

Agenda Item #: 3-C-5

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: January 13, 2009       Consent       Regular  
     Workshop       Public Hearing

Department:  
 Submitted By: Engineering and Public Works  
 Submitted For: Right-of-Way Acquisition Section

I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to approve:** Assignment of a lift station easement in favor of the Loxahatchee River Environmental Control District (District) covering a parcel of land measuring 40 feet by 40 feet, located immediately north of Australian Street and east of Limestone Creek Road.

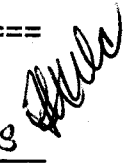
**SUMMARY:** The District has requested the Board of County Commissioners assign the existing lift station easement (ORB 15574, Pages 666 to 668) to the District. The approval of this assignment of the lift station easement will allow the District to perpetually maintain the lift station.

District 1 (PK)

**Background and Justification:** As part of the continuing effort to provide infrastructure to the Limestone Creek Area, water and sewer services were constructed under Project 2002055. On July 23, 2003, a lift station easement was recorded in Official Record Book 15574, Pages 666 to 668, in favor of Palm Beach County (County), which facilitated the construction of the lift station. The lift station easement encumbers a parcel of land measuring 40 feet by 40 feet situated on the east side of the property located at 18290 Limestone Creek Road in Jupiter. On October 21, 2008, the County approved R2008-1826, a Bill of Sale to the District for sanitary sewer lines and a lift station associated with Project No. 2002055. This approval released the lift station to the District for future maintenance. This lift station is now the responsibility of the District, and the assignment of the lift station easement to the District will allow for the perpetual maintenance of this improvement.

**Attachments:**

- 1. Location Map
- 2. Assignment of Lift Station Easement

Recommended by: Ormelis A Fernandez      12/4/08        
    Division Director      Date

Approved by: S. T. Wehl      12/16/08        
    County Engineer      Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<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>
<b>NET FISCAL IMPACT</b>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b>ADDITIONAL FTE POSITIONS (Cumulative)</b>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>

Is Item Included In Current Budget? Yes \_\_\_ No \_\_\_

Budget Account No.: Fund \_\_\_\_\_ Dept. \_\_\_\_\_ Org. \_\_\_\_\_ Object \_\_\_\_\_  
Program \_\_\_\_\_

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

This item has no fiscal impact.

C. Departmental Fiscal Review: 

**III. REVIEW COMMENTS**

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

OFMB  12/19/08 Contract Dev. and Control  12/19/08

B. Legal Sufficiency:  12/14/08

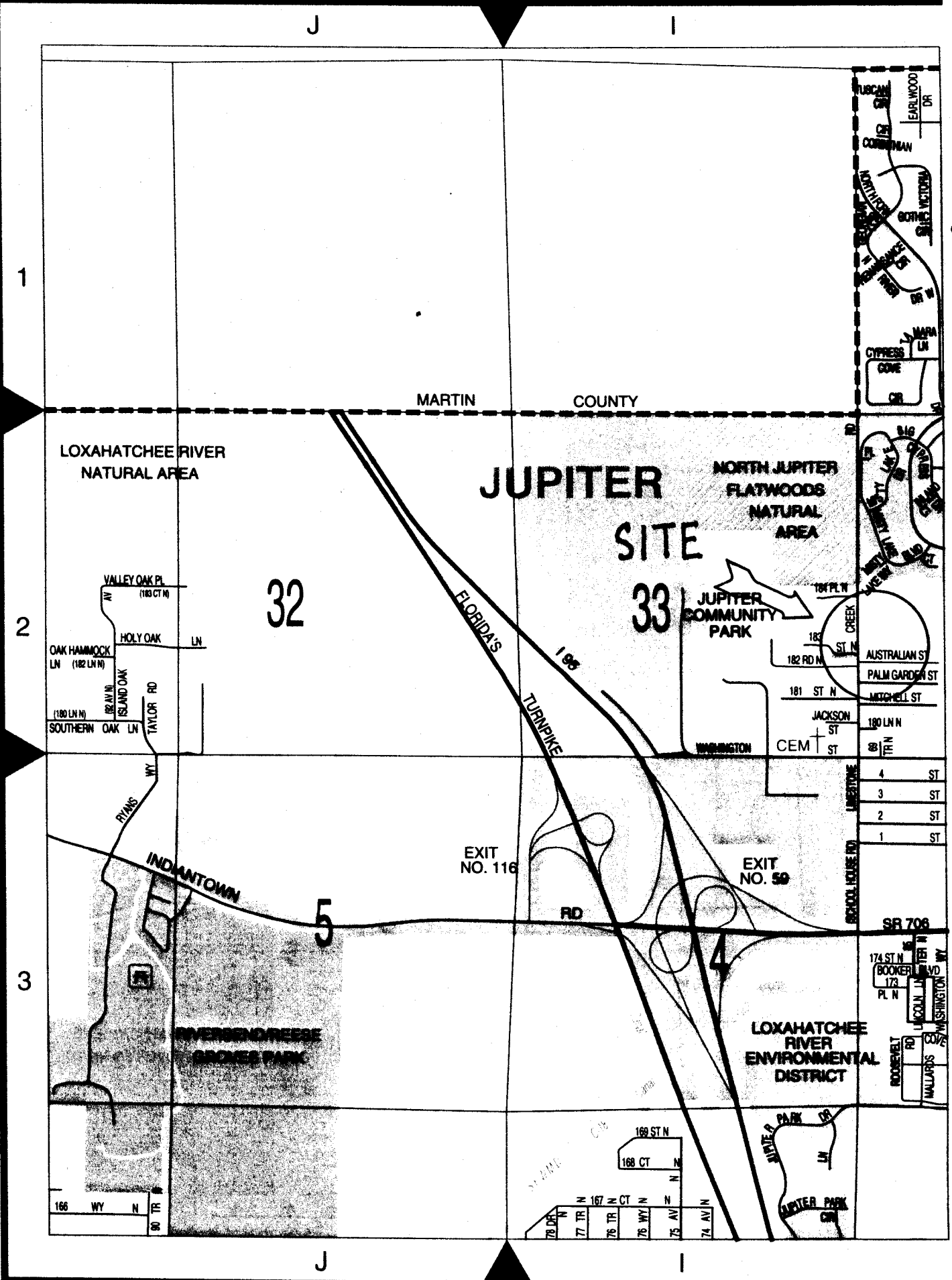
 12/22/08  
Assistant County Attorney

This item complies with current  
County policies.

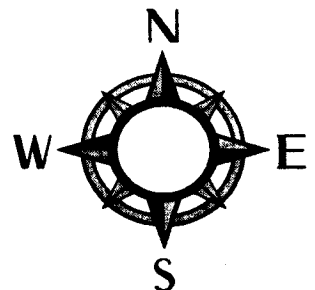
C. Other Department Review:

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

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



Location Map



Return to: Palm Beach County  
Name: R/W Acquisition Section  
Post Office Box 21229  
Address: West Palm Beach, Florida 33416  
Attn: Tripp Cioci, Right-of-Way Specialist  
Acct. No.: 1010 W/C BOX 1066

This Instrument Prepared by:  
Name: Paul F. King, Assistant County Attorney  
Post Office Box 21229  
Address: West Palm Beach, Florida 33416

PCN: a portion of 00-42-40-34-02-000-1310

**ASSIGNMENT OF LIFT STATION EASEMENT  
FROM PALM BEACH COUNTY  
TO  
LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL  
DISTRICT**

**THIS ASSIGNMENT OF LIFT STATION EASEMENT**, is made, granted and entered into this \_\_\_\_ day of \_\_\_\_\_, 2009 by **Palm Beach County**, a political subdivision of the State of Florida, whose post office address is P.O. Box 21229, West Palm Beach, Florida 33416 (hereinafter referred to as "Assignor") to **Loxahatchee River Environmental Control District**, an Agency of the State of Florida, created by a Special Act of the Legislature, Chapter 71-822 as amended, whose post office address is 2500 Jupiter Park Drive, Florida 33458-8964 (hereinafter referred to as "Assignee").

**WITNESSETH:**

That Assignor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby assign, transfer and grant unto Assignee, its successors and assigns, all rights, title and interest of Assignor in that certain Lift Station Easement that was recorded in Official Record Book 15574, Pages 666 to 668, inclusive, Public Records of Palm Beach County, Florida ("Lift Station Easement").

By acceptance of this Assignment of Lift Station Easement, Assignee agrees for itself and its successors and assigns, to assume and undertake all of the obligations of Assignor set forth in the Lift Station Easement.

**IN WITNESS WHEREOF**, the County has caused this Assignment of Lift Station Easement to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said Board, as of the day and year first written above.

**ATTEST:**

SHARON R. BOCK  
CLERK & COMPTROLLER

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

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
John F. Koons, Chairman

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

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