

CITY OF WESTLAKE



AGENDA

City Council Regular Meeting

Monday, February 14, 2022 at 6:30 PM

Westlake Council Chambers
4005 Seminole Pratt Whitney Road
Westlake, Florida 33470

In efforts to balance the need for the City of Westlake to function and conduct business during the COVID-19 pandemic, we will adhere to the recommended social/physical distancing (staying at least six feet away from each other) guidelines, per the Centers for Disease Control and Prevention (CDC) and Palm Beach County's directives. There will be limited seating available in the Council Chambers. Therefore, preregistration will be required for in-person participation.

The instructions for preregistration attendance/participation and viewing of the meeting are outlined below:

PREREGISTRATION FOR IN-PERSON ATTENDANCE:

- All interested persons, Quasi-Judicial meeting applicants, their representatives, and witnesses must preregister to attend/participate in a meeting by sending an email to City Clerk, Zoie Burgess at zburgess@westlakegov.com or by phone at 561-530-5880 no later than one (1) business day prior to the meeting date (e.g. by 4:00 P.M. on a Friday, if the meeting is scheduled for that Monday, etc.)
- In-person attendance/participation will be based upon the order in which the preregistration requests are received by the City Clerk. For Public Hearing Quasi-Judicial meetings, precedence into the Council Chambers will be given to applicants, their representatives, and/or witnesses over all other preregistered parties.

COMMUNICATIONS MEDIA TECHNOLOGY – WEBEX:

Members of the public may also participate in the meeting through electronic means and may access as follows:

1. Join the Webex meeting from your computer, tablet or smartphone at the following link:
<https://cityofwestlake.my.webex.com/>

Meeting ID: 2632 888 9851

Password: hello

2. Participants may also dial in using your phone with any of the following number(s):

United States Toll: +1-408-418-9388

Meeting ID: 2632 888 9851

For participants attending the meeting via WebEx, public comments will be accepted via an electronic comment card, at least 24 hours prior to the public meeting and also acknowledged during the meeting when participants utilize the “raise your hand” feature during the designated time.

Procedures for Public Comment are also provided via the City website:

<https://www.westlakegov.com/cityclerk/page/covid-19-public-meetings>

CITY COUNCIL:

Roger Manning, Mayor

JohnPaul O’Connor, Vice Mayor

Pilar Valle Ron, Council Member – Seat 1

Kara Crump, Council Member – Seat 2

Katrina Long Robinson, Council Member – Seat 4

CITY STAFF:

Ken Cassel, City Manager

Zoie P. Burgess, City Clerk

Donald J. Doody, Esq., Interim City Attorney

Nilsa Zacarias, Planning and Zoning Director

Suzanne Dombrowski, City Engineer

[TENTATIVE: SUBJECT TO REVISION]

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

PUBLIC COMMENTS AND REQUESTS- (OPEN FORUM NON-AGENDA ITEMS)

This section of the agenda allows for comments from the public to speak. Each speaker will be given a total of three (3) minutes to comment. A public comment card should be completed and returned to the City Clerk. When you are called to speak, please go to the podium or unmute your device, and prior to addressing Council, state your name and address for the record.

CONSENT AGENDA

This section of the agenda consists of routine or administrative items that require final approval by the City Council and may be approved in its entirety by a single motion. There will be no discussion of these items unless a City Council Member requests such, in which event, the item will be removed from the Consent Agenda and considered on a future agenda.

- [A.](#) Financial Report - December 2021
- [B.](#) Minutes - Regular City Council Meeting - October 11, 2021 - DRAFT

PRESENTATIONS/PROCLAMATIONS

PUBLIC HEARING

- [A.](#) A Resolution for the Final Plat of Cresswind Palm Beach Phase 5
Submitted By: Engineering

RESOLUTION 2022-01

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR CRESSWIND PALM BEACH PHASE 5, BEING A PORTION OF SECTIONS 6 AND 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR AN EFFECTIVE DATE.

- [B.](#) A Resolution for the Plat Town Center Parkway – Phase III and River Bend
Submitted By: Engineering

RESOLUTION 2022-02

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE PLAT TOWN CENTER PARKWAY – PHASE III AND RIVER BEND, BEING A PORTION OF SECTIONS 5, 6, AND 8, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR AN EFFECTIVE DATE.

C. Ordinance: Vacancy in Candidacy

Submitted By: Interim City Attorney's Office

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING CHAPTER ____ OF THE CITY'S CODE OF ORDINANCES ENTITLED "____"; CREATING SECTION _____, TO BE ENTITLED "VACANCY IN CANDIDACY;" ESTABLISHING PROCEDURES, PURSUANT TO SECTION 166.031, F.S., TO FILL A VACANCY IN CANDIDACY CAUSED BY THE DEATH, WITHDRAWAL OR REMOVAL FROM THE BALLOT OF A QUALIFIED CANDIDATE FOLLOWING THE END OF THE QUALIFYING PERIOD WHICH LEAVES FEWER THAN TWO CANDIDATES REMAINING TO FILL A POSITION ON THE CITY COUNCIL; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

D. Amendment to Comprehensive Development Plan - Private Property Rights Elements (First Reading)

Submitted By: Planning & Zoning

ORDINANCE 2022-01

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ADOPTING AN AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN SECTION 163.3184, FLORIDA STATUTES, TO ADD AND ADOPT A PRIVATE PROPERTY RIGHTS ELEMENTS, PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE.

CITY COUNCIL COMMENTS

- A. Councilwoman Katrina Long Robinson
- B. Councilwoman Kara Crump
- C. Councilwoman Valle Ron
- D. Vice Mayor JohnPaul O'Connor
- E. Mayor Roger Manning

REPORT - STAFF

REPORT - CITY ATTORNEY

REPORT - CITY MANAGER

PUBLIC COMMENTS - AGENDA ITEMS ONLY

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ADJOURNMENT

Next Meeting (Subject to Change or be Cancelled): **March 14, 2022**

NOTICE: If a person, firm or corporation decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, you will need a record of the proceedings, and you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (The above notice is required by State Law. Anyone desiring a verbatim transcript shall have the responsibility, at his own cost, to arrange for the transcript). The City of Westlake does not prepare or provide such verbatim record.

In accordance with the Americans with Disabilities Act, persons who need an accommodation in order to attend or participate in this meeting should contact the City Clerk at (561) 530-5880 at least three (3) business days prior to the meeting in order to request such assistance.

AGENDA POSTED: February 7, 2022

File Attachments for Item:

A. Financial Report - December 2021



MEMORANDUM

TO: Members of the City Council, City of Westlake
FROM: Steven Fowler, Accountant
CC: Ken Cassel, City Manager
DATE: January 25, 2022
SUBJECT: December Financial Report

Please find attached the December 2021 financial report. During your review, please keep in mind that the goal is for revenue to meet or exceed the year-to-date budget and for expenditures to be at or below the year-to-date budget. An overview of the City's funds is provided below. Should you have any questions or require additional information, please contact me at Steven.Fowler@inframark.com.

General Fund

- Total Revenues through December were approximately 48% of the annual budget, including collections of the FY2022 Ad Valorem Tax of approximately 75%. The annual budget includes revenue from a funding agreement with the Developer. The Developer is invoiced quarterly for any year-to-date excess of actual expenditures over actual revenue.
- Total Expenditures through December were approximately 19% of the annual budget.

Special Revenue Fund – Housing Assistance Program

- Total Revenues through December were approximately 98% of the annual budget, which is a result of a higher than anticipated rate of residential construction. A donation of \$1,500 per Single Family Residence building permit is paid into the Housing Assistance Program.

Special Revenue Fund – Comprehensive Planning Services

- Total Revenues through December were approximately 26% of the annual budget.
- Total Expenditures through December were approximately 24% of the annual budget.

City of Westlake

Financial Report

December 31, 2021



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City of Westlake

Financial Statements

December 31, 2021

Balance Sheet
December 31, 2021

ACCOUNT DESCRIPTION	GENERAL FUND	SPECIAL REVENUE FUND - HOUSING ASSISTANCE PROGRAM	SPECIAL REVENUE FUND - COMPREHENSIVE PLANNING SVCS	TOTAL
<u>ASSETS</u>				
Current Assets				
Cash - Checking Account	\$ 3,349,768	\$ -	\$ -	\$ 3,349,768
Assessments Receivable	46,617	-	-	46,617
Due From Other Gov'tl Units	1,053	-	-	1,053
Due From Other Funds	-	-	1,953,773	1,953,773
Investments:				
Money Market Account	690,419	2,341,928	-	3,032,347
Deposits	641	-	-	641
Total Current Assets	4,088,498	2,341,928	1,953,773	8,384,199
Noncurrent Assets				
Mortgages Receivable	-	505,722	-	505,722
Total Noncurrent Assets	-	505,722	-	505,722
TOTAL ASSETS	\$ 4,088,498	\$ 2,847,650	\$ 1,953,773	\$ 8,889,921

Balance Sheet
December 31, 2021

ACCOUNT DESCRIPTION	GENERAL FUND	SPECIAL REVENUE FUND - HOUSING ASSISTANCE PROGRAM	SPECIAL REVENUE FUND - COMPREHENSIVE PLANNING SVCS	TOTAL
<u>LIABILITIES</u>				
Accounts Payable	\$ 71,119	\$ -	\$ 109,157	\$ 180,276
Accrued Expenses	-	-	46,693	46,693
DBPR surcharge	5,014	-	-	5,014
DCA surcharge	7,358	-	-	7,358
Impact Fees	228,940	-	-	228,940
Unearned Revenue	141,171	-	-	141,171
Due To Other Districts	5,577	-	-	5,577
Accrued Taxes Payable	2,726	-	-	2,726
Deferred Revenue-Developer Submittals (Minto)	-	-	87,421	87,421
Due To Other Funds	1,953,773	-	-	1,953,773
TOTAL LIABILITIES	2,415,678	-	243,271	2,658,949
<u>FUND BALANCES</u>				
Nonspendable:				
Deposits	641	-	-	641
Restricted for:				
Special Revenue	-	2,847,650	1,710,502	4,558,152
Unassigned:	1,672,179	-	-	1,672,179
TOTAL FUND BALANCES	\$ 1,672,820	\$ 2,847,650	\$ 1,710,502	\$ 6,230,972
TOTAL LIABILITIES & FUND BALANCE	\$ 4,088,498	\$ 2,847,650	\$ 1,953,773	\$ 8,889,921

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending December 31, 2021

<u>ACCOUNT DESCRIPTION</u>	<u>ANNUAL ADOPTED BUDGET</u>	<u>YEAR TO DATE BUDGET</u>	<u>YEAR TO DATE ACTUAL</u>	<u>VARIANCE (\$) FAV(UNFAV)</u>
<u>REVENUES</u>				
Interest - Investments	\$ -	\$ -	\$ 345	\$ 345
Ad Valorem Taxes	1,838,592	1,502,529	1,387,938	(114,591)
Ad Valorem Taxes - Discounts	(73,544)	(61,903)	(55,525)	6,378
Discretionary Sales Surtaxes	69,700	17,425	-	(17,425)
FPL Franchise	110,300	27,575	49,778	22,203
Solid Waste	-	-	3,031	3,031
Electricity	113,600	28,400	33,855	5,455
Water	41,500	10,375	1	(10,374)
Gas	34,600	8,650	6,778	(1,872)
Communication Services Taxes	36,200	9,050	8,657	(393)
Occupational Licenses	6,100	1,525	655	(870)
Building Permits	-	-	1,825	1,825
Building Permits - Admin Fee	62,100	15,525	28,008	12,483
Licenses, Fees & Permits	-	-	600	600
State Revenue Sharing Proceeds	17,200	4,300	4,212	(88)
Administrative Fees	245,400	61,350	49,432	(11,918)
Other Public Safety Chrgs/Fees	2,400	600	1,013	413
Garbage/Solid Waste Revenue	29,100	7,275	42,714	35,439
Penalties	-	-	9,000	9,000
Other Operating Revenues	5,400	1,350	4,249	2,899
Judgements and Fines	-	-	52	52
Special Assmnts- Tax Collector	232,600	204,155	199,331	(4,824)
Special Assmnts- Discounts	(9,300)	(8,407)	(1,025)	7,382
Developer Contribution	930,152	-	-	-
Lien Search Fee	1,300	325	2,470	2,145
TOTAL REVENUES	3,693,400	1,830,099	1,777,394	(52,705)
<u>EXPENDITURES</u>				
<u>Legislative</u>				
Mayor/Council Stipend	110,400	27,600	45,800	(18,200)
FICA Taxes	8,400	2,100	3,504	(1,404)
ProfServ-Legislative Expense	24,000	6,000	-	6,000
Public Officials Insurance	4,400	4,400	3,125	1,275
Misc-Election Fee	-	-	600	(600)
Misc-Event Expense	63,800	31,900	654	31,246
Council Expenses	15,000	3,750	3,661	89
Dues, Licenses, Subscriptions	1,400	1,050	896	154
Total Legislative	227,400	76,800	58,240	18,560
<u>City Manager</u>				
Contracts-City Manager	251,900	62,975	62,975	-
Office Supplies	14,900	3,725	1,002	2,723
Dues, Licenses, Subscriptions	3,900	1,750	1,519	231
Cap Outlay - Equipment	-	-	1,855	(1,855)
Total City Manager	270,700	68,450	67,351	1,099

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending December 31, 2021

<u>ACCOUNT DESCRIPTION</u>	<u>ANNUAL ADOPTED BUDGET</u>	<u>YEAR TO DATE BUDGET</u>	<u>YEAR TO DATE ACTUAL</u>	<u>VARIANCE (\$) FAV(UNFAV)</u>
<u>City Clerk</u>				
ProfServ-Web Site Maintenance	10,600	3,250	3,250	-
Contracts-City Clerk	206,000	51,500	51,500	-
Postage and Freight	1,000	250	197	53
Printing	19,400	4,850	11	4,839
Legal Advertising	31,200	7,800	5,522	2,278
Dues, Licenses, Subscriptions	10,000	1,256	1,182	74
Total City Clerk	278,200	68,906	61,662	7,244
<u>Finance</u>				
Auditing Services	5,300	-	-	-
Contracts-Finance	95,500	23,875	23,875	-
Total Finance	100,800	23,875	23,875	-
<u>Legal Counsel</u>				
ProfServ-Legal Services	275,000	68,750	35,375	33,375
Total Legal Counsel	275,000	68,750	35,375	33,375
<u>Other Administrative Services</u>				
ProfServ-Info Technology	195,100	48,775	39,115	9,660
ProfServ-Compliance Service	25,000	6,250	-	6,250
Contracts-Admin. Service	257,000	64,250	64,250	-
Misc-Public Relations	75,000	18,750	16,600	2,150
Misc-Assessment Collection Cost	2,300	2,019	2,637	(618)
General Government	90,000	22,500	11,624	10,876
Emergency Comm. Program	25,000	6,250	-	6,250
Total Other Administrative Services	669,400	168,794	134,226	34,568
<u>Facility Services</u>				
Telephone, Cable & Internet Service	13,200	3,300	3,868	(568)
Lease - Copier	16,000	4,000	3,470	530
Lease - Building	86,700	21,675	500	21,175
Insurance (Liab,Auto,Property)	4,500	4,500	5,745	(1,245)
Miscellaneous Services	1,200	300	574	(274)
Cleaning Services	36,500	9,125	9,644	(519)
Principal-Capital Lease	8,500	2,039	2,039	-
Interest-Capital Lease	1,700	514	514	-
Total Facility Services	168,300	45,453	26,354	19,099
<u>Community Services</u>				
Contracts-Solid Waste	248,600	62,150	95,061	(32,911)
Contracts-Sheriff	656,500	164,125	162,500	1,625
Electricity	98,600	24,650	23,900	750
R&M-Community Maintenance	27,500	6,875	6,875	-
Operating Supplies	6,100	1,525	-	1,525
Total Community Services	1,037,300	259,325	288,336	(29,011)

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending December 31, 2021

<u>ACCOUNT DESCRIPTION</u>	<u>ANNUAL ADOPTED BUDGET</u>	<u>YEAR TO DATE BUDGET</u>	<u>YEAR TO DATE ACTUAL</u>	<u>VARIANCE (\$) FAV(UNFAV)</u>
<u>Capital Expenditures & Projects</u>				
Capital Improvements	50,000	30,000	-	30,000
Total Capital Expenditures & Projects	50,000	30,000	-	30,000
<u>Other Fees and Charges</u>				
Misc-Contingency	151,400	37,850	1,052	36,798
Total Other Fees and Charges	151,400	37,850	1,052	36,798
<u>Reserves</u>				
1st Quarter Operating Reserves	264,900	66,225	-	66,225
Reserve - Buildings	200,000	50,000	-	50,000
Total Reserves	464,900	116,225	-	116,225
TOTAL EXPENDITURES & RESERVES	3,693,400	964,428	696,471	267,957
Excess (deficiency) of revenues				
Over (under) expenditures	-	865,671	1,080,923	215,252
Net change in fund balance	\$ -	\$ 865,671	\$ 1,080,923	\$ 215,252
FUND BALANCE, BEGINNING (OCT 1, 2021)	591,897	591,897	591,897	
FUND BALANCE, ENDING	\$ 591,897	\$ 1,457,568	\$ 1,672,820	

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending December 31, 2021

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
<u>REVENUES</u>				
Interest - Investments	\$ 3,800	\$ 950	\$ 838	\$ (112)
Donations	300,000	75,000	297,500	222,500
TOTAL REVENUES	303,800	75,950	298,338	222,388
<u>EXPENDITURES</u>				
<u>Public Assistance</u>				
Misc-Admin Fee (%)	21,000	5,250	-	5,250
Assistance Program	282,800	70,700	-	70,700
Total Public Assistance	303,800	75,950	-	75,950
TOTAL EXPENDITURES	303,800	75,950	-	75,950
Excess (deficiency) of revenues				
Over (under) expenditures	-	-	298,338	298,338
Net change in fund balance	\$ -	\$ -	\$ 298,338	\$ 298,338
FUND BALANCE, BEGINNING (OCT 1, 2021)	2,549,312	2,549,312	2,549,312	
FUND BALANCE, ENDING	\$ 2,549,312	\$ 2,549,312	\$ 2,847,650	

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending December 31, 2021

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
REVENUES				
Building Permits	\$ 1,561,100	\$ 390,275	\$ 578,154	\$ 187,879
Reinspection Fees	24,600	6,150	2,550	(3,600)
Building Permits - Surcharge	3,500	875	1,164	289
Other Building Permit Fees	30,000	7,500	11,750	4,250
Building Permits - Admin Fee	87,900	21,975	11,638	(10,337)
Engineering Permits	374,600	93,650	19,000	(74,650)
Planning & Zoning Permits	301,700	75,425	13,105	(62,320)
Developer Contribution	25,000	6,250	-	(6,250)
TOTAL REVENUES	2,408,400	602,100	637,361	35,261
EXPENDITURES				
Comprehensive Planning				
ProfServ-Engineering	352,600	88,150	66,030	22,120
ProfServ-Info Technology	170,900	42,725	13,923	28,802
ProfServ-Legal Services	-	-	21,128	(21,128)
ProfServ-Planning/Zoning Board	301,700	75,425	70,433	4,992
ProfServ-Consultants	22,000	5,500	10,486	(4,986)
ProfServ-Building Permits	1,258,200	314,550	364,177	(49,627)
Outside Legal Services	-	-	875	(875)
Telephone, Cable & Internet Service	1,100	275	1,225	(950)
Lease - Copier	5,100	1,275	1,267	8
Lease - Building	43,400	10,850	-	10,850
Printing	1,800	450	-	450
Miscellaneous Services	-	-	633	(633)
Misc-Admin Fee (%)	224,400	56,100	28,304	27,796
Office Supplies	2,200	550	-	550
Capital Improvements	25,000	15,000	-	15,000
Total Comprehensive Planning	2,408,400	610,850	578,481	32,369
TOTAL EXPENDITURES	2,408,400	610,850	578,481	32,369
Excess (deficiency) of revenues				
Over (under) expenditures	-	(8,750)	58,880	67,630
Net change in fund balance	\$ -	\$ (8,750)	\$ 58,880	\$ 67,630
FUND BALANCE, BEGINNING (OCT 1, 2021)	1,651,622	1,651,623	1,651,622	
FUND BALANCE, ENDING	\$ 1,651,622	\$ 1,642,873	\$ 1,710,502	

City of Westlake

Supporting Schedules

December 31, 2021

Cash and Investment Report

December 31, 2021

GENERAL FUND

<u>Account Name</u>	<u>Bank Name</u>	<u>Investment Type</u>	<u>Yield</u>	<u>Balance</u>
Checking Account - Operating	BankUnited	Checking Account	n/a	\$3,349,768
Money Market	BankUnited	MMA	0.15%	\$690,419
			Subtotal	\$4,040,187

SPECIAL REVENUE FUND

Money Market	BankUnited	MMA	0.15%	\$2,341,928
			Subtotal	\$2,341,928
			Total	\$6,382,115

File Attachments for Item:

B. Minutes - Regular City Council Meeting - October 11, 2021 - DRAFT

CITY OF WESTLAKE



MINUTES - DRAFT

City Council Regular Meeting

Monday, October 11, 2021, at 6:30 PM

Westlake Council Chambers,
4005 Seminole Pratt Whitney Road
Westlake, Florida 33470

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CITY COUNCIL:

Roger Manning, Mayor

JohnPaul O’Connor, Vice Mayor

Patric Paul, Council Member – Seat 1

Kara Crump, Council Member – Seat 2

Katrina Long Robinson, Council Member – Seat 4

CITY STAFF:

Ken Cassel, City Manager

Zoie P. Burgess, City Clerk

Donald J. Doody, Esq., City Attorney

Nilsa Zacarias, Planning & Zoning Director

Suzanne Dombrowski, Engineering Director

A regular meeting of the City Council of the City of Westlake was held on Monday, October 11, 2021, at 6:30 PM., at the Westlake Community Center, 4005 Seminole Pratt Whitney Road.

As a preliminary matter, Ms. Burgess noted that Mayor Roger Manning, Vice Mayor JohnPaul O'Connor, and Councilwoman Kara Crump were present physically constituting a quorum. Councilwoman Katrina Long-Robinson was present via electronic media technology-WebEx and confirmed her ability to participate. Councilman Patric Paul was absent.

Ms. Burgess provided further instruction regarding public comments, noting that comments will be acknowledged by the mayor and accepted at the appropriate times as indicated in the agenda and those who wish to speak may use the "virtual" hand raise feature.

Ms. Burgess provided the disclaimer that the meeting is being recorded by both voice and video, reminding the audience microphones are live.

Ms. Burgess further explained that microphones will be muted; audience members can unmute themselves and anyone that has called in should mute their device.

Ms. Burgess noted that anyone causing a disruption or being inappropriate will be removed from the meeting. Ms. Burgess reminded Council Members physically present to utilize microphones.

CALL TO ORDER

Mayor Manning called the City of Westlake Regular City Council meeting of October 11, 2021, to order at 7:00 PM.

ROLL CALL

Councilwoman Katrina Long-Robinson - Electronic Media Technology
Councilwoman Kara Crump
Councilman Patric Paul - Absent
Vice Mayor JohnPaul O'Connor
Mayor Roger Manning

Also, present:

Kenneth Cassel, City Manager
Donald J. Doody, Interim City Attorney
Zoie P. Burgess, CMC, City Clerk
Nilsa Zacarias, Planning & Zoning Director
Suzanne Dombrowski, Engineering Director

PLEDGE OF ALLEGIANCE

Mayor Manning led the Pledge of Allegiance.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Mayor Manning called for any additions, deletions, or modifications to the agenda. Mayor Manning noted one item that needs to be added under new business regarding the incorporation of Indian Trails Improvement District.

Motion by Councilwoman Crump to amend agenda, seconded by Vice Mayor O'Connor.

UPON ROLL CALL:

Councilwoman Crump	YES
Vice Mayor O'Connor	YES
Mayor Manning	YES

With all in favor, motion carried without dissent (3-0).

Motion by Councilwoman Crump to approve the agenda as amended, seconded by Vice Mayor O'Connor.

UPON ROLL CALL:

Councilwoman Crump	YES
Vice Mayor O'Connor	YES
Mayor Manning	YES

With all in favor, motion carried without dissent (3-0).

PUBLIC COMMENTS AND REQUESTS- (OPEN FORUM NON-AGENDA ITEMS)

This section of the agenda allows for comments from the public to speak on any item not presented on the agenda. Each speaker will be given a total of three (3) minutes to comment. A public comment card should be completed and returned to the City Clerk. When you are called to speak, please go to the podium, and prior to addressing the Council, state your name and address for the record.

Mayor Manning inquired of any public comments.

Ms. Burgess noted there were no public comment cards received prior to the meeting. Ms. Burgess gave the virtual participants a moment to raise a virtual hand or unmute their devices and provided a reminder to state name and address.

There being no further comments, the next item followed.

CONSENT AGENDA

This section of the agenda consists of routine or administrative items that require final approval by the City Council and may be approved in its entirety by a single motion. There will be no discussion of these items unless a City Council Member requests such, in which event, the item will be removed from the Consent Agenda and considered on a future agenda.

Mayor Manning introduced the Consent Agenda.

A. Approval of Finance Statement

1. Financial Report - August 2021

Motion by Vice Mayor O'Connor to approve Consent Agenda, seconded by Councilwoman Crump.

UPON ROLL CALL:

Vice Mayor O'Connor	YES
Mayor Manning	YES
Councilwoman Crump	YES

With all in favor, motion carried without dissent (3-0).

PRESENTATIONS/PROCLAMATIONS

- A. Proclamation - National Breast Cancer Awareness Month - October 2021

Sponsored By: Councilwoman Long-Robinson

Mayor Manning read proclamation into record. Mr. Cassel further explained that Seminole Improvement District will be lighting the city up pink in recognition. Councilwoman Long-Robinson thanked staff.

PUBLIC HEARING - QUASI JUDICIAL

- A. Approval for the Grove Market Site Plan

Submitted By: Planning & Zoning

Mr. Doody swore in participants participating in this item.

Ms. Zacarias presented PowerPoint Presentation for the Grove Market at Westlake Site Plan Modification SPM-2021-08 noting the following requested modifications:

1. Adding 22 Low Speed Electric Vehicle (LSEV) / golf cart parking spaces and 12 motorcycle or compact car spaces.
2. Identifying and addressing accessibility issues as to slopes and dimensional requirements for accessible parking spaces, curb ramps and other vertical accessibility issues.
3. Showing the changes approved through the Winn Dixie application for façade improvements for additional square footage in the front of the principal use.
4. Updating the square footage of the existing buildings based upon survey information from the as-built conditions which has reduced the square footage by about 1,043 square feet.
5. Improving dumpster enclosures.
6. Updating the existing walkway with a Winn-Dixie complementary color of 'Pewter'

Ms. Zacarias further identified the Landscaping Plan upgrades:

1. Adding vegetation to the base of the new signs
2. Addressing missing shrubs and groundcover within existing buffers and planting areas
3. Remove most of the trees in the median and some end islands for the main angled parking to allow functional site lighting and provide safer circulation.
4. Adding trees to enhance the shopping plazas look and new refurbishment.

In conclusion, Ms. Zacarias noted that the Application was reviewed by City of Westlake staff (Planning and Zoning, Landscaping and Engineering) and Seminole Improvement District (SID). Planning and Zoning and Engineering Departments recommends the following **two (2) conditions of approval**:

1. The abandoned left turn lane into Seminole Pratt Whitney Road should be either striped or curbed and absorbed into the adjacent landscape island by expanding the landscape island and effective funneling traffic into one lane, right turn only.
2. The drive aisles within the affected area of the parking lot containing 60-degree parking shall be maintained at a minimum width of 15'. There is one (1) noted location that is less than 15'. It appears that the northern most curb line in this area can be adjusted to accommodate the 15' minimum.

Ms. Emily O'Mahoney with Gentile Holloway & O'Mahoney presented a Power Point Presentation on behalf of the applicant further explaining the expected site plan modifications.

Applicant and staff provided further clarification of the outparcels and confirming that those will come back before Council.

Mayor Manning called for any Council comments, there being none, Mayor Manning called for public comment.

Ms. Burgess noted that there were no public comment cards received but gave the virtual audience a moment to comment.

Ms. Alicia Torres – 5847 Whippoorwill Circle – Has concerns regarding the out parcel regarding traffic and inquired what the zoning is for that area, if it is fast food and if there is a plan for the traffic.

Ms. O'Mahoney explained that it is identified as an office and anything else would need to come before council for approval.

Mayor Manning closed the Public Hearing and called on Council for comments. Vice Mayor O'Connor inquired of the electric vehicle parking. Ms. Dombrowski noted that the application came in prior to the newly adopted code for parking. Mr. Mike Narula for the applicant explained that they do have plans for Electric Vehicle and are in discussions with Tesla.

Mayor Manning called for any additional questions or comments from Council. There being none, the Mayor called for a motion.

Motion by Vice Mayor O'Connor to approve with staff's suggested conditions, seconded by Councilwoman Crump.

UPON ROLL CALL:

Vice Mayor O'Connor	YES
Mayor Manning	YES
Councilwoman Crump	YES

With all in favor, motion carried without dissent (3-0).

PUBLIC HEARING

A. FIRST READING - Chapter 24, Art in Public Places

Submitted By: Planning & Zoning

ORDINANCE 2021-08

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING CHAPTER 24 OF THE CITY'S CODE OF ORDINANCES ENTITLED "ART IN PUBLIC PLACES"; PROVIDING FOR DEFINITIONS; PROVIDING FOR EXEMPTION FOR RESIDENTIAL DEVELOPMENT AND TEMPORARY STRUCTURES; PROVIDING FOR THE APPOINTMENT BY CITY COUNCIL TO THE PUBLIC PLACES ADVISORY BOARD; PROVIDING FOR THE REPAIR OR REPLACEMENT FOR DAMAGED OR DESTROYED ARTWORK; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Mr. Doody read Ordinance 2021-08, by title only, into the record.

Given the previous review at the Local Planning Agency, Council accepted staff's report and recommendation.

Mayor Manning called for public comment.

Ms. Ladi Goldwire – 15972 Whippoorwill Circle – She is happy that the city is taking this under consideration as she believes the city has been ahead despite being very new and in comparison to other new cities. She noted the previous comments made regarding the requirement of a degree and further explained that art is representative of freedoms, it's a creative space and very few people who

are engaged in art aren't tied to the four corners of a box associated with degrees and additional study and feels it would be limiting to have the predominant of this board made up of individuals that have degrees. Individuals that are diverse and well-traveled should be sufficient. Should there be a need for experts on a subject matter than maybe consider the need for 3 of the 4 to have such. Considering the greats such as Picasso and Van Gogh did not have such degrees and the result was positive. She is glad to see such a language change.

Ms. Alicia Torres – 5847 Whippoorwill Circle – She explained that she would like to see as many students possible to observe the board, as it is experience that you cannot gain otherwise, especially as a new city and how it is building its Arts portfolio. Inquired of the funding and additional clarification for third party funding or donors and where the developer plays a part.

Ms. Nancy Bongiovani – 16016 Whippoorwill Circle Addressed the need for student participation on the board.

Ms. Zacarias noted section four of the Ordinance and further explained.

Mayor Manning closed the public hearing and called for any additional council comments, there being none, he called for a motion.

Motion by Councilwoman Crump to adopt Ordinance 2021-08 subject to change in verbiage, seconded by Vice Mayor O'Connor.

UPON ROLL CALL:

Mayor Manning	YES
Councilwoman Crump	YES
Vice Mayor O'Connor	YES

With all in favor, motion carried without dissent (3-0).

B. SECOND READING: Ordinance 2021-07 - Solid Waste and Recyclable Receptacles, Collection, and Storage Areas Minimum Requirements (First Reading September 13, 2021)

Submitted By: Planning & Zoning

ORDINANCE 2021-07

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING MINIMUM REQUIREMENTS FOR SOLID WASTE AND RECYCLABLE RECEPTACLE COLLECTION AND STORAGE AREAS, WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES ENTITLED "SOLID WASTE AND RECYCLABLE RECEPTACLES, COLLECTION, AND STORAGE AREAS"; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced item, noting the first reading of Ordinance was held September 13, 2021.

Mr. Doody read Ordinance 2021-07, by title only, into the record.

Mayor Manning noted there were no changes from the first reading and opened for public comment.

Ms. Burgess noted there were no previous comment cards received but gave the virtual audience a moment to speak; there being none, Mayor Manning called for a motion.

Motion by Councilwoman Crump to adopt Ordinance 2021-07, seconded by Vice Mayor O'Connor.

UPON ROLL CALL:

Councilwoman Crump	YES
Vice Mayor O'Connor	YES
Mayor Manning	YES

With all in favor, motion carried without dissent (3-0).

NEW BUSINESS

A. City Goals & Objectives Annual Workplan Update

Presented By: Bob Koncar, Inframark General Manager

Mr. Cassel provided Mr. Koncar's regrets and apologies as he was unable to present at meeting and will provide a full report and financial analysis at the next Council meeting.

Motion to table made by Vice Mayor O'Connor, seconded by Councilwoman Crump.

UPON ROLL CALL:

Vice Mayor O'Connor	YES
Mayor Manning	YES
Councilwoman Crump	YES

With all in favor, motion carried without dissent (3-0).

B. Consideration and action on annual engagement letter for auditing services with Berger, Toombs, Elam, Gaines, & Frank for the year ending September 30, 2021.

Submitted By: City Clerk's Office

Mr. Cassel explained that this item is the annual engagement letter and fees remain the same.

Motion to approve made by Vice Mayor O'Connor, seconded by Councilwoman Crump.

UPON ROLL CALL:

Mayor Manning	YES
Councilwoman Crump	YES
Vice Mayor O'Connor	YES

C. Memorandum of Understanding with Inframark

Submitted By: City Manager

Mr. Cassel explained this item is to identify an additional support staff individual to assist in the City Manager and City Clerk's offices.

Motion to approve made by Councilwoman Crump, seconded by Vice Mayor O'Connor.

UPON ROLL CALL:

Councilwoman Crump	YES
Vice Mayor O'Connor	YES
Mayor Manning	YES

D. 2021 Florida City Government Week - October 18 - 24

Submitted By: City Clerk's Office

RESOLUTION 2021-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, RECOGNIZING FLORIDA CITY GOVERNMENT WEEK, OCTOBER 18 TO 24, 2021 AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Doody read Resolution 2021-07, by title only, into the record.

Ms. Burgess further explained the resolution.

Motion to approve made by Councilwoman Crump, seconded by Vice Mayor O'Connor.

UPON ROLL CALL:

Mayor Manning	YES
Councilwoman Crump	YES
Vice Mayor O'Connor	YES

E. ADDED AGENDA ITEM: Indian Trail Improvement District

Mr. Cassel explained the request to add item and the request of council for direction regarding the need to take a stance at upcoming meeting to the adverse impact to the city because of the incorporation process. Mr. Cassel is seeking direction from council to be designated as the representative at an upcoming delegation meeting and express the views of Council.

Mayor Manning explained that it isn't a position we ultimately would like to take but it does impact the city.

Council consensus to oppose incorporation.

CITY COUNCIL COMMENTS

- A. Councilwoman Katrina Long Robinson – No Comment
- B. Councilwoman Kara Crump – No Comment
- C. Councilman Patric Paul - Absent
- D. Vice Mayor JohnPaul O'Connor – No Comment
- E. Mayor Roger Manning – No Comment

REPORT – STAFF

No Report

REPORT - CITY ATTORNEY

No Comment.

REPORT - CITY MANAGER

Mr. Cassel noted the upgrade of audio and video equipment to improve the hybrid meeting platform.

Mr. Cassel provided an update on the 4th of July celebration.

PUBLIC COMMENTS - AGENDA ITEMS ONLY

This section of the agenda allows for comments from the public to speak on items only presented on the agenda. Each speaker will be given a total of three (3) minutes to comment. A public comment card should be completed and returned to the City Clerk.

Ms. Burgess noted that there were no public comment cards received but gave the virtual audience a moment to comment.

Ms. Alicia Torres – 5847 Whippoorwill Circle – She feels everything is coming together, as the meetings have been efficient and effective and thanked Council for their work.

ADJOURNMENT

There being no further business, Mayor Manning adjourned the meeting at 8:24 PM.

Zoie P. Burgess, City Clerk

Roger Manning, Mayor

File Attachments for Item:

A. A Resolution for the Final Plat of Cresswind Palm Beach Phase 5

Submitted By: Engineering

RESOLUTION 2022-01

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR CRESSWIND PALM BEACH PHASE 5, BEING A PORTION OF SECTIONS 6 AND 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR AN EFFECTIVE DATE.



Meeting Agenda Item Coversheet

MEETING DATE:		February 14, 2022	Submitted By: Engineering	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>		A Resolution for the Final Plat of Cresswind Palm Beach Phase 5		
STAFF RECOMMENDATION: (MOTION READY)		Motion to Approve		
SUMMARY and/or JUSTIFICATION:		The City of Westlake has the exclusive jurisdiction to approve the plat pursuant to Florida Statutes, §177.071. The application has been reviewed and approved by a Professional Surveyor and Mapper for the City of Westlake, and said Surveyor and Mapper has found the application to be consistent with the requirement under Florida Statutes, Chapter 177. The plat includes 65.1492 acres of land. The plat has been reviewed and approved by the City Engineer, SID, and the City Attorney.		
SELECT, if applicable	AGREEMENT:		BUDGET:	
	STAFF REPORT:	X	PROCLAMATION:	
	EXHIBIT(S):	X	OTHER:	
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	Agenda Item Cover Sheet Staff Report Legal Description Plat Boundary Survey Resolution Approval Letter(s)			
SELECT, if applicable	RESOLUTION:	X	ORDINANCE:	
IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(if Item is <u>not</u> a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank)</i>	A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR CRESSWIND PALM BEACH PHASE 5, BEING A PORTION OF SECTIONS 6 AND 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR AN EFFECTIVE DATE.			
FISCAL IMPACT (if any):				\$

RESOLUTION 2022-01

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR CRESSWIND PALM BEACH PHASE 5, BEING A PORTION OF SECTIONS 6 AND 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, KH Westlake, LLC, a Florida Limited Liability Company, as the Owner has requested approval for the final plat for Cresswind Palm Beach Phase 5, being a portion of Sections 6 and 7, Township 43 South, Range 41 East, City of Westlake, Palm Beach County Florida, containing approximately 65.1492 acres as described in Exhibit "A", attached hereto; and

WHEREAS, the City of Westlake has the exclusive jurisdiction to approve the plat and boundary survey pursuant to Florida Statutes, §177.071; and

WHEREAS, the application has been reviewed and approved by a Professional Surveyor and Mapper for the City of Westlake, and said Surveyor and Mapper has found the application to be consistent with the requirements under Florida Statutes, Chapter 177; and

WHEREAS, the Building staff, Engineering staff and Planning staff for the City of Westlake have reviewed the application, the final plat, attached hereto as "Exhibit B", and the boundary survey, attached hereto as "Exhibit C", and the collective staff has recommended approval; and

WHEREAS, after careful review and consideration, the collective staff has determined that this application has complied with the City's Land Development Regulations and Florida law.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, THAT:

- Section 1: **INCORPORATION.** The above recitals are true and correct and are incorporated herein by this reference.
- Section 2: **CITY COUNCIL APPROVALS.** The City Council for the City of Westlake hereby approves the final plat, "Exhibit B" and boundary survey, "Exhibit C" for the Cresswind Palm Beach Phase 5, as described in the attached Exhibit "A", containing approximately 65.1492 acres, which is located in the City of Westlake, and in Palm Beach County, Florida.
- Section 3: **RECORDATION.** The applicant shall provide a certified copy of the recorded plat and the applicant shall cover the costs of recording the plat in the public records in and for Palm Beach County Florida.

Section 4: **SCRIVENER'S ERRORS.** This Resolution can be renumbered or re-lettered and typographical errors and clarification of ambiguous wording that do not affect the intent can be corrected with the authorization of the City Manager and City Attorney without the need for public hearing.

Section 5: **CONFLICTS:** All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 6: **SEVERABILITY:** If any clause, section, or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered eliminated and will in no way affect the validity of the other provisions of this Resolution.

Section 7: **EFFECTIVE DATE:** This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by City Council for the City of Westlake, on this ____ day of _____, 2022.

PUBLISHED on this ____ day of _____ in the Palm Beach Post.

City of Westlake
Roger Manning, Mayor

Zoie Burgess, City Clerk

Approved as to Form and Sufficiency
_____, City Attorney
(PRINT NAME)



CITY OF WESTLAKE
Engineering Department
4001 Seminole Pratt Whitney Road
Westlake, Florida 33470
Phone: (561) 530-5880
www.westlakegov.com

STAFF MEMORANDUM

DATE: 1/28/2022
PETITION NO.: ENG-2021-20
DESCRIPTION: Review of Plat for Cresswind Palm Beach Phase 5
APPLICANT: Cotleur and Hearing
OWNER: KH Westlake, LLC
REQUEST: Owner (KH Westlake, LLC) is requesting approval of the Plat for Cresswind Palm Beach Phase 5

Final Recommendation

The Office of the City Engineer has reviewed the documents associated with the application referenced above and recommends approval by the Council. Approval by the Seminole Improvement District's Engineering Department and Board of Supervisors is scheduled for February 7, 2022.

Discussion

Phase 5 of Pod P-1 (Cresswind of Palm Beach) will contain 199 dwelling units and 65.1492 acres of land. Pod P-1 is situated in the central portion of the TTD, east of Seminole Pratt Whitney Road, south of Town Center Parkway, and north of Persimmon Boulevard. Pod P-1 has a Residential 2 land use designation and R-2 TTD/TND zoning designation and is approved for 195.14 acres and 651 single family detached homes, as described in the Final Master Plan. The subject request is for Phase 5 only, and depicted in the graphics below.

Location Maps





POD P, PHASE 4 & 5

Pod P-1 is an active adult community and will include a variety of single-family products with three different lot sizes. Phase 5 of the development proposes 199, 40-foot, 50-foot, and 60-foot-wide lots with a depth of 135 feet. The community will have a net density of 4.47 dwelling units per acre. To enhance diversity and character of the community, varying lot sizes are interspersed with each other. The homes will front on a series of lakes and greenspaces. All drainage and water management systems will be owned and operated by SID. It is proposed that Pod P runoff be directed to on-site inlets and storm sewer and the connected to the Master Drainage System for water quality treatment and attenuation.

The Legal Description of the Plat can be found in Exhibit A. Replications of the plat and topographical survey can be found in Exhibits B and C.

Review Criteria

Plats shall be prepared in accordance with the provisions of Chapter 177 F.S., as amended, and the City of Westlake Land Development Regulations. The plat was reviewed for clarity, legibility, and conformance with this statute and City requirements. The plat provides a graphic depiction of the legal description through geometric data. The data includes but is not limited to parcel, block, tract, right-of-way, street and associated names, easement, permanent reference monuments and permanent control points, and interior excepted parcels. Other requirements such as paper size, line work, layout of sheet and required content including the subdivision name, title, legal description, key map, vicinity map, north arrow, scale, and legend are verified in the Engineering Department review.

Conclusion

Two (2) reviews of the plat occurred, which resulted in an acceptable plat. The review was done for compliance with Chapters 177, 5J-17, Florida Statutes, and the City of Westlake’s codes and ordinances. All comments have been adequately addressed and the plat is in compliance. We therefore recommend that the plat be approved for recording.

Exhibit 'A'
CRESSWIND PALM BEACH PHASE 5
LEGAL DESCRIPTION

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DESCRIPTION: Cresswind Palm Beach Phase 5

A PORTION OF SECTIONS 6 AND 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF TRACT O.S.T. 1, CRESSWIND PALM BEACH PHASE 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 132, PAGES 120 THROUGH 126 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID POINT BEING ON THE NORTH BOUNDARY LINE OF PERSIMMON BOULEVARD EAST - PLAT 3, AND THE EASTERLY EXTENSION THEREOF, AS RECORDED IN ROAD PLAT BOOK 12, PAGES 158 THROUGH 160 OF SAID PUBLIC RECORDS, THENCE ALONG SAID NORTH BOUNDARY LINE, THE FOLLOWING FIVE (5) COURSES AND DISTANCES: S75°14'29"E, A DISTANCE OF 103.22 FEET TO THE POINT OF CURVE TO THE LEFT, A RADIAL DISTANCE OF 1,399.00 FEET; THENCE EASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 07°22'38", A DISTANCE OF 180.13 FEET TO A POINT OF NON-TANGENCY; THENCE S70°59'35"E, A DISTANCE OF 50.31 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N05°22'42"E, A RADIAL DISTANCE OF 1,410.00 FEET; THENCE EASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 12°46'29", A DISTANCE OF 314.38 FEET; THENCE N82°36'13"E, A DISTANCE OF 1,459.69 FEET TO THE POINT OF CURVE TO THE RIGHT, A RADIAL DISTANCE OF 2,190.00 FEET; THENCE EASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 03°01'44", A DISTANCE OF 115.77 FEET TO A POINT OF NON-TANGENCY; THENCE N14°48'47"W, A DISTANCE OF 64.89 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N31°05'49"W, A RADIAL DISTANCE OF 518.00 FEET; THENCE NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 76°07'29", A DISTANCE OF 688.23 FEET; THENCE N17°13'19"W, A DISTANCE OF 276.23 FEET TO THE POINT OF CURVE TO THE RIGHT, A RADIAL DISTANCE OF 592.00 FEET; THENCE NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 18°14'47", A DISTANCE OF 188.53 FEET TO A POINT OF NON-TANGENCY; THENCE N02°57'09"E, A DISTANCE OF 203.52 FEET TO THE POINT BEING ON THE SOUTH BOUNDARY LINE OF CRESSWIND PALM BEACH PHASE 4, AS RECORDED IN PLAT BOOK ____, PAGES ____ THROUGH ____ OF SAID PUBLIC RECORDS, THENCE ALONG SAID SOUTH BOUNDARY LINE, THE FOLLOWING FOURTEEN (14) COURSES AND DISTANCES: N87°02'51"W, A DISTANCE OF 138.00 FEET; THENCE N72°52'20"W, A DISTANCE OF 57.76 FEET; THENCE N87°02'51"W, A DISTANCE OF 130.00 FEET; THENCE N87°47'15"W, A DISTANCE OF 30.08 FEET; THENCE N86°46'06"W, A DISTANCE OF 120.00 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N86°46'06"W, A RADIAL DISTANCE OF 670.00 FEET; THENCE NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 00°12'10", A DISTANCE OF 2.37 FEET; THENCE N03°01'44"E, A DISTANCE OF 55.78 FEET; THENCE N86°58'16"W, A DISTANCE OF 186.00 FEET; THENCE N03°01'44"E, A DISTANCE OF 25.02 FEET; THENCE N86°58'16"W, A DISTANCE OF 240.52 FEET; THENCE S09°58'31"W, A DISTANCE OF 70.38 FEET; THENCE N80°01'29"W, A DISTANCE OF 130.00 FEET; THENCE N69°30'20"W, A DISTANCE OF 57.03 FEET; THENCE N80°47'51"W, A DISTANCE OF 130.00 FEET TO A POINT ON THE EAST BOUNDARY LINE OF CRESSWIND PALM BEACH PHASE 2, AS RECORDED IN PLAT BOOK 130, PAGES 199 THROUGH 205 OF SAID PUBLIC RECORDS, THENCE ALONG SAID EAST BOUNDARY LINE, THE FOLLOWING TWO (2) COURSES AND DISTANCES: SAID POINT BEING ON THE CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES N80°47'51"W, A RADIAL DISTANCE OF 642.00 FEET; THENCE SOUTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 01°00'23", A DISTANCE OF 11.28 FEET TO A POINT OF NON-TANGENCY; THENCE S89°16'47"W, A DISTANCE OF 20.38 FEET TO THE POINT BEING ON THE EAST BOUNDARY LINE OF SAID CRESSWIND PALM BEACH PHASE 4; THENCE ALONG SAID EAST BOUNDARY LINE, THE FOLLOWING TWO (2) COURSES AND DISTANCES: SAID POINT BEING ON THE CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES N79°26'07"W, A RADIAL DISTANCE OF 622.00 FEET; THENCE SOUTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 05°42'54", A DISTANCE OF 62.04 FEET; THENCE S16°16'48"W, A DISTANCE OF 421.43 FEET TO THE POINT BEING ON THE SOUTH BOUNDARY LINE OF SAID PLAT; THENCE ALONG SAID SOUTH BOUNDARY LINE, THE FOLLOWING THREE (3) COURSES AND DISTANCES: N73°43'12"W, A DISTANCE OF 130.00 FEET; THENCE N68°52'46"W, A DISTANCE OF 56.20 FEET; THENCE N73°43'12"W, A DISTANCE OF 130.00 FEET TO THE POINT BEING ON THE EAST BOUNDARY LINE OF CRESSWIND PALM BEACH PHASE 3, AS RECORDED IN PLAT BOOK 132, PAGES 120 THROUGH 126 OF SAID PUBLIC RECORDS, THENCE ALONG SAID EAST BOUNDARY LINE, THE FOLLOWING SIXTEEN (16) COURSES AND DISTANCES: SAID POINT BEING ON THE CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES S73°24'03"E, A RADIAL DISTANCE OF 1,295.47 FEET; THENCE SOUTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 13°06'43", A DISTANCE OF 296.46 FEET; THENCE S10°53'13"W, A DISTANCE OF 56.01 FEET; THENCE S57°18'31"W, A

DISTANCE OF 35.62 FEET; THENCE N78°06'51"W, A DISTANCE OF 56.00 FEET; THENCE N33°06'51"W, A DISTANCE OF 35.36 FEET; THENCE N78°06'51"W, A DISTANCE OF 24.70 FEET TO THE POINT OF CURVE TO THE LEFT, A RADIAL DISTANCE OF 1,172.00 FEET; THENCE WESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 03°55'43", A DISTANCE OF 80.36 FEET TO A POINT OF NON-TANGENCY; THENCE S11°53'09"W, A DISTANCE OF 199.93 FEET TO THE POINT OF CURVE TO THE RIGHT, A RADIAL DISTANCE OF 742.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 22°44'41", A DISTANCE OF 294.55 FEET; THENCE S34°37'50"W, A DISTANCE OF 49.53 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES S25°04'33"W, A RADIAL DISTANCE OF 458.00 FEET; THENCE WESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 09°51'49", A DISTANCE OF 78.85 FEET; THENCE N74°47'16"W, A DISTANCE OF 56.57 FEET; THENCE S15°12'44"W, A DISTANCE OF 130.00 FEET; THENCE S74°47'16"E, A DISTANCE OF 50.00 FEET; THENCE S06°43'42"W, A DISTANCE OF 56.63 FEET; THENCE S15°35'19"W, A DISTANCE OF 241.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,837,901 SQUARE FEET/65.1492 ACRES, MORE OR LESS.

Exhibit 'B'
CRESSWIND PALM BEACH PHASE 5
PLAT

THIS PAGE WAS LEFT BLANK ON PURPOSE

CRESSWIND PALM BEACH PHASE 5

A PORTION OF SECTIONS 6 AND 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST,
CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA.

THIS INSTRUMENT PREPARED BY
DAVID P. LINDLEY
OF
CAULFIELD & WHEELER, INC.
SURVEYORS - ENGINEERS - PLANNERS
7900 GLADES ROAD, SUITE 100
BOCA RATON, FLORIDA 33434 - (561)392-1991
CERTIFICATE OF AUTHORIZATION NO. LB3591

SHEET 2 OF 7

MORTGAGEE'S JOINDER AND CONSENT:

STATE OF _____)
COUNTY OF _____)

THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS THE HOLDER OF A MORTGAGE, UPON THE PROPERTY DESCRIBED HEREON AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LAND DESCRIBED IN SAID DEDICATION BY THE OWNER THEREOF AND AGREES THAT ITS MORTGAGE WHICH IS RECORDED IN OFFICIAL RECORDS BOOK _____, AT PAGE _____ OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SHALL BE SUBORDINATED TO THE DEDICATION SHOWN HEREON.

IN WITNESS WHEREOF, THE SAID COMPANY HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS SENIOR VICE PRESIDENT THIS _____ DAY OF _____, 202__.

U.S. BANK NATIONAL ASSOCIATION
D/B/A HOUSING CAPITAL COMPANY

WITNESS: _____
PRINT NAME _____
WITNESS: _____
PRINT NAME _____

BY: _____
THOMAS G. WALKER
SENIOR VICE PRESIDENT

ACKNOWLEDGEMENT:

STATE OF _____)
COUNTY OF _____)

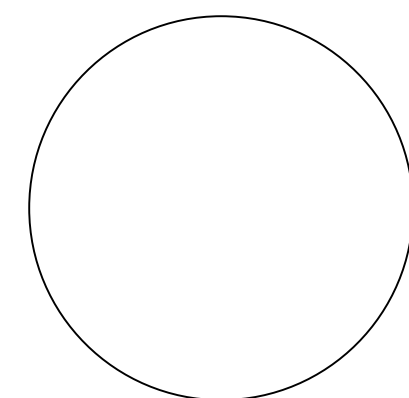
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF [] PHYSICAL PRESENCE OR [] ONLINE NOTARIZATION, THIS _____ DAY OF _____, 202__ BY THOMAS G. WALKER AS SENIOR VICE PRESIDENT OF U.S. BANK NATIONAL ASSOCIATION, D/B/A HOUSING CAPITAL COMPANY, ON BEHALF OF THE COMPANY, WHO IS [] PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 202__.

(SEAL)

NOTARY PUBLIC
PRINT NAME _____
MY COMMISSION EXPIRES: _____
COMMISSION NUMBER: _____

U.S. BANK NATIONAL ASSOCIATION



ACCEPTANCE OF DEDICATION:

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

CRESSWIND PALM BEACH HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION NOT FOR PROFIT, HEREBY ACCEPTS THE DEDICATIONS OR RESERVATIONS TO SAID ASSOCIATION AS STATED AND SHOWN HEREON, AND HEREBY ACCEPTS ITS MAINTENANCE OBLIGATIONS FOR SAME AS STATED HEREON, DATED THIS _____ DAY OF _____, 202__.

CRESSWIND PALM BEACH HOMEOWNERS ASSOCIATION, INC.
A FLORIDA CORPORATION NOT FOR PROFIT

WITNESS: _____
PRINT NAME _____
WITNESS: _____
PRINT NAME _____

BY: _____
VICTORIA IMOFF
PRESIDENT

ACKNOWLEDGEMENT:

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

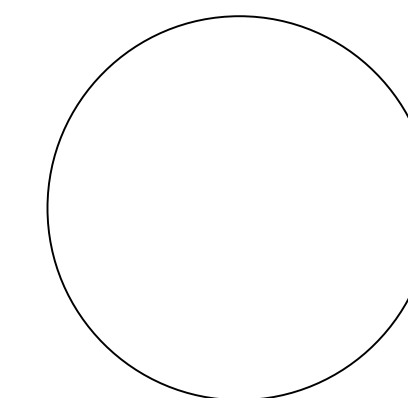
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF [] PHYSICAL PRESENCE OR [] ONLINE NOTARIZATION, THIS _____ DAY OF _____, 202__ BY VICTORIA IMOFF AS PRESIDENT OF CRESSWIND PALM BEACH HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION NOT FOR PROFIT, WHO IS [] PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 202__.

(SEAL)

NOTARY PUBLIC
PRINT NAME _____
MY COMMISSION EXPIRES: _____
COMMISSION NUMBER: _____

HOMEOWNERS
ASSOCIATION



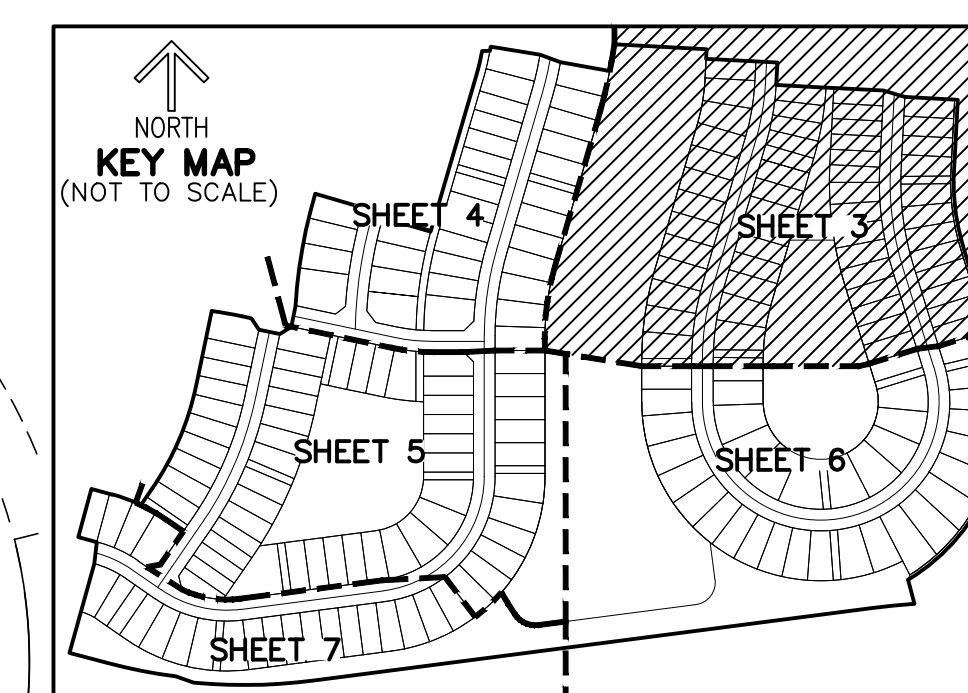
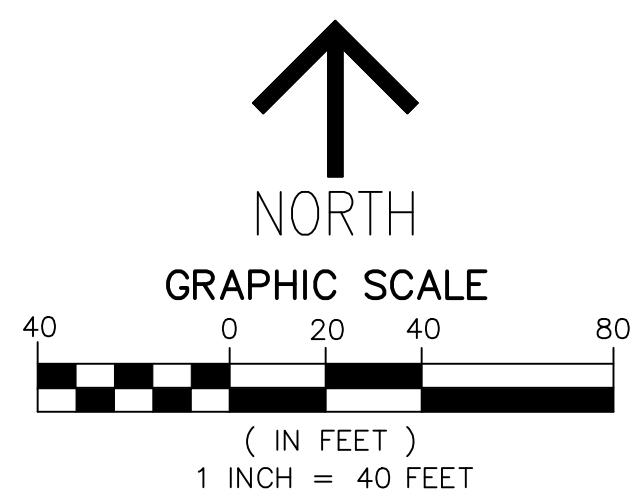
CRESSWIND PALM BEACH PHASE 5

A PORTION OF SECTIONS 6 AND 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST,
CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA.

THIS INSTRUMENT PREPARED BY
DAVID P. LINDLEY
OF
CAULFIELD & WHEELER, INC.
SURVEYORS - ENGINEERS - PLANNERS
7900 GLADES ROAD, SUITE 100
BOCA RATON, FLORIDA 33434 - (561)392-1991
CERTIFICATE OF AUTHORIZATION NO. LB3591

NOTES COORDINATES, BEARINGS AND DISTANCES

COORDINATES SHOWN ARE GRID
DATUM = NAD 83 (2007 ADJUSTMENT)
ZONE = FLORIDA EAST
LINEAR UNIT = US SURVEY FEET
COORDINATE SYSTEM 1983 STATE PLANE
TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND
SCALE FACTOR = 1.0000017
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
BEARINGS AS SHOWN HEREON ARE GRID DATUM,
NAD 83 (2007 ADJUSTMENT), FLORIDA EAST ZONE.



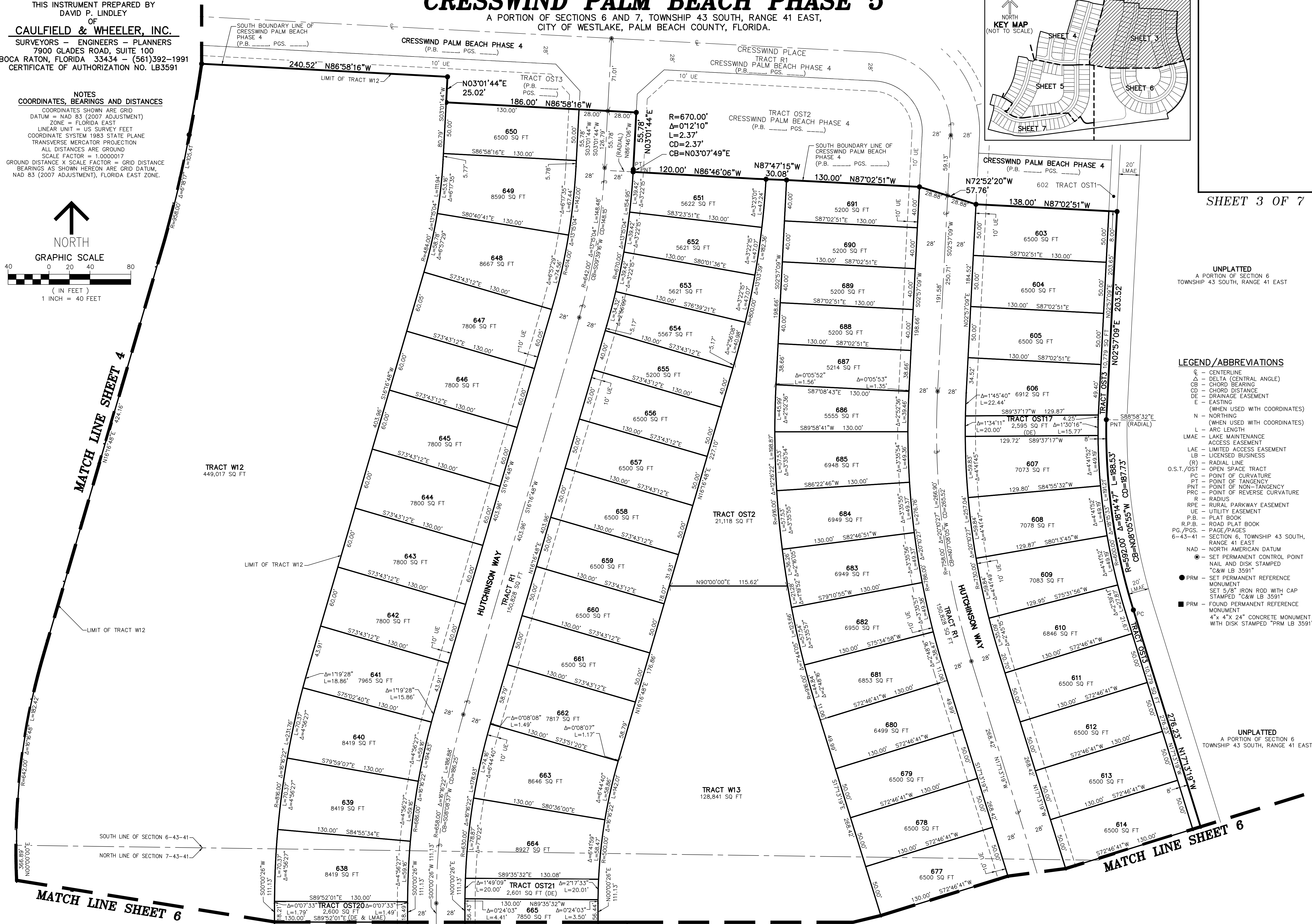
SHEET 3 OF 7

LEGEND/ABBREVIATIONS

- C/L - CENTERLINE
- CB - CHORD BEARING
- CD - CHORD DISTANCE
- DE - DRAINAGE EASEMENT
- E - EASTING
- N - NORTHING (WHEN USED WITH COORDINATES)
- N' - NORTHING (WHEN USED WITH COORDINATES)
- L - ARC LENGTH
- LMAE - LAKE MAINTENANCE ACCESS EASEMENT
- LAE - LIMITED ACCESS EASEMENT
- LB - LICENSED BUSINESS
- RL - RADIAL LINE
- OS/T - OPEN SPACE TRACT
- PC - POINT OF CURVATURE
- PT - POINT OF TANGENCY
- PNT - POINT OF NON-TANGENCY
- PRC - POINT OF REVERSE CURVATURE
- R - RADIUS
- RPE - RURAL PARKWAY EASEMENT
- UE - UTILITY EASEMENT
- P.B. - PLAT BOOK
- ROAD PLAT BOOK
- PG./PGS. - PAGE/PAGES
- 6-43-41 - SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST
- NAD - NORTH AMERICAN DATUM
- - SET PERMANENT CONTROL POINT NAIL AND DISK STAMPED "C&W LB 3591"
- - SET PERMANENT REFERENCE MONUMENT SET 5/8" IRON ROD WITH CAP STAMPED "C&W LB 3591"
- - FOUND PERMANENT REFERENCE MONUMENT 4" x 4" x 24" CONCRETE MONUMENT WITH DISK STAMPED "PRM LB 3591"

UNPLATTED
A PORTION OF SECTION 6
TOWNSHIP 43 SOUTH, RANGE 41 EAST

UNPLATTED
A PORTION OF SECTION 6
TOWNSHIP 43 SOUTH, RANGE 41 EAST



MATCH LINE SHEET 6

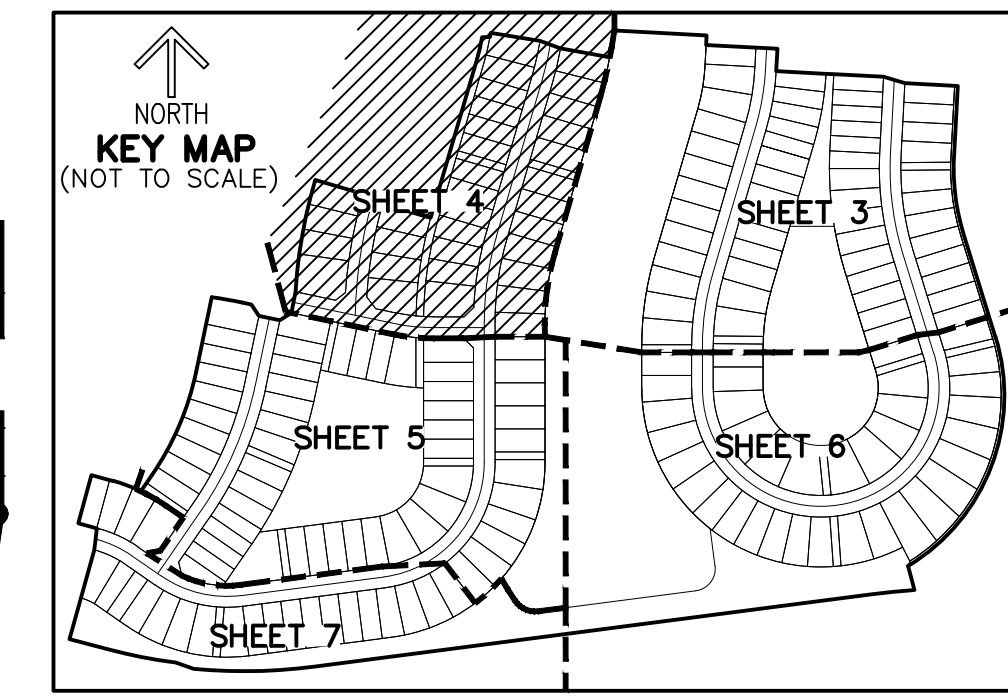
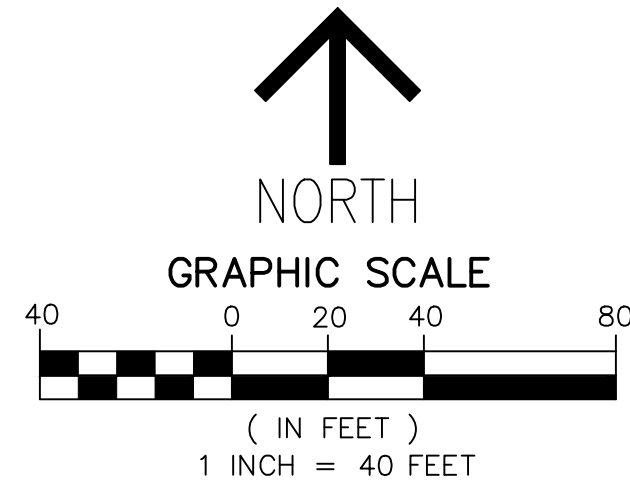
MATCH LINE SHEET 6

MATCH LINE SHEET 6

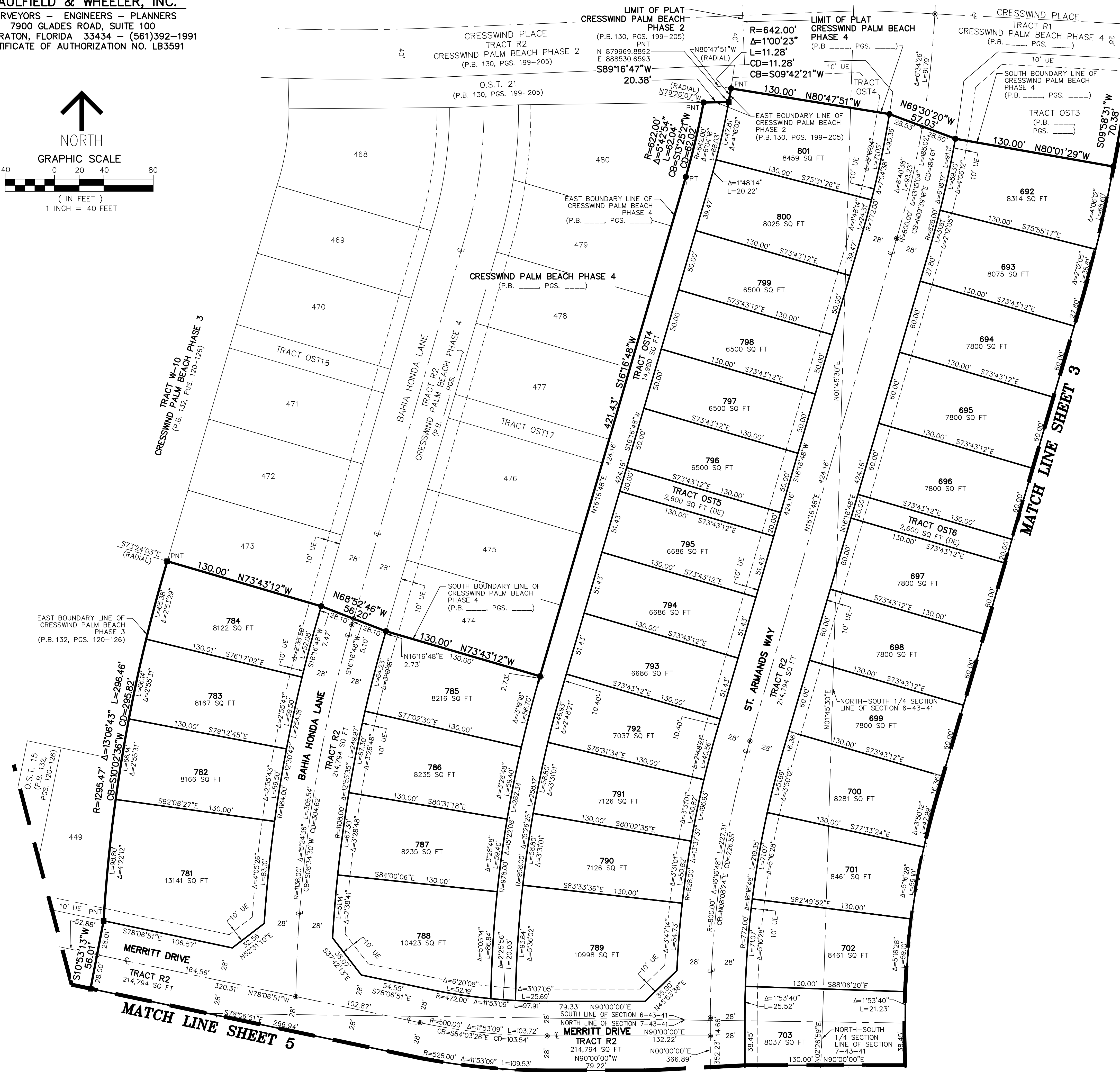
CRESSWIND PALM BEACH PHASE 5

A PORTION OF SECTIONS 6 AND 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST,
CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA.

THIS INSTRUMENT PREPARED BY
DAVID P. LINDLEY
OF
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SURVEYORS - ENGINEERS - PLANNERS
7900 GLADES ROAD, SUITE 100
BOCA RATON, FLORIDA 33434 - (561)392-1991
CERTIFICATE OF AUTHORIZATION NO. LB3591



SHEET 4 OF 7



- LEGEND/ABBREVIATIONS**
- C - CENTERLINE
 - Δ - DELTA (CENTRAL ANGLE)
 - CB - CHORD BEARING
 - CD - CHORD DISTANCE
 - DE - DRAINAGE EASEMENT
 - E - EASTING
 - N - NORTHING
 - L - ARC LENGTH
 - LM/AE - LAKE MAINTENANCE ACCESS EASEMENT
 - LAE - LIMITED ACCESS EASEMENT
 - LB - LICENSED BUSINESS
 - (R) - RADIAL LINE
 - O.S.T./OST - OPEN SPACE TRACT
 - PC - POINT OF CURVATURE
 - PT - POINT OF TANGENCY
 - PNT - POINT OF NON-TANGENCY
 - PRC - POINT OF REVERSE CURVATURE
 - R - RADIUS
 - RPE - RURAL PARKWAY EASEMENT
 - UE - UTILITY EASEMENT
 - P.B. - PLAT BOOK
 - R.P.B. - ROAD PLAT BOOK
 - PG./PGS. - PAGE/PAGES
 - 6-43-41 - SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST
 - NAD - NORTH AMERICAN DATUM
 - - SET PERMANENT CONTROL POINT NAIL AND DISK STAMPED "C&W LB 3591"
 - - SET PERMANENT REFERENCE MONUMENT SET 5/8" IRON ROD WITH CAP STAMPED "C&W LB 3591"
 - - FOUND PERMANENT REFERENCE MONUMENT 4" X 4" X 24" CONCRETE MONUMENT WITH DISK STAMPED "PRM LB 3591"

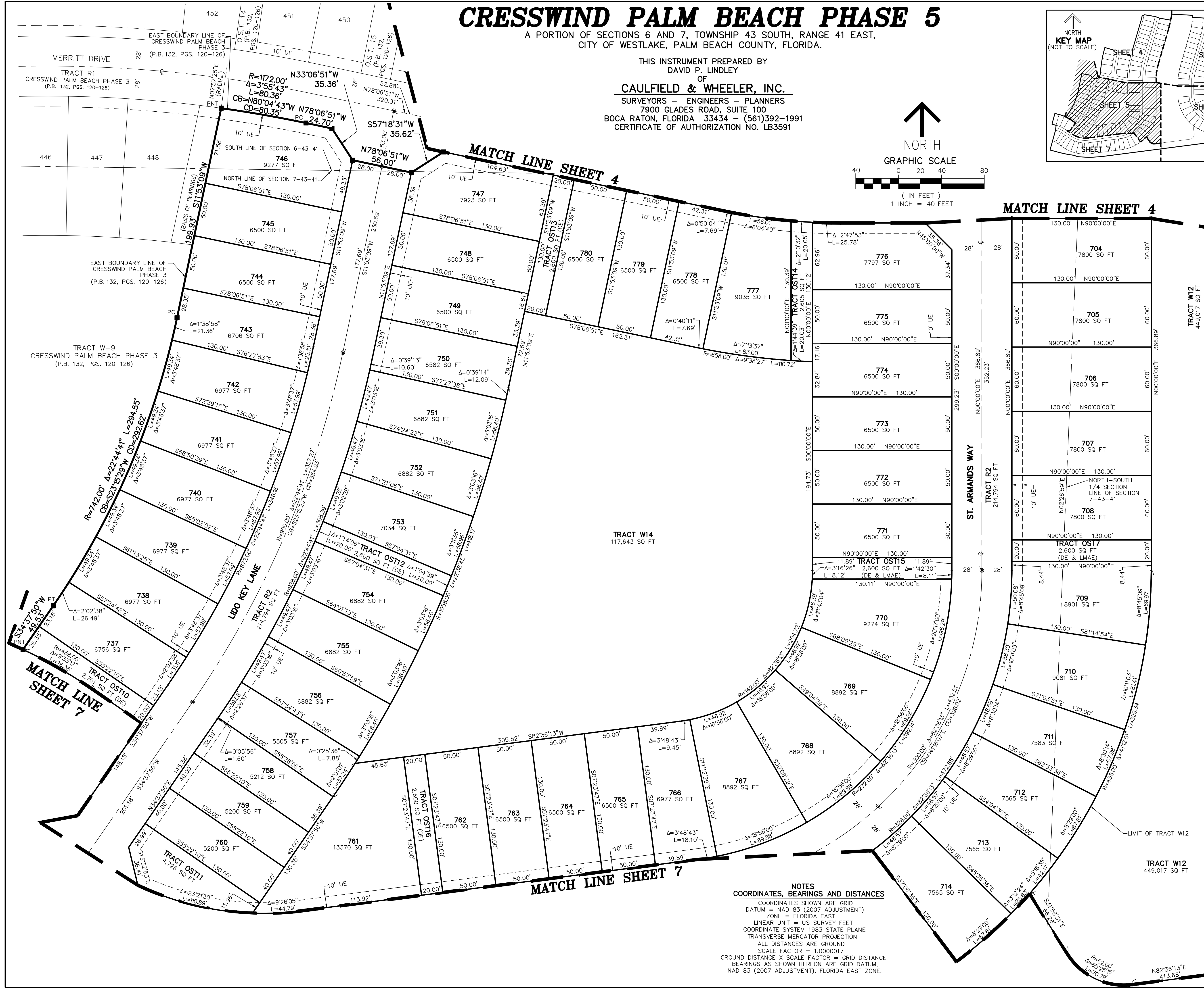
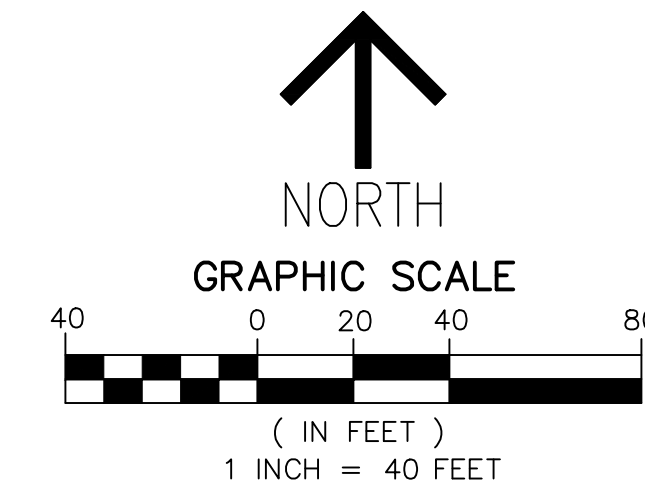
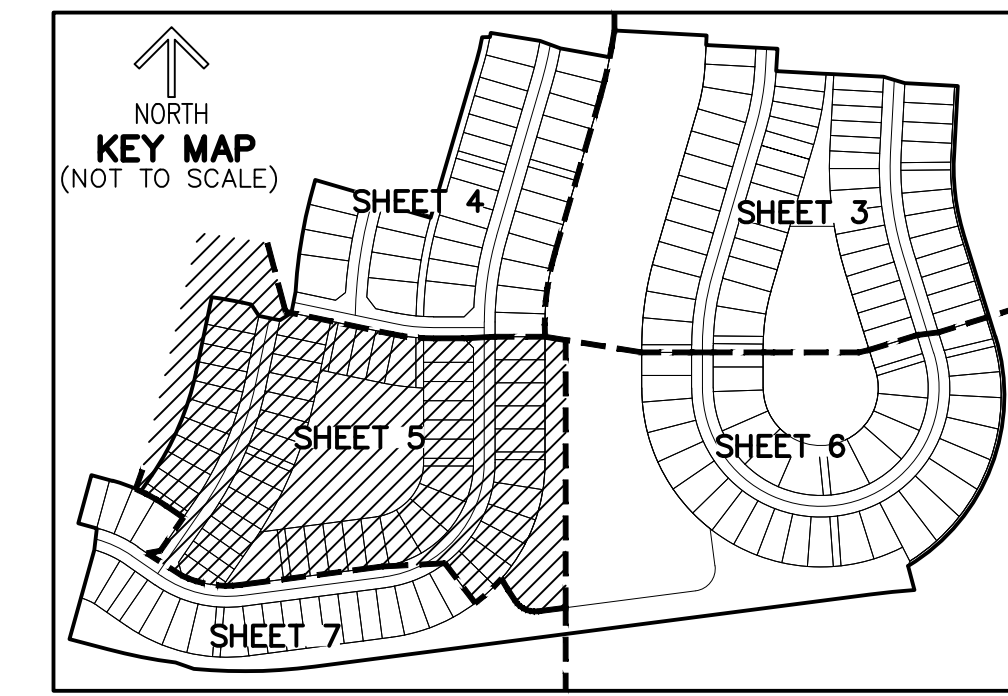
NOTES
COORDINATES, BEARINGS AND DISTANCES

COORDINATES SHOWN ARE GRID DATUM = NAD 83 (2007 ADJUSTMENT)
ZONE = FLORIDA EAST
LINEAR UNIT = US SURVEY FEET
COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND SCALE FACTOR = 1.0000017
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
BEARINGS AS SHOWN HEREON ARE GRID DATUM, NAD 83 (2007 ADJUSTMENT), FLORIDA EAST ZONE.

CRESSWIND PALM BEACH PHASE 5

A PORTION OF SECTIONS 6 AND 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST,
CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA.

THIS INSTRUMENT PREPARED BY
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SURVEYORS - ENGINEERS - PLANNERS
7900 GLADES ROAD, SUITE 100
BOCA RATON, FLORIDA 33434 - (561)392-1991
CERTIFICATE OF AUTHORIZATION NO. LB3591



SHEET 5 OF 7

LEGEND/ABBREVIATIONS

- C - CENTERLINE
- Δ - DELTA (CENTRAL ANGLE)
- CB - CHORD BEARING
- CD - CHORD DISTANCE
- DE - DRAINAGE EASEMENT
- F - EASTING (WHEN USED WITH COORDINATES)
- N - NORTHING (WHEN USED WITH COORDINATES)
- L - ARC LENGTH
- LMAE - LAKE MAINTENANCE ACCESS EASEMENT
- LAE - LIMITED ACCESS EASEMENT
- LB - LICENSED BUSINESS
- (R) - RADIAL LINE
- O.S.T./OST - OPEN SPACE TRACT
- PC - POINT OF CURVATURE
- PT - POINT OF TANGENCY
- PNT - POINT OF NON-TANGENCY
- PRC - POINT OF REVERSE CURVATURE
- R - RADIUS
- RPE - RURAL PARKWAY EASEMENT
- UE - UTILITY EASEMENT
- P.B. - PLAT BOOK
- R.P.B. - ROAD PLAT BOOK
- PG./PGS. - PAGE/PAGES
- 6-43-41 - SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST
- NAD - NORTH AMERICAN DATUM
- - SET PERMANENT CONTROL POINT NAIL AND DISK STAMPED "C&W LB 3591"
- - SET PERMANENT REFERENCE MONUMENT
- - SET PERMANENT REFERENCE MONUMENT 4" x 4" x 24" CONCRETE MONUMENT WITH DISK STAMPED "PRM LB 3591"

NOTES
COORDINATES, BEARINGS AND DISTANCES
COORDINATES SHOWN ARE GRID
DATUM = NAD 83 (2007 ADJUSTMENT)
ZONE = FLORIDA EAST
LINEAR UNIT = US SURVEY FEET
COORDINATE SYSTEM 1983 STATE PLANE
TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND
SCALE FACTOR = 1.0000017
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
BEARINGS AS SHOWN HEREON ARE GRID DATUM,
NAD 83 (2007 ADJUSTMENT), FLORIDA EAST ZONE.

MATCH LINE SHEET 6

MATCH LINE SHEET 7

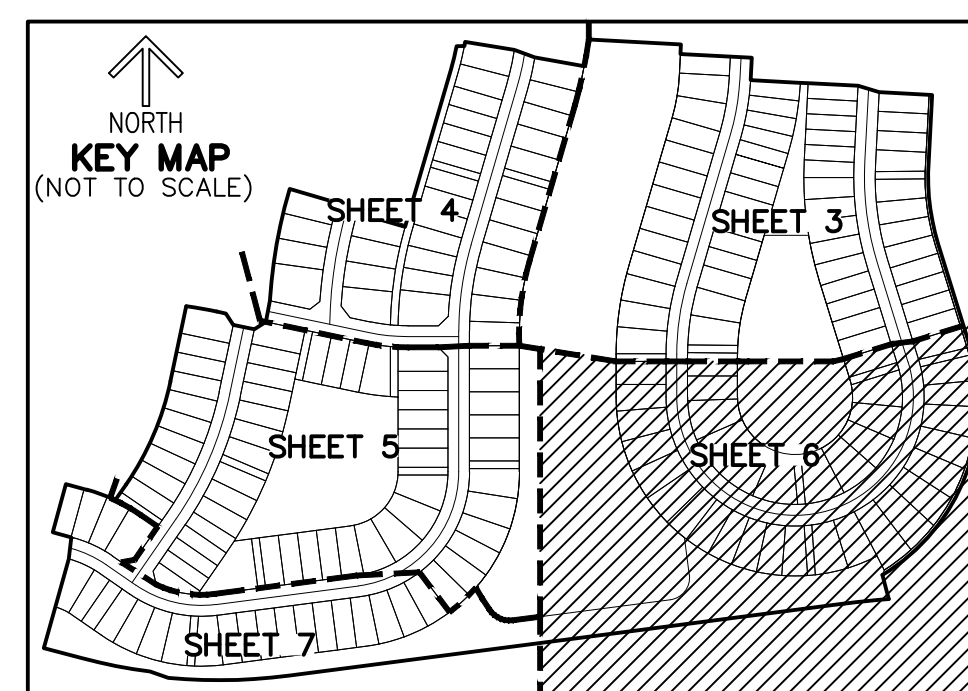
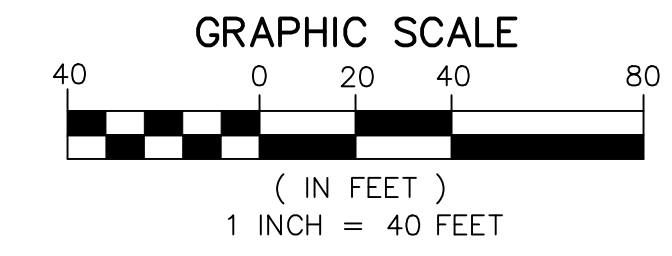
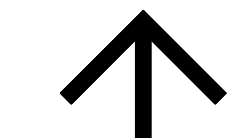
MATCH LINE SHEET 7

MATCH LINE SHEET 4

CRESSWIND PALM BEACH PHASE 5

A PORTION OF SECTIONS 6 AND 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA.

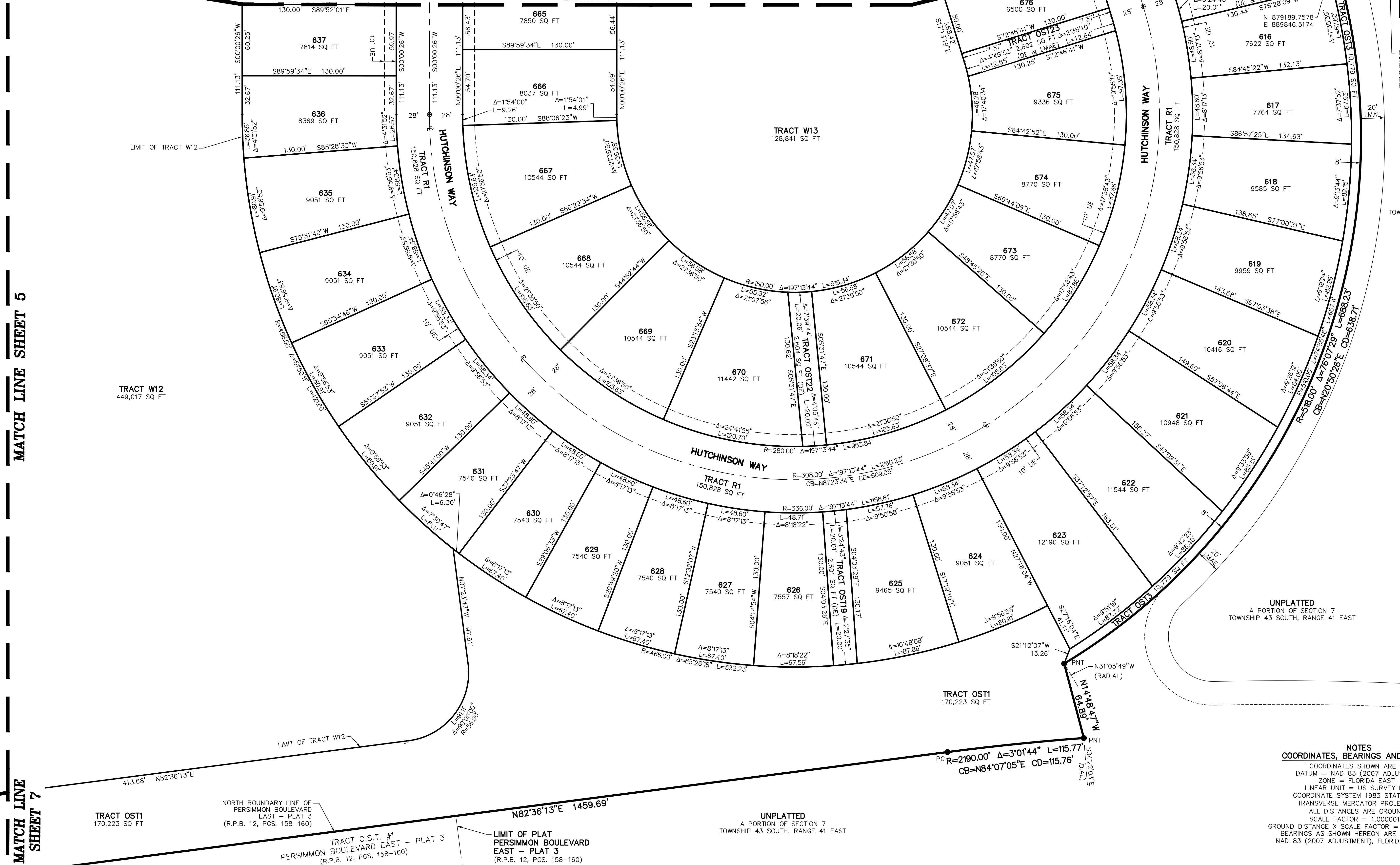
THIS INSTRUMENT PREPARED BY
 DAVID P. LINDLEY
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 SURVEYORS - ENGINEERS - PLANNERS
 7900 GLADES ROAD, SUITE 100
 BOCA RATON, FLORIDA 33434 - (561)392-1991
 CERTIFICATE OF AUTHORIZATION NO. LB3591



LEGEND / ABBREVIATIONS

- | | |
|---|---|
| CL - CENTERLINE | 6-43-41 - SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST |
| Δ - DELTA (CENTRAL ANGLE) | P.B. - PLAT BOOK |
| CB - CHORD BEARING | R.P.B. - ROAD PLAT BOOK |
| CD - CHORD DISTANCE | PG./PGS. - PAGE/PAGES |
| DE - DRAINAGE EASEMENT | NAD - NORTH AMERICAN DATUM |
| E - EASTING | ● - SET PERMANENT CONTROL POINT NAIL AND DISK STAMPED "C&W LB 3591" |
| (WHEN USED WITH COORDINATES) | ● - SET PERMANENT REFERENCE MONUMENT |
| N - NORTHING | ● - SET 5/8" IRON ROD WITH CAP STAMPED "C&W LB 3591" |
| (WHEN USED WITH COORDINATES) | ■ - FOUND PERMANENT REFERENCE MONUMENT |
| L - ARC LENGTH | 4" x 4" x 24" CONCRETE MONUMENT WITH DISK STAMPED "PRM LB 3591" |
| LMAE - LAKE MAINTENANCE ACCESS EASEMENT | |
| LAE - LIMITED ACCESS EASEMENT | |
| LB - LICENSED BUSINESS | |
| (R) - RADIAL LINE | |
| O.S.T./OST - OPEN SPACE TRACT | |
| PC - POINT OF CURVATURE | |
| PT - POINT OF TANGENCY | |
| PNT - POINT OF NON-TANGENCY | |
| PRC - POINT OF REVERSE CURVATURE | |
| R - RADIUS | |
| RPE - RURAL PARKWAY EASEMENT | |
| UE - UTILITY EASEMENT | |

MATCH LINE SHEET 3



SHEET 6 OF 7

N.E. CORNER OF SECTION 7-43-41 FOUND PALM BEACH COUNTY CONCRETE MONUMENT N 879188.5341 E 891221.5519

UNPLATTED A PORTION OF SECTION 7 TOWNSHIP 43 SOUTH, RANGE 41 EAST

NOTES
 COORDINATES, BEARINGS AND DISTANCES
 COORDINATES SHOWN ARE GRID
 DATUM = NAD 83 (2007 ADJUSTMENT)
 ZONE = FLORIDA EAST
 LINEAR UNIT = US SURVEY FEET
 COORDINATE SYSTEM 1983 STATE PLANE
 TRANSVERSE MERCATOR PROJECTION
 ALL DISTANCES ARE GROUND
 SCALE FACTOR = 1.0000017
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
 BEARINGS AS SHOWN HEREON ARE GRID DATUM,
 NAD 83 (2007 ADJUSTMENT), FLORIDA EAST ZONE.

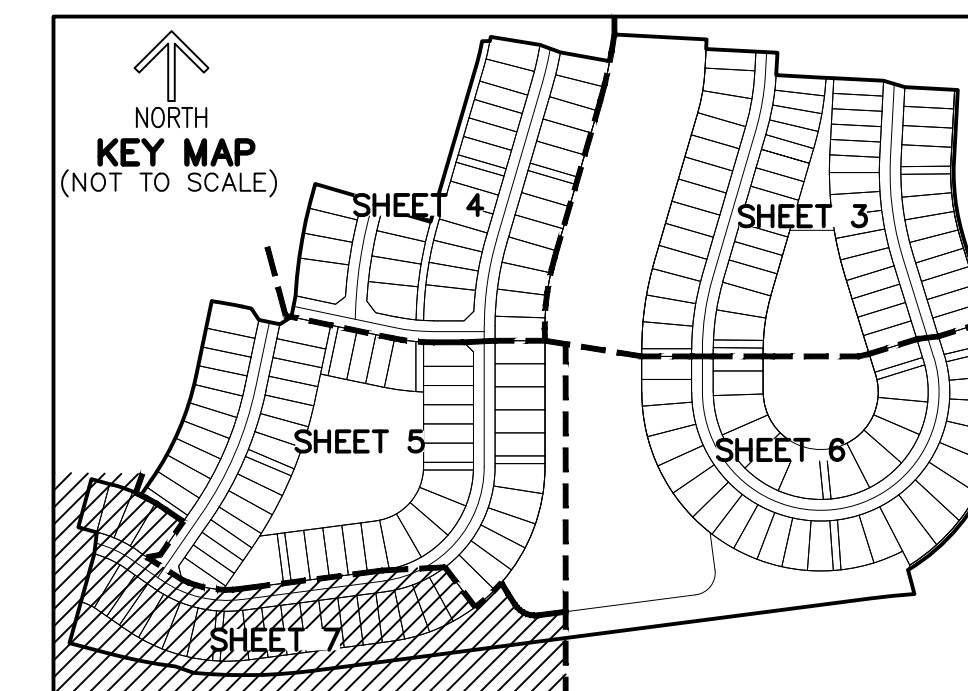
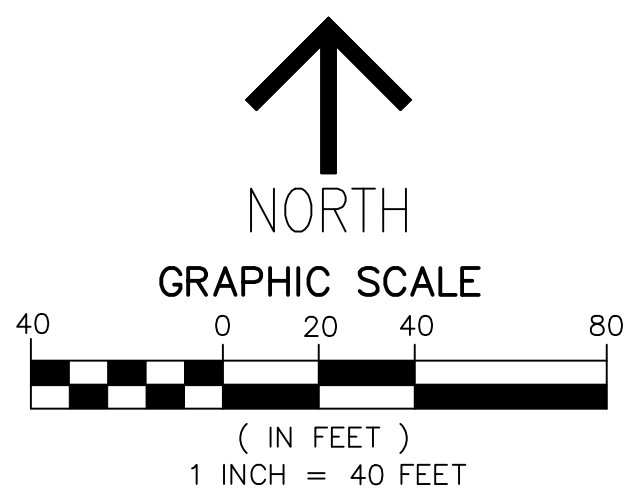
CRESSWIND PALM BEACH PHASE 5

A PORTION OF SECTIONS 6 AND 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST,
CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA.

THIS INSTRUMENT PREPARED BY
DAVID P. LINDLEY

OF
CAULFIELD & WHEELER, INC.

SURVEYORS - ENGINEERS - PLANNERS
7900 GLADES ROAD, SUITE 100
BOCA RATON, FLORIDA 33434 - (561)392-1991
CERTIFICATE OF AUTHORIZATION NO. LB3591



SHEET 7 OF 7

LEGEND/ABBREVIATIONS

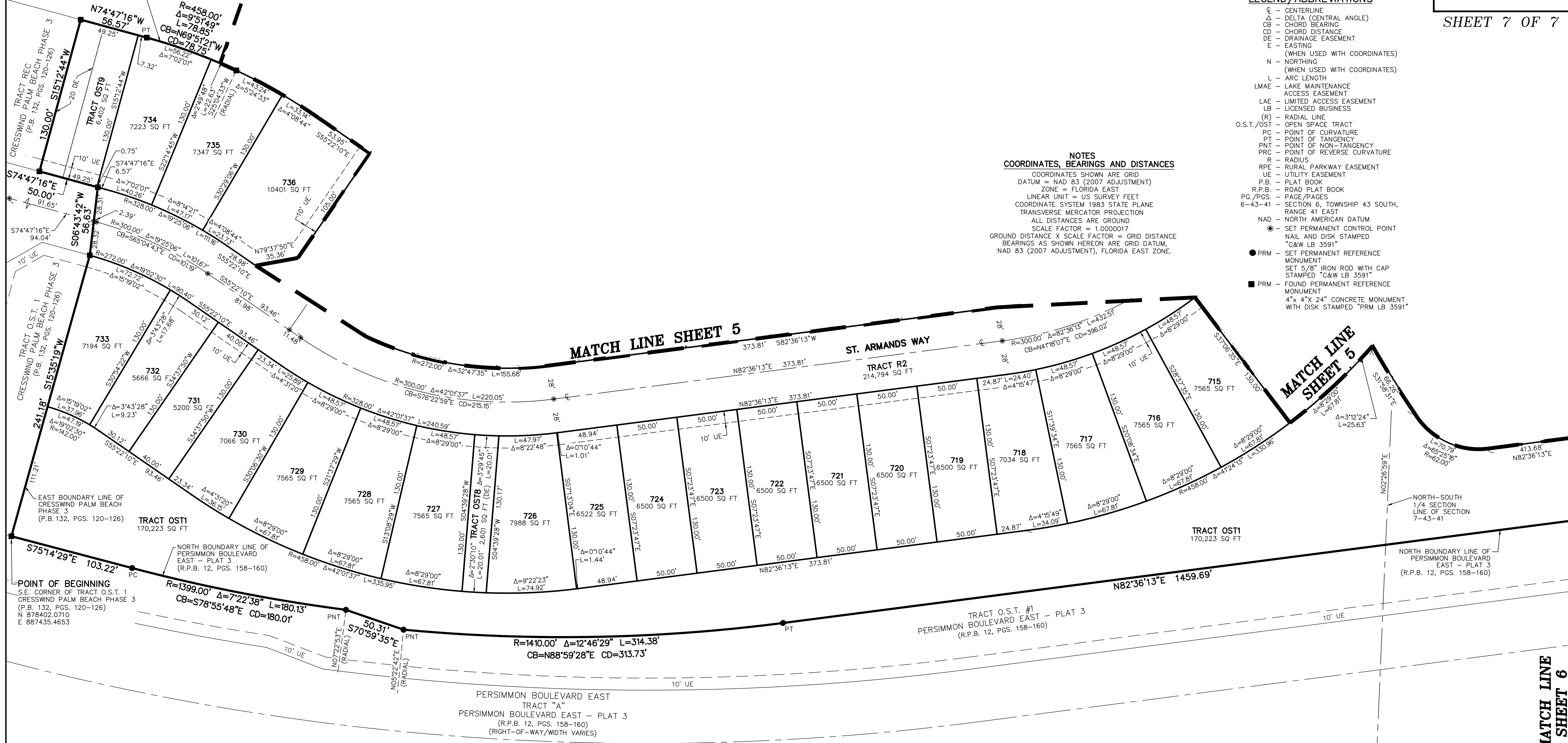
- CL - CENTERLINE
- Δ - DELTA (CENTRAL ANGLE)
- CB - CHORD BEARING
- CD - CHORD DISTANCE
- DE - DRAINAGE EASEMENT
- E - EASTING
- (WHEN USED WITH COORDINATES)
- N - NORTHING
- (WHEN USED WITH COORDINATES)
- L - ARC LENGTH
- LMAE - LAKE MAINTENANCE ACCESS EASEMENT
- LAE - LIMITED ACCESS EASEMENT
- LB - LICENSED BUSINESS
- (R) - RADIAL LINE
- O.S.T./OST - OPEN SPACE TRACT
- PC - POINT OF CURVATURE
- PT - POINT OF TANGENCY
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- R - RADIUS
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- P.B. - PLAT BOOK
- R.P.B. - ROAD PLAT BOOK
- PG./PGS. - PAGE/PAGES
- 6-43-41 - SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST
- NAD - NORTH AMERICAN DATUM
- - SET PERMANENT CONTROL POINT NAIL AND DISK STAMPED "C&W LB 3591"
- PRM - SET PERMANENT REFERENCE MONUMENT SET 5/8" IRON ROD WITH CAP STAMPED "C&W LB 3591"
- PRM - FOUND PERMANENT REFERENCE MONUMENT 4" X 4" X 24" CONCRETE MONUMENT WITH DISK STAMPED "PRM LB 3591"

NOTES COORDINATES, BEARINGS AND DISTANCES

COORDINATES SHOWN ARE GRID
DATUM = NAD 83 (2007 ADJUSTMENT)
ZONE = FLORIDA EAST
LINEAR UNIT = US SURVEY FEET
COORDINATE SYSTEM 1983 STATE PLANE
TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND
SCALE FACTOR = 1.0000017
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
BEARINGS AS SHOWN HEREON ARE GRID DATUM,
NAD 83 (2007 ADJUSTMENT), FLORIDA EAST ZONE.

TRACT W-9
CRESSWIND PALM BEACH PHASE 3
(P.B. 132, PGS. 120-126)

EAST BOUNDARY LINE OF
CRESSWIND PALM BEACH
PHASE 3
(P.B. 132, PGS. 120-126)



EAST BOUNDARY LINE OF
CRESSWIND PALM BEACH
PHASE 3
(P.B. 132, PGS. 120-126)

NORTH BOUNDARY LINE OF
PERSIMMON BOULEVARD
EAST - PLAT 3
(R.P.B. 12, PGS. 158-160)

POINT OF BEGINNING
S.E. CORNER OF TRACT O.S.T. #1
CRESSWIND PALM BEACH PHASE 3
(P.B. 132, PGS. 120-126)
N 87°40'02.0710 E 887435.4653

PERSIMMON BOULEVARD EAST
TRACT "A"
PERSIMMON BOULEVARD EAST - PLAT 3
(R.P.B. 12, PGS. 158-160)
(RIGHT-OF-WAY/WIDTH VARIES)

TRACT O.S.T. #1
PERSIMMON BOULEVARD EAST - PLAT 3
(R.P.B. 12, PGS. 158-160)

NORTH-SOUTH
1/4 SECTION
LINE OF SECTION
7-43-41

NORTH BOUNDARY LINE OF
PERSIMMON BOULEVARD
EAST - PLAT 3
(R.P.B. 12, PGS. 158-160)

MATCH LINE
SHEET 6

Exhibit 'C'
CRESSWIND PALM BEACH PHASE 5
TOPOGRAPHICAL SURVEY

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NOTES
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LEGEND/ABBREVIATIONS

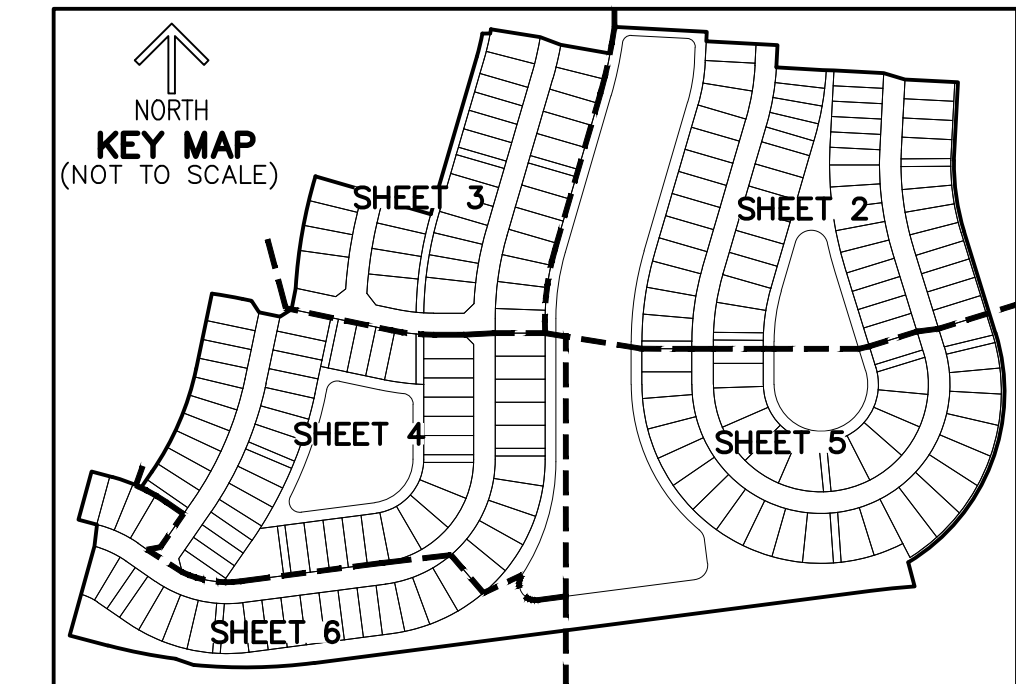
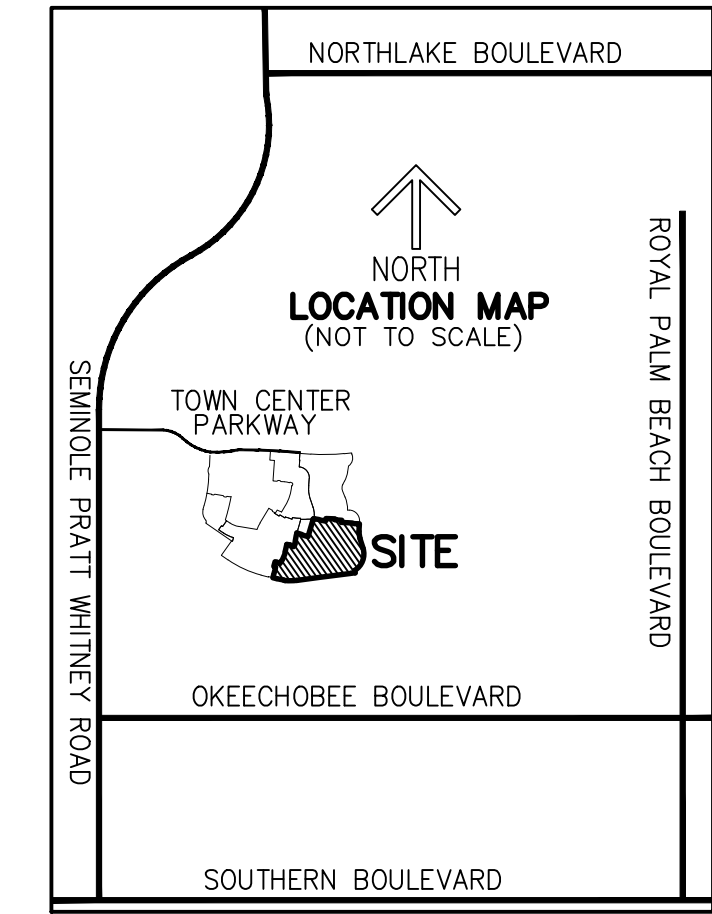
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MONUMENT
SET 5/8" IRON ROD WITH CAP
STAMPED "C&W LB 3591"
- - PRM - FOUND PERMANENT REFERENCE
MONUMENT
4" x 4" x 24" CONCRETE MONUMENT
WITH DISK STAMPED "PRM LB 3591"

DESCRIPTION:

A PORTION OF SECTIONS 6 AND 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF TRACT O.S.T. 1, CRESSWIND PALM BEACH PHASE 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 132, PAGES 120 THROUGH 126 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID POINT BEING ON THE NORTH BOUNDARY LINE OF PERSIMMON BOULEVARD EAST - PLAT 3, AND THE EASTERLY EXTENSION THEREOF, AS RECORDED IN ROAD PLAT BOOK 12, PAGES 158 THROUGH 160 OF SAID PUBLIC RECORDS, THENCE ALONG SAID NORTH BOUNDARY LINE, THE FOLLOWING FIVE (5) COURSES AND DISTANCES: S75°14'29"E, A DISTANCE OF 103.22 FEET TO THE POINT OF CURVE TO THE LEFT, A RADIAL DISTANCE OF 1,399.00 FEET; THENCE EASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 07°22'38", A DISTANCE OF 180.13 FEET TO A POINT OF NON-TANGENCY; THENCE S70°59'35"E, A DISTANCE OF 50.31 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N05°22'42"E, A RADIAL DISTANCE OF 1,410.00 FEET; THENCE EASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 12°46'29", A DISTANCE OF 314.38 FEET; THENCE N82°36'13"E, A DISTANCE OF 1,459.69 FEET TO THE POINT OF CURVE TO THE RIGHT, A RADIAL DISTANCE OF 2,190.00 FEET; THENCE EASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 03°01'44", A DISTANCE OF 115.77 FEET TO A POINT OF NON-TANGENCY; THENCE N14°48'47"W, A DISTANCE OF 64.89 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N31°05'49"W, A RADIAL DISTANCE OF 518.00 FEET; THENCE NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 76°07'29", A DISTANCE OF 688.23 FEET; THENCE N17°13'19"W, A DISTANCE OF 276.23 FEET TO THE POINT OF CURVE TO THE RIGHT, A RADIAL DISTANCE OF 592.00 FEET; THENCE NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 18°14'47", A DISTANCE OF 188.53 FEET TO A POINT OF NON-TANGENCY; THENCE N02°57'09"E, A DISTANCE OF 203.52 FEET TO THE POINT BEING ON THE SOUTH BOUNDARY LINE OF CRESSWIND PALM BEACH PHASE 4, AS RECORDED IN PLAT BOOK _____, PAGES _____ THROUGH _____ OF SAID PUBLIC RECORDS, THENCE ALONG SAID SOUTH BOUNDARY LINE, THE FOLLOWING FOURTEEN (14) COURSES AND DISTANCES: N87°02'51"W, A DISTANCE OF 138.00 FEET; THENCE N72°52'20"W, A DISTANCE OF 57.76 FEET; THENCE N87°02'51"W, A DISTANCE OF 130.00 FEET; THENCE N87°47'15"W, A DISTANCE OF 30.08 FEET; THENCE N86°46'06"W, A DISTANCE OF 120.00 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N86°46'06"W, A RADIAL DISTANCE OF 670.00 FEET; THENCE NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 00°12'10", A DISTANCE OF 2.37 FEET; THENCE N03°01'44"E, A DISTANCE OF 55.78 FEET; THENCE N86°58'16"W, A DISTANCE OF 186.00 FEET; THENCE N03°01'44"E, A DISTANCE OF 25.02 FEET; THENCE N86°58'16"W, A DISTANCE OF 240.52 FEET; THENCE S09°58'31"W, A DISTANCE OF 70.38 FEET; THENCE N80°01'29"W, A DISTANCE OF 130.00 FEET; THENCE N89°30'20"W, A DISTANCE OF 57.03 FEET; THENCE N80°47'51"W, A DISTANCE OF 130.00 FEET TO A POINT ON THE EAST BOUNDARY LINE OF CRESSWIND PALM BEACH PHASE 2, AS RECORDED IN PLAT BOOK 130, PAGES 199 THROUGH 205 OF SAID PUBLIC RECORDS, THENCE ALONG SAID EAST BOUNDARY LINE, THE FOLLOWING TWO (2) COURSES AND DISTANCES: SAID POINT BEING ON THE CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES N80°47'51"W, A RADIAL DISTANCE OF 642.00 FEET; THENCE SOUTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 01°00'23", A DISTANCE OF 11.28 FEET TO A POINT OF NON-TANGENCY; THENCE S89°16'47"W, A DISTANCE OF 20.38 FEET TO THE POINT BEING ON THE EAST BOUNDARY LINE OF SAID CRESSWIND PALM BEACH PHASE 4; THENCE ALONG SAID EAST BOUNDARY LINE, THE FOLLOWING TWO (2) COURSES AND DISTANCES: SAID POINT BEING ON THE CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES N79°26'07"W, A RADIAL DISTANCE OF 622.00 FEET; THENCE SOUTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 05°42'54", A DISTANCE OF 82.04 FEET; THENCE S18°16'48"W, A DISTANCE OF 421.43 FEET TO THE POINT BEING ON THE SOUTH BOUNDARY LINE OF SAID PLAT; THENCE ALONG SAID SOUTH BOUNDARY LINE, THE FOLLOWING THREE (3) COURSES AND DISTANCES: N73°43'12"W, A DISTANCE OF 130.00 FEET; THENCE N68°52'46"W, A DISTANCE OF 56.20 FEET; THENCE N73°43'12"W, A DISTANCE OF 130.00 FEET TO THE POINT BEING ON THE EAST BOUNDARY LINE OF CRESSWIND PALM BEACH PHASE 3, AS RECORDED IN PLAT BOOK 132, PAGES 120 THROUGH 126 OF SAID PUBLIC RECORDS, THENCE ALONG SAID EAST BOUNDARY LINE, THE FOLLOWING SIXTEEN (16) COURSES AND DISTANCES: SAID POINT BEING ON THE CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES S73°24'03"E, A RADIAL DISTANCE OF 1,295.47 FEET; THENCE SOUTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 13°06'43", A DISTANCE OF 296.46 FEET; THENCE S10°53'13"W, A DISTANCE OF 56.01 FEET; THENCE S57°18'31"W, A DISTANCE OF 35.62 FEET; THENCE N78°08'51"W, A DISTANCE OF 56.00 FEET; THENCE N33°06'51"W, A DISTANCE OF 35.36 FEET; THENCE N78°08'51"W, A DISTANCE OF 24.70 FEET TO THE POINT OF CURVE TO THE LEFT, A RADIAL DISTANCE OF 1,172.00 FEET; THENCE WESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 03°55'43", A DISTANCE OF 80.36 FEET TO A POINT OF NON-TANGENCY; THENCE S11°53'09"W, A DISTANCE OF 199.93 FEET TO THE POINT OF CURVE TO THE RIGHT, A RADIAL DISTANCE OF 742.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 22°44'41", A DISTANCE OF 294.55 FEET; THENCE S34°37'50"W, A DISTANCE OF 49.53 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES S25°04'33"W, A RADIAL DISTANCE OF 458.00 FEET; THENCE WESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 09°51'49", A DISTANCE OF 78.85 FEET; THENCE N74°47'16"W, A DISTANCE OF 56.57 FEET; THENCE S15°12'44"W, A DISTANCE OF 130.00 FEET; THENCE S74°47'16"E, A DISTANCE OF 50.00 FEET; THENCE S06°43'42"W, A DISTANCE OF 56.63 FEET; THENCE S15°35'19"W, A DISTANCE OF 241.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,837,901 SQUARE FEET/65.1492 ACRES, MORE OR LESS.



SURVEYOR'S NOTES AND REPORT:

1. REPRODUCTIONS OF THIS SURVEY ARE NOT VALID WITHOUT A SIGNED AND SEALED OR VERIFIABLE ELECTRONIC SIGNATURE OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR AND MAPPER
2. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. THE LAND DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
5. BEARINGS SHOWN HEREON ARE BASED ON A RECORD PLAT BEARING OF S11°53'09"W ALONG THE EAST LINE OF TRACT W-9, CRESSWIND PALM BEACH PHASE 3, AS RECORDED IN PLAT BOOK 132, PAGES 120 THROUGH 126 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (2007 ADJUSTMENT).
6. COORDINATES SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (2007 ADJUSTMENT), AND BASED ON REDUNDANT G.P.S. OBSERVATIONS UTILIZING THE CERTIFIED LENGEMAN NETWORK.
7. LANDS SHOWN HEREON WERE NOT ABSTRACTED, BY THE SURVEYOR, FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED BOUNDARY SURVEY OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON OCTOBER 15, 2021. I FURTHER CERTIFY THAT THIS BOUNDARY SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTES CHAPTER 472.027.

REVISIONS	DATE	BY
FILE NAME: 8272-PHASE5-SURVEY-1		

CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING - LAND PLANNING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561) 392-1991 / FAX (561) 750-4452

**BOUNDARY SURVEY OF SECTIONS 6 AND 7
 A PORTION OF SECTIONS 6 AND 7
 TOWNSHIP 43 SOUTH, RANGE 41 EAST
 CITY OF WESTLAKE
 PALM BEACH COUNTY, FLORIDA**

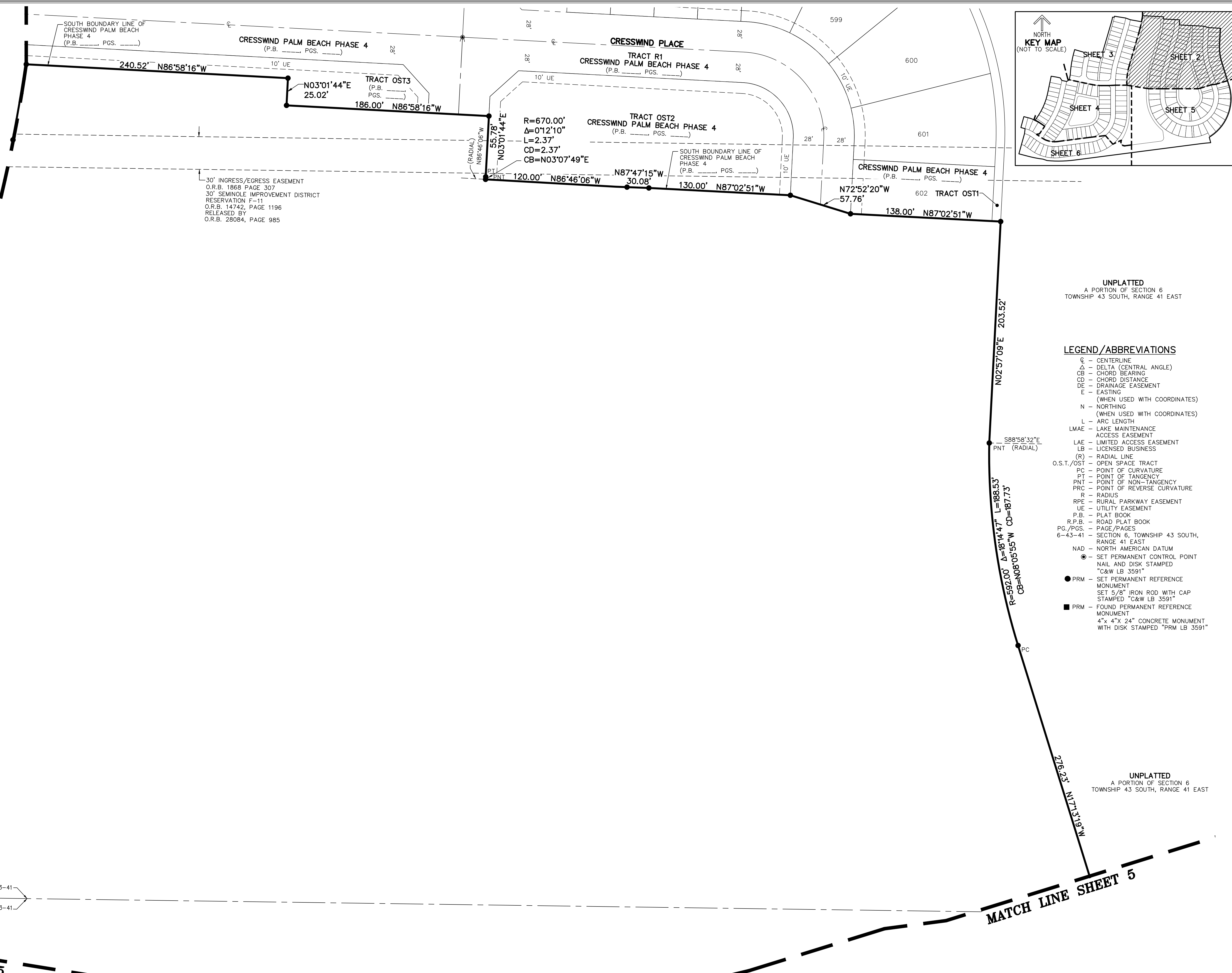
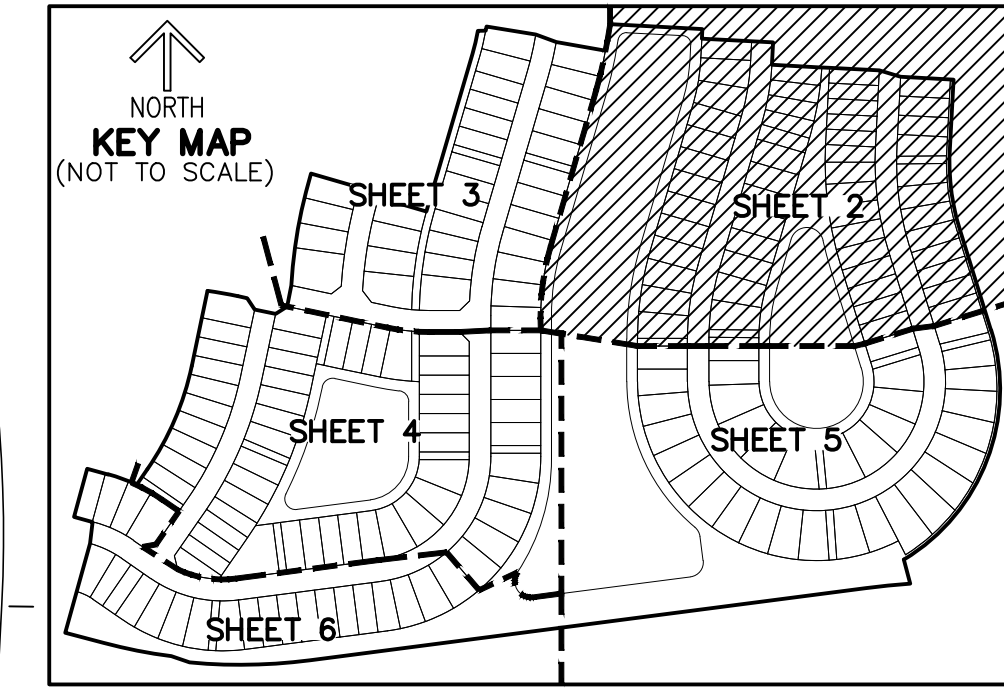
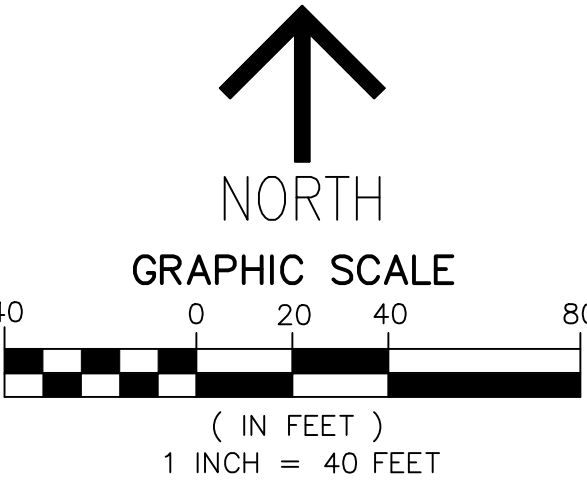
DATE 10/15/2021
 DRAWN BY AS
 F.B./ PG. ELEC
 SCALE AS SHOWN

DAVID P. LINDLEY
 REGISTERED LAND
 SURVEYOR NO. 5005
 STATE OF FLORIDA
 L.B. 3591

JOB # 8272-5
 SHT. NO. 1
 OF 6 SHEETS

NOTES
COORDINATES, BEARINGS AND DISTANCES

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UNPLATTED
 A PORTION OF SECTION 6
 TOWNSHIP 43 SOUTH, RANGE 41 EAST

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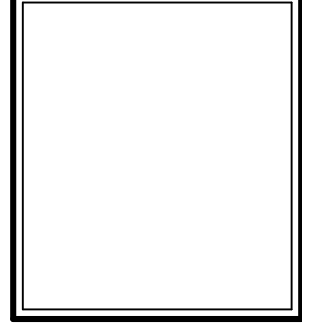
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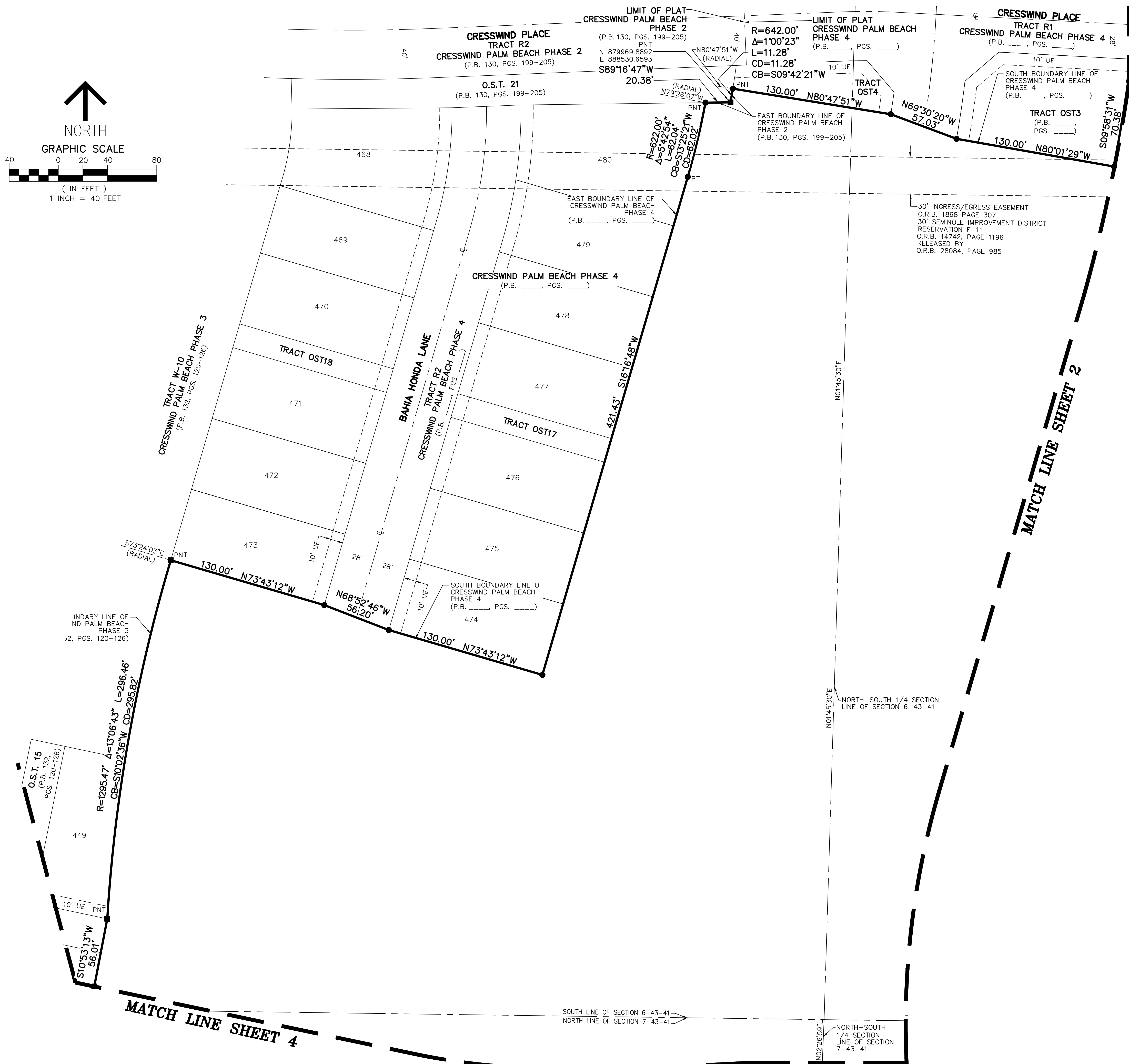
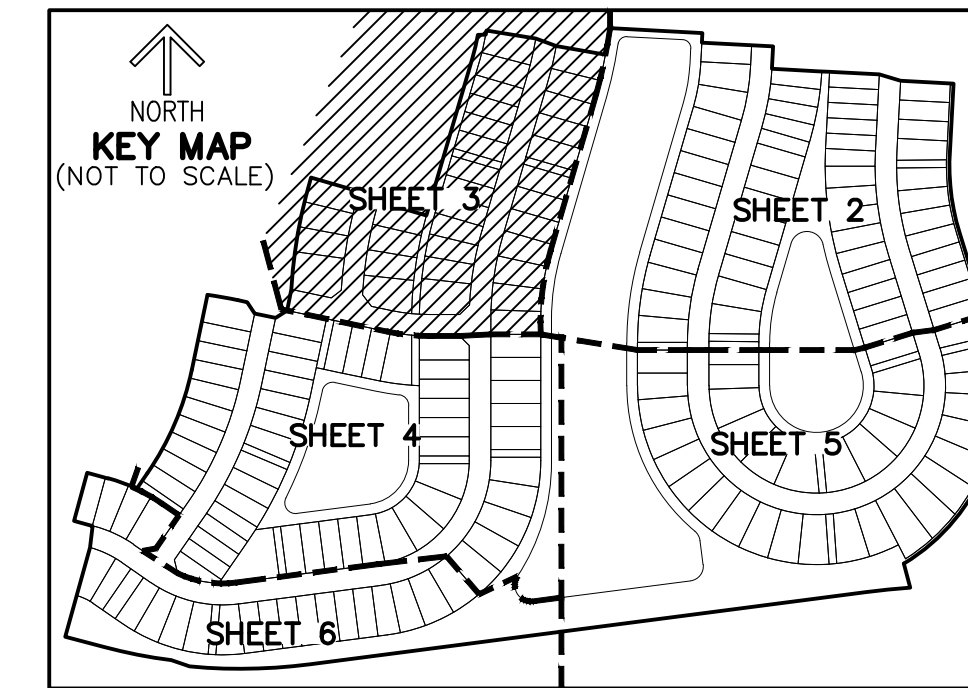
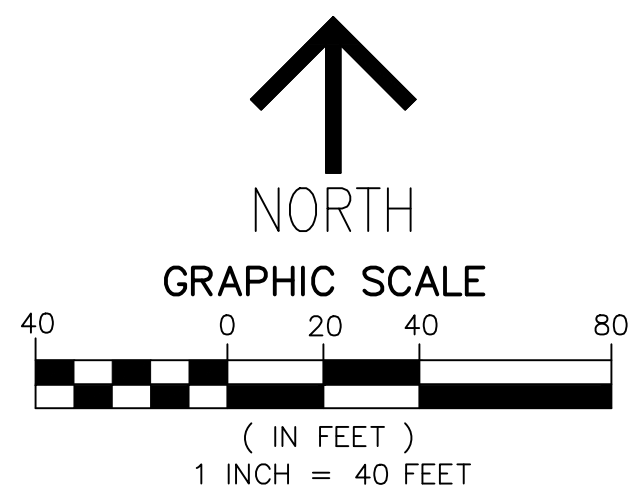
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BOUNDARY SURVEY 6 AND 7
 A PORTION OF SECTIONS 6 AND 7
 TOWNSHIP 43 SOUTH, RANGE 41 EAST
 CITY OF WESTLAKE
 PALM BEACH COUNTY, FLORIDA

DATE 10/15/2021
 DRAWN BY AS
 F.B./ PG. ELEC
 SCALE AS SHOWN



JOB # 8272-5
 SHT. NO.
 2
 OF 6 SHEETS



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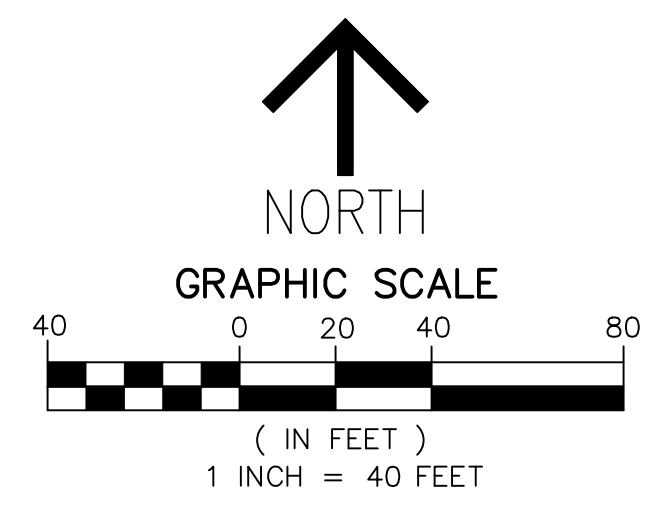
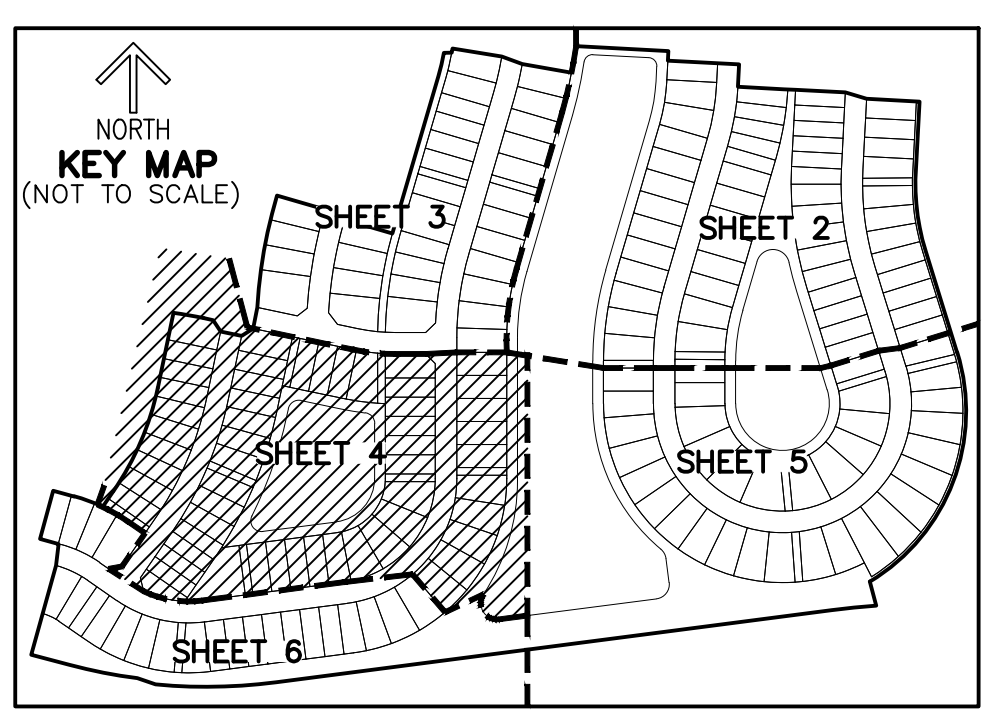
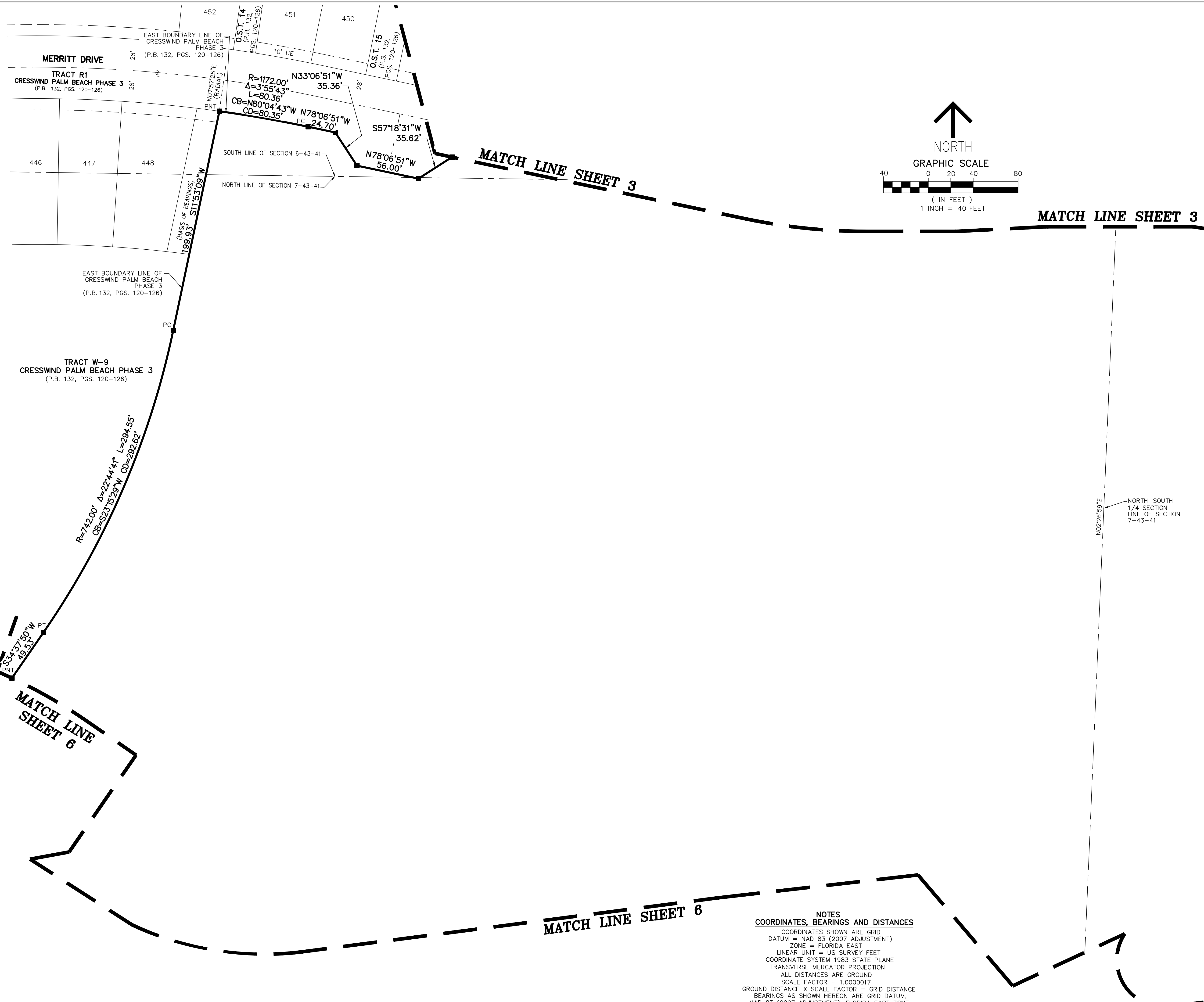
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BOUNDARY SURVEY 6 AND 7
 A PORTION OF SECTIONS 6 AND 7
 TOWNSHIP 43 SOUTH, RANGE 41 EAST
 CITY OF WESTLAKE
 PALM BEACH COUNTY, FLORIDA

DATE 10/15/2021
 DRAWN BY AS
 F.B./ PG. ELEC
 SCALE AS SHOWN

JOB # 8272-5
 SHT. NO. 3
 OF 6 SHEETS



- LEGEND/ABBREVIATIONS**
- ⊙ - CENTERLINE
 - Δ - DELTA (CENTRAL ANGLE)
 - CB - CHORD BEARING
 - CD - CHORD DISTANCE
 - DE - DRAINAGE EASEMENT
 - E - EASTING
 - N - NORTHING
 - L - ARC LENGTH
 - LMAE - LAKE MAINTENANCE ACCESS EASEMENT
 - LAE - LIMITED ACCESS EASEMENT
 - LB - LICENSED BUSINESS
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 - PNT - POINT OF NON-TANGENCY
 - PRC - POINT OF REVERSE CURVATURE
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 - P.B. - PLAT BOOK
 - R.P.B. - ROAD PLAT BOOK
 - PG./PGS. - PAGE/PAGES
 - 6-43-41 - SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST
 - NAD - NORTH AMERICAN DATUM
 - - SET PERMANENT CONTROL POINT NAIL AND DISK STAMPED "C&W LB 3591"
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 - - FOUND PERMANENT REFERENCE MONUMENT 4" x 4" x 24" CONCRETE MONUMENT WITH DISK STAMPED "PRM LB 3591"

NOTES
COORDINATES, BEARINGS AND DISTANCES

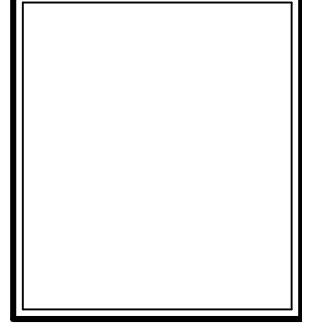
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ZONE = FLORIDA EAST
LINEAR UNIT = US SURVEY FEET
COORDINATE SYSTEM 1983 STATE PLANE
TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND
SCALE FACTOR = 1.0000017
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
BEARINGS AS SHOWN HEREON ARE GRID DATUM,
NAD 83 (2007 ADJUSTMENT), FLORIDA EAST ZONE.

BY	
DATE	
REVISIONS	
FILE NAME	8272-PHASE5-SURVEY-1

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING - LAND PLANNING
LANDSCAPE ARCHITECTURE - SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561) 392-1991 / FAX (561) 750-4452

BOUNDARY SURVEY 6 AND 7
A PORTION OF SECTIONS 6 AND 7
TOWNSHIP 43 SOUTH, RANGE 41 EAST
CITY OF WESTLAKE
PALM BEACH COUNTY, FLORIDA

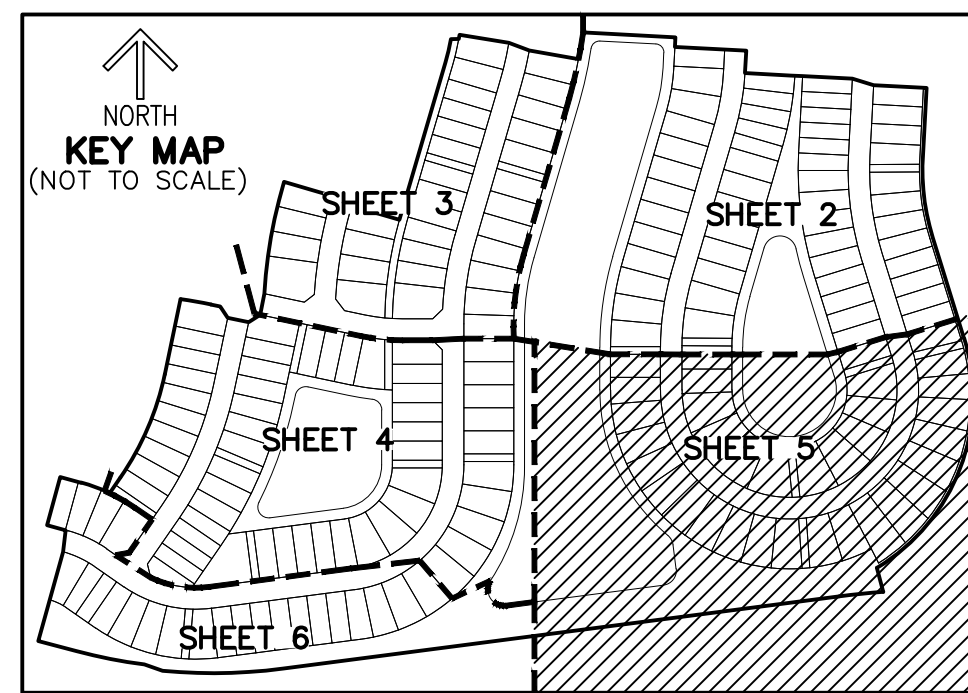
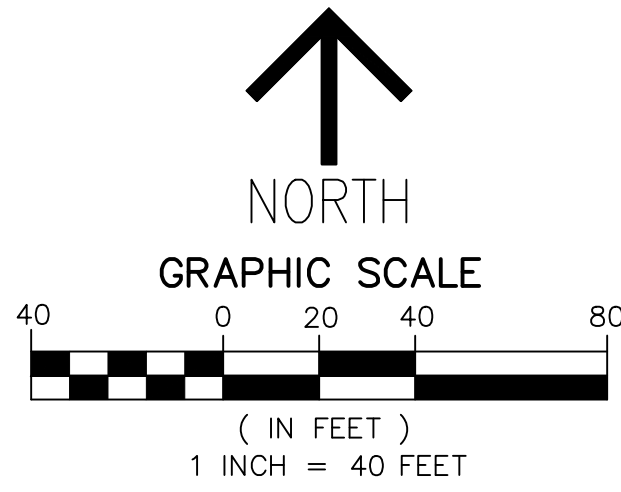
DATE 10/15/2021
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SCALE AS SHOWN



JOB # 8272-5
SHT.NO.
4
OF 6 SHEETS

LEGEND/ABBREVIATIONS

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MATCH LINE SHEET 2

MATCH LINE SHEET 4

MATCH LINE SHEET 6

NORTH BOUNDARY LINE OF PERSIMMON BOULEVARD EAST - PLAT 3 (R.P.B. 12, PGS. 158-160)

TRACT O.S.T. #1 PERSIMMON BOULEVARD EAST - PLAT 3 (R.P.B. 12, PGS. 158-160)

LIMIT OF PLAT PERSIMMON BOULEVARD EAST - PLAT 3 (R.P.B. 12, PGS. 158-160)

UNPLATTED A PORTION OF SECTION 7 TOWNSHIP 43 SOUTH, RANGE 41 EAST

UNPLATTED A PORTION OF SECTION 7 TOWNSHIP 43 SOUTH, RANGE 41 EAST

UNPLATTED A PORTION OF SECTION 7 TOWNSHIP 43 SOUTH, RANGE 41 EAST

N 879189.7578
E 889846.5174

N.E. CORNER OF SECTION 7-43-41 FOUND PALM BEACH COUNTY CONCRETE MONUMENT N 879188.5341 E 891221.5519

PC R=2190.00' Δ=3°01'44" L=115.77'
CB=N84°07'05"E CD=115.76'

PNT N31°05'49"W (RADIAL)

N 4°48'47"W 64.89'

PNT S14°22'03"E 104.19'

R=918.00' Δ=78°07'28" L=688.23'
CB=N20°50'28"E CD=638.71'

N 1°13'19"W 178.23'
S. LINE OF SECTION 6-43-41
NORTH LINE OF SECTION 7-43-41

N 89°56'56"W 1375.04'

MATCH LINE SHEET 2

UNPLATTED A PORTION OF SECTION 6-43-41

NOTES
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COORDINATES SHOWN ARE GRID
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ZONE = FLORIDA EAST
LINEAR UNIT = US SURVEY FEET
COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND
SCALE FACTOR = 1.0000017
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
BEARINGS AS SHOWN HEREON ARE GRID DATUM, NAD 83 (2007 ADJUSTMENT), FLORIDA EAST ZONE.

REVISIONS	DATE	BY

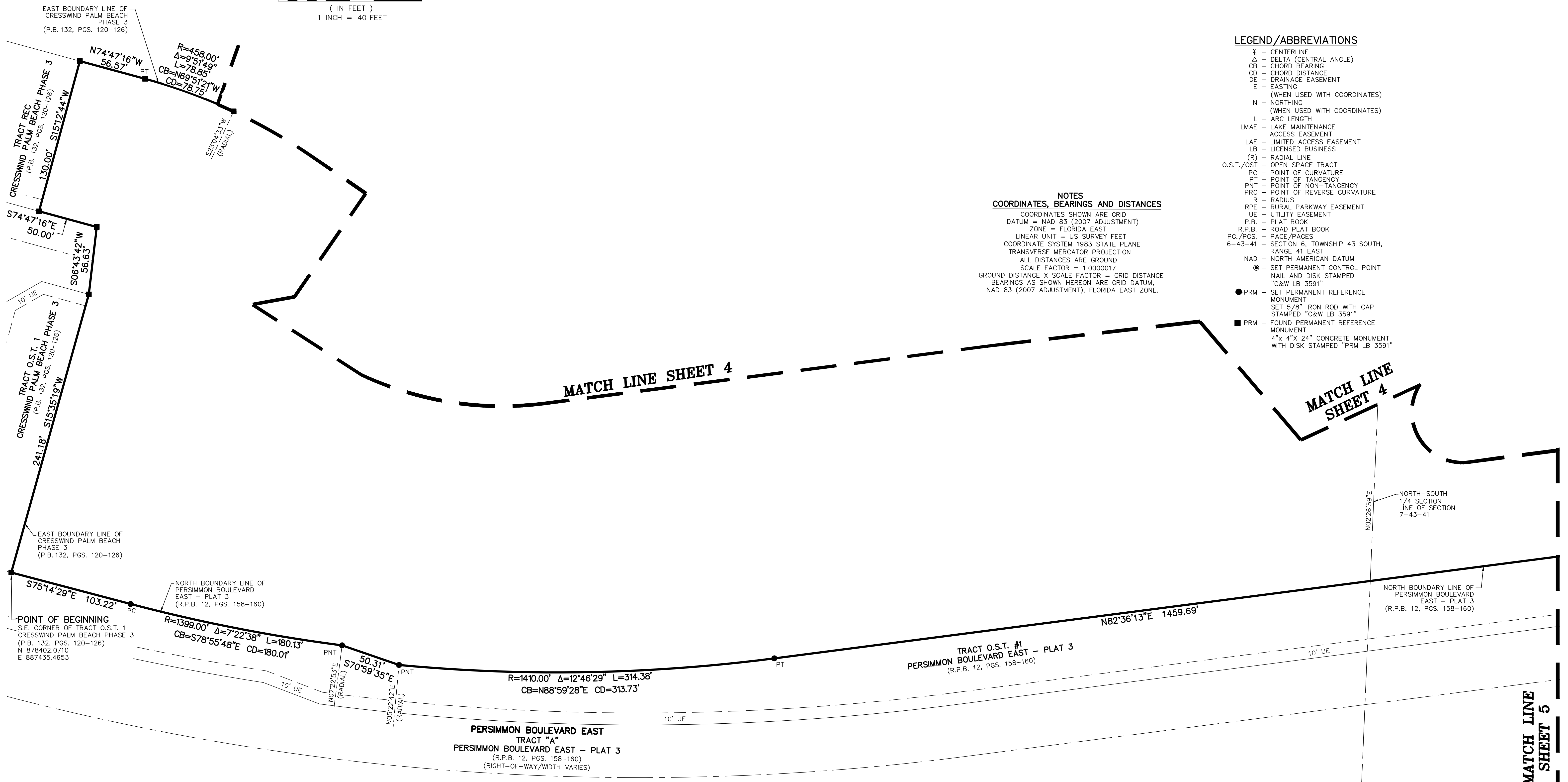
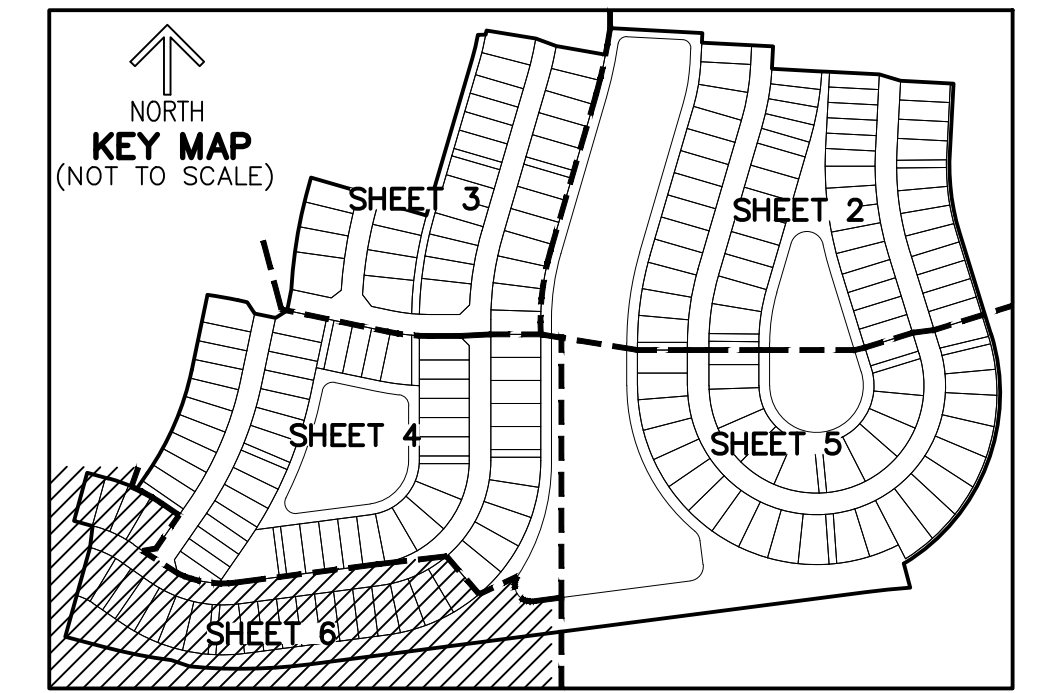
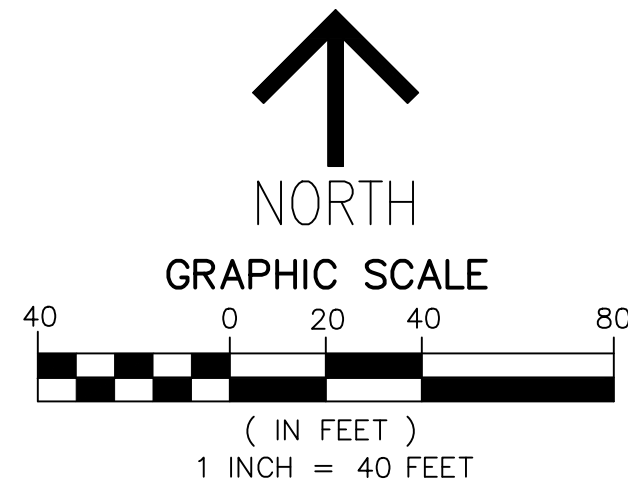
CAULFIELD & WHEELER, INC.
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BOUNDARY SURVEY AND 7
A PORTION OF SECTIONS 6 AND 7
TOWNSHIP 43 SOUTH, RANGE 41 EAST
CITY OF WESTLAKE
PALM BEACH COUNTY, FLORIDA

DATE 10/15/2021
DRAWN BY AS
F.B./ PG. ELEC
SCALE AS SHOWN

JOB # 8272-5
SHT. NO. 5
OF 6 SHEETS

TRACT W-9
CRESSWIND PALM BEACH PHASE 3
(P.B. 132, PGS. 120-126)



NOTES
COORDINATES, BEARINGS AND DISTANCES
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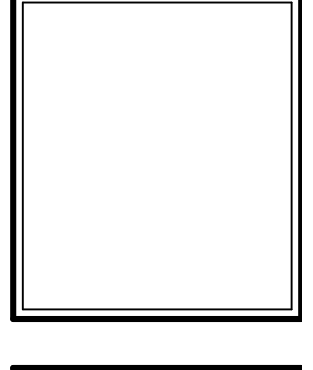
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BY	
DATE	
REVISIONS	
FILE NAME	8272-PHASE3-SURVEY-1

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BOUNDARY SURVEY OF SECTIONS 6 AND 7
A PORTION OF SECTIONS 6 AND 7
TOWNSHIP 43 SOUTH, RANGE 41 EAST
CITY OF WESTLAKE
PALM BEACH COUNTY, FLORIDA

DATE 10/15/2021
DRAWN BY AS
F.B./ PG. ELEC
SCALE AS SHOWN



JOB # 8272-5
SHT.NO.
6
OF 6 SHEETS



CITY OF WESTLAKE

Engineering Department

4001 Seminole Pratt Whitney Road
Westlake, Florida 33470
Phone: (561) 530-5880
www.westlakegov.com

DATE:	1/21/2022
PETITION NUMBER:	ENG-2021-20
DESCRIPTION:	Cresswind (Pod P) Phase 5 – Plat
APPLICANT:	Cotleur-Hearing
OWNER:	KH Westlake, LLC
REQUEST:	Plat & Boundary Survey Review
LOCATION:	Westlake, Florida
STAFF REVIEW:	RECOMMENDED APPROVAL

This is the second review of this Plat. This review is done for compliance with Chapters 177, Florida Statutes, and the City of Westlake’s codes and ordinances. Following are our comments:

All of our previous comments have been adequately addressed. The plat is now in compliance with Chapter 177, Florida Statutes and the City of Westlake’s codes and ordinances. We can therefore recommend approval of the plat.

This letter has been prepared by the following individual, in association with their consultants and subconsultants:

Suzanne Dombrowski, P.E.
Chen Moore and Associates
Tel: 561.746.6900 x 1035
Email: sdombrowski@chenmoore.com

File Attachments for Item:

B. A Resolution for the Plat Town Center Parkway – Phase III and River Bend

Submitted By: Engineering

RESOLUTION 2022-02

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE PLAT TOWN CENTER PARKWAY – PHASE III AND RIVER BEND, BEING A PORTION OF SECTIONS 5, 6, AND 8, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR AN EFFECTIVE DATE.



Meeting Agenda Item Coversheet

MEETING DATE:		February 14, 2022	Submitted By: Engineering	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>		A Resolution for the Plat Town Center Parkway – Phase III and River Bend		
STAFF RECOMMENDATION: (MOTION READY)		Motion to Approve		
SUMMARY and/or JUSTIFICATION:		The City of Westlake has the exclusive jurisdiction to approve the plat pursuant to Florida Statutes, §177.071. The application has been reviewed and approved by a Professional Surveyor and Mapper for the City of Westlake, and said Surveyor and Mapper has found the application to be consistent with the requirement under Florida Statutes, Chapter 177. The plat includes 22.445 acres of land. The plat has been reviewed and approved by the City Engineer, SID, and the City Attorney.		
SELECT, if applicable	AGREEMENT:		BUDGET:	
	STAFF REPORT:	X	PROCLAMATION:	
	EXHIBIT(S):	X	OTHER:	
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	Agenda Item Cover Sheet Staff Report Legal Description Plat Boundary Survey Resolution Approval Letter(s)			
SELECT, if applicable	RESOLUTION:	X	ORDINANCE:	
IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(if Item is <u>not</u> a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank)</i>	A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE PLAT TOWN CENTER PARKWAY – PHASE III AND RIVER BEND, BEING A PORTION OF SECTIONS 5, 6, AND 8, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR AN EFFECTIVE DATE.			
FISCAL IMPACT (if any):				\$

RESOLUTION 2022-02

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE PLAT OF TOWN CENTER PARKWAY – PHASE III AND RIVER BEND, BEING A PORTION OF SECTIONS 5, 6, AND 8, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Minto PBLH, LLC, a Florida Limited Liability Company, as the Owner has requested approval for Town Center Parkway – Phase III and River Bend, being a portion of Sections 5, 6, and 8, Township 43 South, Range 41 East, City of Westlake, Palm Beach County, Florida, containing approximately 22.445 acres as described in Exhibit "A", attached hereto; and

WHEREAS, the City of Westlake has the exclusive jurisdiction to approve the plat and boundary survey pursuant to Florida Statutes, §177.071; and

WHEREAS, the application has been reviewed and approved by a Professional Surveyor and Mapper for the City of Westlake, and said Surveyor and Mapper has found the application to be consistent with the requirements under Florida Statutes, Chapter 177; and

WHEREAS, the Building staff, Engineering staff and Planning staff for the City of Westlake have reviewed the application, the final plat, attached hereto as "Exhibit B", and the boundary survey, attached hereto as "Exhibit C", and the collective staff has recommended approval; and

WHEREAS, after careful review and consideration, the collective staff has determined that this application has complied with the City's Land Development Regulations and Florida law.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, THAT:

- Section 1: **INCORPORATION.** The above recitals are true and correct and are incorporated herein by this reference.
- Section 2: **CITY COUNCIL APPROVALS.** The City Council for the City of Westlake hereby approves the final plat, "Exhibit B" and boundary survey, "Exhibit C" for River Bend Road, as described in the attached Exhibit "A", containing approximately 22.445 acres, which is located in the City of Westlake, and in Palm Beach County, Florida.
- Section 3. **RECORDATION.** The applicant shall provide a certified copy of the recorded plat and the applicant shall cover the costs of recording the plat in the public records in and for Palm Beach County Florida.
- Section 4: **SCRIVENER'S ERRORS.** This Resolution can be renumbered or re-lettered and typographical errors and clarification of ambiguous wording that do not affect the intent

can be corrected with the authorization of the City Manager and City Attorney without the need for public hearing.

Section 5: **CONFLICTS:** All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 6: **SEVERABILITY:** If any clause, section, or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered eliminated and will in no way affect the validity of the other provisions of this Resolution.

Section 7: **EFFECTIVE DATE:** This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by City Council for the City of Westlake, on this ____ day of _____, 2022.

PUBLISHED on this ____ day of _____ in the Palm Beach Post.

City of Westlake
Roger Manning, Mayor

Zoie Burgess, City Clerk

Approved as to Form and Sufficiency
_____, City Attorney
(PRINT NAME)



CITY OF WESTLAKE
Engineering Department
4001 Seminole Pratt Whitney Road
Westlake, Florida 33470
Phone: (561) 530-5880
www.westlakegov.com

STAFF MEMORANDUM

DATE: 1/28/2022
PETITION NO.: ENG-2020-37
DESCRIPTION: Review of Plat for Town Center Parkway – Phase III and River Bend
APPLICANT: Cotleur and Hearing
OWNER: Minto PBLH, LLC
REQUEST: Owner (Minto PBLH, LLC) is requesting approval of the Plat for Town Center Parkway – Phase III and River Bend

Final Recommendation

The Office of the City Engineer has reviewed the documents associated with the application referenced above and recommends approval by the Council. The Seminole Improvement District’s Engineering Department approved the subject referenced plat on December 22, 2021 and approval by the Board of Supervisors is scheduled for February 7, 2022.

Discussion

This portion of Town Center Parkway – Phase III and River Bend is located within the eastern portion of the City of Westlake. On the west side, this plat boundary connects to Town Center Parkway Phase II. On the south side of this plat boundary, River Bend ends north of the intersection with Persimmon Boulevard. The graphic below shows the general location.

Location Map



Town Center Parkway – Phase III and River Bend is a portion of Sections 5, 6, and 8, Township 43 South, Range 41 East, City of Westlake, Palm Beach County, Florida. Once completed the road will serve as a collector road within the City of Westlake, connecting internal residential pods to ingress and egress for the City. The project area is +/- 22.445 acres. The Legal Description of the Plat can be found in Exhibit A, and replications of the plat topographical survey and plat can be found in Exhibits B and C.

Review Criteria

Plats shall be prepared in accordance with the provisions of Chapter 177 F.S., as amended, and the City of Westlake Land Development Regulations. The plat was reviewed for clarity, legibility, and conformance with this statute and City requirements. The plat provides a graphic depiction of the legal description through geometric data. The data includes but is not limited to parcel, block, tract, right-of-way, street and associated names, easement, permanent reference monuments and permanent control points, and interior excepted parcels. Other requirements such as paper size, line work, layout of sheet and required content including the subdivision name, title, legal description, key map, vicinity map, north arrow, scale and legend are verified in the Engineering Department review.

Conclusion

Two (2) reviews of the plat occurred, which resulted in an acceptable plat. The review was done for compliance with Chapters 177, 5J-17, Florida Statutes, and the City of Westlake's codes and ordinances. All comments have been adequately addressed and the plat is in compliance. We therefore recommend that the plat be approved for recording.

Exhibit 'A'
TOWN CENTER PARKWAY PHASE 3 AND RIVER BEND
LEGAL DESCRIPTION

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DESCRIPTION: Town Center Parkway – Phase III and River Bend

BEING A PORTION OF SECTIONS 5, 6, AND 8, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST; THENCE S.89°48'53"E. ALONG THE NORTH BOUNDARY LINE OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, A DISTANCE OF 4641.31 FEET; THENCE S.00°11'07"W., A DISTANCE OF 2682.75 FEET TO THE POINT OF BEGINNING; THENCE S.85°56'19" E., A DISTANCE OF 65.82 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 2010.00 FEET; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 43°48'35", A DISTANCE OF 1536.89 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 40.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 35°59'24", A DISTANCE OF 25.13 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 112.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 65°55'32", A DISTANCE OF 128.87 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 50.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 34°54'59", A DISTANCE OF 30.47 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 2010.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°59'04", A DISTANCE OF 139.77 FEET TO A NON-TANGENT INTERSECTION; THENCE S.48°42'48" E., A DISTANCE OF 180.00 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 2190.00 FEET, AND A RADIAL BEARING OF N.48°42'48" W. AT SAID INTERSECTION; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°18'05", A DISTANCE OF 126.19 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE EAST, WITH A RADIUS OF 40.00 FEET; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 62°38'56", A DISTANCE OF 43.74 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 4694.00 FEET; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 40°56'09", A DISTANCE OF 3353.70 FEET TO A NON-TANGENT INTERSECTION; THENCE N.67°07'30" W., A DISTANCE OF 188.00 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 4506.00 FEET, AND A RADIAL BEARING OF N.67°07'30" W. AT SAID INTERSECTION, SAID INTERSECTION ALSO BEING A POINT ON THE EASTERLY BOUNDARY LINE OF ORCHARDS OF WESTLAKE - PHASE I, AS RECORDED IN PLAT BOOK 131, PAGES 192-210, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE BY THE FOLLOWING (4) FOUR COURSES, BEING ALONG SAID EASTERLY AND NORTHERLY BOUNDARY LINE: 1) THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 39°43'21", A DISTANCE OF 3123.96 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 200.00 FEET, AND A RADIAL BEARING OF N.10°50'48" E. AT SAID INTERSECTION; 2) THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°37'06", A DISTANCE OF 40.56 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 2190.00 FEET, AND A RADIAL BEARING OF N.38°25'47" W. AT SAID INTERSECTION; 3) THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 42°29'28", A DISTANCE OF 1624.13 FEET TO A POINT OF TANGENCY; 4) THENCE N.85°56'19" W., A DISTANCE OF 65.82 FEET TO THE SOUTHEAST CORNER OF TOWN CENTER PARKWAY, AS SHOWN ON

TOWN CENTER PARKWAY - PHASE II, AS RECORDED IN PLAT BOOK 126, PAGES 34-38, INCLUSIVE, OF SAID PUBLIC RECORDS; THENCE N.04°03'38" E., ALONG THE EAST LINE OF SAID PLAT OF TOWN CENTER PARKWAY - PHASE II, A DISTANCE OF 180.00 FEET TO THE POINT OF BEGINNING.

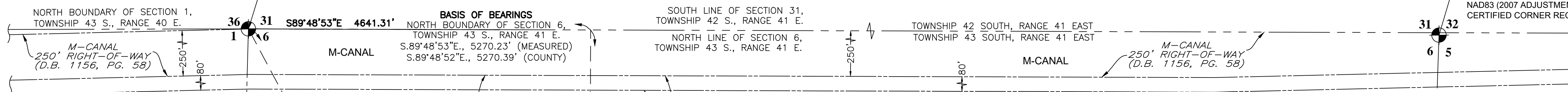
CONTAINING: 977,708 SQUARE FEET OR 22.445 ACRES, MORE OR LESS.

TOWN CENTER PARKWAY - PHASE III AND RIVER BEND

BEING A PORTION OF SECTIONS 5, 6, AND 8, TOWNSHIP 43 SOUTH, RANGE 41 EAST,
CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA

POINT OF COMMENCEMENT
NORTHEAST CORNER OF SECTION 1, TOWNSHIP 43 S., RANGE 40 E.
SET 3.5" IRON PIPE "PUBLIC LAND SURVEY
CORNER-TALLAHASSEE MERIDIAN"
BRASS DISK "10" EAST SET IN CONCRETE
FOUND 10' EAST ON SECTION LINE
N: 884626.7147 / E: 886137.1629
NAD83 (2007 ADJUSTMENT)
CERTIFIED CORNER RECORD #107597

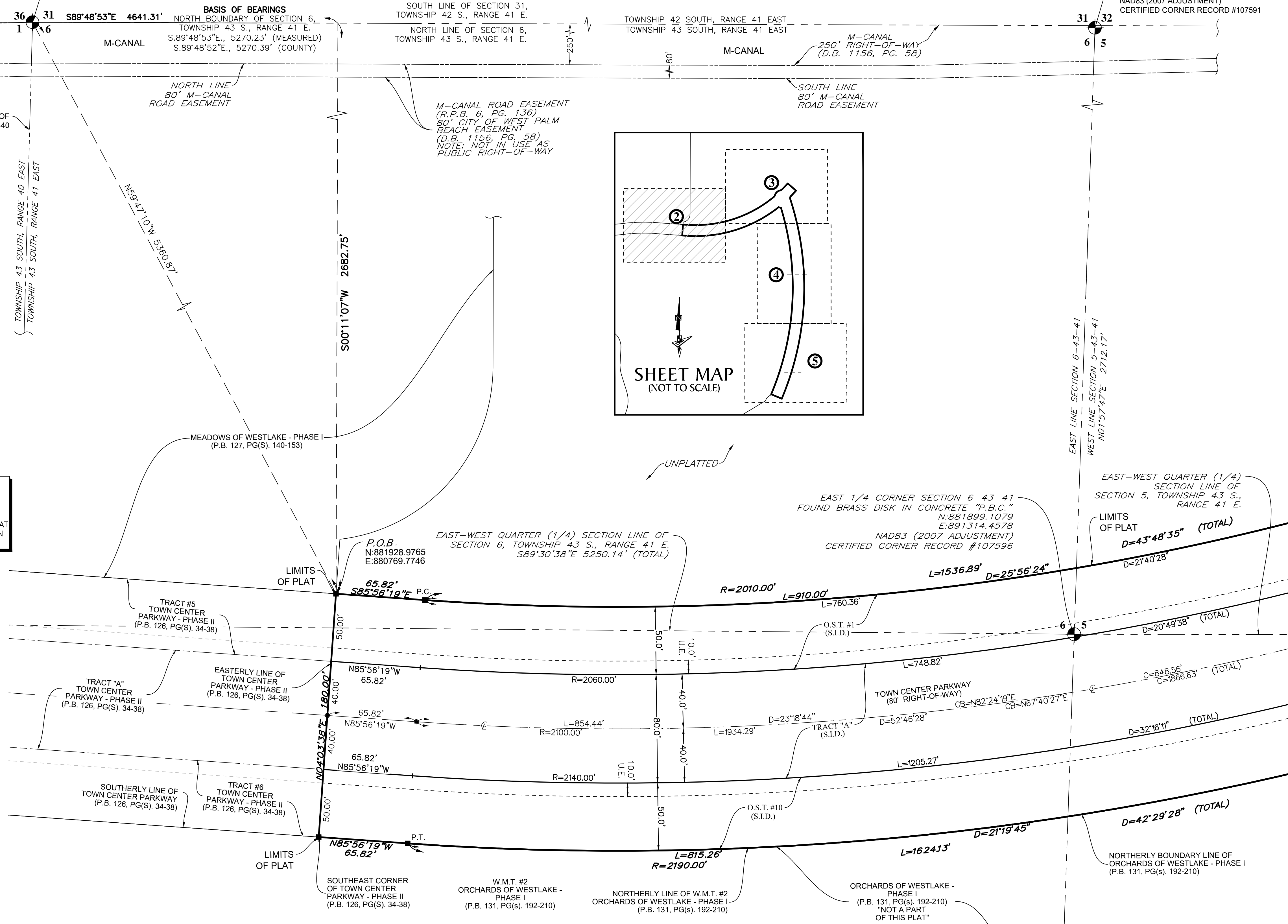
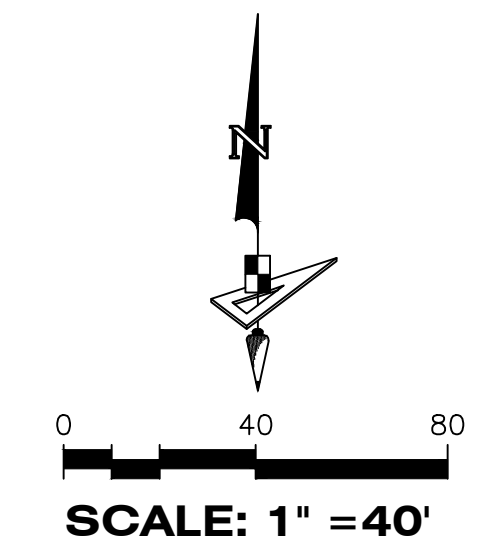
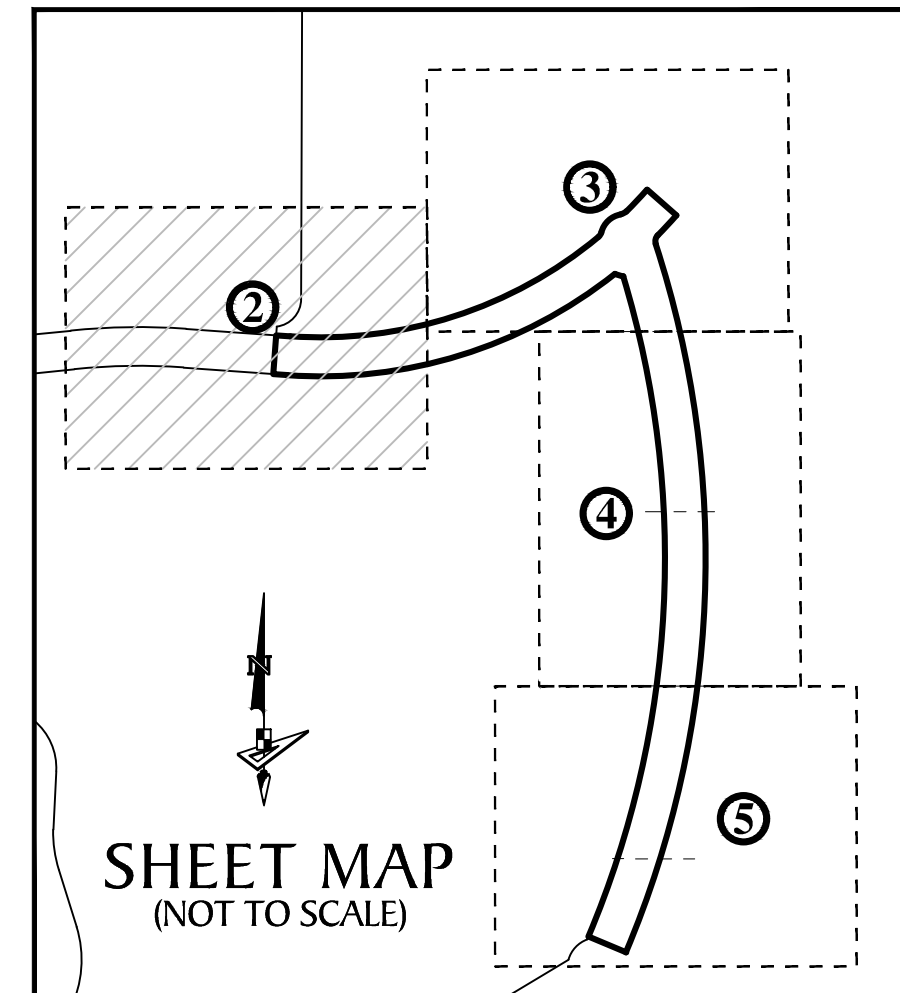
NORTHEAST CORNER SECTION 6-43-41
FOUND BRASS DISK IN CONCRETE "P.B.C."
N: 884609.8818 E: 891407.3638
NAD83 (2007 ADJUSTMENT)
CERTIFIED CORNER RECORD #107591



BASIS OF BEARINGS
BEARINGS SHOWN HEREON ARE BASED ON THE NORTH BOUNDARY OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, HAVING A GRID BEARING OF S.89°48'53"E. (MEASURED). BEARINGS SHOWN HEREON, REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICA DATUM OF 1983 (NAD 83 - '07) FOR THE EAST ZONE OF FLORIDA, SAID BASIS OF BEARING IS THE SAME IN THE NORTH AMERICAN DATUM OF 1983 (NAD 83 - '90).

COORDINATES SHOWN HEREON ARE FLORIDA STATE PLANE GRID DATUM = NAD83 2007 ADJUSTMENT ZONE = FLORIDA EAST LINEAR UNITS = US SURVEY FEET COORDINATE SYSTEM = 1983 STATE PLANE PROJECTION = TRANSVERSE MERCATOR ALL DISTANCES ARE GROUND SCALE FACTOR: 1.0000 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE PLAT BEARING = GRID BEARING NO ROTATION ALL TIES TO SECTION CORNERS AND QUARTER CORNERS ARE GENERATED FROM MEASURED VALUES

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

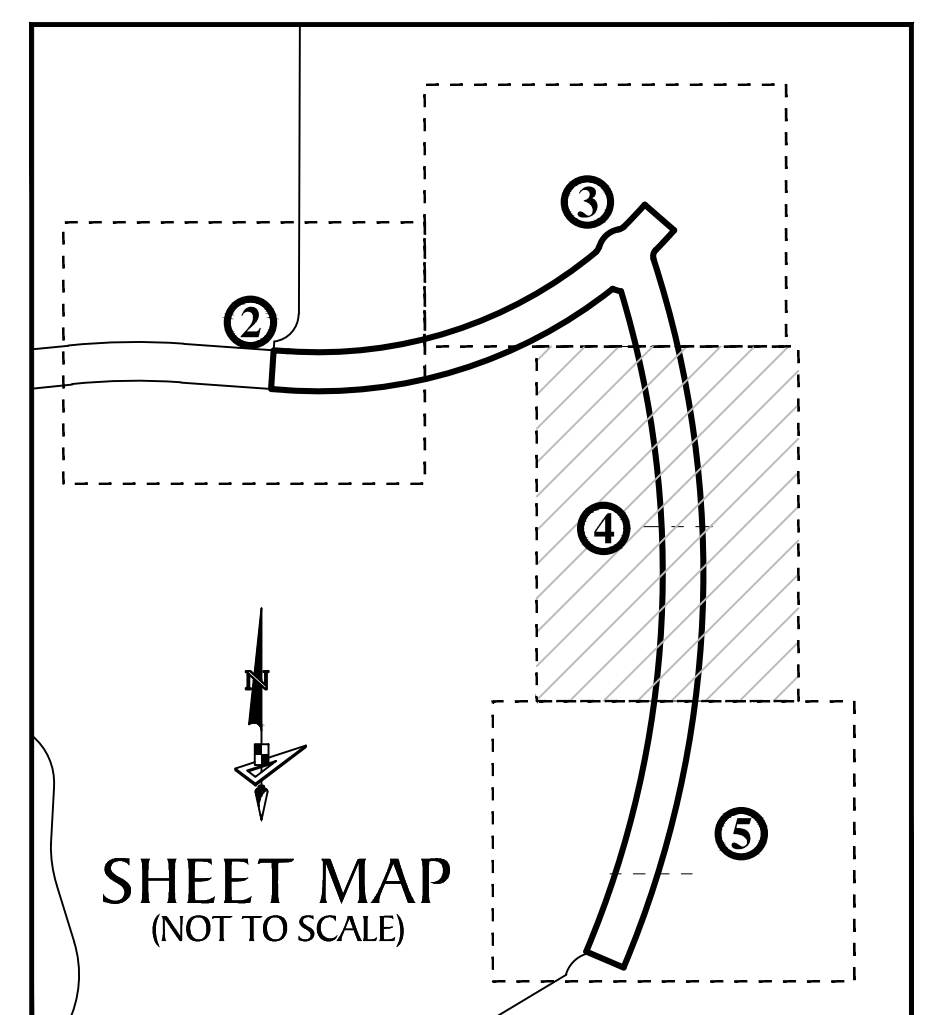
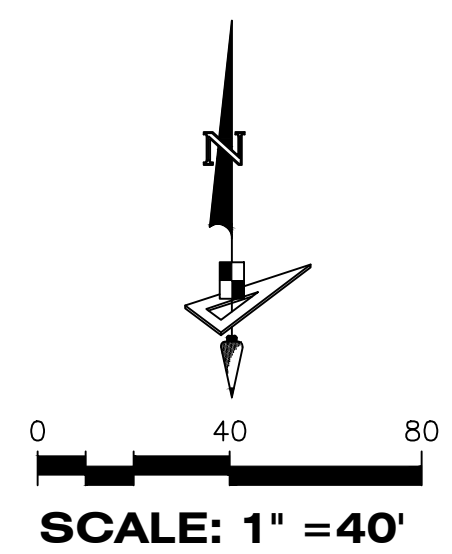
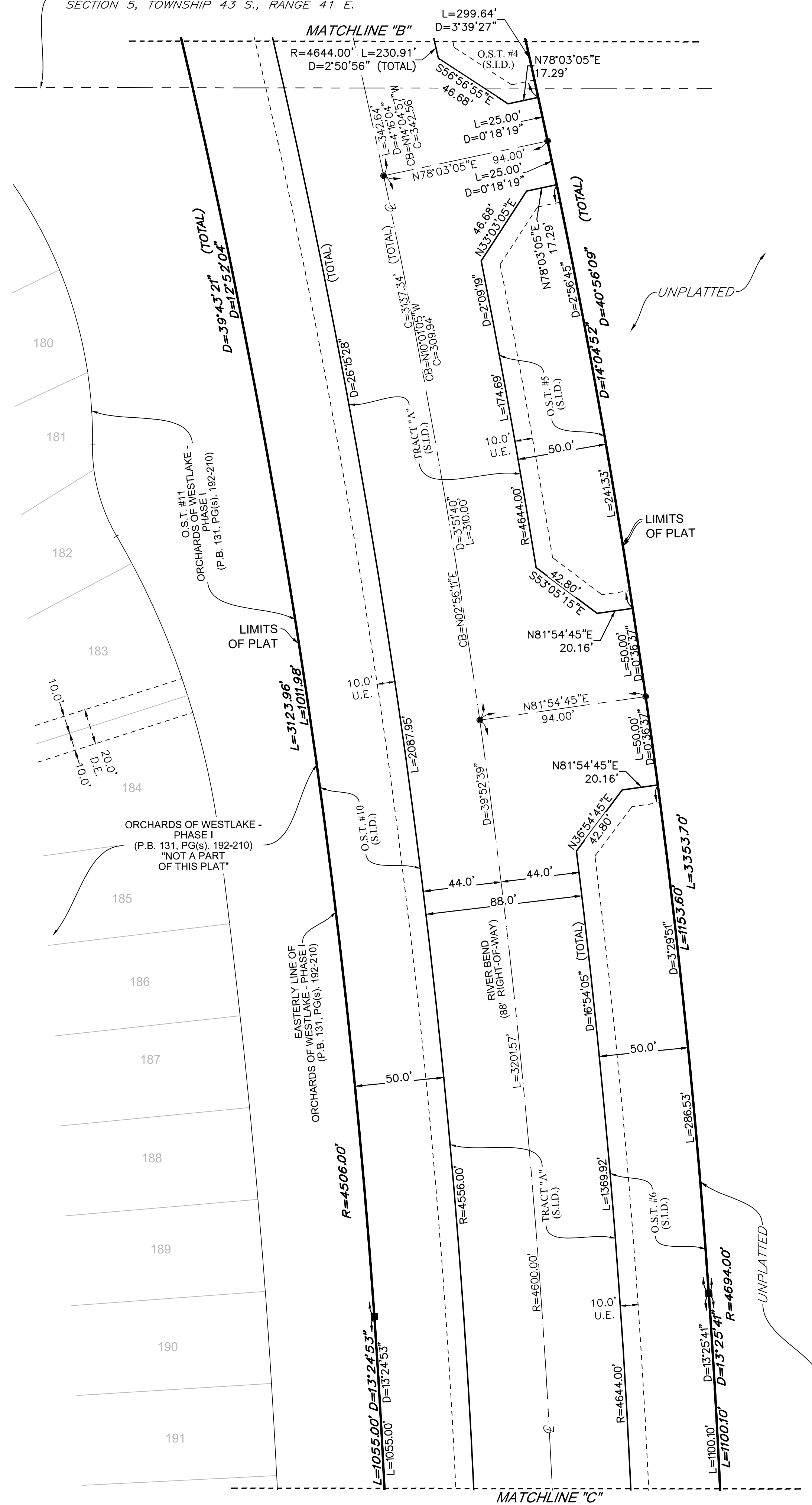


LEGEND		
P.O.B. -----	POINT OF BEGINNING	
P.O.C. -----	POINT OF COMMENCEMENT	
P.B. -----	PLAT BOOK	
R.P.B. -----	ROAD PLAT BOOK	
D.B. -----	DEED BOOK	
PG./PG(S) -----	PAGE(S)	
NAD -----	NORTH AMERICAN DATUM	
W.M.T. -----	WATER MANAGEMENT TRACT	
O.S.T. -----	OPEN SPACE TRACT	
P.B.C. -----	PALM BEACH COUNTY	
U.E. -----	UTILITY EASEMENT	
5-43-41-----	SECTION-TOWNSHIP-RANGE	
R -----	RADIUS	
L -----	ARC LENGTH	
D -----	DELTA ANGLE	
CB -----	CHORD BEARING	
C -----	CHORD	
Q -----	CENTER LINE OF ROAD	
C.C. -----	COMPOUND CURVATURE	
R.C. -----	REVERSE CURVATURE	
N.T. -----	NON-TANGENT	
N.T.C. -----	NON-TANGENT CURVATURE	
P.C. -----	POINT OF CURVATURE	
P.T. -----	POINT OF TANGENCY	
R/W -----	RIGHT-OF-WAY	
S.I.D. -----	SEMINOLE IMPROVEMENT DISTRICT	
PRM -----	PERMANENT REFERENCE MONUMENT	
● -----	PERMANENT CONTROL POINT	
□ -----	FOUND PERMANENT REFERENCE MONUMENT	
■ -----	SET 4"x4" CONCRETE MONUMENT WITH 2" ALUMINUM DISK STAMPED "PRM LB 7768"	

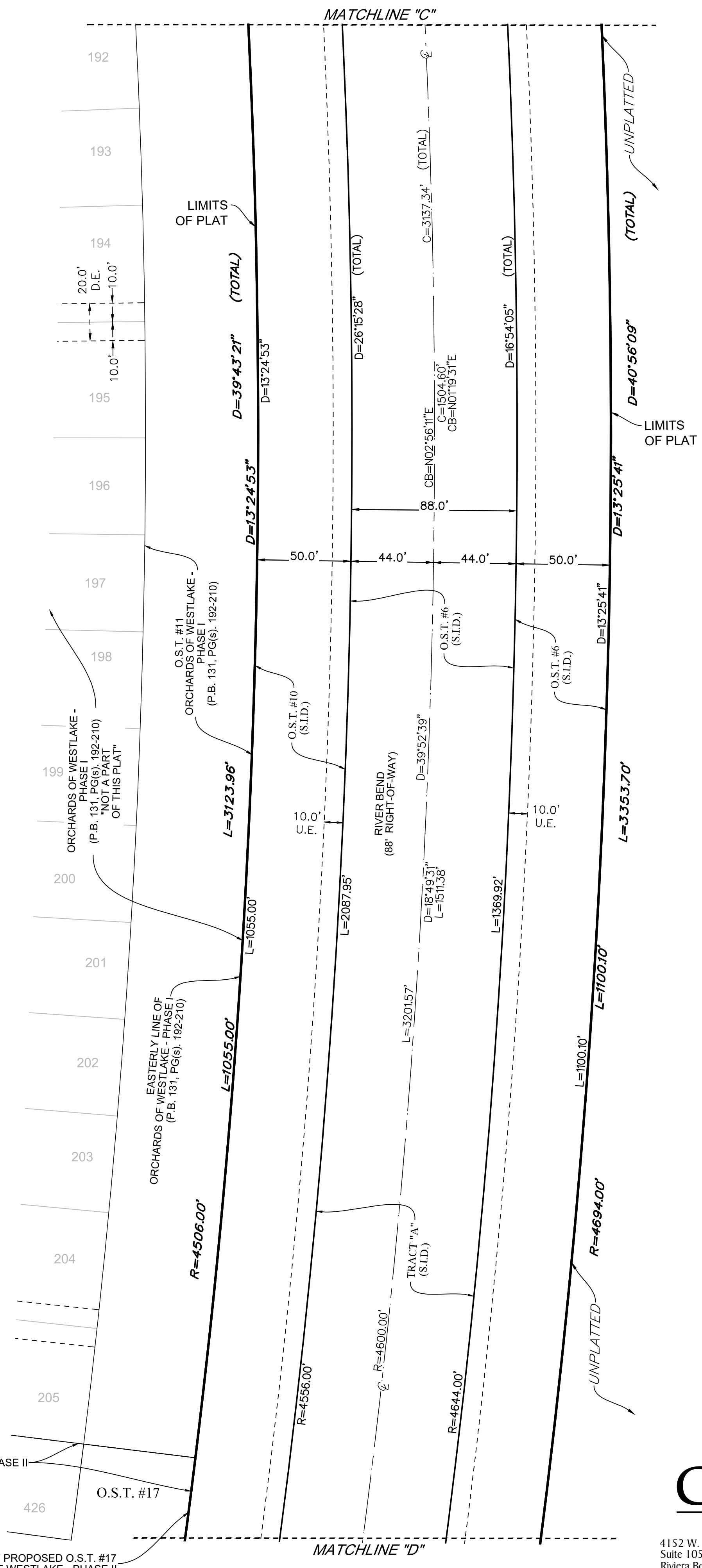
TOWN CENTER PARKWAY - PHASE III AND RIVER BEND

BEING A PORTION OF SECTIONS 5, 6, AND 8, TOWNSHIP 43 SOUTH, RANGE 41 EAST,
CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA

EAST-WEST QUARTER (1/4) SECTION LINE OF
SECTION 5, TOWNSHIP 43 S., RANGE 41 E.



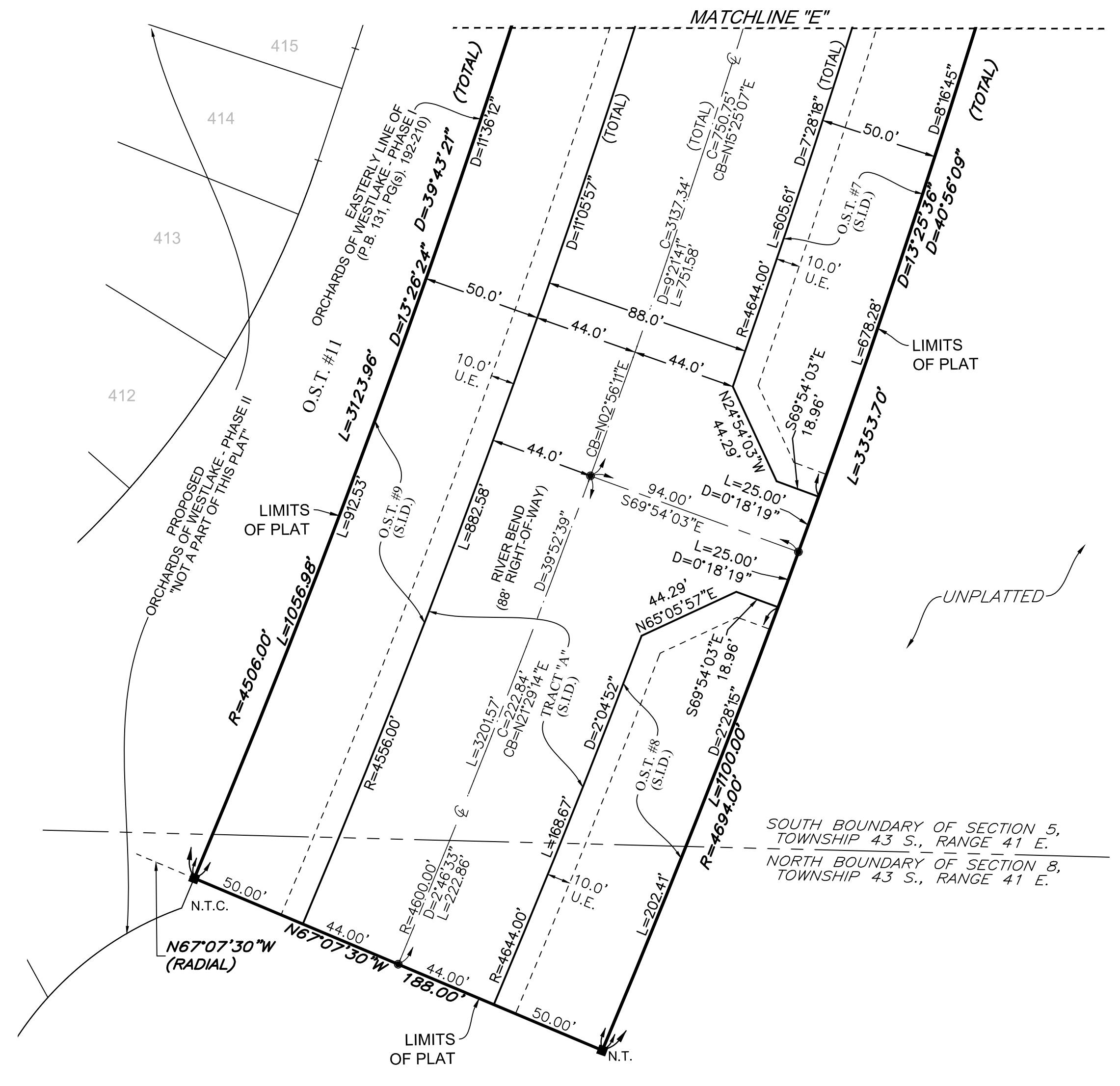
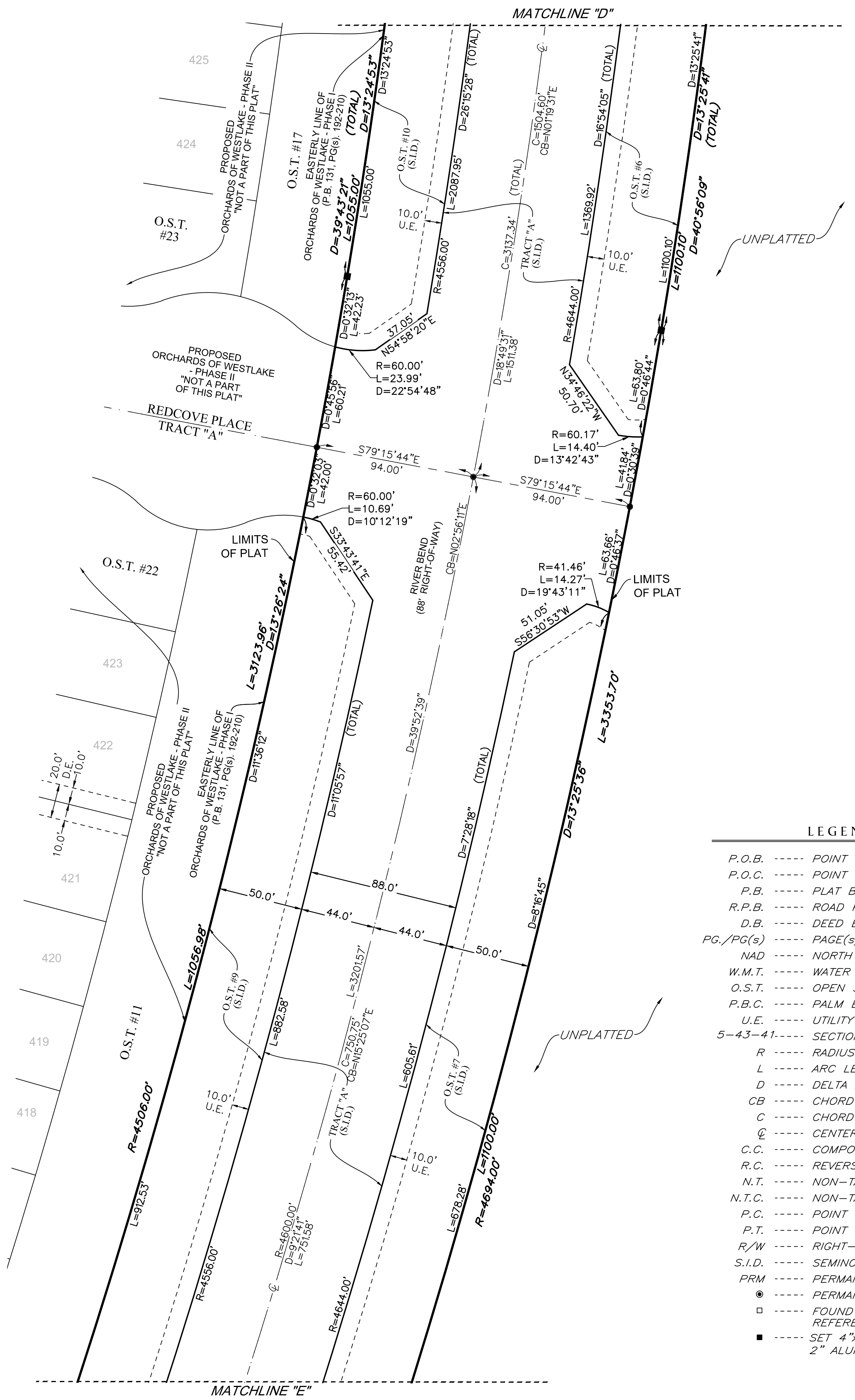
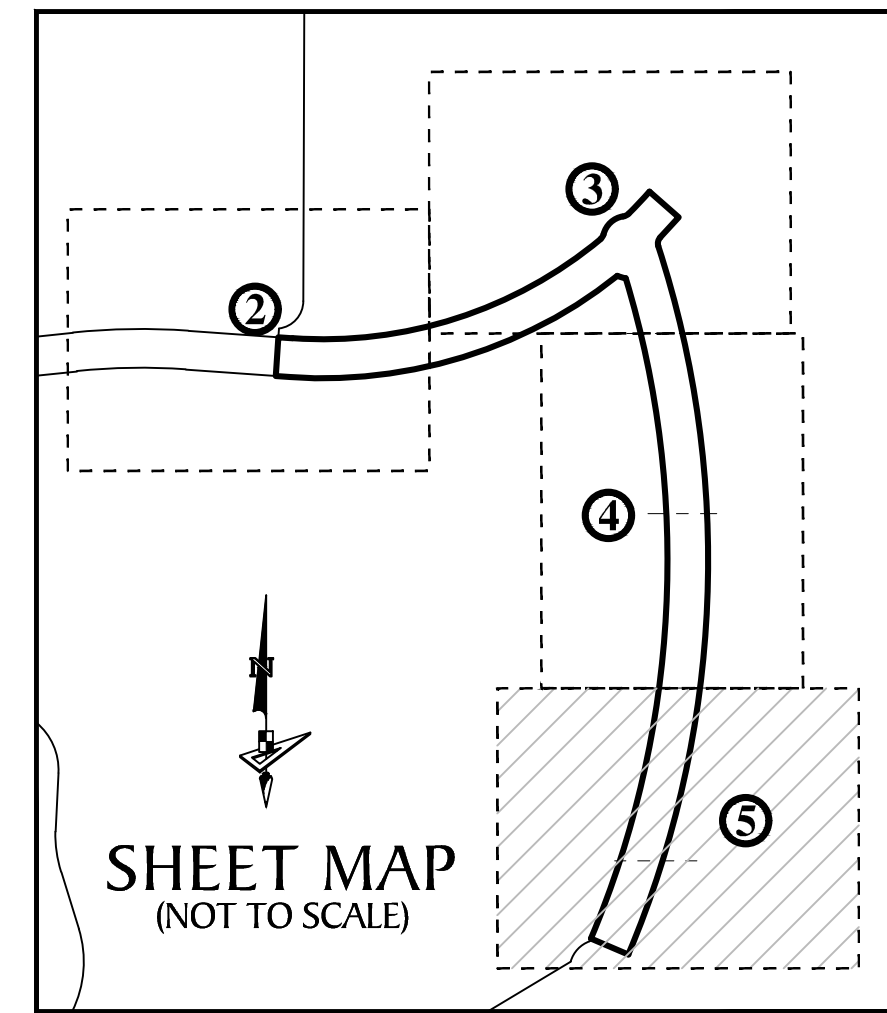
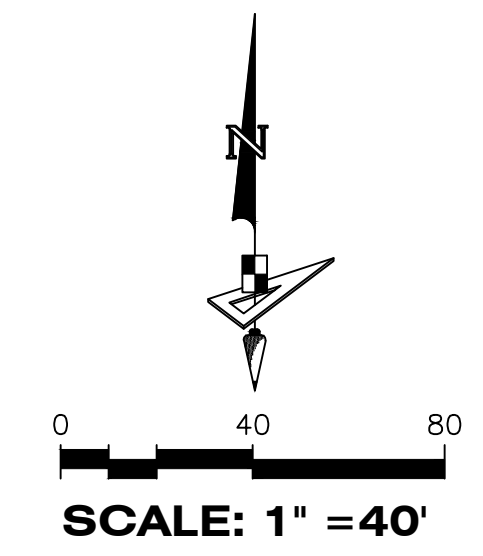
- LEGEND**
- P.O.B. ----- POINT OF BEGINNING
 - P.O.C. ----- POINT OF COMMENCEMENT
 - P.B. ----- PLAT BOOK
 - R.P.B. ----- ROAD PLAT BOOK
 - D.B. ----- DEED BOOK
 - PG./PG(s) ----- PAGE(S)
 - NAD ----- NORTH AMERICAN DATUM
 - W.M.T. ----- WATER MANAGEMENT TRACT
 - O.S.T. ----- OPEN SPACE TRACT
 - P.B.C. ----- PALM BEACH COUNTY
 - U.E. ----- UTILITY EASEMENT
 - 5-43-41 ----- SECTION-TOWNSHIP-RANGE
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 - D ----- DELTA ANGLE
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 - C ----- CHORD
 - CL ----- CENTER LINE OF ROAD
 - C.C. ----- COMPOUND CURVATURE
 - R.C. ----- REVERSE CURVATURE
 - N.T. ----- NON-TANGENT
 - N.T.C. ----- NON-TANGENT CURVATURE
 - P.C. ----- POINT OF CURVATURE
 - P.T. ----- POINT OF TANGENCY
 - R/W ----- RIGHT-OF-WAY
 - S.I.D. ----- SEMINOLE IMPROVEMENT DISTRICT
 - PRM ----- PERMANENT REFERENCE MONUMENT
 - ----- PERMANENT CONTROL POINT
 - ----- FOUND PERMANENT REFERENCE MONUMENT
 - ----- SET 4"x4" CONCRETE MONUMENT WITH 2" ALUMINUM DISK STAMPED "PRM LB 7768"



PROPOSED ORCHARDS OF WESTLAKE - PHASE II
"NOT A PART OF THIS PLAT"

TOWN CENTER PARKWAY - PHASE III AND RIVER BEND

BEING A PORTION OF SECTIONS 5, 6, AND 8, TOWNSHIP 43 SOUTH, RANGE 41 EAST,
CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA



LEGEND

P.O.B. -----	POINT OF BEGINNING
P.O.C. -----	POINT OF COMMENCEMENT
P.B. -----	PLAT BOOK
R.P.B. -----	ROAD PLAT BOOK
D.B. -----	DEED BOOK
PG./PG(s) -----	PAGE(S)
NAD -----	NORTH AMERICAN DATUM
W.M.T. -----	WATER MANAGEMENT TRACT
O.S.T. -----	OPEN SPACE TRACT
P.B.C. -----	PALM BEACH COUNTY
U.E. -----	UTILITY EASEMENT
5-43-41 -----	SECTION-TOWNSHIP-RANGE
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L -----	ARC LENGTH
D -----	DELTA ANGLE
CB -----	CHORD BEARING
C -----	CHORD
CL -----	CENTER LINE OF ROAD
C.C. -----	COMPOUND CURVATURE
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N.T. -----	NON-TANGENT
N.T.C. -----	NON-TANGENT CURVATURE
P.C. -----	POINT OF CURVATURE
P.T. -----	POINT OF TANGENCY
R/W -----	RIGHT-OF-WAY
S.I.D. -----	SEMINOLE IMPROVEMENT DISTRICT
PRM -----	PERMANENT REFERENCE MONUMENT
● -----	PERMANENT CONTROL POINT
○ -----	FOUND PERMANENT REFERENCE MONUMENT
■ -----	SET 4"x4" CONCRETE MONUMENT WITH 2" ALUMINUM DISK STAMPED "PRM LB 7768"



4152 W. Blue Heron Blvd. Phone: (561) 444-2720
Suite 105 www.geopointsurvey.com
Riviera Beach, FL 33404 Licensed Business Number LB 7768

Exhibit 'C'
TOWN CENTER PARKWAY PHASE 3
TOPOGRAPHICAL SURVEY

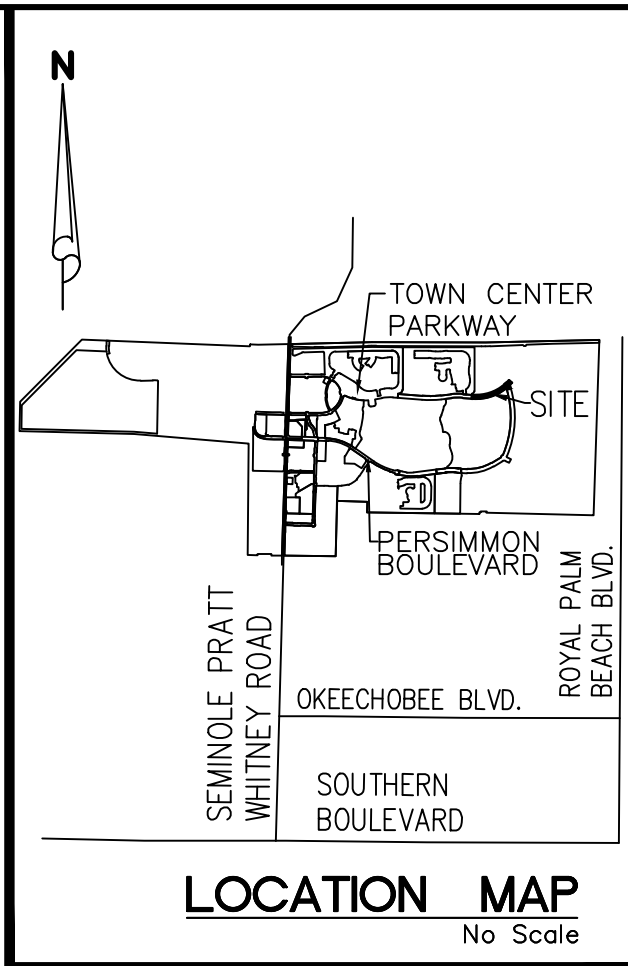
THIS SPACE INTENTIONALLY LEFT BLANK

DESCRIPTION:

BEING A PORTION OF SECTIONS 5, 6, AND 8, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST; THENCE S.89°48'53"E. ALONG THE NORTH BOUNDARY LINE OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, A DISTANCE OF 4641.31 FEET; THENCE S.00°11'07"W., A DISTANCE OF 2682.75 FEET TO THE **POINT OF BEGINNING**; THENCE S.85°56'19" E., A DISTANCE OF 65.82 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 2010.00 FEET; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 43°48'35", A DISTANCE OF 1536.89 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 40.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 35°59'24", A DISTANCE OF 25.13 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 112.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 65°55'32", A DISTANCE OF 128.87 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 50.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 34°54'59", A DISTANCE OF 30.47 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 2010.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°59'04", A DISTANCE OF 139.77 FEET TO A NON-TANGENT INTERSECTION; THENCE S.48°42'48" E., A DISTANCE OF 180.00 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 2190.00 FEET, AND A RADIAL BEARING OF N.48°42'48" W. AT SAID INTERSECTION; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°18'05", A DISTANCE OF 126.19 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE EAST, WITH A RADIUS OF 40.00 FEET; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 62°38'56", A DISTANCE OF 43.74 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 4694.00 FEET; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 40°56'09", A DISTANCE OF 3353.70 FEET TO A NON-TANGENT INTERSECTION; THENCE N.67°07'30" W., A DISTANCE OF 188.00 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 4506.00 FEET, AND A RADIAL BEARING OF N.67°07'30" W. AT SAID INTERSECTION, SAID INTERSECTION ALSO BEING A POINT ON THE EASTERLY BOUNDARY LINE OF ORCHARDS OF WESTLAKE - PHASE I, AS RECORDED IN PLAT BOOK 131, PAGES 192-210, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE BY THE FOLLOWING (4) FOUR COURSES, BEING ALONG SAID EASTERLY AND NORTHERLY BOUNDARY LINE: 1) THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 39°43'21", A DISTANCE OF 3123.96 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 200.00 FEET, AND A RADIAL BEARING OF N.10°50'48" E. AT SAID INTERSECTION; 2) THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°37'06", A DISTANCE OF 40.56 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 2190.00 FEET, AND A RADIAL BEARING OF N.38°25'47" W. AT SAID INTERSECTION; 3) THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 42°29'28", A DISTANCE OF 1624.13 FEET TO A POINT OF TANGENCY; 4) THENCE N.85°56'19" W., A DISTANCE OF 65.82 FEET TO THE SOUTHEAST CORNER OF TOWN CENTER PARKWAY, AS SHOWN ON TOWN CENTER PARKWAY - PHASE II, AS RECORDED IN PLAT BOOK 126, PAGES 34-38, INCLUSIVE, OF SAID PUBLIC RECORDS; THENCE N.04°03'38" E., ALONG THE EAST LINE OF SAID PLAT OF TOWN CENTER PARKWAY - PHASE II, A DISTANCE OF 180.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 977,708 SQUARE FEET OR 22.445 ACRES, MORE OR LESS.



SURVEYOR'S NOTES:

- EASEMENTS, RIGHTS-OF-WAYS, SET BACK LINES, RESERVATIONS, AGREEMENTS AND OTHER SIMILAR MATTERS TAKEN FROM OWNERSHIP AND ENCUMBRANCE REPORT PREPARED BY FOUNDERS TITLE, DATED MAY 11, 2018.
- THIS SURVEY IS LIMITED TO ABOVE GROUND VISIBLE IMPROVEMENTS ALONG AND NEAR THE BOUNDARY LINES, AND THAT NOTHING BELOW THE GROUND WAS LOCATED INCLUDING, BUT NOT LIMITED TO FOUNDATIONS (FOOTINGS), UTILITIES, ETC. (INTERIOR OCCUPATION NOT LOCATED).
- BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE NORTH BOUNDARY OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, HAVING A GRID BEARING OF S.89°48'53"E. THE GRID BEARINGS, AS SHOWN HEREON, REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICA DATUM OF 1983 (NAD 83 - 07) FOR THE EAST ZONE OF FLORIDA. SAID BASIS OF BEARING IS THE SAME IN THE NORTH AMERICAN DATUM OF 1983 (NAD 83 - 90).
- THE SUBJECT PROPERTY LIES WITHIN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, WHERE THE FLOOD ZONE IS UNDETERMINED AT THE TIME OF THIS SURVEY.
- THIS SURVEY IS BASED ON PREVIOUS FIELD SURVEYS, DOCUMENTS OF RECORD, FOUND MONUMENTS, EXHIBITS, AND HISTORICALLY USED CORNERS, AS WELL AS THE LEGAL DESCRIPTION SHOWN HEREON. IMPROVEMENTS LIKE UTILITIES UNDER CONSTRUCTION ARE NOT LOCATED FOR THE PURPOSE OF SHOWING THE BOUNDARY OF A PROPOSED PLAT.
 - THE FOLLOWING ARE REFERENCE SURVEYS USED IN DETERMINING THE BOUNDARY LOCATION FOR CALLERY JUDGE GROVES:
 - THE 'M' CANAL ROAD RIGHT OF WAY MAP, RECORDED IN ROAD PLAT BOOK 6, PAGE 136.
 - BOUNDARY SURVEY OF RESIDENTIAL AT CALLERY JUDGE GROVES, PREPARED BY LIDBERG LAND SURVEYING, INC. (JOB NO.: 04-106-101C), DATED OCTOBER 5, 2007.
 - SKETCH OF SURVEY, PREPARED BY S.P. MUSICK, DATED MARCH 5, 1965.
- ALL BEARINGS AND DISTANCES (UNITED STATES SURVEY FEET) AS SHOWN HEREON ARE AS DESCRIBED AND MEASURED UNLESS OTHERWISE NOTED. MEASUREMENTS MADE ARE TO THE ACCURACY STANDARD OF SUBURBAN OR 1 FOOT IN 7500 FEET.
- SID AND SWCD EASEMENTS WITHIN BOUNDARY HAVE BEEN RELEASE PER O.R. 28084, PG. 0985.

EASEMENTS AND OTHER MATTERS AFFECTING TITLE:

- TERMS, CONDITIONS, RIGHTS AND RESERVATIONS CONTAINED IN THAT AGREEMENT BETWEEN WEST PALM BEACH WATER COMPANY AND INDIAN TRAIL RANCH, INC., RECORDED SEPTEMBER 25, 1956, IN OFFICIAL RECORDS BOOK 1156, PAGE 36 AND THAT DEED BETWEEN INDIAN TRAIL RANCH, INC., AND THE CITY OF WEST PALM BEACH, RECORDED IN OFFICIAL RECORDS BOOK 1156, PAGE 58, TOGETHER WITH AND AFFECTED BY ASSIGNMENT, RECORDED IN OFFICIAL RECORDS BOOK 1854, PAGE 1826 AND AGREEMENT BETWEEN CITY OF WEST PALM BEACH AND CITY NATIONAL BANK OF MIAMI BEACH, TRUSTEE, RECORDED IN OFFICIAL RECORDS BOOK 1854, PAGE 1838, THAT ASSIGNMENT, RECORDED IN OFFICIAL RECORDS BOOK 8405, PAGE 1104 AND BY DEED RECORDED IN OFFICIAL RECORDS BOOK 1854, PAGE 1803, QUIT CLAIM DEED AND AGREEMENT FOR RESERVATION OF RIGHTS, RECORDED IN OFFICIAL RECORDS BOOK 14742, PAGE 1196, AND PARTIAL RELEASE OF EASEMENTS AND RESERVATIONS OF RIGHTS, RECORDED FEBRUARY 3, 2016, IN OFFICIAL RECORDS BOOK 28084, PAGE 985, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- INTERLOCAL AGREEMENT BETWEEN PALM BEACH COUNTY AND THE SEMINOLE IMPROVEMENT DISTRICT, RECORDED APRIL 26, 2006, IN OFFICIAL RECORDS BOOK 20252, PAGE 184, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- MATTERS AS CONTAINED ON THAT CERTAIN PLAT OF TOWN CENTER PARKWAY NORTH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 123, PAGE 106, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- RECORDED NOTICE OF ENVIRONMENTAL RESOURCE PERMIT BY SOUTH FLORIDA WATER MANAGEMENT DISTRICT, RECORDED AUGUST 13, 2015, IN OFFICIAL RECORDS BOOK 27737, PAGE 15, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- NOTICE OF WESTLAKE COMMUNITY FOUNDATION FEE, RECORDED JANUARY 16, 2018, IN OFFICIAL RECORDS BOOK 29588, PAGE 1066 AND CORRECTIVE WESTLAKE COMMUNITY FOUNDATION FEE, RECORDED JANUARY 24, 2018, IN OFFICIAL RECORDS BOOK 29609, PAGE 1177, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- DECLARATION OF RESTRICTIONS, COVENANTS, AND EASEMENTS FOR WESTLAKE RESIDENCES, RECORDED JANUARY 16, 2018, IN OFFICIAL RECORDS BOOK 29588, PAGE 766, TOGETHER WITH FIRST AMENDMENT TO DECLARATION, RECORDED MAY 1, 2018, IN OFFICIAL RECORDS BOOK 29818, PAGE 284, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- COLLATERAL ASSIGNMENT OF DECLARANT RIGHTS BY AND BETWEEN MINTO PBLH, LLC AND WELLS FARGO BANK, NATIONAL ASSOCIATION, RECORDED JANUARY 25, 2018, IN OFFICIAL RECORDS BOOK 29611, PAGE 673, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. TO THE PERSON(S) EXPRESSLY IDENTIFIED BY NAME IN THE PROPERTY INFORMATION REPORT AS THE RECIPIENT(S) OF THE PROPERTY INFORMATION REPORT.

LEGEND

- P.O.B. --- POINT OF BEGINNING
- O.R./O.R.B. --- OFFICIAL RECORD BOOK
- PG.(s) --- PAGE(S)
- D.B. --- DEED BOOK
- W.M.T. --- WATER MANAGEMENT TRACT
- P.B.C. --- PALM BEACH COUNTY
- 6-43-41 --- SECTION-TOWNSHIP-RANGE
- R --- RADIUS
- L --- ARCH LENGTH
- D --- DELTA ANGLE
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- P.T. --- POINT OF TANGENCY
- C.C. --- COMPOUND CURVATURE
- R.C. --- REVERSE CURVATURE
- N.T. --- NON-TANGENT
- N.T.C. --- NON-TANGENT CURVATURE
- NAD83 --- NORTH AMERICAN DATUM 1983
- FCM --- FOUND CONCRETE MONUMENT
- BD --- BRASS DISK
- PBC --- PALM BEACH COUNTY
- TYP. --- TYPICAL
- EP □ --- ELECTRIC PEDESTAL
- ES □ --- ELECTRIC SWITCH BOX
- IBV ⊗ --- IRRIGATION BUTTERFLY VALVE
- SIR ● --- SET 5/8" IRON ROD LB7768
- --- FOUND PERMANENT REFERENCE MONUMENT LB7768
- UP ○ --- UTILITY POLE
- EP □ --- ELECTRIC PEDESTAL
- ICV ⊗ --- IRRIGATION CONTROL VALVE
- MW ⊕ --- MONITORING WELL
- W ⊗ --- WATER GATE VALVE
- WBV ⊗ --- WATER BUTTERFLY VALVE
- TOP OF BANK
- EDGE OF WATER

TOWN CENTER PARKWAY - PHASE III AND RIVER BEND BOUNDARY SURVEY

REVISIONS				Prepared For: MINTO COMMUNITIES, LLC	
No.	Date	Description	Dwn.	Last Date of Field Survey: 12/11/17	
				SURVEYOR'S CERTIFICATE	
				This certifies that a survey of the hereon described property was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17.050, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.	
				Gary A. Rager FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. LS4828	
				NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER	

Sheet No. 1 of 2 Sheets

4152 W. Blue Heron Blvd.
Suite 105
Riviera Beach, FL 33404

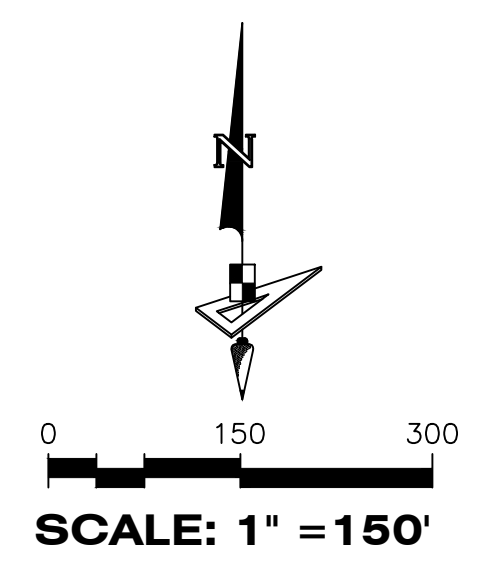
Phone: (561) 444-2720
www.geopointsurvey.com
Licensed Business Number LB 7768

Drawn: SWM Date: 01/09/19 Data File: Westlake TCP_III

Check: GAR P.C.: --- Field Book: -----

Sections: 5, 6, & 8 Twn. 43S Rng. 41E Job #: TCP-PH-III_BS

BY NAME: WESTLAKE WESTLAKE - NAD83 SURVEY TOWN CENTER PARKWAY PHASE III, RIVER BEND TOWN CENTER PARKWAY PHASE II, BS 5058. PLO FILED BY: SERGIO MACIAS. ON: 12/20/2017 2:31 PM. LAST SAVED BY: SERGIO. ON: 12/20/2017 2:30 PM.

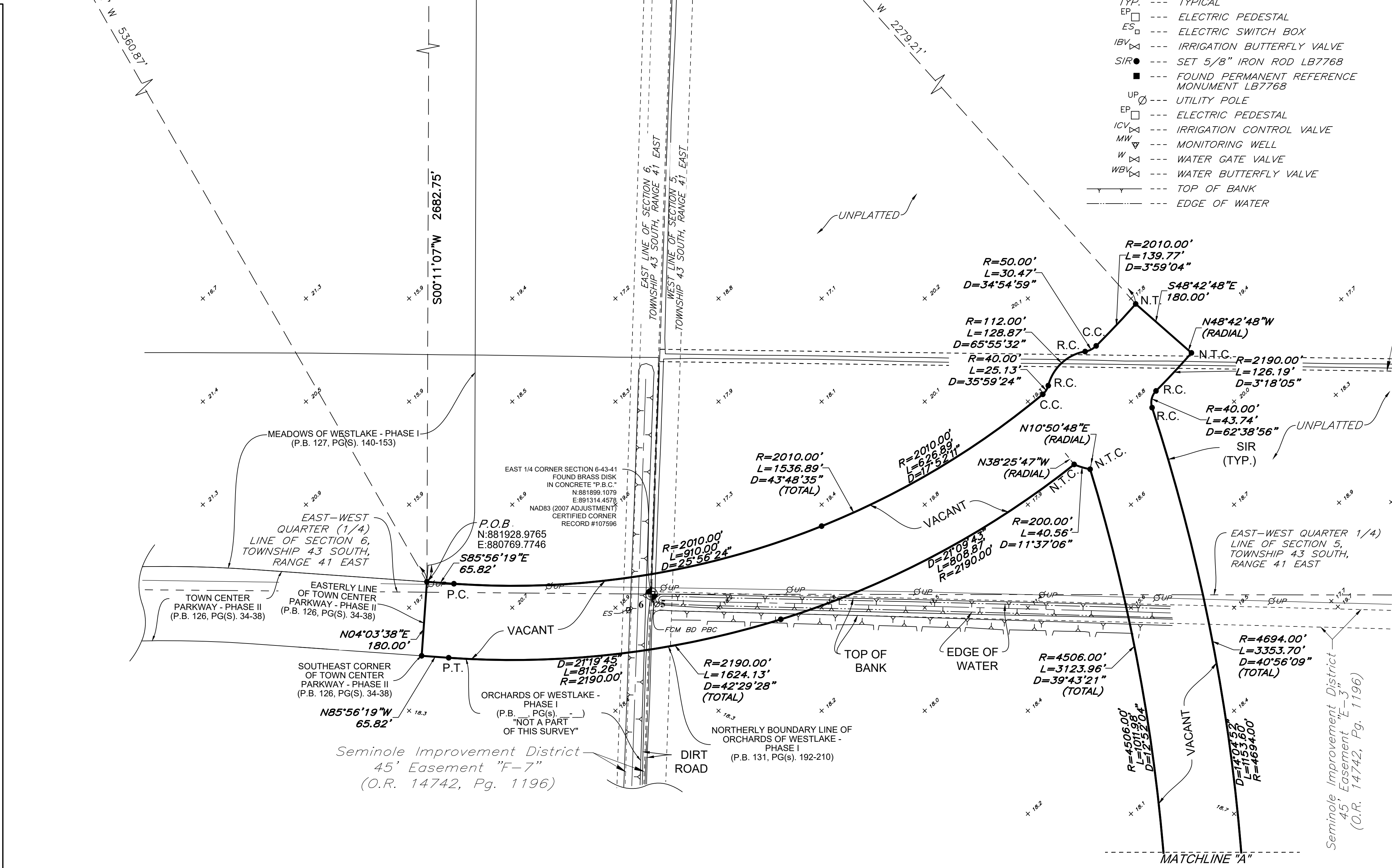
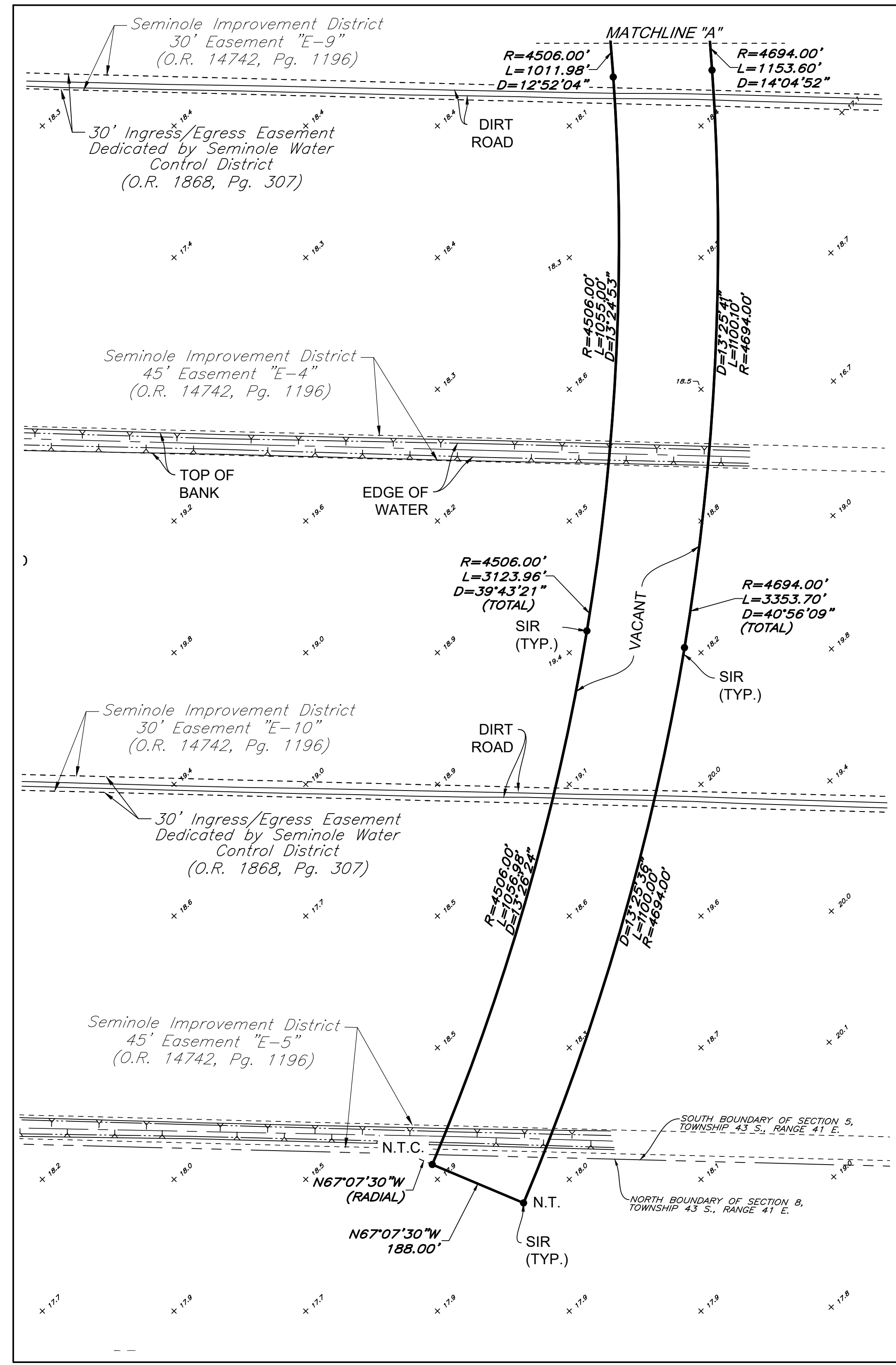
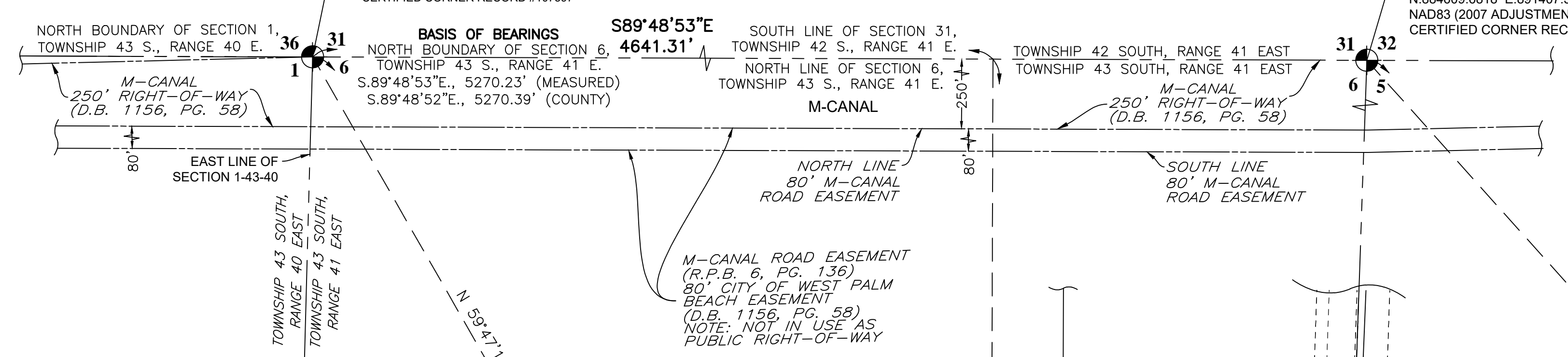


POINT OF COMMENCEMENT
 NORTHEAST CORNER OF SECTION 1, TOWNSHIP 43 S., RANGE 40 E.
 SET 3.5" IRON PIPE "PUBLIC LAND SURVEY"
 CORNER-TALLAHASSEE MERIDIAN
 BRASS DISK "10 EAST" SET IN CONCRETE
 FOUND 10' EAST ON SECTION LINE
 N: 884626.7147 / E: 886137.1629
 NAD83 (2007 ADJUSTMENT)
 CERTIFIED CORNER RECORD #107597

NORTHEAST CORNER SECTION 6-43-41
 FOUND BRASS DISK IN CONCRETE "P.B.C."
 N: 884609.6818 E: 891407.3638
 NAD83 (2007 ADJUSTMENT)
 CERTIFIED CORNER RECORD #107591

LEGEND

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- IBV --- IRRIGATION BUTTERFLY VALVE
- SIR --- SET 5/8" IRON ROD LB7768
- --- FOUND PERMANENT REFERENCE MONUMENT LB7768
- UP --- UTILITY POLE
- EP --- ELECTRIC PEDESTAL
- ICV --- IRRIGATION CONTROL VALVE
- MW --- MONITORING WELL
- W --- WATER GATE VALVE
- WBV --- WATER BUTTERFLY VALVE
- --- TOP OF BANK
- --- EDGE OF WATER



TOWN CENTER PARKWAY - PHASE III AND RIVER BEND BOUNDARY SURVEY

REVISIONS				Prepared For: MINTO COMMUNITIES, LLC	
No.	Date	Description	Dwn.	Last Date of Field Survey:	12/11/17

GeoPoint
 Surveying, Inc.

4152 W. Blue Heron Blvd. Phone: (561) 444-2720
 Suite 105 www.geopointsurvey.com
 Riviera Beach, FL 33404 Licensed Business Number LB 7768

Drawn: SWM Date: 01/09/19 Data File: Westlake TCP_III
 Check: GAR P.C.: Field Book: _____
 Sections: 5, 6, & 8 Twn. 43S Rng. 41E Job #: TCP-Ph-III_BS



CITY OF WESTLAKE

Engineering Department

4001 Seminole Pratt Whitney Road

Westlake, Florida 33470

Phone: (561) 530-5880

www.westlakegov.com

DATE:	12/23/2021
PETITION NUMBER:	ENG-2020-37
DESCRIPTION:	River Bend Road and Town Center Parkway Phase 3 – Plat
APPLICANT:	Cotleur-Hearing
OWNER:	Minto PBLH, LLC
REQUEST:	Plat Review
LOCATION:	Westlake, Florida
STAFF REVIEW:	APPROVAL

This is the second review of this Plat. This review is done for compliance with Chapters 177, Florida Statutes, and the City of Westlake’s codes and ordinances. All of our previous comments have been adequately addressed. We can therefore recommend that the plat be approved for recording.

This letter has been prepared by the following individual, in association with their consultants and subconsultants:

Suzanne Dombrowski, P.E.
Chen Moore and Associates
Tel: 561.746.6900 x 1035
Email: sdombrowski@chenmoore.com

File Attachments for Item:

C. Ordinance: Vacancy in Candidacy

Submitted By: Interim City Attorney's Office

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING CHAPTER ____ OF THE CITY'S CODE OF ORDINANCES ENTITLED "_____"; CREATING SECTION _____, TO BE ENTITLED "VACANCY IN CANDIDACY;" ESTABLISHING PROCEDURES, PURSUANT TO SECTION 166.031, F.S., TO FILL A VACANCY IN CANDIDACY CAUSED BY THE DEATH, WITHDRAWAL OR REMOVAL FROM THE BALLOT OF A QUALIFIED CANDIDATE FOLLOWING THE END OF THE QUALIFYING PERIOD WHICH LEAVES FEWER THAN TWO CANDIDATES REMAINING TO FILL A POSITION ON THE CITY COUNCIL; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.



Meeting Agenda Item Coversheet

MEETING DATE:	February 14, 2022	Submitted By: Interim City Attorney's Office	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>	Ordinance: Vacancy in Candidacy		
STAFF RECOMMENDATION: (MOTION READY)	Motion to Adopt		
SUMMARY and/or JUSTIFICATION:	<p>Section 166.031(6), F.S., requires each municipality to adopt an ordinance or charter provision establishing procedures for filling a vacancy in candidacy caused by the death, withdrawal, or removal from the ballot of a qualified candidate following the end of the qualifying period which leaves fewer than two candidates for an office.</p> <p>In accordance with this statute, the interim City Attorney's Office has drafted an ordinance providing that, in the event of a vacancy in candidacy which leaves one remaining candidate, the remaining candidate shall be deemed elected and shall take office in accordance with the City Charter and Code of Ordinances. In the event that a vacancy in candidacy occurs which leaves no qualified candidates remaining, then the ordinance provides for the re-opening of a qualifying period and a special election.</p>		
SELECT, if applicable	AGREEMENT:		BUDGET:
	STAFF REPORT:		PROCLAMATION:
	EXHIBIT(S):		OTHER:
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	Agenda Item Cover Sheet Ordinance		

SELECT, if applicable	RESOLUTION:	ORDINANCE: X	
<p style="text-align: center;"> IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(if Item is <u>not</u> a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank)</i> <u>Please keep text indented.</u> </p>	<p> AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING CHAPTER ____ OF THE CITY'S CODE OF ORDINANCES ENTITLED "_____"; CREATING SECTION _____, TO BE ENTITLED "VACANCY IN CANDIDACY;" ESTABLISHING PROCEDURES, PURSUANT TO SECTION 166.031, F.S., TO FILL A VACANCY IN CANDIDACY CAUSED BY THE DEATH, WITHDRAWAL OR REMOVAL FROM THE BALLOT OF A QUALIFIED CANDIDATE FOLLOWING THE END OF THE QUALIFYING PERIOD WHICH LEAVES FEWER THAN TWO CANDIDATES REMAINING TO FILL A POSITION ON THE CITY COUNCIL; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE. </p>		
FISCAL IMPACT (if any):			\$

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING CHAPTER ____ OF THE CITY'S CODE OF ORDINANCES ENTITLED "_____"; CREATING SECTION _____, TO BE ENTITLED "VACANCY IN CANDIDACY;" ESTABLISHING PROCEDURES, PURSUANT TO SECTION 166.031, F.S., TO FILL A VACANCY IN CANDIDACY CAUSED BY THE DEATH, WITHDRAWAL OR REMOVAL FROM THE BALLOT OF A QUALIFIED CANDIDATE FOLLOWING THE END OF THE QUALIFYING PERIOD WHICH LEAVES FEWER THAN TWO CANDIDATES REMAINING TO FILL A POSITION ON THE CITY COUNCIL; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 166.031, F.S., requires the City of Westlake to establish, by ordinance, procedures to fill a vacancy in candidacy caused by the death, withdrawal or removal from the ballot of a qualified candidate following the end of the qualifying period which leaves fewer than two candidates remaining to fill a position on the City Council; and

WHEREAS, the City Council finds that the procedures to fill a vacancy in candidacy, as set forth in this ordinance, are in the best interests of the citizens and residents of the City of Westlake.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY FOR THE CITY OF WESTLAKE, FLORIDA, as follows:

SECTION 1. Recitals. The foregoing recitals are confirmed, adopted and incorporated herein and made a part hereof by this reference.

SECTION 2. The City Council hereby amends Chapter _____ entitled "_____" by creating Section _____, to be entitled "Vacancy in Candidacy," as follows:

Sec. _____ Vacancy in Candidacy

- (a) In the event of death, withdrawal or removal from the ballot of one or more qualified candidate(s) for mayor or city council which occurs after the close of qualification for candidates for mayor or city council, and if the death, withdrawal or removal leaves only one candidate for mayor or city council

for that district, then in that event, the one remaining candidate shall be deemed elected and shall take office in accordance with the procedures set forth in the City Charter or Code of Ordinances.

(b) In the event of death, withdrawal or removal from the ballot of one or more qualified candidate(s) for mayor or city council which occurs after the close of qualification for candidates for mayor or city council, and if said death, withdrawal or removal leaves no candidate for mayor or city council for that district, then and in that event, qualification shall be reopened for a period five (5) days immediately following the death, withdrawal or removal from the ballot of a qualified candidate for mayor or city council prior to election. A special election shall be conducted sixty (60) days after the close of the special qualification period for mayor or city council.

SECTION 4. Codification. It is the intention of the City Council of the City of Westlake that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Westlake, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article" or such other word or phrase in order to accomplish such intention.

SECTION 5. Conflicts. All ordinances or parts of ordinances, resolutions or parts of resolutions which are in conflict herewith, are hereby repealed to the extent of such conflict.

SECTION 6. Severability. Should the provisions of this ordinance be declared to be severable and if any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this ordinance shall remain notwithstanding the invalidity of any part.

SECTION 7. Effective Date. This ordinance shall be effective upon adoption on second reading.

PASSED this _____ day of _____, 2022, on first reading.

PUBLISHED on this _____ day of _____, 2022 in the Palm Beach Post.

PASSED AND ADOPTED this _____ day of _____, 2022, on second reading.

City of Westlake
Roger Manning, Mayor

ATTEST:

Zoie Burgess, City Clerk

APPROVED AS TO LEGAL FORM:

OFFICE OF THE CITY ATTORNEY

File Attachments for Item:

D. Amendment to Comprehensive Development Plan - Private Property Rights Elements (First Reading)

Submitted By: Planning & Zoning

ORDINANCE 2022-01

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ADOPTING AN AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN SECTION 163.3184, FLORIDA STATUTES, TO ADD AND ADOPT A PRIVATE PROPERTY RIGHTS ELEMENTS, PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE.



Meeting Agenda Item Coversheet

MEETING DATE:		2/14/2022	Submitted By: Planning & Zoning	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>		FIRST READING ORDINANCE NO. 2022-01: AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ADOPTING AN AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN SECTION 163.3184, FLORIDA STATUTES, TO ADD AND ADOPT A PRIVATE PROPERTY RIGHTS ELEMENTS, PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE.		
STAFF RECOMMENDATION: (MOTION READY)		Recommendation for approval of the Ordinance 2022-01		
SUMMARY and/or JUSTIFICATION:		The proposed City-initiated text amendment would revise the Comprehensive Plan to meet legislative requirements in House Bill 59 – Growth Management. House Bill 59 modified Chapter 163.3177, Florida Statutes to require a Property Rights Element as an additional required Element in local government comprehensive plans. The proposed Element is included in Attachment A.		
SELECT, if applicable	AGREEMENT:		BUDGET:	
	STAFF REPORT:		PROCLAMATION:	
	EXHIBIT(S):	X	OTHER:	
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	Ordinance 2022-01 New Comprehensive Plan Element "Private Property Rights Element"			
SELECT, if applicable	RESOLUTION:		ORDINANCE: 2022-13	
IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(if Item is <u>not</u> a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank)</i> <u>Please keep text indented.</u>				
FISCAL IMPACT (if any):				\$

ORDINANCE NO. 2022-01

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ADOPTING AN AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN SECTION 163.3184, FLORIDA STATUTES, TO ADD AND ADOPT A PRIVATE PROPERTY RIGHTS ELEMENT; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State Legislature of the State of Florida has mandated that all municipalities adopt comprehensive plans to regulate development and planning with regard to land within their corporate limits; and

WHEREAS, the State Legislature of the State of Florida has also mandated that all municipalities shall include in their Comprehensive Development Plans a property rights element to ensure that private property rights are considered in local decision-making; and

WHEREAS, all amendments to the Comprehensive Development Plan must be adopted in accordance with detailed procedures which must be strictly followed; and

WHEREAS, the City of Westlake, Florida, has carefully prepared an amendment to its Comprehensive Development Plan in order to add a Property Rights Element; and

WHEREAS, the City of Westlake has held all duly required public hearings; both prior to submission of the proposed amendments of the plan to the State Department of Economic Opportunity and after the proposed amendment of the plan was returned to the City of Westlake, in accordance with Chapter 163.3184, Florida Statutes; and

WHEREAS, the City Council desires to adopt certain amendments to its current Comprehensive Development Plan to guide and control the future development of the City, and to preserve, promote and protect the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, THAT:

Section 1. The City of Westlake Comprehensive Development Plan is hereby amended to add a “Private Property Rights Element”, as follows:

CHAPTER 10

PRIVATE PROPERTY RIGHTS ELEMENT

Goal PPR 1.0.0

Ensure private property rights are considered in local decision-making to respect judicially acknowledged and constitutionally protected private property rights and with respect for people’s rights to participate in decisions that affect their lives and property.

Objective PPR 1.1.0

Private property rights shall be considered in local decision-making based upon the following policies.

Policy PPR 1.1.1

Property owners shall have the right to physically possess and control their interests in the property, including easements, leases, or mineral rights.

Policy PPR 1.1.2

Property owners shall have the right to use, maintain, develop, and improve their property for personal use or the use of any other person, subject to state law and local ordinances.

Policy PPR 1.1.3

Property owners shall have the right to privacy and to exclude others from the property to protect the owner’s possessions and property.

Policy PPR 1.1.4

Property owners shall have the right to dispose of their property through sale or gift.

Objective PPR 2.1.0

Decision-making will be transparent, reliable, and predictable so that all people may participate in decisions that affect their lives and property.

Policy PPR 2.1.1

All development applications, including comprehensive plan amendments, shall be made available for public review and an affected person/party shall be provided equal opportunity for participation of in all associated hearings.

Section 2. A copy of the Comprehensive Development Plan, as amended, is on file in the office of the City Clerk, City of Westlake, Florida.

Section 3. The City of Westlake is hereby directed to transmit within ten (10) working days after adoption one (1) paper copy and two (2) electronic PDF format copies of the amendment to the current Comprehensive Development Plan to the State Land Planning Agency, along with one copy to any other agency or unit of local government that timely provided comments in accordance with Section 163.3184(3)(c)2, Florida Statutes.

Section 4. Each and every other section and subsection of the City of Westlake Comprehensive Development Plan shall remain in full force and effect as previously adopted.

Section 5. All Ordinances or parts of Ordinances in conflict be and the same are hereby repealed.

Section 6. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 7. Specific authority is hereby given to codify this Ordinance and make it part of the City's Comprehensive Development Plan.

Section 8. This plan amendment shall not become effective until 31 days after the State Land Planning Agency notifies the City that the plan amendment is complete. If timely challenged, this amendment does not become effective until the State Land Planning Agency or Administration Commission enters a final order determining the adopted amendment to be in compliance in accordance with Section 163.3184(3)(c)4, Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

Section 9. Effective Date: This ordinance shall be effective upon adoption on second reading.

City of Westlake
Roger Manning, Mayor

Zoie Burgess, City Clerk

Interim City Attorney
Donald J. Doody

