

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

Meeting Date: **October 21, 2008** Consent Regular
 Public Hearing

Department _____

Submitted By: **COUNTY ATTORNEY**

Submitted For: _____

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: authorize a settlement as to Parcels 25, 801, 901, 903, and 904, in the amount of \$1,169,168.75 inclusive of attorney's fees and experts' fees and costs, in the eminent domain proceeding entitled Palm Beach County v. Lloyds Service Center, Inc., et al., Case No. 50 2008 CA 029294XXXMB AB, for the improvement of West Atlantic Avenue.

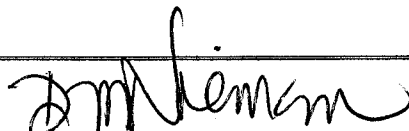
Summary: This action would authorize a settlement as to the acquisition of one parcel in fee simple, one permanent easement, and three temporary construction easements proposed to be acquired for the construction and improvement of West Atlantic Avenue, from west of Lyons Road to Starkey Road, and a portion of Lyons Road just north of West Atlantic Avenue (Project No. 2004602), by paying \$1,169,168.75 for the property acquired, any and all damages including business damages and costs to cure such damages, attorney's fees, experts' fees and costs, and \$170 fee of the Clerk of the Court. District 6 (PM).

Background and Justification: In the near future, Palm Beach County, under a Joint Participation Agreement with the Florida Department of Transportation, will commence a project for the construction and improvement of West Atlantic Avenue, from 1,330 feet west of Lyons Road to Starkey Road, and Lyons Road from West Atlantic Avenue to a point 400 feet north of West Atlantic Avenue (Project No. 2004602). This Board action would authorize a settlement by entry into a Stipulated Order of Taking and Final Judgment, as to Parcels 25 (a fee simple taking), 801 (permanent embankment easement), and 901, 903, and 904 (temporary construction easements), which parcels are reasonably necessary for the project, by paying full compensation in the amount of **\$950,000** for the property acquired, damages to the remaining property, business damages, and any and all other damages and costs to cure any damages, \$138,998.75 in attorney's fees, and \$80,000 in reasonably necessary experts' fees and costs, plus \$170 in fees of the clerk of the court. (Continued on page 3).

Attachments:

- 1. Budget Availability Statement
- 2. Mediated Settlement Agreement
- 3. Proposed Stipulated Order of Taking and Final Judgment and Joint Motion for Entry
- 4. Certificate of Insurance

Recommended by: _____



County Attorney

10/3/08

Date

Approved by: _____

N/A

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2009 | 2010 | 2011 | 2012 | 2013 |
|--------------------------|------------------------|------------|------------|------------|------------|
| Capital Expenditures | \$ 1,169,168.75 | -0- | -0- | -0- | -0- |
| Operating Costs | -0- | -0- | -0- | -0- | -0- |
| External Revenues | -0- | -0- | -0- | -0- | -0- |
| Program Income (County) | -0- | -0- | -0- | -0- | -0- |
| In-Kind Match (County) | -0- | -0- | -0- | -0- | -0- |
| NET FISCAL IMPACT | \$ 1,169,168.75 | -0- | -0- | -0- | -0- |

ADDITIONAL FTE

POSITIONS (Cumulative) _____

Is Item Included in Current Budget? Yes X No

Budget Acct No.: Fund 3500 Dept. 361 Unit 1085 Object 6120
Program

B. Recommended Sources of Funds/Summary of Fiscal Impact:

Transportation Improvement Fund
W Atlantic Ave/W of Lyons to E of Fla Turnpike

| | |
|---|----------------|
| Land and Damages | \$ 950,000.00 |
| Attorney's Fees | \$ 138,998.75 |
| Expert Fees and Costs | \$ 80,000.00 |
| Fees of the Clerk of the Court | \$ 170.00 |
| Total Settlement / <i>Net Fiscal Impact</i> | \$1,169,168.75 |
| Appraised Value | \$ 442,150.00 |

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

adwillhite 10-7-08
OFMB *UD 10/6/08* *10/6/08*

Don J. Jacob 10/17/08
Contract Dev. and Control *Done 10/7/08*

B. Approved as to Form and Legal Sufficiency:

g~
Assistant County Attorney

C. Other Department Review:

Department Director

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


Background and policy issues (continued from page 1):

The parcels are being acquired from a parent tract of property on the northeast corner of Lyons Road and West Atlantic Avenue which has, for some time, been used for a gas station and convenience store, automobile repair business, and truck rental business. An appraiser hired by Palm Beach County has opined that full compensation for the fee simple parcel and permanent and temporary construction easements acquired is \$442,150, and a certified public accountant for the County has opined that business damages equal \$100,000 **for a total of \$542,150**, plus fees and costs (which are included in the total settlement).

The owner has hired experts who have opined that the compensation for the property taken and damages to the remaining property is \$1,530,700, based on the claim that the remaining property can no longer be redeveloped as a modern gas station convenience store, and as a result, there are business damages of \$434,506 because the business can no longer function, **for total damages of \$1,965,206**, plus fees and costs (which are included in the total settlement).

The attorney's fees included in the proposed settlement are calculated pursuant to Florida law based on the increase in compensation over the amounts originally offered by Palm Beach County for the property and business damages. This settlement allows the owner to maintain possession until it receives notice from the County to vacate the premises on the condition that it maintain liability insurance. This settlement will, at least in part, be funded by developers of nearby property and by the State of Florida Department of Transportation. This settlement is cost-effective in light of the savings in expert fees and costs which would be incurred if this matter were tried.

**INTEROFFICE COMMUNICATION
PALM BEACH COUNTY
BUDGET AVAILABILITY STATEMENT**

DATE: September 30, 2008
TO: Barry S. Balmuth, P.A.
FROM: Richard Farquhar, Director 
Administrative Services
RE: W Atlantic/1330' W of Lyons to Starkey
Project # 2004602
Eminent Domain Settlement
Parcels: 25, 801, 901, 903 and 904 \$1,169,168.75

BOARD MEETING DATE: October 21, 2008

FISCAL IMPACT LOCATION: F:\COMMON\WP\AgendaPage2\ 00501 ,

FUNDING STATUS: FULLY FUNDED

Is Item Included in Current Budget? Yes X No

Budget Account No:

Fund 3500 Dept 361 Unit 1085 Object 6120

Recommended Sources of Funds/Summary of Fiscal Impact:

Transportation Improvement Fund
W Atlantic Ave/W of Lyons to E of Fla Turnpike

| | |
|--------------------------------|-----------------------|
| Land and Damages | \$ 950,000.00 |
| Attorney's Fees | \$ 138,998.75 |
| Expert Fees and Costs | \$ 80,000.00 |
| Fees of the Clerk of the Court | \$ 170.00 |
| Total Settlement | <u>\$1,169,168.75</u> |
| Appraised Value | <\$ 442,150.00> |
| Fiscal Impact | <u>\$ 727,018.75</u> |

Re: PBC Project No: 2004602
FDOT Project No: 2296583
State Road No: 806 (Atlantic Avenue)
Parcel Nos: 25, 801, 901, 903 and 904

**MEDIATED SETTLEMENT AGREEMENT BETWEEN
PALM BEACH COUNTY AND LLOYDS SERVICE CENTER, INC.**

Palm Beach County ("County") and Lloyd's Service Center, Inc. ("Lloyds")
agree as follows:

1. This agreement is subject to the approval of the Palm Beach County Board of County Commissioners.
2. The parties shall agree to the entry of a Stipulated Order of Taking and Final Judgment for the taking of Parcels 25, 801, 901, 903 and 904 by which, subject to apportionment, if any, to mortgagees and any other interest holders, Lloyds shall have and recover \$950,000.00 as full compensation inclusive of improvements, land, severance damages, business damages, and any and all other damages and compensation for claims that could have been brought for and relating to the taking of Parcels 25, 801, 901, 903 and 904, attorney's fees and costs of \$138,998.75 and expert fees and costs of \$80,000.00.
3. There shall be no further compensation to Lloyds and no non-monetary benefit fees.
4. Lloyds shall remove the southernmost fuel dispensers and sign upon sixty (60) days notice. County anticipates sending such notice approximately one year from the date of this agreement but shall not be prohibited from sending such notices sooner.

5. Lloyds shall name County as additional insured on a liability policy with limits of \$1,000,000.00 and shall maintain such insurance through the duration of the period during which they operate on the property after title transfers to County.

6. The Palm Beach County Engineering Department agrees not to object to any requests by Lloyds to widen the driveway at least 36 feet as shown on the construction plans providing access to Atlantic Avenue or Lloyds' request to construct a 4,000 square foot building. This provision shall not be made part of the Stipulated Order of Taking and Final Judgment and shall not bind any other department of Palm Beach County.


7. This settlement is based on the construction plans as they currently exist, including provisions for drainage. If the project is built in any way which materially differs from these plans and said change negatively affects the remaining property, Lloyds shall have the right to seek additional compensation.


8. All provisions hereof, except Paragraphs 1 and 6, shall be part of the Stipulated Order of Taking and Final Judgment.

Dated this 30th day of July, 2008.

LLOYDS SERVICE CENTER, INC.


PALM BEACH COUNTY


By 
Print Name Lloyd Allan Snyder

By 
Print Name L. MORTON ROSE

Attorney for Lloyds Service Center, Inc.

Attorney for Palm Beach County


H. Adams Weaver


Barry S. Balmuth

**IN THE CIRCUIT COURT OF THE
15TH JUDICIAL CIRCUIT IN AND FOR
PALM BEACH COUNTY, FLORIDA**

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

CASE NO.:

Petitioner,

v.

**LLOYD'S SERVICE CENTER, INC., a
Florida Corporation, GEORGE MAX
BOBKO, PATRICIA E. SNYDER, LLOYD
SNYDER, STC FIVE, LLC, a Delaware
Limited Liability Company, CCGS
HOLDINGS, LLC, a Delaware Limited
Liability Company, CCGS HOLDINGS,
LLC, a Delaware Limited Liability Company,
SPRINT SPECTRUM, L.P., a Delaware
Limited Partnership, d/b/a SPRINT PCS, T-
MOBILE SOUTH, LLC, a Delaware Limited
Liability Company, METRO PCS FLORIDA,
LLC, a Delaware Limited Liability
Corporation, BANK OF AMERICA, N.A., a
National Bank, BARAN TELECOM, INC., a
Georgia Corporation, WESTOWER
TELECOMMUNICATIONS, INC., a
Georgia Corporation, and ANNE M.
GANNON, as Palm Beach County Tax
Collector,**

PARCELS 25, 801, 901, 903, and 904

Defendants.

JOINT MOTION FOR THE ENTRY OF STIPULATED FINAL JUDGMENT

Comes now the Petitioner, PALM BEACH COUNTY, and the Defendant, LLOYD'S SERVICE CENTER, INC., and respectfully stipulate to the entry of the Stipulated Order of Taking and Final Judgment attached hereto as Exhibit "A" and move for its entry. By executing this motion, the undersigned counsel certify that they have authority to enter into this stipulation on behalf of the parties.

Palm Beach County v
Lloyd's Service Center, Inc., et al
Case No
Page 2

BARRY S. BALMUTH, P.A.

JONES FOSTER JOHNSTON & STUBBS

BARRY S. BALMUTH, ESQUIRE

Florida Bar No. 0868991
Counsel for Palm Beach County
Centurion Tower, Eleventh Floor
1601 Forum Place, Suite 1101
West Palm Beach, Florida 33401
(561) 242-9400 Telephone
(561) 478-2433 Facsimile



H. ADAMS WEAVER, ESQUIRE

Florida Bar No. 125210
Counsel for Defendant, Lloyd's Service
Center, Inc.
505 South Flagler Drive, Suite 1100
West Palm Beach, Florida 33401
(561) 650-0486 Telephone
(561) 650-0422 Facsimile

Certificate of Service

I HEREBY CERTIFY, that I served all parties on the service list attached as Exhibit "1" to
the Stipulated Order of taking and Final Judgment attached hereto as Exhibit "A" by U.S. Mail on
this _____ day of _____, 2000.

BARRY S. BALMUTH, ESQUIRE

**IN THE CIRCUIT COURT OF THE
15TH JUDICIAL CIRCUIT IN AND FOR
PALM BEACH COUNTY, FLORIDA**

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

CASE NO.: 50 2008 CA 029294 XXXX MB AB

Petitioner,

v.

LLOYD'S SERVICE CENTER, INC., a Florida Corporation, GEORGE MAX BOBKO, PATRICIA E. SNYDER, LLOYD SNYDER, STC FIVE, LLC, a Delaware Limited Liability Company, CCGS HOLDINGS, LLC, a Delaware Limited Liability Company, CCGS HOLDINGS, LLC, a Delaware Limited Liability Company, SPRINT SPECTRUM, L.P., a Delaware Limited Partnership, d/b/a SPRINT PCS, T-MOBILE SOUTH, LLC, a Delaware Limited Liability Company, METRO PCS FLORIDA, LLC, a Delaware Limited Liability Corporation, BANK OF AMERICA, N.A., a National Bank, BARAN TELECOM, INC., a Georgia Corporation, WESTOWER TELECOMMUNICATIONS, INC., a Georgia Corporation, and ANNE M. GANNON, as Palm Beach County Tax Collector,

PARCELS 25, 801, 901, 903, and 904

Defendants.

STIPULATED ORDER OF TAKING AND FINAL JUDGMENT

THIS CAUSE having come on to be heard on the Stipulation and Joint Motion of the parties, Petitioner, PALM BEACH COUNTY, and Defendant, LLOYD'S SERVICE CENTER, INC., and, the Court was otherwise fully advised in the premises; thereupon the Court

FINDS AS FOLLOWS:

1. It appears that proper notice was first given to Defendants and all persons having or claiming any equity, lien, title or other interest in or to the real property described in the Petition that the Petitioner would apply to this Court, for entry an this Order of Taking and Final Judgment.

2. That this Court has jurisdiction of the subject matter of the parties to this cause.

3. The pleadings in this cause are sufficient, and the Petitioner is properly exercising its delegated authority and the acquisition of Parcels 25, 801, 901, 903, and 904 is reasonably necessary for the public purpose of the construction and improvement of West Atlantic Avenue, from 1,330 feet west of Lyons Road to Starkey Road, in Palm Beach County, Florida. The acquisition of Parcels 25, 903, 904 is also reasonably necessary for the construction and improvement of Lyons Road from West Atlantic Avenue to a point 400 feet north of West Atlantic Avenue.

4. That the estimate of value filed in this cause by the Petitioner was made in good faith, and is based upon a valid appraisal.

5. The compensation to be paid to the Defendants is full and just.

6. Defendant, LLOYD'S SERVICE CENTER, INC., is the fee owner of the subject property. Thereupon, it is hereby

ORDERED AND ADJUDGED that:

7. Subject to apportionment, if any, to the Defendants listed in Exhibit "1," Defendant, LLOYD'S SERVICE CENTER, INC., shall have and recover from Petitioner, PALM BEACH COUNTY, the sum of **NINE HUNDRED FIFTY THOUSAND DOLLARS AND NO CENTS**

(\$950,000.00) as full compensation (exclusive of attorney fees and costs) for the takings of Parcel 25 in fee simple, a permanent embankment on property identified as Parcel 801, and temporary construction easements on property identified as Parcels 901, 903, and 904, fuel dispensers and fuel dispenser islands, canopies, trade fixtures, buildings or portions of buildings, or other improvements and landscaping within the area of these parcels, damages to the remaining property including, but not limited to, damages to fuel dispensers and fuel dispenser islands, canopies, trade fixtures, buildings or portions of buildings, or other improvements, costs to cure any damages, relocation costs, business damages, and any and all other damages caused by the taking of Parcels 25, 801, 901, 903, and 904, and for any other claims or counter claims which were brought or could have been brought by Defendants relating to the taking of Parcels 25, 801, 901, 903, and 904.

8. Defendant, LLOYD'S SERVICE CENTER, INC., shall also have a recover from Petitioner, PALMBEACH COUNTY, the sum of ONE HUNDRED THIRTY EIGHT THOUSAND NINE HUNDRED NINETY EIGHT DOLLARS AND SEVENTY FIVE CENTS (\$138,998.75) in monetary benefit attorney's fees and EIGHTY THOUSAND DOLLARS AND NO CENTS (\$80,000) in costs, including expert fees.

9. There shall be no further compensation of any kind in this cause, no non-monetary benefit attorney's fees, and no further attorney fees and costs or expert's fees and costs, save for attorney's fees and costs solely related to apportionment proceedings, if any.

10. Within thirty (30) days after the receipt of a certified copy of this Order, Petitioner shall deposit into the registry of the Court the sum of ONE MILLION ONE HUNDRED SIXTY EIGHT THOUSAND NINE HUNDRED NINETY EIGHT DOLLARS AND SEVENTY FIVE

CENTS (\$1,168,998.75), representing the compensation and attorney's fees and costs awarded under paragraphs 7 and 8, above, and shall submit to the Clerk of Courts with said deposit the sum of ONE HUNDRED SEVENTY DOLLARS AND NO CENTS (\$170) for the fee for the Clerk of the Courts, for a total amount of ONE MILLION ONE HUNDRED SIXTY NINE THOUSAND ONE HUNDRED SIXTY EIGHT DOLLARS AND SEVENTY FIVE CENTS (\$1,169,168.75). Upon making said deposit, Petitioner shall notify, in writing, all attorneys of record and those Defendants not represented by counsel that the deposits have been made and that upon deposit, Petitioner shall be entitled to possession of and title to the property described in the Petition without further notice or Order of this Court.

11. Upon deposit by Petitioner of the sums referenced herein into the Registry of the Court, the fee simple title to the property identified in Composite Exhibit "A" attached hereto as Parcel 25, title to a permanent embankment easement on property identified in Composite Exhibit "A" attached hereto as Parcel 801, and title to the temporary construction easements on the property identified in Composite Exhibit "A" attached hereto as Parcels 901, 903, and 904, and possession of the properties, shall vest in Petitioner, PALM BEACH COUNTY. Title to these Parcels shall be free and clear of the interests of all of the Defendants listed in Exhibit "1" attached hereto except that LLOYD'S SERVICE CENTER, INC., and its successors and assigns, shall continue to own the underlying fee interest in the easement parcels, 801, 901, 903, and 904, subject to the easements granted hereunder.

12. The Permanent Easement on property identified as Parcel 801 is proposed to be taken for the following purposes and uses: constructing and permanently maintaining an embankment to

secure and preserve the structural integrity of the construction and improvement of West Atlantic Avenue, from 1,330 feet west of Lyons Road to Starkey Road. Said Embankment Easements shall be non-exclusive, provided, however, that all Defendants, and their successors and assigns, shall be permanently prohibited from excavating the embankment constructed thereon. The embankment and any filling, sloping and/or grading associated therewith, upon the above parcel shall not extend beyond the limits outlined in the legal descriptions of said easement attached hereto as a part of Composite Exhibit "A."

13. A Temporary Construction Easement on property identified as Parcel 901 is proposed to be taken are for the following limited purposes and uses: constructing a gravity wall and grading to maintain positive drainage with the construction and improvement of West Atlantic Avenue, from 1,330 feet west of Lyons Road to Starkey Road. The construction of the gravity wall and/or grading upon and above said land shall not extend beyond the limits outlined in the legal descriptions of said easement attached hereto as a part of Composite Exhibit "A." All grading and sloping shall conform to all structural improvements within the limits designated, and all work will be performed in such manner that the existing structural improvements will not be damaged. The Temporary Construction Easement shall be non-exclusive, provided, however, that Defendants, and their successors and assigns', use of the property during the easement period shall not interfere with PALM BEACH COUNTY'S grading and sloping on the property. These Temporary Construction Easements shall expire upon the earlier of the acceptance of the construction of the project by the Palm Beach County Board of County Commissioners through the Department of Engineering and Public Works or two (2) years from the date of the deposit of funds pursuant to an Order of Taking entered in this

cause.

14. The Temporary Construction Easements on property identified as Parcels 903 and 904 is proposed to be taken are for the following limited purposes and uses: constructing a gravity wall and grading to maintain positive drainage with the construction and improvement of West Atlantic Avenue, from 1,330 feet west of Lyons Road to Starkey Road and Lyons Road from West Atlantic Avenue to a point 400 feet north of West Atlantic Avenue. The construction of the gravity wall and/or grading upon and above said land shall not extend beyond the limits outlined in the legal descriptions of said easement attached hereto as a part of Composite Exhibit "A." All grading and sloping shall conform to all structural improvements within the limits designated, and all work will be performed in such manner that the existing structural improvements will not be damaged. The Temporary Construction Easements shall be non-exclusive, provided, however, that Defendants', and their successors and assigns', use of the property during the easement period shall not interfere with PALM BEACH COUNTY'S grading and sloping on the property. These Temporary Construction Easements shall expire upon the earlier of the acceptance of the construction of the project by the Palm Beach County Board of County Commissioners through the Department of Engineering and Public Works or two (2) years from the date of the deposit of funds pursuant to an Order of Taking entered in this cause.

15. Defendant, LLOYDS SERVICE CENTER, INC., shall remove the southernmost fuel dispensers and sign from the property, including the area of taking, and shall terminate its possession and use of the Property upon sixty (60) days notice.

16. Defendant, LLOYDS SERVICE CENTER, INC., shall name Petitioner, PALM

*Palm Beach County v.
Lloyd's Service Center, Inc., et al.
Case No.: 50 2008 CA 029294 XXXX MB AB
Page 7*

BEACH COUNTY, as an additional insured on a liability policy with limits of \$1,000,000.00 and shall maintain such insurance through the duration of the period during which they operate on the property after title transfers to County.

17. This settlement is based on the construction plans as they currently exist, including provisions for drainage. If the project is built in any way which materially differs from these plans and said change negatively affects the remaining property, Lloyds shall have the right to seek additional compensation.

18. The Court retains jurisdiction of this action to enforce the terms of this Stipulated Order of Taking and Final Judgment, over the apportionment of this award, and to award attorney's fees and costs relating only to apportionment of the award. As judicial labor has not ceased on this matter, the Clerk of the Court shall not at this time close this case file nor shall the Clerk of the Court require a fee for the filing of future pleadings.

DONE AND ORDERED in West Palm Beach, Palm Beach County, Florida, this ____ day of _____, 2008.

JONATHON D. GERBER
Circuit Judge

Copies furnished to

Barry S. Balmuth, Esquire
Counsel for Petitioner, Palm Beach County
Barry S. Balmuth, P.A.
1601 Forum Place
Suite 1101
West Palm Beach, Florida 33401

*Palm Beach County v.
Lloyd's Service Center, Inc., et al.
Case No.: 50 2008 CA 029294 XXXX MB AB
Page 8*

and all parties on the attached Exhibit 1

PALM BEACH COUNTY v. LLOYD'S SERVICE CENTER, INC. et. al.
Exhibit 1 - List of Defendants

- Defendant:** Lloyd's Service Center, Inc., a Florida corporation
Interest: Fee owner
Serve: H. Adams Weaver, Esquire
505 South Flagler Drive
Suite 1100
West Palm Beach, Florida 33401
- Defendant:** George Max Bobko
Interest: Mortgagee under that mortgage recorded in the Official Records of Palm Beach County at ORB 10987, Page 731
Serve: George Max Bobko
731-6 N.E. 12th Terrace
Boynton Beach, Florida 33435
- Defendant:** Patricia E. Snyder and Lloyd Snyder
Interest: Mortgagees under that mortgage recorded in the Official Records of Palm Beach County at ORB 1800, Page 748
Serve: H. Adams Weaver, Esquire
505 South Flagler Drive
Suite 1100
West Palm Beach, Florida 33401
- Defendant:** STC Five, LLC, a Delaware Limited Liability Company
Interest: Lessee/Sublessor and easement holder, as evidenced by that Site Agreement and Memorandum of PCS Site Agreement recorded in the Official Records of Palm Beach County at ORB 9675, Page 0763, under an unrecorded assignment from Sprint Spectrum Realty Company, L.P., a Delaware Limited Partnership as successor in interest to Sprint Spectrum, L.P., a Delaware Limited partnership
Serve: Corporation Service Company
1201 Hay Street
Tallahassee, Florida 32301-2525

Defendant: CCGS Holdings, LLC, a Delaware Limited Liability Company
Interest: Sublessee and easement holder under that Site Designation Supplement to Master Lease and Sublease Agreement dated May 26, 2005 recorded in the Official Records of Palm Beach County at ORB 19350, Page 0884 as successor in interest to Global Signal Acquisition, II, a Delaware Limited Liability Company by merger or otherwise
Serve: The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, Delaware 19801

Defendant: Sprint Spectrum, L.P., a Delaware Limited Partnership, d/b/a Sprint PCS
Interest: Sublessee and collocator of cell tower under that Site Designation Supplement to Master Lease and Sublease Agreement dated May 26, 2005 recorded in the Official Records of Palm Beach County at ORB 19350, Page 0884
Serve: Corporation Service Company
1201 Hay Street
Tallahassee, Florida 32301-2525

Defendant: T-Mobile South, LLC, a Delaware Limited Liability Company
Interest: Sublessee of cell tower under unrecorded lease
Serve: Corporation Service Company
1201 Hay Street
Tallahassee, Florida 32301

Defendant: Metro PCS Florida, LLC, a Delaware Limited Liability Company
Interest: Sublessee of cell tower under Memorandum of Sublease recorded in the Official Records of Palm Beach County at ORB 14138, Page 0804
Serve: Corporation Service Company
1201 Hay Street
Tallahassee, Florida 32301

Defendant: Bank of America, National Association
Interest: Leasehold Mortgagee under Leasehold Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing recorded in the Official Records of Palm Beach County at ORB 19561, Page 0126 as successor in interest to LaSalle Bank, N.A. by virtue of assignment from Morgan Stanley Asset Funding, Inc. by virtue of Assignment Agreement recorded in the Official Records of Palm Beach County at ORB 20751, Page 0827
Serve: Branch Manager
Bank of America banking center

625 N. Flagler Drive
West Palm Florida, Florida 33401
[serve branch per Bank of America, N.A. Subpoena Processing Department (313-240-6636)]

Defendant: Baran Telecom, Inc., a Georgia corporation
Interest: Contractor under Notices of Commencement recorded in Official Records of Palm Beach County at ORB 22207, Page 1967, ORB 22435, Page 908, and ORB 22523, Page 245
Serve: Ron Raviv, as Registered Agent
2355 Industrial Park Blvd.
Cumming, GA 30041

Defendant: Westower Communications, Inc., a Georgia corporation
Interest: Contractor under Notices of Commencement recorded in Official Records of Palm Beach County at ORB 22360, Page 455
Serve: CT Corporation System
1201 Peachtree Street
Atlanta, Georgia 30361

Defendant : Anne M. Gannon, Palm Beach County Tax Collector
Interest : Taxes
Serve : Brian Hanlon, Esquire
301 South Olive Avenue, 3rd Floor
West Palm Beach, Florida 33401

DESCRIPTION & SKETCH

PREPARED FOR:

PALM BEACH COUNTY, FLORIDA

PARCEL 25

ATLANTIC AVENUE (SR 806) BETWEEN LYONS ROAD & STARKEY ROAD
PALM BEACH COUNTY, FLORIDA

LEGEND

| | |
|---|-----------------------------|
| DB = DEED BOOK | POB = POINT OF BEGINNING |
| FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION | POC = POINT OF COMMENCEMENT |
| LWDD = LAKE WORTH DRAINAGE DISTRICT | R/W = RIGHT-OF-WAY |
| ORB = OFFICIAL RECORD BOOK | SEC. = SECTION |
| PBC = PALM BEACH COUNTY | SF = SQUARE FEET |
| PB. = PLAT BOOK | SR = STATE ROAD |
| PG. = PAGE | |

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, BEING A PORTION OF THE WEST ONE-HALF OF TRACT 113, BLOCK 17 OF THE PALM BEACH FARMS COMPANY PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE SOUTH 89°58'59" EAST, ALONG THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 411.98 FEET TO THE SOUTHEAST CORNER OF THE WEST ONE-HALF OF SAID TRACT 113; THENCE NORTH 01°02'02" WEST ALONG THE EAST LINE OF THE WEST ONE-HALF OF SAID TRACT 113, A DISTANCE OF 40.01 FEET TO THE NORTH LINE OF THE SOUTH 40 FEET OF SAID TRACT 113 AND THE POINT OF BEGINNING; THENCE NORTH 89°58'59" WEST ALONG SAID NORTH LINE OF THE SOUTH 40 FEET, A DISTANCE OF 171.03 FEET TO THE WEST LINE OF SAID TRACT 113; THENCE NORTH 01°03'00" WEST ALONG SAID WEST LINE, A DISTANCE OF 509.28 FEET TO THE SOUTH LINE OF THE NORTH 240 FEET OF SAID TRACT 113; THENCE NORTH 89°09'51" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 15.00 FEET TO THE EAST LINE OF A 30 FOOT ROAD EASEMENT AS SHOWN ON THE AFOREMENTIONED PLAT OF PALM BEACH FARMS COMPANY PLAT NO. 1; THENCE SOUTH 01°03'00" EAST ALONG THE EAST LINE OF SAID EASEMENT, A DISTANCE OF 385.49 FEET; THENCE DEPARTING SAID EAST LINE, SOUTH 45°31'00" EAST A DISTANCE OF 71.37 FEET; THENCE SOUTH 89°58'59" EAST, A DISTANCE OF 106.05 FEET TO A POINT ON THE EAST LINE OF THE WEST ONE-HALF OF SAID TRACT 113; THENCE SOUTH 01°02'02" EAST ALONG SAID EAST LINE, A DISTANCE OF 74.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 20,437 SQUARE FEET OR 0.469 ACRES, MORE OR LESS.

SURVEYOR'S NOTES

1. THIS DRAWING IS NOT A SURVEY.
2. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
3. THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
4. THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY WANTMAN GROUP, INC.
5. THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, WHICH BEARS SOUTH 89°58'59" EAST.

WANTMAN GROUP, INC.
Thomas R. Dutton
THOMAS R. DUTTON
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NUMBER 5763

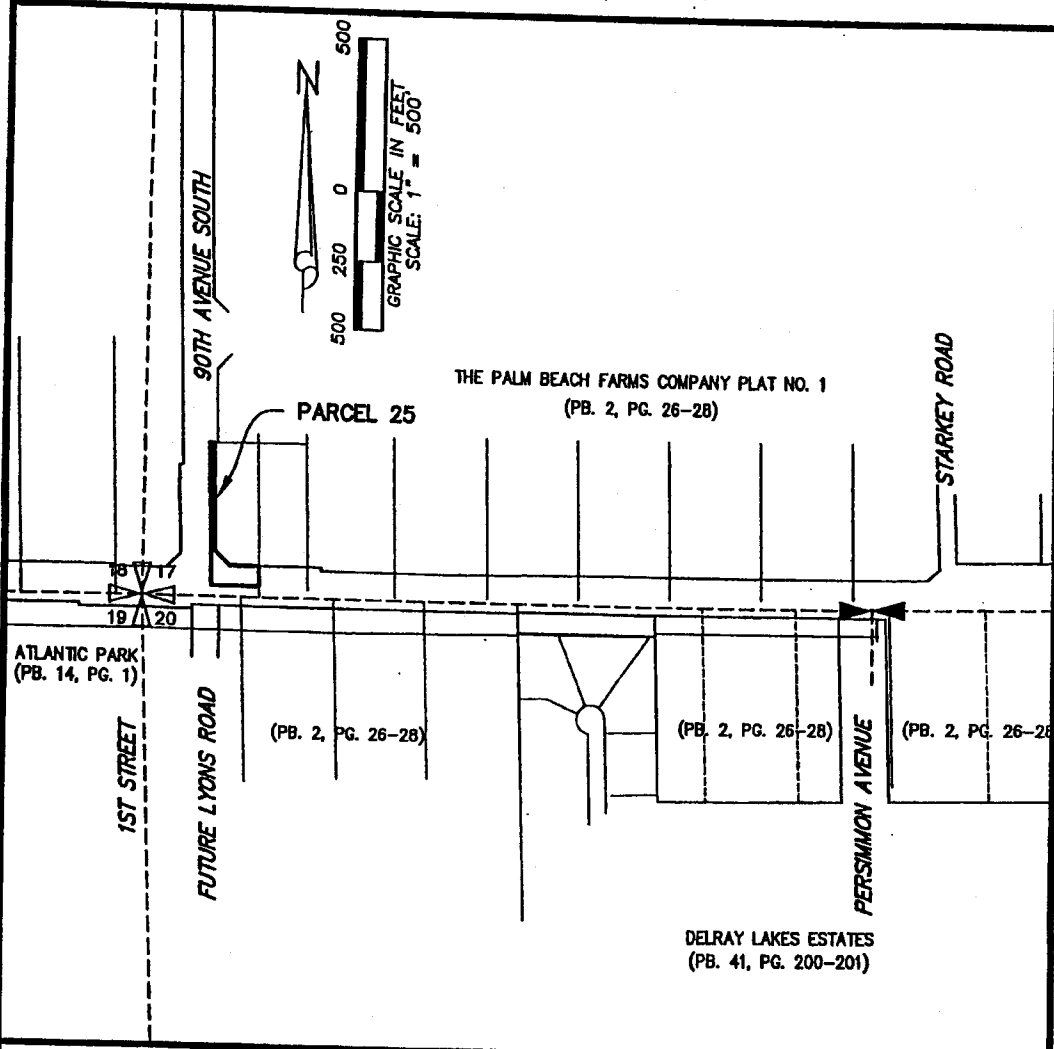
W Wantman Group, Inc.
Engineering ♦ Surveying ♦ Mapping
2035 VISTA PARKWAY, SUITE 100
WEST PALM BEACH, FL 33411
(561) 687-2220 phone
(561) 687-1110 fax
CERTIFICATION NUMBER 6091
LICENSED BUSINESS NUMBER 7055

| | |
|--|-----------------|
| CAD T:\478 Atlantic Ave Design\LegdSketch\dwg\478-25SY1.dwg | |
| REFERENCE | |
| FIELD | JOB 204478.00 |
| DRAWN BY DPK/CPM | DATE 12/17/2007 |
| CHECKED BY TRD | SHEET 1 OF 3 |

Composite EXHIBIT A

DESCRIPTION & SKETCH
 PREPARED FOR:
 PALM BEACH COUNTY, FLORIDA

PARCEL 25
 ATLANTIC AVENUE (SR 806) BETWEEN LYONS ROAD & STARKEY ROAD
 PALM BEACH COUNTY, FLORIDA

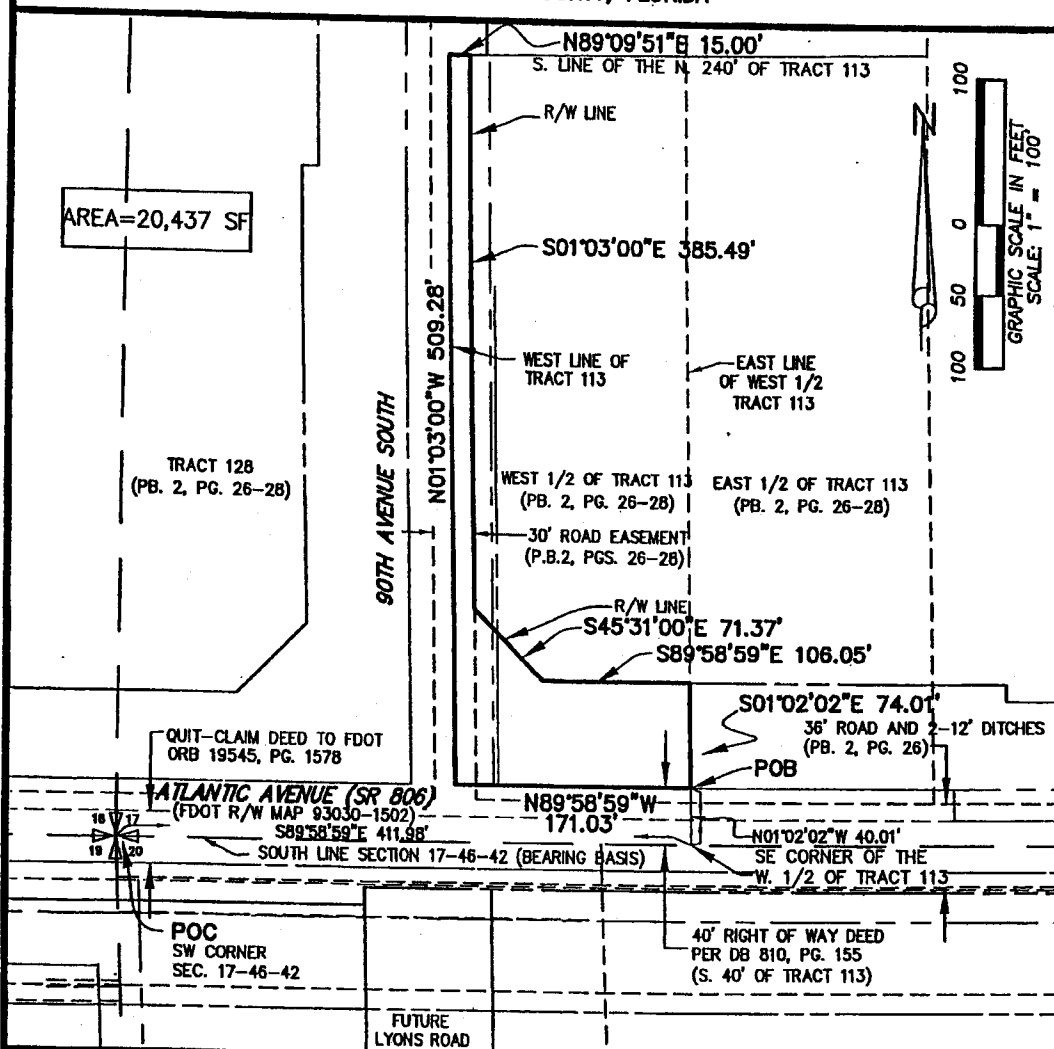


W Wantman Group, Inc.
 Engineering ♦ Surveying ♦ Mapping
 2035 VISTA PARKWAY, SUITE 100
 WEST PALM BEACH, FL 33411
 (561) 687-2220 phone
 (561) 687-1110 fax
 CERTIFICATION NUMBER 6091
 LICENSED BUSINESS NUMBER 7055

| | |
|--|-----------------|
| CAD T:\478 Atlantic Ave Design\Leg&Sketch\dwg\478-25SY1.dwg | |
| REFERENCE | |
| FIELD | JOB 204478.00 |
| DRAWN BY DPK/CPM | DATE 12/17/2007 |
| CHECKED BY TRD | SHEET 2 OF 3 |

DESCRIPTION & SKETCH
 PREPARED FOR:
 PALM BEACH COUNTY, FLORIDA

PARCEL 25
ATLANTIC AVENUE (SR 806) BETWEEN LYONS ROAD & STARKEY ROAD
 PALM BEACH COUNTY, FLORIDA



W Wantman Group, Inc.
 Engineering ♦ Surveying ♦ Mapping
 2035 VISTA PARKWAY, SUITE 100
 WEST PALM BEACH, FL 33411
 (561) 687-2220 phone
 (561) 687-1110 fax
 CERTIFICATION NUMBER 8091
 LICENSED BUSINESS NUMBER 7055

| | |
|--|-----------------|
| CAD T:\478 Atlantic Ave Design\Leg&Sketch\dwg\478-25SY1.dwg | |
| REFERENCE | |
| FIELD | JOB 204478.00 |
| DRAWN BY DPK/CPM | DATE 12/17/2007 |
| CHECKED BY TRD | SHEET 3 OF 3 |

DESCRIPTION & SKETCH

PREPARED FOR:
PALM BEACH COUNTY, FLORIDA

PARCEL 801
PERPETUAL EASEMENT
ATLANTIC AVENUE (SR 806)
PALM BEACH COUNTY, FLORIDA

LEGAL DESCRIPTION

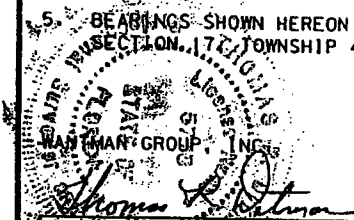
A PARCEL OF LAND LYING IN SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, BEING A PORTION OF TRACT 113 OF THE PALM BEACH FARMS COMPANY PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE SOUTH 89°58'59" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 17, A DISTANCE OF 411.98 FEET; THENCE NORTH 01°02'02" WEST, ALONG THE EAST LINE OF THE WEST HALF OF TRACT 113, A DISTANCE OF 114.02 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°58'59" WEST, ALONG A LINE PARALLEL TO AND 114.00 FEET NORTH OF SAID SOUTHWEST ONE-QUARTER LINE, A DISTANCE OF 106.05 FEET; THENCE NORTH 45°30'59" WEST, A DISTANCE OF 38.54 FEET; THENCE SOUTH 89°58'59" EAST, ALONG A LINE PARALLEL TO AND 141.00 FEET NORTH OF SAID SOUTHWEST ONE-QUARTER LINE, A DISTANCE OF 37.00 FEET; THENCE SOUTH 0°01'01" WEST, A DISTANCE OF 17.00 FEET; THENCE SOUTH 89°58'59" EAST, ALONG A LINE PARALLEL TO AND 124.00 FEET NORTH OF SAID SOUTHWEST ONE-QUARTER LINE, A DISTANCE OF 96.37 FEET; THENCE SOUTH 01°02'02" EAST, A DISTANCE OF 10.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING 1592 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES

1. THIS DRAWING IS NOT A SURVEY.
2. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
3. THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
4. THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY WANTMAN GROUP, INC.
5. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, WHICH BEARS SOUTH 89°58'59" EAST.



THOMAS B. DITZMAN
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NUMBER No. 5763



Wantman Group, Inc.
Engineering ♦ Surveying ♦ Mapping

2035 VISTA PARKWAY, SUITE 100
WEST PALM BEACH, FL 33411
(561) 687-2220 Phone
(561) 687-1110 Fax
CERTIFICATION NUMBER 6091
LICENSED BUSINESS NUMBER 7055

CAD T:\78 Atlantic Ave\Dgn\Survey\Sketch & Legals\FWPSP801.dgn

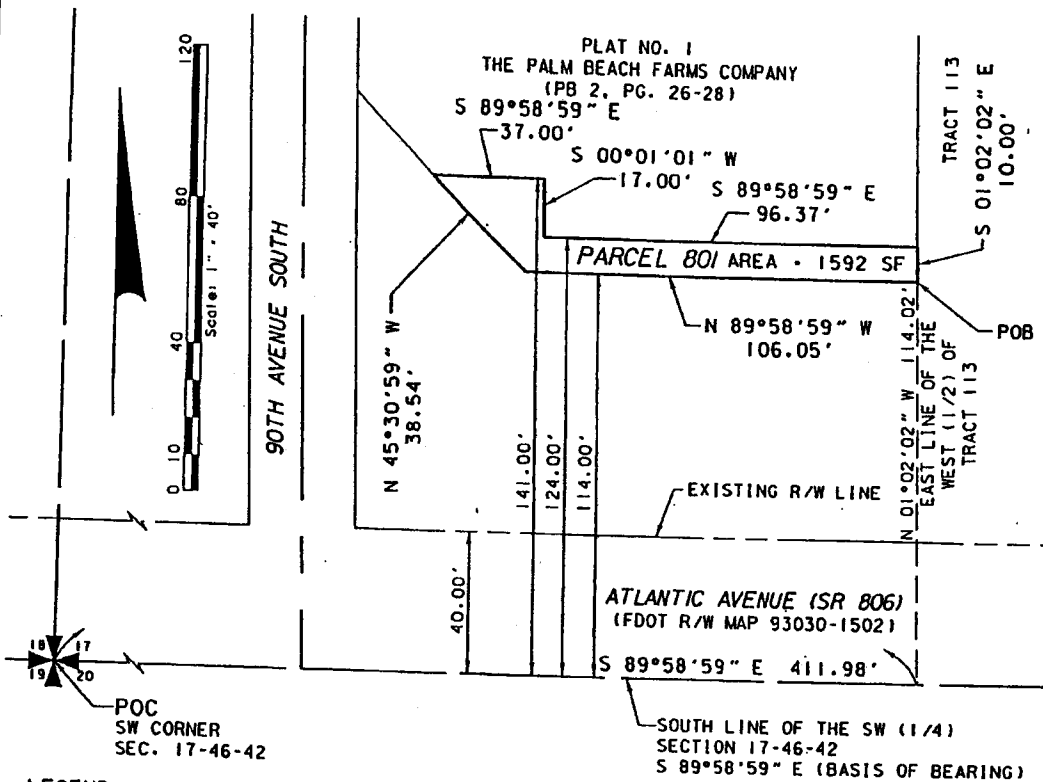
REFERENCE

| | | | |
|------------|-----|-------|-----------|
| FIELD | N/A | JOB | 204478.00 |
| DRAWN BY | KJH | DATE | 12/17/07 |
| CHECKED BY | TRD | SHEET | 1 OF 2 |

DESCRIPTION & SKETCH

PREPARED FOR:
PALM BEACH COUNTY, FLORIDA

PARCEL 801
PERPETUAL EASEMENT
ATLANTIC AVENUE (SR 806)
PALM BEACH COUNTY, FLORIDA



LEGEND:

- FDOT • FLORIDA DEPARTMENT OF TRANSPORTATION
- PB • PLAT BOOK
- PG. • PAGE
- POB • POINT OF BEGINNING
- POC • POINT OF COMMENCEMENT
- R/W • RIGHT-OF-WAY
- SEC. • SECTION
- SF • SQUARE FEET
- SR • STATE ROAD



Wantman Group, Inc.
Engineering ♦ Surveying ♦ Mapping
2035 VISTA PARKWAY, SUITE 100
WEST PALM BEACH, FL 33411
(561) 687-2220 Phone
(561) 687-1110 Fax
CERTIFICATION NUMBER 6091
LICENSED BUSINESS NUMBER 7055

CAD T:\478 Atlantic Ave\LEG&SKETCH\DGN\RWPS\801.dgn

REFERENCE

| FIELD | N/A | JOB | 204478.00 |
|------------|-----|-------|-----------|
| DRAWN BY | KJH | DATE | 11/08/07 |
| CHECKED BY | TRD | SHEET | 2 OF 2 |

DESCRIPTION & SKETCH

PREPARED FOR:
PALM BEACH COUNTY, FLORIDA

PARCEL 901
TEMPORARY EASEMENT
ATLANTIC AVENUE (SR 806)
PALM BEACH COUNTY, FLORIDA

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, BEING A PORTION OF TRACT 113 OF THE PALM BEACH FARMS COMPANY PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

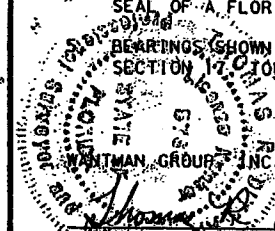
COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE SOUTH 89°58'59" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 17, A DISTANCE OF 411.98 FEET; THENCE NORTH 01°02'02" WEST, ALONG THE EAST LINE OF THE WEST HALF OF TRACT 113, A DISTANCE OF 124.02 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°58'59" WEST, ALONG A LINE PARALLEL TO AND 124.00 FEET NORTH OF SAID SOUTHWEST ONE-QUARTER LINE, A DISTANCE OF 49.00 FEET; THENCE NORTH 0°01'01" EAST, A DISTANCE OF 21.00 FEET; THENCE SOUTH 89°58'59" EAST, ALONG A LINE PARALLEL TO AND 145.00 FEET NORTH OF SAID SOUTHWEST ONE-QUARTER LINE OF SECTION 17, A DISTANCE OF 48.61 FEET; THENCE SOUTH 01°02'02" EAST, ALONG THE EAST LINE OF THE WEST HALF OF TRACT 113, A DISTANCE OF 21.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING 1025 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES

1. THIS DRAWING IS NOT A SURVEY.
2. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
3. THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
4. THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY WANTMAN GROUP, INC.

BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, WHICH BEARS SOUTH 89°58'59" EAST.


THOMAS G. DITTMAN
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NUMBER No. 5763



Wantman Group, Inc.

Engineering ♦ Surveying ♦ Mapping

2035 VISTA PARKWAY, SUITE 100
WEST PALM BEACH, FL 33411
(561) 687-2220 Phone
(561) 687-1110 Fax
CERTIFICATION NUMBER 6091
LICENSED BUSINESS NUMBER 7055

CAD T:\MTB Atlantic Ave\Dgn\Survey\Sketch & Legals\RWSP901.dgn

REFERENCE

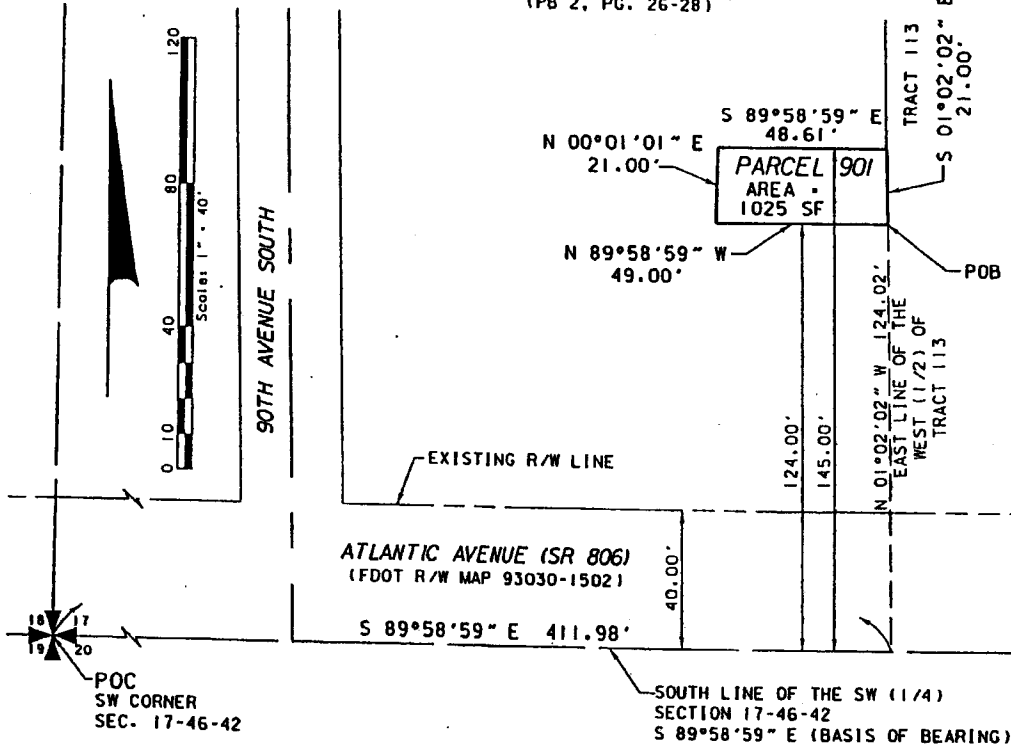
| | | | |
|------------|-----|-------|-----------|
| FIELD | N/A | JOB | 204478.00 |
| DRAWN BY | KJH | DATE | 12/17/07 |
| CHECKED BY | TRD | SHEET | 1 OF 2 |

DESCRIPTION & SKETCH

PREPARED FOR:
PALM BEACH COUNTY, FLORIDA

PARCEL 901
TEMPORARY EASEMENT
ATLANTIC AVENUE (SR 806)
PALM BEACH COUNTY, FLORIDA

PLAT NO. 1
THE PALM BEACH FARMS COMPANY
(PB 2, PG. 26-28)



LEGEND:

- FDOT - FLORIDA DEPARTMENT OF TRANSPORTATION
- PB - PLAT BOOK
- PG. - PAGE
- POB - POINT OF BEGINNING
- POC - POINT OF COMMENCEMENT
- R/W - RIGHT-OF-WAY
- SEC. - SECTION
- SF - SQUARE FEET
- SR - STATE ROAD

W Wantman Group, Inc.
Engineering ♦ Surveying ♦ Mapping
2035 VISTA PARKWAY, SUITE 100
WEST PALM BEACH, FL 33411
(561) 687-2220 Phone
(561) 687-1110 Fax
CERTIFICATION NUMBER 6091
LICENSED BUSINESS NUMBER 7055

CAD T:\M78 Atlantic Ave\Dgn\Survey\Sketch & Legals\FWPSF901.dgn

| REFERENCE | | | |
|------------|-----|-------|-----------|
| FIELD | N/A | JOB | 204478.00 |
| DRAWN BY | KJH | DATE | 12/17/07 |
| CHECKED BY | TRD | SHEET | 2 OF 2 |

DESCRIPTION & SKETCH

PREPARED FOR:
PALM BEACH COUNTY, FLORIDA

PARCEL 903
TEMPORARY CONSTRUCTION EASEMENT
ATLANTIC AVENUE (SR 806)
PALM BEACH COUNTY, FLORIDA

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, BEING A PORTION OF THE WEST ONE-HALF OF TRACT 113, BLOCK 17 OF THE PALM BEACH FARMS COMPANY PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE SOUTH 89°58'59" EAST, ALONG THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 255.96 FEET TO A POINT ON A LINE 15' EAST OF THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE SAID WEST ONE-HALF OF TRACT 113; THENCE NORTH 01°03'00" WEST, ALONG SAID SOUTHERLY EXTENSION, A DISTANCE OF 164.02 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ON SAID LINE 15' EAST OF THE WEST LINE OF THE WEST ONE-HALF OF TRACT 113, NORTH 01°03'00" WEST, A DISTANCE OF 385.49 FEET; THENCE NORTH 89°09'51" EAST, A DISTANCE OF 11.00' FEET; THENCE SOUTH 01°03'00" EAST, A DISTANCE OF 380.95 FEET; THENCE SOUTH 45°31'00" EAST, A DISTANCE OF 39.53 FEET; THENCE NORTH 89°58'59" WEST ALONG A LINE PARALLEL TO AND 141.00 FEET NORTH ON THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 15.70 FEET; THENCE NORTH 45°31'00" WEST, A DISTANCE OF 32.82 FEET TO THE POINT OF BEGINNING.

CONTAINING 4613 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES

1. THIS DRAWING IS NOT A SURVEY.
2. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
3. THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
4. THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY WANTMAN GROUP, INC.
5. THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, WHICH BEARS SOUTH 89°58'59" EAST.

WANTMAN GROUP, INC.



THOMAS R. ALTMAN
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NUMBER No. 5763



W Wantman Group, Inc.
Engineering ♦ Surveying ♦ Mapping
2035 VISTA PARKWAY, SUITE 100
WEST PALM BEACH, FL 33411
(561) 687-2220 Phone
(561) 687-1110 Fax
CERTIFICATION NUMBER 6091
LICENSED BUSINESS NUMBER 7055

CAD: T:\78 Atlantic Ave\Dgn\Survey\Sketch & Legals\RWSP903.dgn

REFERENCE

| | | | |
|------------|-----|-------|-----------|
| FIELD | N/A | JOB | 204478.00 |
| DRAWN BY | KJH | DATE | 12/17/07 |
| CHECKED BY | TRD | SHEET | 1 OF 2 |

DESCRIPTION & SKETCH

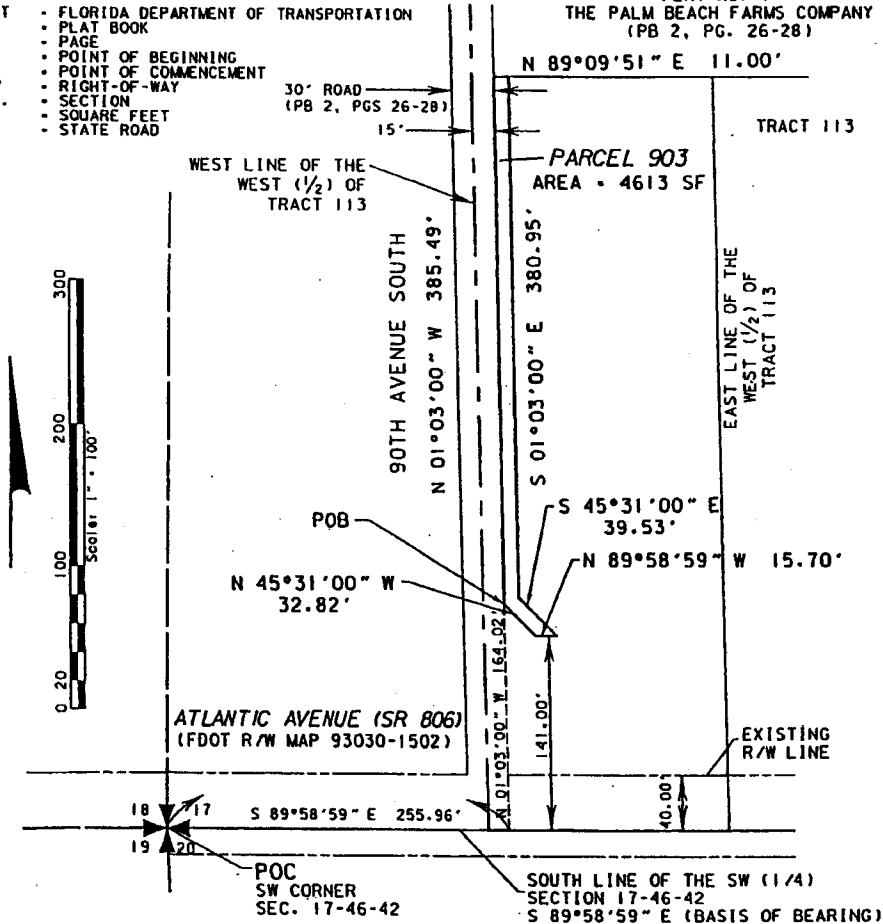
PREPARED FOR:
PALM BEACH COUNTY, FLORIDA

PARCEL 903
TEMPORARY CONSTRUCTION EASEMENT
ATLANTIC AVENUE (SR 806)
PALM BEACH COUNTY, FLORIDA

LEGEND:

- FDOT - FLORIDA DEPARTMENT OF TRANSPORTATION
- PB - PLAT BOOK
- PG. - PAGE
- POB - POINT OF BEGINNING
- POC - POINT OF COMMENCEMENT
- R/W - RIGHT-OF-WAY
- SEC. - SECTION
- SF - SQUARE FEET
- SR - STATE ROAD

PLAT NO. 1
THE PALM BEACH FARMS COMPANY
(PB 2, PG. 26-28)



Wantman Group, Inc.
Engineering ♦ Surveying ♦ Mapping
2035 VISTA PARKWAY, SUITE 100
WEST PALM BEACH, FL 33411
(561) 687-2220 Phone
(561) 687-1110 Fax
CERTIFICATION NUMBER 6091
LICENSED BUSINESS NUMBER 7055

CAD T:\47B Atlantic Ave\Dgn\Survey\Sketch & Legals\RW\SP903.dgn

| REFERENCE | | |
|------------|-----|---------------|
| FIELD | N/A | JOB 204478.00 |
| DRAWN BY | KJH | DATE 12/07/07 |
| CHECKED BY | TRD | SHEET 2 OF 2 |

DESCRIPTION & SKETCH

PREPARED FOR:

PALM BEACH COUNTY, FLORIDA

PARCEL 904

TEMPORARY CONSTRUCTION EASEMENT

ATLANTIC AVENUE (SR 806)

PALM BEACH COUNTY, FLORIDA

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, BEING A PORTION OF THE WEST ONE-HALF OF TRACT 113, BLOCK 17 OF THE PALM BEACH FARMS COMPANY PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE SOUTH 89°58'59" EAST, ALONG THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 240.96 FEET TO A POINT ON THE WEST LINE OF THE SAID WEST ONE-HALF OF TRACT 113; THENCE NORTH 01°03'00" WEST, ALONG SAID WEST LINE, A DISTANCE OF 410.00 FEET; THENCE NORTH 88°57'00" EAST, A DISTANCE OF 26.00 FEET THE POINT OF BEGINNING; THENCE NORTH 01°03'00" WEST, A DISTANCE OF 54.00 FEET; THENCE SOUTH 78°37'12" EAST, A DISTANCE OF 51.20 FEET; THENCE SOUTH 01°03'00" EAST, A DISTANCE OF 34.00 FEET; THENCE SOUTH 78°46'08" WEST, A DISTANCE OF 50.80 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,200 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES

1. THIS DRAWING IS NOT A SURVEY.
2. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
3. THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
4. THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY WANTMAN GROUP, INC.
5. THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, WHICH BEARS SOUTH 89°58'59" EAST.

WANTMAN GROUP, INC.

Thomas R. Dittmann
 THOMAS R. DITTMANN
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NUMBER No. 5763



Wantman Group, Inc.

Engineering ♦ Surveying ♦ Mapping

2035 VISTA PARKWAY, SUITE 100
 WEST PALM BEACH, FL 33411
 (561) 687-2220 Phone
 (561) 687-1110 Fax
 CERTIFICATION NUMBER 6091
 LICENSED BUSINESS NUMBER 7055

| | |
|---|------------|
| CAD: T:\478 Atlantic Ave\Dgn\Survey\Sketch & Legals\RWPS904.dgn | |
| REFERENCE | |
| FIELD | N/A |
| JOB | 204478.00. |
| DRAWN BY | TOL |
| DATE | 12/20/07 |
| CHECKED BY | TRD |
| SHEET | 1 OF 2 |

DESCRIPTION & SKETCH

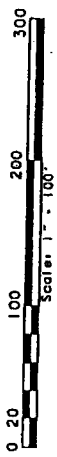
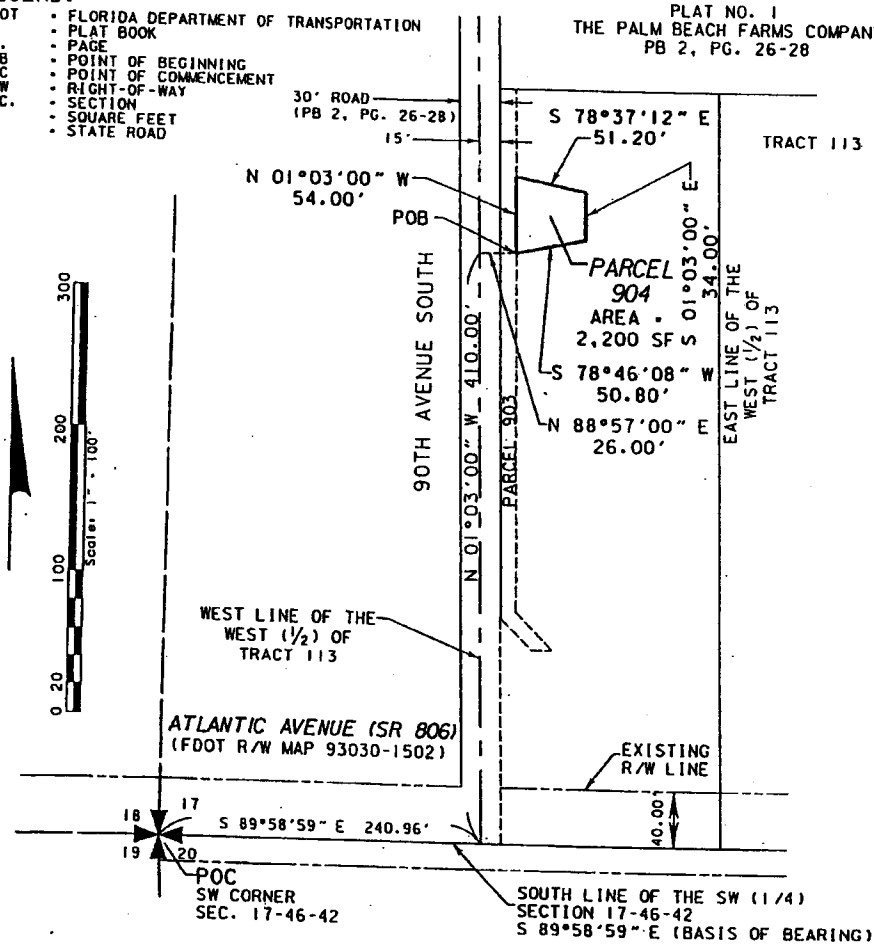
PREPARED FOR:
PALM BEACH COUNTY, FLORIDA

PARCEL 904
TEMPORARY CONSTRUCTION EASEMENT
ATLANTIC AVENUE (SR 806)
PALM BEACH COUNTY, FLORIDA

LEGEND:

- FDOT • FLORIDA DEPARTMENT OF TRANSPORTATION
- PB • PLAT BOOK
- PG. • PAGE
- POB • POINT OF BEGINNING
- POC • POINT OF COMMENCEMENT
- R/W • RIGHT-OF-WAY
- SEC. • SECTION
- SF • SQUARE FEET
- SR • STATE ROAD

PLAT NO. 1
THE PALM BEACH FARMS COMPANY
PB 2, PG. 26-28



W Wantman Group, Inc.
Engineering ♦ Surveying ♦ Mapping
2035 VISTA PARKWAY, SUITE 100
WEST PALM BEACH, FL 33411
(561) 687-2220 Phone
(561) 687-1110 Fax
CERTIFICATION NUMBER 6091
LICENSED BUSINESS NUMBER 7055

CAD T:\478 Atlantic Ave\Dgn\Survey\Sketch & Legals\RWPS904.dgn

| REFERENCE | | | |
|------------|-----|-------|-----------|
| FIELD | N/A | JOB | 204478.00 |
| DRAWN BY | TOL | DATE | 12/20/07 |
| CHECKED BY | TRD | SHEET | 2 OF 2 |



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YY)
09/29/08

PRODUCER The Arnold Insurance Group
3348 NE 32nd Street
Fort Lauderdale, FL 33308
Phone (954)565-5202 Fax (954)565-5485

INSURED Lloyd's Service Center, Inc.
8000 West Atlantic Ave
Delray Beach, FL 33446
954

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

INSURER A: United Property & Casualty

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

COVERAGES

THE POLICIES OF INSURANCE LISTED HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INR LTR | ADDL INSRD | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | LIMITS |
|---------|--------------------------|--|---------------|----------------------------------|-----------------------------------|--|
| A | <input type="checkbox"/> | GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR <input type="checkbox"/> GEN L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC | UGP07000093 | 07/31/08 | 07/31/09 | EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 |
| A | <input type="checkbox"/> | AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON OWNED AUTOS GARAGE LIABILITY <input checked="" type="checkbox"/> ANY AUTO | UGP07000093 | 07/31/08 | 07/31/09 | COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY: EA ACC \$1,000,000 AGG |
| A | <input type="checkbox"/> | EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$ | | | | EACH OCCURRENCE AGGREGATE <input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT |
| A | <input type="checkbox"/> | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER / MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below. OTHER Garage Keepers | UGP07000093 | 07/31/08 | 07/31/09 | \$100,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

The Palm Beach County is listed on the policy as an Additional Insured.

CERTIFICATE HOLDER

Additional Insured:
Palm Beach County
c/o Morton Rose
2300 North Jog Road
West Palm Beach, FL 33411

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE