



**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<u>* see below</u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____
<b>Is Item Included in Current Budget:</b>	Yes _____	No _____			
Budget Account No:	Fund _____	Dept _____	Unit _____	Object _____	
	Program _____				

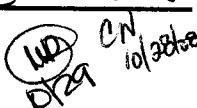
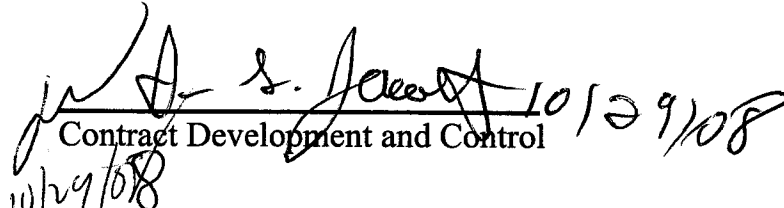
**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

\* No fiscal impact .

**C. Departmental Fiscal Review: \_\_\_\_\_**

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Development Comments:**

<p><u>atwill@its 10.29.08</u> OFMB  </p>	<p><u>J. J. Jones 10/29/08</u> Contract Development and Control  </p>
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**B. Legal Sufficiency:**

James Brubaker 10/31/08  
Assistant County Attorney

**C. Other Department Review:**

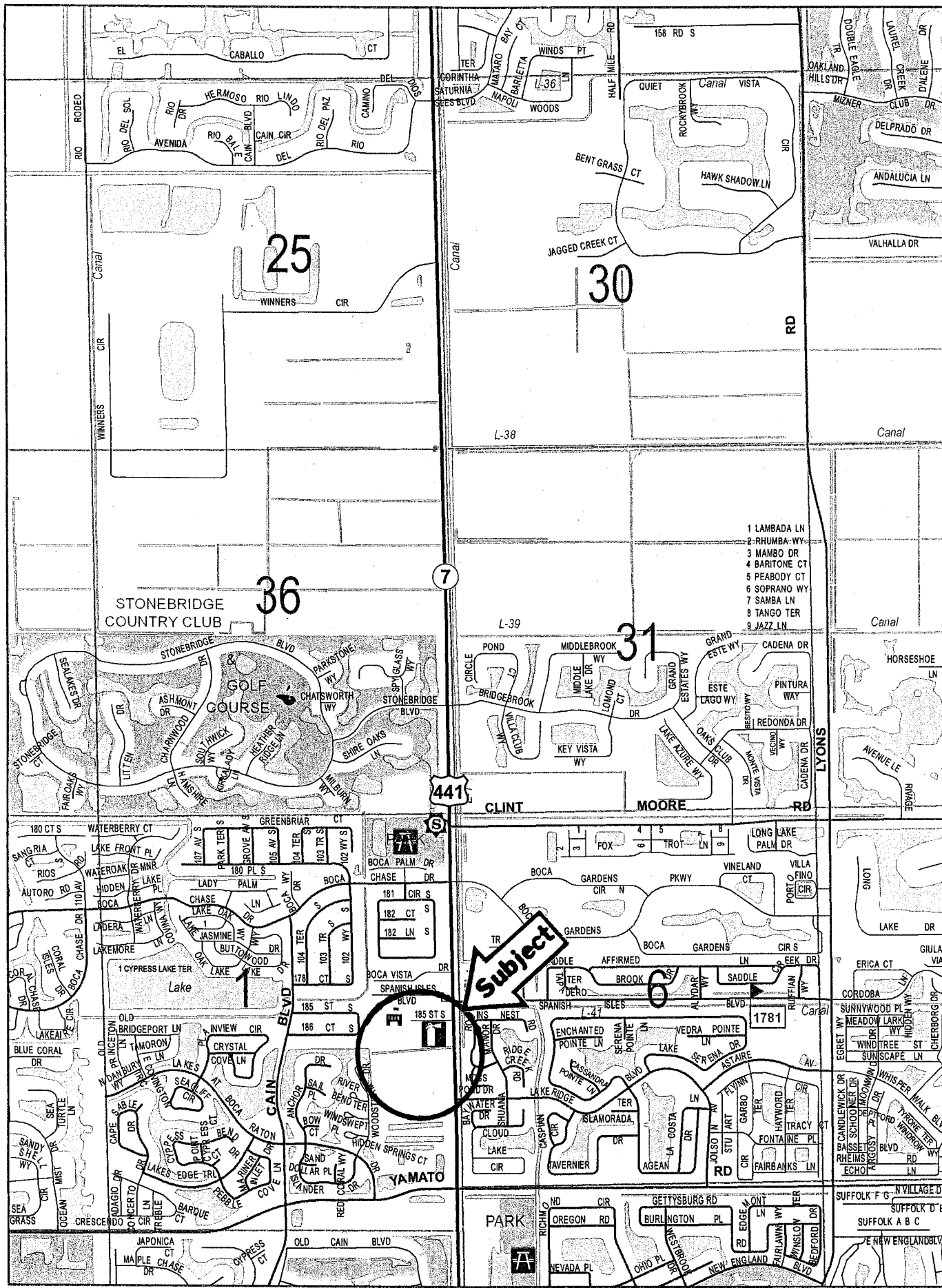
\_\_\_\_\_  
Department Director

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

T46

T

T47



37

38

39

LOCATION MAP  
ATTACHMENT #1

Handwritten signature or initials.

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

PCN(s): 00-41-47-01-01-050-0010 (a portion of)  
00-41-47-01-01-049-0010 (a portion of)  
00-41-47-01-01-049-0020 (a portion of)

## 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 legally described in Exhibit "A" attached hereto and made a part  
hereof (the "Property" or "Easement Premises"); and

**WHEREAS**, County desires to create an easement over, upon and under the 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 in  
gross utility easement for the benefit of County upon the Easement Premises. This easement  
shall be for the purpose of water and sewer utilities and shall include the right at any time to  
install, operate, maintain, service, construct, reconstruct, remove, relocate, repair, replace,  
improve, expand, tie into, and inspect potable water, reclaimed water and/or wastewater lines  
and appurtenant facilities and equipment in, on, over, under and across the Easement  
Premises. This easement or portion thereof can be utilized for a wastewater pump station and  
said pump station may be fenced in for access control purposes.

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: \_\_\_\_\_  
, Chair

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS  
AND CONDITIONS**

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

By: *Anthony Wolf*  
Department Director

**EXHIBIT "A"**

**THE PROPERTY/EASEMENT PREMISES**

**LEGAL DESCRIPTION:**

A UTILITY EASEMENT LYING WITHIN TRACTS 50, 51 AND A PORTION OF TRACT 52, OF FLORIDA FRUIT LANDS CO. SUBDIVISION NO. 2, AS RECORDED IN PLAT BOOK 1, PAGE 102, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID EASEMENT BEING IN SECTION 1, TOWNSHIP 47 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR THE PURPOSE OF THIS DESCRIPTION THE EAST LINE OF SAID SECTION 1 IS ASSUMED TO BEAR NORTH 00°37'51" WEST, PER SURVEY PREPARED BY NORMAN J. HOWARD, P.S.M. IN THE OFFICE OF THE COUNTY ENGINEER, COUNTY OF PALM BEACH, STATE OF FLORIDA, BOARD OF COUNTY COMMISSIONERS PROJECT NO. 2006009-12.

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SAID TRACT 50 OF FLORIDA FRUIT LANDS CO. SUBDIVISION NO. 2, AS RECORDED IN PLAT BOOK 1, PAGE 102, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND A LINE 40.00 FEET WEST OF AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 7, AS RECORDED IN OFFICIAL RECORD BOOK 10523, PAGE 1295 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 00°41'30" EAST, ALONG THE SAID PARALLEL LINE, A DISTANCE OF 765.47 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°41'30" EAST ALONG SAID LINE, A DISTANCE OF 59.62 FEET; THENCE NORTH 89°48'37" WEST, A DISTANCE OF 15.00 FEET; THENCE NORTH 00°41'30" WEST, A DISTANCE OF 39.63 FEET; THENCE NORTH 89°46'19" WEST, A DISTANCE OF 90.45 FEET; THENCE SOUTH 00°41'30" EAST, A DISTANCE OF 12.77 FEET; THENCE SOUTH 89°18'30" WEST, A DISTANCE OF 60.60 FEET; THENCE NORTH 00°03'39" EAST, A DISTANCE OF 20.00 FEET; THENCE NORTH 89°18'30" EAST, A DISTANCE OF 40.33 FEET; THENCE NORTH 00°41'30" WEST, A DISTANCE OF 222.88 FEET; THENCE SOUTH 89°14'21" WEST, A DISTANCE OF 182.69 FEET; THENCE NORTH 45°43'34" WEST, A DISTANCE OF 15.36 FEET; THENCE NORTH 00°41'30" WEST, A DISTANCE OF 39.85 FEET; THENCE NORTH 89°09'58" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 00°41'30" EAST, A DISTANCE OF 30.75 FEET; THENCE NORTH 89°14'21" EAST, A DISTANCE OF 124.96 FEET; THENCE NORTH 00°43'04" WEST, A DISTANCE OF 8.72 FEET; THENCE NORTH 89°44'24" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 00°43'04" EAST, A DISTANCE OF 8.55 FEET; THENCE NORTH 89°14'21" EAST, A DISTANCE OF 27.96 FEET; THENCE NORTH 01°08'42" WEST, A DISTANCE OF 356.08 FEET; THENCE SOUTH 89°18'27" WEST, A DISTANCE OF 62.08 FEET; THENCE NORTH 00°41'33" WEST, A DISTANCE OF 20.00 FEET; THENCE NORTH 89°18'27" EAST, A DISTANCE OF 119.23 FEET; THENCE NORTH 42°49'16" EAST, A DISTANCE OF 39.29 FEET; THENCE NORTH 00°44'00" WEST, A DISTANCE OF 129.51 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 50; THENCE NORTH 89°49'34" EAST, ALONG THE NORTH LINE OF SAID

THIS IS NOT A SURVEY  
SHEET 1 OF 4

<b>MANUCY LAND SURVEYORS, INC.</b> 801 MAPLEWOOD DRIVE, SUITE 9 JUPITER, FLORIDA 33458 PHONE: (561) 427-0855 LB 7383			
SCALE: 1"=80'	DRAWN BY: J.R.Z.	FIELD BOOK:	ORDER NO. 002918
DESCRIPTION OF PALM BEACH COUNTY UTILITY EASEMENT AT WEST BOCA LIBRARY			
PREPARED FOR: MESSIER LAND DEVELOPING, INC.			

**LEGAL DESCRIPTION: (CONTINUED)**

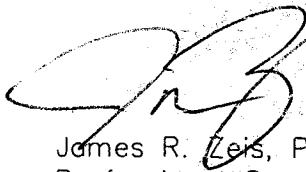
TRACT 50, A DISTANCE OF 20.00 FEET; THENCE SOUTH 00°44'00" EAST, A DISTANCE OF 137.30 FEET; THENCE SOUTH 42°49'16" WEST, A DISTANCE OF 55.87 FEET; THENCE SOUTH 89°18'27" WEST, A DISTANCE OF 22.58 FEET; THENCE SOUTH 00°41'32" EAST, A DISTANCE OF 3.00 FEET; THENCE SOUTH 89°18'27" WEST, A DISTANCE OF 12.00 FEET; THENCE NORTH 00°41'32" WEST, A DISTANCE OF 3.00 FEET; THENCE SOUTH 89°18'27" WEST, A DISTANCE OF 10.60 FEET; THENCE SOUTH 01°08'42" EAST, A DISTANCE OF 366.07 FEET; THENCE SOUTH 00°41'30" EAST, A DISTANCE OF 220.12 FEET; THENCE SOUTH 89°46'19" EAST, A DISTANCE OF 105.45 FEET TO THE POINT OF BEGINNING.

CONTAINING 26,815.55 SQUARE FEET OR 0.616 ACRES, MORE OR LESS.

**SURVEYOR'S CERTIFICATE:**

I hereby certify to the best of my knowledge and belief that this drawing is a true and correct representation of the LEGAL DESCRIPTION AND SKETCH of the real property described hereon. I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 61G17-6 Florida Administrative Code.

Date : 7/09/2008  
Revision 1:  
Revision 2:



James R. Zeis, P.S.M.  
Professional Surveyor & Mapper No. 5030  
State of Florida.

**THIS IS NOT A SURVEY  
SHEET 2 OF 4**

<b>MANUCY LAND SURVEYORS, INC.</b> 801 MAPLEWOOD DRIVE, SUITE 9 JUPITER, FLORIDA 33458 PHONE: (561) 427-0855 LB 7383			
SCALE: 1"=80'	DRAWN BY: J.R.Z.	FIELD BOOK:	ORDER NO. 002918
DESCRIPTION OF PALM BEACH COUNTY UTILITY EASEMENT AT WEST BOCA LIBRARY			
PREPARED FOR: MESSIER LAND DEVELOPING, INC.			



TRACT 49

N89°49'34"E  
20.00'

NORTH LINE OF TRACT 50

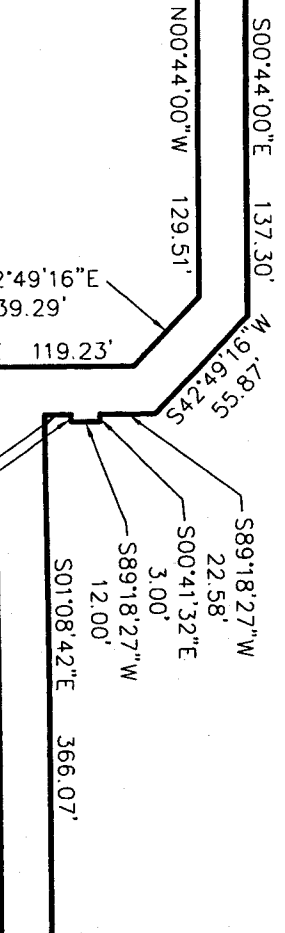
**LEGEND:**

- O.R.B. = OFFICIAL RECORD BOOK
- P.B. = PLAT BOOK
- PG = PAGE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- TWP. = TOWNSHIP
- RGE. = RANGE
- FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
- R/W = RIGHT OF WAY

TRACT 50

FLORIDA FRUIT LANDS CO.  
SUBDIVISION NO. 2  
P.B. 1, PG. 102

MATCH LINE



P.O.C.

40.00'

WEST R/W LINE PER  
O.R.B. 10523, PG. 1295

WEST R/W LINE STATE ROAD 7  
PER FDOT SECTION 93210-2515

STATE ROAD 7  
FDOT SECTION 93210-2515

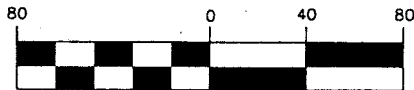
EAST LINE OF SECTION 1 (BEARING BASIS) N00°37'51\"W

BASE LINE & EAST R/W LINE  
PER FDOT SECTION 93210-2515

S00°41'30\"E 765.47'

9 of 9 pages  
Exhibit "A"

GRAPHIC SCALE



( IN FEET )  
1 inch = 80 ft.

THIS IS NOT A SURVEY  
SHEET 3 OF 4

MANUCY LAND SURVEYORS, INC.

801 MAPLEWOOD DRIVE, SUITE 9

JUPITER, FLORIDA 33458

PHONE: (561) 427-0855 LB 7383

SCALE: 1"=80'

DRAWN BY:

FIELD BOOK:

ORDER NO.

DATE: 7/09/2008

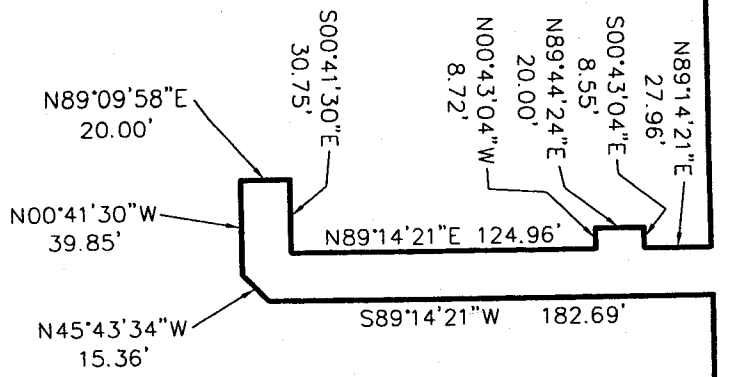
J.R.Z.

002918

SKETCH OF PALM BEACH COUNTY  
UTILITY EASEMENT AT  
WEST BOCA LIBRARY

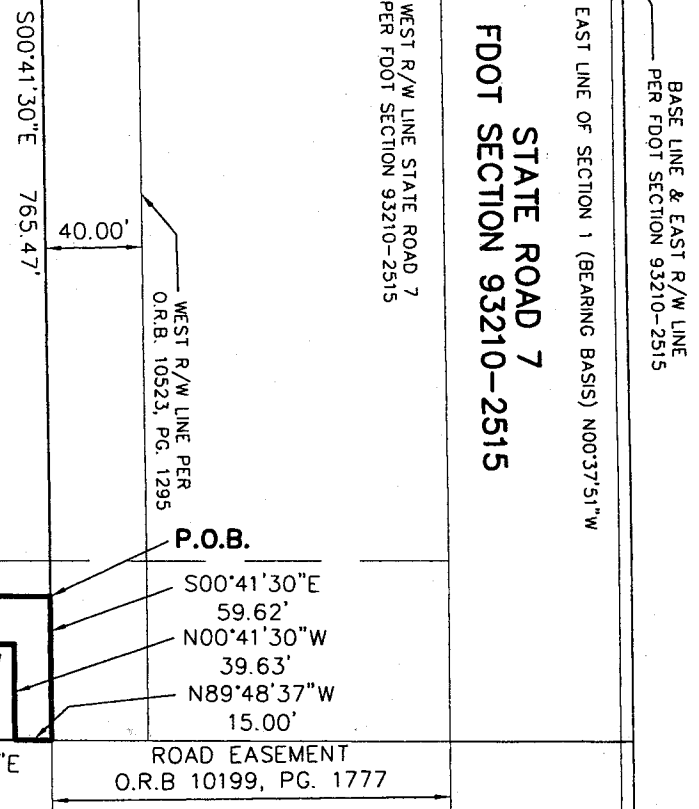
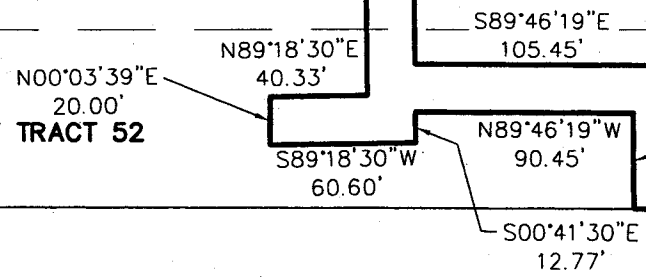
PREPARED FOR: MESSIER LAND DEVELOPING, INC.

MATCH LINE



TRACT 51  
 FLORIDA FRUIT LANDS CO.  
 SUBDIVISION NO. 2  
 P.B. 1, PG. 102

PORTION OF TRACT 52



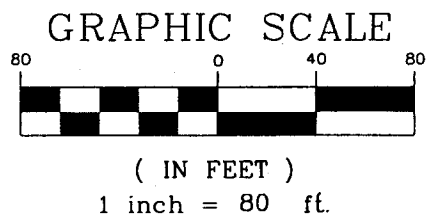
STATE ROAD 7  
 FDOT SECTION 93210-2515

BASE LINE & EAST R/W LINE  
 PER FDOT SECTION 93210-2515

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Page 4 of 6

Exhibit "A"



THIS IS NOT A SURVEY  
 SHEET 4 OF 4

**MANUCY LAND SURVEYORS, INC.**  
 801 MAPLEWOOD DRIVE, SUITE 9  
 JUPITER, FLORIDA 33458  
 PHONE: (561) 427-0855 LB 7383

SCALE: 1"=80'	DRAWN BY: J.R.Z.	FIELD BOOK:	ORDER NO. 002918
DATE: 7/09/2008			

SKETCH OF PALM BEACH COUNTY  
 UTILITY EASEMENT AT  
 WEST BOCA LIBRARY

PREPARED FOR: MESSIER LAND DEVELOPING, INC.

**LEGAL DESCRIPTION:** Exhibit "A"  
Page 5 of 6

A UTILITY EASEMENT LYING WITHIN TRACT 49, OF FLORIDA FRUIT LANDS CO. SUBDIVISION NO. 2, AS RECORDED IN PLAT BOOK 1, PAGE 102, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID EASEMENT BEING IN SECTION 1, TOWNSHIP 47 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 7,547.64 SQUARE FEET OR 0.173 ACRES, MORE OR LESS.

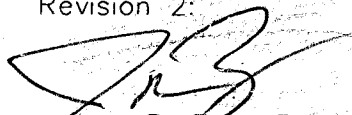
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Date : 7/09/2008

Revision 1:

Revision 2:



James R. Zeis, P.S.M.  
Professional Surveyor & Mapper No. 5030  
State of Florida.

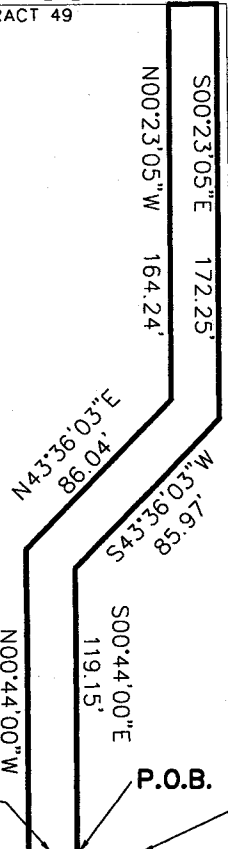
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SHEET 1 OF 2**

<b>MANUCY LAND SURVEYORS, INC.</b> 801 MAPLEWOOD DRIVE, SUITE 9 JUPITER, FLORIDA 33458 PHONE: (561) 427-0855 LB 7383			
SCALE: 1"=80'	DRAWN BY:	FIELD BOOK:	ORDER NO.
DATE: 7/09/2008	J.R.Z.		002918
<b>DESCRIPTION OF PALM BEACH COUNTY UTILITY EASEMENT NORTH OF WEST BOCA LIBRARY</b>			
PREPARED FOR: <b>MESSIER LAND DEVELOPING, INC.</b>			

185TH STREET N89°48'30"E  
SOUTH RIGHT-OF-WAY LINE 20.00'  
NORTH LINE OF TRACT 49

TRACT 49

FLORIDA FRUIT LANDS CO.  
SUBDIVISION NO. 2  
P.B. 1, PG. 102



SOUTH LINE OF TRACT 49 20.00'  
NORTH LINE OF TRACT 50

S89°49'34"W 24.79'

TRACT 50

WEST BOCA LIBRARY

40.00'

WEST R/W LINE PER  
O.R.B. 10523, PG. 1295

WEST R/W LINE STATE ROAD 7  
PER FDOT SECTION 93210-2515

STATE ROAD 7  
FDOT SECTION 93210-2515

EAST LINE OF SECTION 1 (BEARING BASIS) N 00°37'51" W

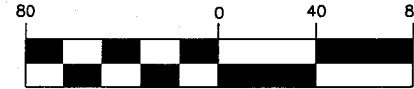
BASE LINE & EAST R/W LINE  
PER FDOT SECTION 93210-2515

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- R/W = RIGHT OF WAY



**GRAPHIC SCALE**



( IN FEET )  
1 inch = 80 ft.

**THIS IS NOT A SURVEY  
SHEET 2 OF 2**

**MANUCY LAND SURVEYORS, INC.**  
801 MAPLEWOOD DRIVE, SUITE 9  
JUPITER, FLORIDA 33458  
PHONE: (561) 427-0855 LB 7383

SCALE: 1"=80'	DRAWN BY: J.R.Z.	FIELD BOOK:	ORDER NO. 002918
DATE: 7/09/2008			

**SKETCH OF PALM BEACH COUNTY  
UTILITY EASEMENT NORTH OF  
WEST BOCA LIBRARY**

PREPARED FOR: **MESSIER LAND DEVELOPING, INC.**