

3H-13

Agenda Item #:

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date:	February 5, 2008	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

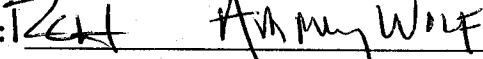
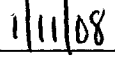
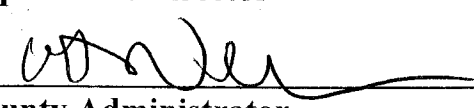
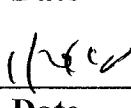
Motion and Title: Staff recommends motion to accept: a Quit Claim Deed from the State of Florida, Department of Transportation (FDOT) for a 2.765 acre parcel adjacent to Water Treatment Plant No. 8 (WTP8).

Summary: The Water Utilities Department is proposing to expand WTP8, located at 1500 North Jog Road, between Belvedere Road and Florida's Turnpike, west of West Palm Beach. In order to clear title to the property, FDOT is quit-claiming any interest it may have in this 2.765 acre parcel located northeast of and adjacent to WTP8. (PREM) District 2 (HJF)

Background and Justification: The County acquired the entire site on which the WTP8 is situate in 1948 by tax deed. Due to less than clear legal descriptions used in the tax deed and other conveyances, as well as the taking of right-of-way for the turnpike, it is necessary to clarify of record that FDOT has no interest in this property.

Attachments:

1. Location Map
2. Quit Claim Deed

Recommended By:		
	Department Director	Date
Approved By:		
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	0				
# 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:

John Oak 1-23-08
OFMB C77
1/23/08 1/17/08

In-L. Hunt 112510
Contract Development and Control
E. Hunt 1/24/28

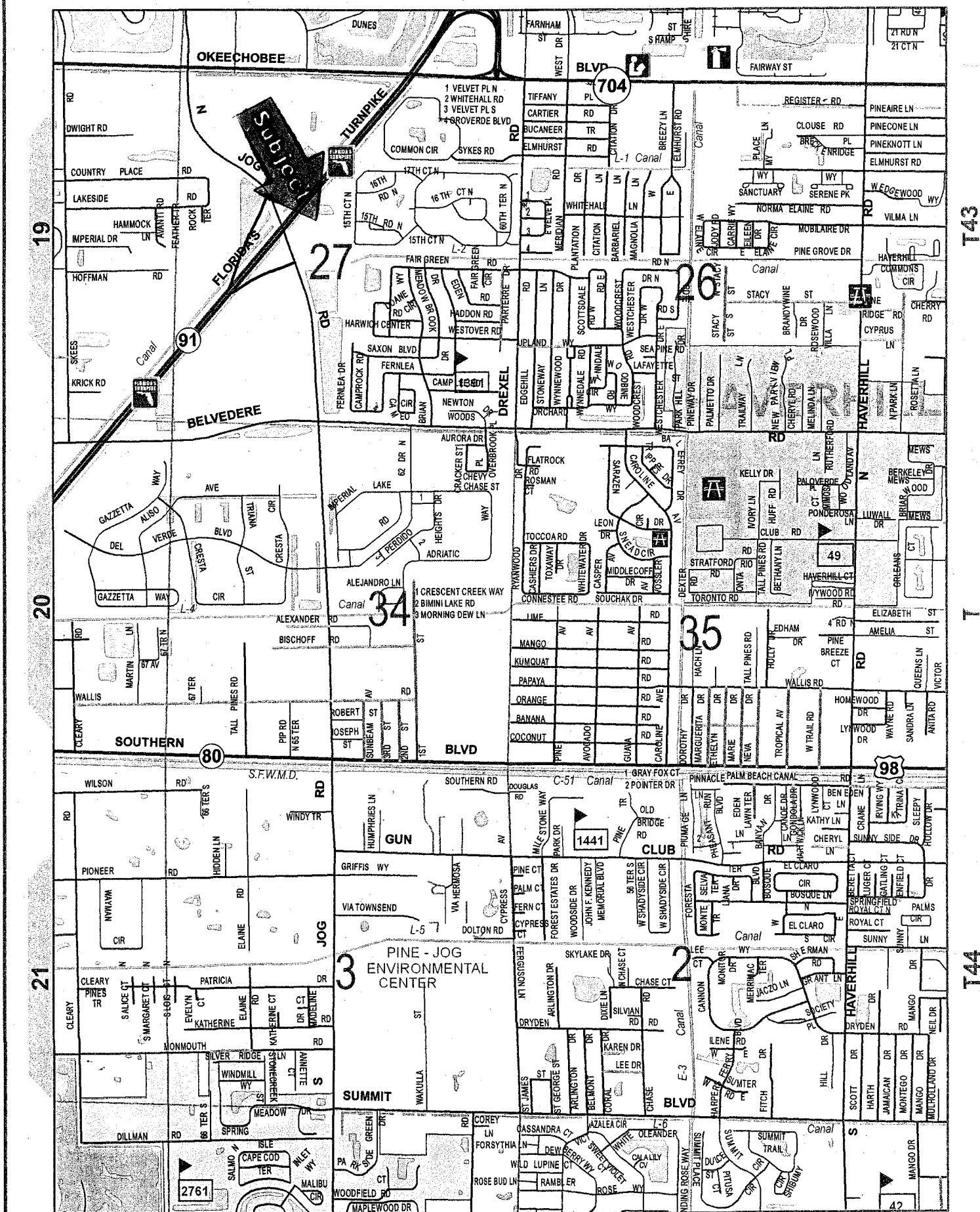
B. Legal Sufficiency:

H. J. [Signature] 1/28/08
Assistant County Attorney

C. Other Department Review:

Department Director

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



LOCATION MAP

ATTACHMENT 1

Prepared under the supervision of:

Jack R. Leonard
Florida Department of Transportation
Florida's Turnpike Enterprise
Turnpike Mile Post 263, Building 5315
Ocoee, Florida 34761

Return to:

David P. Kuzmenko, Real Estate Specialist
Palm Beach County, Property and Real Estate Management
2633 Vista Parkway
West Palm Beach, FL 33411-5605

COUNTY: Palm Beach County
Property Control No. 00-42-43-27-05-004-0052 (portion of)

This deed constitutes a conveyance from an executive agency of the State of Florida to an agency or instrumentality of the State of Florida and is not subject to documentary stamp tax.
Department of Revenue Rule 12B-4.014 (10), F.A.C.

QUIT CLAIM DEED

THIS QUIT CLAIM DEED, made this 19th day of September, 2007, by and between the STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, Florida's Turnpike Enterprise, with principal place of business located at Turnpike Headquarters, Mile Post 263, Building 5315, Post Office Box 613069, Ocoee, Florida, 34761, as **Grantor**, and PALM BEACH COUNTY, a political subdivision of the State of Florida, with principal place of business located at 301 North Olive Avenue, West Palm Beach, Florida 33401, as **Grantee**. (Wherever used herein the terms **Grantor** and **Grantee** shall include the successors and assigns of Grantor and Grantee.)

WITNESSETH: That the **Grantor** for and in consideration of the premises and the sum of One Dollar, and other good and valuable consideration, receipt and sufficiency being hereby acknowledged, does remise, release and quit claim all right, title and interest, of the State of Florida, Department of Transportation unto the **Grantee** to the property described in **Exhibit "A"** attached hereto and made a part hereof.

TO HAVE AND TO HOLD the same together with the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title and interest of the said **Grantor**, either in law or equity, to the said **Grantee** forever.

IN WITNESS WHEREOF, the State of Florida Department of Transportation caused these presents to be signed in the name of the State of Florida, Department of Transportation, Florida's Turnpike Enterprise, by its Executive Director and its seal to be hereunto affixed, attested by its Executive Secretary, on the date first above written.

Signed, sealed and
delivered in our presence:

Shannon Sapp
Signature of first witness
Shannon Sapp
Name of witness printed or typed

Sandra Wilde
Signature of second witness

Sandra Wilde
Name of witness printed or typed

STATE OF FLORIDA
COUNTY OF ORANGE

THE FOREGOING instrument was acknowledged before me this 19th day of September, 2007, by JAMES L. Ely, DPA, Executive Director and Chief Executive Officer of Florida's Turnpike Enterprise, a division of the State of Florida Department of Transportation, who is personally known to me.

STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION,
Florida's Turnpike Enterprise

By: [Signature]
James L. Ely, D.P.A.
Executive Director and
Chief Executive Officer

Attest: Elizabeth M. Decker
Executive Secretary

Legal Approval

By: Jack R. Leonard
Jack R. Leonard

Elizabeth M. Decker
Signature of Notary Public

Name of Notary printed or typed
My commission expires:

Notary Stamp/Seal

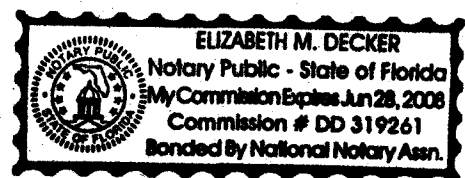


EXHIBIT "A"

PARCEL A

That portion of the following described lands which lies Southeasterly of the right of way of the Florida Turnpike, and which lies within Tract 5, Block 4, PALM BEACH FARMS CO. PLAT NO. 3, according to the plat thereof recorded in Plat Book 2, page 45, Public Records of Palm Beach County, Florida:

Beginning at a 2 inch capped iron pipe located on the Half Section Line, said line running North and South midway through Section 27, Township 43 South, Range 42 East, at a point approximately 1509.11 feet South of the North quarter corner of said Section 27 and running West 468.6 feet to a large, round post (to which fence is attached) as shown on the drawing attached to the instrument recorded in Deed Book 1099, page 224, Public Records of Palm Beach County, Florida; thence in a Southeasterly direction, at an angle of approximately 27 degrees 30 minutes East approximately 1,000 feet to a point at which stands a pine tree on the Half Section Line, from which tree, or point of intersection of this line with the Half Section Line; thence North 940.6 feet to Point of Beginning, at 2 inch capped iron pipe.

TOGETHER WITH:

PARCEL C

That portion of the South 1/2 of the platted road between Tracts 1 and 5, Block 4, PALM BEACH FARMS CO. PLAT NO. 3, according to the plat thereof recorded in Plat Book 2, page 45, Public Records of Palm Beach County, Florida, which lies Southeasterly of the right of way of the Florida Turnpike, and that portion of the West 1/2 of the platted road lying Easterly of Tract 5, Block 4 of said PALM BEACH FARMS CO. PLAT NO. 3 which lies within the following described land:

Beginning at a 2 inch capped iron pipe located on the Half Section Line, said line running North and South midway through Section 27, Township 43 South, Range 42 East, at a point approximately 1509.11 feet South of the North Quarter corner of said Section 27 and running West 468.6 feet to a large, round post (to which fence is attached) as shown on the drawing attached to the instrument recorded in Deed Book 1099, page 224, Public Records of Palm Beach County, Florida; thence in a Southeasterly direction, at an angle of approximately 27 degrees 30 minutes East approximately 1,000 feet to a point at which stands a pine tree on the Half Section Line, from which tree, or point of intersection of this line with the Half Section Line; thence North 940.6 feet to Point of Beginning, at 2 inch capped iron pipe.