



**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)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</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:**

<p><u>Jim Burk 4/17/08</u>                  OFMB VO                  (NO) 4/17/08 4/16</p>	<p><u>Jim J. Jacobs 4/18/08</u>                  Contract Development and Control                  6/10/08 4/18/08</p>
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**B. Legal Sufficiency:**

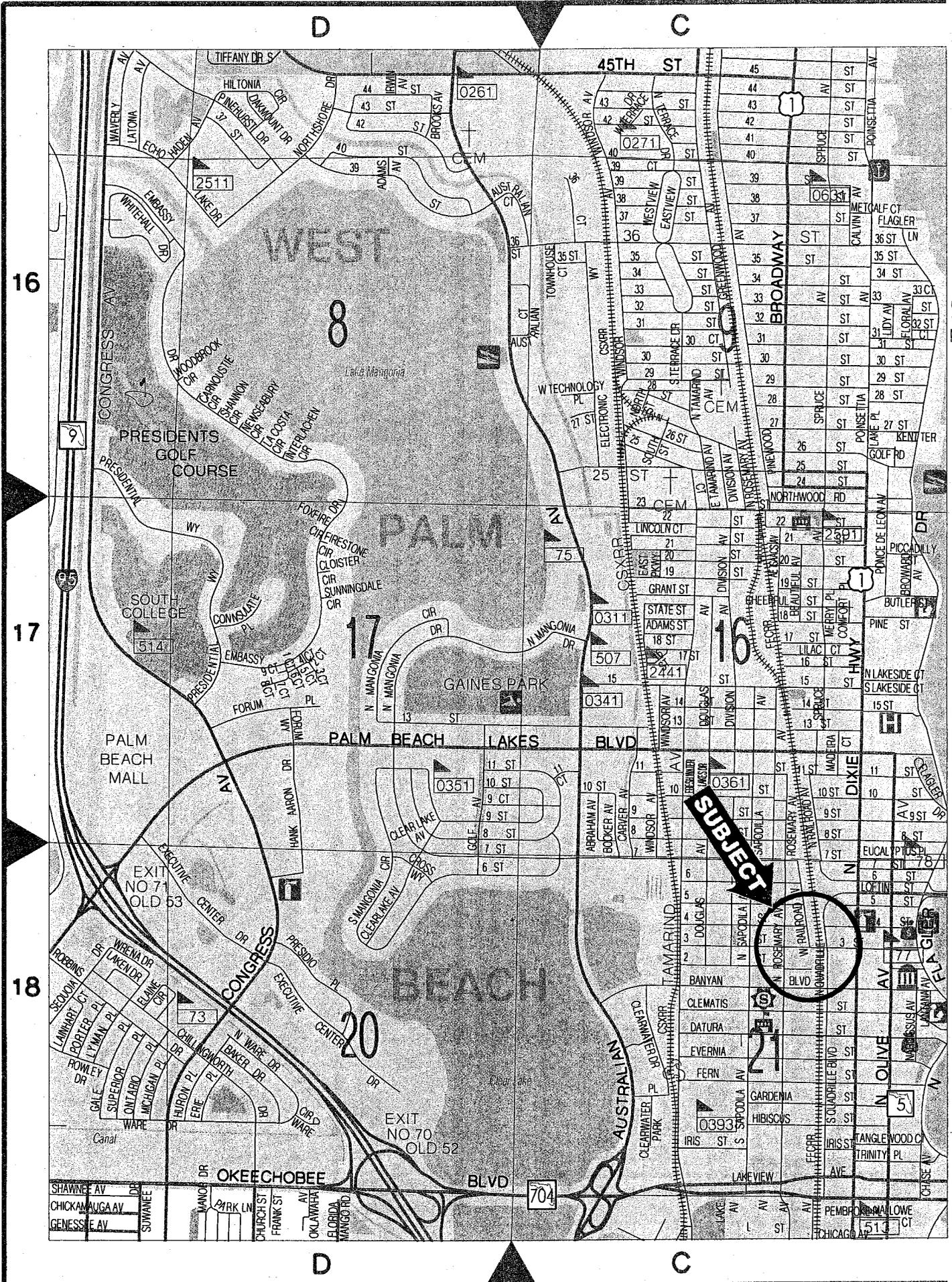
**This item complies with current County policies.**

St. Jal 4/22/08  
 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

II

PREPARED BY AND RETURN TO:

PETER BANTING  
PALM BEACH COUNTY  
PROPERTY & REAL ESTATE MANAGEMENT DIV.  
2633 VISTA PARKWAY  
WEST PALM BEACH, FL 33411-5605

Property Control No.: 74-43-43-21-06-030-0010

**FIRST AMENDMENT TO PEDESTRIAN WALKWAY EASEMENT AGREEMENT**

**THIS FIRST AMENDMENT TO PEDESTRIAN WALKWAY EASEMENT AGREEMENT** (the "First Amendment"), granted this \_\_\_\_\_ by and between **PALM BEACH COUNTY**, a political subdivision of the State of Florida, (the "County") whose mailing address is 301 North Olive Avenue, Suite 601, West Palm Beach, Florida 33401, in favor of **COURTHOUSE COMMONS, LLC**, a Florida limited liability company, whose mailing address is 30 SE 7<sup>th</sup> Street, 2<sup>nd</sup> Floor, Boca Raton, FL 33432 (the "Grantee").

**WHEREAS**, County and Grantee entered into a Pedestrian Walkway Easement Agreement dated July 12, 2005, and recorded in the Public Records of Palm Beach County, Florida, in Official Record Book 20400, Page 1814 (the "Easement"); and

**WHEREAS**, because of the location of underground utilities, the location of the easement for the support structures for the Grantee's Pedestrian Bridge, as said location is legally described in Exhibit "D" to the Easement, needs to be revised; and

**WHEREAS**, Grantee and County wish to amend the Easement by deleting Exhibit "D" ("Easement for Support Structure") to the Easement and replacing it with a new Exhibit "D" ("Revised Surface Easement for Support Structure").

**NOW, THEREFORE**, for and in consideration of the sum of Ten Dollars (\$10.00), the mutual covenants contained herein and various other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, County and Grantee hereby agree and acknowledge as follows:

1. The foregoing recitals are true and correct and incorporated herein by reference. Terms not defined herein shall have the same meaning as ascribed to them in the Easement.

2. Exhibit "D" ("Easement for Support Structure") to the Easement, is hereby deleted in its entirety and replaced by Exhibit "D" ("Revised Surface Easement for Support Structure") attached hereto and made a part hereof.

**ATTACHMENT #2**

3. Every reference in the Easement to "Easement for Support Structure" shall mean and refer to the "Revised Surface Easement for Support Structure".

4. Except as modified by this First Amendment, the Easement remains unmodified and in full force and effect and the parties hereby ratify, confirm, and adopt the Easement in accordance with the terms thereof.

**IN WITNESS WHEREOF**, the parties have executed this First Amendment as of the day and year first above written.

**COUNTY:**

ATTEST:  
SHARON R. BOCK  
CLERK & COMPTROLLER

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

\_\_\_\_\_  
Deputy Clerk

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

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

APPROVED AS TO TERMS  
AND CONDITIONS

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

BY: Ben Ashmery Wolf  
Department Director

Signed, sealed and delivered in the presence of:

  
Witness Signature-as to both

Donna Antonelli  
Print Witness Name

  
Witness Signature-as to both

Donna Antonelli  
Print Witness Name

Patricia C. Ludlow  
Witness Signature-as to both

Patricia C. Ludlow  
Print Witness Name

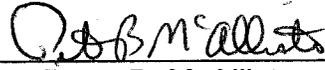
Patricia C. Ludlow  
Witness Signature-as to both

Patricia C. Ludlow  
Print Witness Name

**GRANTEE:**

By: COURTHOUSE COMMONS PARTNERS, LLC, a Florida limited liability company, its Manager

By: P.B.M. Development, Inc., a Florida corporation  
Managing Member

By:   
Peter B. McAllister, President

By: WALLACE, LLC, a Florida limited liability company  
Managing Member

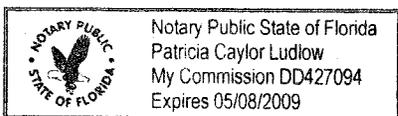
By:   
Keith Grant, Managing Member

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of March, 2008, by Peter B. McAllister, the President of P.B.M. Development, Inc., A Florida corporation, who is personally known to me OR who produced \_\_\_\_\_ as identification and who did ( ) did not ( ) take an oath.

Patricia Caylor Ludlow  
Notary Public

Patricia Caylor Ludlow  
Print Notary Name



NOTARY PUBLIC  
State of Florida at Large

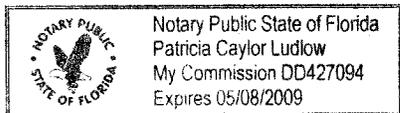
My commission expires: 05/08/2009

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of March 2008, by Keith Grant, the Managing Member of Wallace, LLC, who is personally known to me OR who produced \_\_\_\_\_ as identification and who did ( ) did not ( ) take an oath.

Patricia Caylor Ludlow  
Notary Public

Patricia Caylor Ludlow  
Print Notary Name



NOTARY PUBLIC  
State of Florida at Large

My commission expires: 05/08/2009

**EXHIBIT "D"**

**REVISED SURFACE EASEMENT FOR SUPPORT STRUCTURE**

G:\Development\Open Projects\Courthouse Commons\First Amendment\Pedestrian Easement Amend. 002.DOC



REVISED SURFACE EASEMENT AREA FOR SUPPORT STRUCTURE  
COURTHOUSE COMMONS TO PALM BEACH COUNTY PARKING FACILITY  
PALM BEACH COUNTY SECTION  
CITY OF WEST PALM BEACH, PALM BEACH COUNTY, FLORIDA

LEGAL DESCRIPTION

A parcel of land lying in Section 21, Township 43 South, Range 43 East, Palm Beach County, Florida, said parcel of land being a portion of Railroad Ave, W.S. Clows Addition to the Town of West Palm Beach, as recorded in Plat Book 1, page 60 of the public records of Palm Beach County, Florida, being more particularly described as follows;

Commencing at the intersection of the centerline of Rosemary Avenue and the centerline of the 15.0 foot alley lying between Lots 5 and 6, Block 1, according to the Plat of Rosemary Addition, as recorded in Plat Book 6, page 72, of the public records of Palm Beach County, Florida; thence Easterly along the centerline of said 15.0 foot alley a distance of 27.09 feet to a point on the westerly right-of-way line of the Florida East Coast Railway Company;

Thence with an assumed bearing of S 9°26'53" E., along the West Right-Of-Way Line of the Florida East Coast Railway Company, also being the Easterly Right-of-Way Line of West Railroad Avenue, for a distance of 2430.05 feet to a point, said point also lying on the Northerly Right-Of-Way Line of First Avenue (now known as Third Street) as shown on the said map of W.S. Clows Addition to West Palm Beach, as recorded in Plat Book 1, page 60 of the public records of Palm Beach County, Florida;

Thence with a bearing of N 89°52'34" E., along the Northerly Right-Of-Way line of Third Street for a distance of 80.86 feet to a point,

Thence with a bearing of S 00°07'26" E., for a distance of 83.13 feet to a point, said point also being the point of beginning;

Thence with a bearing of N 89°52'34" E for a distance of 24.24 feet to a point, lying on a curve concave to the West, said point having a bearing toward the radius of S 85°31'06" W.,

Thence Southerly along the arc of said curve, also being the Westerly Right Of Way Line of the Florida East Coast Railway, having a radius of 2913.72 feet, through a central angle of 00°14'51", for an arc distance of 12.59 feet to a point,

Thence with a bearing of S 89°52'34" W., for a distance of 25.17 feet to a point,

Thence with a bearing of N 00°07'26" W., for a distance of 12.55 feet, more or less, to the point of beginning.

Containing 310.170 square feet (0.0071 acres) more or less, and subject to easements, reservations, restrictions, and rights of way of record.

Drawn By	AJHE	Date	5/29/07
Checked By	RL 11/14/07	F.B.	— Pg. —
Scale	NO SCALE	Job No.	100-8954
Sheet	2	of	2

- 1.) Revise per Design Revisions - RL 5/29/07
- 2.) Revise per PBC Comments - RL 8/29/07
- 3.) 2ND Revision per PBC Comments - RL 11/14/07

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No Events   No Name History

### Detail by Entity Name

#### Florida Limited Liability Company

COURTHOUSE COMMONS PARTNERS, LLC

#### Filing Information

**Document Number** L03000040623  
**FEI Number** 200984923  
**Date Filed** 10/23/2003  
**State** FL  
**Status** ACTIVE

#### Principal Address

30 SE 7TH ST  
BOCA RATON FL 33432

Changed 04/30/2007

#### Mailing Address

30 SE 7TH ST  
BOCA RATON FL 33432

Changed 04/30/2007

#### Registered Agent Name & Address

ALEXANDER, LARRY B  
505 S. FLAGLER DR., STE. 1100  
WEST PALM BEACH FL 33401 US

#### Manager/Member Detail

##### Name & Address

Title MGRM  
PBM DEVELOPMENT, INC.  
30 SE 7TH ST.  
BOCA RATON FL 33432 US

Title MGRM  
WALLACE, LLC  
33 N. FEDERAL HWY  
BOCA RATON FL 33431 US

#### Annual Reports

**Report Year Filed Date**  
2005 04/29/2005  
2006 04/28/2006

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**Detail by Entity Name**

**Florida Profit Corporation**  
P.B.M. DEVELOPMENT, INC.

**Filing Information**

Document Number P96000049521  
 FEI Number 650677822  
 Date Filed 06/11/1996  
 State FL  
 Status ACTIVE

**Principal Address**

30 SE 7TH ST, 2ND FLOOR  
 BOCA RATON FL 33432 US  
 Changed 07/14/2000

**Mailing Address**

30 SE 7TH ST, 2ND FLOOR  
 BOCA RATON FL 33432 US  
 Changed 07/14/2000

**Registered Agent Name & Address**

MCALLISTER, JENNIFER  
 30 SE 7TH ST 2ND FL  
 BOCA RATON FL 33432  
 Name Changed: 04/23/2001  
 Address Changed: 04/23/2001

**Officer/Director Detail**

**Name & Address**

Title P  
 MCALLISTER, PETER B  
 1511 SW 1ST AVE  
 BOCA RATON FL 33432

Title SDV  
 MCALLISTER, JENNIFER  
 30 SE 7TH ST, 2ND FLOOR  
 BOCA RATON FL 33432

Title V  
 SCARFO, DOMINICK  
 1620 NW 111TH AVENUE  
 CORAL SPRINGS FL 33071

**Annual Reports**

Report Year	Filed Date
2005	04/29/2005
2006	04/26/2006
2007	01/02/2007



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## Detail by Entity Name

### Florida Limited Liability Company

COURTHOUSE COMMONS, LLC

#### Filing Information

**Document Number** L03000042854  
**FEI Number** 562337584  
**Date Filed** 10/30/2003  
**State** FL  
**Status** ACTIVE  
**Last Event** CONVERSION  
**Event Date Filed** 11/30/2003  
**Event Effective Date** NONE

#### Principal Address

30 SE 7TH STREET, 2ND FLOOR  
BOCA RATON FL 33432

#### Mailing Address

30 SE 7TH STREET, 2ND FLOOR  
BOCA RATON FL 33432

#### Registered Agent Name & Address

ALEXANDER, LARRY B  
505 SOUTH FLAGLER DRIVE, SUITE 1100  
WEST PALM BEACH FL 33401 US

#### Manager/Member Detail

##### Name & Address

Title MGRM  
COURTHOUSE COMMONS PARTNERS, LLC  
30 SE 7TH ST.  
BOCA RATON FL 33432

#### Annual Reports

**Report Year Filed Date**  
2005 04/29/2005  
2006 04/28/2006  
2007 04/30/2007

#### Document Images

04/30/2007 -- ANNUAL REPORT

**2007 LIMITED LIABILITY COMPANY ANNUAL REPORT**

**FILED  
Apr 30, 2007  
Secretary of State**

DOCUMENT# L03000042854

Entity Name: COURTHOUSE COMMONS, LLC

**Current Principal Place of Business:**

30 SE 7TH STREET, 2ND FLOOR  
BOCA RATON, FL 33432

**New Principal Place of Business:**

**Current Mailing Address:**

30 SE 7TH STREET, 2ND FLOOR  
BOCA RATON, FL 33432

**New Mailing Address:**

FEI Number: 56-2337584      FEI Number Applied For ( )      FEI Number Not Applicable ( )      Certificate of Status Desired ( )

**Name and Address of Current Registered Agent:**

ALEXANDER, LARRY B  
505 SOUTH FLAGLER DRIVE, SUITE 1100  
WEST PALM BEACH, FL 33401 US

**Name and Address of New Registered Agent:**

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

\_\_\_\_\_  
Electronic Signature of Registered Agent

\_\_\_\_\_  
Date

**MANAGING MEMBERS/MANAGERS:**

Title: MGRM ( ) Delete  
Name: COURTHOUSE COMMONS P, ARTNERS, LLC  
Address: 30 SE 7TH ST.  
City-St-Zip: BOCA RATON, FL 33432

Title: MGRM (X) Delete  
Name: GRANT, JOHN A JR  
Address: 33 N. FEDERAL HWY  
City-St-Zip: BOCA RATON, FL 33431

**ADDITIONS/CHANGES:**

Title: ( ) Change ( ) Addition  
Name:  
Address:  
City-St-Zip:

Title: ( ) Change ( ) Addition  
Name:  
Address:  
City-St-Zip:

I hereby certify that the information supplied with this filing does not qualify for the exemption stated in Chapter 119, Florida Statutes. I further certify that the information indicated on this report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes.

SIGNATURE: JENNIFER MCALLISTER

MGRM

04/30/2007

\_\_\_\_\_  
Electronic Signature of Signing Managing Member, Manager, or Authorized Representative / Date

**2007 LIMITED LIABILITY COMPANY ANNUAL REPORT**

**FILED  
Apr 30, 2007  
Secretary of State**

DOCUMENT# L03000042854

Entity Name: COURTHOUSE COMMONS, LLC

**Current Principal Place of Business:**

30 SE 7TH STREET, 2ND FLOOR  
BOCA RATON, FL 33432

**New Principal Place of Business:**

**Current Mailing Address:**

30 SE 7TH STREET, 2ND FLOOR  
BOCA RATON, FL 33432

**New Mailing Address:**

FEI Number: 56-2337584      FEI Number Applied For ( )      FEI Number Not Applicable ( )      Certificate of Status Desired ( )

**Name and Address of Current Registered Agent:**

ALEXANDER, LARRY B  
505 SOUTH FLAGLER DRIVE, SUITE 1100  
WEST PALM BEACH, FL 33401 US

**Name and Address of New Registered Agent:**

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

\_\_\_\_\_  
Electronic Signature of Registered Agent

\_\_\_\_\_  
Date

**MANAGING MEMBERS/MANAGERS:**

Title: MGRM ( ) Delete  
Name: COURTHOUSE COMMONS P, ARTNERS, LLC  
Address: 30 SE 7TH ST.  
City-St-Zip: BOCA RATON, FL 33432

Title: MGRM (X) Delete  
Name: GRANT, JOHN A JR  
Address: 33 N. FEDERAL HWY  
City-St-Zip: BOCA RATON, FL 33431

**ADDITIONS/CHANGES:**

Title: ( ) Change ( ) Addition  
Name:  
Address:  
City-St-Zip:

Title: ( ) Change ( ) Addition  
Name:  
Address:  
City-St-Zip:

I hereby certify that the information supplied with this filing does not qualify for the exemption stated in Chapter 119, Florida Statutes. I further certify that the information indicated on this report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes.

SIGNATURE: JENNIFER MCALLISTER

MGRM

04/30/2007

\_\_\_\_\_  
Electronic Signature of Signing Managing Member, Manager, or Authorized Representative / Date