

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs (rent)	_____	_____	_____	_____	_____
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:

Jim D. L. 4-17-08
 OFMB
 (WD) 69
 4/17/08 4/16

Dr. J. Jacob 4/21/08
 Contract Development and Control
 4/18/08

B. Legal Sufficiency:

[Signature] 4/22/08
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

R41

See pg 54

R41

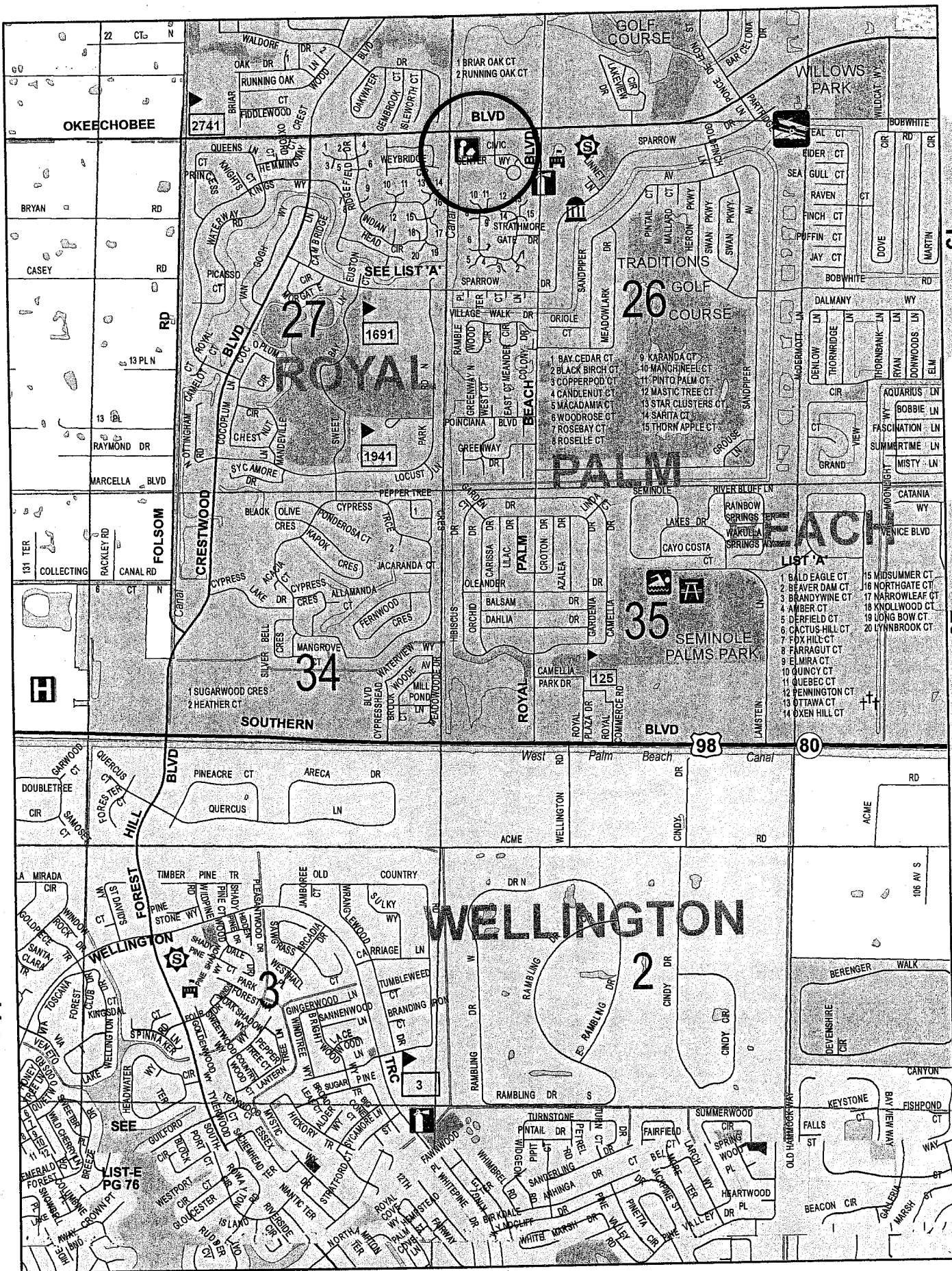
N

M

T43

T43

T44



19

20

21

N

See pg 76

M

LOCATION MAP

ATTACHMENT #1



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

PCN: 72-41-43-26-26-000-0033
72-41-43-26-26-000-0031

DECLARATION OF CROSS ACCESS EASEMENT

THIS IS A DECLARATION OF CROSS ACCESS 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 "Library Property"); and

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

WHEREAS, County desires to create a cross access easement over, upon, and across a portion of the Library Property and a portion of the MidWest Property as set forth hereinafter; and

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

W I T N E S S E T H :

NOW THEREFORE, County does hereby declare, grant and create a perpetual non-exclusive cross access easement over the portion of the Library Property and the portion of the MidWest Property depicted as the cross access easement area on the site plan attached hereto and made a part hereof as **Exhibit "C"** (the "Easement Premises"). This cross access easement shall be for the benefit of the fee simple owner(s) of the Library Property and the MidWest Property and shall be for the purpose of access, ingress and egress, including but not limited to vehicular and pedestrian traffic, over, upon, and across the Easement Premises. The use of the Easement Premises pursuant to this Cross Access Easement shall not unreasonably interfere with any fee simple owner's use of either the Library Property or the

MidWest Property. Maintenance of the Easement Premises shall be the responsibility of the owner of the underlying fee of each portion of the Easement Premises.

The cross access 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 the fee simple owner of the Library Property and the MidWest Property and shall run with the land and encumber and burden the Library Property and the MidWest Property upon the conveyance of either property 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 Cross Access 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: *[Signature]*
Department Director

EXHIBIT "A"

THE LIBRARY PROPERTY

PARCEL 1:

LOT 1, TRACT ONE-FIFTEEN, ACCORDING TO THE REPLAT THEREOF RECORDED IN PLAT BOOK 71, PAGE 14, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH,

PARCEL 2:

A PARCEL OF LAND BEING A PORTION OF LOT 3 OF THE PLAT OF TRACT ONE-FIFTEEN REPLAT OF LOTS 1 AND 5 AS RECORDED IN PLAT BOOK 71, PAGE 14 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 26, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

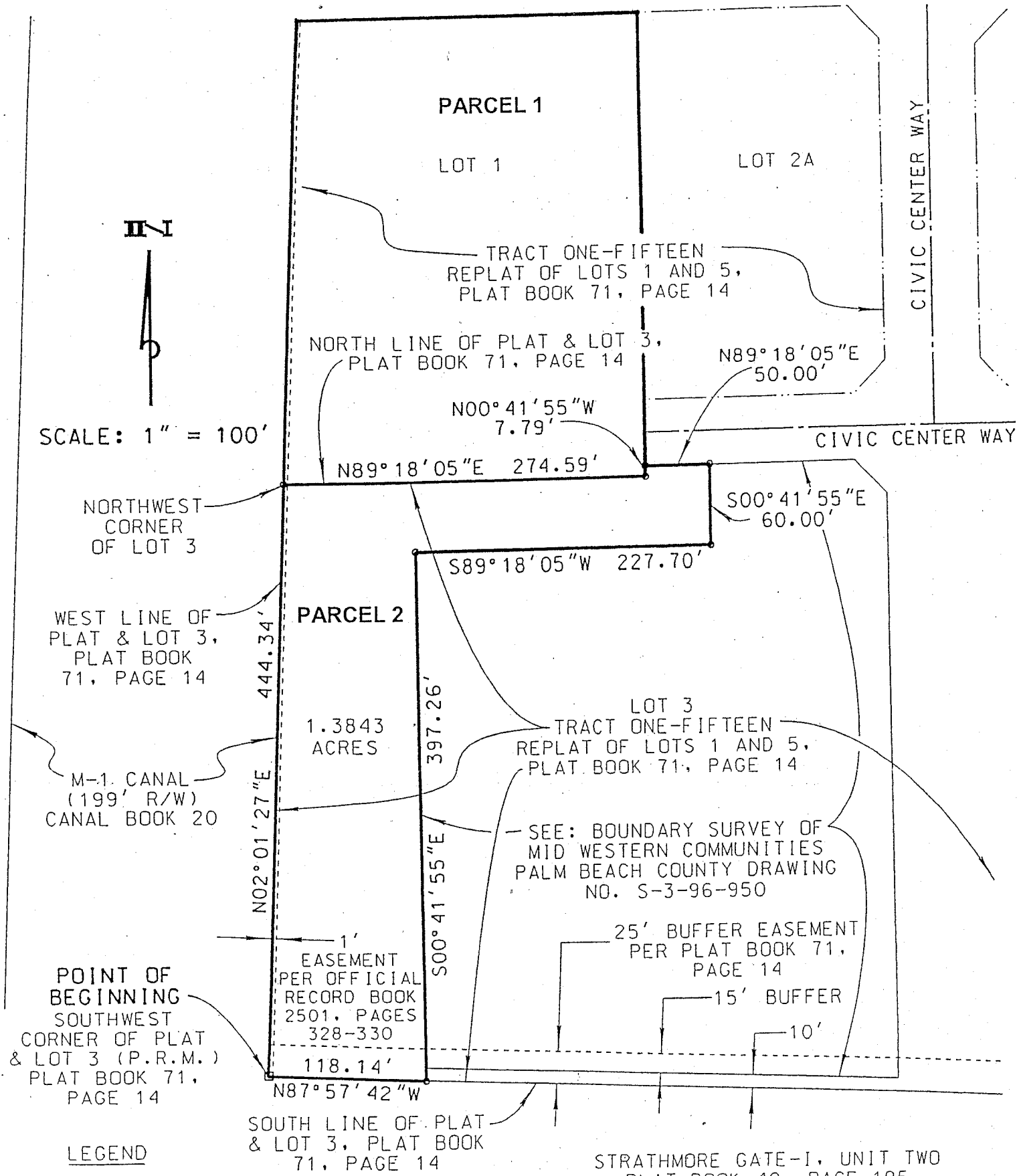
BEGINNING AT THE P.R.M. MARKING THE SOUTHWEST CORNER OF SAID PLAT OF TRACT ONE-FIFTEEN ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 3; THENCE NORTH $02^{\circ}01'27''$ EAST ALONG THE WEST LINE OF SAID PLAT AND SAID LOT 3, A DISTANCE OF 444.34 FEET TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE NORTH $89^{\circ}18'05''$ EAST (THE NEXT THREE COURSES ARE COINCIDENT WITH THE NORTH LINE OF SAID LOT 3 OF THE ABOVE REFERENCED PLAT) ALONG SAID NORTH LINE, A DISTANCE OF 274.59 FEET; THENCE NORTH $00^{\circ}41'55''$ WEST, A DISTANCE OF 7.79 FEET; THENCE NORTH $89^{\circ}18'05''$ EAST, A DISTANCE OF 50.00 FEET; THENCE SOUTH $00^{\circ}41'55''$ EAST DEPARTING SAID NORTH LINE, A DISTANCE OF 60.00 FEET; THENCE SOUTH $89^{\circ}18'05''$ WEST, A DISTANCE OF 227.70 FEET; THENCE SOUTH $00^{\circ}41'55''$ EAST, A DISTANCE OF 397.26 FEET TO THE SOUTH LINE OF SAID PLAT AND SAID LOT 3; THENCE NORTH $87^{\circ}57'42''$ WEST ALONG SAID SOUTH LINE, A DISTANCE OF 118.14 FEET TO SAID SOUTHWEST CORNER AND THE POINT OF BEGINNING.

THE PROPERTY (Parcels 1 and 2) CONTAINS 3.53 ACRES OR 153,958 SQUARE FEET MORE OR LESS.

BEARINGS ARE BASED ON AN ASSUMED BEARING OF NORTH $87^{\circ}57'42''$ WEST ALONG THE SOUTH LINE OF LOT 3 AS SHOWN ON THE PLAT OF TRACT ONE-FIFTEEN REPLAT OF LOTS 1 AND 5 AS RECORDED IN PLAT BOOK 71, PAGE 15 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

THIS IS NOT A SURVEY
(NO MONUMENTATION FOUND OR SET)

SECTION 26,
TOWNSHIP 43 SOUTH,
RANGE 41 EAST



SCALE: 1" = 100'

II I

NORTHWEST CORNER OF LOT 3

WEST LINE OF PLAT & LOT 3, PLAT BOOK 71, PAGE 14

M-1 CANAL (199' R/W) CANAL BOOK 20

POINT OF BEGINNING SOUTHWEST CORNER OF PLAT & LOT 3 (P.R.M.) PLAT BOOK 71, PAGE 14

LEGEND

P.R.M. = PERMANENT REFERENCE MONUMENT
R/W = RIGHT OF WAY

EXHIBIT "B"

THE MIDWEST PROPERTY

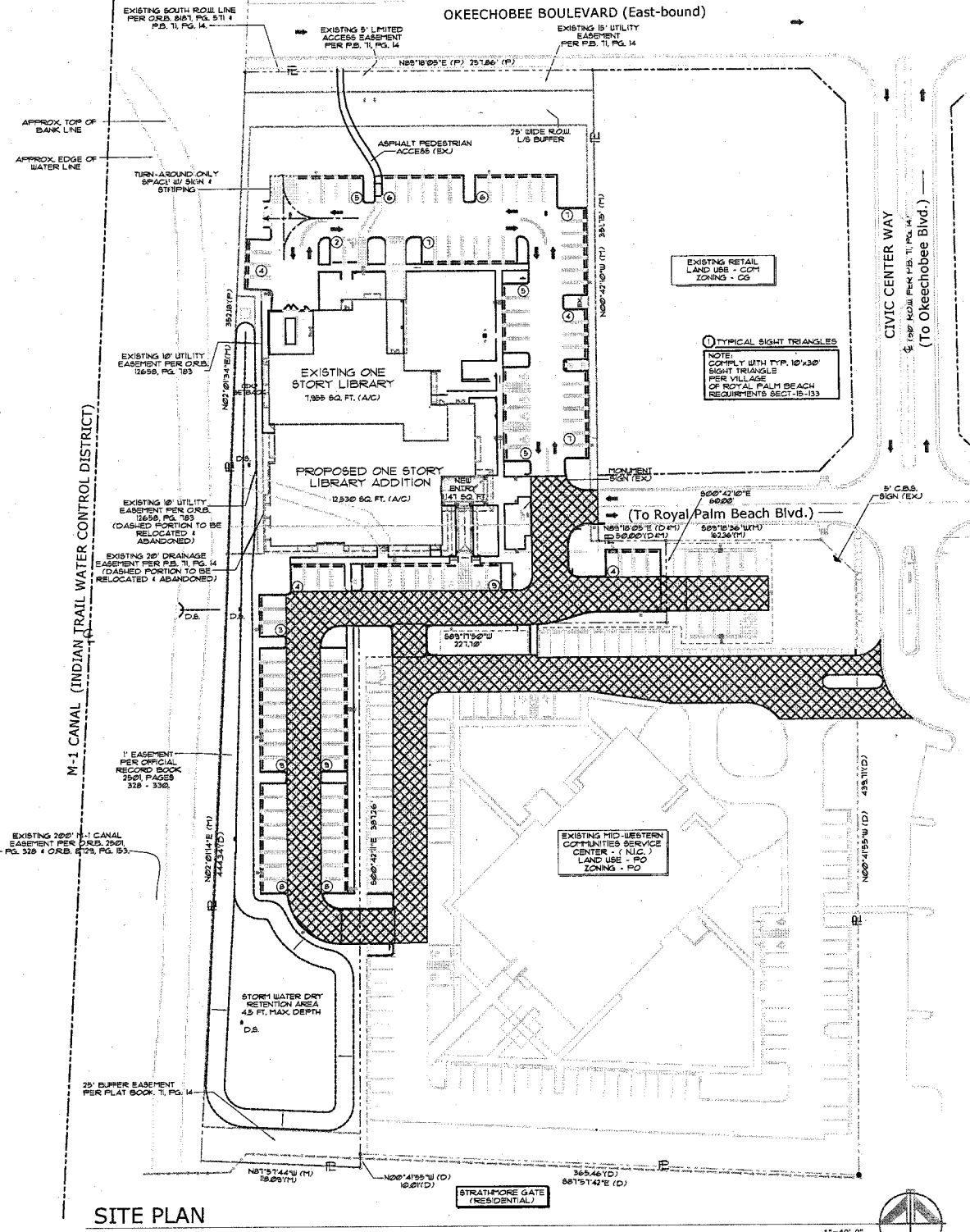
A PARCEL OF LAND BEING A PORTION OF LOT 3 OF THE PLAT OF TRACT ONE-FIFTEEN-REPLAT OF LOTS 1 AND 5 AS RECORDED IN PLAT BOOK 71 AT PAGE 14 AND 15, PALM BEACH COUNTY PUBLIC RECORDS; SAID PLAT ALSO BEING A REPLAT OF LOTS 1 AND 5, TRACT ONE-FIFTEEN AS RECORDED IN PLAT BOOK 68 AT PAGES 43 AND 44, PALM BEACH COUNTY PUBLIC RECORDS, ALL LYING IN SECTION 26, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID PLAT OF TRACT ONE-FIFTEEN-REPLAT OF LOTS 1 AND 5 SAID SOUTHWEST CORNER BEING ALSO THE SOUTHWEST CORNER OF AFORESAID LOT 3; THENCE S 87° 57' 42" E, ALONG THE SOUTH LINE OF SAID REPLAT AND LOT 3 A DISTANCE OF 118.14 FEET; THENCE N 00° 41' 55" W, TO THE POINT OF BEGINNING 10.01 FEET; THENCE ALONG A LINE 10.0 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 3 TO A POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 2A OF SAID REPLAT A DISTANCE OF 365.46 FEET; THENCE N 0° 41' 55" W, ALONG SAID SOUTHERLY EXTENSION A DISTANCE OF 439.71 FEET; THENCE N 45° 41' 55" W, TO THE SOUTH RIGHT OF WAY LINE OF CIVIC CENTER WAY AS RECORDED IN THE PARENT PLAT OF TRACT ONE-FIFTEEN (PLAT BOOK 68, PAGES 43 AND 44) A DISTANCE OF 35.36 FEET; THENCE S 89° 18' 05" W, ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 112.34 FEET; THENCE S 0° 41' 55" E, A DISTANCE OF 60.0 FEET; THENCE S 89° 18' 05" W, A DISTANCE OF 227.70 FEET; THENCE S 0° 41' 55" E, ALONG A LINE 365.04 FEET WEST OF AND PARALLEL WITH THE AFOREMENTIONED SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 2A, TO THE SOUTH LINE OF LOT 3 AND THE POINT OF BEGINNING A DISTANCE OF 387.25 FEET.

PARCEL CONTAINS 3.5004 ACRES

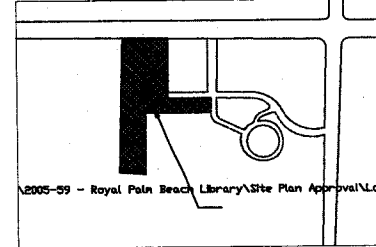
EXHIBIT "C"

THE EASEMENT PREMISES



SITE PLAN

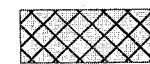
1"=40'-0"



LOCATION MAP

SCALE: 1"=40'-0"

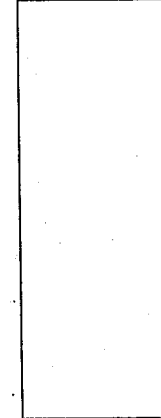
LEGEND:



CROSS ACCESS EASEMENT AREA

Exhibit "C"

REVISIONS	BY



ROYAL PALM BEACH BRANCH LIBRARY/
MID-WESTERN COMMUNITIES SERVICE CENTER
CROSS ACCESS EASEMENT

ROYAL PALM BEACH, FLORIDA

FLORIDA REGISTRATION #

DRAWN
CHECKED
DATE
3-17-08
SCALE
JOB NO.
SHEET
SHEET #