3H-12

Agenda Item #:

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

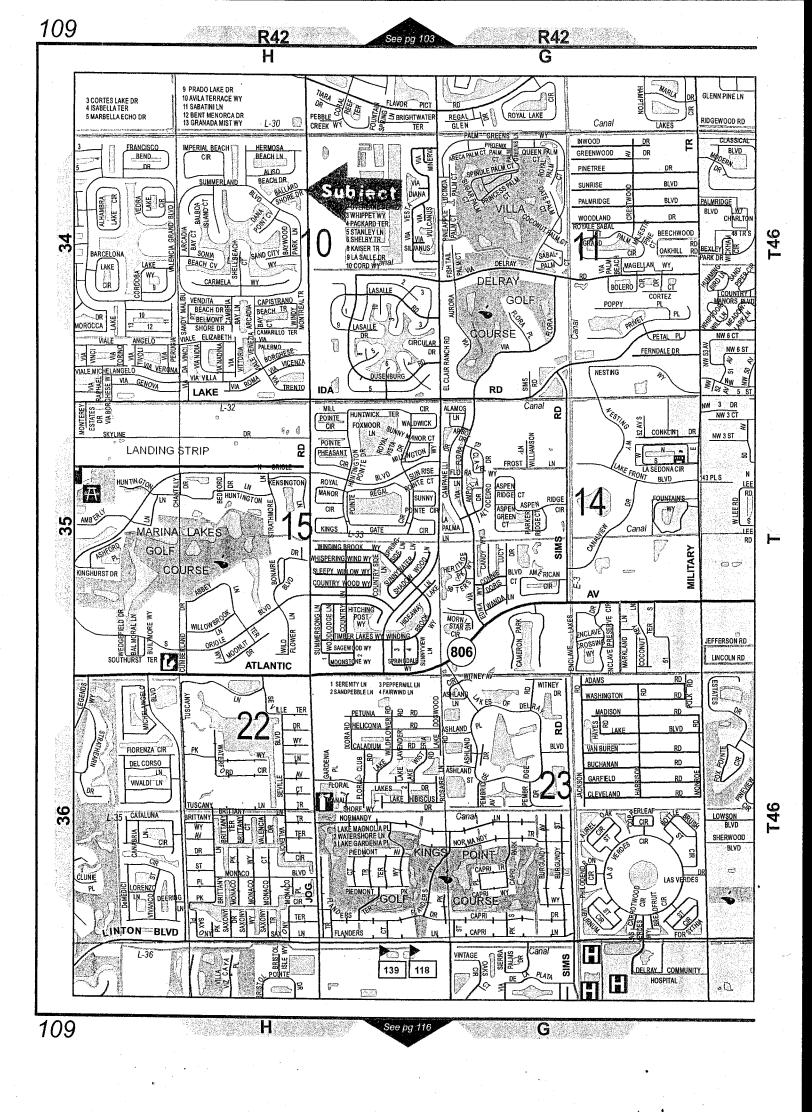
Meeting Date:	February 24, 2009	[X] Consent [] Ordinance	[] Regular [] Public Hearing
Department:	Facilities Developmen	t & Operations	
	I. <u>E</u>	XECUTIVE BRIEF	
Motion and Title the entrance to the Beach.	: Staff recommends motion water Utilities Department	on to approve: a Decla nt's (WUD) System 3	ration of Easement for a traffic signal at Water Treatment Plant west of Delray
Water Treatment located at 13026 St. Road. The easer easement area is a by 10' wide, and	Plant for installation of tra South Jog Road, west of De- nent areas are located nea pproximately 90' long by 1 total 1,050 square feet (0.0 cice of the existence and location	affic signal mast arms elray Beach, north of L or the west property b o' wide and the other of 22 acres). The Declar	asement at the entrance to the System 3 and related equipment. This Plant is take Ida Road and south of Flavor Pict boundary along South Jog Road. One easement area is approximately 15' long action of Easement will be recorded to nal improvements on County property.
intersection of So Plant, and determine condition of the z	uth Jog Road and Ballard S ned that a traffic signal is w coning approval for the Va	Shore Drive at the entr varranted based on veh lencia Palms develop	vision conducted a traffic study at the ance to the System 3 Water Treatment icular volume and past accidents. As a ment (Resolution R2002-0622), G. L. by required utility relocation.
	ation Map laration of Easement		
Recommended B	, v	Huy Wolf ent Director	Date
Approved By: _	County A	Administrator	2/10/09 Date

II. FISCAL IMPACT ANALYSIS

Α.	rive Year Summary of Fi	scai impact:				
Fiscal	l Years	2009	2010	2011	2012	2013
Opera Exter Progr	al Expenditures ating Costs nal Revenues ram Income (County) nd Match (County					
NET	FISCAL IMPACT	0-				
	DITIONAL FTE TIONS (Cumulative)	<u></u> .	······································			
Is Ite	m Included in Current Bu	dget: Yes	N	o		
Budge	et Account No: Fund	Dept Program	U	nit	Object	
В.	Recommended Sources of	f Funds/Summa	ry of Fiscal	Impact:		
	No fiscal impact.					
C.	Departmental Fiscal Revi	iew:			· · · · · · · · · · · · · · · · · · ·	
		III. <u>REVIEV</u>	W COMME	NTS		
A.	OFMB Fiscal and/or Con	tract Developm	ent Comme	ents:		
	OPMB WOR	Chila C	Contract Deve	delopment and	Control	9109
В.	Legal Sufficiency:					
	Assistant County Attorney	2/10/59				
C.	Other Department Revie	w:				
	Department Director					

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

G:\PREM\AGENDA\2009\02-24\WUD SYSTEM 3 - DECLARATION OF EASEMENT - DK.DOCX



LOCATION MAP *
ATTACHMENT#(



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

PCN: a portion of 00-42-46-10-00-000-1020

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 set forth on **Exhibit "A"** attached hereto and made a part hereof (the "Property"); and

WHEREAS, County desires to create an easement over, upon and under such 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 non-exclusive in gross traffic signal easement for the benefit of County upon the real property legally described in Exhibit "B", attached hereto and made a part hereof (the "Easement Premises"). This easement shall be for the purpose of access to and construction, installation, operation and maintenance of both overhead and underground traffic control equipment including a traffic control device, mast arm assemblies, traffic signal controller cabinet, underground conduit, and all related equipment (collectively, the "Traffic Signal Equipment"), and shall include the right at any time to install, operate, maintain, service, construct, reconstruct, remove, relocate, repair, alter, replace, improve, and expand the Traffic Signal Equipment in, on, over, under and across the Easement Premises.

Page 1 of 2



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:	By: John F. Koons, Chairman
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS
By:Assistant County Attorney	By: Department Director

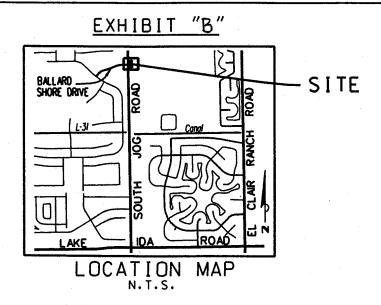
 $G: \label{lem:condition} G: \label{lem:condition} G: \label{lem:condition} Open Projects \label{lem:condition} WUD-System 3-dk \label{lem:condition} Declaration of Easement. Ool. JB app. 012109. docx app. on the condition of the condition of$

EXHIBIT "A"

THE PROPERTY

The West Quarter (W ¼) of the Northeast Quarter (NE ¼) of Section 10, Township 46 South, Range 42 East, Palm Beach County, Florida, LESS the North 100 feet and LESS the South 330 feet.

EXHIBIT "B" THE EASEMENT PREMISES



LEGAL DESCRIPTION FOR A 10 FOOT BY 90 FOOT MAST ARM EASEMENT:

THE EAST 10 FEET OF THE WEST 85 FEET OF THE SOUTH 90 FEET OF THE NORTH 1183 FEET OF THE EAST ONE-HALF OF SECTION 10, TOWNSHIP 46 SOUTH, RANGE 42 EAST (10/46/42)

SAID EASEMENT CONTAINS 900 SQUARE FEET MORE OR LESS.

BEARINGS ARE BASED ON A GRID (NAD 83, 1990 ADJUSTMENT).

NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THE SIGNING SURVEYOR.

THIS INSTRUMENT WAS PREPARED BY NORMAN J. HOWARD, P.S.M., IN THE OFFICE OF THE COUNTY ENGINEER, 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA, 33411.

NORMAN J. HOWARD . P.S.M. FLORIDA CERTIFICATE NO. 5776

12-9-08 DATE

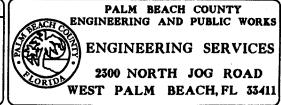
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

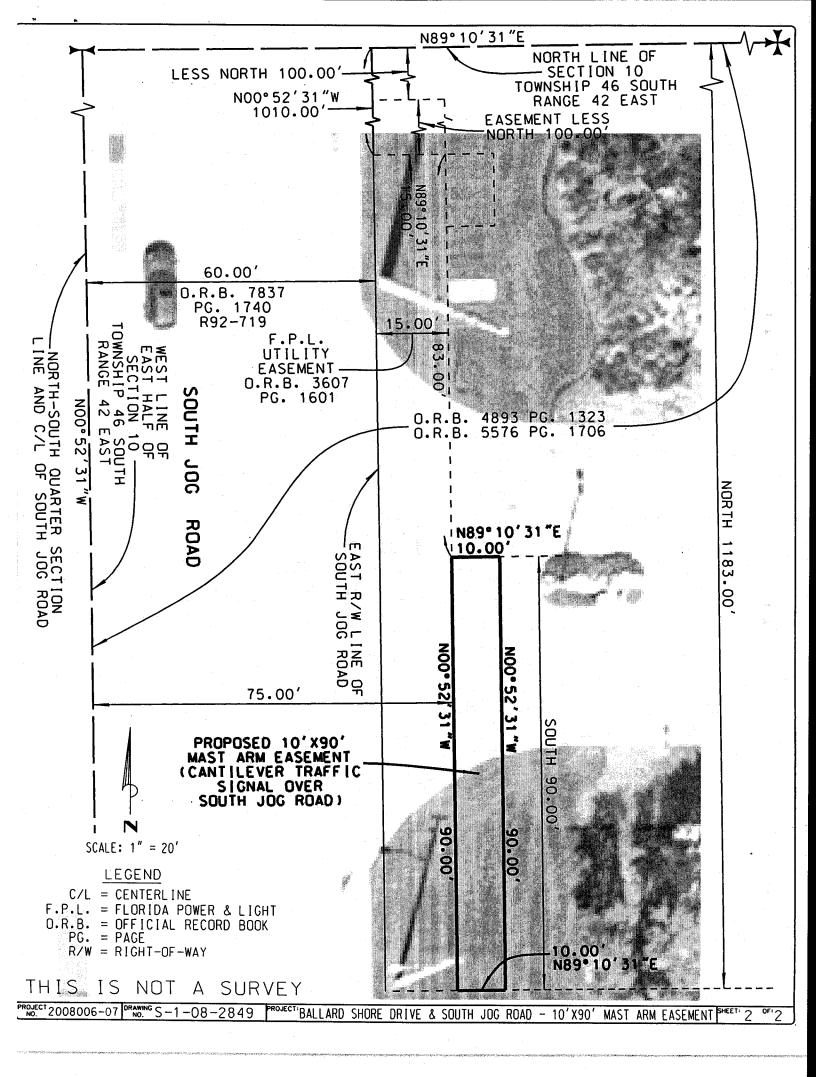
20EC	ä	SHEET:	
080	~	-	
)6-0			

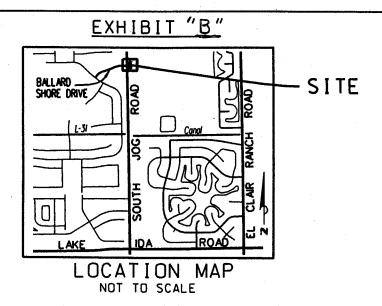
BALLARD SHORE DRIVE
& SOUTH JOG ROAD 10'X90' MAST ARM EASEMENT

DESIGN FILE NAME
S-1-08-2849.DGN S-1-08-2849

SCAL DRAW DRAW	HQ.	REVISION	81	DATE
HOWED: N. J. H. CRED: N. J. H. CRED: N. J. H. EN 106/26/08	1	ADD ORB'S & ROAD LABELS	E C Z	12/ 09/ 08 -
FIELD BOOK NO.				
N/A				







LEGAL DESCRIPTION FOR A 10 FOOT BY 15 FOOT MAST ARM EASEMENT:

THE EAST 10 FEET OF THE WEST 85 FEET OF THE SOUTH 15 FEET OF THE NORTH 1025 FEET OF THE EAST ONE-HALF OF SECTION 10, TOWNSHIP 46 SOUTH, RANGE 42 EAST.

SAID EASEMENT CONTAINS 150 SQUARE FEET MORE OR LESS.

BEARINGS ARE BASED ON A GRID (NAD 83. 1990 ADJUSTMENT).



NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THE SIGNING SURVEYOR.

THIS INSTRUMENT WAS PREPARED BY NORMAN J. HOWARD, P.S.M., IN THE OFFICE OF THE COUNTY ENGINEER, 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA, 33411.

MODULAN HOWARD

NORMAN J. HOWARD . P.S.M. FLORIDA CERTIFICATE NO. 5776

12-9-08 DATE

NOT VALID WITHOUT-THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

200	9	SMEET:
0.80	7	-
96		
07		J

BALLARD SHORE DRIVE & SOUTH JOG ROAD -10'X15' MAST ARM EASEMENT

DESIGN FILE NAME
S-1-08-2850.DGN S-1-08-2850

	5 NO.	REVISION	87	DATE
ACREE N.J.H. BO	2316	ADD ORB'S & ROAD LABELS	EC.Z	12/ 09/ 08

PALM BEACH COUNTY
ENGINEERING AND PUBLIC WORKS
ENGINEERING SERVICES

2300 NORTH JOG ROAD
WEST PALM BEACH, FL 33411

