

Agenda Item #:

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

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Meeting Date:	March 11, 2008	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing
Department:	Facilities Development & Operations		

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**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to approve: a Corrective Sewer Easement Deed in favor of the Loxahatchee River Environmental Control District (ENCON) to maintain sewer mains at Fire Rescue Station #18 located at Burt Reynolds Park, Jupiter.

**Summary:** On June 18, 2002 (R-2002-0958), the County granted a Sewer Easement Deed to ENCON to provide maintenance services to the sanitary sewer collection system for the Fire Rescue Station located at Burt Reynolds Park, Jupiter. This Corrective Sewer Easement Deed corrects a scrivener's error contained in the legal description. The sewer easement area is approximately 12'x381.14', for a total of 4,573.68 square feet (0.105 acres). This corrective sewer easement is a permanent non-exclusive easement and is being granted to ENCON at no charge, as it will provide maintenance services to a County facility. **(PREM) District 1(HJF)**

**Background and Justification:** The County installed a sanitary sewer system to service Fire Rescue Station No. 18 located at Burt Reynolds Park, Jupiter. ENCON requires an easement for the maintenance of the sanitary sewer collection system. Although the legal description was incorrect, the sewer mains were installed in the correct location and will not be affected by this change. The error in the legal description was due to the original surveyor using the wrong point of commencement and was recently discovered by Engineering's survey section.

**Attachments:**

1. Location Map
2. Corrective Sewer Easement Deed

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Recommended By:	<u>Zett Amy Wolf</u>	<u>2/20/08</u>
	Department Director	Date
Approved By:	<u>for CBaker</u>	<u>3/4/08</u>
	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	<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:

James Dink 2-26-08  
OFMB 2/25/08

John J. Jacoby 2/27/08  
Contract Development and Control  
2/27/08

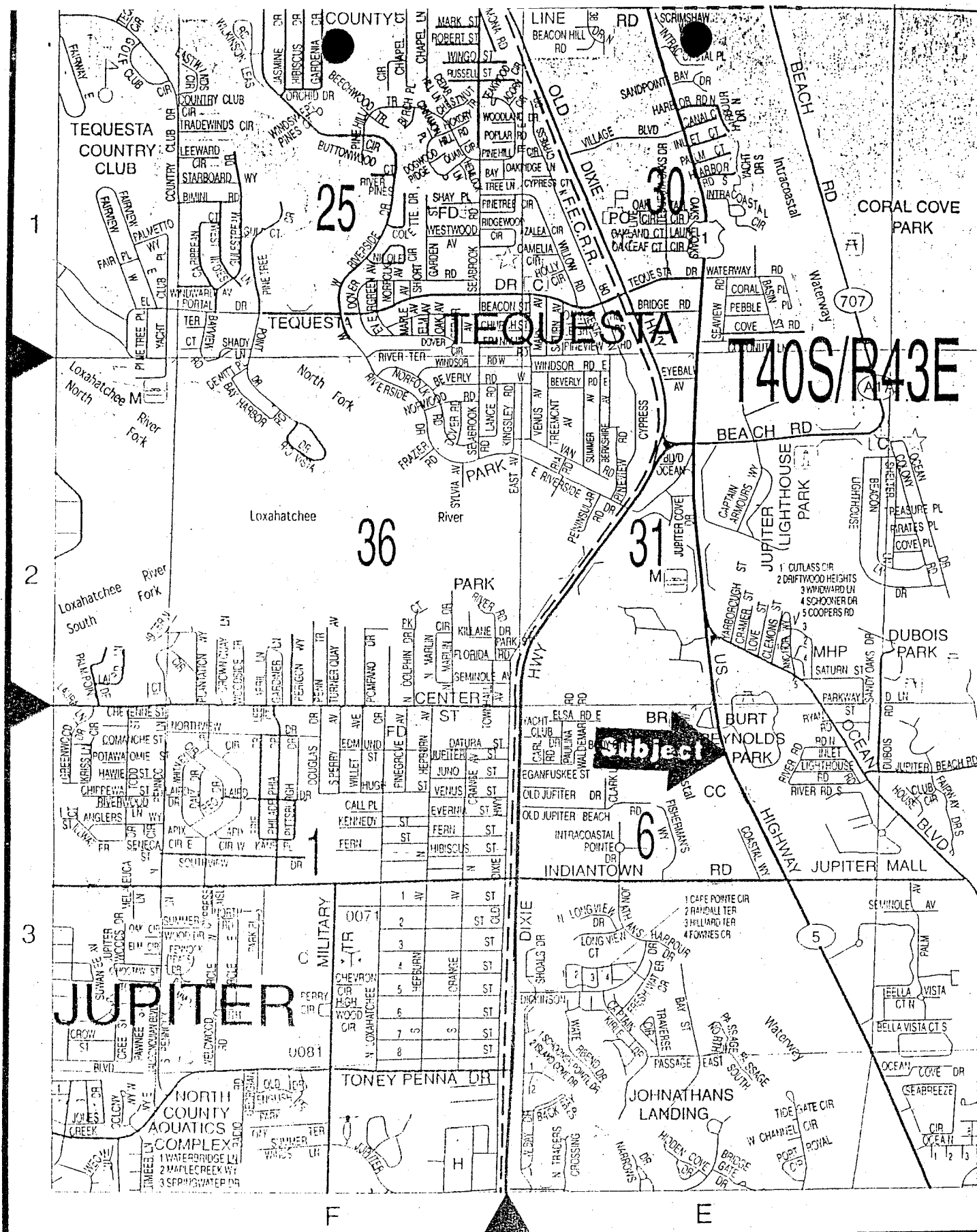
### B. Legal Sufficiency:

3/3/08  
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 by and Return To  
Margaret Jackson, Real Estate Specialist  
Palm Beach County  
Property & Real Estate Management Division  
2633 Vista Parkway West Palm Beach, Florida 33411-5605  
Property Control Number: 30-43-40-31-00-006-0010 (a portion of)

**THIS CORRECTIVE SEWER EASEMENT DEED IS BEING  
RECORDED FOR THE PURPOSE OF CORRECTING A  
SCRIVENORS ERROR CONTAINED IN THE LEGAL DESCRIPTION  
OF THE SEWER EASEMENT DEED RECORDED IN OFFICIAL  
RECORD BOOK 13867, PAGE 1684 OF THE PUBLIC RECORDS OF  
PALM BEACH COUNTY, FLORIDA.**

## **CORRECTIVE SEWER EASEMENT DEED**

THIS CORRECTIVE SEWER EASEMENT DEED, made \_\_\_\_\_, between  
**PALM BEACH COUNTY**, a Political Subdivision of the State of Florida, whose mailing  
address is 301 North Olive Avenue, West Palm Beach, Florida 33401-4705, hereinafter  
called the "Grantor", and the **LOXAHATCHEE RIVER ENVIRONMENTAL  
CONTROL DISTRICT**, an Agency of the State of Florida, created by a Special Act of the  
Legislature, Chapter 71-822 as amended, of 2500 Jupiter Park Drive, Jupiter, Florida 33458-  
8964, its successors and assigns, herein called the "Grantee".

### **WITNESSETH:**

That the Grantor, and all other persons claiming by, through or under Grantor, or  
either of them, their predecessors in title, , or assigns by virtue of any deeds of conveyances  
to the land described herein, for and in consideration of the sum of TEN DOLLARS  
(\$10.00), to it in hand paid by the said Grantee, together with all other covenants made by the  
Grantee and contained herein, has granted, bargained and sold to the Grantee, its successors  
and assigns, a permanent nonexclusive Easement, on the parcel of property described in  
**Exhibit "A"** attached hereto and made a part hereof for all purposes connected with the use,  
ingress, egress, construction, repair, replacement, installation, improvement, and maintenance  
of underground sewer facilities and facilities for the transport of reuse (I.Q.) water, or  
sewerage, including but not limited to transmission mains, force mains, manholes, lift  
stations, collection lines, pipes, pumps, connections, ditches, meters and all other related  
appurtenances having the capacity for use in connection with the collection or transmission  
of wastewater of any nature or originating from any source whether on or off the property of  
Grantor. Grantee shall maintain and repair Grantee's facilities as there shall be occasion from  
time to time hereafter, and Grantee shall restore the grass, sod, or pavement of Grantor (but

not Improvements as set forth below) to the similar condition that was existent thereon prior to any entry or entries by Grantee pursuant to this Easement Deed.

"Improvements" shall mean anything other than grass, sod or asphalt pavement, including but not limited to any type of structure, wall, landscape berm, building, surfacing, landscaping (except grass or sod) and the like.

Grantor shall not make any Improvements to the property described herein without the prior written consent of Grantee which Grantee may withhold in its sole discretion. In the event an Improvement needs to be removed in the opinion of Grantee, or is removed or damaged by or on behalf of Grantee, in connection with Grantee's use of the Easement, Grantee shall not be liable for any such removal or damage of the Improvement. Any and all Improvements are at the sole risk and expense of Grantor. Any expense of Grantee caused by the existence of an Improvement shall be the responsibility of Grantor.

This Corrective Sewer Easement Deed and the agreements contained herein are binding upon Grantor, its successors and/or assigns.

INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the undersigned have executed this instrument the date and year first above written.

Signed, sealed and delivered in the presence of :

**ATTEST:**

SHARON R. BOCK  
CLERK & COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

**GRANTOR:**

PALM BEACH COUNTY,  
a Political Subdivision of the State of Florida  
BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Addie L. Greene, Chairperson

(SEAL)

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By: \_\_\_\_\_  
Assistant County Attorney

APPROVED AS TO TERMS AND  
CONDITIONS

By: *ReH Audrey Wolf*  
Audrey Wolf, Director  
Facilities Development & Operations

Witness Signature: *Debra Henderson*

Debra Henderson  
(Print Witness Name)

Witness Signature: *Diane Stonecipher*

Diane Stonecipher  
(Print Witness Name)

**GRANTEE:**

LOXAHATCHEE RIVER ENVIRONMENTAL  
CONTROL DISTRICT, an Agency of the State of  
Florida, created by a Special Act of the Legislature,  
Chapter 71-822, as amended

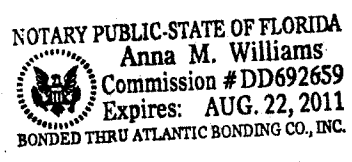
By: *[Signature]*  
Richard C. Dent, Executive Director

STATE OF FLORIDA            )  
COUNTY OF PALM BEACH )

The foregoing instrument was acknowledged before me this 14 day of  
December, 2008, by Richard C. Dent, Executive Director for said Agency, who is  
personally known to me OR who produced personally known as identification and  
who did ( ) did not ( ) take an oath,

NOTARY PUBLIC, STATE OF FLORIDA

*[Signature]*  
Print Notary Name



Commission Number: DD692659  
My Commission Expires: 8/22/2011

# EXHIBIT "A"

FIRE STATION NO. 18  
12' UTILITY EASEMENT NO. 2  
PALM BEACH COUNTY PROJECT NO. 97224

A STRIP OF LAND 12 FEET IN WIDTH FOR UTILITY EASEMENT PURPOSES, LYING IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, THE CENTERLINE OF SAID STRIP BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 6, THENCE SOUTH 89°30'06" EAST ALONG THE NORTH LINE OF SAID SECTION (THE NORTH LINE OF SECTION 6 IS ASSUMED TO BEAR SOUTH 89°30'06" EAST, AND ALL OTHER BEARINGS ARE RELATIVE THERETO), A DISTANCE OF 295.50 FEET TO THE CENTERLINE OF U.S. HIGHWAY NO. 1; THENCE SOUTH 07°24'20" EAST ALONG SAID CENTERLINE, A DISTANCE OF 225.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 2864.93 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°45'09" AND AN ARC DISTANCE OF 187.64 FEET; THENCE DEPARTING SAID CENTERLINE NORTH 70°23'12" EAST, A DISTANCE OF 60.67 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1 AND THE NORTHWEST CORNER OF FIRE STATION NO 18 SAID POINT ALSO BEING A POINT ON A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 2804.93 FEET AND A CHORD BEARING OF SOUTH 14°10'44" EAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO.1 THROUGH A CENTRAL ANGLE OF 06°23'13", AN ARC DISTANCE OF 312.67 FEET TO THE SOUTHERLY LINE OF SAID FIRE STATION NO. 18; THENCE NORTH 71°17'21" EAST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 25.17 FEET; THENCE NORTH 18°42'39" WEST AT RIGHT ANGLES TO THE LAST COURSE, A DISTANCE OF 2.25 FEET TO THE POINT OF BEGINNING, THENCE NORTH 05°40'51" EAST, A DISTANCE OF 101.19 FEET TO REFERENCE POINT "A"; THENCE NORTH 15°02'32" WEST, A DISTANCE OF 70.68 FEET; THENCE NORTH 74°45'11" EAST, A DISTANCE OF 209.27 FEET TO THE POINT OF TERMINUS OF SAID CENTERLINE.

TOGETHER WITH

A STRIP OF LAND 12 FEET IN WIDTH FOR UTILITY EASEMENT PURPOSES, LYING IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, THE CENTERLINE OF SAID STRIP BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE ABOVE MENTIONED REFERENCE POINT "A"; THENCE NORTH 79°41'25" EAST, A DISTANCE OF 47.38 FEET TO THE POINT OF TERMINUS OF SAID CENTERLINE.

PROJECT NO. 97224	SHEET 3	PROJECT FIRE STATION NO. 18 12' UTILITY EASEMENT NO. 2	DESIGN FILE NAME S-1-02-1715-1716	DRAWING NO. S-1-02-1716	DATE 5/01/02	CHECKED E.A.O.	APPROVED G.W.M.	SCALE 1" = 60'	NO.	REVISION	BY	DATE	
									1	CORRECT DESCRIP.	C	M	8/18/06
									2	PREM COMMENTS	C	M	2/14/07



**PALM BEACH COUNTY**  
ENGINEERING AND PUBLIC WORKS  
**ENGINEERING SERVICES**  
2300 NORTH JOG ROAD  
WEST PALM BEACH, FL 33411



THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO CREATE A CONTINUOUS PARCEL OF LAND 12 FEET IN WIDTH.

BEARINGS ARE BASED ON AN ASSUMED BEARING OF SOUTH 89°30'06" EAST ALONG THE NORTH LINE OF SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

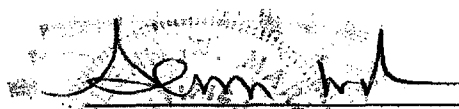
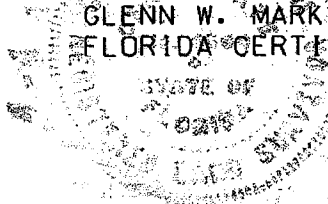
NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR.

THIS IS NOT A SURVEY.

THIS INSTRUMENT PREPARED BY GLENN W. MARK, P.L.S. IN THE OFFICE OF THE COUNTY ENGINEER, PALM BEACH COUNTY, FLORIDA.

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

I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

  
GLENN W. MARK, P.L.S.  
FLORIDA CERTIFICATE #5304  


2/14/07  
DATE

NORTH LINE OF SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST

POINT OF COMMENCEMENT  
NORTHWEST CORNER  
OF THE NORTHEAST  
QUARTER OF SECTION  
6, TOWNSHIP 41  
SOUTH, RANGE  
43 EAST.

R = 2864.93'  
Δ = 3°45'09"  
L = 187.64'



SCALE: 1" = 60'

THIS IS NOT A SURVEY

EASTERLY RIGHT OF WAY  
LINE U.S. HIGHWAY NO. 1

N70°23'12"E  
168.35'

NORTHWEST CORNER  
FIRE STATION NO. 18

SEE: BOUNDARY SURVEY BY  
LIDBERG LAND SURVEYING INC.  
JOB NO. 01-111-111 DRAWING  
D98-226-DATED 03/05/02  
FOR ADDITIONAL INFORMATION

S15°21'09"E  
136.31'

N81°15'40"E  
78.10'

N85°06'18"E  
87.44'

N74°45'11"E  
209.27'

POINT OF  
TERMINUS

N15°02'32"W  
70.68'

POINT OF  
TERMINUS

N79°41'25"E  
47.38'

N05°40'51"E. 101.19'

POINT OF BEGINNING

S74°35'38"W  
272.00'

N19°23'40"W. 15.00'

N71°17'21"E. 45.81'

N18°42'39"W  
2.25'

25.17'

SOUTHERLY LINE  
FIRE STATION NO. 18

CENTERLINE U.S. HIGHWAY NO. 1

R = 2804.93'

DEED BOOK 1045  
PAGE 327

Δ = 6°23'13"  
CB = S 14°10'44" E  
L = 312.61'

REFERENCE  
POINT A

S09°05'09"E  
176.86'

PROJECT NO. 97224 DRAWING NO. S-1-02-1716 PROJECT: FIRE STATION NO. 18 12' UTILITY EASEMENT SHEET 3 OF 3