

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)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>X</u>	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes _____ No _____

Budget Account No: Fund _____ Dept _____ Unit _____ Object _____
 Program _____

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

X No fiscal impact.

C. Departmental Fiscal Review _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

mfll 6/24/09
 OFMB
 (NO) CN 6/19/09

John J. Jones 6/25/09
 Contract Development and Control
 B. Jones 6/25/09

B. Legal Sufficiency:

K. Jal 6/29/09
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

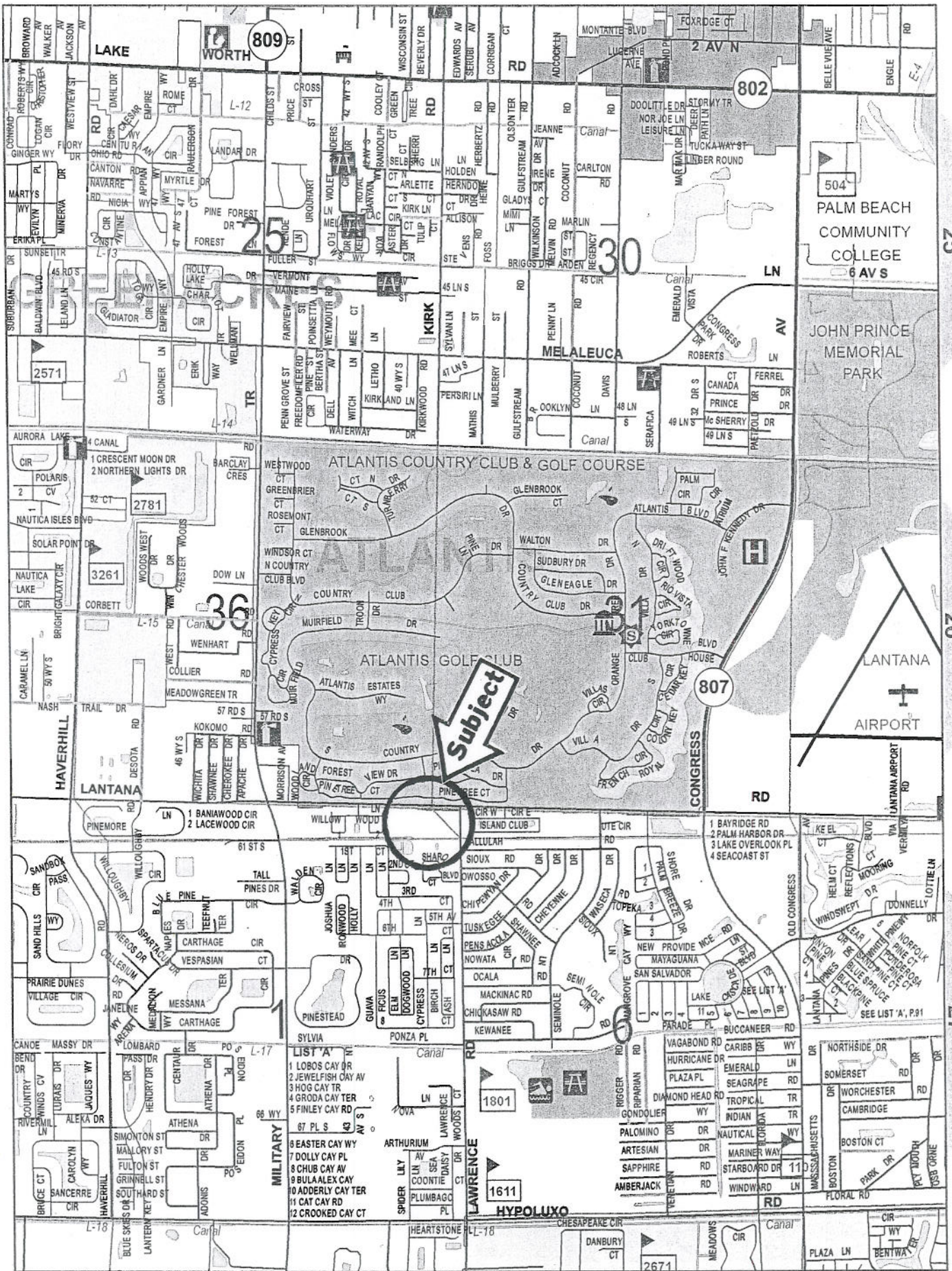
F

E

T44

T45

T45



25

26

27

F

E

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: 00-42-44-37-00-037-0015

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
in gross utility easement for the benefit of County upon the real property legally
described in Exhibit "B", attached hereto (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: _____
John F. Koons, Chairman

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS AND
CONDITIONS**

By: _____
Assistant County Attorney

By: Ray Army Wolf
Department Director

EXHIBIT "A"

THE PROPERTY

**A PORTION OF LOTS 114 THROUGH 128,
LAKE OSBORNE SUBDIVISION (PLAT BOOK 9, PAGES 42 AND 43)
LYING WITHIN HIATUS TRACT 37, TOWNSHIP 44 1/2 SOUTH, RANGE 42 EAST,
AND HIATUS TRACT 39, TOWNSHIP 44 1/2 SOUTH, RANGE 43 EAST,
PALM BEACH COUNTY, FLORIDA**

LEGAL DESCRIPTION:

A PORTION OF LOTS 114 THROUGH 128, LAKE OSBORNE SUBDIVISION, PLAT BOOK 9, PAGES 42 AND 43, LYING WITHIN HIATUS TRACT 37, TOWNSHIP 44 1/2 SOUTH, RANGE 42 EAST, AND HIATUS TRACT 39, TOWNSHIP 44 1/2 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, SHOWN HEREON AS LAWRENCE ROAD BRANCH LIBRARY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 114 THROUGH 127, INCLUSIVE AND THE EAST 27.53 FEET OF LOT 128, LAKE OSBORNE SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, AT PAGES 42 AND 43, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID LANDS SITUATED IN HIATUS TRACT 37, TOWNSHIP 44 1/2 SOUTH, RANGE 42 EAST, AND HIATUS TRACT 39, TOWNSHIP 44 1/2 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THE SOUTH 40.00 FEET THEREOF RECORDED IN OFFICIAL RECORDS BOOK 873, AT PAGE 386, AND OFFICIAL RECORDS BOOK 1921, AT PAGE 1507, AND LESS THE RIGHT OF WAY FOR LANTANA ROAD RECORDED IN OFFICIAL RECORDS BOOK 4890, AT PAGE 1688, AND LESS OFFICIAL RECORDS BOOK 4822, AT PAGE 1682 AND OFFICIAL RECORDS BOOK 4836, AT PAGE 287 AND LESS OFFICIAL RECORDS BOOK 10187, AT PAGE 1848, AND LESS THE RIGHT OF WAY FOR LANTANA ROAD AND LAWRENCE ROAD RECORDED IN OFFICIAL RECORDS BOOK 21520, AT PAGE 176, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE WITHIN PALM BEACH COUNTY, FLORIDA
CONTAINING 5.89 ACRES MORE OR LESS.

"EXHIBIT B"

LEGAL DESCRIPTION

A VARIOUS WIDTH UTILITY EASEMENT IN A PORTION OF LOTS 114-128, LAKE OSBORNE SUBDIVISION, PLAT BOOK 9, PAGES 42-43, PUBLIC RECORDS PALM BEACH COUNTY, FLORIDA, IN HIATUS TRACTS 37 & 39, BETWEEN TOWNSHIPS 44 AND 45 SOUTH, RANGES 42 & 43 EAST, PALM BEACH COUNTY, FLORIDA, THE CENTERLINES DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST; THENCE NORTH 46°34'25" WEST, A DISTANCE OF 57.64 FEET TO A POINT ON THE EAST LINE OF SAID LOT 114, 40.00 FEET NORTH OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES) THE SOUTH LINE OF SAID LOTS 114-128; THENCE SOUTH 89°28'51" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 21.00 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF A 20 FOOT UTILITY EASEMENT; THENCE NORTH 00°31'04" WEST, DISTANCE OF 10.00 FEET TO REFERENCE POINT "A"; THENCE CONTINUE NORTH 00°31'04" WEST ALONG SAID CENTERLINE, DISTANCE OF 32.90 FEET; THENCE SOUTH 89°29'40" WEST, A DISTANCE OF 294.70 FEET; THENCE NORTH 40°13'05" WEST, A DISTANCE OF 26.95 FEET; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 42.87 FEET; THENCE NORTH 89°43'42" EAST, A DISTANCE OF 10.00 FEET TO REFERENCE POINT "B"; THENCE NORTH 89°43'42" EAST, A DISTANCE OF 115.90 FEET TO REFERENCE POINT "C"; THENCE NORTH 89°26'24" EAST, A DISTANCE OF 184.21 FEET TO REFERENCE POINT "D"; THENCE CONTINUE NORTH 89°26'24" EAST, A DISTANCE OF 11.42 FEET TO POINT OF TERMINUS AND WEST RIGHT OF WAY LINE OF LAWRENCE ROAD ACCORDING TO OFFICIAL RECORD BOOK 21520, PAGES 176-181 SAID PUBLIC RECORDS.

TOGETHER WITH

COMMENCE AT REFERENCE POINT "A"; THENCE SOUTH 89°28'56" WEST, A DISTANCE OF 10.00 FEET TO POINT OF BEGINNING "A"; THENCE SOUTH 89°28'56" WEST ALONG THE CENTERLINE OF A 20 FOOT UTILITY EASEMENT, A DISTANCE OF 30.00 FEET TO POINT OF TERMINUS "A".

TOGETHER WITH

COMMENCE AT REFERENCE POINT "B"; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 10.00 FEET TO POINT OF BEGINNING "B"; THENCE CONTINUE NORTH 00°00'00" EAST ALONG THE CENTERLINE OF A 40 FOOT UTILITY EASEMENT, A DISTANCE OF 122.50 FEET; THENCE SOUTH 89°44'16" WEST, A DISTANCE OF 15.00 FEET TO REFERENCE POINT "E"; THENCE CONTINUE SOUTH 89°44'16" WEST, A DISTANCE OF 316.54 FEET TO REFERENCE POINT "F"; THENCE CONTINUE SOUTH 89°44'16" WEST, A DISTANCE OF 15.00 FEET TO POINT OF TERMINUS "B".


TOGETHER WITH

COMMENCE AT REFERENCE POINT "C"; THENCE NORTH 00°00'00" WEST, A DISTANCE OF 10.00 FEET TO POINT OF BEGINNING "C"; THENCE CONTINUE NORTH 00°00'00" WEST ALONG THE CENTERLINE OF A 20 FOOT UTILITY EASEMENT, A DISTANCE OF 5.00 FEET TO POINT OF TERMINUS "C".

TOGETHER WITH

COMMENCE AT REFERENCE POINT "D"; THENCE NORTH 00°00'00" WEST, A DISTANCE OF 10.00 FEET TO POINT OF BEGINNING "D"; THENCE CONTINUE NORTH 00°00'00" WEST ALONG THE CENTERLINE OF A 10 FOOT UTILITY EASEMENT, A DISTANCE OF 5.00 FEET TO POINT OF TERMINUS "D".

DESCRIPTION CONTINUES (SHEET 2 OF 4)

SHEET: 1 OF: 4 PROJECT NO.: 2009018-01	PROJECT: LANTANA ROAD BRANCH LIBRARY UTILITY EASEMENT	SCALE: 1" = 60' APPROVED: N.J.H. DRAWN: E.A.D. CHECKED: N.J.H. DATE: 4/06/09 FIELD BOOK NO.: N/A	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>REVISION</th> <th>BY</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>PREM COMMENTS</td> <td>N.J.H.</td> <td>4/06/09</td> </tr> <tr> <td>1</td> <td>MUD COMMENTS</td> <td>N.J.H.</td> <td>4/06/09</td> </tr> <tr> <td>1</td> <td>CHANGE NAME</td> <td>N.J.H.</td> <td>4/22/09</td> </tr> </tbody> </table>	NO.	REVISION	BY	DATE	1	PREM COMMENTS	N.J.H.	4/06/09	1	MUD COMMENTS	N.J.H.	4/06/09	1	CHANGE NAME	N.J.H.	4/22/09	PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS  ENGINEERING SERVICES 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411
NO.	REVISION	BY	DATE																	
1	PREM COMMENTS	N.J.H.	4/06/09																	
1	MUD COMMENTS	N.J.H.	4/06/09																	
1	CHANGE NAME	N.J.H.	4/22/09																	
DESIGN FILE NAME: S-1-09-2952.DGN		DRAWING NO.: S-1-09-2952																		

TOGETHER WITH

COMMENCE AT REFERENCE POINT "E"; THENCE NORTH 00°15'34" WEST, A DISTANCE OF 20.00 FEET TO POINT OF BEGINNING "E"; THENCE CONTINUE NORTH 00°15'34" WEST ALONG THE CENTERLINE OF A 20 FOOT UTILITY EASEMENT, A DISTANCE OF 5.00 FEET TO POINT OF TERMINUS "E".

TOGETHER WITH

COMMENCE AT REFERENCE POINT "F"; THENCE NORTH 00°44'44" WEST, A DISTANCE OF 20.00 FEET TO POINT OF BEGINNING "F"; THENCE CONTINUE NORTH 00°44'44" WEST ALONG THE CENTERLINE OF A 30 FOOT UTILITY EASEMENT, A DISTANCE OF 23.38 FEET; THENCE NORTH 45°14'22" WEST, A DISTANCE OF 34.51 FEET; THENCE NORTH 01°24'24" WEST A DISTANCE OF 41.00 FEET TO REFERENCE POINT "G"; THENCE CONTINUE NORTH 01°24'24" WEST A DISTANCE OF 40.92 FEET TO REFERENCE POINT "H"; THENCE CONTINUE NORTH 01°24'24" WEST, A DISTANCE OF 10.01 FEET TO POINT OF TERMINUS "F" AND SOUTH RIGHT OF WAY LINE PER OFFICIAL RECORD BOOK 4822, PAGE 1582.

TOGETHER WITH

COMMENCE AT REFERENCE POINT "G"; THENCE NORTH 88°35'36" EAST, A DISTANCE OF 15.00 FEET TO POINT OF BEGINNING "G"; THENCE CONTINUE NORTH 88°35'36" EAST ALONG THE CENTERLINE OF A 20 FOOT UTILITY EASEMENT, A DISTANCE OF 15.00 FEET TO POINT OF TERMINUS "G".

TOGETHER WITH

COMMENCE AT REFERENCE POINT "H"; THENCE NORTH 88°31'58" WEST, A DISTANCE OF 15.00 FEET TO POINT OF BEGINNING "H"; THENCE CONTINUE NORTH 88°31'58" WEST ALONG THE CENTERLINE OF A 20 FOOT UTILITY EASEMENT, A DISTANCE OF 7.08 FEET TO POINT OF TERMINUS "H".

EASEMENTS CONTAIN 39.437 SQUARE FEET OR 0.9053 ACRES MORE OR LESS.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO FORM A CONTINUOUS STRIP LYING EVENLY ON EACH SIDE OF AND TERMINATE PERPENDICULAR, EXCEPT AT BOUNDARY LINES.

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.

N. Howard

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

5-27-09

DATE

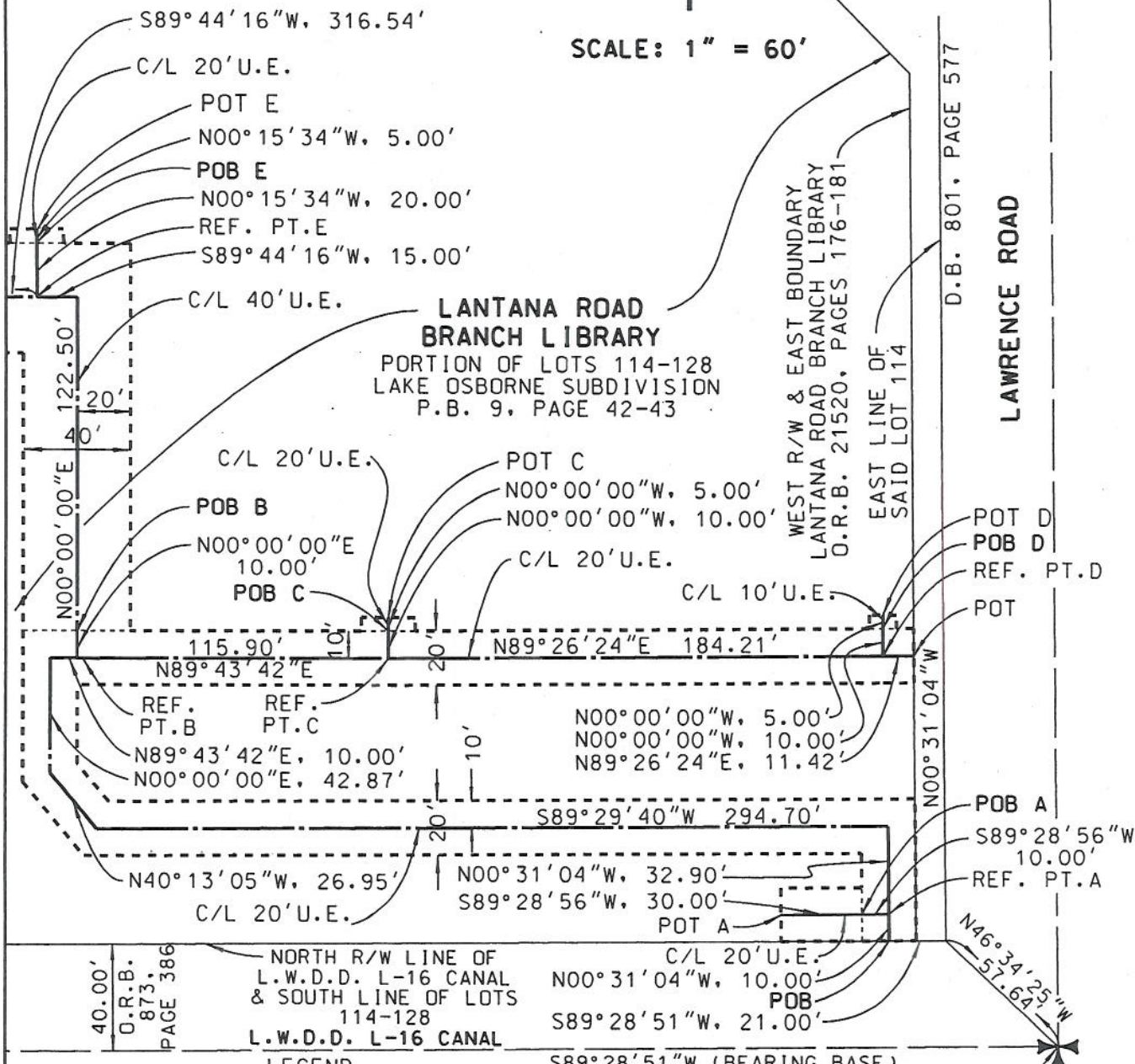
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

LANTANA ROAD
(S.R. 812)



SCALE: 1" = 60'

MATCH LINE (SEE SHEET 4 OF 4)



**LANTANA ROAD
BRANCH LIBRARY**
PORTION OF LOTS 114-128
LAKE OSBORNE SUBDIVISION
P.B. 9, PAGE 42-43

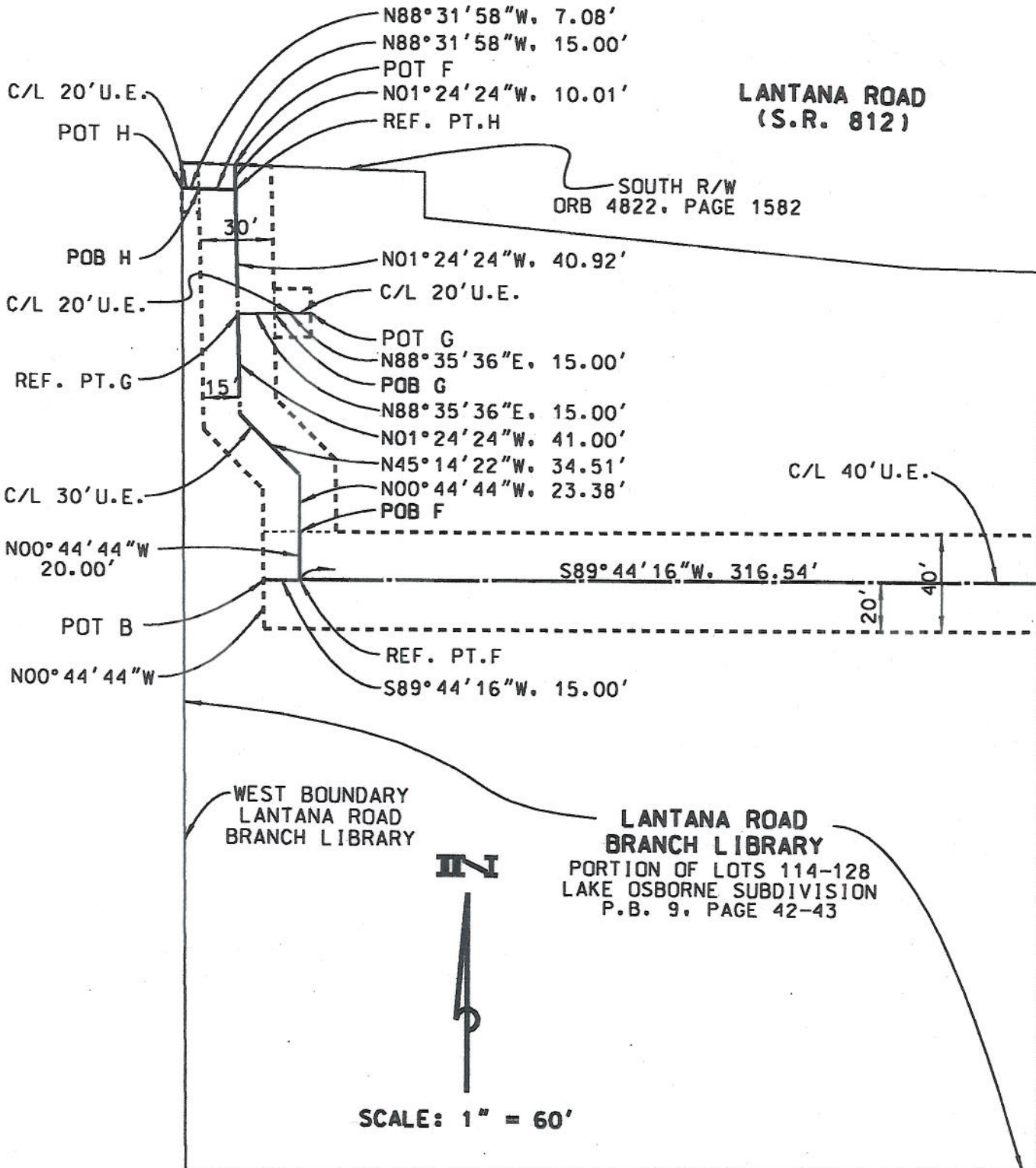
WEST R/W & EAST BOUNDARY
LANTANA ROAD BRANCH LIBRARY
O.R.B. 21520, PAGES 176-181

LAWRENCE ROAD

- LEGEND**
- D.B. = DEED BOOK
 - P.B. = PLAT BOOK
 - C/L = CENTERLINE
 - R/W = RIGHT OF WAY
 - REF.PT. = REFERENCE POINT
 - U.E. = UTILITY EASEMENT
 - POT = POINT OF TERMINUS
 - POB = POINT OF BEGINNING
 - O.R.B. = OFFICIAL RECORD BOOK

POINT OF COMMENCEMENT
NORTHEAST CORNER SECTION 1,
TOWNSHIP 45 SOUTH,
RANGE 42 EAST,

THIS IS NOT A SURVEY



MATCH LINE (SEE SHEET 3 OF 4)

40.00'
 O.R.B.
 873.
 PAGE 386