



**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)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<u><i>* See below</i></u>	_____	_____	_____	_____
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

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:**

*[Signature]* 9/6/09  
 \_\_\_\_\_  
 OFMB 9/3/09 9/10/09 9/11/09

*[Signature]* 9/18/09  
 \_\_\_\_\_  
 Contract Development and Control

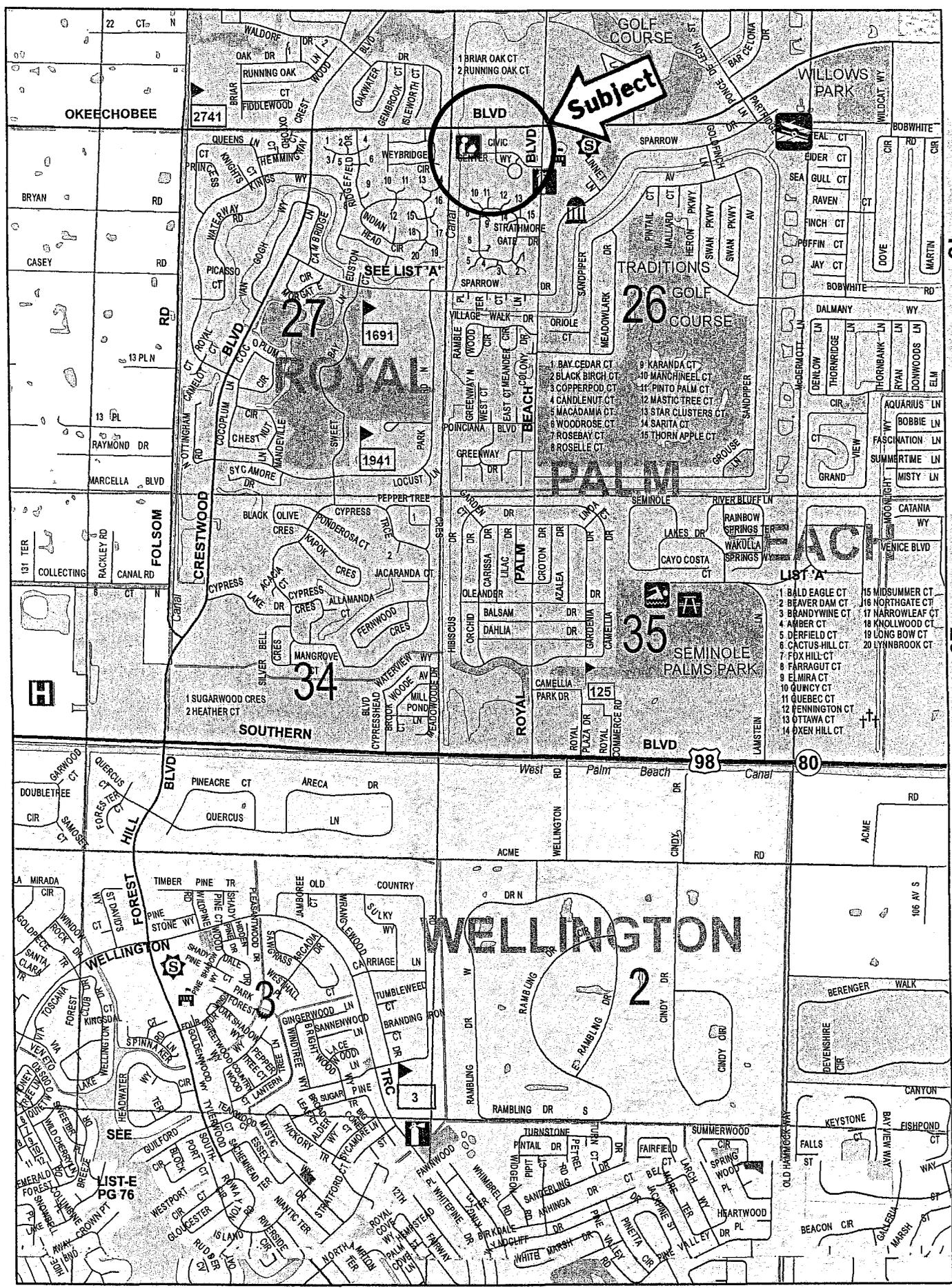
**B. Legal Sufficiency:**

*[Signature]* 9/8/09  
 \_\_\_\_\_  
 Assistant County Attorney

**C. Other Department Review:**

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

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



19

20

21

T43

T44

# LOCATION MAP ATTACHMENT #1



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

✓  
PCN: 72-41-43-26-26-000-0010 (a portion of)

## 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: Richard Anthony Wolf  
Department Director

## Exhibit "A"

### "Property"

#### PARCEL 1:

LOT 1, TRACT ONE-FIFTEEN, ACCORDING TO THE REPLAT THEREOF RECORDED IN PLAT BOOK 71, PAGE 14, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH,

#### PARCEL 2:

A PARCEL OF LAND BEING A PORTION OF LOT 3 OF THE PLAT OF TRACT ONE-FIFTEEN REPLAT OF LOTS 1 AND 5 AS RECORDED IN PLAT BOOK 71, PAGE 14 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 26, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

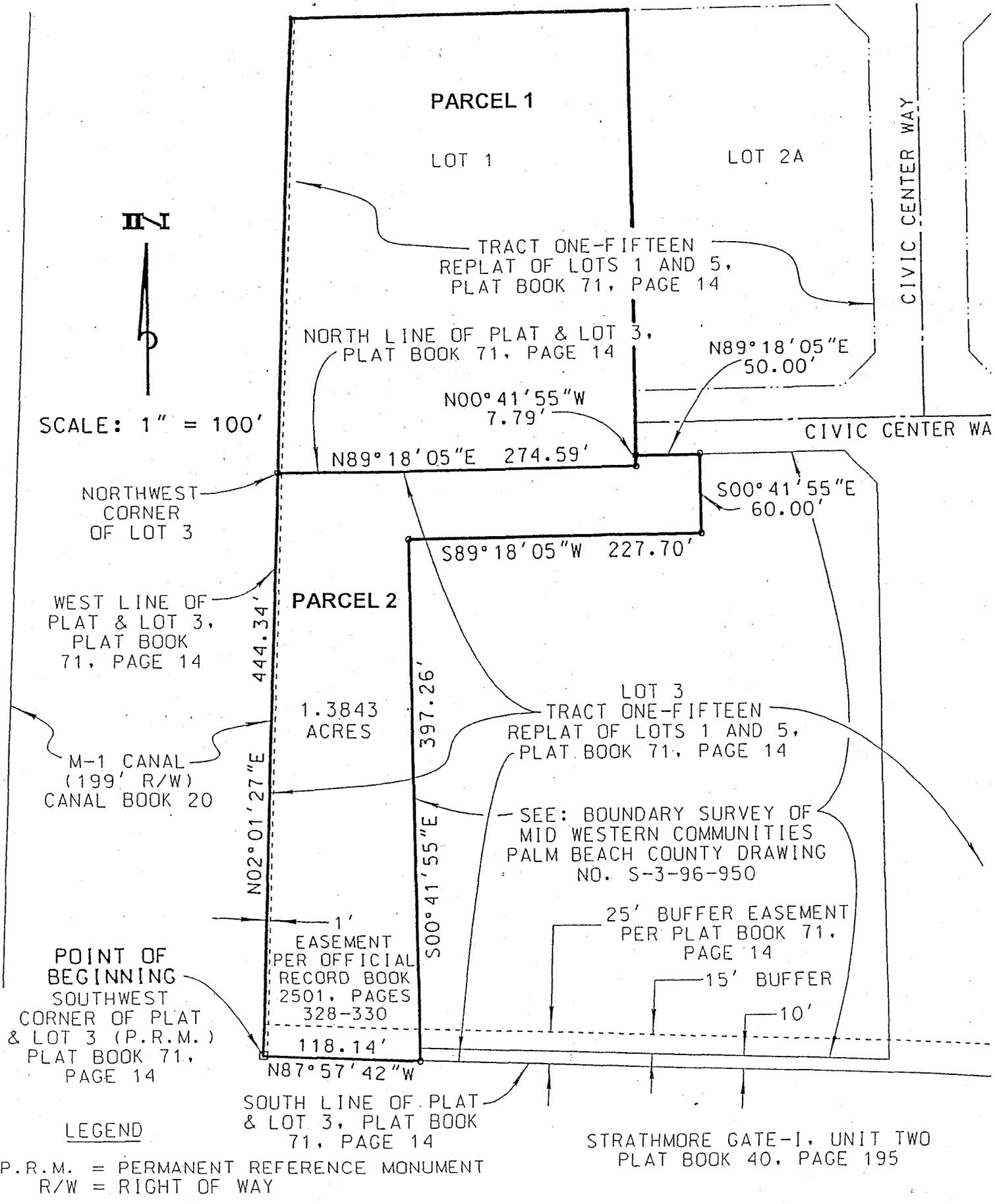
BEGINNING AT THE P.R.M. MARKING THE SOUTHWEST CORNER OF SAID PLAT OF TRACT ONE-FIFTEEN ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 3; THENCE NORTH  $02^{\circ}01'27''$  EAST ALONG THE WEST LINE OF SAID PLAT AND SAID LOT 3, A DISTANCE OF 444.34 FEET TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE NORTH  $89^{\circ}18'05''$  EAST (THE NEXT THREE COURSES ARE COINCIDENT WITH THE NORTH LINE OF SAID LOT 3 OF THE ABOVE REFERENCED PLAT) ALONG SAID NORTH LINE, A DISTANCE OF 274.59 FEET; THENCE NORTH  $00^{\circ}41'55''$  WEST, A DISTANCE OF 7.79 FEET; THENCE NORTH  $89^{\circ}18'05''$  EAST, A DISTANCE OF 50.00 FEET; THENCE SOUTH  $00^{\circ}41'55''$  EAST DEPARTING SAID NORTH LINE, A DISTANCE OF 60.00 FEET; THENCE SOUTH  $89^{\circ}18'05''$  WEST, A DISTANCE OF 227.70 FEET; THENCE SOUTH  $00^{\circ}41'55''$  EAST, A DISTANCE OF 397.26 FEET TO THE SOUTH LINE OF SAID PLAT AND SAID LOT 3; THENCE NORTH  $87^{\circ}57'42''$  WEST ALONG SAID SOUTH LINE, A DISTANCE OF 118.14 FEET TO SAID SOUTHWEST CORNER AND THE POINT OF BEGINNING.

THE PROPERTY (Parcels 1 and 2) CONTAINS 3.53 ACRES OR 153,958 SQUARE FEET MORE OR LESS.

BEARINGS ARE BASED ON AN ASSUMED BEARING OF NORTH  $87^{\circ}57'42''$  WEST ALONG THE SOUTH LINE OF LOT 3 AS SHOWN ON THE PLAT OF TRACT ONE-FIFTEEN REPLAT OF LOTS 1 AND 5 AS RECORDED IN PLAT BOOK 71, PAGE 15 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

THIS IS NOT A SURVEY  
(NO MONUMENTATION FOUND OR SET)

SECTION 26,  
TOWNSHIP 43 SOUTH,  
RANGE 41 EAST



**Exhibit "B"**

**"Easement Premises"**

**LEGAL DESCRIPTION**

A 20 FOOT WIDE STRIP OF LAND LYING AND BEING WITHIN A PORTION OF LOT 1 AND 3, TRACT ONE-FIFTEEN REPLAT OF LOTS 1 AND 5, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 71, PAGES 14-15, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 26, TOWNSHIP 43 SOUTH, RANGE 41 EAST, THE SIDES OF WHICH LIE 10 FEET ON EACH SIDE OF THE FOLLOWING CENTERLINE OF EASEMENT:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, SAID TRACT ONE-FIFTEEN REPLAT OF LOTS 1 AND 5; THENCE NORTH 00°41'55" WEST ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 49.50 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°18'05" WEST, A DISTANCE OF 24.00 FEET; THENCE SOUTH 44°18'05" WEST, A DISTANCE OF 87.50 FEET; THENCE SOUTH 89°18'05" WEST, A DISTANCE OF 95.00 FEET; THENCE SOUTH 00°41'55" EAST, A DISTANCE OF 19.00 FEET TO THE POINT OF TERMINATION.

EASEMENT CONTAINS 4.510 SQUARE FEET MORE OR LESS.

BEARING BASE: SOUTH LINE OF SAID LOT 1 IS ASSUMED TO BE SOUTH 89°18'05" WEST.

SIDELINES ARE TO ORIGINATE AT THE EAST LINE OF SAID LOT 1 AND ARE PERPENDICULAR AT THE POINT OF TERMINATION.

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. J. Howard*

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

*6-12-09*

DATE

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

PROJECT NO. 2009018-02	SHEET NO. 2	PROJECT: <b>ROYAL PALM BEACH LIBRARY 20 FOOT UTILITY EASEMENT</b>	DESIGNER: APPROVED: DRAWN: CHECKED: DATE: FIELD BOOK NO.	SCALE: 1" = 60'	NO.	REVISION	BY	DATE	 <b>PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411</b>
					1	PREM COMMENTS		6/21/09	
		DESIGN FILE NAME S-1-09-2955.DGN	DRAWING NO. S-1-09-2955	N/A	2	ADD. PREM COMMENTS		6/12/09	

NORTHWEST CORNER OF  
SECTION 26, TOWNSHIP 43  
SOUTH, RANGE 41 EAST.

N89°18'05"E

199.22'

OKEECHOBEE BOULEVARD

60.07'  
S02°01'27"W

257.86' N89°18'05"E

EAST LINE  
LOT 1

TRACT ONE-FIFTEEN  
REPLAT OF LOTS 1 AND 5  
PLAT BOOK 71, PAGES 14-15

LOT 1

LOT 2A

M-1 CANAL  
(CANAL BOOK 20)

352.18' S02°01'27"W

351.78' S00°41'55"E

CIVIC CENTER WAY

199.00'

POINT OF  
BEGINNING

S89°18'05"W  
24.00'

SOUTH LINE  
LOT 1

S44°18'05"W  
87.50'

CIVIC CENTER WAY

N00°41'55"W  
49.50'

274.59' S89°18'05"W

20'  
10'

POINT OF  
COMMENCEMENT  
SOUTHEAST  
CORNER OF  
SAID LOT 1

HN

S00°41'55"E  
19.00'

S89°18'05"W  
95.00'

POINT OF  
TERMINATION

CENTERLINE 20'  
UTILITY EASEMENT

LOT 3

SCALE: 1" = 60'

ROYAL PALM BEACH LIBRARY

THIS IS NOT A SURVEY

PROJECT NO. 2009018-02

DRAWING NO. S-1-09-2955

PROJECT: 20 FOOT UTILITY EASEMENT

SHEET 2 OF 2