

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:

[Handwritten Signature] 6-22-07
 OFMB CN 06/22/07
[Handwritten Signature] 6/25/07
 Contract Development and Control

B. Legal Sufficiency:

[Handwritten Signature] 6/26/07
 Assistant County Attorney

C. Other Department Review:

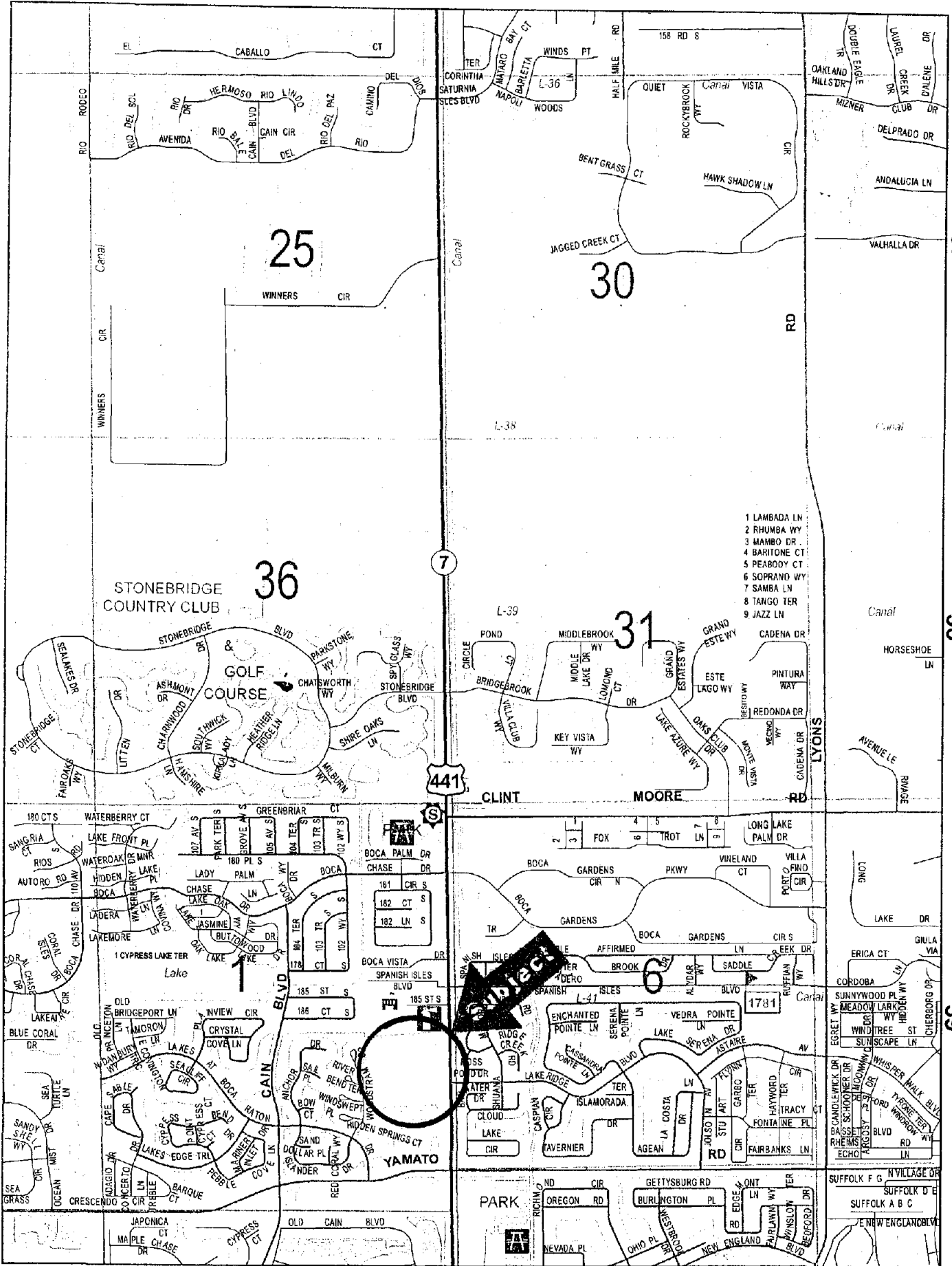
 Department Director

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

T46

1

T47



25

36

30

31

7

441

SINGLE

- 1 LAMBDA LN
- 2 RHUMBA WY
- 3 MAMBO DR
- 4 BARITONE CT
- 5 PEABODY CT
- 6 SOPRANO WY
- 7 SAMBA LN
- 8 TANGO TER
- 9 JAZZ LN

LOCATION MAP

ATTACHMENT #1



Prepared by and return to:
Peter Banting, Real Estate Specialist
Palm Beach County
Property & Real Estate Management Division
3200 Belvedere Road, Building 1169
West Palm Beach, FL 33406

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

DEED OF CONSERVATION EASEMENT

THIS DEED OF CONSERVATION EASEMENT is given this _____ day of _____, 20____, by Palm Beach County, a political subdivision of the State of Florida, ("Grantor") whose mailing address is 301 North Olive Avenue, West Palm Beach, FL 33401-4791, to the South Florida Water Management District ("Grantee"). As used herein, the term Grantor shall include any and all successors or assigns of Grantor, and all subsequent owners of the "Property" (as hereinafter defined) and the term "Grantee" shall include any successor or assignee of Grantee.

W I T N E S S E T H

WHEREAS, Grantor is the owner of certain lands situated in Palm Beach County, Florida, and more specifically described in Exhibit "A" attached hereto and incorporated herein ("Property"); and

WHEREAS, Grantor desires to construct a Public Library ("Project") at a site in Palm Beach County, which is subject to the regulatory jurisdiction of South Florida Water Management District ("District"); and

WHEREAS, District Permit No. 50-07686-P ("Permit") authorizes certain activities which affect waters in or of the State of Florida; and

WHEREAS, this Permit requires that the Grantor preserve, enhance, restore and/or mitigate wetlands and/or uplands under the District's jurisdiction; and

WHEREAS, Grantor, in consideration of the consent granted by the Permit, is agreeable to granting and securing to the Grantee a perpetual Conservation Easement as defined in Section 704.06, Florida Statutes, over the area described on Exhibit "B" ("Conservation Easement").

NOW, THEREFORE, in consideration of the issuance of the Permit to construct and operate the permitted activity, and as an inducement to Grantee in issuing the Permit,

together with other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, Grantor hereby grants, creates, and establishes a perpetual Conservation Easement for and in favor of Grantee upon the property described on Exhibit "B" which shall run with the land and be binding upon Grantor, and shall remain in full force and effect forever.

The scope, nature, and character of this Conservation Easement shall be as follows:

1. Recitals. The recitals hereinabove set forth are true and correct and are hereby incorporated into and made a part of this Conservation Easement.

2. Purpose. It is the purpose of this Conservation Easement to retain land or water areas in their natural, vegetative, hydrologic, scenic, open, agricultural or wooded condition and to retain such areas as suitable habitat for fish, plants or wildlife. Those wetland and/or upland areas included in this Conservation Easement which are to be enhanced or created pursuant to the Permit shall be retained and maintained in the enhanced or created conditions required by the Permit.

To carry out this purpose, the following rights are conveyed to Grantee by this easement:

a. To enter upon the Property at reasonable times with any necessary equipment or vehicles to enforce the rights herein granted in a manner that will not unreasonably interfere with the use and quiet enjoyment of the Property by Grantor at the time of such entry; and

b. To enjoin any activity on or use of the Property that is inconsistent with this Conservation Easement and to enforce the restoration of such areas or features of the Conservation Easement that may be damaged by any inconsistent activity or use.

3. Prohibited Uses. Except for restoration, creation, enhancement, maintenance and monitoring activities, or surface water management improvements, or other activities described herein that are permitted or required by the Permit, the following activities are prohibited in or on the Conservation Easement:

a. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;

b. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;

c. Removal or destruction of trees, shrubs, or other vegetation, except for the removal of exotic or nuisance vegetation in accordance with a District approved maintenance plan;

d. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;

e. Surface use except for purposes that permit the land or water area to remain in its natural or enhanced condition;

f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing;

g. Acts or uses detrimental to such aforementioned retention of land or water areas;

h. Acts or uses which are detrimental to the preservation of the structural integrity or physical appearance of sites or properties having historical, archaeological, or cultural significance.

4. Grantor's Reserved Rights. Grantor reserves all rights as owner of the Property, including the right to engage in uses of the Property that are not prohibited herein and which are not inconsistent with any District rule, criteria, permit and the intent and purposes of this Conservation Easement.

5. No Dedication. No right of access by the general public to any portion of the Property is conveyed by this Conservation Easement.

6. Grantee's Liability. Grantee shall not be responsible for any costs or liabilities related to the operation, upkeep or maintenance of the Property.

7. Property Taxes. Grantor shall not allow any lien on the Easement Parcel superior to this Easement. In the event Grantor fails to extinguish or obtain a subordination of such lien, in addition to any other remedy, the Grantee may, but shall not be obligated to, elect to pay the lien on behalf of the Grantor and Grantor shall reimburse Grantee for the amount paid by the Grantee, together with Grantee's reasonable costs, with interest at the maximum rate allowed by law, no later than thirty days after such payment. In the event the Grantor does not so reimburse the Grantee, the debt owed to Grantee shall constitute a lien against the Easement Parcel which shall automatically relate back to the recording date of this Easement. Grantee may foreclose this lien on the Easement Parcel in the manner provided for mortgages on real property.

8. Enforcement. Enforcement of the terms, provisions and restrictions of this Conservation Easement shall be at the reasonable discretion of Grantee, and any forbearance on behalf of Grantee to exercise its rights hereunder in the event of any breach hereof by Grantor, shall not be deemed or construed to be a waiver of Grantee's rights hereunder.

9. Assignment. Grantee will hold this Conservation Easement exclusively for conservation purposes. Grantee will not assign its rights and obligations under this Conservation Easement except to another organization or entity qualified to hold such interests under the applicable state laws.

10. Severability. If any provision of this Conservation Easement or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of this Conservation Easement shall not be affected thereby, as long as the purpose of the Conservation Easement is preserved.

11. Terms and Restrictions. Grantor shall insert the terms and restrictions of this Conservation Easement in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Conservation Easement.

12. Written Notice. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor-in-interest.

13. Modifications. This Conservation Easement may be amended, altered, released or revoked only by written agreement between the parties hereto or their assigns or successors-in-interest, which shall be filed in the public records in Palm Beach County.

TO HAVE AND TO HOLD unto Grantee forever. The covenants, terms, conditions, restrictions and purposes imposed with this Conservation Easement shall be binding upon Grantor, and shall continue as a servitude running in perpetuity with the Property.

Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said Property in fee simple; that the Conservation Easement is free and clear of all encumbrances that are inconsistent with the terms of this Conservation Easement, and all mortgages and liens on the Conservation Easement area, if any, have been subordinated to this Conservation Easement, and that Grantor has good right and lawful authority to convey this Conservation Easement and that it hereby defends the title to the Conservation Easement hereby conveyed against the lawful claims of all persons whomsoever, to the extent permitted by law.

IN WITNESS WHEREOF, Grantor has hereunto set its authorized hand this the day and year first written above.

ATTEST:

**SHARON R. BOCK
CLERK & COMPTROLLER**

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

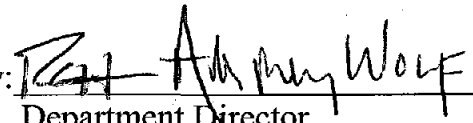
By: _____
Deputy Clerk

By: _____
Addie L. Greene, Chairperson

**APPROVED AS TO FORM
LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS
AND CONDITIONS**

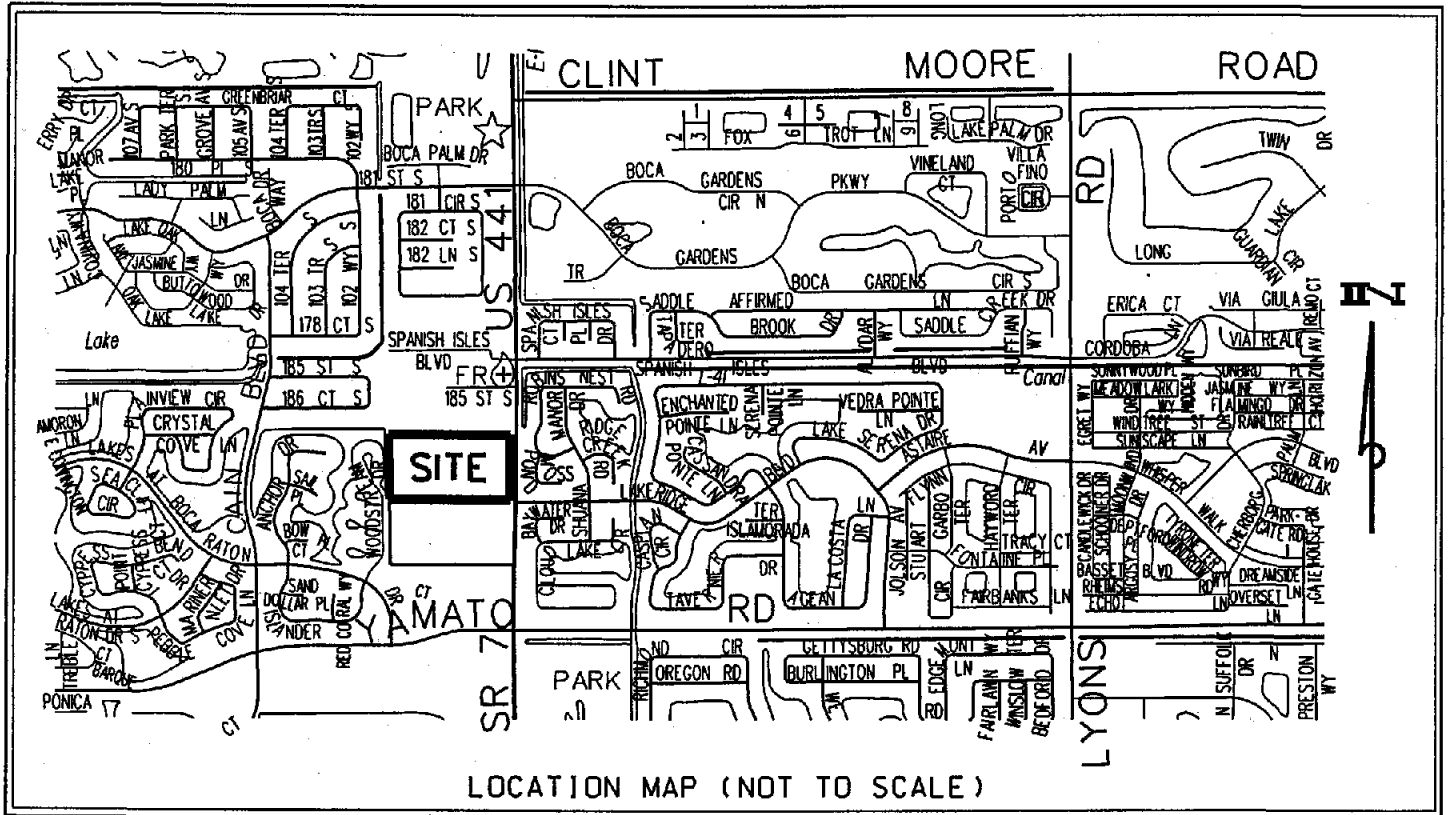
By: _____
Assistant County Attorney

By:  _____
Department Director

COUNTY OF PALM BEACH, STATE OF FLORIDA
BOARD OF COUNTY COMMISSIONERS

PROJECT NO. 2006009-12

A PORTION OF TRACTS 50, 51 AND 52 OF FLORIDA FRUIT LANDS CO. SUBDIVISION NO. 2 RECORDED IN PLAT BOOK 1, PAGE 102, PALM BEACH COUNTY PUBLIC RECORDS, BEING IN SECTION 1, TOWNSHIP 47 SOUTH, RANGE 41 EAST



REPORT OF BOUNDARY SURVEY
FOR PROPERTY REAL ESTATE MANAGEMENT
FOR WEST BOCA LIBRARY

MAP OF BOUNDARY SURVEY:

SEE MAP OF BOUNDARY SURVEY, THIS SURVEY MAP AND REPORT IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER. THE SIGNATURE AND SEAL CAN BE FOUND AT THE END OF THIS REPORT. THE MAP AND REPORT ARE NOT FULL AND COMPLETE WITHOUT THE OTHER.


PROJECT NO. 2006009-12
SHEET 1 OF 5

PROJECT: **WEST BOCA LIBRARY BOUNDARY SURVEY**
DESIGN FILE NAME: 2006009-12 N W BOCA LIB.
DRAWING NO.: **S-1-06-2514**

NO.	REVISION	BY	DATE
1	ADD NOTES	M	22/06
2	ADD EAST R/W LINE	M	20/06
3	REVISE BOUNDARY	M	15/06
4	REVISE NOTES	M	10/07

SCALE: 1" = 100'
APPROVED: N. J. H.
DRAWN: E. A. D.
CHECKED: W. C. E.
FIELD BOOK NO.: 911 C.
DATE: 01/04/08
D & E

PALM BEACH COUNTY
ENGINEERING AND PUBLIC WORKS
ENGINEERING SERVICES
160 AUSTRALIAN AVENUE
WEST PALM BEACH, FL 33406



LEGAL DESCRIPTION

A PARCEL OF LAND LYING WITHIN TRACTS 50, 51 AND 52 OF FLORIDA FRUIT LANDS CO. SUBDIVISION NO. 2 RECORDED IN PLAT BOOK 1, PAGE 102, PALM BEACH COUNTY PUBLIC RECORDS. BEING IN SECTION 1, TOWNSHIP 47 SOUTH, RANGE 41 EAST AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACTS 50, 51 AND 52 OF FLORIDA FRUIT LANDS CO. SUBDIVISION NO. 2 RECORDED IN PLAT BOOK 1, PAGE 102, PALM BEACH COUNTY PUBLIC RECORDS, BEING IN SECTION 1, TOWNSHIP 47 SOUTH, RANGE 41 EAST.

LESS THE FOLLOWING DESCRIBED PARCELS:

FROM THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 47 SOUTH, RANGE 41 EAST, AND BEING THE POINT OF COMMENCEMENT RUN N.00°37'51" W. 1127.43 FEET ALONG THE EAST LINE OF SAID SECTION (ALL BEARINGS ARE BASED ON RECORDED RIGHT OF WAY MAP OF STATE ROAD 7 SECTION 93210-2515); THENCE S.89°54'56" W. 69.26 FEET TO THE WEST RIGHT OF WAY LINE OF STATE ROAD 7 AND THE POINT OF BEGINNING OF HEREIN DESCRIBED PARCEL. CONTINUE S 89°54'56" W. 1252.29 FEET TO A POINT; THENCE N.00°46'56" W. 674.92 FEET; THENCE N. 89°50'10" E. 1,254.20 FEET TO A POINT ON WEST RIGHT OF WAY LINE OF SAID STATE ROAD 7; THENCE S.00°37'07" E. 676.64 FEET ALONG SAID WEST RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

ALSO LESS

THE RIGHT OF WAY FOR STATE ROAD 7, AS SHOWN IN FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR SECTION 93210-2515, AND BY COUNTY DEED TO STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION IN OFFICIAL RECORD BOOK 10523, PAGE 1295-1296.

ALSO LESS

THE EAST FORTY (40.00') FEET THEREOF

PARCEL CONTAINS 896,343 SQUARE FEET OR 20.5772 ACRES MORE OR LESS.

DATA SOURCES:

THE DESCRIPTION WAS FURNISHED BY THE CLIENT.

I HAVE REVIEWED THE OWNERSHIP AND ENCUMBRANCE REPORT BY SOUTHEAST GUARANTY AND TITLE, INC., FILE NO.: 2508034 WITH AN EFFECTIVE DATE JANUARY 9, 2006 AT 8:00 AM. AND ALL SURVEY RELATED ENCUMBRANCES IDENTIFIED IN THE REPORT ARE SHOWN ON THE SURVEY:

ACCURACY: THE EXPECTED USE OF THE LAND, AS CLASSIFIED IN THE MINIMUM TECHNICAL STANDARDS (61G17-6 FAC), IS "COMMERCIAL/HIGH RISK". THE MINIMUM RELATIVE DISTANCE ACCURACY FOR THIS TYPE OF BOUNDARY SURVEY IS 1 FOOT IN 10,000 FEET. THE ACCURACY OBTAINED BY MEASUREMENT WITH THE TOPCON GTS4 WITH STEEL TAPE AND CALCULATION OF A CLOSED GEOMETRIC FIGURE WAS FOUND TO EXCEED THIS REQUIREMENT.

NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR.

FIELD WORK COMPLETED ON 01/04/06.

BOUNDARY INCONSISTENCY:

AT THE SOUTHWEST CORNER OF THE LESS OUT PARCEL THE DEED OVERLAPS FOUND MONUMENTATION BY 6.75 FEET CONVERGING TO A COMMON CORNER AT THE SOUTHEAST CORNER OF THE LESS OUT PARCEL AS DETAILED ON THE MAP.

THE FILE NAMES ARE SIGHT SURVEY FILE: NORM'S.ZAK AND 2003235 W BOCA LIB.DGN.

TOPOGRAPHY IS LOCATED ON SHEET 4 & 5 OF 5.

NO UNDERGROUND UTILITIES OR IMPROVEMENTS, IF ANY, HAVE BEEN LOCATED.

FIELD BOOK 911 C & D.

COORDINATES SHOWN ARE GRID.

DATUM = NAD 83.1990 ADJUSTMENT

ZONE = FLORIDA EAST

LINEAR UNITS = U.S. SURVEY FOOT

COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION.

ALL DISTANCES ARE GROUND

SCALE FACTOR = 1.0000185

GROUND DISTANCE X SCALE FACTOR - GRID DISTANCE

BEARING BASE = EAST LINE OF SAID SECTION 1.

$\frac{N00^{\circ}37'51''W \text{ (DEED BEARING)}}{N00^{\circ}58'27''W \text{ (GRID BEARING)}} = 00^{\circ}20'36'' =$ COUNTERCLOCKWISE
BEARING ROTATION
DEED TO GRID

CERTIFIED TO:

PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA.

CHICAGO TITLE INSURANCE COMPANY

SOUTHEAST GUARANTY & TITLE, INC.

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

THIS INSTRUMENT WAS PREPARED BY NORMAN J. HOWARD, P.S.M., IN THE OFFICE OF THE COUNTY ENGINEER, 160 AUSTRALIAN AVENUE, SUITE 405, WEST PALM BEACH, FLORIDA, 33406.



NORMAN J. HOWARD, P.S.M.
FLORIDA CERTIFICATE NO. 5776

4-10-07

DATE

FD. 5/8" R & C
 "UN-READABLE"
 10.23' N. 733.74' E OF
 NW PROPERTY CORNER

FOUND 5/8" R & C
 "FOOT" HELD AS
 RIGHT OF WAY

6' CHAIN LINK FENCE
 0.4' N. 0.6' W OF FD. R & C

BOCA CHASE
 SECTION FOUR
 P.B. 45.
 P.197-198

TR 49

SEE
 DETAIL
 "D"

P.P.
 5' CONC.
 SIDEWALK

360.54'
 N0°41'30"W

RANGE 41 EAST
 RANGE 42 EAST

HEADWALL &
 CONCRETE
 STRUCTURE

HELD
 FD. 4"x4"
 C.M. NO ID
 N 751803.92
 E 915547.00

N89°49'34"E M 1,090.71' M

SET 5/8" R & C
 "NORMAN HOWARD PSM 5776"
 40.00' OFFSET
 N 751814.13
 E 916677.66

LESS
 EAST
 40.00'

TR 50

WOODSTREAM
 P.B.49.P.72-73

N00°46'56"W D.E.
 N00°39'12"W M
 818.16'

FLORIDA FRUITLANDS CO.
 SUBDIVISION NO. 2
 P.B.1. P.102

TR 51

TR 51

TR 51

OVERHEAD
 UTILITIES

WEST R/W LINE PER
 D.R.B. 10523.P.1295-1296

N00°37'51"W D
 N00°58'27"W G

62.00' PLAT/M

FD.
 SMALL NAIL
 & WASHER
 "P.C.P."

SEE
 DETAIL
 "C"

1,091.34'

TR 52

SEE
 DETAIL
 "A"

N 750989.247
 E 916817.573

200.01'
 BASELINE &
 EAST R/W
 LINE

493.20' PLAT/M

WOODSTREAM
 P.B.49.P.72-73

CL
 WOODSTREAM DR.

FD. 5/8" R
 "KEITH &
 SCHNARS"
 0.16' SOUTH
 ALONG
 PROPERTY
 LINE
 EXTENSION
 HELD AS
 WITNESS

TR 52
 D.R.B.925.
 P.177-179
 D.R.B.1875,
 P.306-309

165' ROAD
 EASEMENT
 O.R.B.
 10199.
 P.1777-
 1785

S00°37'07"E D
 676.52' D
 S00°34'54"E M
 676.64' C/M

FD.
 SMALL NAIL &
 WASHER
 "P.C.P."

N00°46'56"W D
 674.92' D/M
 N00°39'12"W M

HELD FOR
 LESS OUT

LESS
 OUT
 TR 53

WEST R/W
 LINE PER
 FDOT
 SECTION
 93210-2515

SEE
 DETAIL
 "B"

POINT OF
 BEGINNING
 LESS OUT
 SOUTHEAST
 CORNER
 PARCEL
 DESCRIBED
 O.R.B.925.
 P.177-179
 O.R.B.1875.
 P.306-309

FD. 4"x4" C.M.
 "PSM 5005"
 S.W. CORNER
 OF SAID TR 53,
 PER P.B.49,
 P.72-73 AND
 P.B.80,P.196-198

6.75' OVERLAP
 TAPERING TO
 COMMON POINT
 AT SOUTHEAST
 CORNER LESS OUT

S89°54'56"W D 1252.29' D
 N89°43'52"W M 1255.53' M

S89°54'56"W D 69.26' D
 N89°43'52"W M 70.37' M

N 750308.163 P.B.80.
 E 915572.540 P.196-198

YAMATO ROAD COMMERCIAL CORNER
 P.B.80. P.196-198

SAID EAST LINE
 OF SECTION 1
 BEARING BASE

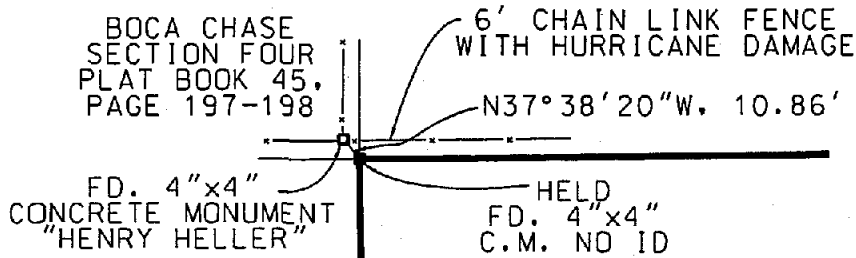
N 750311.061
 E 915572.965



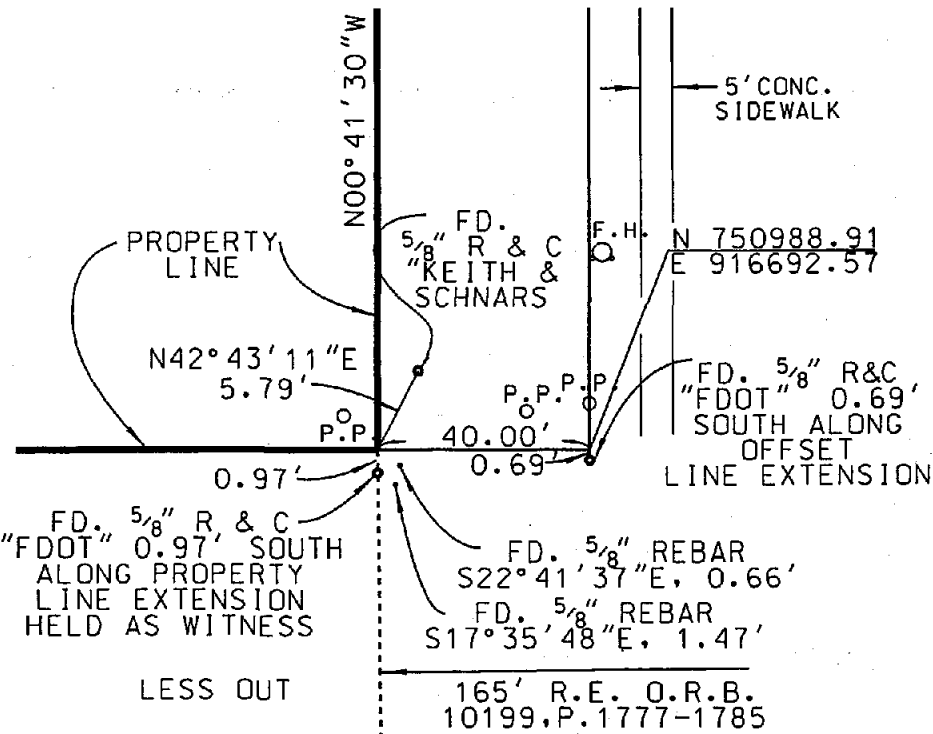
POINT OF COMMENCEMENT
 LESS OUT

S.E. CORNER OF SECTION 1,
 TOWNSHIP 47 SOUTH,
 RANGE 41 EAST
 FD. PALM BEACH COUNTY
 BRASS DISK IN CONCRETE
 N 749186.149
 E 916918.024

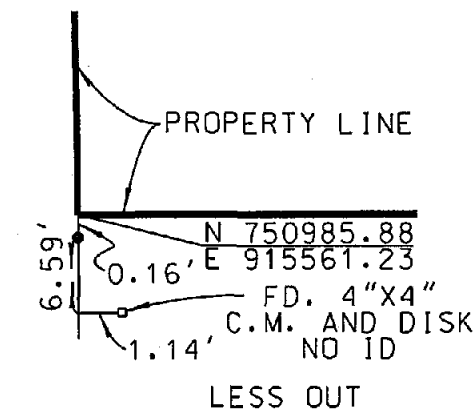
SCALE: 1" = 300'



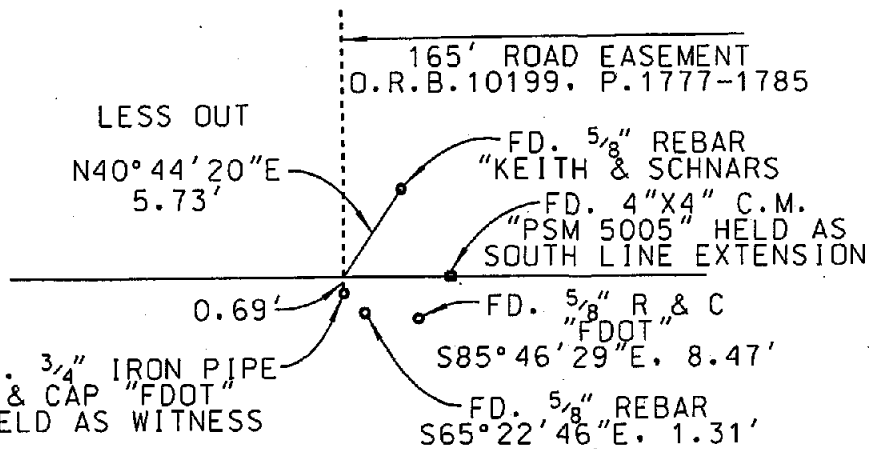
DETAIL "D"
NOT TO SCALE



DETAIL "A"
NOT TO SCALE



DETAIL "C"
NOT TO SCALE



DETAIL "B"
NOT TO SCALE

LEGEND

- FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
- O.R.B. = OFFICIAL RECORD BOOK
- PUBLIC RECORDS OF PALM BEACH COUNTY
- P.B. = PLAT BOOK
- P. = PAGE/PAGES
- D.E. = DEED EXTENSION
- D = DEED
- M = MEASURED
- C = CALCULATED
- R.E. = ROAD EASEMENT
- R/W = RIGHT OF WAY
- G = GRID
- C.M. = CONCRETE MONUMENT
- FD. = FOUND
- TR = TRACT
- R & C = REBAR & CAP
- CL = CENTERLINE
- = WOOD POWER POLE
- P.P. = FIRE HYDRANT
- ⊙ = FIRE HYDRANT



EXHIBIT "B"

LEGAL DESCRIPTION

A PORTION OF LAND LYING WITHIN TRACTS 51 AND 52 OF FLORIDA FRUIT LANDS CO. SUBDIVISION NO. 2 RECORDED IN PLAT BOOK 1, PAGE 102, PALM BEACH COUNTY PUBLIC RECORDS. BEING IN SECTION 1, TOWNSHIP 47 SOUTH, RANGE 41 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 4"x4" CONCRETE MONUMENT AT THE NORTHWEST CORNER OF SAID TRACT 50 OF FLORIDA FRUIT LANDS CO. SUBDIVISION NO. 2. THENCE NORTH 89°49'34" EAST ALONG THE NORTH LINE OF SAID TRACT 50 (ALL BEARINGS ARE ASSUMED BASED ON THE BEARING OF NORTH 89°49'34" EAST ALONG THE NORTH LINE OF SAID TRACT 50), A DISTANCE OF 43.00 FEET; THENCE SOUTH 00°39'12" EAST PARALLEL WITH THE WEST LINE OF SAID TRACT 50 AND 51, A DISTANCE OF 634.31 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°39'12" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 10.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWEST WHERE THE RADIUS POINT BEARS SOUTH 02°30'10" EAST HAVING A RADIUS OF 50.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 78°10'21", A DISTANCE OF 68.22 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 75.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 97°40'45", A DISTANCE OF 127.86 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 40.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°55'38", A DISTANCE OF 25.78 FEET TO A POINT OF TANGENCY; THENCE SOUTH 75°04'56" EAST, A DISTANCE OF 63.31 FEET; THENCE NORTH 00°39'12" WEST, A DISTANCE OF 15.72 FEET; THENCE NORTH 75°04'56" WEST, A DISTANCE OF 28.89 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEAST HAVING A RADIUS OF 35.00 FEET; THENCE NORTHWEST ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 78°54'11", A DISTANCE OF 47.57 FEET TO A POINT OF TANGENCY; THENCE NORTH 03°49'15" EAST, A DISTANCE OF 9.00 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEAST HAVING A RADIUS OF 45.00 FEET; THENCE NORTHEAST ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 95°27'34", A DISTANCE OF 74.97 FEET; THENCE NORTH 00°39'12" WEST, A DISTANCE OF 5.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTH, WHERE THE RADIUS POINT BEARS NORTH 00°39'12" WEST HAVING A RADIUS OF 300.00 FEET; THENCE WEST ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17°00'00", A DISTANCE OF 89.01 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 50.00 FEET; THENCE WEST ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 34°10'52", A DISTANCE OF 29.83 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 300.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°06'12", A DISTANCE OF 120.97 FEET TO THE POINT OF BEGINNING.

CONTAINS 16,279 SQUARE FEET OR 0.3737 ACRES.

PROJECT NO.
2006018-10

SHEETS
4

1

PROJECT:
DESCRIPTION SKETCH
**WEST BOCA LIBRARY
CONSERVATION EASEMENT**

DESIGN FILE NAME
S-1-06-2531.DGN

DRAWING NO.
S-1-07-2601

NO.	REVISION	BY	DATE
1	REVISE EASEMENT	N J H	02/06/07
2	LABEL PROPERTY LINES	N J H	04/10/07

SCALE: VARIES

APPROVED: N. J. H.


DRAWN: D. J. C.

CHECKED: N. J. H.

DATE: 02/08/07

FIELD BOOK NO.
N/A

**PALM BEACH COUNTY
ENGINEERING AND PUBLIC WORKS**



ENGINEERING SERVICES

2300 NORTH JOG ROAD
WEST PALM BEACH, FL 33411

NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THE SIGNING SURVEYOR.

THIS INSTRUMENT WAS PREPARED BY NORMAN J. HOWARD, P.S.M., IN THE OFFICE OF THE COUNTY ENGINEER, 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA, 33411.



NORMAN J. HOWARD, P.S.M.
FLORIDA CERTIFICATE NO. 5776

4-10-07
DATE

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

POINT OF COMMENCEMENT
FOUND 4"x4" CONCRETE MONUMENT AT THE
NORTHWEST CORNER OF TRACT 50, FLORIDA
FRUITLANDS CO., SUBDIVISION NO. 2, OF SAID
SECTION 1, PLAT BOOK 1, PAGE. 102

NORTH LINE OF TRACT
50 OF FLORIDA FRUIT
LANDS CO.
SUBDIVISION NO. 2
OF SAID SECTION 1

N89°49'34"E

N89°49'34"E
43.00'

634.31'

TRACT 50

WEST RIGHT OF WAY LINE OFFICIAL
RECORD BOOK 10523, PAGE 1295-1296

WEST LINE OF SAID TRACTS 50-52
N00°39'12"W 818.16'

43.0'

S00°39'12"E

FLORIDA FRUITLANDS CO.
SUBDIVISION NO. 2
OF SAID SECTION 1
PLAT BOOK 1, PAGE 102

TRACT 51

POINT OF
BEGINNING

SEE DETAIL
SHEET 4 OF 4

11/1

TRACT 52

S89°48'37"E

THIS IS NOT A SURVEY

SCALE: 1" = 100'

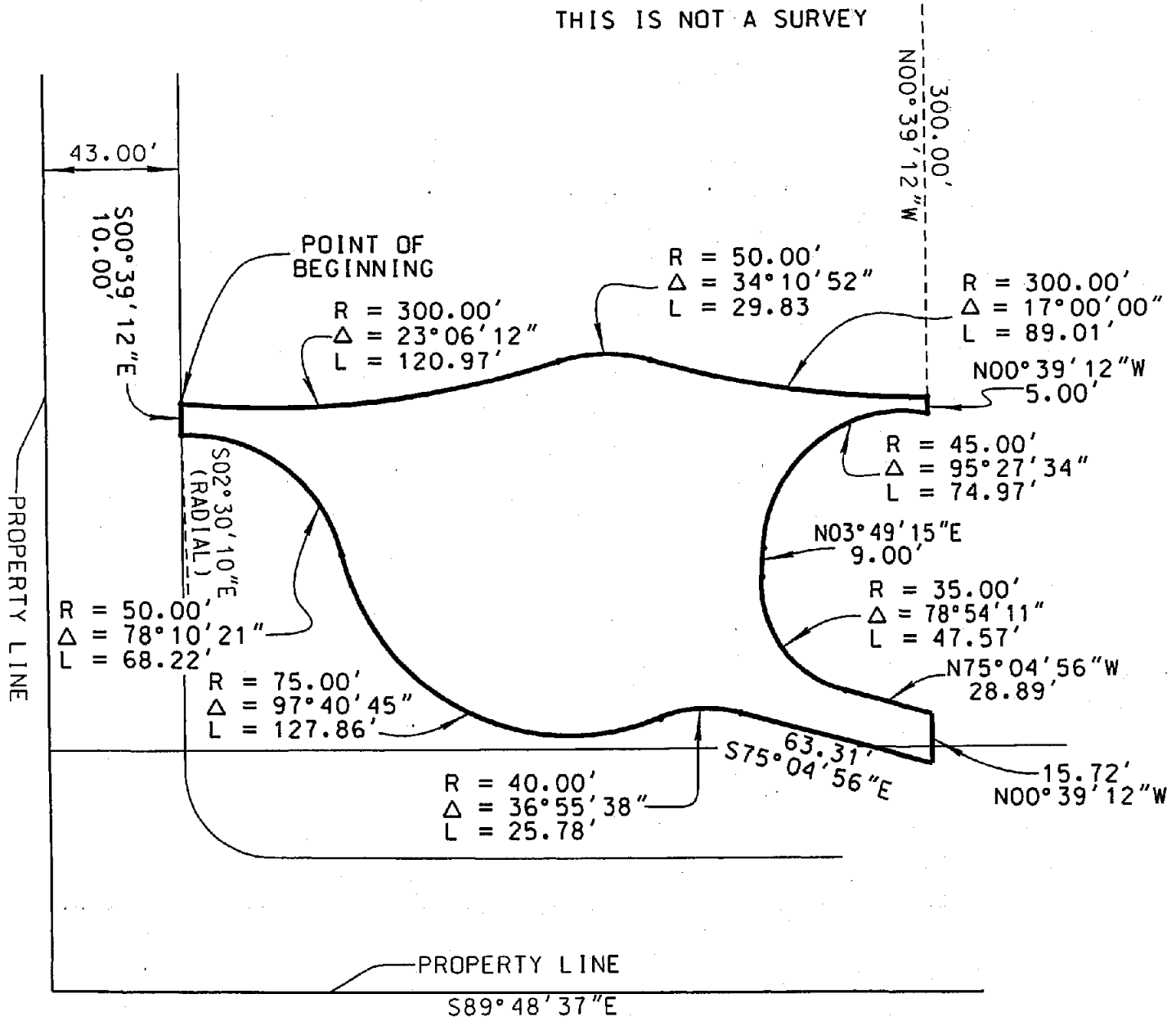
INI

LEGEND

R = RADIUS
Δ = CENTRAL ANGLE
L = ARC LENGTH

SCALE: 1" = 50'

THIS IS NOT A SURVEY



RESTRICTIVE COVENANT

This Restrictive Covenant, made and executed this _____ day of _____, 20
by Palm Beach County ("Owner").

WITNESSETH:

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

Whereas, the final site plan certified by the Palm Beach County Development Review Committee under Petition No. Z2006-174 (or another appropriate site plan) is set forth in Exhibit "B" attached hereto and made a part hereof; and

Whereas, there is a required 15,248 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 County Department of Environmental Resources Management ("ERM") in the approved Notice of Intent to Construct for Excavation (NIC) E200619 (number) 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, Owner, its successors, heirs and assigns, must provide for and perpetually maintain the planted littoral shelves as more specifically provided for in Exhibit A attached hereto and 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 attached hereto and 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 Owner, its successors, heirs and assigns, to maintain the required survivorship and coverage of the reclaimed upland and planted littoral areas as set forth in Exhibit A 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 attached hereto and NIC approval. These restrictions shall be deemed covenants running with the land.

In witness, Owner 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

Board of County Commissioners

By: _____
(Deputy Clerk)

By: _____
Addie L. Greene, Chairperson

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

(Assistant County Attorney)

ATTACHMENT #3

EXHIBIT "A"

LEGAL DESCRIPTION

A PORTION OF LAND LYING WITHIN TRACT 51 AND 52 OF FLORIDA FRUIT LANDS CO. SUBDIVISION NO. 2 RECORDED IN PLAT BOOK 1, PAGE 102, PALM BEACH COUNTY PUBLIC RECORDS, BEING IN SECTION 1, TOWNSHIP 47 SOUTH, RANGE 41 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 4"x4" CONCRETE MONUMENT AT THE NORTHWEST CORNER OF SAID TRACT 50 OF FLORIDA FRUIT LANDS CO. SUBDIVISION NO. 2, THENCE N 89°49'34"E ALONG THE NORTH LINE OF SAID TRACT 50 (ALL BEARINGS ARE ASSUMED BASED ON THE BEARING OF N89°49'34"E ALONG THE NORTH LINE OF SAID TRACT 50), A DISTANCE OF 43.00 FEET; THENCE S00°39'12"E, A DISTANCE OF 644.31 FEET TO THE POINT OF BEGINNING # 1; THENCE S00°39'12"E, A DISTANCE OF 105.01 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 27.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°09'25", A DISTANCE OF 42.01 FEET TO THE POINT OF TANGENCY; THENCE S89°48'37"E, A DISTANCE OF 181.17 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 28.50 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 91°14'04" A DISTANCE OF 45.38 FEET TO REFERENCE POINT "A"; THENCE N75°04'56"W, A DISTANCE OF 63.31 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 40.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°55'38", A DISTANCE OF 25.78 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 75.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 97°40'45", A DISTANCE OF 127.86 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 50.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 78°10'21", A DISTANCE OF 68.22 FEET TO THE POINT OF BEGINNING # 1.

COMMENCE AT SAID REFERENCE POINT "A"; THENCE N00°39'12"W, A DISTANCE OF 15.72 FEET TO THE POINT OF BEGINNING # 2; THENCE N75°04'56"W, A DISTANCE OF 28.89 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 35.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 78°54'11" A DISTANCE OF 47.57 FEET TO THE POINT OF TANGENCY; THENCE N03°49'15"E, A DISTANCE OF 9.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST; HAVING A RADIUS OF 45.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 95°27'34", A DISTANCE OF 74.97 FEET; THENCE S00°39'12"E, A DISTANCE OF 93.99 FEET TO THE POINT OF BEGINNING # 2.

CONTAINS 18,195 SQUARE FEET OR 0.4177 ACRES.

NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THE SIGNING SURVEYOR.

THIS INSTRUMENT WAS PREPARED BY NORMAN J. HOWARD, P.S.M., IN THE OFFICE OF THE COUNTY ENGINEER, 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA, 33411.


N. Howard

NORMAN J. HOWARD, P.S.M.
FLORIDA CERTIFICATE NO. 5776

4-10-07

DATE

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

PROJECT NO. 2006018-10	SHEETS 1	PROJECT: DESCRIPTION SKETCH WEST BOCA LIBRARY LITTORAL ZONE		SCALE: 1" = 100' APPROVED: N.J.H. DRAWN: E.A.O. CHECKED: N.J.H. DATE: 08/31/06 FIELD BOOK NO.: N/A	NO. 1	REVISION LABEL PROPERTY LINES	BY N.J.H.	DATE 4/10/07	 <p> PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411 </p>
			DESIGN FILE NAME S-1-06-2531.DGN		DRAWING NO. S-1-06-2531				

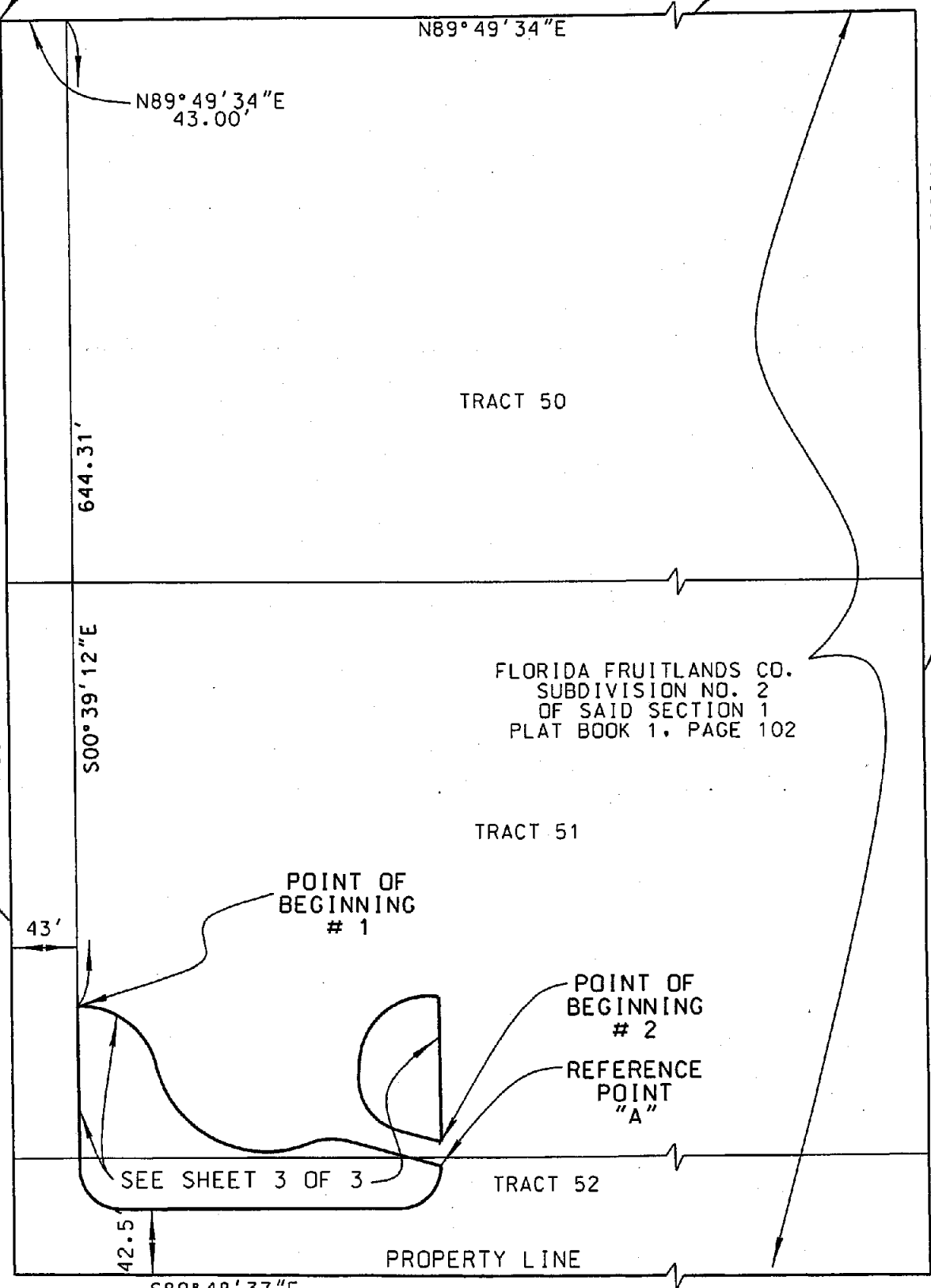
POINT OF COMMENCEMENT
FOUND 4"x4" CONCRETE MONUMENT AT THE
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FRUITLANDS CO., SUBDIVISION NO. 2, OF SAID
SECTION 1, PLAT BOOK 1, PAGE. 102

NORTH LINE OF TRACT
50 OF FLORIDA FRUIT
LANDS CO.
SUBDIVISION NO. 2
OF SAID SECTION 1

WEST LINE OF SAID TRACTS 50-52 (PROPERTY LINE)
818.16'
N00°39'12"W

WEST RIGHT OF WAY LINE OFFICIAL
RECORD BOOK 10523, PAGE 1295-1296

STATE ROAD 7
DEPARTMENT OF TRANSPORTATION
93210-2515



THIS IS NOT A SURVEY

SCALE: 1" = 100'

LEGEND

R = RADIUS
 Δ = CENTRAL ANGLE
 L = ARC LENGTH

III-I



SCALE: 1" = 50'
 THIS IS NOT A SURVEY

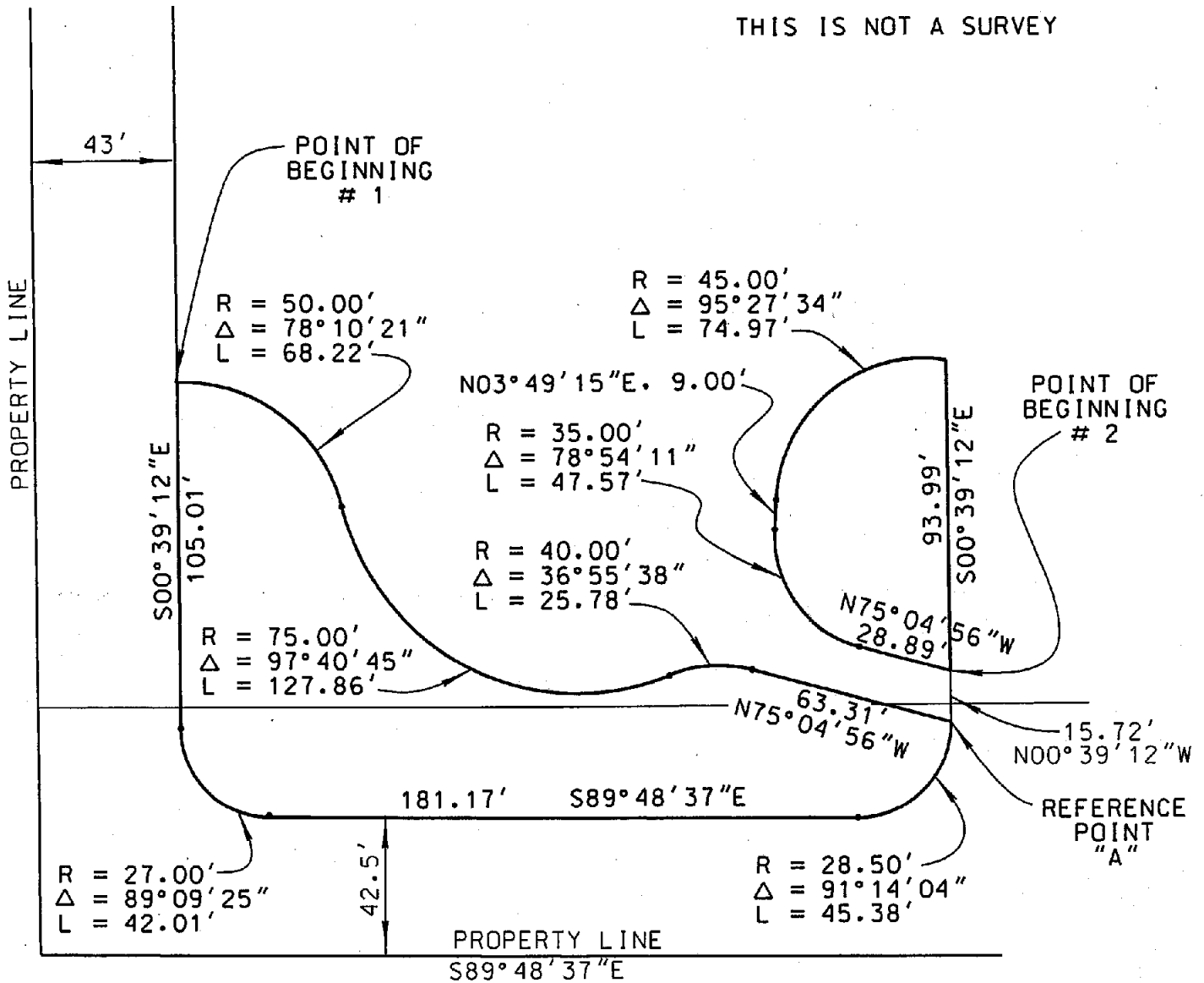


Exhibit "B"

West Boca Library - Site Data

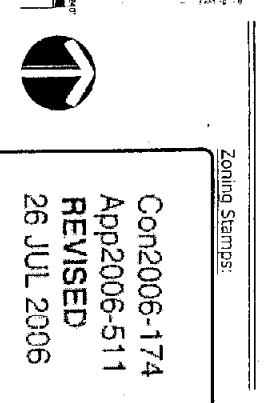
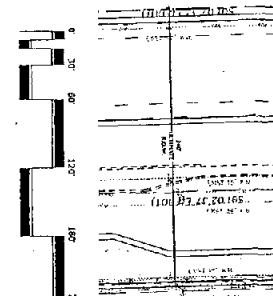
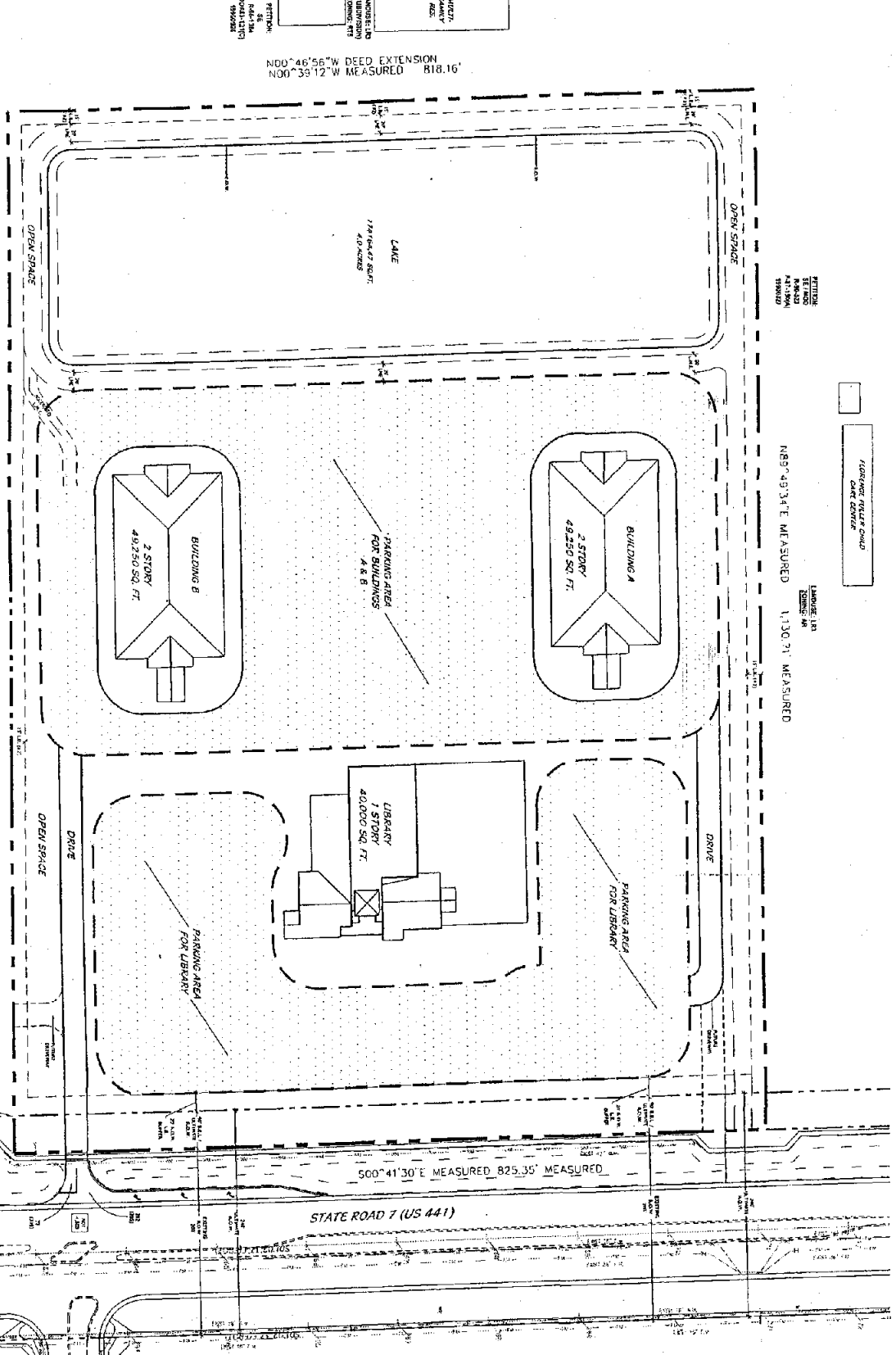
PROJECT INFORMATION	2006-05-17
PROJECT NO.	7190-118
PROJECT NAME	WEST BOCA LIBRARY
PROJECT LOCATION	3041111100000
PROJECT OWNER	WEST BOCA LIBRARY
PROJECT ARCHITECT	W&P
PROJECT ENGINEER	W&P
PROJECT LAND USE DESIGNATION	RES
EXISTING ZONING DESIGNATION	RES
EXISTING ZONING MAP PANEL	40
EXISTING ZONING MAP SCALE	1:250
PLANNING MAP PANEL	1013
PLANNING MAP SCALE	1:250
TOTAL SITE AREA	57,232 SQ. FT.
TYPE OF OWNERSHIP	PUBLIC

PERMITS	APPROVED	REMARKS
PERMITS REQUIRED	1,254.24	DEED
PERMITS PROVIDED	1,254.24	DEED
PERMITS REQUIRED	589.28	DEED
PERMITS PROVIDED	589.28	DEED

PERMITS	APPROVED	REMARKS
PERMITS REQUIRED	1,254.24	DEED
PERMITS PROVIDED	1,254.24	DEED
PERMITS REQUIRED	589.28	DEED
PERMITS PROVIDED	589.28	DEED

PERMITS	APPROVED	REMARKS
PERMITS REQUIRED	1,254.24	DEED
PERMITS PROVIDED	1,254.24	DEED
PERMITS REQUIRED	589.28	DEED
PERMITS PROVIDED	589.28	DEED

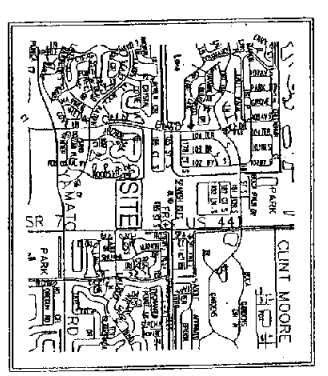
PERMITS	APPROVED	REMARKS
PERMITS REQUIRED	1,254.24	DEED
PERMITS PROVIDED	1,254.24	DEED
PERMITS REQUIRED	589.28	DEED
PERMITS PROVIDED	589.28	DEED



Conceptual Site Plan

Zoning Stamps:

CON2006-174
 App2006-511
 REVISED
 26 JUL 2006



REVISIONS
1

DATE: 07/21/06
 DRAWN: JKH, JKH
 CHECKED: JKH

PALM BEACH COUNTY
 WEST BOCA LIBRARY
 CONCEPTUAL MASTER PLAN
 (FOR INFORMATIONAL PURPOSES ONLY)

PALM BEACH COUNTY
 FACILITIES DEVELOPMENT & OPERATIONS
capital improvements division
 west palm beach, florida (561) 233-0260