

# 3-C-40

## AGENDA ITEM SUMMARY

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	\$ -0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$ -0-	-0-	-0-	-0-	-0-

# ADDITIONAL FTE

POSITIONS (Cumulative) \_\_\_\_\_

Is Item Included in Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_

Budget Acct No.: Fund \_\_\_\_\_ Dept. \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_  
Program \_\_\_\_\_

### B. Recommended Sources of Funds/Summary of Fiscal Impact:

This item has no additional fiscal impact.

C. Departmental Fiscal Review: R. D. Ward 10/18/06

## III. REVIEW COMMENTS

### A. OFMB Fiscal and/or Contract Dev. and Control Comments:

John D. [Signature] 10-30-06  
OFMB  
10-30-06  
10-27-06  
11/1/06  
Jim J. [Signature] 11/2/06  
Contract Dev. and Control

### B. Approved as to Form and Legal Sufficiency:

Paul F. [Signature] 11/2/06  
Assistant County Attorney

### C. Other Department Review:

\_\_\_\_\_  
Department Director

This summary is not to be used as a basis for payment.

R42

108



35

36

108

WC #89 Return To,  
SOUTHEAST GUARANTY & TITLE, INC.  
1645 PALM BEACH LAKES BLVD., SUITE 160  
WEST PALM BEACH, FLORIDA 33401  
2605-014

**County Deed to  
Brookside Estates, LLC**

CFN 20060371167  
OR BK 20514 PG 1702  
RECORDED 06/22/2006 16:33:11  
Palm Beach County, Florida  
AMT 3,225,000.00  
Doc Stamp 22,575.00  
Sharon R. Bock, CLERK & COMPTROLLER  
Pgs 1702 - 1703; (2pgs)

PREPARED BY AND RETURN TO:  
BETSY BARR  
PALM BEACH COUNTY  
PROPERTY & REAL ESTATE MANAGEMENT DIVISION  
3200 BELVIDERE ROAD, BUILDING 1169  
WEST PALM BEACH, FLORIDA 33406-1544

PROPERTY CONTROL NUMBER: 00-42-46-18-01-000-0651 and 00-42-46-18-01-000-0721

**COUNTY DEED**

This Deed is made June 21, 2006, by PALM BEACH COUNTY, a political subdivision of the State of Florida, whose legal mailing address is 301 North Olive Avenue, West Palm Beach, Florida, 33401-4791, party of the first part, and BROOKSIDE ESTATES, LLC, a Florida limited liability company (as to an undivided 50% interest) and SMITH SUNDY ESTATES, LLC, a Florida limited liability company (as to an undivided 50% interest), as tenants-in-common, whose legal mailing address is 14339 Smith Sundry Road, Delray Beach, FL 33446, party of the second part.

**WITNESSETH:**

That the said party of the first part, for and in consideration of the sum of \$10.00 to it in hand paid by the party of the second part, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained and sold to the party of the second part, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

See Exhibit "A" attached hereto and made a part hereof (the "Property").

The property conveyed by this County Deed shall be subject to a Conservation Easement executed and recorded contemporaneously herewith.


Reserving unto party of the first part, its successors and assigns an undivided three-fourths (3/4) interest in, and title in and to an undivided three-fourths (3/4) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half (1/2) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include, and party of the first part hereby expressly releases, any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

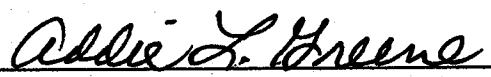
THIS IS A COPY

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairperson of said Board, the day and year aforesaid.

ATTEST:  
SHARON R. BOCK  
CLERK & COMPTROLLER

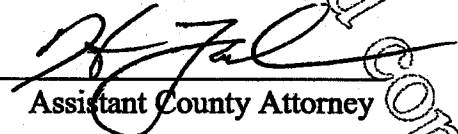
PALM BEACH COUNTY, a political  
subdivision of the State of Florida

By:   
Deputy Clerk

By:   
~~Tony Masilotti, Chairman~~  
ADDIE, L. GREENE, VICE-CHAIRPERSON

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

(OFFICIAL SEAL)

By:   
Assistant County Attorney

G:\Betsy\Brookside Disposition\County Deed.doc

**EXHIBIT "A"**

**(To County Deed)  
LEGAL DESCRIPTION**

TRACTS 65, 66, 67, 68 AND 69, LESS THE NORTH 22.0 FEET THEREOF, TRACT 70, LESS THE NORTH 26 FEET THEREOF, TRACT 71, LESS THE NORTH 22.0 FEET THEREOF, TRACT 72, LESS THE NORTH 22.0 FEET THEREOF AND LESS THE WEST 25.0 FEET, TRACT 89, LESS THE WEST 25.0 FEET AND TRACTS 90 THROUGH 96, INCLUSIVE, ALL IN BLOCK 18, THE PALM BEACH FARMS CO., PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 26, 27, AND 28, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALSO LESS

THAT PORTION OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN 35.64 FEET OF THE NORTH LINE OF SAID TRACTS 65 THRU 72, BLOCK 18, FOR LAKE WORTH DRAINAGE DISTRICT L-33 CANAL RIGHT-OF-WAY.

ALSO LESS

THE EAST 95 FEET OF TRACT 65 LESS THE NORTH 35.64 FEET THEREOF, AND THE EAST 95 FEET OF TRACT 96, ALL IN BLOCK 18, PALM BEACH FARMS COMPANY PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**RESOLUTION NO. R-2006-**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING THIS RESOLUTION DESIGNATING CERTAIN COUNTY-OWNED PROPERTY LOCATED BETWEEN 147<sup>TH</sup> PLACE SOUTH AND 145<sup>TH</sup> STREET SOUTH AS ROAD RIGHT-OF-WAY FOR LYONS ROAD IN SECTION 17, TOWNSHIP 46, RANGE 42.**

**WHEREAS**, Palm Beach County is the owner of certain property located in Section 17, Township 46, Range 42, identified in Exhibit "A"; and

**WHEREAS**, this property is currently administered by Palm Beach County Property and Real Estate Management (PREM); and,

**WHEREAS**, the Palm Beach County Engineering and Public Works Department requires that this property be designated as Road Right-of-Way for the future extension of Lyons Road; and,

**WHEREAS**, a Resolution is required to record such designations in the Public Record; and,

**WHEREAS**, it is therefore appropriate to adopt a Resolution declaring this property identified in Exhibit "A" for the following purpose; as Road Right-of-Way;

**(INTENTIONALLY LEFT BLANK)**

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:**

1. This Board adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney are hereby authorized to designate the County-owned property identified in Exhibit "A" as Road Right-of-Way.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_,  
who moved its adoption. The motion was seconded by  
Commissioner \_\_\_\_\_, and upon being put to a vote, the vote was as  
follows:

Karen T. Marcus	_____
Jeff Koons	_____
Warren H. Newell	_____
Mary McCarty	_____
Burt Aaronson	_____
	_____
Addie L. Greene	_____

The Chairperson thereupon declared the Resolution passed and adopted this \_\_\_\_\_  
day of \_\_\_\_\_, 2006.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK,  
Clerk and Comptroller

By: \_\_\_\_\_  
County Attorney

By: \_\_\_\_\_  
Deputy Clerk



Exhibit "A"

PARCEL "A"  
LYONS ROAD RIGHT-OF-WAY  
(BROOKSIDE TREE FARM)

A PARCEL OF LAND LYING IN TRACTS 65 AND 96, BLOCK 18 OF THE PLAT OF PALM BEACH FARMS COMPANY PLAT NO. 1, AS RECORDED IN PLAT BOOK 2, PAGE 26, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL SITUATED IN SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING PARTICULARLY DESCRIBED AS FOLLOWS.

THE EAST 95 FEET OF TRACT 65 LESS THE NORTH 35.64 FEET THEREOF, AND THE EAST 95 FEET OF TRACT 96, ALL IN BLOCK 18, PALM BEACH FARMS COMPANY PLAT NO.1, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 122.609 SQUARE FEET OR 2.8147 ACRES MORE OR LESS

SURVEYOR'S NOTES

BEARINGS ARE BASED ON THE EAST LINE OF SAID TRACTS 65 AND 96, BLOCK 18, HAVING A GRID (NAD83, 1990 ADJ.) BEARING OF SOUTH 01°02'23" EAST AND ALL OTHER BEARING ARE RELATIVE THERETO.

NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR.

DATE OF AERIAL PHOTO BY OTHERS 01/25/05.

COORDINATES SHOWN ARE GRID

DATUM = NAD 83, 1990 ADJUSTMENT

ZONE = FLORIDA EAST

LINEAR UNITS = US SURVEY FOOT

COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION

ALL DISTANCES ARE GROUND.

PROJECT SCALE FACTOR = 1.000022084

GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

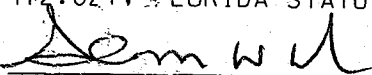
THIS IS NOT A SURVEY.

IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR.

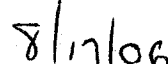
THIS INSTRUMENT PREPARED BY GLENN W. MARK, P.L.S. IN THE OFFICE OF THE COUNTY ENGINEER, 160 AUSTRALIAN AVENUE, WEST PALM BEACH, FLORIDA 33406.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.



GLENN W. MARK, P.L.S.  
FLORIDA CERTIFICATE #5304




DATE

PROJECT NO.	1993901
SHEET:	1
OF:	2

PROJECT:	
LYONS ROAD RIGHT-OF-WAY (BROOKSIDE TREE FARM)	
DESIGN FILE NAME	DRAWING NO.
S-1-06-2526	S-1-06-2526

DATE DRAWN: 8/14/06	SCALE: N.T.S.	NO.	REVISION	BY	DATE
APPROVED: GWM	DRAWN: SLO				
CHECKED: WCE	FIELD BOOK NO.				

	PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS
	ENGINEERING SERVICES
	160 AUSTRALIAN AVENUE WEST PALM BEACH, FL 33406

NORTHEAST CORNER SECTION 18,  
TOWNSHIP 46 SOUTH, RANGE 42 EAST  
PALM BEACH COUNTY POSITION

776883.1800  
921854.6100

LAKE WORTH DRAINAGE  
DISTRICT L-33 CANAL  
75' REQUIRED LAKE WORTH  
DRAINAGE DISTRICT RIGHT OF  
WAY PER OFFICIAL RECORD  
BOOK 1732, PAGE 612

N89°14'55"E  
95.00'

49  
NORTHEAST  
CORNER  
TRACT 65,  
BLOCK 18

N  
NOT TO SCALE

PER CHANCERY CASE 407  
OFFICIAL RECORD BOOK  
6495, PAGE 761

30' ROAD EASEMENT  
PER PLAT BOOK 2,  
PAGE 26

EAST 95' OF TRACT 65, BLOCK 18, LESS THE  
NORTH 35.64', LYONS ROAD RIGHT-OF-WAY

PALM BEACH FARMS COMPANY  
PLAT NO. 1  
PLAT BOOK 2, PAGE 26  
BLOCK 18

PALM BEACH FARMS COMPANY  
PLAT NO. 1  
PLAT BOOK 2, PAGE 26  
BLOCK 19

SEE: BROOKSIDE TREE FARM  
BOUNDARY SURVEY P.B. CO.  
DRAWING NO. S-3-03-1852

EAST 95' OF TRACT 96, BLOCK 18,  
LYONS ROAD RIGHT-OF-WAY

RIGHT-OF-WAY FOR LYONS ROAD  
PER ROAD PLAT BOOK 6, PAGE 84  
SUBJECT TO BOARD OF COUNTY  
COMMISSIONER APPROVAL

30' ROAD EASEMENT  
PER PLAT BOOK 2,  
PAGE 26

771417.2150  
921804.7890

SOUTHEAST CORNER SECTION 18,  
TOWNSHIP 46 SOUTH, RANGE 42 EAST  
PALM BEACH COUNTY POSITION

N89°02'36"E  
201.47'

SOUTHEAST  
CORNER  
TRACT 96,  
BLOCK 18