

3H-19

Agenda Item #:

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

---

---

Meeting Date:      April 10, 2007                       Consent             Regular  
    Ordinance            Public Hearing

Department:        Facilities Development & Operations

---

---

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: a Declaration of Easement for water and wastewater pipelines located on the eastern portion of the Mecca Property.

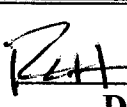
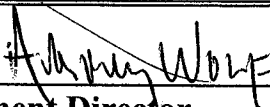
**Summary:** The Water Utilities Department has constructed water and wastewater pipelines along the eastern portion of the County owned property to make key connections with its northern service areas and with Seacoast Utility Authority. The easement area is 50 feet wide, approximately 10,748.98 feet in length, and contains 537,449 square feet (12.34 acres). The Scripps development will not be developed on this site, and in the event that the Mecca Property is sold, this easement is required to ensure the County has the right to maintain the pipelines. The Declaration of Easement will be recorded to provide notice of the existence and location of the water and wastewater pipelines on County property. (PREM) District 1 (HJF)

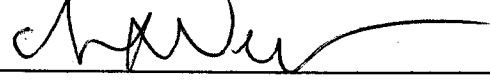
**Background and Justification:** On December 20, 2004, the County acquired the Mecca Property for the Scripps Research Institute and associated development of the Biotechnology Research Park. The Water Utilities Department constructed water and wastewater pipelines within the easement area to make key connections with its northern service areas and with Seacoast Utility Authority. On February 28, 2006, the Board approved an amendment to the February 9, 2004, Grant Agreement (R2004-0260) agreeing to relocate the Scripps Campus to the Florida Atlantic University Campus and the Briger Parcels. Subsequently, the Board has directed Staff to explore options for sale of this property. Approval of this Declaration of Easement which provide record notice of the existence and location of the water and wastewater pipelines installed on the property by Water Utilities.

**Attachments:**

- 1.      Location Map
- 2.      Declaration of Easement

---

Recommended By:                        3/19/07  
   Department Director                      Date

Approved By:                       3/27/07  
   County Administrator                      Date

**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)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<u><u>-0-</u></u>	<u><u>          </u></u>	<u><u>          </u></u>	<u><u>          </u></u>	<u><u>          </u></u>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

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:**

*[Signature]*  
 OFMB 3/22/07  
 3/22/07

*[Signature]*  
 Contract Development and Control 3/23/07  
 3/23/07

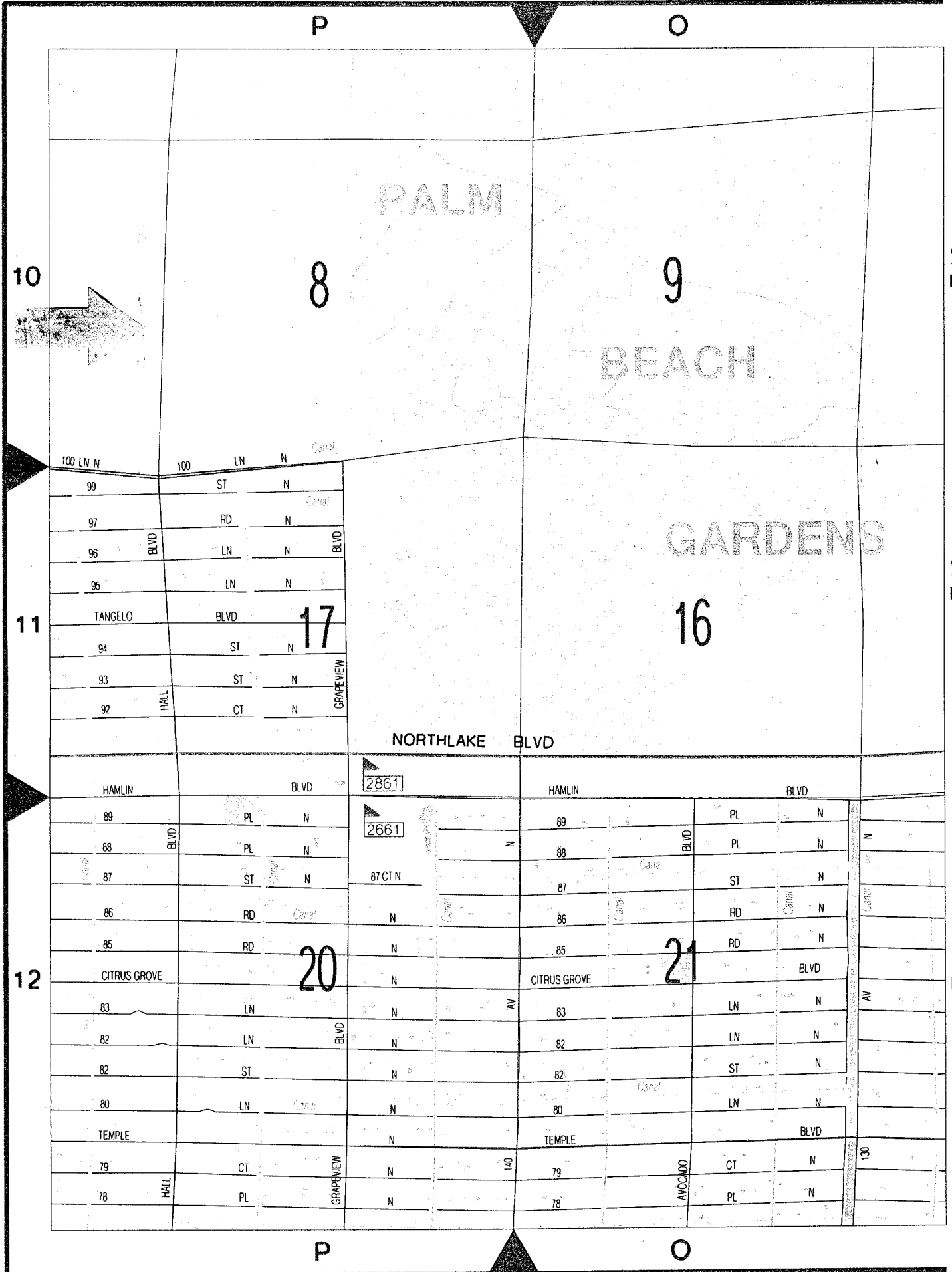
**B. Legal Sufficiency:**

*[Signature]*  
 Assistant County Attorney 3/26/07

**C. Other Department Review:**

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

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



LOCATION MAP  
ATTACHMENT # 1



Prepared by & Return to:  
Margaret Jackson, Real Estate Specialist  
Palm Beach County  
Property & Real Estate Management Division  
3200 Belvedere Road, Building 1169  
West Palm Beach, Florida 33406-1544

PCN: 00-41-42-05-01-001-0000

## 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 33401-4705, West  
Palm Beach, Florida 33406-1544.

**WHEREAS**, County is the owner of that certain real property located within Palm  
Beach County, Florida as set forth on Exhibit "A" attached hereto and made a part hereof  
(the "Property"); and

**WHEREAS**, County desires to create an easement over, upon and under such  
property for the purposes set forth hereinafter; and

**WHEREAS**, County desires that such 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 Property 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 "B", attached hereto (the "Easement Premises"). This easement shall be for the  
purpose of water and sewer utilities and shall include the right at any time to access, install,  
operate, maintain, service, construct, reconstruct, remove, relocate, repair, replace, improve,  
expand, tie into, and inspect potable water, reclaimed water and/or wastewater lines and  
appurtenant facilities and equipment in, on, over, under and across the Easement Premises.  
This easement or portion thereof can be utilized for a wastewater pump station and said pump  
station may be fenced in for access control purposes.

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 Property upon the conveyance thereof by County notwithstanding County's failure to specifically reserve or reference such easement in the instrument of conveyance.

**IN WITNESS WHEREOF**, the 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

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS  
AND CONDITIONS**

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

By: Adm. Mgr. Wolf Ratt  
Department Director

**EXHIBIT "A"**

**THE PROPERTY**

**LEGAL DESCRIPTION:**

ALL OF THE PLAT OF PALM BEACH COUNTY BIOTECHNOLOGY RESEARCH PARK, AS RECORDED IN PLAT BOOK 103, PAGE 108, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LESS THE SEMINOLE PRATT WHITNEY ROAD AND BIOTECH PARKWAY RIGHT-OF-WAY AS DEDICATED IN ORB 18526, PAGE 164, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**DESCRIPTION : 50-FOOT UTILITY EASEMENT**

BEING A PORTION OF TRACT "A", OF "PALM BEACH COUNTY BIOTECHNOLOGY RESEARCH PARK" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 103, PAGES 108 THRU 110, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE STRIP OF LAND 50 FEET IN WIDTH LYING 25 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:  
 COMMENCE AT POINT OF COMMENCEMENT #1, SAID POINT BEING THE SOUTH QUARTER CORNER OF SECTION 8 TOWNSHIP 42 SOUTH RANGE 41 EAST, ALSO BEING A SOUTHEAST CORNER OF SAID "PALM BEACH COUNTY BIOTECHNOLOGY RESEARCH PARK"; THENCE SOUTH 85°34'42" WEST, 38.14 FEET TO POINT OF BEGINNING #1; THENCE NORTH 01°25'11" EAST, 9.72 FEET; THENCE NORTH 22°30'00" WEST, 133.75 FEET; THENCE NORTH 01°26'55" EAST, 319.58 FEET; THENCE NORTH 05°35'55" WEST, 96.47 FEET; THENCE NORTH 01°28'53" EAST, 1315.78 FEET PARALLEL WITH AND 104.38 FEET WEST OF THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 8, ALSO BEING THE EAST LINE OF TRACT "A" OF SAID "PALM BEACH COUNTY BIOTECHNOLOGY RESEARCH PARK"; THENCE NORTH 17°40'27" EAST, 105.35 FEET; THENCE NORTH 01°28'53" EAST, 2108.60 FEET, PARALLEL WITH AND 75 FEET WEST OF THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 8, ALSO BEING EAST LINE OF TRACT "A" OF SAID "PALM BEACH COUNTY BIOTECHNOLOGY RESEARCH PARK", TO THE POINT OF TERMINUS #1, SAID POINT ALSO BEING POINT OF COMMENCEMENT #2 AND LYING ON THE SOUTH RIGHT-OF-WAY LINE OF PGA BOULEVARD AS DESCRIBED ON OFFICIAL RECORDS BOOK 18526, PAGE 164, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

TOGETHER WITH THE FOLLOWING CENTERLINE DESCRIPTION:

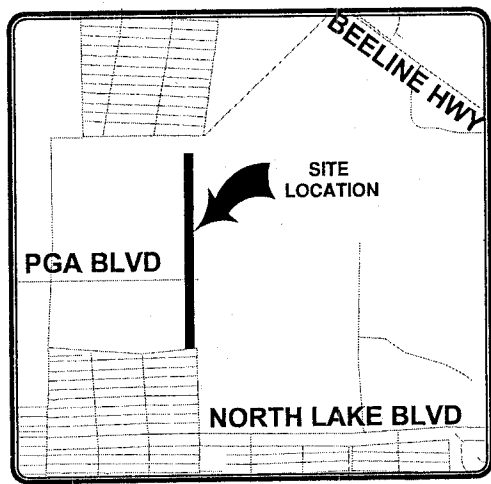
COMMENCE AT POINT OF COMMENCEMENT #2; THENCE NORTH 01°28'53" EAST 260.04 FEET TO POINT OF BEGINNING #2, SAID POINT LYING ON THE NORTH RIGHT-OF-WAY LINE OF SAID PGA BOULEVARD, THENCE NORTH 01°28'53" EAST, 703.09 FEET, PARALLEL WITH AND 75 FEET WEST OF THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 8 ALSO BEING THE EAST LINE OF TRACT "A" OF SAID "PALM BEACH COUNTY BIOTECHNOLOGY RESEARCH PARK", TO A POINT ON THE NORTH LINE OF SAID SECTION 8; THENCE NORTH 03°10'01" EAST, 1708.92 FEET PARALLEL WITH AND 75 FEET WEST OF THE EAST LINE OF THE WEST 1/2 OF SECTION 5, TOWNSHIP 42 SOUTH, RANGE 41 EAST ALSO BEING THE EAST LINE OF TRACT "A" OF SAID "PALM BEACH COUNTY BIOTECHNOLOGY RESEARCH PARK"; THENCE NORTH 17°12'11" EAST, 32.98 FEET; THENCE NORTH 03°10'01" EAST, 3954.70 FEET PARALLEL WITH AND 67 FEET WEST OF EAST LINE OF THE WEST 1/2 OF SAID SECTION 5 ALSO BEING THE EAST LINE OF TRACT "A" OF SAID "PALM BEACH COUNTY BIOTECHNOLOGY RESEARCH PARK", TO THE POINT OF TERMINATION #2. THE SIDE LINES TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO TERMINATE ON THE NORTH LINE OF TRACT "A" OF SAID "PALM BEACH COUNTY BIOTECHNOLOGY RESEARCH PARK"

**NOTES:**

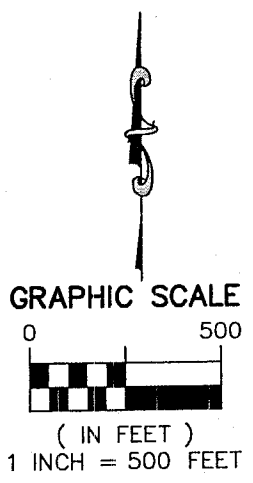
- BEARINGS SHOWN HEREON ARE BASED ON PLAT BEARINGS, AS SHOWN ON PLAT BOOK 103, PAGE 108-110,
- ALL DOCUMENTS REFERENCED HEREON ARE OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA
- ALL EXISTING EASEMENTS SHOWN HEREON ARE AS SHOWN ON PLAT BOOK 104 PAGES, 157-158, PALM BEACH COUNTY RECORDS, UNLESS INDICATED OTHERWISE.

**LEGEND:**

- P.B. = PLAT BOOK
- O.R.B.= OFFICIAL RECORDS BOOK
- PG(S).= PAGE(S)
- P.B.C.R.= PALM BEACH COUNTY RECORDS
- E. = EAST
- N. = NORTH
- P.O.T.= POINT OF TERMINUS
- P.O.C. = POINT OF COMMENCEMENT
- P.O.B.= POINT OF BEGINNING



LOCATION MAP  
N.T.S.

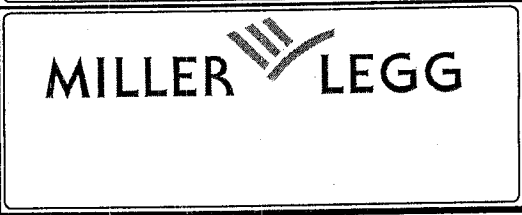


SEE SHEET 2 thru 4 OF 4 FOR SKETCH **SKETCH AND DESCRIPTION**

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

12/5/06	REVISED PER P.B. COUNTY	JAL	WDO	
8/31/06	ALIGNMENT REVISED	JAL	WDO	
DATE	REVISIONS	DWN.	CHK.	
DRAWN BY: PH		CHECKED BY:		

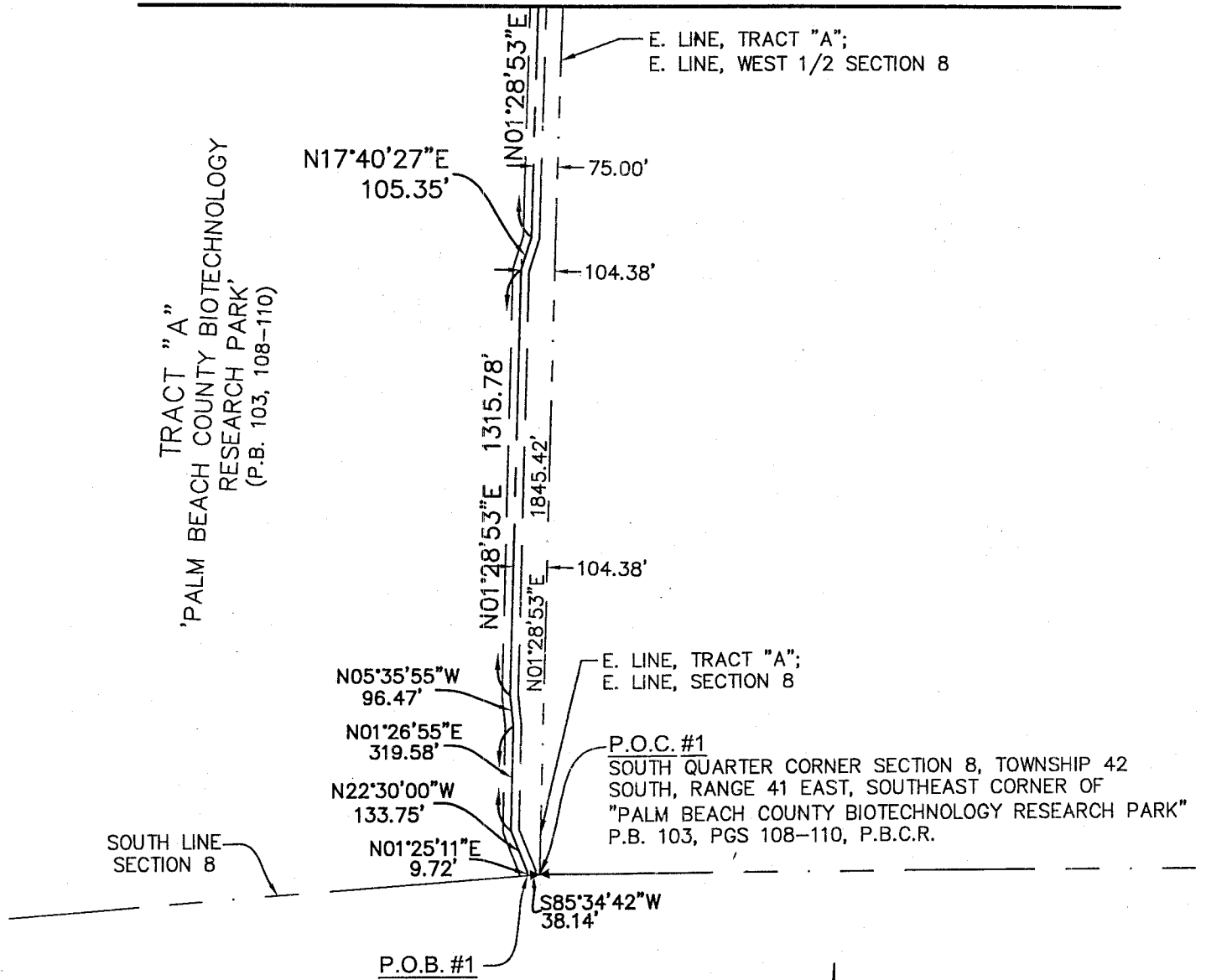
CERTIFIED TO:  
**PALM BEACH COUNTY**  
 A POLITICAL SUBDIVISION OF  
 THE STATE OF FLORIDA  
 50' UTILITY EASEMENT



I HEREBY CERTIFY THAT THIS SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS 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.  
 DATED THIS 7th DAY OF APRIL, 2006 A.D.

*William D. O'Connor*  
**WILLIAM D. O'CONNOR**  
 PROFESSIONAL SURVEYOR AND MAPPER  
 STATE OF FLORIDA REGISTRATION No. 4563  
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER  
 CERTIFICATE OF AUTHORIZATION: LB6680

PROJECT NO. **05-00213** FILE NO.

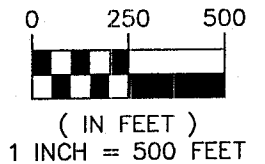


**LEGEND:**

- P.B. = PLAT BOOK
- O.R.B. = OFFICIAL RECORDS BOOK
- PG(S). = PAGE(S)
- P.B.C.R. = PALM BEACH COUNTY RECORDS
- E. = EAST
- N. = NORTH
- P.O.T. = POINT OF TERMINUS
- P.O.C. = POINT OF COMMENCEMENT
- P.O.B. = POINT OF BEGINNING



**GRAPHIC SCALE**



**MILLER LEGG**

Palm Beach Office: 2005 Vista Parkway · Suite 100  
West Palm Beach, Florida · 33411-2719  
561-689-1138 · Fax: 561-689-8108  
www.millerlegg.com  
Certificates of Authorization: EB7318, LB6680, LC0337

Certificate of Authorization L.B. 6680

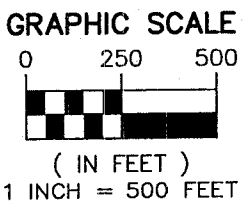
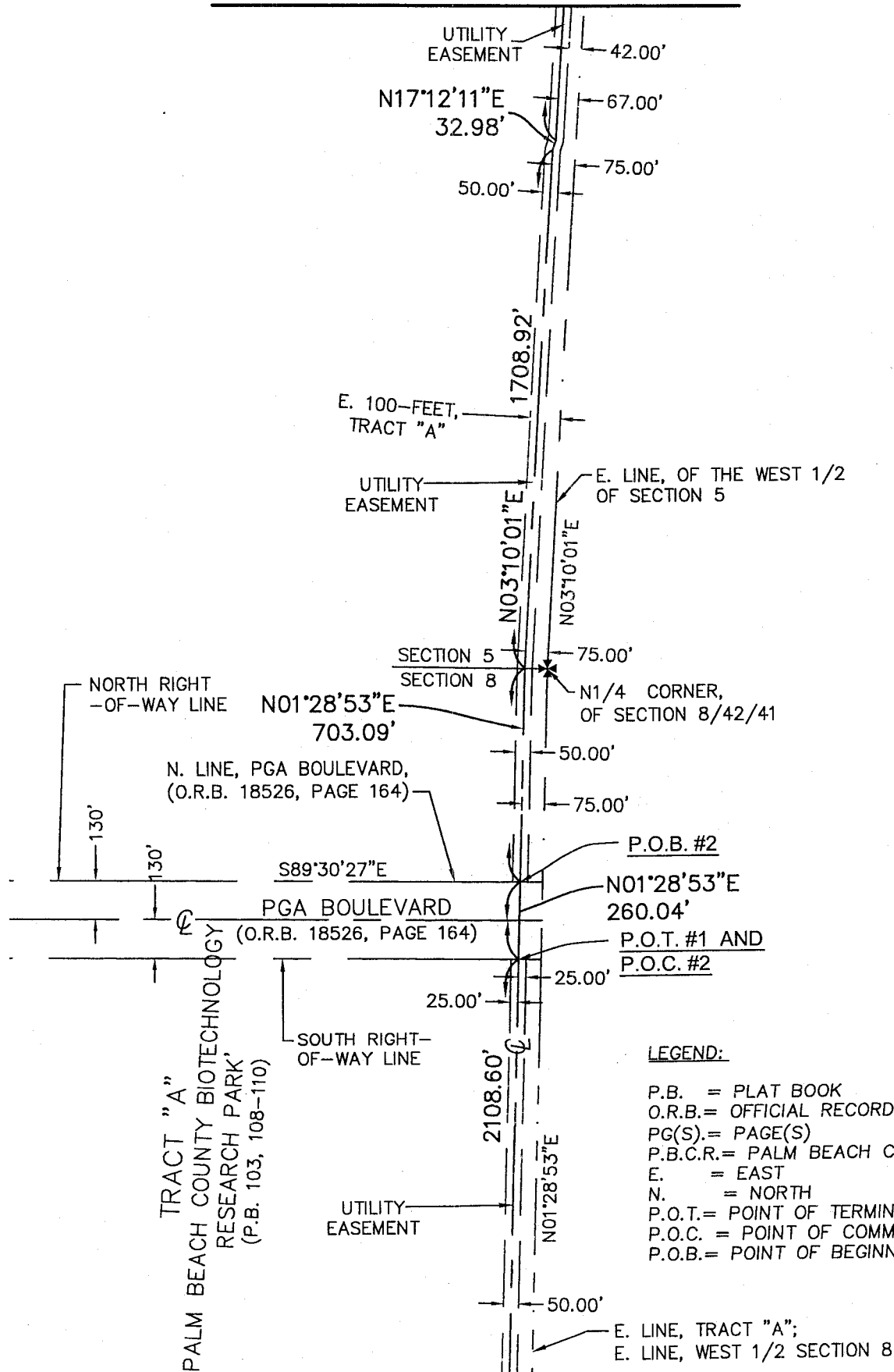
THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

**SKETCH & DESCRIPTION**

PROJECT NO.  
05-00213

FILE NO.





**LEGEND:**

- P.B. = PLAT BOOK
- O.R.B. = OFFICIAL RECORDS BOOK
- PG(S) = PAGE(S)
- P.B.C.R. = PALM BEACH COUNTY RECORDS
- E. = EAST
- N. = NORTH
- P.O.T. = POINT OF TERMINUS
- P.O.C. = POINT OF COMMENCEMENT
- P.O.B. = POINT OF BEGINNING

**MILLER LEGG**

Palm Beach Office: 2005 Vista Parkway · Suite 100  
 West Palm Beach, Florida · 33411-2719  
 561-689-1138 · Fax: 561-689-8108  
 www.millerlegg.com  
 Certificates of Authorization: EB7318, LB6680, LC0337

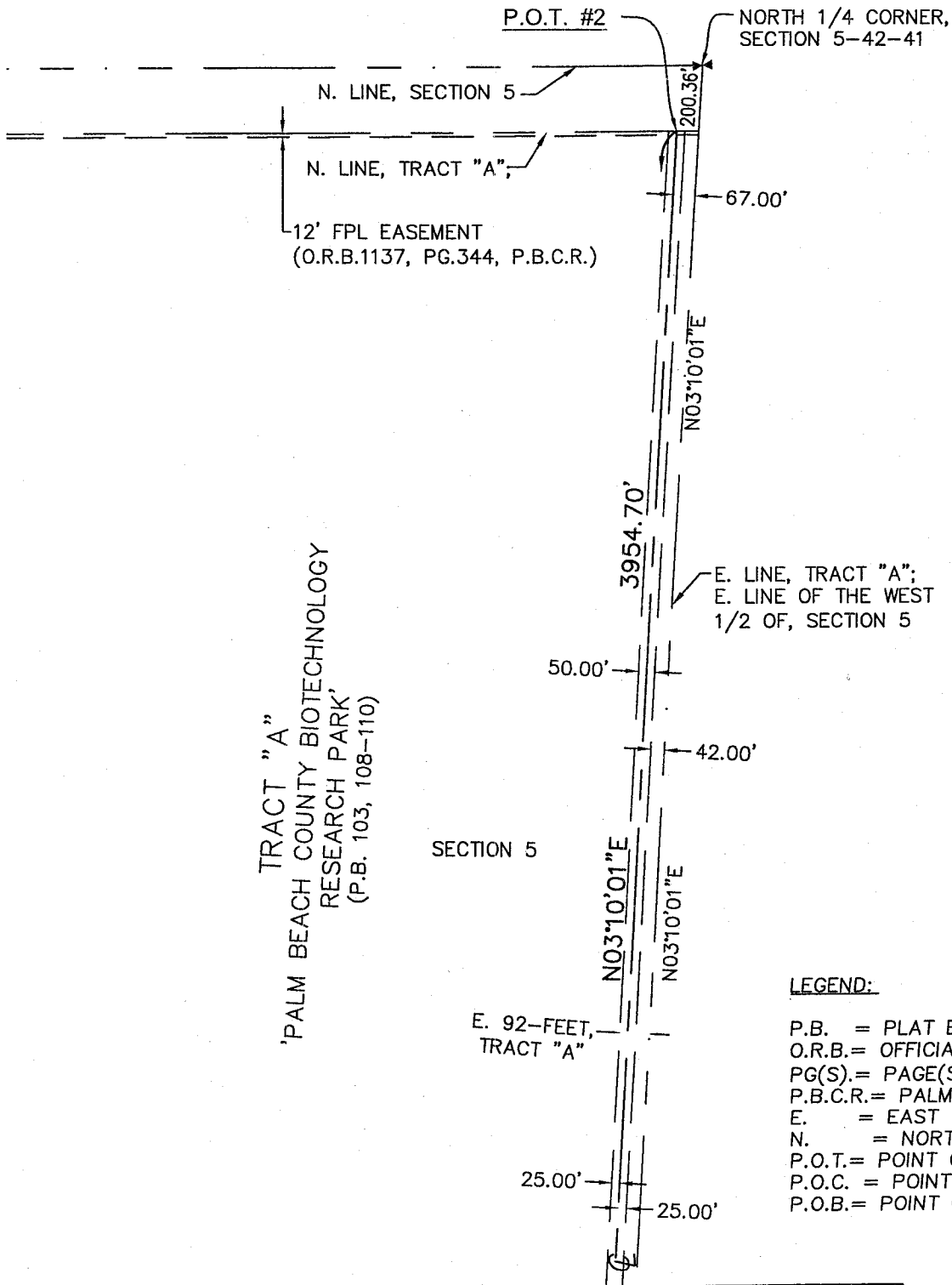
Certificate of Authorization L.B. 6680

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

**SKETCH & DESCRIPTION**

PROJECT NO.  
05-00213

FILE NO.



**LEGEND:**

- P.B. = PLAT BOOK
- O.R.B.= OFFICIAL RECORDS BOOK
- PG(S).= PAGE(S)
- P.B.C.R.= PALM BEACH COUNTY RECORDS
- E. = EAST
- N. = NORTH
- P.O.T.= POINT OF TERMINUS
- P.O.C. = POINT OF COMMENCEMENT
- P.O.B.= POINT OF BEGINNING

**MATCHLINE SEE SHEET 3 OF 4**

**MILLER LEGG**

Palm Beach Office: 2005 Vista Parkway · Suite 100  
 West Palm Beach, Florida · 33411-2719  
 561-689-1138 · Fax: 561-689-8108  
 www.millerlegg.com  
 Certificates of Authorization: EB7318, LB6680, LC0337

Certificate of Authorization L.B. 6680

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

**SKETCH & DESCRIPTION**

PROJECT NO.  
05-00213

FILE NO.