

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>0</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes _____ No _____
 Budget Account No: Fund _____ Dept _____ Unit _____ Object _____
 Program _____

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

No fiscal impact.

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

Elizabeth Bloem 3/22/07
 OFMB ✓
 3/22/07 3/21

Jim J. Joubert 3/23/07
 Contract Development and Control
 3/23/07

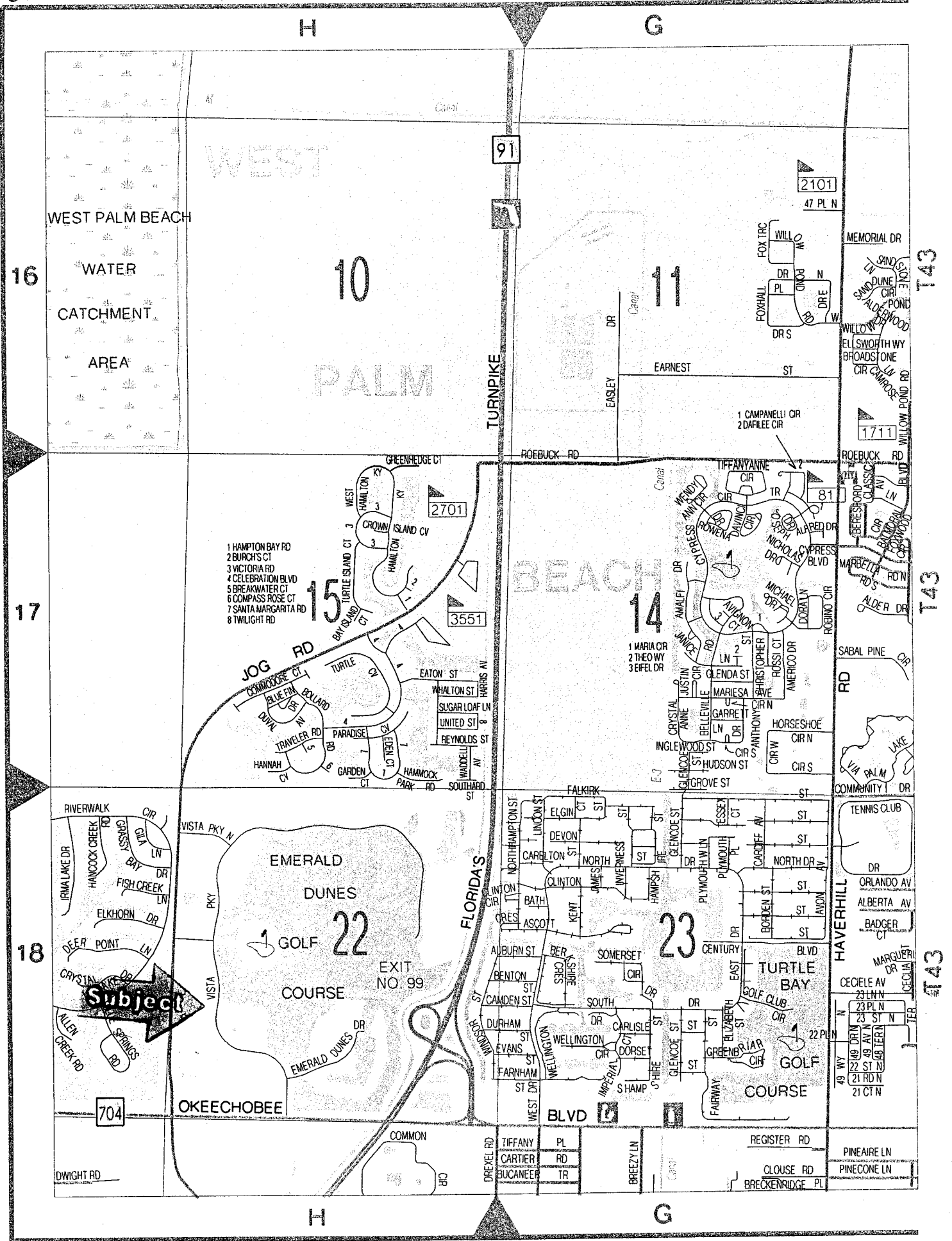
B. Legal Sufficiency:

James Brubaker 3/27/07
 Assistant County Attorney

C. Other Department Review:

 Department Director

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



ATTACHMENT #1

LOCATION MAP



Prepared By and Return to:
David Kuzmenko, Real Estate Specialist
Palm Beach County
Property and Real Estate Management Division
3200 Belvedere Road, Building 1169
West Palm Beach, Florida 33406-1544

Property Control Number: 00-42-43-22-16-022-0000 (portion of)

DECLARATION OF EASEMENT

THIS IS A DECLARATION OF EASEMENT, made _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida ("County"), whose address is 301 North Olive Avenue, West Palm Beach, Florida, 33401-4791.

WHEREAS, County is the owner of that certain real property platted as Vista Center of Palm Beach Parcel 22 P. I. P. D., recorded in Plat Book 101, Pages 185 and 186, of the public records of Palm Beach County, Florida (the "Plat"); and

WHEREAS, in making said Plat, County created and dedicated certain Palm Beach County Utility Easements as exclusive easements dedicated in perpetuity to Palm Beach County, its successors and assigns; and

WHEREAS, County is the owner of that certain real property described in **Exhibit "A"** attached hereto and made a part hereof, said lands being a portion of the lands as shown on the Plat, which are not currently subject to a Palm Beach County Utility Easement; and

WHEREAS, County is the owner of that certain real property described in **Exhibit "B"** attached hereto and made a part hereof, said lands being a portion of the lands as shown on the Plat which are currently subject to a Palm Beach County Utility Easement as set forth in the Plat; and

WHEREAS, County desires to create a Palm Beach County Utility Easement over, upon and under the lands legally described in **Exhibit "A"** attached hereto, substituting and replacing in all respects that portion of the Palm Beach County Utility Easement legally described in **Exhibit "B"**, for the same purposes set forth in the Plat and releasing the lands described in **Exhibit "B"** from any obligations and restrictions imposed by the Palm Beach County Utility Easement; and

WHEREAS, County desires that such Palm Beach County Utility Easement not be extinguished by the doctrines of merger or unity of title and remain valid and in effect upon a subsequent conveyance of the lands described in **Exhibit "A"** by County.

WITNESSETH:

NOW THEREFORE, County does hereby declare, grant and create a perpetual in gross utility easement for the benefit of County upon the real property legally described in **Exhibit "A"**.

This easement shall be for the purpose of substituting and replacing the lands legally described in **Exhibit "A"**, attached hereto, for the lands legally described in **Exhibit "B"** in all respects for the same Palm Beach County Utility Easement purposes as set forth in the Plat, for the installation, operation, maintenance, repair, expansion and replacement of potable water pipelines, raw water pipelines, wastewater pipelines, reclaimed water pipelines, and related appurtenances. The maintenance of the land underlying this easement shall be a perpetual obligation of the property owner. No buildings, structures, improvements, trees, walls or fences shall be installed within the easement area described in **Exhibit "A"** without the prior written approval of the Palm Beach County Water Utilities Department, its successors and assigns.

The easement created hereby shall not be extinguished by operation of law, including, without limitation, the doctrines of merger or unity of title and shall inure to the benefit of County and run with the land and encumber and burden the lands described in **Exhibit "A"** upon the conveyance thereof by County notwithstanding County's failure to specifically reserve or reference such easement in the instrument of conveyance.

The lands described in **Exhibit "B"** are hereby released from the obligations and restrictions set forth in the Palm Beach County Utility Easement created and set forth on the Plat, in particular the restriction that no buildings, structures, improvements, trees, walls or fences shall be installed within the easement without the prior written approval of the Palm Beach County Water Utilities Department, its successors and assigns.

Remainder of page intentionally left blank.

IN WITNESS WHEREOF, County has caused this Declaration of Easement to be executed as of the day and year first above written.

ATTEST:

COUNTY:

SHARON R. BOCK
CLERK & COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Addie L. Greene, Chairperson

(Official Seal)

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By: _____
Assistant County Attorney

By: *Retha M. Wolf*
Department Director

ACKNOWLEDGEMENT AND CONSENT
BY PALM BEACH COUNTY
WATER UTILITIES DEPARTMENT

By: *Bud Beem*
Department Director
Palm Beach County
Water Utilities Department

DESCRIPTION & SKETCH
PREPARED FOR:
CATALFUMO CONSTRUCTION AND
DEVELOPMENT CO.

20' UTILITY EASEMENT

EXHIBIT "A"

LEGAL DESCRIPTION:

A PORTION OF PARCEL 22 AS SHOWN ON THE PLAT OF VISTA CENTER OF PALM BEACH PARCEL 22, RECORDED IN PLAT BOOK 101, PAGES 185 THROUGH 186, PALM BEACH COUNTY FLORIDA PUBLIC RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF PARCEL 22, VISTA CENTER OF PALM BEACH PARCEL 22; THENCE NORTH 86°32'16" WEST ALONG THE NORTH LINE OF SAID PARCEL 22, A DISTANCE OF 165.59 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTH LINE SOUTH 03°27'44" WEST, A DISTANCE OF 11.57 FEET; THENCE SOUTH 51°30'24" WEST, A DISTANCE OF 81.08 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF THAT CERTAIN 20 FOOT PALM BEACH COUNTY UTILITY EASEMENT, AS SHOWN ON SAID PLAT; THENCE NORTH 03°11'26" EAST ALONG SAID EAST LINE OF PLATTED 20 FOOT PALM BEACH COUNTY UTILITY EASEMENT, A DISTANCE OF 26.78 FEET; THENCE DEPARTING SAID EAST LINE, NORTH 51°30'24" EAST, A DISTANCE OF 54.35 FEET; THENCE NORTH 03°27'44" EAST, A DISTANCE OF 2.66 FEET TO A POINT OF INTERSECTION WITH SAID NORTH LINE OF PARCEL 22; THENCE SOUTH 86°32'16" EAST, ALONG SAID NORTH LINE OF PARCEL 22, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

A PARCEL OF LAND CONTAINING 1,497 SQUARE FEET, OR ± 0.03 ACRES

SURVEYOR'S NOTES:

1. THIS DRAWING IS NOT A SURVEY.
2. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
3. THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
4. THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY LIDBERG LAND SURVEYING, INC.
5. DATE OF LEGAL DESCRIPTION: 03/29/ 2006

LEGEND:

- LB = LICENSE BUSINESS
- LS = LICENSE SURVEYOR
- ORB = OFFICIAL RECORD BOOK
- PB = PLAT BOOK
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- ROW = RIGHT-OF-WAY
- UE = UTILITY EASEMENT
- D = DELTA ANGLE
- R = RADIUS
- L = ARC LENGTH
- PBC = PALM BEACH COUNTY

LIDBERG LAND SURVEYING, INC.


DAVID C. LIDBERG
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE No. 3613



LB 4431

675 West Indiantown Road, Suite 200,
Jupiter, Florida 33458 TEL 561-746-8454

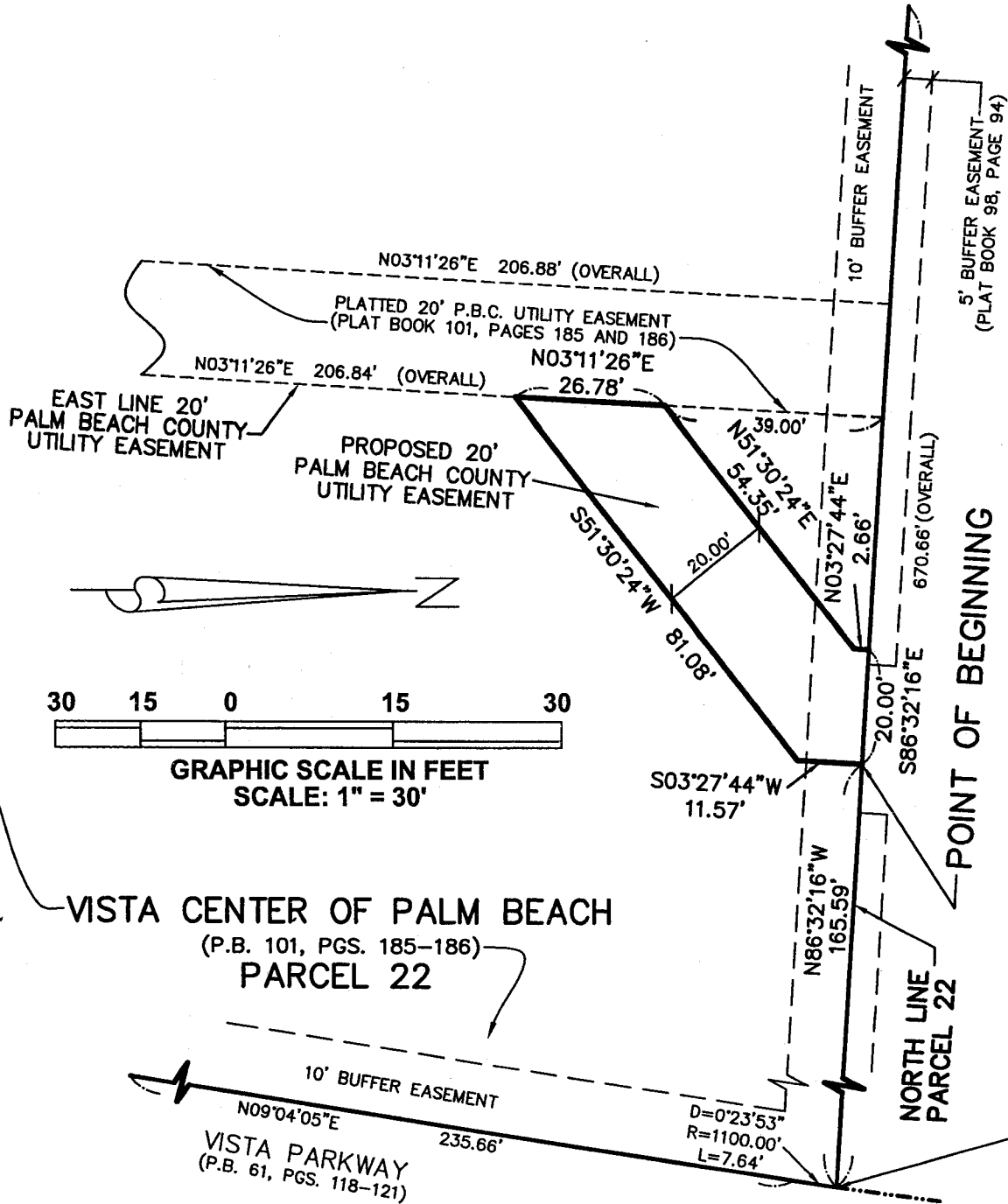
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REF

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OFF	A.J.C.		DATE	03/29/06
CKD	S.F.B.	SHEET 1 OF 2	DWG	A04-040A

DESCRIPTION & SKETCH
PREPARED FOR:
CATALFUMO CONSTRUCTION AND
DEVELOPMENT CO.

20' UTILITY EASEMENT



VISTA CENTER OF
PALM BEACH PLAT 10
(P.B. 101, PGS. 148-150)
PARCEL 21 S

VISTA CENTER OF PALM BEACH
(P.B. 101, PGS. 185-186)
PARCEL 22

VISTA PARKWAY
(P.B. 61, PGS. 118-121)

POINT OF COMMENCEMENT
NORTHEAST CORNER PARCEL 22

POINT OF BEGINNING

NORTH LINE
PARCEL 22

NOTE: THIS SKETCH IS NOT A SURVEY

**LIDBERG LAND
SURVEYING, INC.**

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OFF

A.J.C.

DATE 03/29/06

CKD

S.F.B.

SHEET 2 OF 2

DWG A04-040A

DESCRIPTION & SKETCH
PREPARED FOR:
CATALFUMO CONSTRUCTION AND
DEVELOPMENT CO.

A PORTION OF PLATTED 20'
PALM BEACH COUNTY UTILITY EASEMENT

EXHIBIT "B"

LEGAL DESCRIPTION:

A PORTION OF PARCEL 22, AS SHOWN ON THE PLAT OF VISTA CENTER OF PALM BEACH PARCEL 22, RECORDED IN PLAT BOOK 101, PAGES 185 THROUGH 186, PALM BEACH COUNTY, FLORIDA PUBLIC RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID PARCEL 22, VISTA CENTER OF PALM BEACH PARCEL 22; THENCE NORTH 86°32'16" WEST ALONG THE NORTH LINE OF SAID PARCEL 22, A DISTANCE OF 226.19 FEET TO THE INTERSECTION THERE OF WITH THE EAST LINE OF THAT CERTAIN 20 FOOT PALM BEACH COUNTY UTILITY EASEMENT, AS SHOWN ON SAID PLAT OF VISTA CENTER OF PALM BEACH PARCEL 22, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE SOUTH 03°11'26" WEST ALONG SAID EAST LINE OF PLATTED 20 FOOT PALM BEACH COUNTY UTILITY EASEMENT, A DISTANCE OF 39.00 FEET; THENCE SOUTH 51°30'24" WEST, A DISTANCE OF 26.78 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID PLATTED 20' PALM BEACH COUNTY UTILITY EASEMENT; THENCE NORTH 03°11'26" EAST ALONG SAID WEST LINE OF 20' PLATTED PALM BEACH COUNTY UTILITY EASEMENT, A DISTANCE OF 56.90 FEET TO A POINT OF INTERSECTION WITH SAID NORTH LINE OF PARCEL 22; THENCE SOUTH 86°32'16" EAST ALONG SAID NORTH LINE OF PARCEL 22, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

A PARCEL OF LAND CONTAINING 952 SQUARE FEET, OR ± 0.02 ACRES

SURVEYOR'S NOTES:

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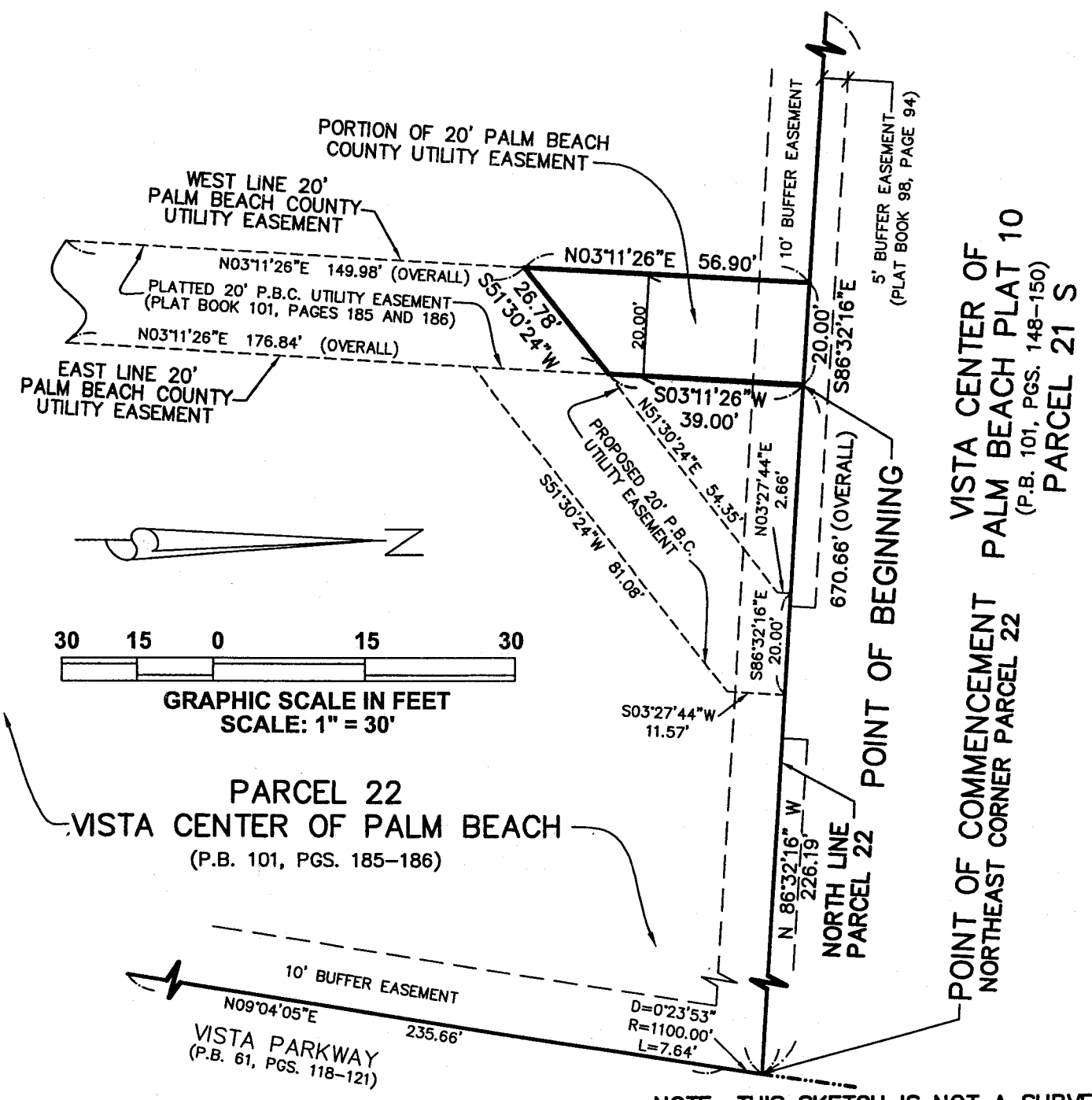
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DESCRIPTION & SKETCH
PREPARED FOR:
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A PORTION OF PLATTED 20'
PALM BEACH COUNTY UTILITY EASEMENT



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