

Agenda Item #:

**3H-24**

**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: BMC Replat No. 2.

**Summary:** In 2003, the County sold 8.5 acres of County-owned land controlled by the Department of Airports to BMC, LLC (BMC) for a commercial shopping center project at the northeast corner of Belvedere Road and Military Trail (R2003-0313). The Agreement for Purchase and Sale required BMC, at its sole cost and expense, to delete approximately 2.27 acres of adjoining Runway Protection Zone (RPZ) Property from the BMC Plat and to replat the RPZ Property. BMC Replat No. 2 designates the RPZ Property for County runway protection purposes. The County is required to execute the replat as the property owner. **(PREM) District 2 (HJF)**

**Background and Justification:** BMC is awaiting approval for BMC Replat No. 1 which deletes the RPZ Property from the original BMC plat. BMC Replat No. 2 consists solely of the RPZ Property reserved for County runway protection purposes. Pursuant to the Agreement, the County received a \$20,000 security payment for BMC's performance of its obligations. Upon BMC's recordation of the Replat, the County will release the security payment being held by the County. The Department of Airports has reviewed and approved this Replat.

**Attachments:**

1. Location Map
2. BMC Replat No. 2

---

**Recommended By:**

  
**Department Director**

3/19/07  
**Date**

**Approved By:**

  
**County Administrator**

3/27/07  
**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>-0-</u></u>	<u><u>-0-</u></u>	<u><u>-0-</u></u>	<u><u>-0-</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 Pluse* 3/22/07  
 OFMB  
 3/22/07  
*John J. Jooat* 3/23/07  
 Contract Development and Control  
 3/22/07

**B. Legal Sufficiency:**

*[Signature]* 3/20/07  
 Assistant County Attorney

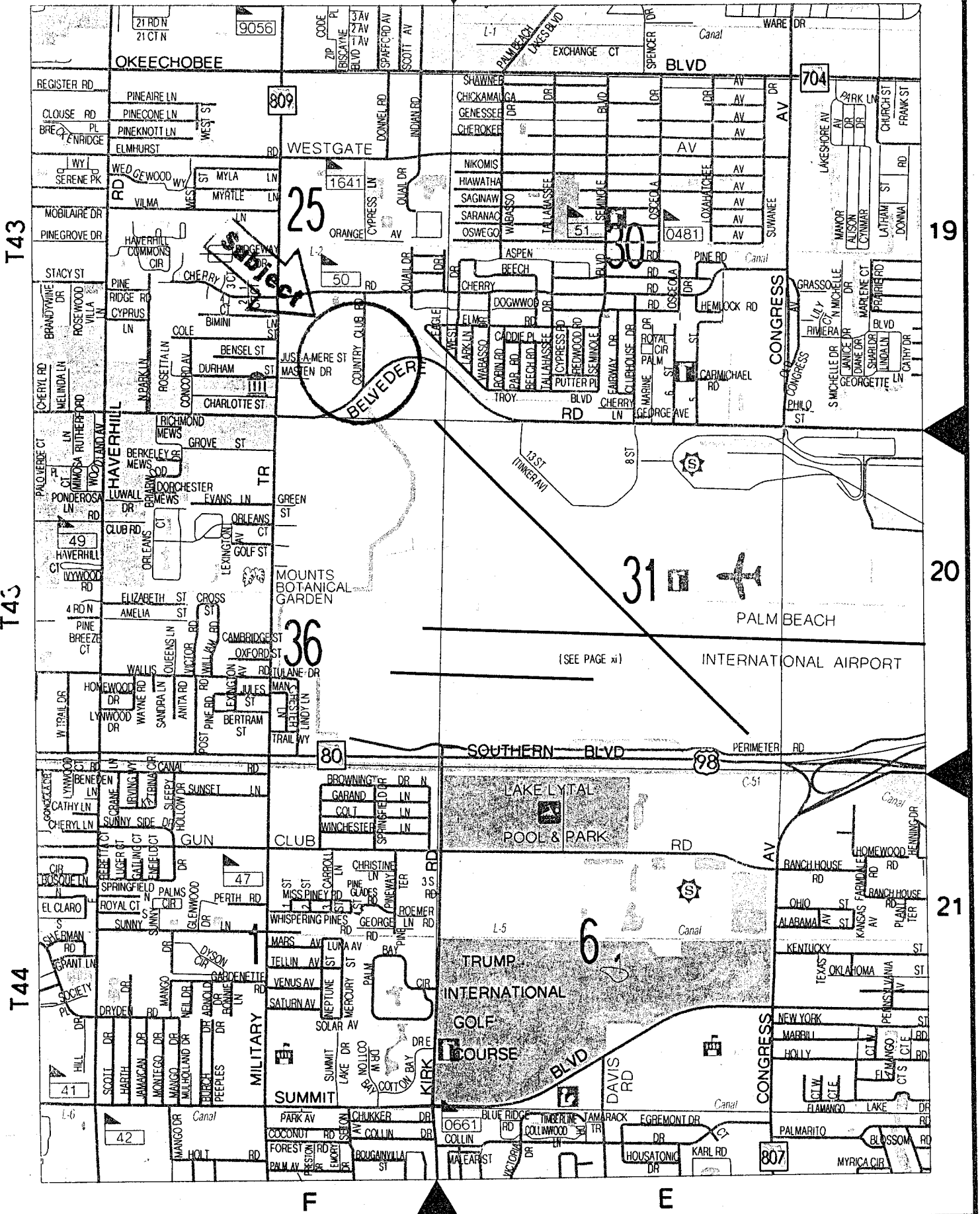
**C. Other Department Review:**

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

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

F

E



LOCATION MAP

ATTACHMENT # 1



# BMC REPLAT No. 2

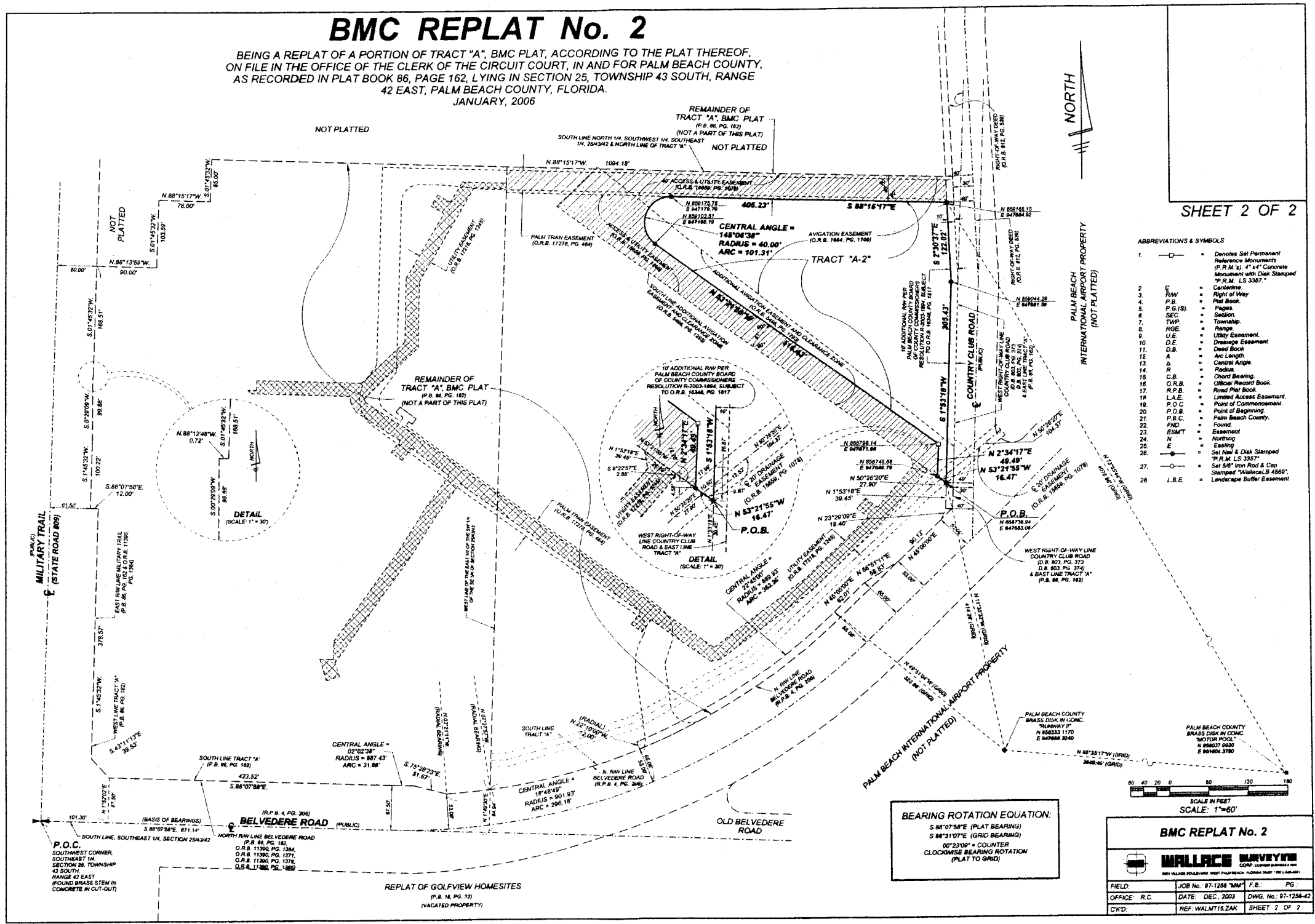
BEING A REPLAT OF A PORTION OF TRACT "A", BMC PLAT, ACCORDING TO THE PLAT THEREOF, ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, IN AND FOR PALM BEACH COUNTY, AS RECORDED IN PLAT BOOK 86, PAGE 162, LYING IN SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.  
JANUARY, 2006

SHEET 2 OF 2

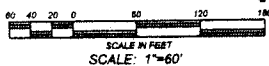
ABBREVIATIONS & SYMBOLS

1.	□	Denotes Set Permanent Reference Monuments (P.R.M.'s), 4" x 4" Concrete Monument with Disk Stamped "P.R.M. L.S. 3387."
2.	C	Centerline
3.	R.W.	Right of Way
4.	P.B.	Plat Book
5.	P.G.(S)	Pages
6.	SEC.	Section
7.	TWP.	Township
8.	RNG.	Range
9.	U.E.	Utility Easement
10.	D.E.	Drainage Easement
11.	D.B.	Deed Book
12.	A	Arc Length
13.	∠	Central Angle
14.	R	Radius
15.	C.B.	Chord Bearing
16.	O.R.B.	Official Record Book
17.	R.P.B.	Record Plat Book
18.	L.A.E.	Limited Access Easement
19.	P.O.C.	Point of Commencement
20.	P.O.B.	Point of Beginning
21.	P.B.C.	Palm Beach County
22.	FND.	Found
23.	ESMT	Easement
24.	N	North
25.	E	East
26.	○	Set Nail & Disk Stamped "P.R.M. L.S. 3387"
27.	○	Set 48" Iron Rod & Cap Stamped "WallaceLS 4369"
28.	L.B.E.	Landscape Buffer Easement

ATTACHMENT # 2



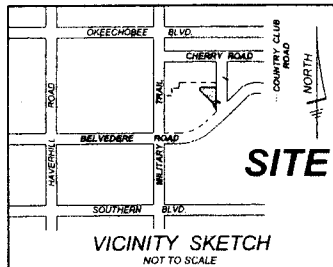
**BEARING ROTATION EQUATION:**  
 S 88°07'58"E (PLAT BEARING)  
 S 88°31'07"E (GRID BEARING)  
 00°23'09" = COUNTER  
 CLOCKWISE BEARING ROTATION  
 (PLAT TO GRID)



**BMC REPLAT No. 2**

**WALLACE HARVEY INC.**  
 CORP. LICENSED SURVEYOR  
 1001 W. PALM BEACH BLVD., WEST PALM BEACH, FLORIDA 33411-1810 (407) 833-1177

FIELD:	JOB No.: 97-1254 "MM"	F.B.:	PG.:
OFFICE:	R.C.	DATE:	DEC, 2003
CYD:	REF: WALMT115.2AK	DWG. No.:	97-1254-42
		SHEET:	2 OF 2



# BMC REPLAT No. 2

BEING A REPLAT OF A PORTION OF TRACT "A", BMC PLAT, ACCORDING TO THE PLAT THEREOF, ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, IN AND FOR PALM BEACH COUNTY, AS RECORDED IN PLAT BOOK 86, PAGE 162, LYING IN SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. JANUARY, 2006

SHEET 1 OF 2

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS that Palm Beach County, a political subdivision of the State of Florida, owner of the land shown herein being a replat of a portion of Tract "A", according to the Plat of BMC PLAT, as recorded in Plat Book 86, Page 162, Palm Beach County Public Records, lying in Section 25, Township 43 South, Range 42 East, Palm Beach County, Florida, shows herein as BMC REPLAT No. 2, being more particularly described as follows:

### LEGAL DESCRIPTION:

A parcel of land being a portion of Tract "A", BMC PLAT, according to the Plat thereof, on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, as recorded in Plat Book 86, Page 162, said parcel of land being more particularly described as follows:

COMMENCE at the Southwest corner of the Southwest one-quarter (SW¼) of the Southeast one-quarter (SE¼) of Section 25, Township 43 South, Range 42 East, Palm Beach County, Florida; thence South 88° 07' 58" East, along the South line of said Southwest one-quarter (SW¼) (said South line is assumed to bear South 88° 07' 58" East and all other bearings are relative thereto) a distance of 101.30 feet; thence North 01° 52' 02" East a distance of 87.80 feet to a point on the South line of said Tract "A", BMC PLAT, said South line of Tract "A" being common with the North right of way line of Belvedere Road, as shown on said Plat and conveyed in Official Record Book 11390, Page 1984, Official Record Book 11390, Page 1371, Official Record Book 11390, Page 1378 and Official Record Book 11390, Page 1383, said Palm Beach County Public Records; thence Easterly, along said common line, through the following three courses: South 88° 07' 58" East a distance of 423.52 feet to the beginning of a curve, remove to the North, having a radius of 887.43 feet; thence Easterly, along the arc of said curve through a central angle of 02° 02' 38" a distance of 51.66 feet to the point of intersection with a non-tangent line; thence South 75° 28' 23" East, a distance of 51.67 feet to a point of intersection with a non-tangent curve, concave Northwestwardly, having a radius of 801.93 feet; the radius point of said curve bears North 02° 21' 11" West, thence Northwardly, continuing along said South line of Tract "A", said South line being common with the Northern right of way line of said Belvedere Road, as shown on Road Plat Book 4, Page 206, said Public Records and along the arc of said curve through a central angle of 18° 48' 49" a distance of 286.16 feet to the point of intersection with a radial line; thence departing said common line, along said radial line, North 22° 10' 00" West a distance of 12.00 feet to the beginning of a curve, said curve being 12.00 feet Northwardly of and concentric with said common line, and having a radius of 888.93 feet; thence Northwardly, along the arc of said curve through a central angle of 22° 45' 00" a distance of 353.36 feet to the beginning of a tangent line; thence North 45° 05' 00" East, along said tangent line, a distance of 62.01 feet; thence North 56° 51' 11" East a distance of 58.83 feet to a point on said common line of Tract "A" and the Northern right of way line of Belvedere Road; thence North 45° 05' 00" East, along said common line a distance of 80.13 feet; thence departing said common line, North 27° 29' 06" East a distance of 18.40 feet to a point on a line 10.00 feet Westwardly of and parallel with, as measured at right angles to, the East line of Tract "A", said East line being common with the West right of way line of Country Club Road as shown on said Plat and recorded in Deed Book 803, Page 373 and Deed Book 803, page 374, said Public Records; thence North 1° 83' 18" East, along said parallel line, a distance of 39.45 feet to a point of intersection with the South line of an Additional Aviation Easement and Clearance Zone, as recorded in Official Record Book 5498, Page 1293, said Public Records, said point also being the POINT OF BEGINNING of the following described parcel: thence North 03° 21' 55" West, along said South line, a distance of 18.47 feet; thence departing said South line, North 2° 34' 17" East a distance of 46.49 feet; thence North 63° 21' 55" West along a line 41.00 feet Northwardly of and parallel with, as measured at right angles to, the South line of said Additional Aviation Easement and Clearance Zone a distance of 514.43 feet to the beginning of a curve, concave to the East, having a radius of 40.00 feet and a central angle of 148° 08' 38"; thence Northwardly, Northwardly and Easterly along the arc of said curve, a distance of 101.31 feet to the beginning of a tangent line, said line being 40.00 feet Southwardly of and parallel with, as measured at right angles to, the North line of said Tract "A", said North line also being common with the South line of the North one-quarter (N¼) of the Southeast one-quarter (SE¼) of said Section 25; thence South 88° 15' 17" East, along said parallel line, a distance of 406.23 feet to a point on a line 10.00 feet Westwardly of and parallel with, as measured at right angles to, the East line of said Tract "A", and said West right of way line of Country Club Road; thence South 2° 30' 37" East, along said parallel line, a distance of 122.02 feet; thence continue along said parallel line, South 01° 53' 18" West, a distance of 305.43 feet to a point on the South line of said Additional Aviation Easement and Clearance Zone and the POINT OF BEGINNING.

Containing in all 2.278 acres, more or less.

Has caused the same to be surveyed and platted as shown herein and does hereby reserve as follows:

### TRACT "A-2"

Tract "A-2" is hereby reserved for Palm Beach County, a political subdivision of the State of Florida for runway protection purposes and other purposes not inconsistent with this reservation, and is the perpetual maintenance obligation of said Palm Beach County.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida, has caused these presents to be signed by its chair and its seal affixed hereto this \_\_\_\_\_ day of \_\_\_\_\_ 2006.

Board of County Commissioners of Palm Beach County, Florida  
 ATTEST: Sharon R. Bock, Clerk to the Board of County Commissioners, Palm Beach County  
 BY: \_\_\_\_\_, Deputy Clerk

### TITLE CERTIFICATION

State of Florida  
 County of Palm Beach

We, Lawyers Title Insurance Corporation, a Virginia corporation, as duly licensed in the State of Florida, do hereby certify that we have examined the title to the herein described property, that we find the title to the property is vested to Palm Beach County, a political subdivision of the State of Florida; that there are no mortgages of record; and that there are no encumbrances of record but those encumbrances do not prohibit the creation of the subdivision depicted by this plat.

Lawyers Title Insurance Corporation  
 By: Robert E. Slaughter, Vice President  
 Date: November 2, 2005

### SURVEYOR & MAPPER'S CERTIFICATE

This is to certify that the plat shown herein is a true and correct representation of a survey made under my responsible direction and supervision; that said survey is accurate to the best of my knowledge and belief; that Permanent Reference Monuments (P.R.M.'s) and monuments according to Sec. 177.081 (9) F.S., have been placed as required by law and; further that the survey data complies with all the requirements of Chapter 177, Florida Statutes, as amended, and ordinances of Palm Beach County, Florida.

Robert J. Cajal  
 Professional Surveyor & Mapper  
 Florida Certificate No. 022243  
 Wallace Surveying Corporation  
 5553 Village Boulevard  
 West Palm Beach, Florida 33407  
 Licensed Business No. 4569

### COUNTY APPROVAL

### COUNTY ENGINEER:

This plat is hereby approved for record pursuant to Palm Beach County Ordinance 95-33, and in accordance with Sec. 177.07(1)(2), F.S., this \_\_\_\_\_ day of \_\_\_\_\_ 2006, and has been reviewed by a Professional Surveyor & Mapper employed by Palm Beach County in accordance with Sec. 177.081 (1), F.S.

George T. Wade, P.E.  
 County Engineer

### NOTES

- Coordinates shown are grid.
- Datum = NAD 83, 1980 adjustment.
- Zone = Florida East
- Linear unit = US feet
- Coordinate system 1983 State Plane Transverse Mercator Projection
- All distances are ground.
- Scale factor = 1.0000380
- Ground distance x scale factor = grid distance
- Bearings shown herein are based on the South line of the Southeast quarter of Section 25, Township 43 South, Range 42 East which bears S 88° 07' 58" E and all other bearings are relative thereto.
- No building or any kind of construction, lines or shrubs shall be placed on any easement without prior written consent of all assessment beneficiaries and all applicable county approvals or permits as required for such encroachments.
- This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will in no circumstances be supplemented in authority by any other graphic or digital form of the plat, whether graphic or digital. There may be additional restrictions that are not recorded on this plat that may be found in the public records of this county.
- This instrument prepared by: Robert J. Cajal, Wallace Surveying Corporation, 5553 Village Boulevard, West Palm Beach, Florida 33407, 561640-4551

TABULAR DATA  
 Total Area : 2.278 Acres

BOARD OF COUNTY COMMISSIONERS	SURVEYOR	ENGINEER
-------------------------------	----------	----------

**BMC REPLAT No. 2**

WALLACE SURVEYING CORPORATION  
 5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 (561) 640-4551

FIELD:	JOB No. 07-1206 "MAY"	F.B.:	P.G.:
OFFICE: R.C.	DATE: DEC. 2003	DWG No.: 07-1206-42	
CKD:	REF: WALM15.ZAK	SHEET 1 OF 2	