

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

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**Meeting Date:** March 23, 2010             **Consent**             **Regular**  
    **Ordinance**             **Public Hearing**

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**Department:**            **Facilities Development & Operations**

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**I. EXECUTIVE BRIEF**

**Motion and Title: Staff recommends motion to approve:** a Declaration of Easement in favor of the Palm Beach County Water Utilities Department for a water main to serve a relocated fire hydrant at the County's Operations & Support Center (OSC) Warehouse at Vista Center in unincorporated West Palm Beach.

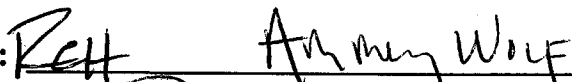
**Summary:** The Palm Beach County Water Utilities Department installed an underground water main for a relocated fire hydrant at the new warehouse that the County is constructing on the western portion of the OSC. The OSC is located on the north side of Vista Parkway, north of Okeechobee Boulevard and west of Florida's Turnpike in unincorporated West Palm Beach. Except for the above-ground fire hydrant, all improvements associated with this easement are located underground. The easement area varies in length from 62.93 feet to 78.46 feet and is approximately 20 feet wide and contains 1,289 square feet (0.03 acres). The Declaration of Easement will be recorded to provide notice of the existence and location of the water main. **(PREM) District 2 (HJF)**

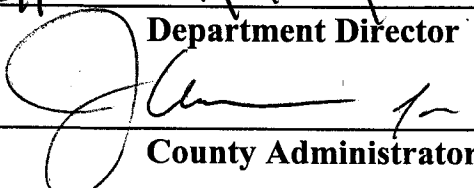
**Background and Justification:** The County acquired the OSC property in 2001. The warehouse is being relocated from Airport property on the north side of Belvedere Road to the OSC. The new 91,048 square foot building, which will be used by the Purchasing Department and the Fixed Assets Management Office, is under construction and is scheduled to be completed in March 2010.

**Attachments:**

1. Location Map
2. Declaration of Easement

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**Recommended By:**             2/27/10  
   **Department Director**            **Date**

**Approved By:**             3/14/10  
   **County Administrator**            **Date**

## II. FISCAL IMPACT ANALYSIS

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

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<u>_____</u>	<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:**

\_\_\_\_\_  
 OFMB  
 MD 3/12/10  
 3/18/10

\_\_\_\_\_  
 Contract Development and Control 3/11/10

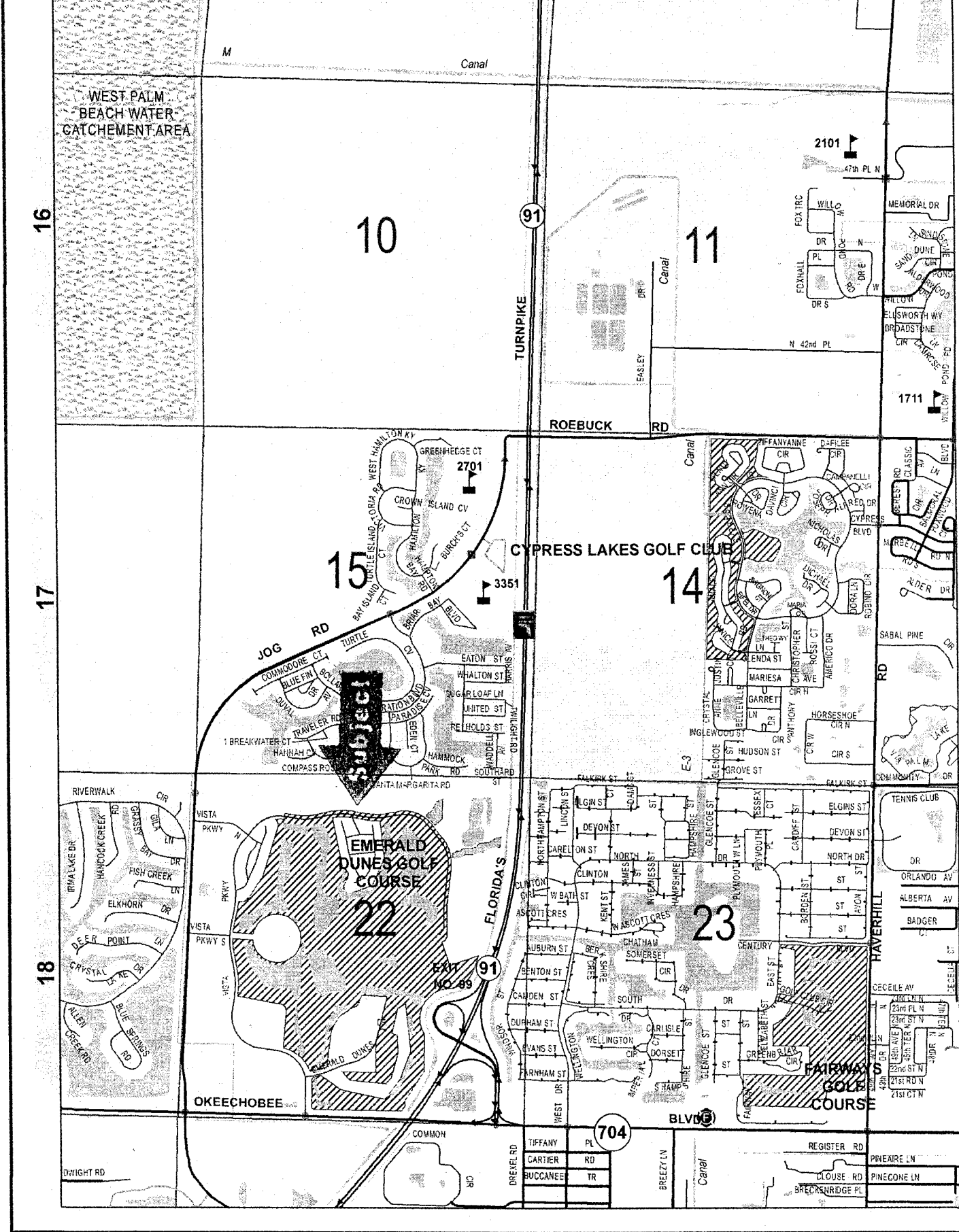
**B. Legal Sufficiency:**

\_\_\_\_\_  
 Assistant County Attorney 3/12/10

**C. Other Department Review:**

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

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



# LOCATION MAP

# ATTACHMENT # 1



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: 00-42-43-15-13-002-0000

## 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: \_\_\_\_\_  
Burt Aaronson, Chair

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS AND  
CONDITIONS**

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

By: Reff Anthony Wolf  
Department Director

**EXHIBIT "A"**

**THE PROPERTY**

Tract B, FIELD OPERATIONS AND SUPPORT CENTER, recorded in Plat Book 105,  
Page 105, public records of Palm Beach County, Florida.

**EXHIBIT "B"**

**THE EASEMENT PREMISES**

DESCRIPTION & SKETCH  
PREPARED FOR:  
CATALFUMO CONSTRUCTION

PALM BEACH COUNTY FIELD OPERATIONS  
& SUPPORT CENTER BUILDING #8  
PBCWU EASEMENT

EXHIBIT "A"

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF TRACT "B", ACCORDING TO THE PLAT OF FIELD OPERATIONS AND SUPPORT CENTER, AS RECORDED IN PLAT BOOK 105, PAGES 105 THROUGH 110, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT "B"; THENCE SOUTH 89°49'01" EAST ALONG THE NORTH LINE OF SAID TRACT "B", A DISTANCE OF 186.57 FEET; THENCE, DEPARTING SAID NORTH LINE, SOUTH 00°10'59" WEST, A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF WATER LINE EASEMENT #1 AS RECORDED IN OFFICIAL RECORDS BOOK 21661 AT PAGE 924 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE, FROM THE POINT OF BEGINNING, SOUTH 75°29'46" EAST, A DISTANCE OF 62.93 FEET; THENCE SOUTH 14°30'14" WEST, A DISTANCE OF 20.00 FEET; THENCE NORTH 75°29'46" WEST, A DISTANCE OF 78.46 FEET; THENCE NORTH 00°10'59" EAST, A DISTANCE OF 1.54 FEET; THENCE SOUTH 89°49'01" EAST, A DISTANCE OF 20.00 FEET; THENCE NORTH 00°10'59" EAST, A DISTANCE OF 14.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,289 SQUARE FEET OR 0.03 ACRES, 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: 12/22/2009

LIDBERG LAND SURVEYING, INC.

DAVID C. LIDBERG  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE No. 3613

LEGEND:

LB = LICENSE BUSINESS  
LS = LICENSE SURVEYOR  
ORB = OFFICIAL RECORD BOOK  
PB = PLAT BOOK  
POB = POINT OF BEGINNING  
POC = POINT OF COMMENCEMENT  
ROW = RIGHT-OF-WAY  
UE = UTILITY EASEMENT  
PBCWU = PALM BEACH COUNTY WATER UTILITIES

**LIDBERG LAND SURVEYING, INC.**

LB 4431

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

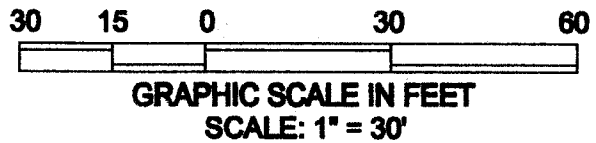
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OFF	D.L.S.		DATE 12/22/09
CKD	D.C.L.	SHEET 1 OF 2	DWG A04-175H

K:\AUTOCAD2000\154342\04-175\dwg\04-175B-303A.dwg 12/24/2009 10:29:06 AM EST



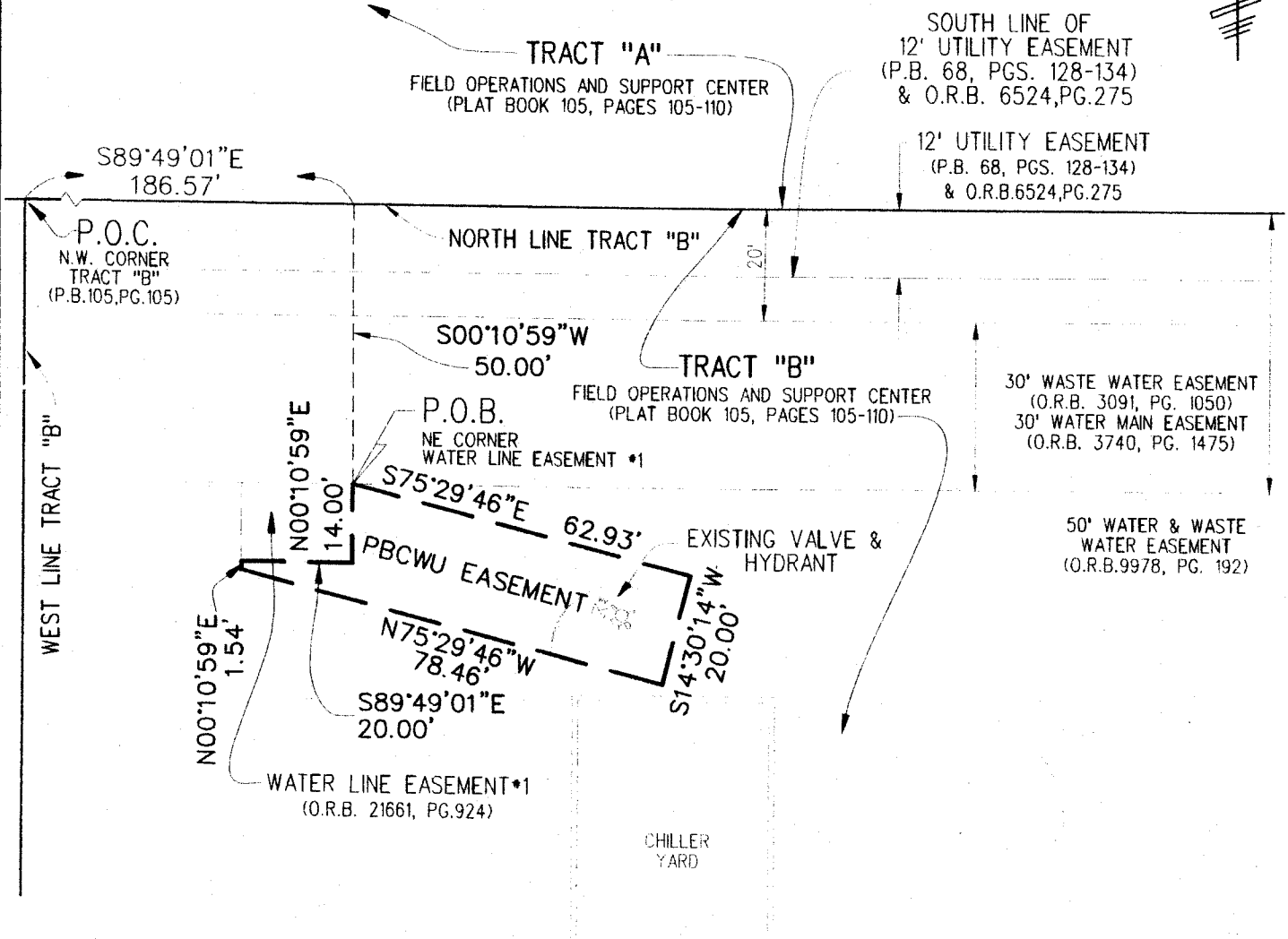
**DESCRIPTION & SKETCH  
PREPARED FOR:  
CATALFUMO CONSTRUCTION**

**PALM BEACH COUNTY FIELD OPERATIONS  
& SUPPORT CENTER  
PBCWU EASEMENT**



**North**

**EXHIBIT "A"**



**LEGEND:**

- LB = LICENSE BUSINESS
- LS = LICENSE SURVEYOR
- ORB = OFFICIAL RECORD BOOK
- PB = PLAT BOOK
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- ROW = RIGHT-OF-WAY
- UE = UTILITY EASEMENT
- PBCWU = PALM BEACH COUNTY WATER UTILITIES

BUILDING No. 8

**LIDBERG LAND  
SURVEYING, INC.**

LB 4401

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

CAD	K: \AUTOCAD2000\154342\04-175\DWG\04-175B-303A.DWG		
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OFF	D.L.S.		DATE 12/22/09
CKD	D.C.L.	SHEET 2 OF 2	DWG A04-175H