

**Agenda Item #:**

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

Meeting Date: April 1, 2008      ☒ Consent      ☐ Regular  
☐ Ordinance      ☐ Public Hearing

**Department:** Facilities Development & Operations

## **I. EXECUTIVE BRIEF**

**Motion and Title: Staff recommends motion to approve:** an Easement Agreement with the Solid Waste Authority of Palm Beach County and the Loxahatchee River Environmental Control District (“Encon”) to allow each party ingress, egress and utilities.


**Summary:** The County and SWA recently purchased the 230-acre Hatcher/Halperin property on Indiantown Road. Title and survey review during the acquisition process revealed a vague legal description of a 30' roadway easement shared by the prior owners, the Hatcher's, and Encon. This 30' roadway provides ingress and egress to/from Indiantown Road. At Closing, it was agreed that a new Easement Agreement would be executed to more accurately define the easement. The new easement is 15' wide on each side of the centerline of the roadway and approximately 1986.85' long (1.368 acres). The Easement Agreement is being granted at no cost in that it benefits the three (3) governmental entities. This Easement Agreement was approved by the Encon and the Solid Waste Authority. (PREM) District 1 (JMB)

**Background and Justification:** The County and the Solid Waste Authority of Palm Beach County jointly purchased a 230.54 acre parcel located south of Indiantown Road and east of Jupiter Farms Road on February 14, 2008 (R2007-1589). The property will be used by the Solid Waste Authority to excavate and remove approximately 2.2 million cubic yards of fill as part of the County's environmental restoration and enhancement project.

**Attachments:**

1. Location Map
2. Easement Agreement

Recommended By: [Signature] Anthony Wolf 3/8/08  
Department Director Date

Approved By:  3/16/08  
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><u>- 0 -</u></u>	<u><u>          </u></u>	<u><u>          </u></u>	<u><u>          </u></u>	<u><u>          </u></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:

Atwillhite 3-17-08  
OFMB 10  
2/11/08 07/14

3/18/08 Contract Development and Control 3/18/08

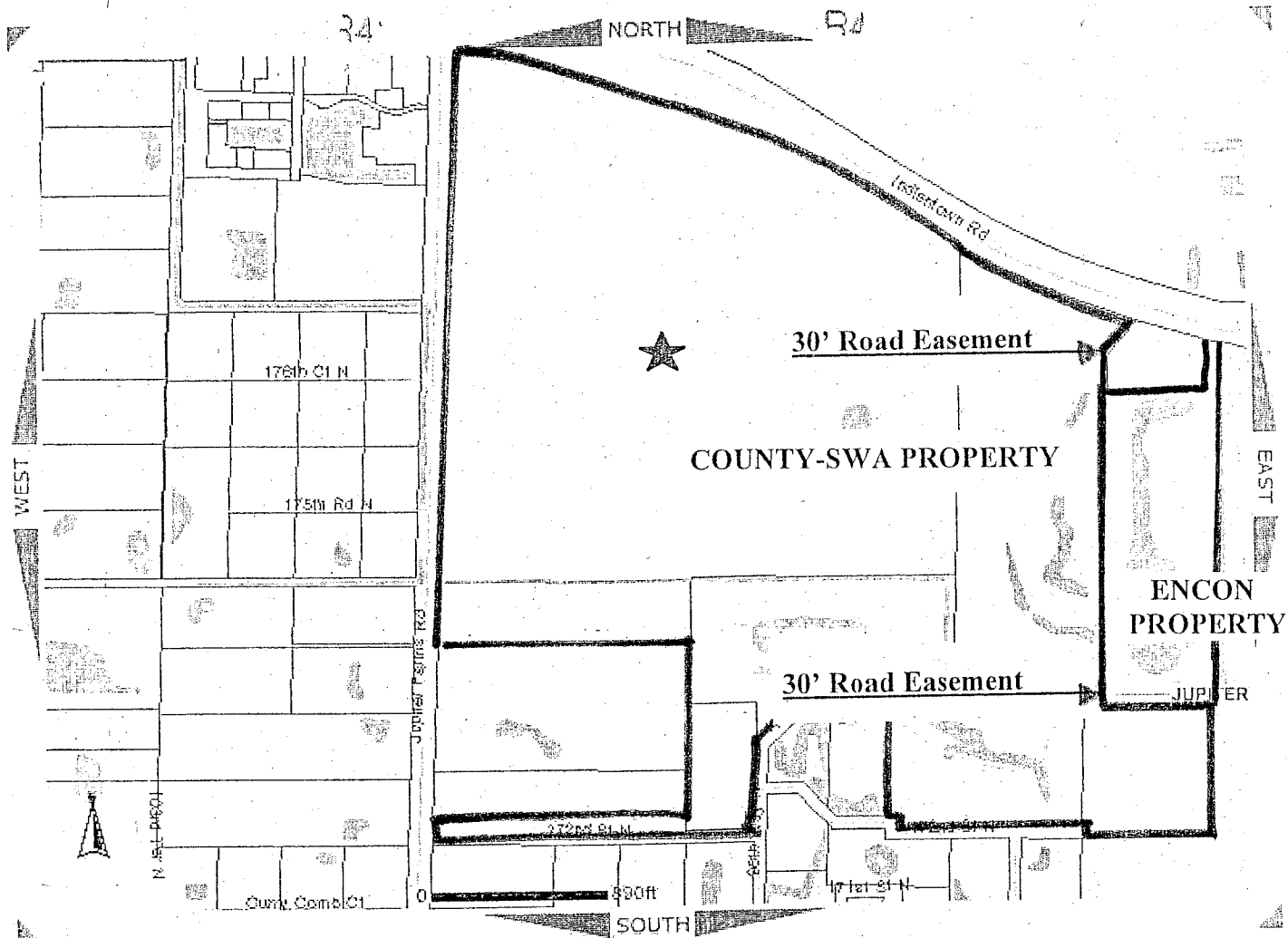
B. Legal Sufficiency:

James Braker 3/15/08  
Assistant County Attorney

C. Other Department Review:

\_\_\_\_\_  
Department Director

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



LOCATION MAP

ATT. # 1

Prepared by and return to:  
Bernard A. Conko, Esq.  
Cohen, Norris, Scherer, Weinberger & Wolmer  
712 U.S. Highway One, #400  
North Palm Beach, FL 33408  
Will Call-70

PCN: 00-42-41-06-00-000-1150

### EASEMENT AGREEMENT

This Easement Agreement is made this <sup>27<sup>th</sup></sup> day of ~~February~~, 2008, by and between **PALM BEACH COUNTY**, a political subdivision of the State of Florida, with an undivided 72% interest and **SOLID WASTE AUTHORITY OF PALM BEACH COUNTY**, a dependant special district created pursuant to Chapter 2001-331 Laws of Florida, as amended, with an undivided 28% interest (hereafter "COUNTY-SWA") and Loxahatchee River Environmental Control District, an independent special district of the State of Florida under Chapter 2002-358, Laws of Florida, as amended ("LRD").

### WITNESSETH

WHEREAS, COUNTY-SWA is the owner of certain real property in Palm Beach County, Florida, described in Exhibit "A" attached hereto and made a part hereof (the "COUNTY-SWA PROPERTY"); and

WHEREAS, LRD is the owner of certain real property in Palm Beach County, Florida described in Exhibit "B" attached hereto and made a part hereof (the "LRD PROPERTY"); and

WHEREAS, the COUNTY-SWA PROPERTY and the LRD PROPERTY are adjacent to each other; and

WHEREAS, COUNTY-SWA and LRD share an existing 30-foot roadway which straddles the COUNTY-SWA PROPERTY and the LRD PROPERTY along the common property line, which 30-foot roadway provides ingress and egress to both the COUNTY-SWA PROPERTY and the LRD PROPERTY across the other's property; and

WHEREAS, the 30-foot roadway originated as a result of that certain easement made by D.C. Lainhart and Ada C. Lainhart, his wife ("Lainhart") in favor of Curtis E. Chillingworth, his heirs and assigns ("Chillingworth"), as recorded in Deed Book 749, Page 35, of the Public Records of Palm Beach County, Florida (the "Chillingworth Easement") ; and,

WHEREAS, because the legal description of the Chillingworth Easement and the rights conveyed to each COUNTY-SWA and LRD, as successors in interest under the Chillingworth Easement, are both uncertain, the parties wish to create a new Easement Agreement which confirms the legal description and rights to each COUNTY-SWA and LRD, and in so creating this Easement Agreement to terminate the Chillingworth Easement and to renounce and quit-claim any other interests in each other's property except for the rights expressly created in this Easement Agreement.

NOW THEREFORE, for ten dollars (\$10.00) and good and valuable consideration, the receipt of which is acknowledged, the parties agree as follows:

1. COUNTY-SWA does hereby grant to LRD, its successors and assigns, a perpetual, non-exclusive easement over that portion of the COUNTY-SWA PROPERTY described in Exhibit "A-1", attached hereto and made a part hereof, to provide ingress, egress, and utilities to and from the LRD PROPERTY. COUNTY-SWA has the right and lawful authority to grant the above-described easement.
2. LRD does hereby grant to COUNTY-SWA, their successors and assigns, a perpetual, non-exclusive easement over that portion of the LRD PROPERTY described in Exhibit "B-1" attached hereto and made a part hereof, to provide ingress, egress, and utilities to and from the COUNTY-SWA PROPERTY. LRD has the right and lawful authority to grant the above easement.
3. The easements created herein shall supersede the Chillingworth Easement and any other easements or claims of easement between the parties which, upon recordation of this Easement Agreement, shall be terminated and released and be of no further force and effect. The parties hereby expressly agree that as of the date first written above, except for the Easement Agreement expressly provided for herein, neither has any right, title, or interest in the property of the other created by the original easement and that any such interest is terminated and released. The Easement Agreement terminated and released is:

Deed Book 749, Page 35, of the Public Records of Palm Beach County, Florida.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

IN WITNESS WHEREOF the parties have caused this Easement Agreement to be executed 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

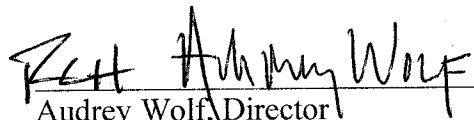
DATE: \_\_\_\_\_

(SEAL)

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

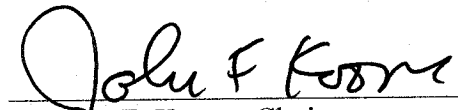
APPROVED AS TO TERMS AND  
CONDITIONS:

BY: \_\_\_\_\_  
Assistant County Attorney

  
Audrey Wolf, Director  
Facilities Development & Operations

SOLID WASTE AUTHORITY, a special  
district created by Chapter 2001-331, Laws  
of Florida, as amended

ATTEST:  
By:   
Witness

By:   
John F. Koons, Chair

By: Clerk to the Authority  
Witness

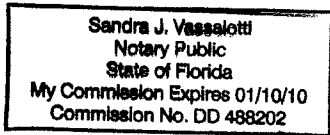
(SEAL)

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

By:   
SWA Special Counsel

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of February, 2008, by John F. Koons, the Chair of SOLID WASTE AUTHORITY OF PALM BEACH COUNTY, a governmental entity created pursuant to Chapter 2001-331 Laws of Florida, ( ☒ who is personally known to me OR ( ) who has produced \_\_\_\_\_ as identification and who ( ) did ( ☒ did not take an oath.



[Signature]  
Notary Public, State of Florida

LOXAHATCHEE RIVER ENVIRONMENTAL  
CONTROL DISTRICT  
an independent special district of the State of Florida  
under Chapter 2002-358, Laws of Florida, as  
amended

[Signature]  
Witness

Print Name: Mark Cicofello  
[Signature]  
Witness

[Signature]  
By:  
Its CHAIRMAN

Print Name: Paul J. Whalen

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of FEBRUARY, 2008, by SAWYER THOMPSON, CHAIRMAN of LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT, an independent special district of the State of Florida under Chapter 2002-358, Laws of Florida, as amended ☒ who is personally known to me, or [ ] who has produced n/a (type of identification) as identification.



[Signature]  
Signature  
Print Name: CURTIS L. SHENKMAN  
NOTARY PUBLIC, STATE OF FLORIDA  
Commission Number:  
My Commission Expires:

**EXHIBIT "A"**  
**COUNTY-SWA PROPERTY**

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### LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF SECTION 6, TOWNSHIP 41 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6; THENCE SOUTH 89°58'39" EAST ALONG THE NORTH LINE OF SAID SECTION 6, A DISTANCE OF 63.90 FEET; THENCE SOUTH 00°01'21" WEST, A DISTANCE OF 57.77 FEET TO THE POINT OF BEGINNING OF THE PARCEL TO BE HEREIN DESCRIBED; THENCE SOUTH 87°35'47" EAST, A DISTANCE OF 99.58 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 15°57'08" AND A RADIUS OF 1382.69 FEET, A DISTANCE OF 384.97 FEET TO A POINT OF TANGENCY; THENCE SOUTH 71°38'39" EAST, A DISTANCE OF 1145.03 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 07°37'54" AND A RADIUS OF 1860.08 FEET, A DISTANCE OF 247.76 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 58°20'47" EAST, A DISTANCE OF 750.14 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 14°09'40" AND A RADIUS OF 4366.84 FEET, A DISTANCE OF 1079.29 FEET TO A POINT OF NON-TANGENCY (THE PREVIOUS SIX [6] COURSES BEING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF INDIANTOWN ROAD (STATE ROAD 706), AS PER DEED BOOK 926, PAGE 602 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA); THENCE SOUTH 41°22'29" WEST DEPARTING FROM SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 194.64 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 41°30'00" AND A RADIUS OF 105.58 FEET, A DISTANCE OF 76.47 FEET TO A POINT OF TANGENCY; THENCE SOUTH 00°07'31" EAST, A DISTANCE OF 1715.74 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 6; THENCE SOUTH 89°48'31" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 560.00 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 6; THENCE SOUTH 01°37'17" WEST ALONG SAID EAST LINE, A DISTANCE OF 670.61 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 6; THENCE NORTH 89°47'40" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 667.87 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 6; THENCE NORTH 01°41'29" EAST ALONG SAID EAST LINE, A DISTANCE OF 60.02 FEET; THENCE NORTH 89°47'40" WEST, A DISTANCE OF 669.42 FEET TO A POINT ON THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 6; THENCE NORTH 89°47'31" WEST, A DISTANCE OF 273.01 FEET; THENCE NORTH 01°52'46" EAST, A DISTANCE OF 60.03 FEET; THENCE NORTH 89°47'31" WEST, A DISTANCE OF 60.03 FEET; THENCE NORTH 01°52'46" EAST, A DISTANCE OF 770.03 FEET; THENCE NORTH 89°47'31" WEST, A DISTANCE OF 250.93 FEET; THENCE SOUTH 46°52'46" WEST, A DISTANCE OF 572.99 FEET; THENCE SOUTH 01°52'46" WEST, A DISTANCE OF 436.71 FEET; THENCE NORTH 89°47'31" WEST, A DISTANCE OF 343.15 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 6; THENCE SOUTH 01°52'46" WEST ALONG SAID WEST LINE, A DISTANCE OF 10.00 FEET; THENCE NORTH 89°47'31" WEST, A DISTANCE OF 1280.20 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF JUPITER FARMS ROAD, AS SHOWN ON ROAD PLAT BOOK 6, PAGES 9 AND 10 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 02°10'14" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 100.13 FEET; THENCE SOUTH 89°47'31" EAST, A DISTANCE OF 1279.69 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 6;

CONTINUED FROM PREVIOUS PAGE

THENCE NORTH 01°52'46" EAST ALONG SAID WEST LINE, A DISTANCE OF 867.10 FEET; THENCE NORTH 89°49'04" WEST, A DISTANCE OF 1275.30 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID JUPITER FARMS ROAD; THENCE NORTH 02°10'14" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 2944.45 FEET TO THE POINT OF BEGINNING AFORE DESCRIBED.

CONTAINING 230.54 ACRES, MORE OR LESS.

NOTE: BEARINGS AS SHOWN HEREON ARE BASED UPON THE NORTH LINE OF THE NORTHWEST ONE QUARTER (NW 1/4) OF SECTION 6, TOWNSHIP 41 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, HAVING AN ASSUMED BEARING OF SOUTH 89°58'39" EAST. ALL OTHER BEARINGS ARE RELATIVE THERETO.

**EXHIBIT "A-1"**  
**PORTION OF COUNTY-SWA PROPERTY SUBJECT TO**  
**INGRESS/EGRESS EASEMENT**

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THIS IS NOT A BOUNDARY SURVEY  
LEGAL DESCRIPTION  
(15' INGRESS AND EGRESS EASEMENT)

A 15 FOOT WIDE INGRESS AND EGRESS EASEMENT LYING IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID EASEMENT LYING IN WALTER J. AND JOYCE B. HATCHER PROPERTY, AS RECORDED IN OFFICIAL RECORD BOOK 9896, PAGE 1417, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 6; THENCE NORTH 89°48'31" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4), A DISTANCE OF 560.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°48'31" WEST ALONG THE AFORE DESCRIBED LINE, A DISTANCE OF 15.00 FEET; THENCE NORTH 00°07'31" WEST, A DISTANCE OF 1715.66 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 120.58 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 41°30'00", A DISTANCE OF 87.34 FEET TO A POINT OF TANGENCY; THENCE NORTH 41°22'29" EAST, A DISTANCE OF 188.03 FEET (THE PRECEDING THREE [3] COURSES BEING COINCIDENT WITH A LINE PARALLEL WITH AND 15 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO THE COMMON LINE BETWEEN SAID WALTER J. AND JOYCE B. HATCHER PROPERTY AND THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT PROPERTY, AS PER OFFICIAL RECORD BOOK 9896, PAGE 1420 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA) TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INDIANTOWN ROAD (STATE ROAD 706) AS PER DEED BOOK 926, PAGE 602 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID POINT BEING A POINT ON A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 4366.84 FEET AND WHOSE CHORD BEARS SOUTH 72°23'59" EAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 00°12'54", A DISTANCE OF 16.39 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 41°22'29" WEST DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 194.64 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 105.58 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 41°30'00", A DISTANCE OF 76.47 FEET TO A POINT OF TANGENCY; THENCE SOUTH 00°07'31" EAST, A DISTANCE OF 1715.74 FEET (THE PRECEDING THREE [3] COURSES BEING COINCIDENT WITH SAID COMMON LINE BETWEEN WALTER J. AND JOYCE B. HATCHER PROPERTY AND THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT PROPERTY) TO THE AFOREMENTIONED POINT OF BEGINNING.

SURVEYOR'S NOTES :


- 1.) NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THIS OFFICE.
- 2.) BEARINGS AS SHOWN HEREON ARE BASED UPON THE SOUTH LINE OF THE NE 1/4 OF THE NW 1/4 OF THE SE 1/4 OF SECTION 6, TOWNSHIP 41 SOUTH, RANGE 42 EAST PALM BEACH BEACH COUNTY, FLORIDA, HAVING A BEARING OF NORTH 89°48'31" WEST AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

UNLESS THIS DOCUMENT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, MAP, SKETCH OR PLAT IS FOR INFORMATION PURPOSES ONLY AND IS NOT VALID.

DATE : 1/24/08

CRAIG S. PUSEY  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5019

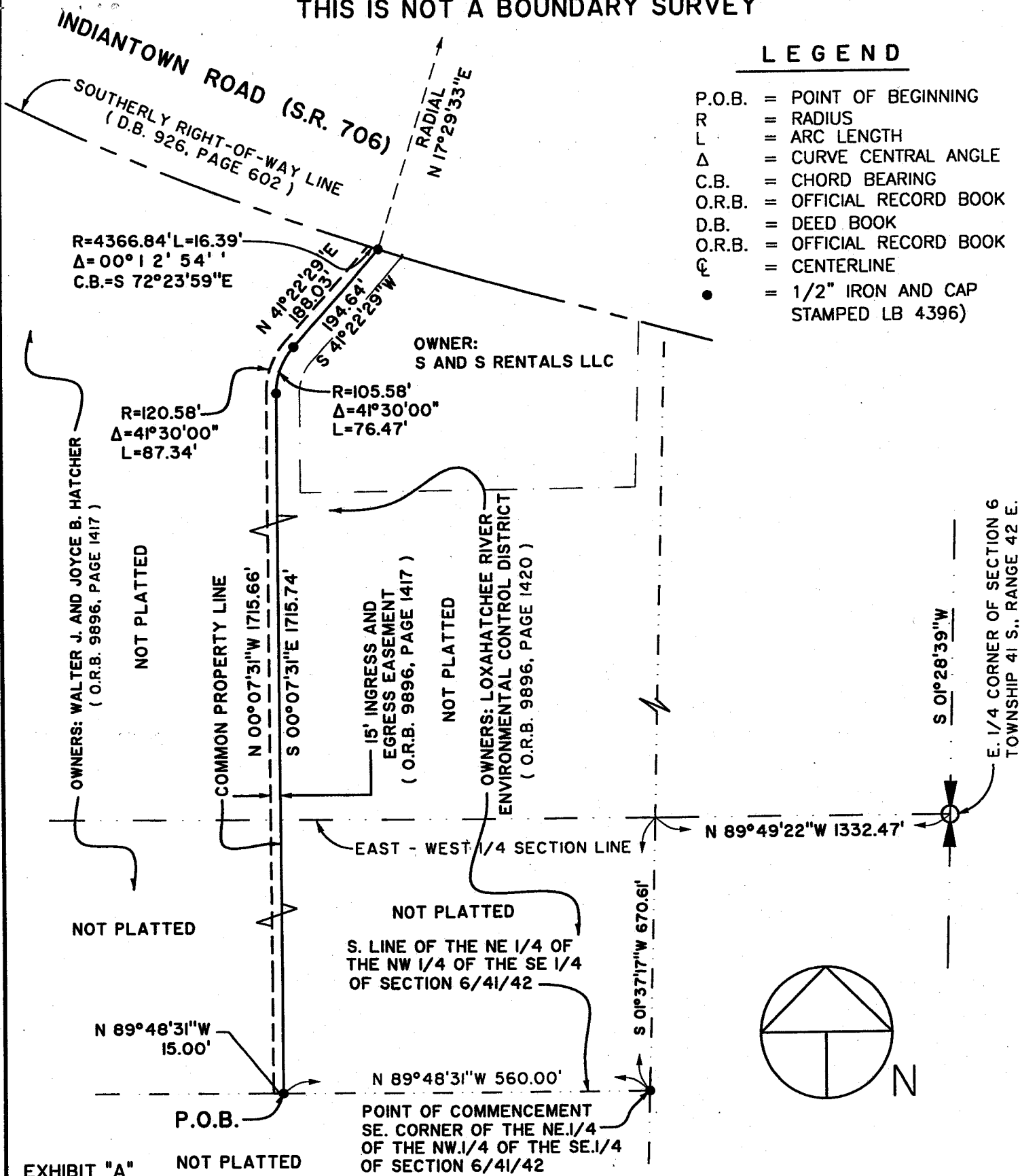
EXHIBIT "A"

	<b>Landmark Surveying &amp; Mapping Inc.</b> 1850 FOREST HILL BOULEVARD, SUITE 100 WEST PALM BEACH, FL 33406 PHONE : (561) 433-5405 LB #4396			<b>SKETCH AND DESCRIPTION</b> <b>15' INGRESS AND EGRESS EASEMENT</b> OWNERS: WALTER J. AND JOYCE B. HATCHER	
	FIELD: NONE	DRAWN: L.C.B.	SCALE: N.T.S.		
	BOOK: NONE	DATE: DEC. 14, 2007	PROJ. FILE 2577		
	PAGE: NONE	CHECKED: C.S.P.	CADDFILE 2577_IJE	SHEET NO. 1 OF 2	JOB NO. 2577

THIS IS NOT A BOUNDARY SURVEY

LEGEND

- P.O.B. = POINT OF BEGINNING  
R = RADIUS  
L = ARC LENGTH  
 $\Delta$  = CURVE CENTRAL ANGLE  
C.B. = CHORD BEARING  
O.R.B. = OFFICIAL RECORD BOOK  
D.B. = DEED BOOK  
O.R.B. = OFFICIAL RECORD BOOK  
CL = CENTERLINE  
● = 1/2" IRON AND CAP  
STAMPED LB 4396)



Landmark Surveying & Mapping Inc.

1850 FOREST HILL BOULEVARD, SUITE 100  
WEST PALM BEACH, FL 33406  
PHONE : (561) 433-5405  
LB #4396

FIELD:	NONE	DRAWN:	L.C.B.	SCALE:	N.T.S.
BOOK:	NONE	DATE:	DEC. 14, 2007	PROJ. FILE	2577
PAGE:	NONE	CHECKED:	C.S.P.	CADDFILE	2577 JE

SKETCH AND DESCRIPTION  
15' INGRESS AND EGRESS EASEMENT  
OWNERS: WALTER J. AND JOYCE B. HATCHER

SHEET NO. 2 OF 2      JOB NO. 2577

**EXHIBIT "B"**  
**LRD PROPERTY**

Prepared by and return to: WC-53  
Curtis L. Shenkman, Esquire  
DeSantis, Gaskill, Smith & Shenkman, P.A.  
11891 U.S. Highway One  
North Palm Beach, Florida 33408

JUL-18-1997 3:51pm 97-255543  
ORB 9896 P 1420  
Can 1,000.00 Doc 7.00

QUIT CLAIM DEED

THIS QUIT-CLAIM DEED made this 17 day of July, 1997, between WALTER J. HATCHER and JOYCE B. HATCHER, herein called the "Grantor" and the LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT, a special district of the State of Florida, hereinafter called the "Grantee", whose address is 2500 Jupiter Park Drive, Jupiter, FL 33458-8964. Wherever used herein, the terms Grantor and Grantee shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.

WITNESSETH, that Grantor, for and in consideration of Ten Dollars (\$10.00) and other valuable consideration to Grantor, the receipt and sufficiency of which is hereby acknowledged, does hereby remise, release, and quit claim to Grantee, all the right, title, interest, claim, and demand which the Grantor has in and to the following described property (the "Property"):

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

TITLE EXAMINERS NOTE: THIS DEED IS GIVEN IN EXCHANGE FOR A DEED FROM GRANTEE TO GRANTOR TO RESOLVE THE BOUNDARY LINE DIFFERENCES OF THE PARTIES ADJACENT PROPERTIES BY SETTLING UPON THE BOUNDARY LINE BEING THE CENTERLINE OF THE EXISTING 36' ROAD EASEMENT BETWEEN THE TWO PROPERTIES. THE INTENTION OF THE PARTIES IS THAT THE LEGAL DESCRIPTION ATTACHED HERETO SHALL BE USED BY THE GRANTEE FROM NOW ON TO DESCRIBE GRANTEE'S PROPERTY.

Rule 12B-4.013(f), Florida Administrative Code, provides that, the consideration for each deed is the fair market value of the property transferred up by the transferor. The property actually transferred by the transferor is nominal in value as such property is small hiatus parcels along the former boundary line between transferor and grantee.

To have and to hold same together with all and singular the tenements, hereditaments and appurtenances thereof being or in any wise appertaining, and all the estate, right, title and interest, lien, equity, and claim whatsoever of the Grantor, either in law or in equity, to the only proper use, benefit, and behoof of the Grantee and Grantee's heirs and assigns forever.

IN WITNESS WHEREOF, Grantor has hereto affixed their seal as of the day and year first above written.

Witnesses to both:

Brenda Joseph Marshall  
Print Name:

Robin M. Hatcher  
Print Name: Robin M. Hatcher

GRANTOR:

Walter J. Hatcher  
WALTER J. HATCHER

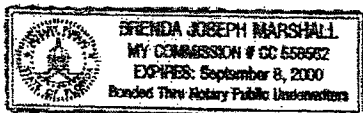
Joyce B. Hatcher  
JOYCE B. HATCHER

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 17 day of July, 1997, by WALTER J. HATCHER and JOYCE B. HATCHER, who are personally known to me or who have produced a drivers license as identification.

[NOTARY SEAL]

Brenda Joseph Marshall  
NOTARY PUBLIC, STATE OF FLORIDA  
My Commission Expires: \_\_\_\_\_



# DAILEY

**AND ASSOCIATES, INC.**  
SURVEYING AND MAPPING

112 North US Highway One  
Tequesta, Florida 33469  
(561) 746-8424 ■ Fax (561) 746-8575

Dan W. Dailey, P.S.M., President  
Douglas J. Blankenship, P.S.M.  
James M. O'Brien, P.S.M.

00 9896 N 1421

EXHIBIT "A"  
THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT PARCEL

THAT PORTION OF THE EAST HALF (E 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) AND THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 6, TOWNSHIP 41 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING EASTERLY OF THE CENTERLINE OF A THIRTY FOOT ROAD, RUNNING IN A NORTH-SOUTH DIRECTION, AND LYING SOUTHERLY OF THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 706 (INDIANTOWN ROAD), SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SAID NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4); THENCE NORTH 89°28'00" WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4), A DISTANCE OF 560.00 FEET TO THE INTERSECTION WITH SAID CENTERLINE OF A THIRTY FOOT ROAD; THENCE NORTH 00°13'00" EAST, ALONG SAID CENTERLINE, A DISTANCE OF 1715.74 FEET; TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS 105.58 FEET; THENCE NORTHERLY ALONG THE SAID CURVE AND SAID CENTERLINE THROUGH A CENTRAL ANGLE OF 41°30'00", A DISTANCE OF 76.47 FEET TO THE POINT OF TANGENCY; THENCE NORTH 41°43'00" EAST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 196.52 FEET TO A POINT ON A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 4366.84 FEET AND WHOSE RADIUS POINT BEARS NORTH 18°26'35" EAST, SAID POINT BEING THE POINT OF TERMINATION OF SAID CENTERLINE OF A THIRTY FOOT ROAD AND THE SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 706 (INDIANTOWN ROAD); THENCE EASTERLY ALONG SAID CURVE AND SOUTH RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 00°30'03", A DISTANCE OF 38.17 FEET TO THE END OF SAID CURVE; THENCE SOUTH 41°43'00" WEST ALONG A LINE BEING 35.00 FEET EAST OF AND PARALLEL WITH SAID CENTERLINE, A DISTANCE OF 211.75 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, AND HAVING A RADIUS OF 70.58 FEET; THENCE SOUTHERLY ALONG SAID CURVE CONTINUING TO BE 35.00 FEET EAST OF AND PARALLEL WITH SAID CENTERLINE, THROUGH A CENTRAL ANGLE OF 41°30'00", A DISTANCE OF 51.12 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 00°13'00" WEST, ALONG A LINE THAT CONTINUES TO BE 35.00 FEET EAST OF AND PARALLEL WITH SAID CENTERLINE, A DISTANCE OF 150.29 FEET; THENCE NORTH 89°52'41" EAST, A DISTANCE OF 513.00 FEET; THENCE NORTH 01°59'50" EAST, A DISTANCE OF 249.72 FEET TO AN INTERSECTION WITH THE SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 706 (INDIANTOWN ROAD); THENCE SOUTH 74°33'32" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 61.70 FEET TO THE EAST LINE OF THE SAID EAST HALF (E 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4); THENCE SOUTH 01°57'44" WEST, ALONG SAID EAST LINE, A DISTANCE OF 1135.24 FEET; THENCE SOUTH OF 01°59'21" WEST, ALONG THE EAST LINE OF THE SAID NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4), A DISTANCE OF 670.58 FEET TO THE POINT OF BEGINNING.

CONTAINING 21.706 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS-OF-WAY OF RECORD.

DATE: MAY 7, 1997

SHEET 1 OF 2

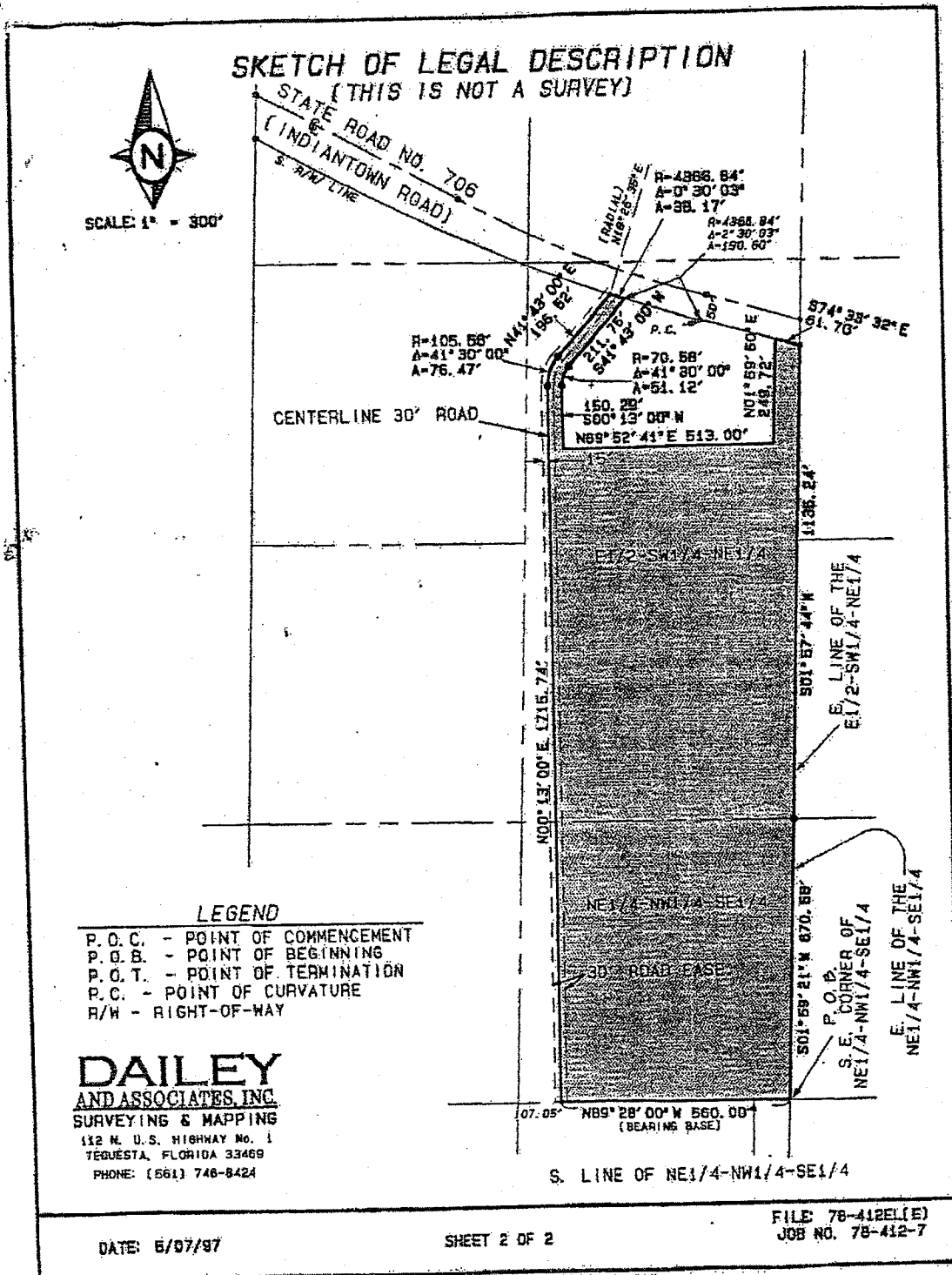
FILE: 78-412E.LEG



ORS 9896 P: 1422  
DOROTHY H. WILKEN, CLERK PB COUNTY, FL

Property Appraisers Parcel Identification (Folio) Number(s):

EXHIBIT "A"



JUL-18-1997 3:51 PM 97-255542  
ORD 7896 P01417  
\*\*\*\*\*  
Con 1,000.00 Doc 7.00

THIS QUIT-CLAIM DEED made this 17 day of July, 1997, between LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT, a special district of the State of Florida, hereinafter called the "Grantor" and WALTER J. HATCHER and JOYCE B. HATCHER, herein called the "Grantee" and, whose address is 9424 Indiantown Road, Jupiter, FL 33478. Wherever used herein, the terms Grantor and Grantee shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

Rule 12B-4.013(1), Florida Administrative Code, provides that, the consideration for each deed is the fair market value of the property transferred up by the transferor. The property actually transferred by the transferor is nominal in value as such property is small tracts parcels along the former boundary line between transferor and grantee.

IN WITNESS WHEREOF, Grantor has hereunto affixed their seal as of the day and year first above written.

GRANTOR: ~~Logan-Hoe River Environmental~~  
~~Control District~~

By: R. C. Dent, II  
RICHARD C. DENT, II  
Executive Director

STATE OF FLORIDA  
COUNTY OF PALM BEACH

[NOTARY SEAL]

e has produced a drivers license as identification.  
Curtis L. Spunk  
 NOTARY PUBLIC, STATE OF FLORIDA  
 My Commission Expires: \_\_\_\_\_



**CURTIS L. SHENOUAN**  
My Commission CC342153  
Expires Feb. 12, 1968  
Bonded by HAI  
300-422-1555

# DAILEY AND ASSOCIATES, INC.

SURVEYING AND MAPPING

112 North US Highway One  
Tequesta, Florida 33469  
(561) 746-8424 ■ Fax (561) 746-8575

Dan W. Dailey, P.S.M., President  
Douglas J. Blankenship, P.S.M.  
James M. O'Brien, P.S.M.

OR 9896 P-1418

## EXHIBIT "A"

### WALTER J. AND JOYCE B. HATCHER PARCEL

THAT PORTION OF THE EAST HALF (E 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) AND THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 6, TOWNSHIP 41 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING WESTERLY OF THE CENTERLINE OF A THIRTY FOOT ROAD, RUNNING IN A NORTH-SOUTH DIRECTION, AND LYING SOUTHERLY OF THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 706 (INDIANTOWN ROAD), SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SAID NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4); THENCE NORTH 89°28'00" WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) A DISTANCE OF 560.00 FEET TO THE INTERSECTION WITH THE SAID CENTERLINE OF A THIRTY FOOT ROAD AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°28'00" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 107.05 FEET; THENCE, NORTH 02°02'33" EAST, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4), A DISTANCE OF 670.58 FEET; THENCE NORTH 02°02'29" EAST, ALONG THE WEST LINE OF SAID EAST HALF (E 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER, A DISTANCE OF 1334.01 FEET TO THE SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 706 (INDIANTOWN ROAD) BEING A POINT ON A CURVE CONCAVE NORTHERLY, HAVING A RADIUS 4366.84 FEET, AND WHOSE RADIUS POINT BEARS NORTH 21°13'42" EAST; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTH RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 02°47'07", A DISTANCE OF 212.28 FEET TO THE END OF SAID CURVE AND THE INTERSECTION WITH THE SAID CENTERLINE OF A THIRTY FOOT ROAD; THENCE SOUTH 41°43'00" WEST, ALONG SAID CENTERLINE, A DISTANCE OF 196.52 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS 105.58 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID CENTERLINE, THROUGH A CENTRAL ANGLE OF 41°30'00", A DISTANCE OF 76.47 FEET TO THE POINT OF TANGENCY; THENCE, SOUTH 00°13'00" WEST, ALONG SAID CENTERLINE, A DISTANCE OF 1715.74 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.868 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS-OF-WAY OF RECORD.

DATE: MAY 7, 1997

SHEET 1 OF 2

FILE: 78-412H.LEG

Return to: (enclose self-addressed stamped envelope)

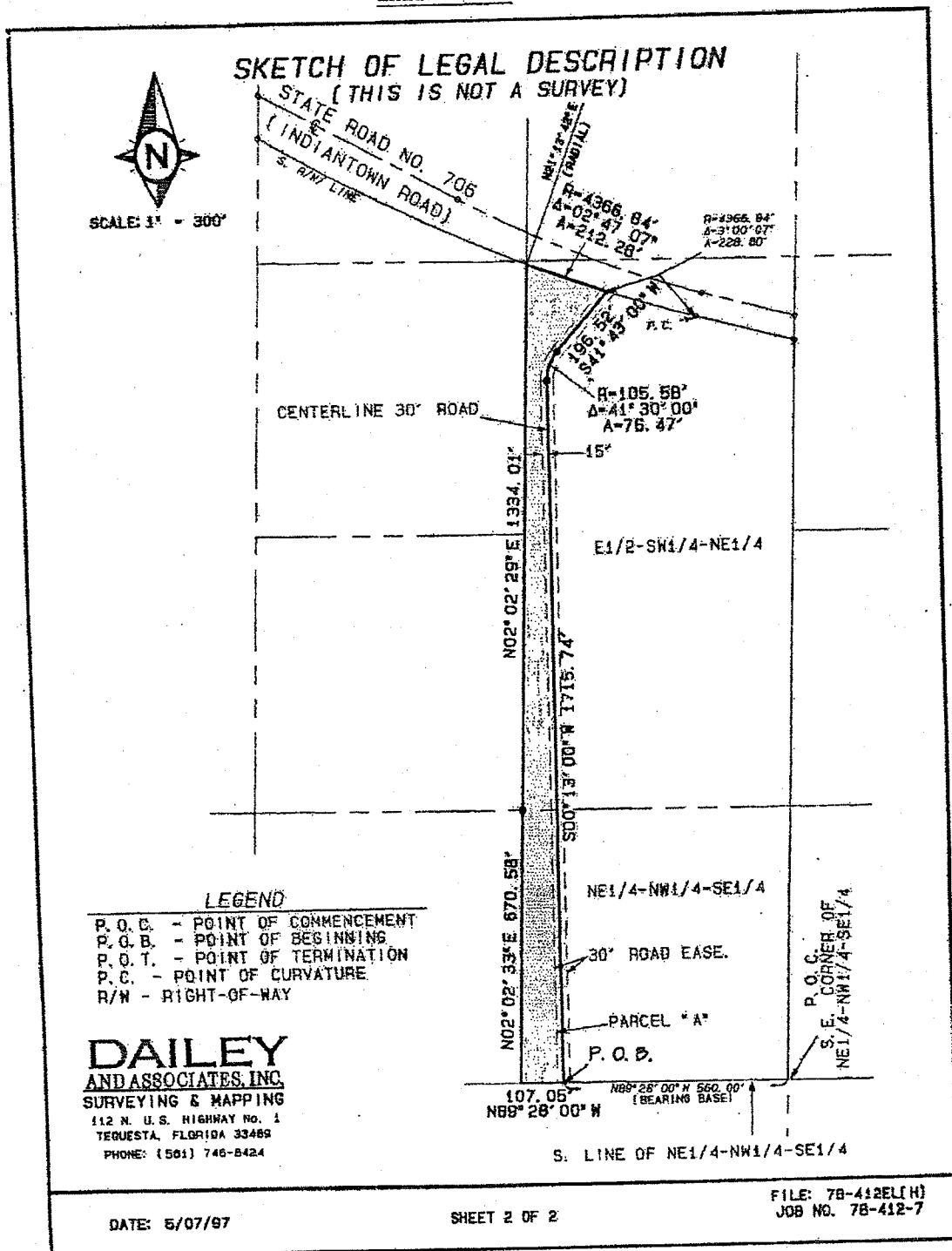
Name:

Address:

Property Appraisers Parcel Identification (Folio) Number(s):

ORR 9896 Pg 1419  
DOROTHY H. WILKEN, CLERK PB COUNTY, FL

EXHIBIT "A"



**EXHIBIT "B-1"**  
**PORTION OF LRD PROPERTY SUBJECT TO**  
**INGRESS/EGRESS EASEMENT**

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## THIS IS NOT A BOUNDARY SURVEY

LEGAL DESCRIPTION  
(15' INGRESS AND EGRESS EASEMENT)

A 15 FOOT WIDE INGRESS AND EGRESS EASEMENT LYING IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID EASEMENT LYING IN THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT PROPERTY, AS RECORDED IN OFFICIAL RECORD BOOK 9896, PAGE 1420, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 6; THENCE NORTH 89°48'31" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4), A DISTANCE OF 545.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°48'31" WEST ALONG THE AFORE DESCRIBED LINE, A DISTANCE OF 15.00 FEET; THENCE NORTH 00°07'31" WEST, A DISTANCE OF 1715.74 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 105.58 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 41°30'00", A DISTANCE OF 76.47 FEET TO A POINT OF TANGENCY; THENCE NORTH 41°22'29" EAST, A DISTANCE OF 194.64 FEET (THE PRECEDING THREE [3] COURSES BEING COINCIDENT WITH THE COMMON LINE BETWEEN SAID LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT PROPERTY AND THE WALTER J. AND JOYCE B. HATCHER PROPERTY AS PER OFFICIAL RECORD BOOK 9896, PAGE 1417 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA) TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INDIANTOWN ROAD (STATE ROAD 706) AS PER DEED BOOK 926, PAGE 602 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID POINT BEING A POINT ON A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 4366.84 FEET AND WHOSE CHORD BEARS SOUTH 72°36'54" EAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 00°12'56", A DISTANCE OF 16.42 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 41°22'29" WEST DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 201.31 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 90.58 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 41°30'00", A DISTANCE OF 65.61 FEET TO A POINT OF TANGENCY; THENCE SOUTH 00°07'31" EAST, A DISTANCE OF 1715.82 FEET (THE PRECEDING THREE [3] COURSES BEING COINCIDENT WITH A LINE PARALLEL WITH AND 15 FEET EAST OF, AS MEASURED AT RIGHT ANGLES TO SAID COMMON LINE BETWEEN WALTER J. AND JOYCE B. HATCHER PROPERTY AND THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT PROPERTY) TO THE AFOREMENTIONED POINT OF BEGINNING.

## SURVEYOR'S NOTES :

- 1.) NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THIS OFFICE.
- 2.) BEARINGS AS SHOWN HEREON ARE BASED UPON THE SOUTH LINE OF THE NE 1/4 OF THE NW 1/4 OF THE SE 1/4 OF SECTION 6, TOWNSHIP 41 SOUTH, RANGE 42 EAST PALM BEACH COUNTY, FLORIDA, HAVING A BEARING OF NORTH 89°48'31" WEST AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

UNLESS THIS DOCUMENT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, MAP, SKETCH OR PLAT IS FOR INFORMATION PURPOSES ONLY AND IS NOT VALID.

DATE : 12/28/07

CRAIG S. PUSEY  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5019

EXHIBIT "B"



## Landmark Surveying &amp; Mapping Inc.

1850 FOREST HILL BOULEVARD, SUITE 100  
WEST PALM BEACH, FL 33406  
PHONE : (561) 433-5405  
LB #4396

FIELD:	NONE	DRAWN:	L.C.B.	SCALE:	N.T.S.
BOOK:	NONE	DATE:	DEC. 14, 2007	PROJ. FILE	2577
PAGE:	NONE	CHECKED:	C.S.P.	CADDFILE	2577 JE

SKETCH AND DESCRIPTION  
15' INGRESS AND EGRESS EASEMENT

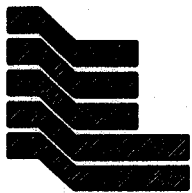
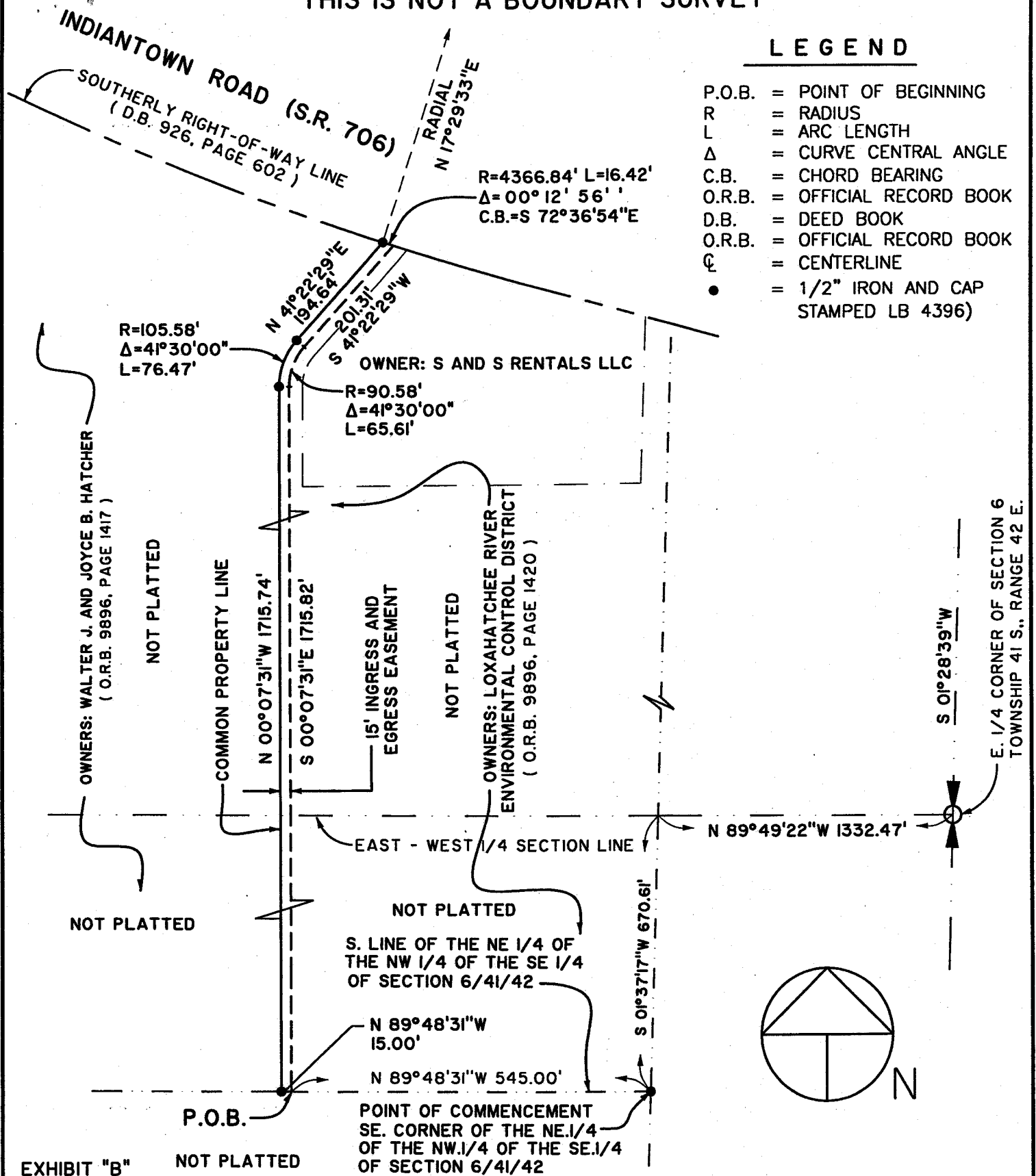
OWNER: LOXAHATCHEE RIVER  
ENVIRONMENTAL CONTROL DISTRICT

SHEET NO. 1 OF 2      JOB NO. 2577

THIS IS NOT A BOUNDARY SURVEY

LEGEND

- P.O.B. = POINT OF BEGINNING  
 R = RADIUS  
 L = ARC LENGTH  
 Δ = CURVE CENTRAL ANGLE  
 C.B. = CHORD BEARING  
 O.R.B. = OFFICIAL RECORD BOOK  
 D.B. = DEED BOOK  
 O.R.B. = OFFICIAL RECORD BOOK  
 CL = CENTERLINE  
 • = 1/2" IRON AND CAP  
 STAMPED LB 4396



Landmark Surveying & Mapping Inc.

1850 FOREST HILL BOULEVARD, SUITE 100  
 WEST PALM BEACH, FL 33406  
 PHONE : (561) 433-5405  
 LB 4396

FIELD:	NONE	DRAWN:	L.C.B.	SCALE:	N.T.S.
BOOK:	NONE	DATE:	DEC. 14, 2007	PROJ. FILE	2577
PAGE:	NONE	CHECKED:	C.S.P.	CADDFILE	2577 JE

SKETCH AND DESCRIPTION  
 15' INGRESS AND EGRESS EASEMENT

OWNER: LOXAHATCHEE RIVER  
 ENVIRONMENTAL CONTROL DISTRICT

SHEET NO. 2 OF 2

JOB NO. 2577