

**DECLARATION OF  
CROSS ACCESS EASEMENT AGREEMENT**

This declaration, made this 14 day of June, 2007, by and between Andrea E. Ricardel, individually, and Andrea E. Ricardel, Vincent J. Ricardel and Adam C. Ricardel, as Trustees of Trust under the will of Joseph A. Ricardel (collectively as "Declarant"), recites and provides as follows:

**WITNESSETH**

**WHEREAS**, Declarant owns the certain real property (the "Property") in Lake Worth, Palm Beach County, Florida, more particularly described in EXHIBIT "A" attached hereto and made a part hereof, which Property is to be developed in accordance with the Site Plan presented to and approved by the Board of County Commissioners of Palm Beach County, Florida, a copy of which is attached hereto as EXHIBIT "B"; and

**WHEREAS**, the Declarant has been required by Palm Beach County that, for the proper development of the Property, the Declarant shall provide for mutual and reciprocal cross access for the sole purpose of ingress and egress by and between said Property and the parcels to the south, more particularly described in EXHIBIT "C", and north, more particularly described in EXHIBIT "D", of the Property. The enjoyment of said cross access easement shall be shared by the respective parties and their respective heirs, successors in interest, tenants, lessees, agents, guests and invitees of tenants and lessees legally in possession of the premises.

**WHEREAS**, Declarant intends Palm Beach County to be a direct, third-party beneficiary to this Declaration; and

**WHEREAS**, Declarant hereby agrees that this Declaration shall not be terminated or released unless the third party beneficiary, Palm Beach County, by and through the Palm Beach County Zoning Director, agrees to the terms of the termination or release of any easement created hereby.

**NOW, THEREFORE**, in consideration of the grants and agreements herein made and in consideration of other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Declarant hereby subjects the Property to the following cross-easement:

1. The foregoing recitals are incorporated herein by reference as though set forth in detail hereat.
2. The Declarant hereby dedicates grants and non-exclusive easement for driveway for vehicular ingress and egress over, on and across the paved areas within the Property constituting a driveway and roadway, as shown on the Site Plan attached hereto as EXHIBIT B. Said Easement shall be for the benefit of the parcels to the north and south of the Property, its successors and assigns, as a driveway serving the specified abutting parcels for ingress and egress without recourse to Palm Beach County and the owners of any portion thereof, their employees, agents, guests, invitees, mortgagees, tenants, lessees, subtenants, licensees, heirs,

constituting a driveway and roadway, as shown on the Site Plan attached hereto as EXHIBIT B. Said Easement shall be for the benefit of the parcels to the north, more particularly described in EXHIBIT "D", and to the south, more particularly described in EXHIBIT "C", of the Property, its successors and assigns, as a driveway serving the specified abutting parcels for ingress and egress without recourse to Palm Beach County and the owners of any portion thereof, their employees, agents, guests, invitees, mortgagees, tenants, lessees, subtenants, licensees, heirs, successors. This dedication is solely for cross access for ingress and egress and shall not be deemed to include a parking easement nor shall the abutting property owners have any right to the use of the parking facilities at the Property.

3. Declarant shall not take or fail to take any action or do or fail to do anything which would have the effect of impeding, obstructing, or preventing any other person or entity having rights under this Declaration from their full and complete use and enjoyment of the easement herein granted. Without limiting the generality of the foregoing, free and full access to, from and across all portions of the Property which constitute a driveway on the Site Plan shall not be blocked, obstructed or impeded

4. The easement, covenant and restriction herein provided for shall be appurtenant to and shall run with the Property in perpetuity and shall not expire or terminate by any unilateral action of the owner of the fee simple interest of the Property. This Declaration may only be modified, amended, terminated or released by a recordable instrument executed by the fee simple owner of the Property and the Palm Beach County Zoning Director. Notwithstanding anything to the contrary, in the event the abutting property owners fail to deliver and record mutual cross-access easements for the benefit of the Property this dedication shall not be effective or enforceable.

5. This Declaration and the rights created herein shall be paramount and superior to all leases, conveyances, transfers, assignments, contracts, mortgages, deeds of trust and other encumbrances affecting the Property, from and after the date of recording of this Declaration. Any person acquiring possession to, title of or any interest in the Property or any portion thereof shall do so subject to this Declaration. Any transferee of any interest in any portion of the Property shall be deemed, by acceptance of such interest, to have agreed to be bound by all of the provisions of this Declaration.

6. Notwithstanding any term, provision, or condition herein, including the easement dedication, Declarant and Palm Beach County acknowledge and agree that the dedication of the easement herein does not require Declarant to take any affirmative action to construct any driveway or other means of ingress or egress for the specified abutting parcel owners to the north and south of the Property unless and until such time as the abutting property owners deliver and record mutual cross-access easements to the Declarant. Declarant's obligation hereunder is limited to the dedication of the easement.

IN WITNESS WHEREOF, this instrument is executed on the day and year first above written.

WITNESSES:

Signed, sealed and delivered in the presence of:

Angela M. Eaton ANGELA H. EATON Andrea E. Ricardel Individually and as Trustee  
Date: 6/15/07

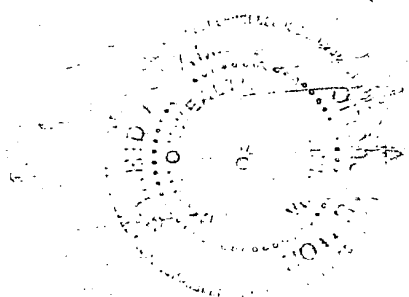
Vincent J. Ricardel Vincent J. Ricardel, Trustee  
Date: 6/14/07 Michael Curtis  
Jerry A. Miller

Angela M. Eaton ANGELA H. EATON Adam C. Ricardel, Trustee  
Date: 6/18/07

STATE OF FLORIDA Virginia  
COUNTY OF PALM BEACH Arlington

The foregoing instrument was acknowledged before me this 14th day of June, 2007 by Vincent J. Ricardel, who is personally known to me or produced the FL DL R263-870-56380 as identification.

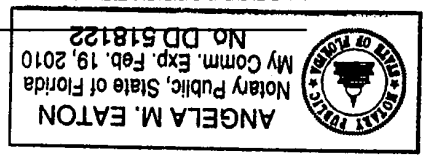
Shahid  
NOTARY PUBLIC - STATE OF FLORIDA Virginia  
My Commission Expires: May 31, 2010  
Shahid Aslam  
Printed Name



STATE OF FLORIDA  
COUNTY OF PALM BEACH

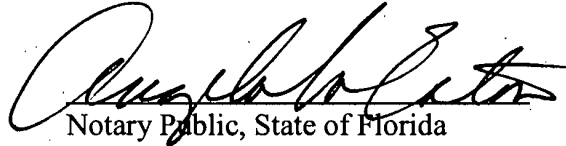
The foregoing instrument was acknowledged before me this 18 day of June, 2007, by ADAM C. RICARDEL, Trustee, who is personally known to me or produced \_\_\_\_\_ as identification.

Angela M. Eaton  
NOTARY PUBLIC - STATE OF FLORIDA  
My Commission Expires: \_\_\_\_\_  
Printed Name: \_\_\_\_\_

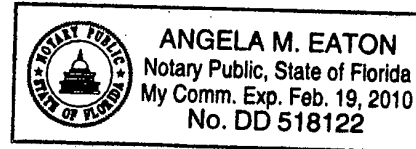


STATE OF FLORIDA  
COUNTY OF PALM BEACH

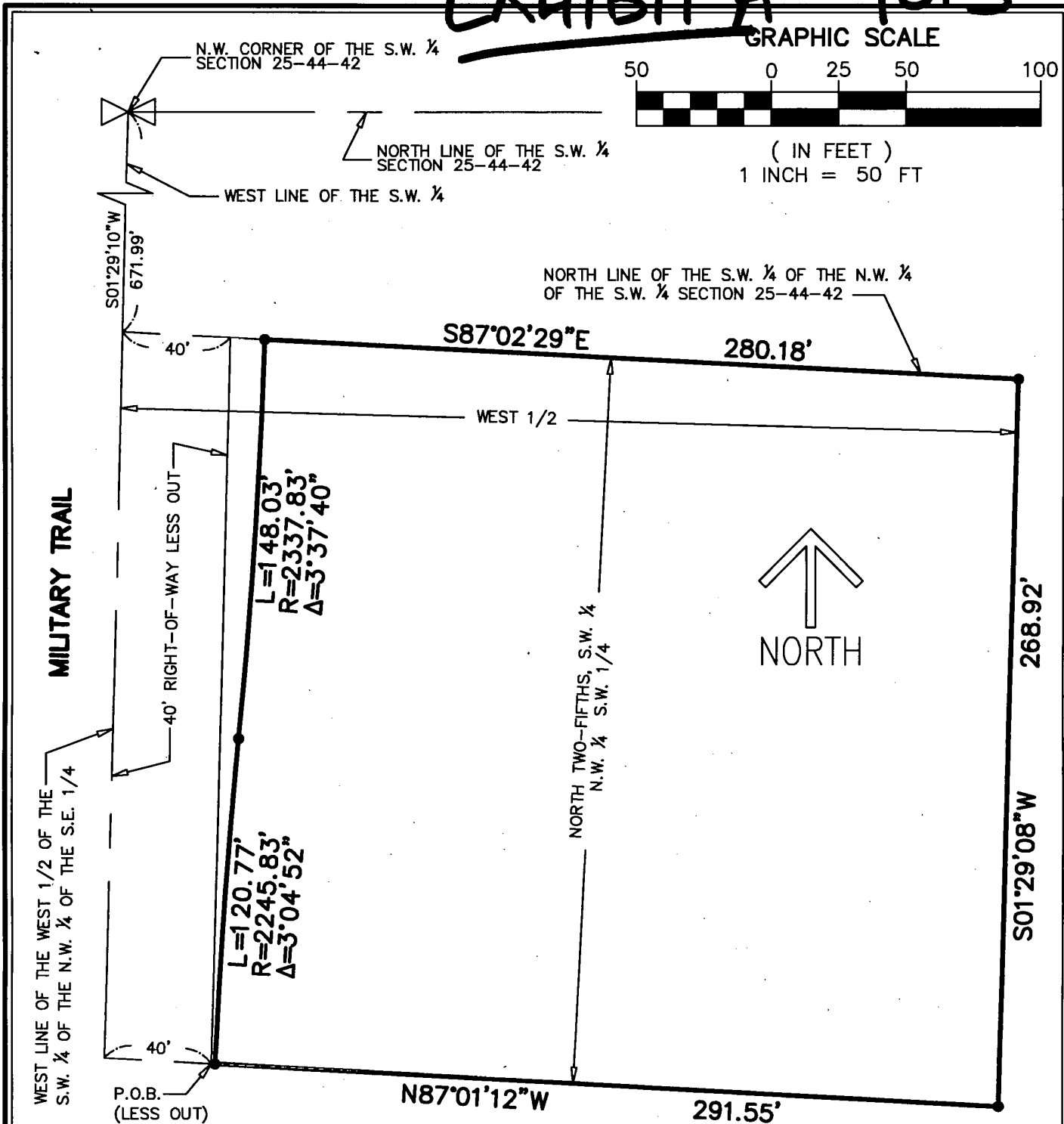
The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of June, 2007, by Andrea E. Ricardel, Individually and as Trustee, who is personally known to me or who has produced \_\_\_\_\_ as identification.

  
Notary Public, State of Florida

My Commission Expires:



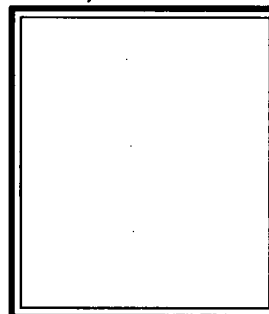
# EXHIBIT A 1 OF 3



NOTE: BEARINGS SHOWN HEREON ARE BASED ON SECTION DATA PROVIDED BY PALM BEACH ENGINEERING DEPT AND THE CLIENT, CJM.

**SHEET 1 OF 3**

**CAULFIELD & WHEELER, INC.**  
CIVIL ENGINEERING - LAND SURVEYING  
7301A W. PALMETTO PARK ROAD - SUITE 100A  
BOCA RATON, FLORIDA 33433  
PHONE (561)-392-1991 / FAX (561)-750-1452



DATE	5/23/07
DRAWN BY	SRA
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	5305

**COBBLESTONE SQUARE  
ACCESS EASEMENT  
SKETCH OF DESCRIPTION**

# EXHIBIT A 2043

## DESCRIPTION:

THE NORTH TWO-FIFTHS OF THE WEST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 25, TOWNSHIP 44 SOUTH, RANGE 42 EAST, LESS THE WEST 40 FEET THEREOF, AND LESS THE FOLLOWING:

COMMENCE AT THE CENTER OF SAID SECTION 25; THENCE SOUTH 1° 27' 02" WEST ALONG THE NORTH-SOUTH ONE-QUARTER SECTION LINE, A DISTANCE OF 942.10 FEET; THENCE SOUTH 88° 32' 58" EAST AS MEASURED AT RIGHT ANGLES TO SAID NORTH-SOUTH ONE-QUARTER SECTION LINE, A DISTANCE OF 40.00 FEET TO A POINT ON THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF MILITARY TRAIL, AS RECORDED IN DEED BOOK 885, PAGE 13, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 1° 27' 02" EAST ALONG SAID EXISTING EASTERLY RIGHT-OF-WAY LINE OF MILITARY TRAIL, A DISTANCE OF 268.88 FEET; THENCE SOUTH 87° 02' 33" EAST, DEPARTING SAID EXISTING RIGHT-OF-WAY LINE OF MILITARY TRAIL, A DISTANCE OF 12.91 FEET TO A POINT ON A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 2337.83 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 88° 01' 32" EAST; THENCE SOUTHERLY 147.82 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 3° 37' 22" TO A POINT OF REVERSE CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 2245.83 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 84° 24' 09" WEST; THENCE SOUTHERLY 121.04 FEET, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 3° 05' 17"; THENCE NORTH 87° 1' 31" WEST, A DISTANCE OF 1.38 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA. SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

## LEGEND

☉ - CENTERLINE  
ORB - OFFICIAL RECORDS BOOK  
P.B. - PLAT BOOK  
PG. - PAGE  
PGS. - PAGES  
B.C.R. - BROWARD COUNTY RECORDS  
Δ - DELTA (CENTER ANGLE)  
R - RADIUS  
L - ARC LENGTH

**SHEET 2 OF 3**



CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING - LAND SURVEYING  
7301A W. PALMETTO PARK ROAD - SUITE 100A  
BOCA RATON, FLORIDA 33433  
PHONE (561)-392-1991 / FAX (561)-750-1452

**COBBLESTONE SQUARE  
ACCESS EASEMENT  
SKETCH OF DESCRIPTION**

DATE	5/23/07
DRAWN BY	SRA
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	5305

# EXHIBIT A 3043

## NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS SHOWN HEREON ARE BASED ON SECTION DATA PROVIDED BY PALM BEACH ENGINEERING DEPT AND THE CLIENT, CJM.
4. THE "LAND DESCRIPTION" HEREON WAS PROVIDED BY THE CLIENT, CJM.
5. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENT OF RECORD AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.

## CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON MAY 23, 2007. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH IN CHAPTER 61G17-6 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

**SHEET 3 OF 3**



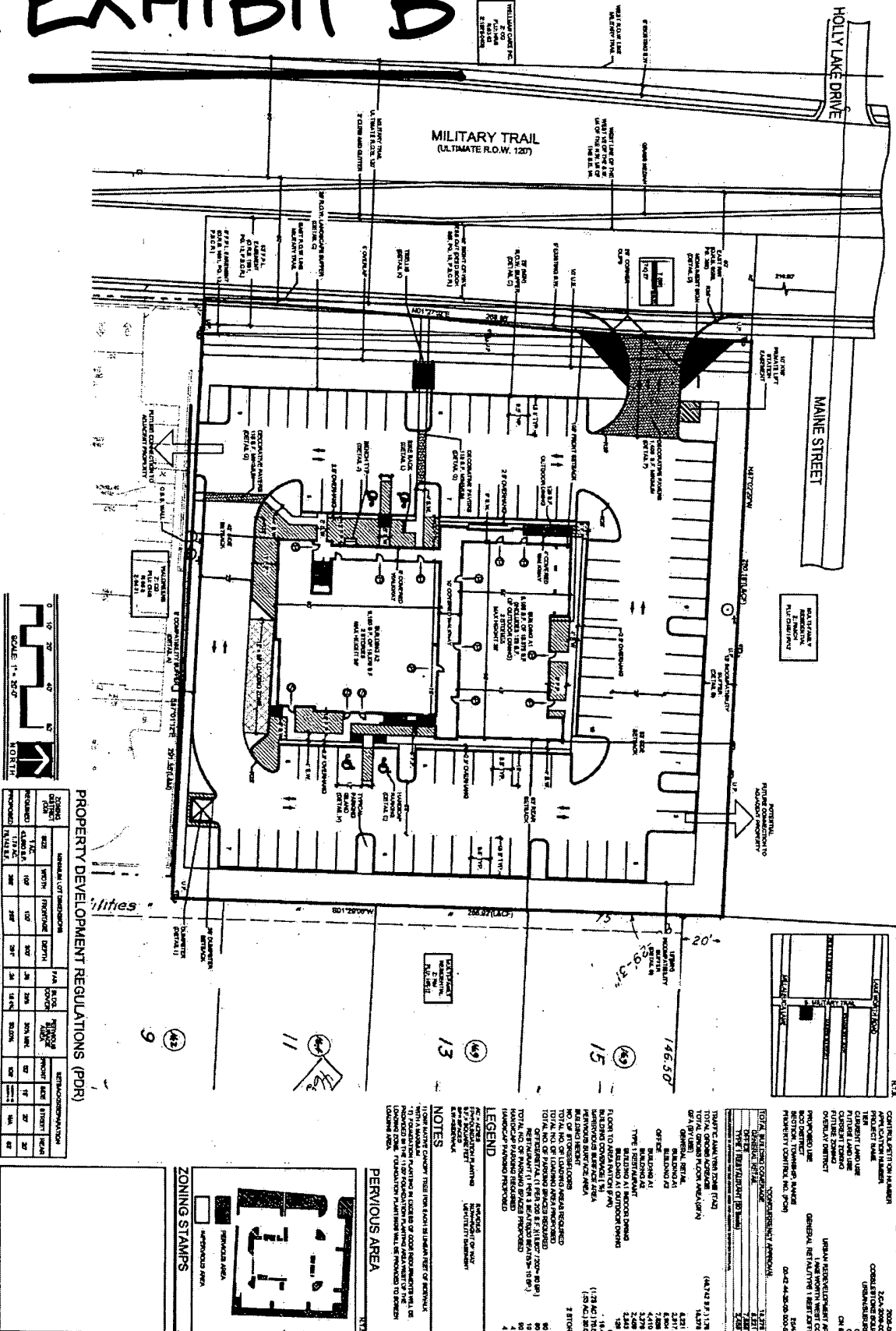
CAULFIELD & WHEELER, INC.  
CIVIL ENGINEERING - LAND SURVEYING  
7301A W. PALMETTO PARK ROAD - SUITE 100A  
BOCA RATON, FLORIDA 33433  
PHONE (561)-392-1991 / FAX (561)-750-1452

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

DATE	5/23/07
DRAWN BY	SRA
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	5305

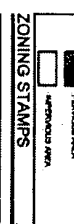
**COBBLESTONE SQUARE  
ACCESS EASEMENT  
SKETCH OF DESCRIPTION**

# EXHIBIT B



**PROPERTY DEVELOPMENT REGULATIONS (PDR)**

STORY	MINIMUM HEIGHT		MINIMUM FOOTING		MINIMUM SETBACK		MINIMUM SETBACK	
	REAR	FRONT	REAR	FRONT	REAR	FRONT	REAR	FRONT
1st	10'	10'	10'	10'	10'	10'	10'	10'
2nd	12'	12'	12'	12'	12'	12'	12'	12'
3rd	14'	14'	14'	14'	14'	14'	14'	14'
4th	16'	16'	16'	16'	16'	16'	16'	16'
5th	18'	18'	18'	18'	18'	18'	18'	18'
6th	20'	20'	20'	20'	20'	20'	20'	20'
7th	22'	22'	22'	22'	22'	22'	22'	22'
8th	24'	24'	24'	24'	24'	24'	24'	24'
9th	26'	26'	26'	26'	26'	26'	26'	26'
10th	28'	28'	28'	28'	28'	28'	28'	28'
11th	30'	30'	30'	30'	30'	30'	30'	30'
12th	32'	32'	32'	32'	32'	32'	32'	32'
13th	34'	34'	34'	34'	34'	34'	34'	34'
14th	36'	36'	36'	36'	36'	36'	36'	36'
15th	38'	38'	38'	38'	38'	38'	38'	38'
16th	40'	40'	40'	40'	40'	40'	40'	40'
17th	42'	42'	42'	42'	42'	42'	42'	42'
18th	44'	44'	44'	44'	44'	44'	44'	44'
19th	46'	46'	46'	46'	46'	46'	46'	46'
20th	48'	48'	48'	48'	48'	48'	48'	48'
21th	50'	50'	50'	50'	50'	50'	50'	50'
22th	52'	52'	52'	52'	52'	52'	52'	52'
23th	54'	54'	54'	54'	54'	54'	54'	54'
24th	56'	56'	56'	56'	56'	56'	56'	56'
25th	58'	58'	58'	58'	58'	58'	58'	58'
26th	60'	60'	60'	60'	60'	60'	60'	60'
27th	62'	62'	62'	62'	62'	62'	62'	62'
28th	64'	64'	64'	64'	64'	64'	64'	64'
29th	66'	66'	66'	66'	66'	66'	66'	66'
30th	68'	68'	68'	68'	68'	68'	68'	68'
31th	70'	70'	70'	70'	70'	70'	70'	70'
32th	72'	72'	72'	72'	72'	72'	72'	72'
33th	74'	74'	74'	74'	74'	74'	74'	74'
34th	76'	76'	76'	76'	76'	76'	76'	76'
35th	78'	78'	78'	78'	78'	78'	78'	78'
36th	80'	80'	80'	80'	80'	80'	80'	80'
37th	82'	82'	82'	82'	82'	82'	82'	82'
38th	84'	84'	84'	84'	84'	84'	84'	84'
39th	86'	86'	86'	86'	86'	86'	86'	86'
40th	88'	88'	88'	88'	88'	88'	88'	88'
41th	90'	90'	90'	90'	90'	90'	90'	90'
42th	92'	92'	92'	92'	92'	92'	92'	92'
43th	94'	94'	94'	94'	94'	94'	94'	94'
44th	96'	96'	96'	96'	96'	96'	96'	96'
45th	98'	98'	98'	98'	98'	98'	98'	98'
46th	100'	100'	100'	100'	100'	100'	100'	100'



**LOCATION MAP**

**SITE DATA**

**LEGEND**

**NOTES**

**PREVIOUS AREA**

**ZONING STAMPS**

**FINAL SITE PLAN**

**COBBLESTONE SQUARE**  
 PREPARED FOR CJM Construction & Development  
 PALM BEACH COUNTY, FLORIDA



**SHEET 2**  
 1 OF 2



# EXHIBIT C

## LEGAL DESCRIPTION FOR PARCEL TO THE SOUTH

PALM BEACH COUNTY PROPERTY CONTROL NUMBER:  
00-42-44-25-00-000-5960

THE SOUTH TWO-FIFTHS ( $S \frac{2}{5}$ ) OF THE WEST ONE-HALF ( $W \frac{1}{2}$ ) OF THE SOUTHWEST ONE QUARTER ( $SW \frac{1}{4}$ ) OF THE NORTHWEST ONE QUARTER ( $NW \frac{1}{4}$ ) OF THE SOUTHEAST ONE QUARTER ( $SE \frac{1}{4}$ ) OF SECTION 25, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; LESS AND EXCEPT THE WEST 53 FEET FOR MILITARY TRAIL (STATE ROAD 809) RIGHT-OF-WAY AND LESS THE SOUTH 64 FEET FOR MELALEUCA LANE ROAD RIGHT-OF-WAY, ALSO LESS AND EXCEPTING THE FOLLOWING DESCRIBED TRIANGULAR SHAPED PARCEL FOR A "SAFE CORNER" AT THE SOUTHWEST CORNER OF SAID PARCEL "A" BEGINNING AT A POINT ON A LINE 53 FEET EAST OF AND PARALLEL WITH THE CENTER SECTION LINE OF SAID SECTION 25, AND 76.33 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER ( $SW \frac{1}{4}$ ) OF THE NORTHWEST QUARTER ( $NW \frac{1}{4}$ ) OF THE SOUTHEAST QUARTER ( $SE \frac{1}{4}$ ) OF SAID SECTION 25; THENCE  $S01^{\circ}27'17''W$ , ALONG SAID LINE BEING 53 FEET EAST OF AND PARALLEL WITH THE CENTER SECTION LINE, FOR A DISTANCE OF 12.33 FEET TO A POINT; THENCE  $S86^{\circ}59'43''E$ , ALONG A LINE 64 FEET NORTH AND PARALLEL WITH THE SAID SOUTH LINE OF THE SOUTHWEST QUARTER ( $SW \frac{1}{4}$ ) OF THE NORTHWEST ( $NW \frac{1}{4}$ ) OF THE SOUTHEAST QUARTER ( $SE \frac{1}{4}$ ) OF SAID SECTION 25, FOR A DISTANCE OF 12.33 FEET; THENCE  $N42^{\circ}46'13''$  WEST, FOR A DISTANCE OF 17.67 FEET MORE OR LESS TO THE POINT OF BEGINNING.

AND

A 13.00 FOOT WIDE PARCEL OF LAND FOR RIGHT OF WAY PURPOSES OF MILITARY TRAIL (STATE ROAD 809), IN SECTION 25, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 13.00 FEET OF THE WEST 53.00 FEET OF THE SOUTH THREE - FIFTHS ( $\frac{3}{5}$ ) OF THE WEST ONE-HALF ( $W \frac{1}{2}$ ) OF THE SOUTHWEST ONE QUARTER ( $SW \frac{1}{4}$ ) OF THE NORTHWEST ONE QUARTER ( $NW \frac{1}{4}$ ) OF THE SOUTHEAST ONE QUARTER ( $SE \frac{1}{4}$ ) OF SAID SECTION 25. LESS THE SOUTH 64 FEET FOR MELALEUCA LANE RIGHT OF WAY.

## **EXHIBIT D**

LEGAL DESCRIPTION FOR PARCEL TO THE NORTH

PALM BEACH COUNTY PROPERTY CONTROL NUMBER:  
00-42-44-25-00-000-5380

THE EAST 385 FEET OF THE WEST 420 FEET OF THE SOUTH 224.06 FEET OF THE NORTH 672.18 FEET OF THE WEST THREE QUARTERS (W 3/4) OF THE NORTH ONE QUARTER (N 1/4) OF THE SOUTHEAST ONE QUARTER (SE 1/4) OF SECTION 25, TOWNSHIP 44 SOUTH, RANGE 42 EAST PALM BEACH COUNTY, FLORIDA; LESS THE NORTH 10 FEET FOR ROAD RIGHT OF WAY AND WESTERLY 13 FEET FOR ROAD RIGHT OF WAY FOR MILITARY TRAIL (STATE ROAD 809).