

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: December 16, 2008 Consent [X] Regular []
Public Hearing []

Submitted By: Water Utilities Department
Submitted For: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Release of Utility Easement on land owned by New Country Motor Cars of Palm Beach, LLC.

Summary: This document will release the County's interest in a utility easement (Easement) recorded in the Official Records of Palm Beach County in Book 8371, Page 1302 on land owned by New Country Motor Cars of Palm Beach, LLC. The Water Utilities Department has determined that this Easement is no longer needed, and therefore recommends the release.
District 5 (MJ)

Background and justification: On June 9, 1994, the property owner granted a utility easement to the County on the property designated as PCN 00-42-43-25-25-001-0000. Upon subsequent development of the property, it was determined that the County's pipelines would need to be relocated outside of this easement. On November 3, 2008, the property owner provided a replacement easement for the relocated pipelines and is now requesting release of the easement that the County no longer needs.

Attachments:

1. Two (2) Original Release of Utility Easement
2. Location Map
3. One (1) copy of the Replacement Easement

Recommended By: Bryan 11/19/08
Department Director Date

Approved By: Sharon G. B. 12/1/08
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Budget Account No.: N/A

Is Item Included in Current Budget? Yes___ No

Reporting Category N/A

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

N/A

C. Department Fiscal Review: Anna M. West

III. REVIEW COMMENTS

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

Ann White 11-21-08
OFMB UD 11/21 MD 11/21 CN 11/21/08

Don J. Aronoff 11/24/08
Contract Development and Control Aronoff 11/24/08

B. Legal Sufficiency:

W. L. C. 12/1/08
Assistant County Attorney

C. Other Department Review:

Department Director

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

ATTACHMENT 1

Prepared by and return to:
Palm Beach County Water Utilities Department
Att: Plan Review
8100 Forest Hill Blvd
West Palm Beach, Florida 33413

RELEASE OF UTILITY EASEMENT

THIS RELEASE OF UTILITY EASEMENT, executed this 16th day of December, 2008, by Palm Beach County, a political subdivision of the State of Florida, first party, c/o Water Utilities Department, 8100 Forest Hill Blvd, West Palm Beach, Florida 33413, to New Country Motor Cars of Palm Beach, LLC, whose address is 4000 Okeechobee Boulevard West Palm Beach FL 33409, second party:

WITNESSETH:

THAT the first party, for and in consideration of the sum of \$10.00 (Ten Dollars) in hand paid by the second party, the receipt of which is hereby acknowledged, wishes to terminate, renounce, and release the UTILITY EASEMENT recorded in Official Records Book 8371, Page 1302, Public Records of Palm Beach County, Florida.

THEREBY, the first party hereby releases any and all of its rights, title, and interest in the UTILITY EASEMENT as shown in the sketch and legal description attached hereto and incorporated herein as Exhibit "1A."

IN WITNESS WHEREOF the first party has caused this RELEASE OF UTILITY EASEMENT to be executed as of the day and year first written above.

ATTEST:

Sharon R. Bock, Clerk

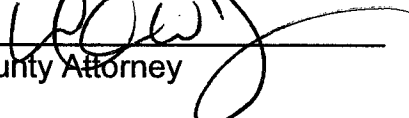
PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY
COMMISSIONERS

By: _____
Deputy Clerk

By: _____
John F. Koons, Chairman

Barry

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: 
County Attorney

AUG-03-1994 10:23am 94-264558

ORB 8371 Pg 1302

Con

10.00 Doc

.70

GRANT OF EASEMENT

Gulf Stream Motors

THIS INDENTURE, made this 9th day of June, 1994
 , between Richard and Mary Lee Bastin party of the first part, and PALM BEACH
 COUNTY, a political subdivision of the State of Florida, whose address is 2030
 South Congress Avenue, West Palm Beach, FL 33406, party of the second part;
 5300 Okeechobee Boulevard, West Palm Beach, FL 33417

WITNESSETH:

THAT, the party of the first part, for and in consideration of the sum
 of One (\$1.00) Dollar and other good and valuable considerations, the receipt
 of which is hereby acknowledged by the party of the first part, has granted
 and does hereby grant, to the party of the second part, its successors and
 assigns, forever, the non exclusive right, privilege and easement to
 construct, reconstruct, lay, install, operate, maintain, relocate, repair,
 replace, improve, remove and inspect water transmission and distribution
 facilities and all appurtenances thereto, with full right to ingress thereto
 and egress therefrom, the property of the party of the first part, described
 as follows, to wit:

ACCEPTED BY
 BOARD OF COUNTY COMMISSIONERS
 DATE 7-19-94

(See Exhibit "A" in two sheets, attached hereto and made a part hereof).

Mock, Roos & Associates, Inc. Drawing No. A-2852.

Return to:
 PALM BEACH COUNTY
 R/W ACQUISITION SECTION
 P.O. BOX 21229
 WEST PALM BEACH FL 33416

Acc 511-721-0006

The party of the first part does hereby fully warrant that it has good
 title to the above described property and that it has full power and authority
 to grant this easement.

IN WITNESS WHEREOF, the party o the first part by its proper officials
has hereunto set its hands and seals the year and day first above written.

Signed and Sealed in the Presence of:

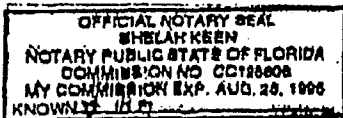
T. Edward Baskin
Notary Public Richard E. Bastin

STATE OF FLORIDA)
COUNTY OF PALM BEACH) SS.

Before me personally appeared, Richard E. Bastin

to me well known and known to me to be the
person described in and who executed the foregoing instrument, and
acknowledged to and before me that he/she executed said instrument for the
purposes therein expressed.

Witness my hand and official seal this 9th day of
June 19 94.



Shela Keen
NOTARY PUBLIC - State of Florida
At Large

My commission expires: 8/28/95

This instrument prepared by: Timothy M. Smith, P.L.S.

Address:

Mock, Roos & Associates, Inc.,
5720 Corporate Way
West Palm Beach, FL 33407

GULFEX01

ORB 8371 Pg 1304

NOTES

1. Bearings shown hereon are based on the East line of Section 25, Township 43 South, Range 42 East, Palm Beach County, Florida. Bearing North 01-58-21 East.
2. Numbered courses as cited in the description represent encircled numbers as shown on the sketch of the subject lands.
3. Information shown hereon does not constitute, nor does it represent, a survey of the subject premises.

DESCRIPTION

A parcel of land lying in Section 25, Township 43 South, Range 42 East, Palm Beach County, Florida, described as follows:

Commencing at an iron rod with LB 48 cap marking the Northeast corner of the South 860 feet of the East Half (E1/2) of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of said Section 25, run thence North 01-58-21 East along the East line of said Section 25, a distance of 552.11 feet to the Point of Beginning; thence... (1) North 88-01-39 West (departing from said East line of Section 25), a distance of 42.00 feet; thence... (2) South 01-58-21 West, a distance of 201.77 feet; thence... (3) North 88-01-39 West, a distance of 114.00 feet; thence... (4) South 01-58-21 West, a distance of 10.00 feet; thence... (5) North 88-01-39 West, a distance of 15.00 feet; thence... (6) North 01-58-21 East, a distance of 10.00 feet; thence... (7) North 88-01-39 West, a distance of 197.34 feet; thence... (8) North 45-00-00 West, a distance of 19.05 feet; thence... (9) North 88-01-39 West, a distance of 14.13 feet; thence... (10) South 01-58-21 West, a distance of 5.00 feet; thence... (11) North 88-01-39 West, a distance of 15.00 feet; thence... (12) North 01-58-21 East, a distance of 5.00 feet; thence... (13) North 88-01-39 West, a distance of 53.00 feet to a point on the East line of Indian Road, as same is described in Official Record Book 4386, Page 1559, Public Records of Palm Beach County, Florida; thence... (14) North 01-57-15 East along said East line, a distance of 20.00 feet; thence... (15) South 88-01-39 East (departing from said East line), a distance of 90.02 feet; thence... (16) South 45-00-00 East, a distance of 19.05 feet; thence... (17) South 88-01-39 East, a distance of 298.46 feet; thence... (18) North 01-58-21 East, a distance of 201.77 feet; thence... (19) South 88-01-39 East, a distance of 62.00 feet to a point on the said East line of Section 25; thence... (20) South 01-58-21 West along said East line of Section 25, a distance of 20.00 feet to the Point of Beginning.

I hereby certify that the sketch and description shown hereon complies with the Minimum Technical Standards as set forth by the Florida Board of Land Surveyors in Chapter 61G17-6, Florida Administrative Code.

Timothy N. Smith, P.L.S.
Florida Certificate No. 4676

SKETCH, NOT A SURVEY

SHEET 1 OF 2
EXHIBIT "A"

REV:	MOCK, ROOS & ASSOCIATES, INC. ENGINEERS • SURVEYORS • PLANNERS 5720 CORPORATE WAY WEST PALM BEACH, FLORIDA 33407 Phone: 407 683-3113 Fax: 407 478-7248	DESCRIPTION AND SKETCH 20 FOOT WATER EASEMENT IN TOWNSHIP 43 SOUTH, RANGE 42 EAST, SECTION 25 AS PREPARED FOR GULF STREAM MOTORS MERCEDES - BENZ	SCALE: NONE
FIELD:			DATE: 04/19/94
DRAWN: A. PIAZZA			P.A. NO. 92144.02
APPROVED: <i>TH</i>			DR. NO. A-2852

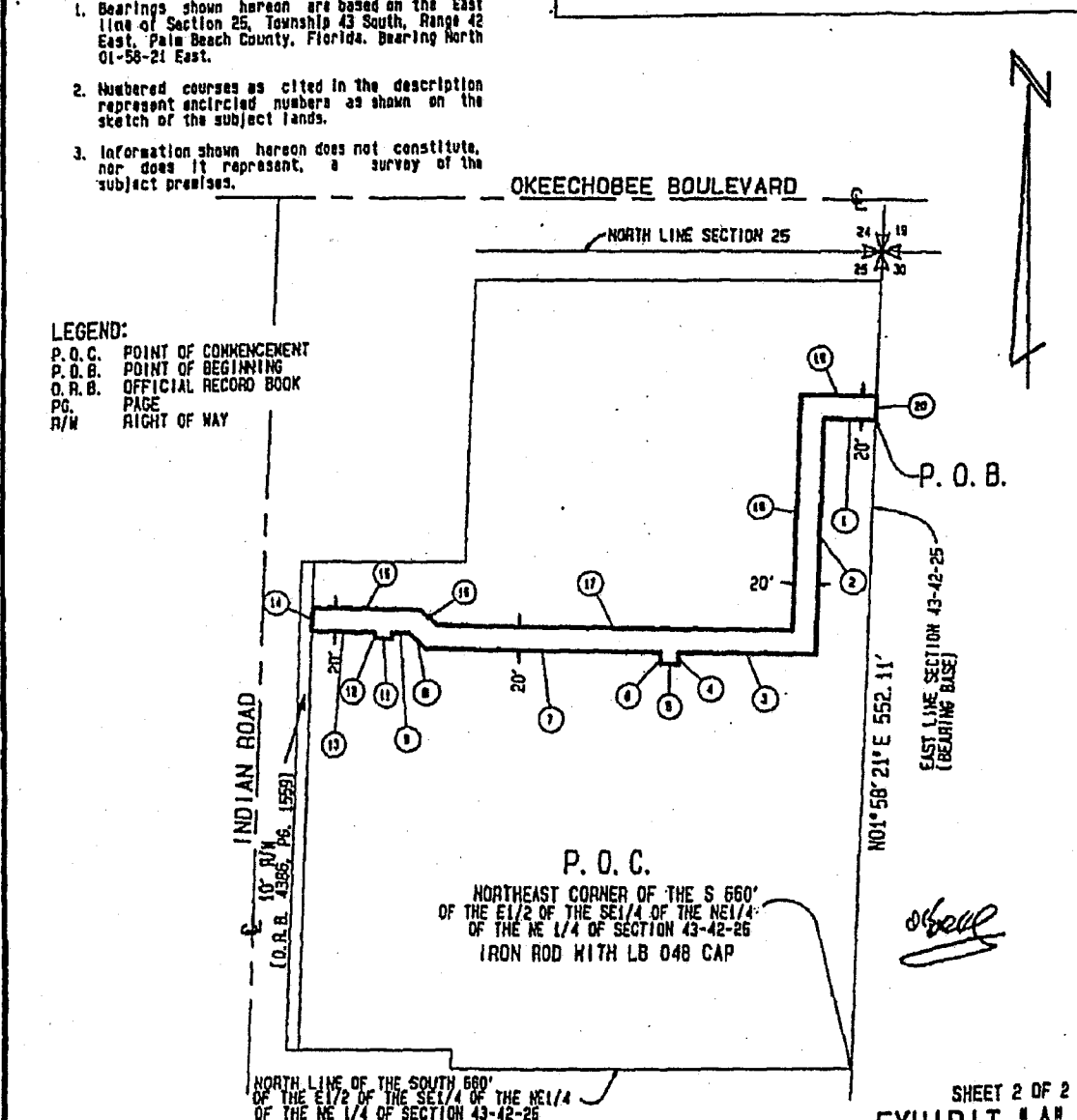
ORR 8371 Pg 1305
DOROTHY H WILKEN
CLERK OF THE COURT - PB COUNTY, FL

NOTES:

1. Bearings shown hereon are based on the East line of Section 25, Township 43 South, Range 42 East, Palm Beach County, Florida. Bearing North 01-58-21 East.
2. Numbered courses as cited in the description represent encircled numbers as shown on the sketch of the subject lands.
3. Information shown hereon does not constitute, nor does it represent, a survey of the subject premises.

LEGEND:


LEGEND:
P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
O.R.B. OFFICIAL RECORD BOOK
PG. PAGE
R/W RIGHT OF WAY



SHEET 2 OF 2

EXHIBIT "A"

SKETCH, NOT A SURVEY

REV:
FIELD:
DRAWN: A. PIAZZA
APPROVED: 

MOCK, ROOS & ASSOCIATES, INC.
ENGINEERS • SURVEYORS • PLANNERS
6720 CORPORATE WAY
WEST PALM BEACH, FLORIDA 33407
Phone: 407 683-3113 Fax: 407 478-7248

DESCRIPTION AND SKETCH
20 FOOT WATER EASEMENT
IN TOWNSHIP 43 SOUTH,
RANGE 42 EAST, SECTION 26
AS PREPARED FOR
GULF STREAM MOTORS
MERCEDES - BENZ

SCALE: 1"=120'
DATE: 04/19/94
P. A. NO. 92144.02
DB. NO. A-2852

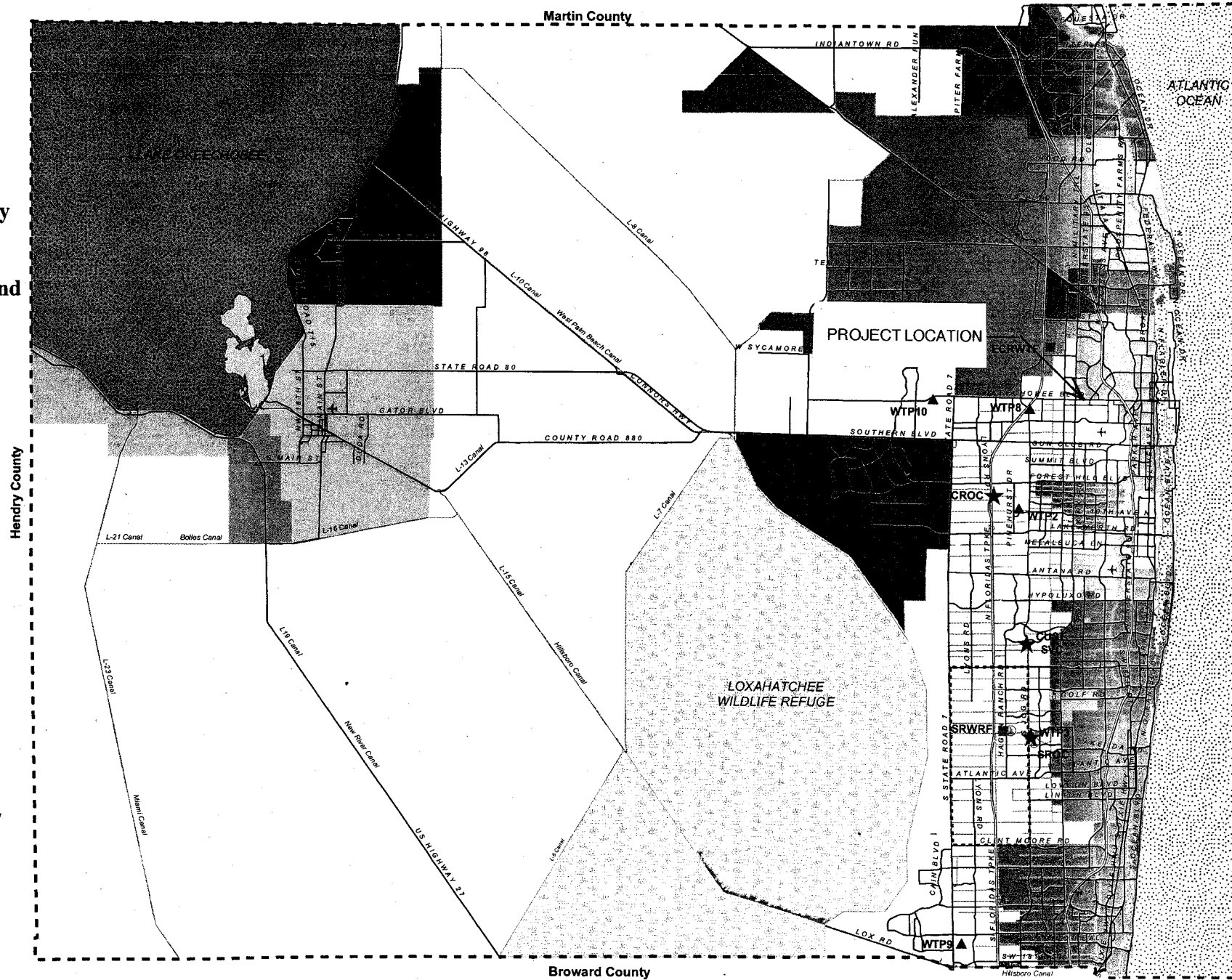
ATTACHMENT 2



Palm Beach County Water Utilities Department Service Area (SA) and Major Facilities

Legend

- P.B.C.W.U.D. SA
- Mandatory Reclaimed SA
- - - - - Palm Beach County Limits
- ★ Administration
- Water Reclamation Facility
- ▲ Water Treatment Facility
- ① Wetlands



Prepared by and Return to:
Lawrence C. Griffin, Esq.
Haile, Shaw & Pfaffenberger, P.A.
660 U.S. Highway One, Third Floor
North Palm Beach, Florida 33408
WUD File # 08-586

CFN 20080398073
OR BK 22933 PG 0956
RECORDED 10/31/2008 11:19:53
Palm Beach County, Florida
AMT 10.00
Doc Stamp 0.70
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 0956 - 968; (13pgs)

UTILITY EASEMENT

THIS EASEMENT is made, granted and entered into this 24th day of October, 2008, by NEW COUNTRY MOTOR CARS OF PALM BEACH, LLC (hereinafter referred to as "Grantor"), whose address is 4000 Okeechobee Blvd., West Palm Beach, FL 33409, to Palm Beach County (hereinafter referred to as "Grantee"), c/o Water Utilities Department, P.O. Box 16097, West Palm Beach, Florida 33416-6097.

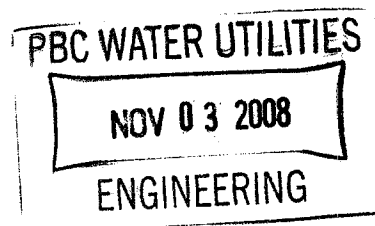
WITNESSETH

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by the Grantee and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to the Grantee, its successors and assigns, a perpetual utility easement which shall permit Grantee authority to enter upon the property of the Grantor 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 hereby granted covers a strip of land lying, situate and being in Palm Beach County, Florida, and being more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Grantor hereby covenants that it is lawfully seized and in possession of the real property herein described and that it has good and lawful right to grant the aforesaid easement free and clear of mortgages and other encumbrances unless specifically stated to the contrary. The Consent and Subordination of the Existing Mortgagee is attached hereto.

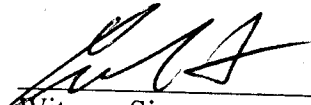
{Client Files\N419\005\00016674.DOC V1}



IN WITNESS WHEREOF, the Grantor has hereunto set its hand and affixed its seal as of the date first above written.

WITNESSES:

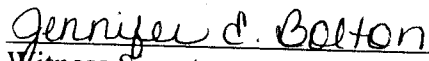
Signed, sealed and delivered
In the presence of:



Witness Signature

Carl Leuchten

Print Name



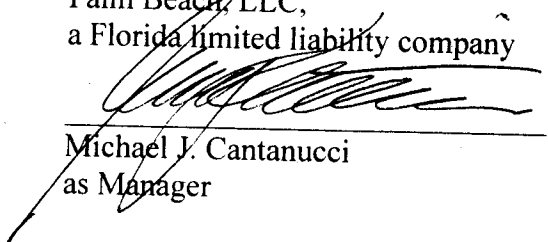
Witness Signature

Jennifer E. Bolton

Print Name

GRANTOR:

New Country Motor Cars of
Palm Beach LLC,
a Florida limited liability company

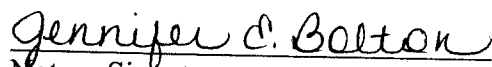


Michael J. Cantanucci
as Manager

NOTARY CERTIFICATE

STATE OF NEW YORK
COUNTY OF SARATOGA

The foregoing instrument was acknowledged before me 24th day of October, 2008 by Michael J. Cantanucci as Manager of New Country Motor Cars of Palm Beach, LLC, who is personally known to me.



Notary Signature

Jennifer E. Bolton

Typed Printed Stamped Name of Notary

JENNIFER E. BOLTON
Notary Public, State of New York
Qualified in Saratoga County
My Commission Expires April 30, 2011

Prepared by and Return to:
Lawrence C. Griffin, Esq.
Haile, Shaw & Pfaffenberger, P.A.
660 U.S. Highway One, Third Floor
North Palm Beach, Florida 33408
WUD file # 08-586

CONSENT AND SUBORDINATION OF MORTGAGE FOR UTILITY EASEMENT

The undersigned Mortgagee hereby consents to the granting of this Utility Easement across the lands herein described, and agrees that its mortgages, which are recorded in Official Records Book 19876, Page 1502, (as modified in Official Records Book 21029, Page 816, Official Records Book 22093, Page 1597 and Official Records Book 22507, Page 588) and Official Records Book 22507, Page 640 all of the Public Records of Palm Beach County, Florida, shall be subordinated to this Utility Easement.

IN WITNESS WHEREOF, the Mortgagee has hereunto set its hand and affixed its seal as the date first above written.

WITNESSES:

Signed, sealed and delivered
In the presence of:

Katharine Fox
Witness Signature

Katharine Fox
Print Name

[Signature]
Witness Signature

Jeremiah Albright
Print Name

MORTGAGEE:

Name of Mortgagee:

Manufacturers and Traders Trust
Company, Individually and in its
capacity as Agent for other Lenders

Robert H. Hauver
Robert H. Hauver
Director

NOTARY CERTIFICATE

STATE OF MARYLAND
COUNTY OF BALTIMORE CITY

The foregoing instrument was acknowledged before me 30th day of October 2008 by Robert H Hauver as Director of Manufacturers and Traders Trust Company, Individually and in its capacity as agent for other Lenders, who is personally known to me or has produced Md. Drivers License as identification.

Juanita Barnett
Notary Signature

Juanita Barnett
Typed Printed Stamped Name of Notary

Notary Stamp

MY COMMISSION
EXPIRES 10-28-2011



LEGAL DESCRIPTION:

THREE PARCELS OF LAND SITUATE IN SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST; AND IN SECTION 30, TOWNSHIP 43 SOUTH, RANGE 43 EAST; BEING A PORTION OF TRACT A, MERCEDES BENZ OF PALM BEACH, M.U.P.D., AS RECORDED IN PLAT BOOK 105, PAGES 90 AND 91; A PORTION OF THE AMENDED PLAT OF BLOCKS 1, 2, 3, 4, 5, 6 AND THE NORTHERN PART OF BLOCK A WEST GATE ESTATES, AS RECORDED IN PLAT BOOK 9, PAGE 20, A PORTION OF SHARON'S REPLAT OF PORTIONS OF WEST GATE ESTATES, AS RECORDED IN PLAT BOOK 15, PAGE 64; AND A PORTION OF WEST GATE ESTATES, AS RECORDED IN PLAT BOOK 8, PAGE 38, ALL RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LYING 10.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINES: (FOR EASEMENTS NO. 1, 2, 3, 4, 5 AND 6 ONLY)

EASEMENT NO. 1

COMMENCING AT THE WESTERNMOST NORTHWEST CORNER OF THE PLAT OF MERCEDES BENZ OF PALM BEACH, M.U.P.D., AS RECORDED IN PLAT BOOK 105, PAGES 90 AND 91 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE WEST LINE OF SAID PLAT, SOUTH 01°57'15" WEST, A DISTANCE OF 49.85 FEET; THENCE, DEPARTING SAID WEST PLAT LINE, SOUTH 87°49'59" EAST, A DISTANCE OF 16.96 FEET; THENCE SOUTH 80°33'58" EAST, A DISTANCE OF 63.85 FEET; THENCE NORTH 74°13'30" EAST, A DISTANCE OF 60.19 FEET TO POINT OF BEGINNING NO. 1; THENCE SOUTH 88°13'06" EAST, A DISTANCE OF 42.89 FEET TO POINT "A"; THENCE NORTH 01°46'54" EAST, A DISTANCE OF 135.08 FEET; THENCE NORTH 46°58'15" EAST, A DISTANCE OF 24.00 FEET; THENCE SOUTH 88°01'45" EAST, A DISTANCE OF 213.64 FEET; THENCE NORTH 46°30'03" EAST, A DISTANCE OF 75.69 FEET; THENCE NORTH 62°59'25" EAST, A DISTANCE OF 2.88 FEET TO POINT "B"; THENCE CONTINUE NORTH 62°59'25" EAST A DISTANCE OF 0.79 FEET TO POINT "C"; THENCE CONTINUE NORTH 62°59'25" EAST A DISTANCE OF 93.06 FEET; THENCE SOUTH 88°28'19" EAST, A DISTANCE OF 40.00 FEET TO POINT "D"; THENCE CONTINUE SOUTH 88°28'19" EAST, A DISTANCE OF 110.39 FEET; THENCE SOUTH 01°31'41" WEST, A DISTANCE OF 165.00 FEET TO POINT "E"; THENCE NORTH 88°28'19" WEST, A DISTANCE OF 22.00 FEET TO THE POINT OF TERMINATION OF CENTERLINE NO. 1.

TOGETHER WITH EASEMENT NO. 2:

BEGINNNING AT POINT "A"; THENCE SOUTH 88°13'06" EAST A DISTANCE OF 15.00 FEET; THENCE NORTH 61°46'54" EAST A DISTANCE OF 12.50 FEET; THENCE SOUTH 88°13'06" EAST A DISTANCE OF 89.47 FEET; THENCE SOUTH 01°46'54" WEST A DISTANCE OF 50.00 FEET TO THE POINT OF TERMINATION OF CENTERLINE NO. 2.

(CONTINUED ON SHEET 2 OF 9)

SHEET 1 OF 9

SEC. 25, TWP. 43S., RGE. 42 E.

REV: 09-11-08	FL. E.B. NO. 48	FL. L.B. NO. 48	UTILITY EASEMENT MERCEDES BENZ OF PALM BEACH SECT 25, TWP 43 S, RGE 42 E SECT 30, TWP 43 S, RGE 43 E	SCALE: N/A
FIELD: -	MOCK ROOS ENGINEERS, SURVEYORS, PLANNERS 5720 Corporate Way, West Palm Beach, Florida 33407 (561) 683-3113, fax 478-7248			DATE: 07-25-08
DRAWN: MAG				P.A.NO. A5063.13
APPR: <i>MAG</i>				DR. NO. A-4476

LEGAL DESCRIPTION:

(CONTINUED FROM SHEET 1 OF 9)

TOGETHER WITH EASEMENT NO. 3:
BEGINNNING AT POINT "B"; THENCE NORTH 42°36'11" WEST A DISTANCE OF 41.08 FEET TO THE POINT OF TERMINATION OF CENTERLINE NO. 3.

TOGETHER WITH EASEMENT NO. 4:
BEGINNNING AT POINT "C"; THENCE SOUTH 01°31'41" WEST A DISTANCE OF 43.81 FEET TO THE POINT OF TERMINATION OF CENTERLINE NO. 4.

TOGETHER WITH EASEMENT NO. 5:
BEGINNNING AT POINT "D"; THENCE SOUTH 01°31'41" WEST A DISTANCE OF 39.00 FEET TO THE POINT OF TERMINATION OF CENTERLINE NO. 5.

EASEMENT NOS. 1, 2, 3, 4 AND 5 CONTAIN 23,454.85 SQUARE FEET OR 0.54 ACRES, MORE OR LESS.

EASEMENT NO. 6
COMMENCING AT AFOREMENTIONED POINT "E"; THENCE SOUTH 88°28'19" EAST A DISTANCE OF 10.00 FEET TO A POINT ON THE EAST LINE OF THE ABOVE DESCRIBED EASEMENT NO. 1; THENCE, ALONG A SOUTHERLY EXTENSION OF SAID EAST LINE, SOUTH 01°31'41" WEST A DISTANCE OF 31.59 FEET TO POINT OF BEGINNING NO. 6; THENCE, DEPARTING SAID SOUTHERLY EXTENSION, SOUTH 36°52'02" WEST A DISTANCE OF 31.00 FEET TO THE POINT OF TERMINATION OF CENTERLINE NO. 6.



CONTAINING 620.00 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

THE SIDES OF THE ABOVE-DESCRIBED EASEMENTS SHALL BE LENGTHENED OR SHORTENED, AS NECESSARY. IN ORDER TO MAINTAIN A CONTINUOUS STRIP OF LAND 20.00 FEET IN WIDTH, AND TO INTERSECT OWNERSHIP BOUNDARIES.

EASEMENT NO. 7
COMMENCING AT THE WESTERNMOST NORTHWEST CORNER OF SAID PLAT OF MERCEDES BENZ, M.U.P.D; THENCE, ALONG SAID WEST PLAT LINE, SOUTH 01°57'15" WEST, A DISTANCE OF 39.85 FEET TO POINT OF BEGINNING NO. 7; THENCE, DEPARTING SAID WEST PLAT LINE, SOUTH 87°49'59" EAST, A DISTANCE OF 17.63 FEET; THENCE SOUTH 80°33'58" EAST, A DISTANCE OF 72.53 FEET; THENCE NORTH 69°02'01" EAST, A DISTANCE OF 49.96 FEET; THENCE SOUTH 09°35'32" EAST, A DISTANCE OF 20.40 FEET; THENCE SOUTH 69°02'01" WEST, A DISTANCE OF 51.37 FEET; THENCE NORTH 80°33'58" WEST, A DISTANCE OF 22.99 FEET; THENCE NORTH 01°58'21" EAST, A DISTANCE OF

(CONTINUED ON SHEET 3 OF 9)

SHEET 2 OF 9
SEC. 25, TWP. 43 S., RGE. 42 E.

REV: 09-11-08	FL. E.B. NO. 48	FL. L.B. NO. 48	UTILITY EASEMENT MERCEDES BENZ OF PALM BEACH SECT 25, TWP 43 S, RGE 42 E SECT 30, TWP 43 S, RGE 43 E	SCALE: N/A
FIELD: -				DATE: 07-25-08
DRAWN: MAG				P.A.NO. A5063.13
APPR: MH 				5720 Corporate Way, West Palm Beach, Florida 33407 (561) 683-3113, fax 478-7248

LEGAL DESCRIPTION:

(CONTINUED FROM SHEET 2 OF 9)

EASEMENT NO. 7 (CONT.)

3.84 FEET; THENCE NORTH 88°01'39" WEST, A DISTANCE OF 16.97 FEET; THENCE SOUTH 02°02'13" WEST, A DISTANCE OF 1.62 FEET; THENCE NORTH 80°33'58" WEST, A DISTANCE OF 36.58 FEET; THENCE NORTH 87°49'59" WEST, A DISTANCE OF 16.29 FEET TO THE WEST LINE OF SAID PLAT; THENCE, ALONG SAID WEST PLAT LINE, NORTH 01°57'15" EAST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,798.30 SQUARE FEET OR 0.06 ACRES, MORE OR LESS.

EASEMENT NO. 8

COMMENCING AT THE SOUTHWEST CORNER OF LOT 33, BLOCK 7, WEST GATE ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 38 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE, ALONG THE SOUTH LINE OF SAID BLOCK 7, SOUTH 88°28'19" EAST A DISTANCE OF 23.50 FEET TO POINT OF BEGINNING NO. 8; THENCE, NORTH 01°31'41" EAST A DISTANCE OF 10.00 FEET; THENCE, SOUTH 88°28'19" EAST A DISTANCE OF 20.00 FEET; THENCE, SOUTH 01°31'41" WEST A DISTANCE OF 10.00 FEET TO A POINT ON SAID SOUTH LINE OF BLOCK 7, THENCE, ALONG SAID SOUTH LINE, NORTH 88°28'19" WEST A DISTANCE OF 20.00 FEET TO POINT OF BEGINNING NO. 8.

CONTAINING 200.00 SQUARE FEET OR 0.005 ACRES, MORE OR LESS.

THE EIGHT EASEMENT PARCELS CONTAIN 27,073.15 SQUARE FEET OR 0.62 ACRES, MORE OR LESS.

NOT VALID WITHOUT
ACCOMPANYING SKETCH
SHEETS 4 THROUGH 9 OF 9

NOTES:

1. INFORMATION SHOWN HEREON DOES NOT CONSTITUTE NOR DOES IT REPRESENT, A SURVEY OF THE SUBJECT PREMISES.
2. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA-LICENSED SURVEYOR AND MAPPER.
3. MOCK, ROOS AND ASSOCIATES, INC., LICENSED AUTHORIZATION NO. LB-048.
4. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF THE PLAT OF MERCEDES BENZ OF PALM BEACH, M.U.P.D., AS RECORDED IN PLAT BOOK 105, PAGES 90 AND 91 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, HAVING A BEARING OF SOUTH 01°58'21" WEST.


MANUEL A. GUTIERREZ
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 4102

SHEET 3 OF 9
SEC. 25, TWP. 43 S., RGE. 42 E.

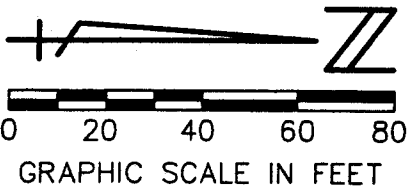
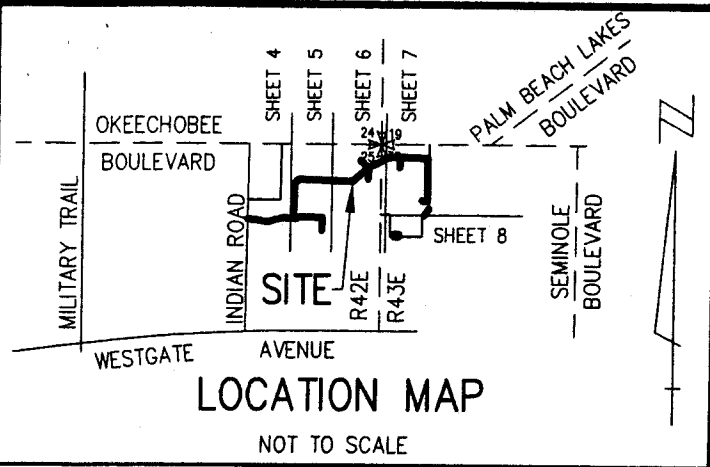
REV: 09-11-08	FL. E.B. NO. 48	FL. L.B. NO. 48	UTILITY EASEMENT MERCEDES BENZ OF PALM BEACH	SCALE: N/A
FIELD: —	 MOCK • ROOS ENGINEERS • SURVEYORS • PLANNERS		SECT 25, TWP 43 S, RGE 42 E	DATE: 07-25-08
DRAWN: MAG			SECT 30, TWP 43 S, RGE 43 E	P.A.NO. A5063.13
APPR: MHC 	5720 Corporate Way, West Palm Beach, Florida 33407 (561) 683-3113, fax 478-7248			DR. NO. A-4476

PLOT DATE: Sep 15, 2008 - 9:52am

DWG: S:\nrmc\ncmcke2\dwg\ake2ak02.dwg
XREFS: BASE.dwg IMAGES:

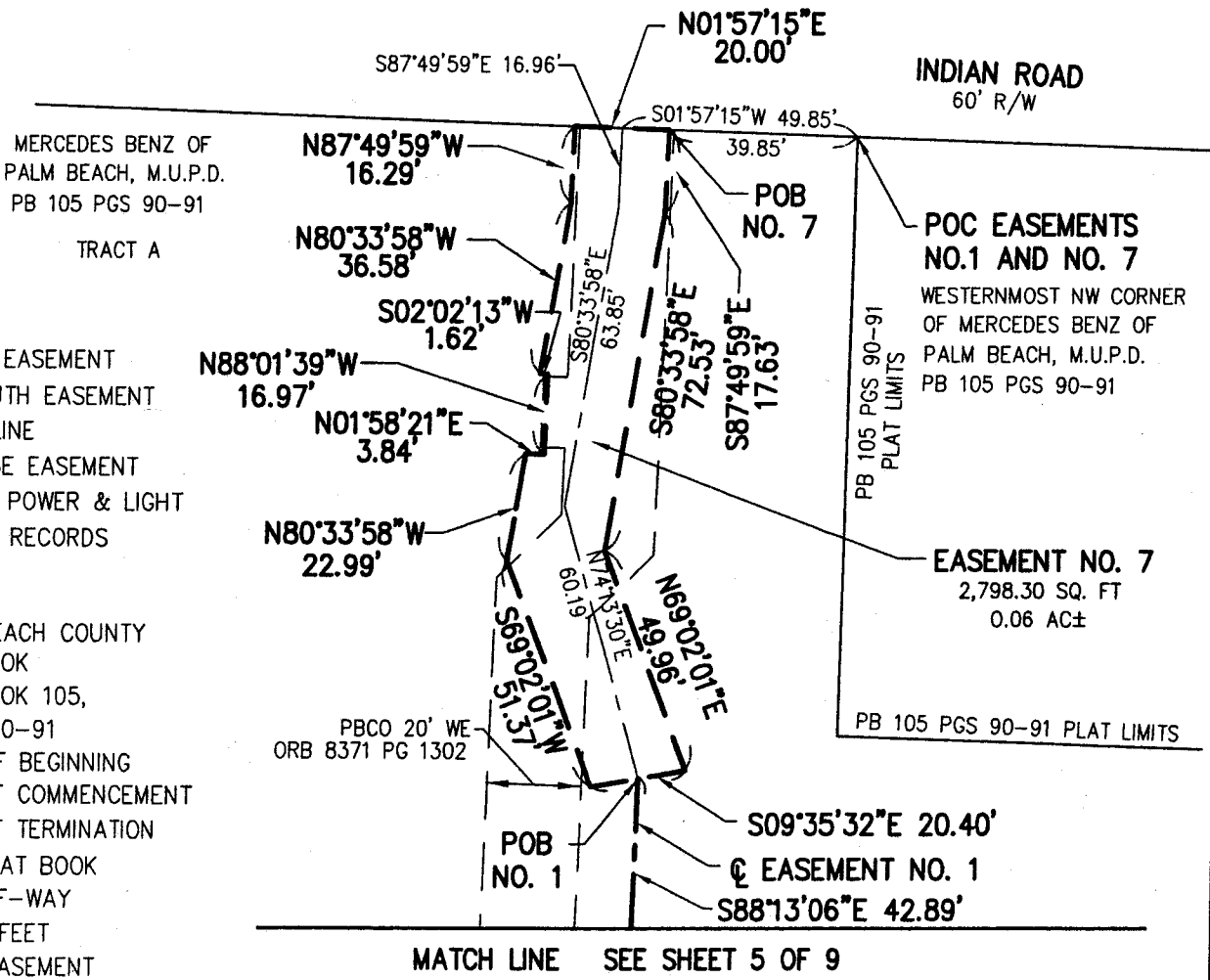
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- 3. MOCK, ROOS AND ASSOCIATES, INC., LICENSED AUTHORIZATION NO. LB-048.
- 4. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF THE PLAT OF MERCEDES BENZ OF PALM BEACH, M.U.P.D., AS RECORDED IN PLAT BOOK 105, PAGES 90 AND 91 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, HAVING A BEARING OF SOUTH 01°58'21" WEST.



LEGEND

- BE BUFFER EASEMENT
- BSE BELLSOUTH EASEMENT
- CL CENTERLINE
- DE DRAINAGE EASEMENT
- FPL FLORIDA POWER & LIGHT
- ORB OFFICIAL RECORDS BOOK
- PG(S) PAGE(S)
- PBCO PALM BEACH COUNTY
- PB PLAT BOOK
- (P1) PLAT BOOK 105, PAGES 90-91
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- POT POINT OF TERMINATION
- RPB ROAD PLAT BOOK
- R/W RIGHT-OF-WAY
- SQ.FT. SQUARE FEET
- WE WATER EASEMENT

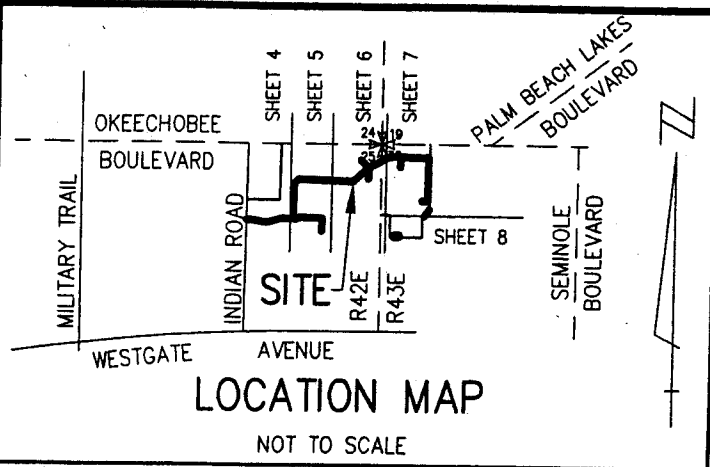


SHEET 4 OF 9
SEC. 25, TWP. 43 S., RGE. 42 E.

REV: 09-11-08	FL. E.B. NO. 48	FL. L.B. NO. 48	UTILITY EASEMENT MERCEDES BENZ OF PALM BEACH	SCALE: 1"=40'
FIELD: -	MOCK • ROOS ENGINEERS • SURVEYORS • PLANNERS		5720 Corporate Way, West Palm Beach, Florida 33407 (561) 683-3113, fax 478-7248	DATE: 07-25-08
DRAWN: MAG				P.A.NO. A5063.13
APPR: MHC			SECT 25, TWP 43 S, RGE 42 E SECT 30, TWP 43 S, RGE 43 E	DR. NO. A-4476

NOTES:

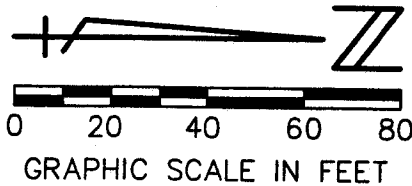
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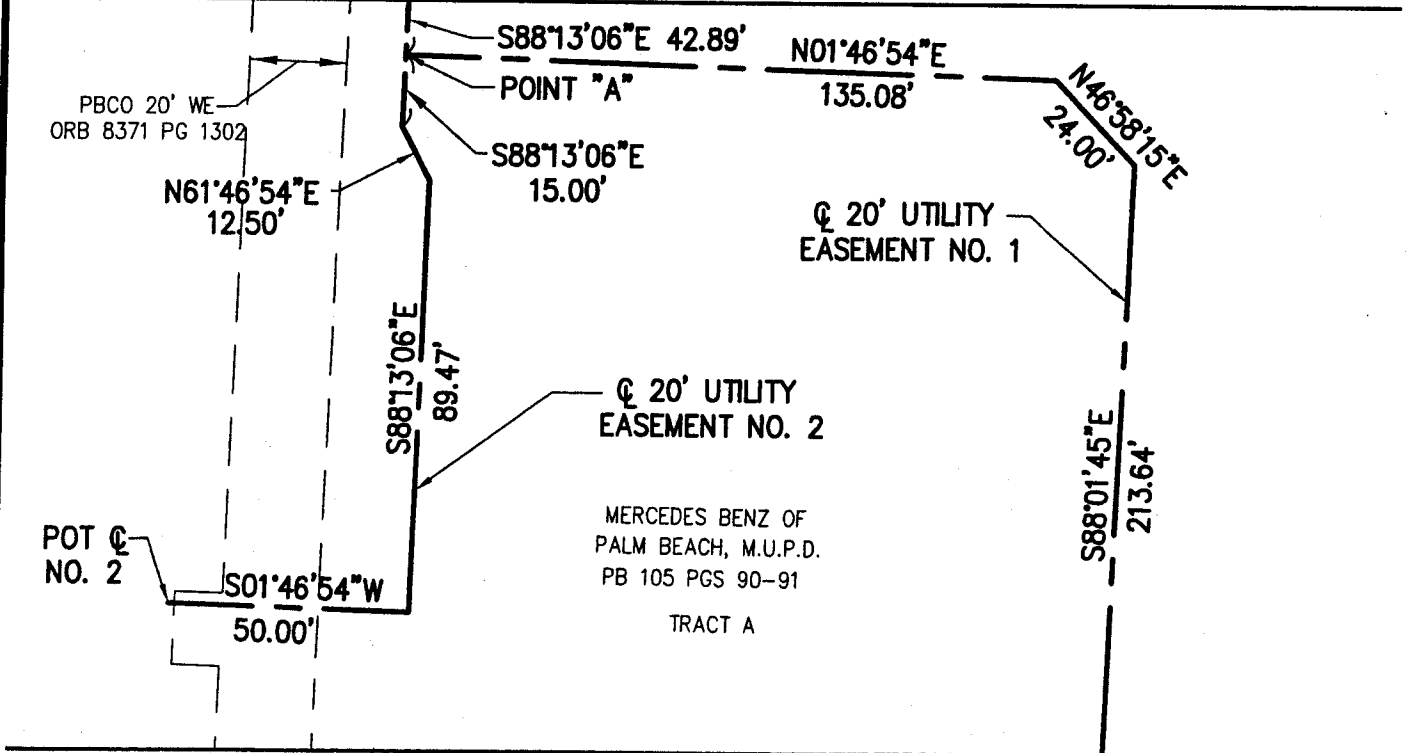
LEGEND

- BE BUFFER EASEMENT
BSE BELLSOUTH EASEMENT
CL CENTERLINE
DE DRAINAGE EASEMENT
FPL FLORIDA POWER & LIGHT
ORB OFFICIAL RECORDS BOOK
PG(S) PAGE(S)
PBCO PALM BEACH COUNTY
PB PLAT BOOK

- (P1) PLAT BOOK 105, PAGES 90-91
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
POT POINT OF TERMINATION
RPB ROAD PLAT BOOK
R/W RIGHT-OF-WAY
SQ.FT. SQUARE FEET
WE WATER EASEMENT



MATCH LINE SEE SHEET 4 OF 9



MATCH LINE SEE SHEET 6 OF 9

SHEET 5 OF 9

SEC. 25, TWP. 43 S., RGE. 42 E.

REV: 08-15-08
FIELD: -
DRAWN: MAG
APPR: MHC

FL. E.B. NO. 48

FL. L.B. NO. 48

MOCK • ROOS
ENGINEERS • SURVEYORS • PLANNERS

5720 Corporate Way, West Palm Beach, Florida 33407
(561) 683-3113, fax 478-7248

UTILITY EASEMENT
MERCEDES BENZ OF PALM BEACH

SECT 25, TWP 43 S, RGE 42 E
SECT 30, TWP 43 S, RGE 43 E

SCALE: 1"=40'
DATE: 07-25-08
P.A.NO. A5063.13
DR. NO. A-4476

EXHIBIT " 1 "



NOT TO SCALE

NOTES:

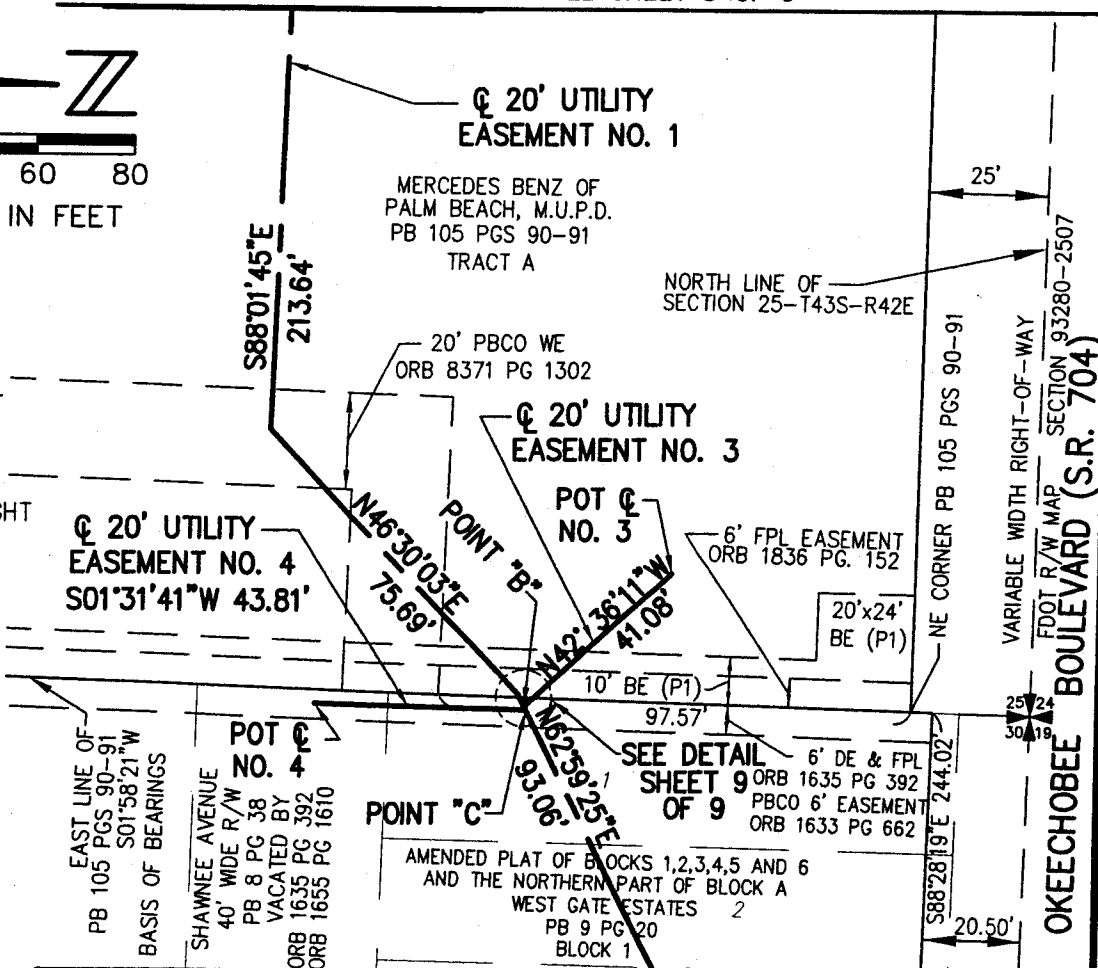
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MATCH LINE SEE SHEET 5 OF 9



LEGEND

- | | | |
|--------|-----------------------|---|
| BE | BUFFER EASEMENT | — |
| BSE | BELLSOUTH EASEMENT | |
| C | CENTERLINE | |
| DE | DRAINAGE EASEMENT | — |
| FPL | FLORIDA POWER & LIGHT | |
| ORB | OFFICIAL RECORDS | |
| | BOOK | |
| PG(S) | PAGE(S) | |
| PBCO | PALM BEACH COUNTY | — |
| PB | PLAT BOOK | — |
| (P1) | PLAT BOOK 105, | — |
| | PAGES 90-91 | |
| POB | POINT OF BEGINNING | |
| POC | POINT OF | |
| | COMMENCEMENT | |
| POT | POINT OF TERMINATION | — |
| RPB | ROAD PLAT BOOK | |
| R/W | RIGHT-OF-WAY | |
| SQ.FT. | SQUARE FEET | |
| WE | WATER EASEMENT | |

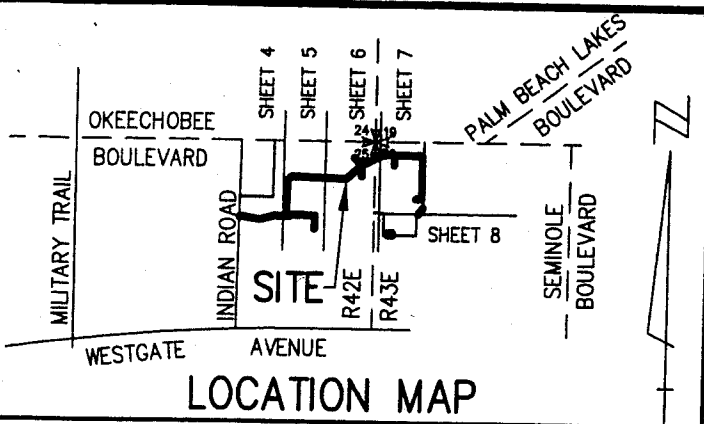


MATCH LINE SEE SHEET 7 OF 9

SHEET 6 OF 9

SEC. 25, TWP. 43 S., RGE. 42 E.

REV: 08-15-08	FL. E.B. NO. 48	FL. L.B. NO. 48	UTILITY EASEMENT	SCALE: 1"=40'
FIELD: —	 MOCK • ROOS ENGINEERS • SURVEYORS • PLANNERS	MERCEDES BENZ OF PALM BEACH	DATE: 07-25-08	
DRAWN: MAG			P.A.NO. A5063.13	
APPR: MHC <i>new</i>			DR. NO. A-4476	
5720 Corporate Way, West Palm Beach, Florida 33407		SECT 25, TWP 43 S, RGE 42 E		
(561) 683-3113, fax 478-7248		SECT 30, TWP 43 S, RGE 43 E		

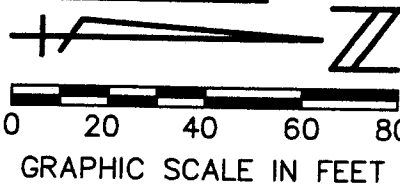


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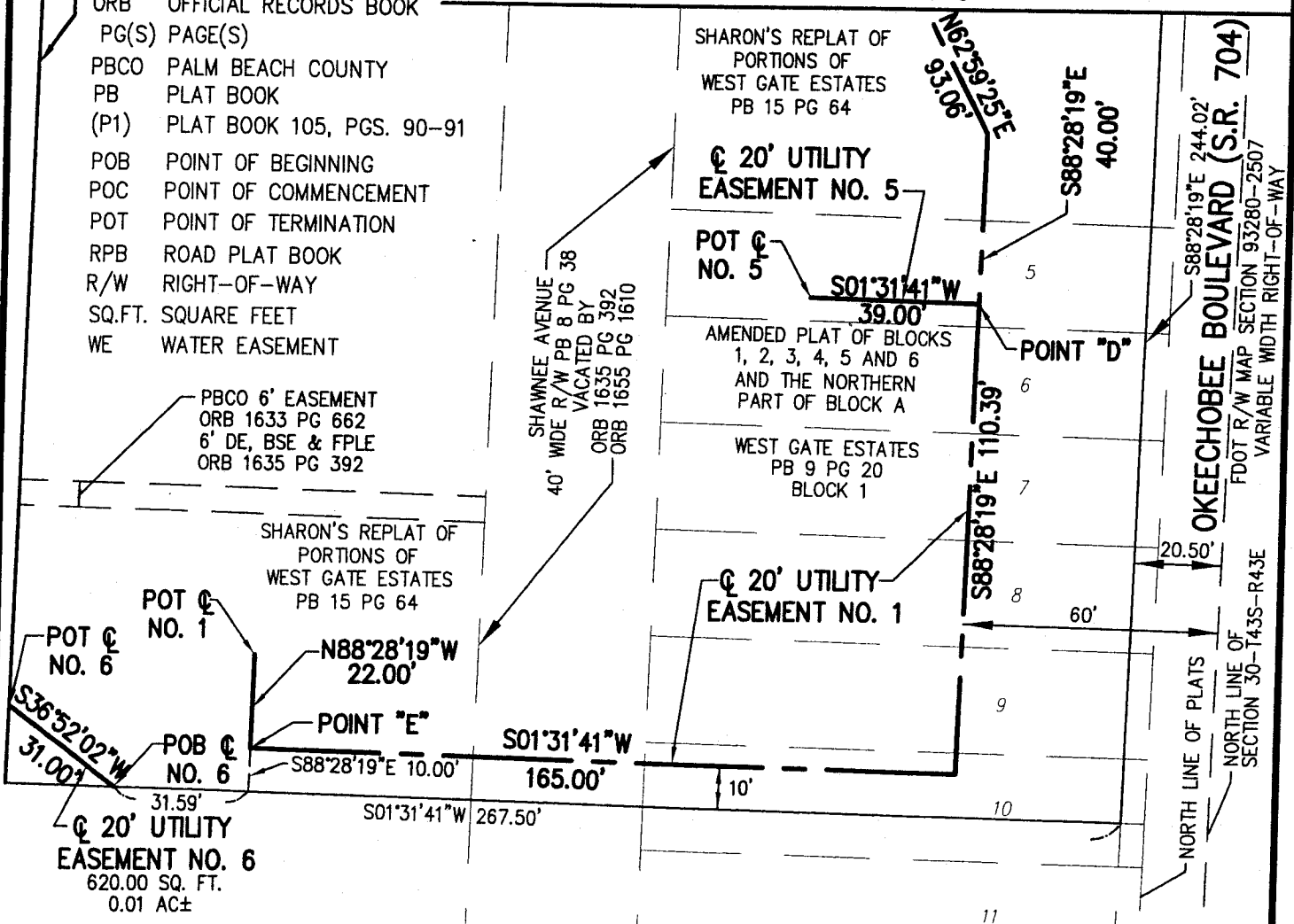
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LEGEND NOT TO SCALE

- BE BUFFER EASEMENT
- BSE BELLSOUTH EASEMENT
- CL CENTERLINE
- DE DRAINAGE EASEMENT
- FPL FLORIDA POWER & LIGHT
- ORB OFFICIAL RECORDS BOOK
- PG(S) PAGE(S)
- PBCO PALM BEACH COUNTY
- PB PLAT BOOK
- (P1) PLAT BOOK 105, PGS. 90-91
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- POT POINT OF TERMINATION
- RPB ROAD PLAT BOOK
- R/W RIGHT-OF-WAY
- SQ.FT. SQUARE FEET
- WE WATER EASEMENT



MATCH LINE SEE SHEET 6 OF 9



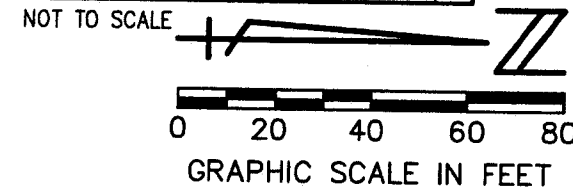
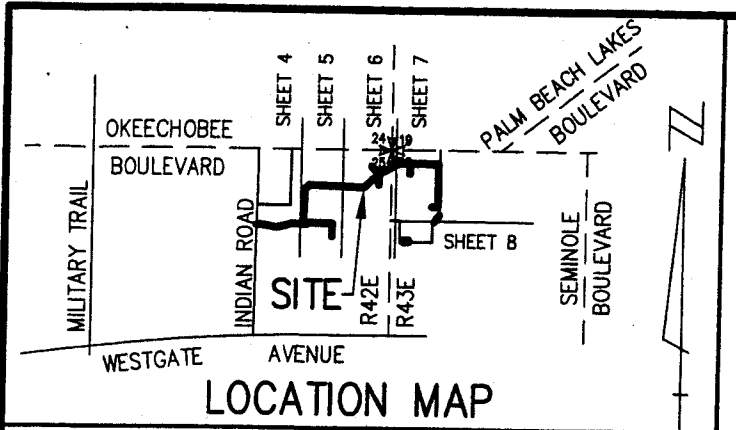
SHEET 7 OF 9
SEC. 25, TWP. 43 S., RGE. 42 E.

REV: 10-03-08
FIELD: -
DRAWN: MAG
APPR: MHC

FL. E.B. NO. 48
FL. L.B. NO. 48
MOCK • ROOS
ENGINEERS • SURVEYORS • PLANNERS
5720 Corporate Way, West Palm Beach, Florida 33407
(561) 683-3113, fax 478-7248

UTILITY EASEMENT
MERCEDES BENZ
OF PALM BEACH
SECT 25, TWP 43 S, RGE 42 E
SECT 30, TWP 43 S, RGE 43 E

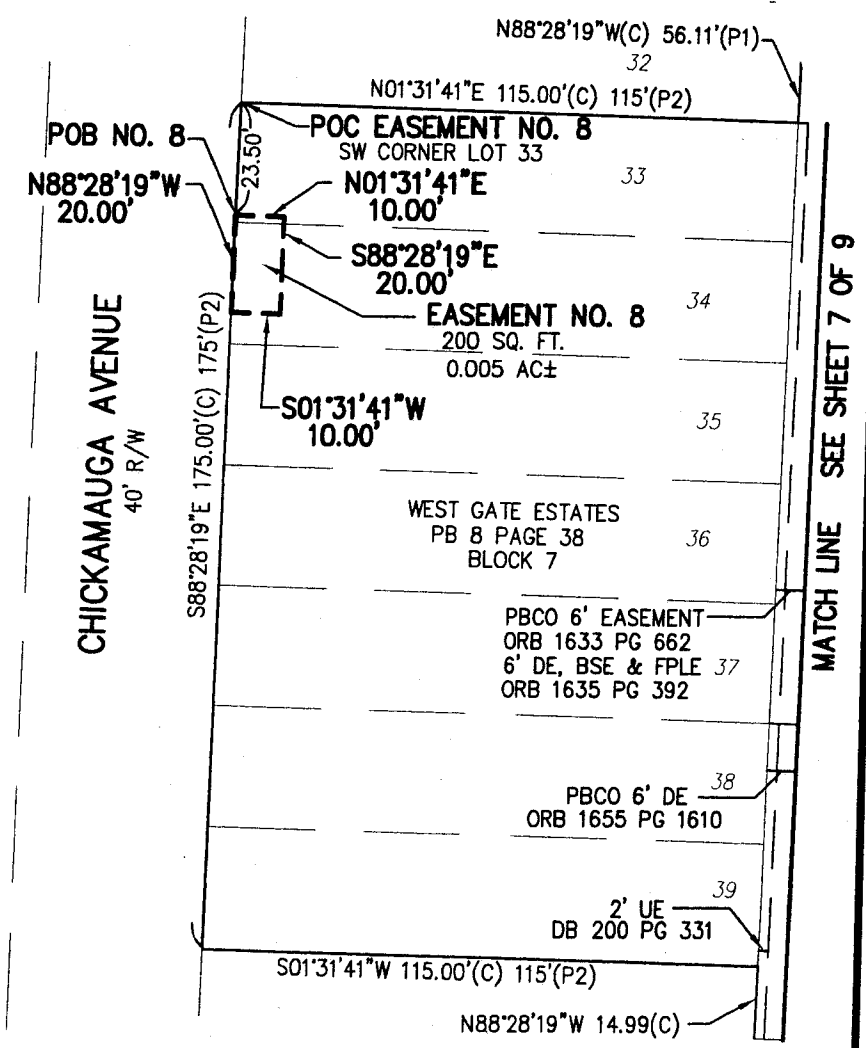
SCALE: 1"=40'
DATE: 07-25-08
P.A.NO. A5063.13
DR. NO. A-4476



- NOTES:**
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LEGEND

- BE BUFFER EASEMENT
- BSE BELLSOUTH EASEMENT
- (C) CALCULATED
- CL CENTERLINE
- DE DRAINAGE EASEMENT
- FPL FLORIDA POWER & LIGHT
- ORB OFFICIAL RECORDS BOOK
- PG(S) PAGE(S)
- PBCO PALM BEACH COUNTY
- PB PLAT BOOK
- (P1) PLAT BOOK 105, PAGES 90-91
- (P2) PLAT BOOK 8, PAGE 38
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- POT POINT OF TERMINATION
- RPB ROAD PLAT BOOK
- R/W RIGHT-OF-WAY
- SQ.FT. SQUARE FEET
- WE WATER EASEMENT



SHEET 8 OF 9
SEC. 25, TWP. 43 S., RGE. 42 E.

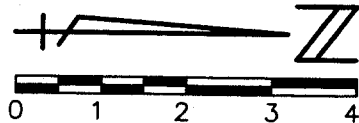
REV: 10-03-08	FL. E.B. NO. 48	FL. L.B. NO. 48	UTILITY EASEMENT	SCALE: 1"=40'
FIELD: -	MOCK • ROOS ENGINEERS • SURVEYOR • PLANNERS		MERCEDES BENZ OF PALM BEACH	DATE: 07-25-08
DRAWN: MAG			SECT 25, TWP 43 S, RGE 42 E	P.A.NO. A5063.13
APPR: MH	5720 Corporate Way, West Palm Beach, Florida 33407 (561) 683-3113, fax 478-7248		SECT 30, TWP 43 S, RGE 43 E	DR. NO. A-4476

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LOCATION MAP

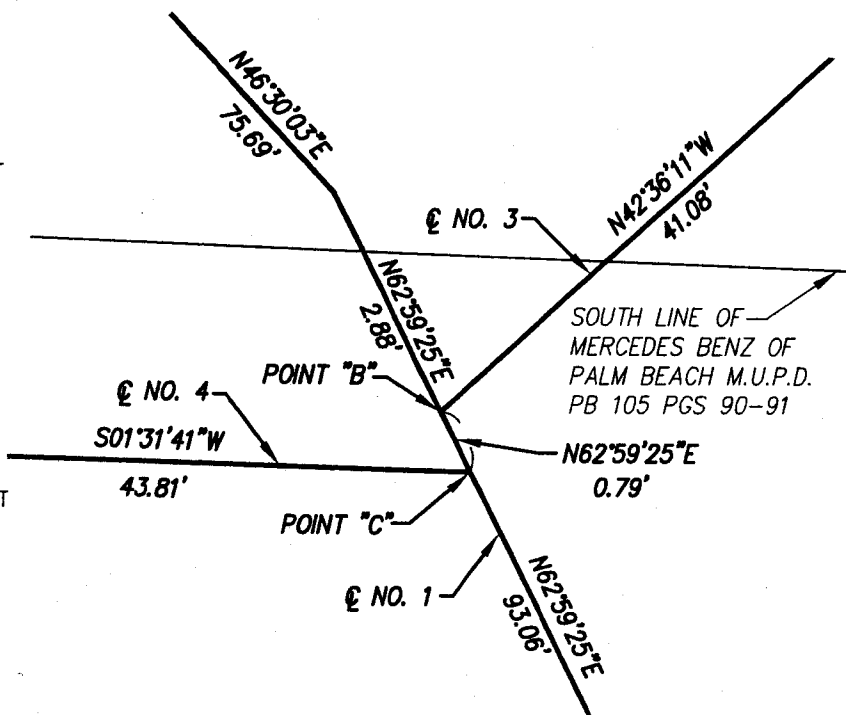
NOT TO SCALE



GRAPHIC SCALE IN FEET

LEGEND

- BE BUFFER EASEMENT
BSE BELLSOUTH EASEMENT
(C) CALCULATED
CL CENTERLINE
DE DRAINAGE EASEMENT
FPL FLORIDA POWER & LIGHT
ORB OFFICIAL RECORDS BOOK
PG(S) PAGE(S)
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POT POINT OF TERMINATION
RPB ROAD PLAT BOOK
R/W RIGHT-OF-WAY
SQ.FT. SQUARE FEET
WE WATER EASEMENT



SHEET 9 OF 9

SEC. 25, TWP. 43 S., RGE. 42 E.

REV: 08-15-08

FL. E.B. NO. 48

FL. L.B. NO. 48

FIELD: -

DRAWN: MAG

APPR: MHC

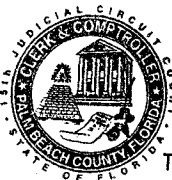
MOCK • ROOS
ENGINEERS • SURVEYORS • PLANNERS5720 Corporate Way, West Palm Beach, Florida 33407
(561) 683-3113, fax 478-7248**UTILITY
EASEMENT**
MERCEDES BENZ
OF PALM BEACHSECT 25, TWP 43 S, RGE 42 E
SECT 30, TWP 43 S, RGE 43 E

SCALE: 1"=2'

DATE: 07-25-08

P.A.N.O. A5063.13

DR. NO. A-4476



STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the
foregoing is a true copy
of the record in my office.

THIS 31st DAY OF October 20 08

SHARON R. BOCK
CLERK & COMPTROLLERBy _____
DEPUTY CLERK