

34-7

**Agenda Item #:**

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

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**Meeting Date:** April 15, 2008                   **Consent**                   **Regular**  
    **Ordinance**                   **Public Hearing**

**Department:** Facilities Development & Operations

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**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to approve: a Declaration of Easement for traffic signal located at 8100 Forest Hill Boulevard, in Wellington.

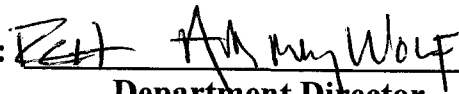
**Summary:** The Traffic Division of Engineering has requested a Declaration of Easement at 8100 Forest Hill Boulevard to provide a traffic signal and related equipment at the intersection of Forest Hill Boulevard and the Okeehetee Park entrance located west of Pinehurst Drive and east of the Florida Turnpike. The easement area is approximately 20' in length and 50' in width (.02 acres). The easement location was approved by the Departments of Water Utilities, Parks and Recreation and Engineering/Traffic Division. The Declaration of Easement will be recorded to provide public notice of the existence and location of traffic signal improvements on County property. (PREM) District 6 (JMB)

**Background and Justification:** In 2006, the Florida Department of Transportation (FDOT) conducted a traffic study at the intersection of Forest Hill Boulevard and Okeehetee Park's entrance located in Wellington. FDOT has determined that the traffic signal at the Park's entrance is warranted due to traffic increase, mainly because of the Water Utilities Department's Central Regional Operations Center and the Jim Brandon Equestrian Center recently opened at Okeehetee Park. FDOT has authorized Palm Beach County to proceed with the signal permitting process.

**Attachments:**

1. Location Map
2. Declaration of Easement

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**Recommended By:**                   3/29/08  
   Department Director                  Date

**Approved By:**                   4/4/08  
   County Administrator                  Date

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**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	0				
Operating Costs	0				
External Revenues	0				
Program Income (County)	0				
In-Kind Match (County)	0				
<b>NET FISCAL IMPACT</b>	<b>0</b>				
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	0				

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 D. ... 4.3.08  
 OFMB  
 4/11/08

Jim J. ... 4/3/08  
 Contract Development and Control  
 4/3/08

**B. Legal Sufficiency:**

James ... 4/8/08  
 Assistant County Attorney

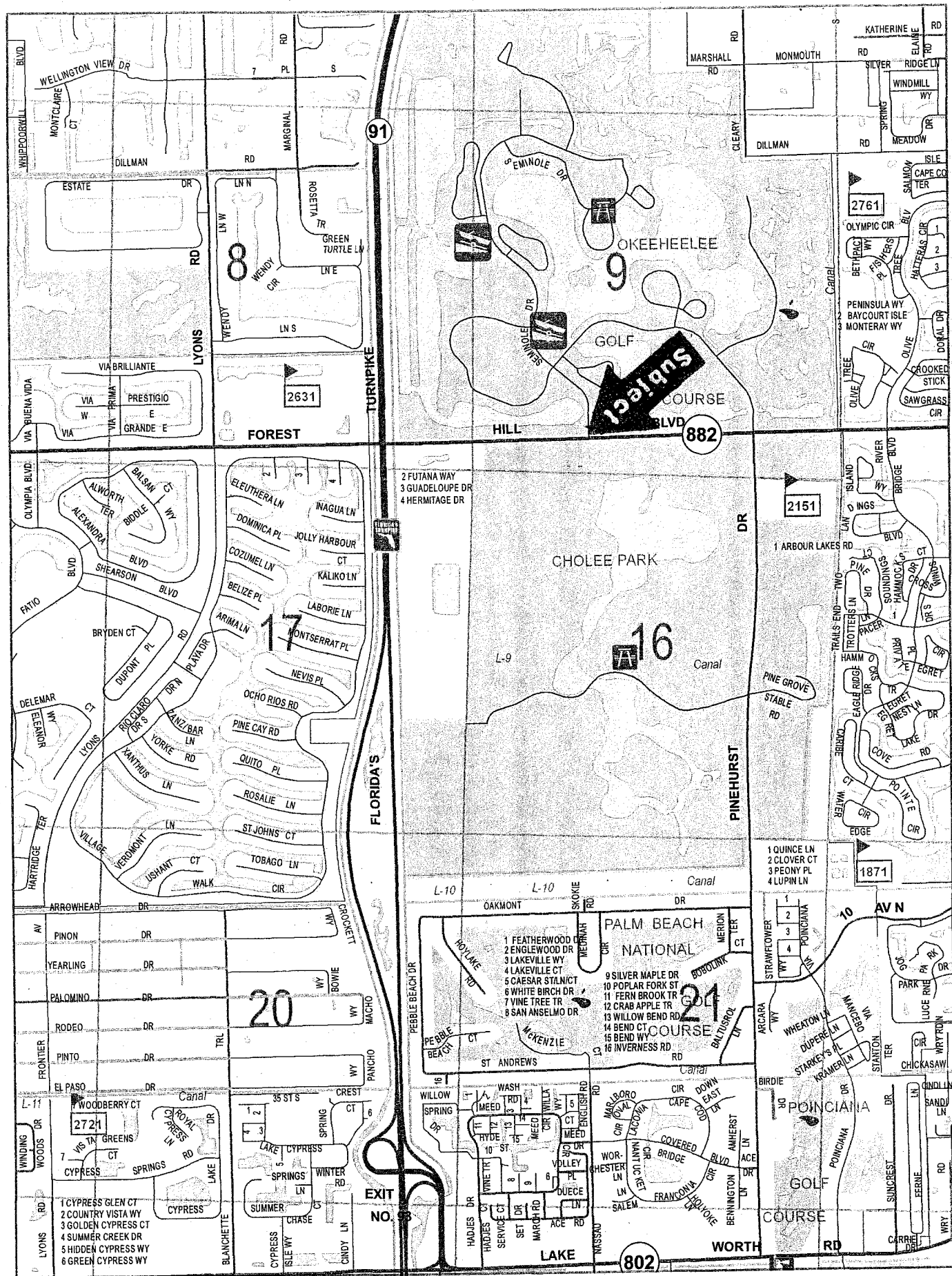
**C. Other Department Review:**

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

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

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# LOCATION MAP

ATT # 1



Prepared by & Return to:  
Tripp Cioci, Real Estate Specialist  
Palm Beach County  
Property & Real Estate Management Division  
2633 Vista Parkway  
West Palm Beach, Florida 33411-5605

PCN: a portion of 00-42-43-27-05-012-0350

## DECLARATION OF EASEMENT

**THIS IS A DECLARATION OF EASEMENT**, made \_\_\_\_\_,  
by **PALM BEACH COUNTY**, a political subdivision of the State of Florida ("County"),  
whose address is 301 North Olive Avenue, West Palm Beach, Florida, 33401-4791.

**WHEREAS**, County is the owner of that certain real property located within Palm  
Beach County, Florida as set forth on **Exhibit "A"** attached hereto and made a part hereof  
(the "Property"); and

**WHEREAS**, County desires to create an easement over, upon and under such  
property for the purposes set forth hereinafter; and

**WHEREAS**, County desires that such easement not be extinguished by the doctrines  
of merger or unity of title and remain valid and in effect upon a subsequent conveyance of  
the Property by County.

### WITNESSETH:

**NOW THEREFORE**, County does hereby declare, grant and create a perpetual non-  
exclusive in gross traffic signal easement for the benefit of County upon the real property  
legally described in **Exhibit "B"**, attached hereto and made a part hereof (the "Easement  
Premises"). This easement shall be for the purpose of access to and construction, installation,  
operation and maintenance of a traffic control device, traffic signal controller cabinet, and all  
related equipment (collectively, the "Traffic Signal Equipment"), and shall include the right  
at any time to install, operate, maintain, service, construct, reconstruct, remove, relocate,  
repair, alter, replace, improve, and expand the Traffic Signal Equipment in, on, over, under  
and across the Easement Premises.

ATT #2

The easement created hereby shall not be extinguished by operation of law, including, without limitation, the doctrines of merger or unity of title and shall inure to the benefit of County and run with the land and encumber and burden the Property upon the conveyance thereof by County notwithstanding County's failure to specifically reserve or reference such easement in the instrument of conveyance.

**IN WITNESS WHEREOF**, the County has caused this Declaration of Easement to be executed as of the day and year first above written.

**ATTEST:**

**COUNTY:**

**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  
AND LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS  
AND CONDITIONS**

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

By: Keith Anthony Wolf  
Department Director

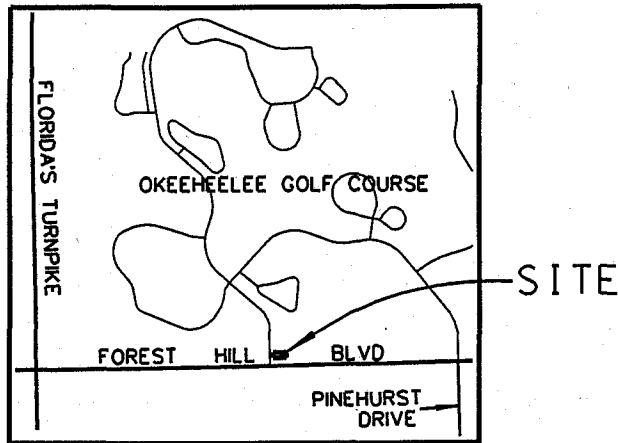
**EXHIBIT "A"**

**THE PROPERTY**

**TRACTS 42 THRU 48 INCLUSIVE, LESS THE SOUTH 35 FEET THEREOF, BLOCK 15, LESS LATERAL CANALS 6, 7 AND E-2, PALM BEACH FARMS CO. PLAT NO. 3, A SUBDIVISION IN PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 2, PAGES 45 TO 54 INCLUSIVE.**

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EXHIBIT "B"



LOCATION MAP  
N.T.S.

EXHIBIT "A"

A PARCEL OF LAND BEING A PORTION OF PALM BEACH FARMS COMPANY PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGES 45-54 IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 9, TOWNSHIP 44 SOUTH, RANGE 42 EAST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 50.00 FEET OF THE WEST 274.00 FEET OF THE NORTH 20.00 FEET OF THE SOUTH 80.00 FEET OF TRACT 45, BLOCK 15 OF PALM BEACH FARMS COMPANY PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGES 45-54 SAID PUBLIC RECORDS.

CONTAINING 1,000 SQUARE FEET.

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*

1-9-08

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

DATE

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

PROJECT NO. 2008006-01	SHEET: 1 OF: 2	PROJECT: <b>OKEEHELEE PARK ENTRANCE (WEST) - MAST ARM EASEMENT</b>		SCALE: 1" = 20' APPROVED: N.J.H. DRAWN: D.J.C. CHECKED: N.J.H. DATE DRAWN: 01/08/08	NO.	REVISION	BY	DATE	 PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411
		DESIGN FILE NAME S-1-08-2796.DGN	DRAWING NO. S-1-08-2796						



LEGEND

N.T.S. = NOT TO SCALE

P.S.M. = PROFESSIONAL SURVEYOR & MAPPER

TRACT 45,  
BLOCK 15  
PALM BEACH FARMS  
COMPANY, PLAT NO. 3  
PLAT BOOK 2,  
PAGES 45-54

SCALE: 1" = 20'

274.00'

WEST LINE OF  
SAID TRACT 45,  
BLOCK 15

S89°01'58"W 50.00'

PROPOSED MAST  
ARM EASEMENT

N00°58'02"W  
20.00'

N00°58'02"W  
20.00'

N89°01'58"E 50.00'

80.00'

60.00'

30' WIDE  
RIGHT-OF-WAY  
PLAT BOOK 2,  
PAGES 45-54

SOUTH LINE OF  
SAID TRACT 45,  
BLOCK 15

FOREST HILL BOULEVARD  
(STATE ROAD #882)

NORTH LINE OF  
TRACT 52, BLOCK 15  
PLAT BOOK 2,  
PAGES 45-54

THIS IS NOT A SURVEY