

RESOLUTION #17

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING AN OFFER TO DEDICATE CERTAIN LAKES OR WATERWAYS WITHIN THE VILLAGE.

WHEREAS, Northlake Properties has, on Plat #3 of the Village of North Palm Beach, which said plat was recorded in the Public Records of Palm Beach County, Florida, in Plat Book 25 at pages 175 and 176, offered to dedicate to the Village of North Palm Beach for the use and benefit of its residents and citizens, a certain Lake, owned by them and more particularly shown on said Plat, subject to the same terms and conditions as stated in a certain offer to Dedicate Canals, said instrument being recorded in Official Record Book 6 at page 393, Public Records of Palm Beach County, Florida, a copy of which is attached to this resolution; and

WHEREAS, it is to the best interest and benefit of the Village of North Palm Beach and its residents and citizens at large, that the offer to dedicate as contained in said Plat #3 be accepted by the Village of North Palm Beach, subject to the terms and conditions of the instrument attached hereto;

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA:

1. That the Village of North Palm Beach does hereby accept the said offer to dedicate the Lake as depicted on the Village of North Palm Beach Plat #3 subject to the same terms and conditions as expressed in the instrument attached to this Resolution and being entitled Offer to Dedicate Canals.
2. That the Village of North Palm Beach does hereby expressly agree to maintain said Lake as an integral part of the drainage system of the Village and for the use and benefit of its residents as expressed in the separate instrument attached hereto.
3. That the Mayor and Village Manager be and they are, hereby authorized to do all acts and execute all instruments appropriate or necessary in carrying out the terms of said offer.

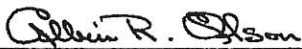
PASSED AND ADOPTED this 23rd day of September, 1958.

(SEAL)



Mayor

ATTEST:



Village Manager

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 THEREFORE, 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 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 waterfront lots and no lot or parcel shall be increased in size by filling in the waters on which it abuts. The grantee is

OFFER TO DEDICATE CANALS cont'd

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 frairage 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 condition herein stated.

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 January, 1957.

NORTH PALM BEACH, INC.

Signed, Sealed and Delivered
in the presence of:

Eugene F. Bie

By Richard E. Ross
President

Grover C. Herring

Attest:

Herbert A. Ross
Secretary

STATE OF FLORIDA)
)
COUNTY OF PALM BEACH)

I HEREBY CERTIFY, That on this 3rd day of January, 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.

Eugene F. Bie
Notary Public

My Commission expires: 9/30/60

(SEAL)