

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>	_____	_____	_____	_____
# 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:

<p><i>[Signature]</i> _____ OFMB 5/22/07 ON 5/21/07</p>	<p><i>[Signature]</i> _____ Contract Development and Control 5/23/07 E. Jones 5/23/07</p>
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B. Legal Sufficiency:

[Signature]

 Assistant County Attorney
 5/24/07

C. Other Department Review:

 Department Director

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

Prepared by and Return to:
Margaret Jackson, Real Estate Specialist
Property & Real Estate Management Division
3200 Belvedere Road, Bldg. 1169
West Palm Beach, FL 33406-1544

RESTRICTIVE COVENANT

THIS RESTRICTIVE COVENANT, made and executed this _____ day of _____, 2007, by Palm Beach County ("County").

WITNESSETH:

WHEREAS, the County is the owner of that water management tract with designated planted littoral shelf areas as legally described in Exhibit "A", attached hereto and made a part hereof; and

WHEREAS, the Site Plan is set forth in Exhibit "B", attached hereto and made a part hereof; and

WHEREAS, there is a required 22,627.34 square foot coverage to be planted in accordance with an associated littoral planting plan and maintained at a minimum of 80% as approved by the Palm Beach County Department of Environmental Resources Management ("ERM") in the approved Notice of Intent to Construct for Excavation (NIC), Excavation No. E200701, which can be found at ERM.

NOW, THEREFORE, in accordance with the Palm Beach County Unified Land Development Code ("ULDC"), Article 4, Chapter D, Excavation, County, its successors, heirs and assigns, must provide for and perpetually maintain the planted littoral shelves as more specifically provided for in Exhibit "A", as attached hereto, and the NIC approval. Furthermore, it is a punishable violation of Palm Beach County laws, ordinances, codes, regulations and approvals to alter the approved slopes, contours or cross sections or to chemically, mechanically or manually remove, damage or destroy any plants in the reclaimed areas and planted littoral zone as set forth in Exhibit "A", as attached hereto, and the NIC approval, except, upon the express, written approval from the Director of ERM or the Palm Beach County Zoning Division, as applicable. It is the

responsibility of the County, its successors, and assigns, to maintain the required survivorship and coverage of the reclaimed upland and planted littoral areas as set forth in Exhibit "A", as attached hereto, and NIC approval and to insure ongoing removal of prohibited and invasive non-native plant species from these areas. The littoral areas shall be constructed and perpetually maintained in compliance with the planting plan requirements of the ULDC, Article 4, Chapter D, Excavation, and planting plans as approved by ERM and set forth in Exhibit "A", as attached hereto, and the NIC approval.

These restrictions shall be deemed covenants running with the land.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, County hereunder executes this Restrictive Covenant the day and year first written above.

ATTEST:

**SHARON R. BOCK
CLERK & COMPTROLLER**

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

By: _____
Deputy Clerk

By: _____
Addie L. Greene, Chairperson

Date: _____

(SEAL)

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS
AND CONDITIONS**

By: _____
Assistant County Attorney

By:  _____
Audrey Wolf, Director
Facilities Development and Operations

EXHIBIT "A"
LEGAL DESCRIPTION

LEGAL DESCRIPTION

BEING A PARCEL OF LAND LYING IN PORTION OF TRACT 29, BLOCK 6, PALM BEACH FARMS COMPANY PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGE 45 IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. IN SECTION 33, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA: BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT 29; THENCE NORTH 89°01'00" EAST ALONG THE NORTH LINE OF SAID TRACT 29, A DISTANCE OF 153.48 FEET; THENCE SOUTH 00°59'00" EAST, 81.98 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 89°00'50" EAST, 436.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 30.00 FEET AND A CENTRAL ANGLE OF 56°11'03"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 29.42 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 127.76 FEET AND A CENTRAL ANGLE OF 53°10'35"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 118.58 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 97.02 FEET, A CENTRAL ANGLE OF 127°19'05" AND A CHORD BEARING AND DISTANCE OF NORTH 81°26'41" WEST, 173.89 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE 215.59 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 37.50 FEET AND A CENTRAL ANGLE OF 115°15'43"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE 75.44 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 73.84 FEET AND A CENTRAL ANGLE OF 87°10'17"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE 112.34 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 58.50 FEET AND A CENTRAL ANGLE OF 95°03'15"; THENCE ALONG THE ARC OF SAID CURVE 97.05 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 82.28 FEET AND A CENTRAL ANGLE OF 120°00'26"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE 172.33 FEET TO THE POINT OF BEGINNING.

CONTAINING 22627.34 SQUARE FEET OR 0.519 ACRES MORE OR LESS.

SURVEYOR'S NOTES

BEARINGS SHOWN HEREON REFER TO NORTH 89°01'00" EAST ALONG THE NORTH LINE OF TRACT 29, BLOCK 6. ALL OTHER BEARINGS ARE RELATIVE THERETO.

- CH BRG = CHORD BEARING
- CH DIST = CHORD DISTANCE
- L = LENGTH OF CURVE
- R = RADIUS
- P.B. = PLAT BOOK
- PG. = PAGE

LAND SURVEYOR'S STATEMENT

I HEREBY CERTIFY THAT THE SKETCH SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF THE ACCOMPANYING DESCRIPTION AND COMPLIES WITH THE TECHNICAL STANDARDS SET FORTH IN CHAPTER 61G17-6, F.A.C., BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. NOT VALID UNLESS SEALED WITH SURVEYOR'S EMBOSSED SEAL AND SIGNATURE.

F.R.S. AND ASSOCIATES, INC.

GARY P. WILLIAMS, R.L.S.
FLORIDA CERTIFICATION No. 4817
FOR THE FIRM

THIS IS NOT A BOUNDARY SURVEY

JOB NUMBER: 04-032H	DRAWN BY: P. PINKERMAN	DATE: 01/12/07	K.A.C. 03-30-07	PER CLIENT
	APPROVED BY: G.P. WILLIAMS			
SHEET: 1 OF 3	SCALE: 1" = 1'	FIELD BOOK/PAGES: NA		

**SKETCH AND DESCRIPTION
OF A LITTORAL SHELF EASEMENT
FOR FIRE RESCUE FACILITY**



F.R.S. & ASSOCIATES, INC.
LAND SURVEYORS AND LAND PLANNERS
CERTIFICATE OF AUTHORIZATION NO. LB 4241
901 NORTHPOINT PARKWAY, SUITE 301
WEST PALM BEACH, FLORIDA 33407-1853
PHONE (561) 478-7178 FAX (561) 478-7822
Web Site: www.frssurvey.com

DWG REF: T:\DRAW\FIRE RESCUE\AUTOCAD\02004\LITTORAL SHELF.DWG

TRACT 20 BLOCK 6

REMAINDER OF 50' RESERVATION FOR CANAL
RIGHT-OF-WAY (O.R.B. 1732, PG. 612, O.R.B. 1994,
PGS. 1573, 1581, & O.R.B. 4317, PG. 66)

30' ROAD RIGHT OF WAY

(as abandoned per O.R.B. 20685, Pg. 1035)
(P.B. 2, PG. 45)

NORTH LINE OF TRACT 29

N89°01'00"E 153.48'

POINT OF COMMENCEMENT
NORTHWEST CORNER OF
TRACT 29 BLOCK 6

500°59'00"E
81.98'

N 89°00'50" E 436.46'

POINT OF BEGINNING

LITTORAL SHELF

Delta=120°00'26"
R=82.28' L=172.33'

Delta= 95°03'15"
R= 58.50'
L= 97.05'



TRACT 29 BLOCK 6

MATCHLINE SEE SHEET 3

F.R.S. & ASSOCIATES, INC.
LAND SURVEYORS AND LAND PLANNERS
 CERTIFICATE OF AUTHORIZATION NO. LB 4241
 301 NORTHPOINT PARKWAY, SUITE 301
 WEST PALM BEACH, FLORIDA 33407-1655
 PHONE (561) 476-7178 FAX (561) 476-7922
 Web Site: www.frssurvey.com

**SKETCH AND DESCRIPTION
OF A LITTORAL SHELF EASEMENT
FOR FIRE RESCUE FACILITY**

DATE	BY	REVISIONS

DRAWN BY: P. PINKERMAN
 APPROVED BY: G.P. WILLIAMS
 1" = 40'
 01/12/07
 FIELD BOOK/PAGE: N/A

JOB NUMBER:
04-03244
 SHEET:
2 OF 3

DATE: 01/12/07

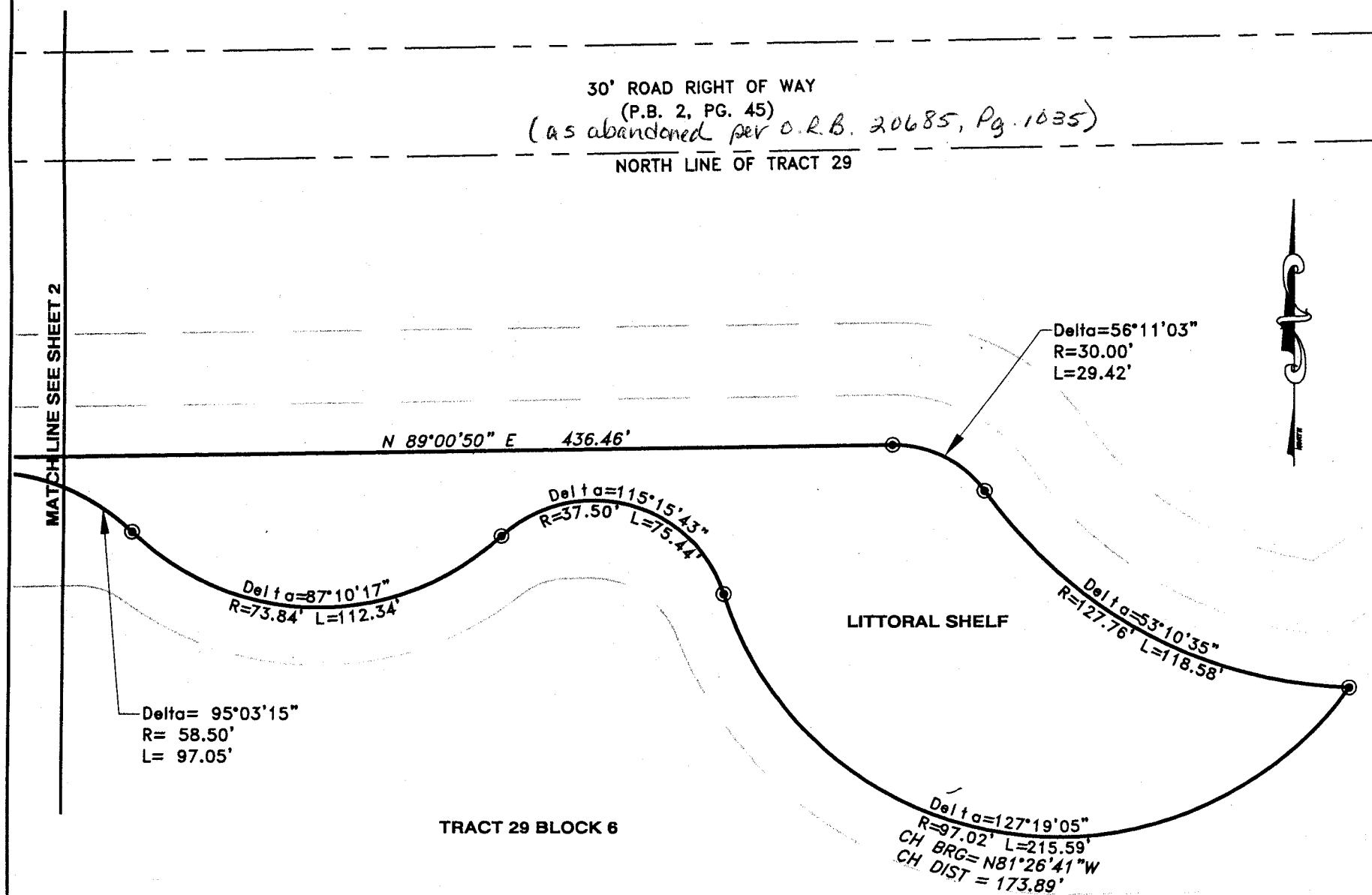
THIS IS NOT A BOUNDARY SURVEY

TRACT 20 BLOCK 6

30' ROAD RIGHT OF WAY
(P.B. 2, PG. 45)
(as abandoned per O.R.B. 20685, Pg. 1035)

NORTH LINE OF TRACT 29

MATCH LINE SEE SHEET 2



N 89°00'50" E 436.46'

Delta=87°10'17"
R=73.84' L=112.34'

Delta=115°15'43"
R=37.50' L=75.44'

Delta=56°11'03"
R=30.00'
L=29.42'

Delta=53°10'35"
R=127.76' L=118.58'

LITTORAL SHELF

Delta= 95°03'15"
R= 58.50'
L= 97.05'

Delta=127°19'05"
R=97.02' L=215.59'
CH BRG= N81°26'41"W
CH DIST = 173.89'

TRACT 29 BLOCK 6

THIS IS NOT A BOUNDARY SURVEY

F.R.S. & ASSOCIATES, INC.
LAND SURVEYORS AND LAND PLANNERS
CERTIFICATE OF AUTHORIZATION NO. LB 4241
801 NORTHPOINT PARKWAY, SUITE 301
WEST PALM BEACH, FLORIDA 33407-1993
PHONE (561) 478-7178 FAX (561) 478-7922
Web Site: www.frsurvey.com

SKETCH AND DESCRIPTION
OF A LITTORAL SHELF EASEMENT
FOR FIRE RESCUE FACILITY

NO.	DATE	REVISIONS

DRAWN BY: JENNIFER WILKINSON
CHECKED BY: G.P. WILLIAMS
DATE: 01/12/07
SCALE: 1" = 40'
FIELD BOOKS: NA

JOB NUMBER: 04-0522H
SHEET: 3 OF 3

PLANS, SECS. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

EXHIBIT "B"
SITE PLAN

