3H-21

Agenda Item #:

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	June 19, 2007	[X] Consent [] Ordinance	[] Regular [] Public Hearing		
Department: Facilities Development & Operations					
	I.]	EXECUTIVE BRIEF			
			ration of Easement for a potable water rated western Boynton Beach.		
side of Hypoluxo future plans to de of the Fire Station provide potable w square feet. The	Road. The County is curvelop a County park on the n, the County installed a vater service to the Fire States. Water	rently constructing Fire Some balance of the property water line near the north ation. The easement area Utilities Department is re-	ed just east of Lyons Road on the south Station No. 48 on this property and has v. In Connection with the construction west corner of the property which will is 35' long by 10' wide and covers 350 equiring this Declaration to be recorded PREM) District 3 (JMB)		
Ansca Homes, co Villages of Wind from the beginning under construction	onveyed a 33.63 acre cives or PUD (R96-1748), as a long to contain a fire station on and substantial complete.	vic site as a condition of amended (R2002-1016). I, a public park, and a wation is scheduled to be rea	olding Co., a Florida corporation, d/b/a f development order approval for the The civic site has been programmed ter storage tank. Fire Station No. 48 is ched by June of 2007. The Declaration ne on County owned property.		
	cation Map claration of Easement				
Recommended I	By: Feld AMM Department I	Ly WOLF Director	5 (31 0 7 Date		
Approved By:		er	6/1/67		

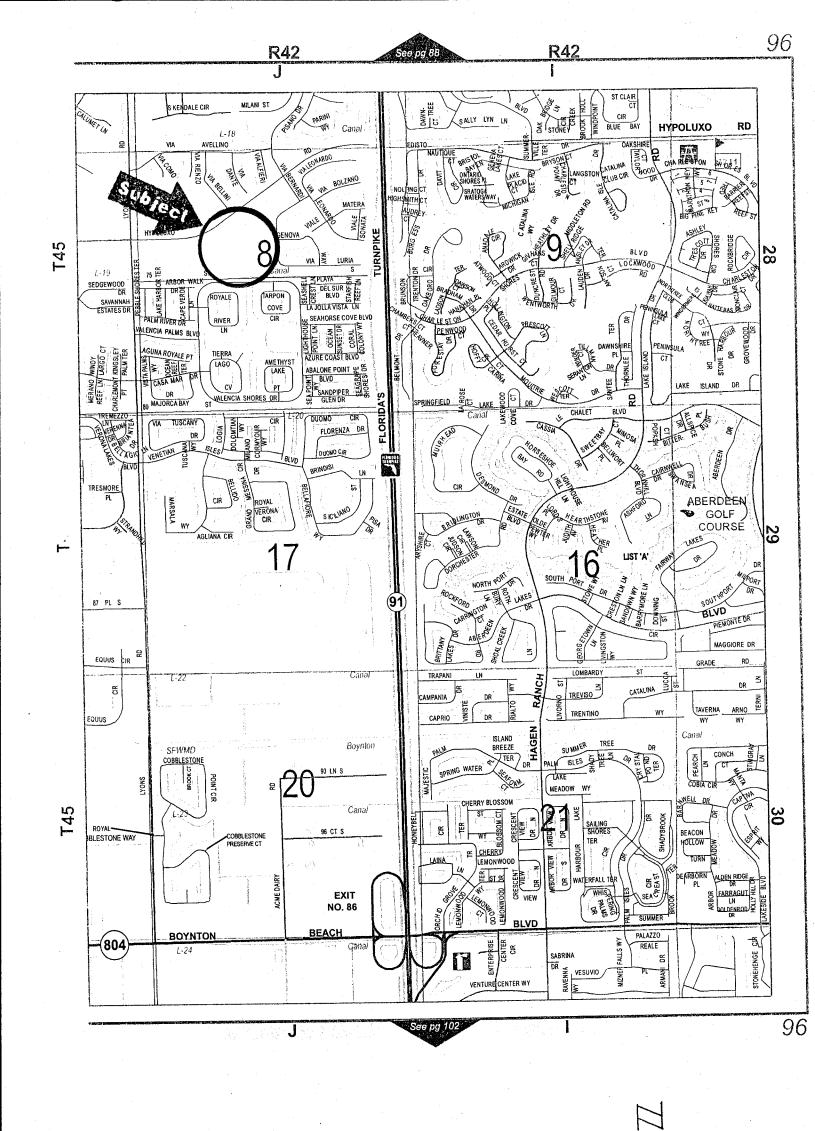
County Administrator

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)						
NET FISCAL IMPACT	\$ 0.00		-		· <u></u>	
# ADDITIONAL FTE POSITIONS (Cumulative)		·	· · · · · · · · · · · · · · · · · · ·			
	t Budget: Yes_ und Do rogram	ept	Unit	Object		
B. Recommended Sources of Funds/Summary of Fiscal Impact:						
No Fiscal Impa	ict.					
C. Departmental Fiscal	Review:			· 		
	III. <u>RE</u>	EVIEW COM	<u>IMENTS</u>			
A. OFMB Fiscal and/or OFMB	Contract Deve 6-6-07 C/4/1		mments: t Developpren	focol (17/07 1	
B. Legal Sufficiency: Lamp Bribe Assistant County At	- 6/8/07 torney					
C. Other Department R	eview:					
Department Direct	or					

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



LOCATION MAP

ATTACHMENT #1

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

PCN: 00-42-45-08-08-003-0000

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, 33401-4791.

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 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.

Page 1 of 2

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: PALM BEACH COUNTY, a political subdivision of the State of Florida			
SHARON R. BOCK CLERK & COMPTROLLER				
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: Department Director			

EXHIBIT "A"

THE PROPERTY

Tract CV, VILLAGES OF WINDSOR PLAT THREE, according to the Plat thereof, as recorded in Plat Book 98, Pages 131 through 138 of the Public Records of Palm Beach County, Florida, lying in SECTION 8, TOWNSHIP 45 SOUTH, RANGE 42 EAST, Palm Beach County, Florida.

G:\Pete\Fire Station 48\EXHIBIT A.doc

EXHIBIT "B" THE EASEMENT PREMISES

THIS IS NOT A SURVEY

LEGAL DESCRIPTION UTILITY EASEMENT

THAT PORTION OF TRACT CV, 'VILLAGES OF WINDSOR PLAT THREE', ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 98, PAGES I 31 THROUGH I 38 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AN EASEMENT OVER A STRIP OF LAND I O. OO FEET WIDE, THE CENTERLINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF TRACT CV OF SAID PLAT; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST, THROUGH A CENTRAL ANGLE OF 00 20'21', AN ARC DISTANCE OF 8 76 FEET, HAVING A RADIUS OF 1 480 00 FEET, TO THE POINT OF BEGINNING, SAID POINT ALSO BEING THE CENTERLINE OF SAID 1 0 00 FOOT WIDE EASEMENT; THENCE SOUTH 33 23'13' EAS A DISTANCE OF 35.00 FEET, TO THE POINT OF TERMINUS.

THE SIDELINES OF SAID STRIP ARE TO BE PROLONGED OR SHORTENED TO INTERSECT AT THE ANGLE POINTS THEREIN.

NOTES:

UNDERGROUND UTILITIES WERE NOT LOCATED EXCEPT AS SHOWN.

THE LANDS SHOWN HEREON WERE NOT ABSTRACTED BY SURVEYOR FOR EASEMENTS, RIGHTS-OF-WAYS, RESERVATIONS AND OTHER SIMILAR MATTERS OF RECORD DEARINGS ARE DASED ON WEST LINE OF TRACT "CV" ASSUMED TO BEAR N OO 38 35" W. (BASED ON PLAT)

DRAINAGE NOTES FLOOD ZONE:

COMMUNITY-PANEL NO. 120 192 0 185 A EFFECTIVE DATE: FEBRUARY 1 , 1 979

LEGEND:

N¢TT - NAIL AND TIN TAB

LAE - LIMITED ACCESS EASEMENT - LANDSCAPE BUFFER EASEMENT

- OFFICAL RECORD BOOK ORB

C/L CENTERL INE

PG - PAGE

V.E. - UTILITY EASEMENT

- PLAT BOOK PB

- POINT OF COMMENCMENT - POINT OF BEGINNING - POINT OF TERMINUS POC POB POT

R/W - RIGHT OF WAY F.F. - FINISH FLOOR

R - RADIUS Δ DELTA - LENGTH

REVISE LEGAL DESCRIPTION EASEMENT REVISE LEGAL DESCRIPTION EASEMENT 5-15-07 5-03-07

SHEET 1 OF 2

FLORIDA LIGENSED SURVEYOR AND MAPPER JOHN EY TRACH OF FLORIDA 487 E O

SKETCH & DESCRIPTION UTILITY EASEMENT

-20' 04-23-07 SCALE:

FOR REFERENCE ONLY, NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A

UNIVERSAL SURVEYING SYSTEMS, CERTIFICATE OF AUTHORIZATION NUMBER LD 5984

2623 LAKE DRIVE NORTH

BOYNTON BEACH, FLORIDA 33435

: 561 -736-0432 FAX: 561 -736-0908

07-04-023 FS48UE, GCD

P.

DRAWING NO

F.D. '

THIS IS NOT A SURVEY

CURVE

CI

DELTA ANGLE

0'20'21 '

RADIUS 1 480.00'

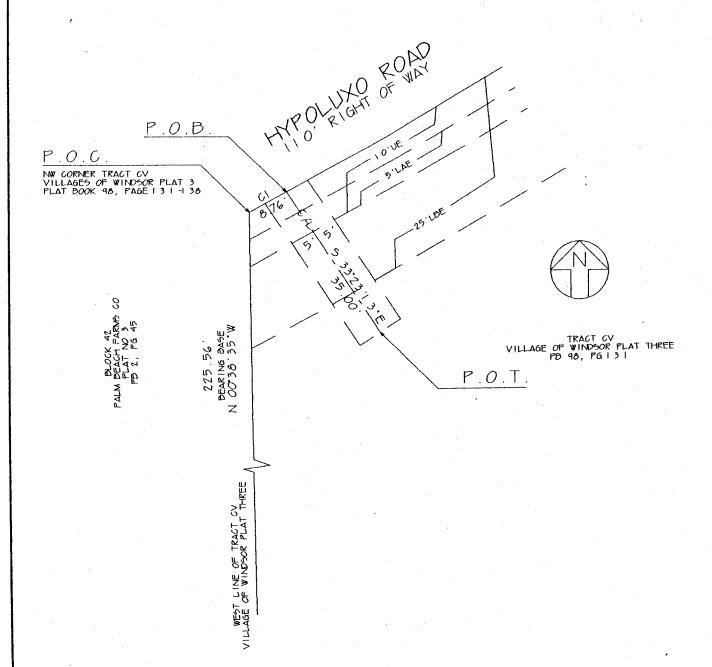
ARC 8.76'

TANGENT

4.38

CHORD 8.76' CHORD BEARING

N 61 '04' 05' E



REVISE EXISTING EASEMENTS REVISE EASEMENT 5-03-07 5-1 5-07

SHEET 2 OF 2

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

TRACH OF FLORIDA NO. 4871



SKETCH & DESCRIPTION 10' UTILITY EASEMENT

04-23-07 SURVEY DATE: * = 20'

UNIVERSAL SURVEYING SYSTEMS, INC. CERTIFICATE OF AUTHORIZATION NUMBER LB 5984
2623 LAKE DRIVE NORTH
BOYNTON BEACH, FLORIDA 33435
OFFICE: 561-736-0432 FAX: 561-736-0908

07-04-023 F548UE . GCD

DRAWING NO.