

OFFER TO DEDICATE CANALS

To: Village of North Palm Beach, a municipal corporation organized and existing under and by virtue of the laws of the State of Florida

The undersigned, North Palm Beach, Inc., a corporation organized and existing under the laws of the State of Florida, hereinafter referred to as the grantor, makes the hereinafter stated offer to dedicate to the above named Village of North Palm Beach, a municipal corporation hereinafter referred to as the grantee, certain canals, as described herein, subject to the terms and conditions stated below:

WHEREAS, the grantor is the owner of the "North Palm Beach Waterway", "Azure Lagoon", "Blue Lagoon" and "Coral Lagoon", as delineated upon and described in Plat of the Village of North Palm Beach, Plat #1, according to the Plat thereof recorded in Plat Book #24 at pages 202 through 206 inclusive, Public Records of Palm Beach County, Florida, and

WHEREAS, the grantor is desirous of dedicating the said waterway and lagoons to the Village of North Palm Beach, subject to such regulatory ordinances as may be enacted by the grantee and subject to the terms and conditions stated below.

NOW WHEREFORE, the grantor does hereby offer to dedicate said waterway and lagoons to the grantee subject to the following terms and conditions:

1. The waters of said waterway and lagoons shall be subject to the joint and several uses of the present and future owners of lots shown on said Plat #1 of the Village of North Palm Beach and said present and future owners shall have the right in favor of themselves, their families, their tenants and their guests to full access, use and enjoyment of said waterway and lagoons for purposes of swimming, boating, fishing and other lawful purposes and uses which may be exercised without committing a trespass upon the lot or property of other owners within the said Plat and

which does not result in the creation of a nuisance to other lot or property owners within said Plat; PROVIDED, however, that said access, use, and enjoyment shall not be exercised for any commercial purpose or for any purpose of obtaining profit.

2. The said waterway and lagoons shall be considered as an integral part of the drainage system of the area and shall therefore be subject to use for drainage purposes to the extent necessary and desirable for the proper drainage of adjacent areas, and the grantee is hereby granted full and complete right and authority to enter upon said waterway and lagoons for the purpose of cleaning of, and proper maintenance of said waterway and lagoons.

3. The owners of lots abutting on the said waterway and the owners of lots abutting on said lagoons shall have the right to erect, build, install or construct tie poles, dolphins, mooring piles, docks and piers in the waters of said waterway and lagoons abutting their respective lots; PROVIDED, that no dolphin, mooring pile or tie pole shall be placed more than 20 feet beyond the bulkhead and no dock or pier shall extend more than 15 feet beyond the bulkhead. And PROVIDED FURTHER, that no boat canal or other waterway shall be dug or excavated into any of the water-front lots and no lot or parcel shall be increased in size by filling in the waters on which it abuts. The grantee is hereby granted the full right to enforce, by ordinance or otherwise, the provisos contained in this paragraph.

4. This offer is also subject to the condition that the Village of North Palm Beach accept this offer by written resolution and thereby agree to maintain the said waterway and lagoons as an integral part of the drainage system of the Village and for the use and benefit of its residents and citizens as herein set forth.

5. The waters of said waterway and lagoons may also be used by all of the residents and citizens of said Village of North Palm Beach subject, however, to all of the terms and conditions herein stated.

OFFICE
RECORD

6 MAR 1957

IN WITNESS WHEREOF the undersigned, North Palm Beach, Inc.
has executed this offer to dedicate subject to all the provisions
hereof this 3rd day of December, ~~1956~~ ^{January 1957}.

Signed, Sealed and Delivered
in the Presence of:

NORTH PALM BEACH, INC.

Ernest J. Rice

By

Richard E. Ross
President

William E. Harris

Attest:

Arthur A. Shaw
Secretary

STATE OF FLORIDA
COUNTY OF PALM BEACH

I HEREBY CERTIFY, that on this 3rd day of ~~December~~, A.D.
1956 before me personally appeared RICHARD E. ROSS and HERBERT A.
ROSS, President and Secretary respectively of NORTH PALM BEACH, INC.,
a corporation under the laws of the State of Florida, to me known
to be the persons described in and who executed the foregoing offer
to dedicate to VILLAGE OF NORTH PALM BEACH and severally acknowledged
the execution thereof to be their free act and deed as such
officers, for the uses and purposes therein mentioned; and that they
affixed thereto the official seal of said corporation, and the
said instrument is the act and deed of said corporation.

WITNESS my signature and official seal at West Palm Beach
in the County of Palm Beach and State of Florida, the day and year
last aforesaid.

Ernest J. Rice
Notary Public

My Commission expires: 7/30/60



This instrument was filed for Record
2 P. M. this 14th day of Jan. 1957
and recorded in Book and Page noted above.
Record verified. J. ALEX. KINETTE, Clerk
Circuit Court, Palm Beach County, Florida.
Antonia Hanna Deputy Clerk

