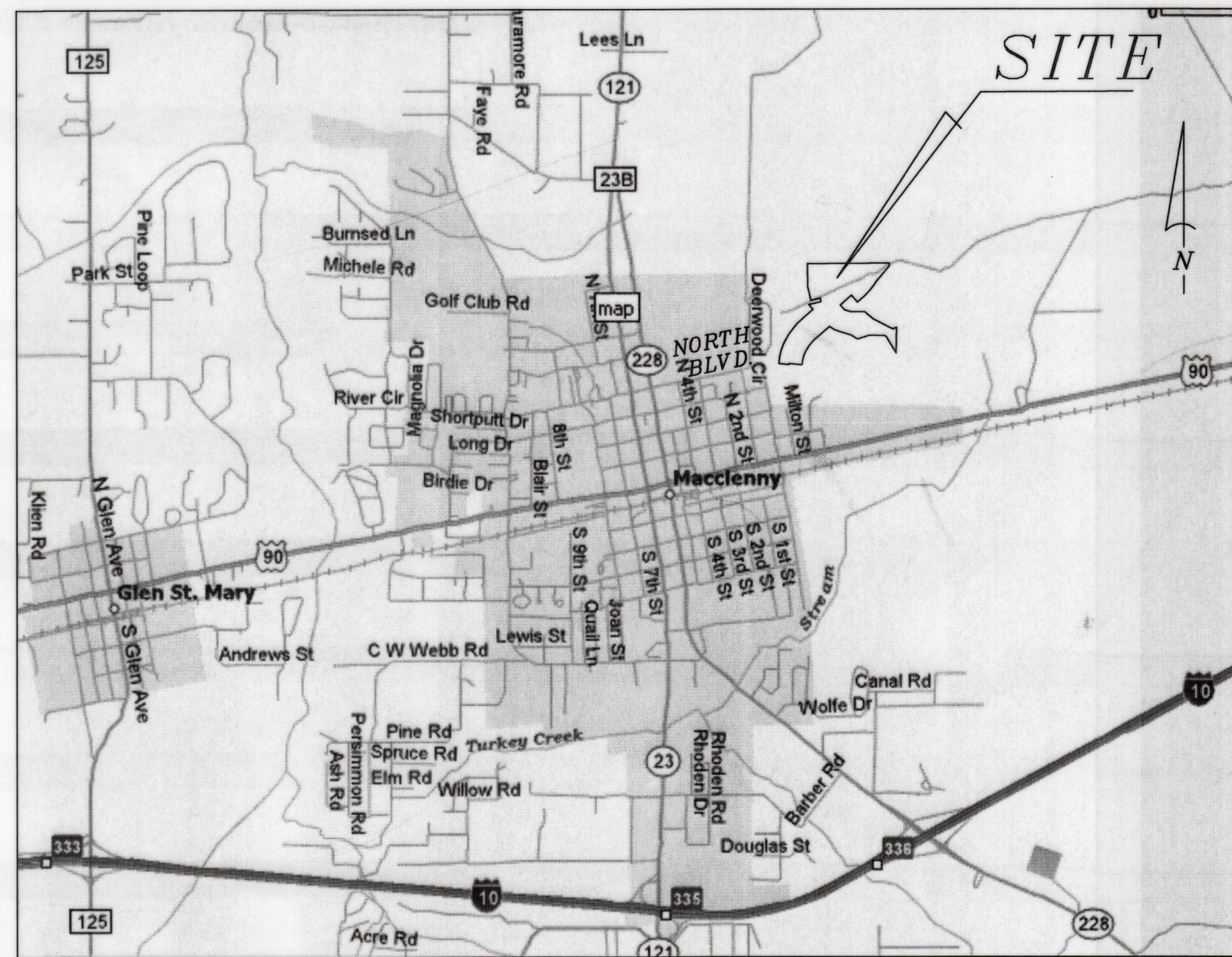
KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING CURRENTLY LICENSED AND REGISTERED BY THE STATE OF FLORIDA, AS A SURVEYOR AND MAPPER, DOES HEREBY CERTIFY THAT HE HAS SURVEYED THE LANDS AS SHOWN ON THE FOREGOING PLAT, THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED, THAT THE SURVEY WAS MADE UNDER HIS RESPONSIBLE DIRECTION AND SUPERVISION, THAT PERMANENT REFERENCE MONUMENTS (P.R.M.'S) HAVE BEEN SET, PERMANENT CONTROL POINTS (P.C.P.'S) AND ALL LOT CORNERS WILL BE SET IN ACCORDANCE WITH CHAPTER 177 FLORIDA STATUTES.

SIGNED AND SEALED THIS 7 DAY OF Sept., A.D., 2006.

Jerry M. Sizemore
JERRY M. SIZEMORE, P.L.S. #4177
FLORIDA REGISTERED SURVEYOR & MAPPER



CERTIFIED A TRUE, COMPLETE AND CORRECT COPY
BAKER COUNTY CLERK OF THE COURTS
Al Frazer
CLERK OF THE CIRCUIT COURT



VICINITY MAP
NOT TO SCALE

PLAT PREPARED BY:
MOORE SURVEYING & DESIGN, INC.
SURVEYING BUSINESS NUMBER 8794 - ENGINEERING BUSINESS NUMBER 9999
SURVEYING AND MAPPING • GPS SERVICES
CIVIL ENGINEERING DESIGN
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