

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>_____</u> <i>✗</i>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</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:

No fiscal impact.

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

**CONSTRUCTION funded by PALM TRAV GRANT*

[Signature]

 OFMB *9/13/09* *ON 9/11/09*

[Signature]

 Contract Development and Control *9/18/09*

B. Legal Sufficiency:

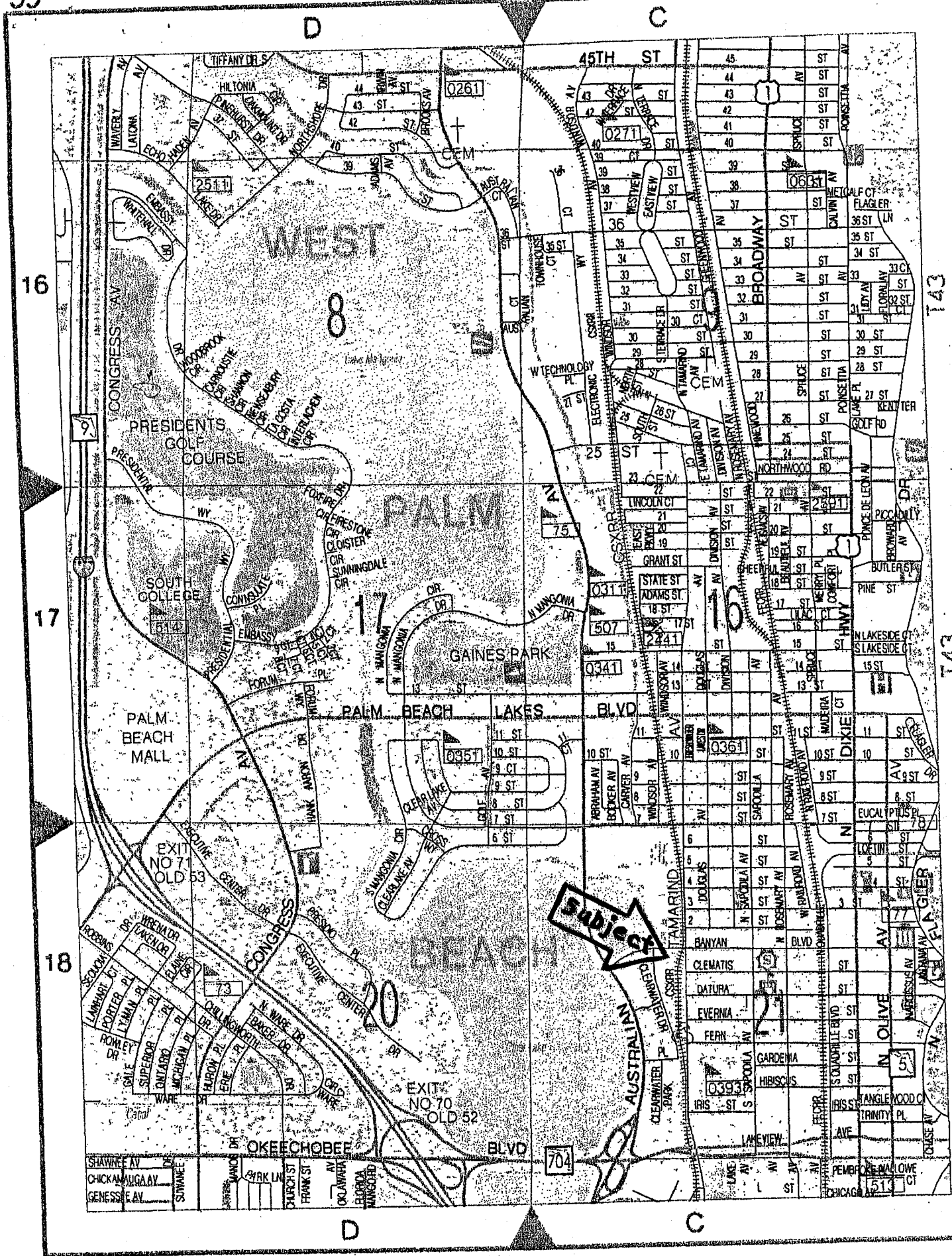
[Signature]

 Assistant County Attorney *8/8/09*

C. Other Department Review:

 Department Director

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



LOCATION MAP
ATTACHMENT NO. 1



Prepared by and return to:
Margaret Jackson, Real Estate Specialist
Palm Beach County
Property & Real Estate Management Division
2633 Vista Parkway
West Palm Beach, Florida 33411-5605

Property Control Number: 74-43-43-21-27-002-0000

FIRST AMENDMENT TO EASEMENT AGREEMENT

THIS FIRST AMENDMENT TO EASEMENT AGREEMENT (the "First Amendment"), granted this _____, by and between **SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY**, a body politic and corporate, a public instrumentality and an agency of the State of Florida, pursuant to Florida Statutes, Chapter 343, its successors and assigns, whose mailing address is 800 N.W. 33rd Street, Suite 100, Pompano Beach, Florida 33064, hereinafter referred to as "SFRTA", and **PALM BEACH COUNTY**, a political subdivision of the State of Florida, whose legal mailing address is 301 North Olive Avenue, West Palm Beach, Florida 33401-4791, hereinafter referred to as "County".

RECITALS:

WHEREAS, SFRTA granted County an Easement Agreement recorded in the public records of Palm Beach County, Florida, in Official Record Book 22268, Page 851; and

WHEREAS, the parties wish to expand the area of the Easement Premises; and

WHEREAS, SFRTA and County wish to amend the Easement Agreement to replace the legal description contained in Exhibit "C" to the Easement Agreement.

Page 1 of 4

ATTACHMENT # 2

WITNESSETH:

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties, the parties hereto agree as follows:

1. The foregoing recitals are true and correct and incorporated herein by reference. Terms not defined herein shall have the same meaning as ascribed to them in the Easement Agreement.
2. Exhibit "C" to the Easement Agreement (the "Easement Premises") is hereby deleted in its entirety and replaced by Exhibit "C" attached hereto and made a part hereof.
3. Except as modified by this First Amendment, the Easement Agreement remains unmodified and in full force and effect and the parties hereby ratify, confirm, and adopt the Easement Agreement, as amended, in accordance with the terms thereof.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, SFRTA and County have caused this First

Amendment to be executed in its name, by its proper officers thereunto duly authorized
the day and year first above written.

Signed, sealed and delivered
in the presence of:

SFRTA:

**SOUTH FLORIDA REGIONAL
TRANSPORTATION AUTHORITY,**
a body politic and corporate, a public
instrumentality and an agency of the State of
Florida, pursuant to Florida Statutes,
Chapter 343

WITNESSES:

Witness Signature

By: _____

Print Witness Name

Title: _____

Witness Signature

Print Witness Name

STATE OF FLORIDA }
COUNTY OF BROWARD }

The foregoing instrument was acknowledged before me this _____ day
of _____ 2009, by _____, who is personally known to me.

Notary (Signature)

Print/Type Name

My Commission Expires: _____

Commission Number: _____

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: _____
General Counsel

COUNTY:

ATTEST:

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: *Audrey Wolf*
Audrey Wolf, Director
Facilities Development & Operations

EXHIBIT "C"
"EASEMENT PREMISES"
Page 1 of 6

DESCRIPTION: CROSS USAGE EASEMENT

A PORTION OF LOTS 2, 3 AND 9, BLOCK 48, TOGETHER WITH A PORTION OF THE 14.00 FOOT ALLEY LYING IN SAID BLOCK 48, TOGETHER WITH A PORTION OF DATURA STREET, TOGETHER WITH A PORTION OF LOTS 2 AND 9, BLOCK 47, TOGETHER WITH A PORTION OF THE 14 00 FOOT ALLEY LYING IN SAID BLOCK 47, TOGETHER WITH A PORTION OF EVERNIA STREET, ALL AS SHOWN ON THE PLAT OF MAP OF THE TOWN OF WEST PALM BEACH ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 2, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA SAID LAND ALSO BEING A PORTION OF PARCEL 125A, AS RECORDED IN OFFICIAL RECORDS BOOK 16203, PAGE 753, OF SAID PUBLIC RECORDS, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 1, BLOCK 49 OF SAID PLAT, THENCE NORTH 88°51'21" WEST, ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 50.25 FEET; THENCE SOUTH 21°16'45" WEST, ALONG THE WEST RIGHT-OF-WAY LINE OF THE CSX RAILROAD AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 93220-2403, SHEET 64 OF 75, A DISTANCE OF 4.31 FEET; THENCE NORTH 88°51'21" WEST, ALONG A LINE 4.00 FEET SOUTH OF, WHEN MEASURED AT RIGHT ANGLES, AND PARALLEL WITH THE NORTH LINE OF SAID BLOCK 49, A DISTANCE OF 153.26 FEET; THENCE SOUTH 00°46'41" WEST, A DISTANCE OF 439.29 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 18°34'05" EAST, A DISTANCE OF 60.41 FEET; THENCE SOUTH 89°09'37" EAST, A DISTANCE OF 21.58 FEET; THENCE SOUTH 00°47'29" WEST, A DISTANCE OF 600.25 FEET; THENCE NORTH 88°50'00" WEST, ALONG THE SOUTH LINE OF SAID EVERNIA STREET, A DISTANCE OF 16.45 FEET; THENCE NORTH 00°46'39" EAST, A DISTANCE OF 583.82 FEET; THENCE NORTH 89°13'19" WEST, A DISTANCE OF 25.00 FEET, THENCE NORTH 00°46'41" EAST, A DISTANCE OF 73.34 FEET TO THE POINT OF BEGINNING. THE LAST FOUR DESCRIBED COURSES BEING COINCIDENT THE WEST LINE OF SAID PARCEL 125A

SAID LANDS SITUATE IN THE CITY OF WEST PALM BEACH, FLORIDA AND CONTAIN 10,893 SQUARE FEET (0.250 ACRES) MORE OR LESS.

NOTES:

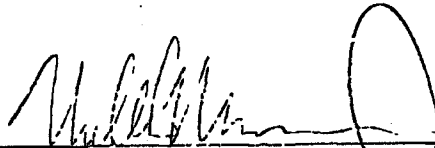
THE BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED MERIDIAN BASED ON THE NORTH LINE OF BLOCK 49, PLAT OF MAP OF THE TOWN OF WEST PALM BEACH, AS RECORDED IN PLAT BOOK 1, PAGE 2 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA BEARING NORTH 88°51'21" WEST

THIS DESCRIPTION IS NOT FULL AND COMPLETE WITHOUT THE ATTACHED SKETCH

CERTIFICATE:

WE HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION AND OTHER PERTINENT DATA SHOWN HEREON, OF THE ABOVE DESCRIBED PROPERTY WAS MADE ON THE GROUND, CONFORMS TO THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS OUTLINED IN CHAPTER 61G17-6, (FLORIDA ADMINISTRATIVE CODE) AS ADOPTED BY THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF

CRAVEN THOMPSON & ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION NUMBER 271



NICHOLAS MESSINA JR.

PROFESSIONAL SURVEYOR AND MAPPER NO. 6559

THIS SKETCH AND DESCRIPTION OR THE COPIES THEREOF ARE NOT VALID
WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED
SURVEYOR AND MAPPER



CRAVEN • THOMPSON & ASSOCIATES, INC.
 ENGINEERS • PLANNERS • SURVEYORS

3563 N.W. 53RD STREET, FORT LAUDERDALE, FLORIDA 33309 FAX (954) 739-6409 TEL.: (954) 739-6400

FLORIDA LICENSED ENGINEERING, SURVEYING & MAPPING BUSINESS No 271

FLORIDA LICENSED LANDSCAPE ARCHITECTURE BUSINESS No C000114

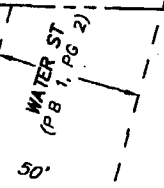
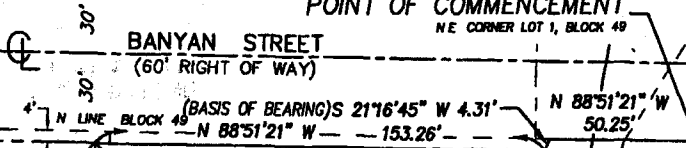
MATERIAL SHOWN HEREON IS THE PROPERTY OF CRAVEN THOMPSON & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PERMISSION OF CRAVEN THOMPSON & ASSOCIATES, INC. WRITING CRAVEN THOMPSON & ASSOCIATES, INC. COPYRIGHT © 2004

FOR. TRI-RAIL

**SKETCH TO ACCOMPANY DESCRIPTION
 CROSS USAGE EASEMENT**

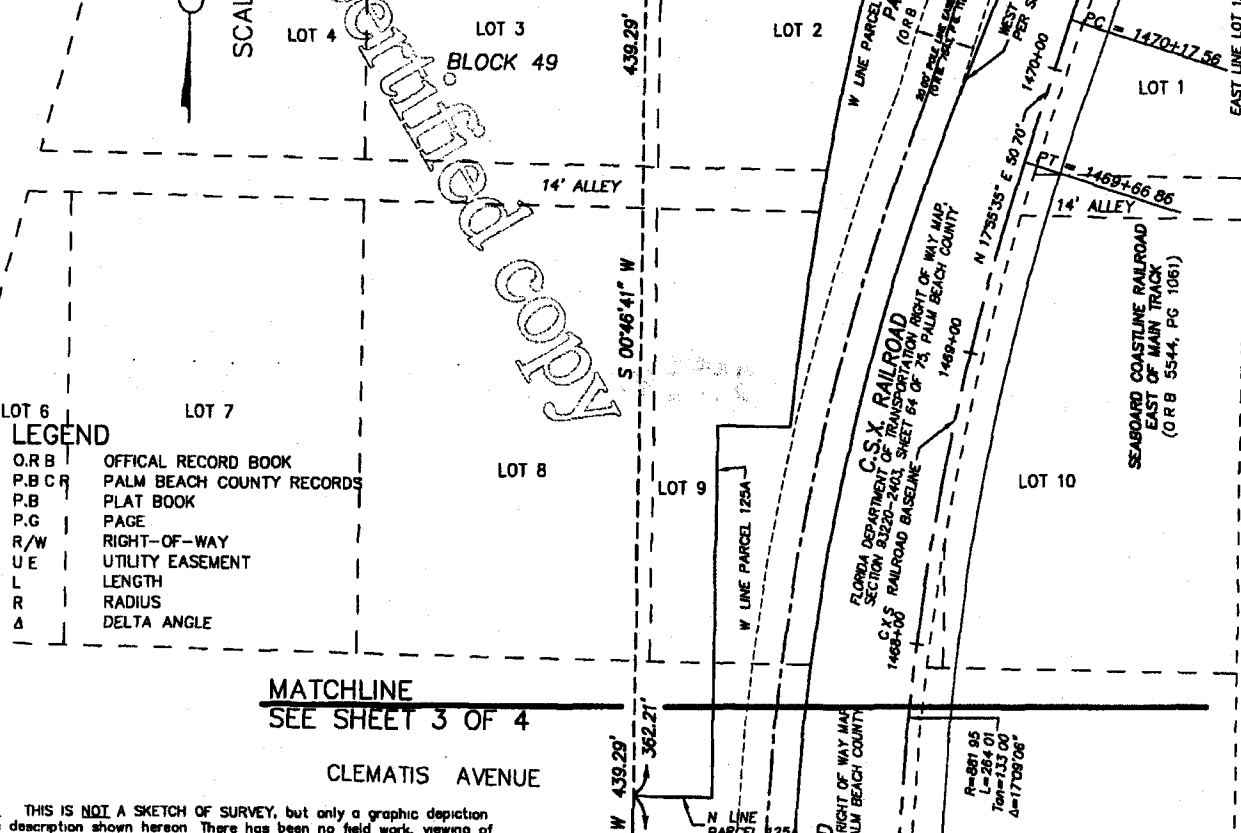
POINT OF COMMENCEMENT
 NE CORNER LOT 1, BLOCK 49

BANYAN STREET
 (60' RIGHT OF WAY)



MAP OF THE TOWN OF
 WEST PALM BEACH
 (P.B. 1, PG. 2, P.B.C.R.)

SCALE: 1" = 60'



LEGEND

- O.R.B OFFICAL RECORD BOOK
- P.B.C.R PALM BEACH COUNTY RECORDS
- P.B PLAT BOOK
- P.G PAGE
- R/W RIGHT-OF-WAY
- U.E UTILITY EASEMENT
- L LENGTH
- R RADIUS
- Δ DELTA ANGLE

MATCHLINE
 SEE SHEET 3 OF 4

CLEMATIS AVENUE

NOTE: THIS IS NOT A SKETCH OF SURVEY, but only a graphic depiction of the description shown hereon. There has been no field work, viewing of the subject property, or monuments set in connection with the preparation of the information shown hereon.

SHEET 2 OF 4 SHEETS

UPDATES and/or REVISIONS	DATE	BY	CK'D
REVISED PER COUNTY COMMENTS	6/14/07	NM	

NOTE: The undersigned and CRAVEN-THOMPSON & ASSOCIATES, INC make no representations or guarantees as to the information reflected hereon pertaining to easements, rights-of-way, set back lines, reservations, agreements and other similar matters. Such information should be obtained and confirmed by others through appropriate title verification.

NOTE: Lands shown hereon were not abstracted for right-of-way and/or easements of record.

G:\2000\000007-02-WEST PALM STA\DWG\LEGALS\SD-CROSS-USAGE-EASEMENT.DWG

JOB NO 00-0007-02	DRAWN BY: NM	CHECKED BY: DMD	F.B.N/A	PG.N/A	DATED: 3/7/07
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CRAVEN • THOMPSON & ASSOCIATES, INC.
 ENGINEERS • PLANNERS • SURVEYORS

3563 N.W. 53RD STREET, FORT LAUDERDALE, FLORIDA 33309 FAX (954) 739-6409 TEL: (954) 739-6400

FLORIDA LICENSED ENGINEERING, SURVEYING & MAPPING BUSINESS No. 271

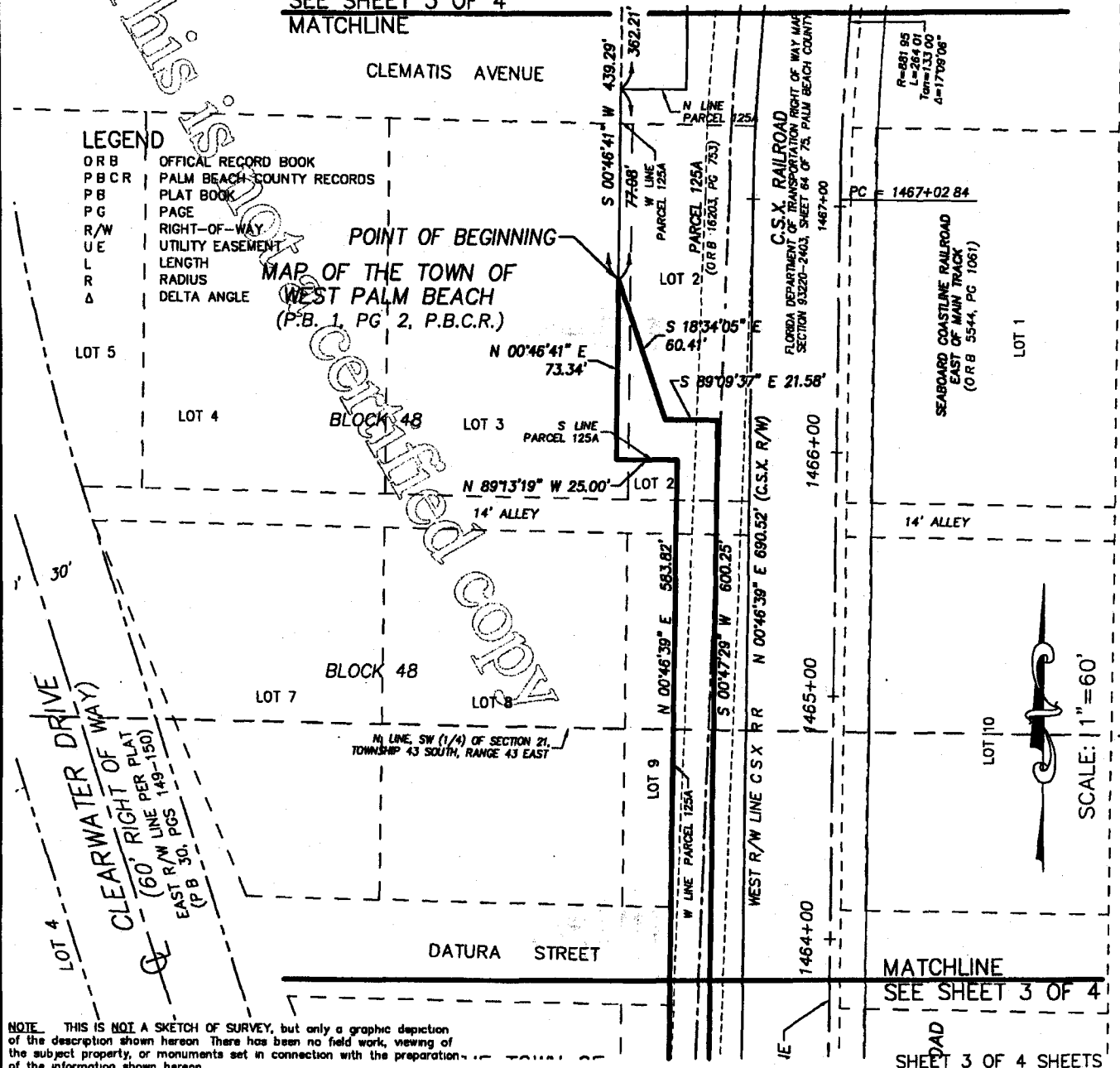
FLORIDA LICENSED LANDSCAPE ARCHITECTURE BUSINESS No. C000114

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FOR TRI-RAIL

SKETCH TO ACCOMPANY DESCRIPTION
 CROSS USAGE EASEMENT

SEE SHEET 3 OF 4
 MATCHLINE



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UPDATES and/or REVISIONS	DATE	BY	CK'D
REVISED PER COUNTY COMMENTS	6/14/07	NM	

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NOTE: Lands shown hereon were not abstracted for right-of-way and/or easements of record.

G:\2000\000007-02-WEST PALM STA\DWG\LEGALS\SD-CROSS-USAGE-EASEMENT.DWG

JOB NO 00-0007-02	DRAWN BY. NM	CHECKED BY. DMD	F.B. N/A	PG. N/A	DATED. 3/7/07
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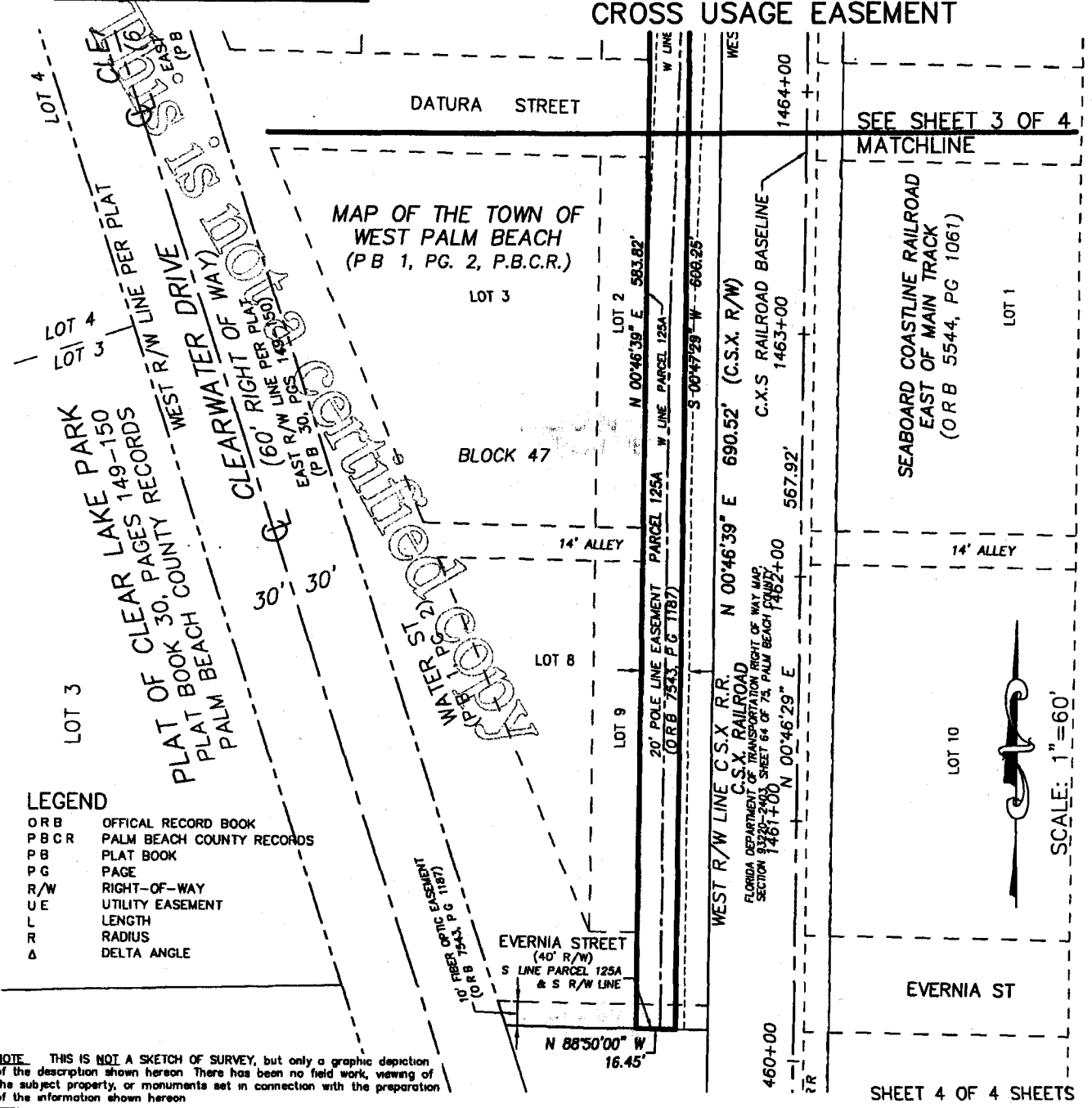
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FOR: TRI-RAIL

SKETCH TO ACCOMPANY DESCRIPTION
CROSS USAGE EASEMENT



LEGEND

- ORB OFFICIAL RECORD BOOK
- PBCR PALM BEACH COUNTY RECORDS
- PB PLAT BOOK
- PG PAGE
- R/W RIGHT-OF-WAY
- UE UTILITY EASEMENT
- L LENGTH
- R RADIUS
- Δ DELTA ANGLE

NOTE THIS IS NOT A SKETCH OF SURVEY, but only a graphic depiction of the description shown hereon. There has been no field work, viewing of the subject property, or monuments set in connection with the preparation of the information shown hereon.

SHEET 4 OF 4 SHEETS

UPDATES and/or REVISIONS	DATE	BY	CK'D
REVISED PER COUNTY COMMENTS	6/14/07	NM	

NOTE The undersigned and CRAVEN-THOMPSON & ASSOCIATES, INC make no representations or guarantees as to the information reflected hereon pertaining to easements, rights-of-way, set back lines, reservations, agreements and other similar matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification.

NOTE Lands shown hereon were not abstracted for right-of-way and/or easements of record.
G \2000\000007-02-WEST PALM STA\DWG\LEGALS\SD-CROSS-USAGE-EASEMENT.DWG

JOB NO · 00-0007-02	DRAWN BY: NM	CHECKED BY: DMD	F.B N/A	PG. N/A	DATED: 3/7/07
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**DESCRIPTION & SKETCH
 PREPARED FOR:
 CATALFUMO CONSTRUCTION
 & DEVELOPMENT**

**EXPANSION EASEMENT AREA
 SFRTA TO COUNTY**

LEGAL DESCRIPTION

A PORTION OF PARCEL 'B', AS SHOWN ON THE PLAT OF WEST PALM BEACH INTERMODAL TRANSFER FACILITY, RECORDED IN PLAT BOOK 110, PAGES 191 AND 192, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID PARCEL 'B'; THENCE ALONG THE SOUTH LINE OF SAID PARCEL 'B', SOUTH 88° 50'00" EAST, A DISTANCE OF 16.45 FEET TO A POINT ON THE EAST LINE OF AN EASEMENT AGREEMENT, RECORDED IN OFFICIAL RECORD BOOK 22268, PAGE 851, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE DEPARTING SAID SOUTH LINE OF PARCEL 'B' ALONG THE EAST LINE OF SAID EASEMENT AGREEMENT, NORTH 00° 47'29" EAST, A DISTANCE OF 72.14 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID EAST LINE, NORTH 00° 47'29" EAST, A DISTANCE OF 184.81 FEET; THENCE DEPARTING SAID EAST LINE SOUTH 89° 36'39" EAST, A DISTANCE OF 8.73 FEET; THENCE SOUTH 00° 01'51" WEST, A DISTANCE OF 185.01 FEET; THENCE NORTH 88° 34'55" WEST, A DISTANCE OF 11.19 FEET TO THE EAST LINE OF SAID EASEMENT AGREEMENT AND THE POINT OF BEGINNING.

CONTAINING 1,841 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES:

1. THIS DRAWING IS NOT A SURVEY.
2. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
3. THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
4. THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY LIDBERG LAND SURVEYING, INC.
5. DATE OF LEGAL DESCRIPTION: JUNE 09, 2009

LIDBERG LAND SURVEYING, INC.

DAVID E. LIDBERG
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. 3613

ABBREVIATIONS:
 P.B. - PLAT BOOK
 POB - POINT OF BEGINNING
 POC - POINT OF COMMENCEMENT
 ORB - OFFICIAL RECORD BOOK

**LIDBERG LAND
 SURVEYING, INC.**

LB4431

675 West Indiantown Road, Suite 200,
 Jupiter, Florida 33458 TEL. 561-746-8454

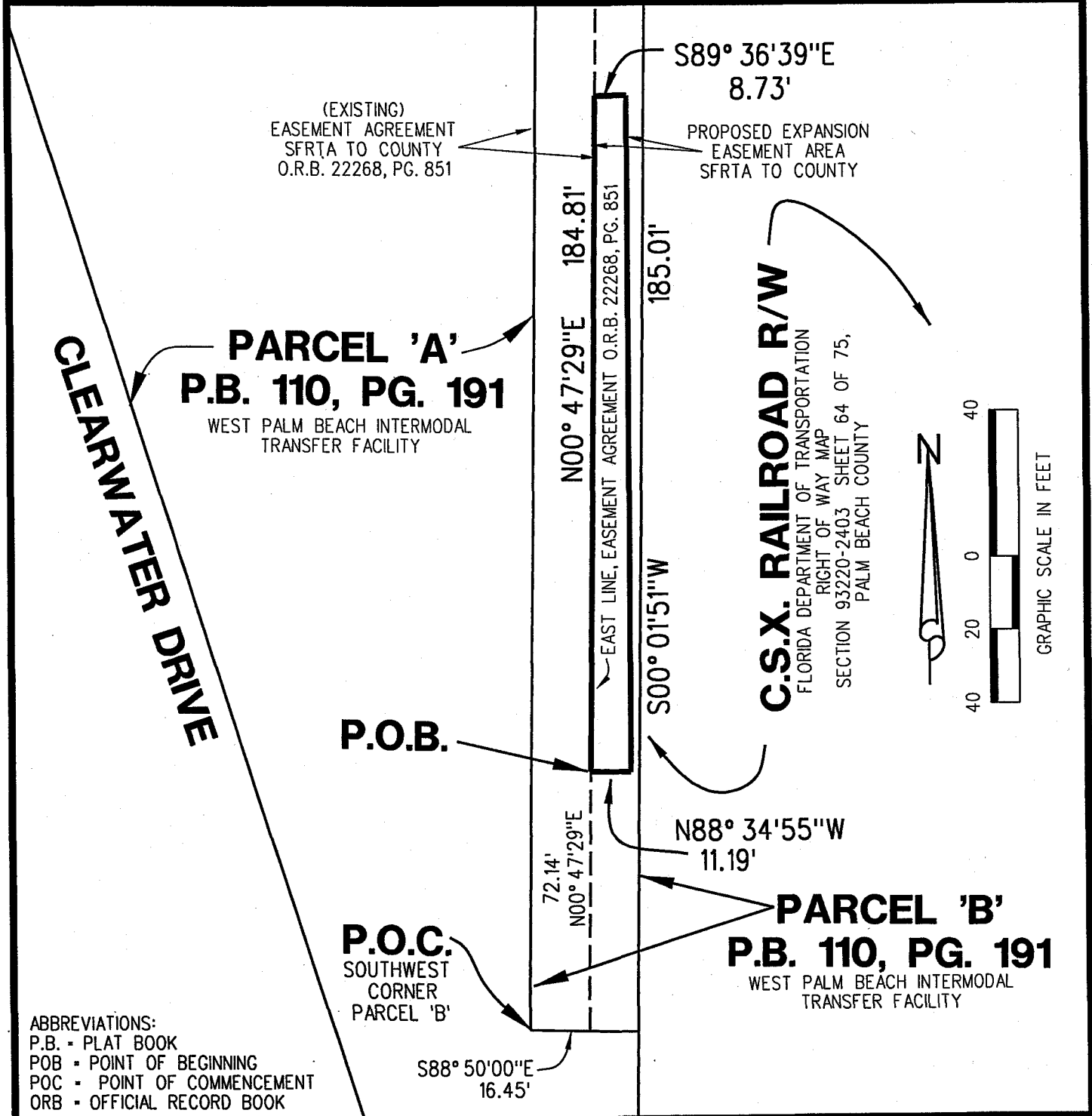
CAD. K:\UST \ 214343 \ 01-02 \ 08-083-303A \ 08-083-303A.DGN

REF.

FLD.	-	FB.	PG.	JOB	08-083-303A
OFF.	L.J.C.			DATE	06/09/09
CKD.	D.C.L.	SHEET	1 OF 2	DWG.	A08-083

**DESCRIPTION & SKETCH
PREPARED FOR:
CATALFUMO CONSTRUCTION
& DEVELOPMENT**

**EXPANSION EASEMENT AREA
SFRTA TO COUNTY**



ABBREVIATIONS:
 P.B. - PLAT BOOK
 POB - POINT OF BEGINNING
 POC - POINT OF COMMENCEMENT
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**LIDBERG LAND
SURVEYING, INC.**

LB4431 675 West Indiantown Road, Suite 200,
 Jupiter, Florida 33458 TEL. 561-746-8454

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REF.			
FLD.	FB.	PG.	JOB 08-083-303A
OFF. L.J.C.			DATE 06/09/09
CKD. D.C.L.	SHEET 2	OF 2	DWG. A08-083