Agenda Item #: 3H-2

#### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

Meeting Date:	March 23, 2010	[X] Consent	[] Regular	
		[] Ordinance	[] Public Hearing	

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

#### I. <u>EXECUTIVE BRIEF</u>

Motion and Title: Staff recommends motion to approve: a Unity of Title for the new Fire Rescue Station No. 31 located in the Village of Palm Springs (Village).

**Summary:** Fire Rescue Station No. 31 is located on Lake Worth Road east of Davis Road, in the Village of Palm Springs. The County will construct a new station to replace the existing station which will be demolished upon the completion of the new fire station. As a condition of the development approval, the Village is requiring the County to record a Unity of Title over the existing two (2) County parcels which will create one (1) legal lot of record for the two (2) parcels of land. (PREM) <u>District 3</u> (HJF)

**Background and Justification:** On February 24, 2009, the Board approved the contract for the design of the new Fire Rescue Station No. 31. On December 10, 2009, the Village approved the County's plan for the construction of a new fire rescue station and the demolition of the existing Fire Rescue Station No. 31. Construction is anticipated to begin in June 2010.

#### Attachments:

- 1. Location Map
- 2. Unity of Title

Recommended By:	H Anny Worf	2/27/10	
	Department Director	Date	
Approved By:	Ale 1-	3/15/10	
	/ County Administrator	Date	

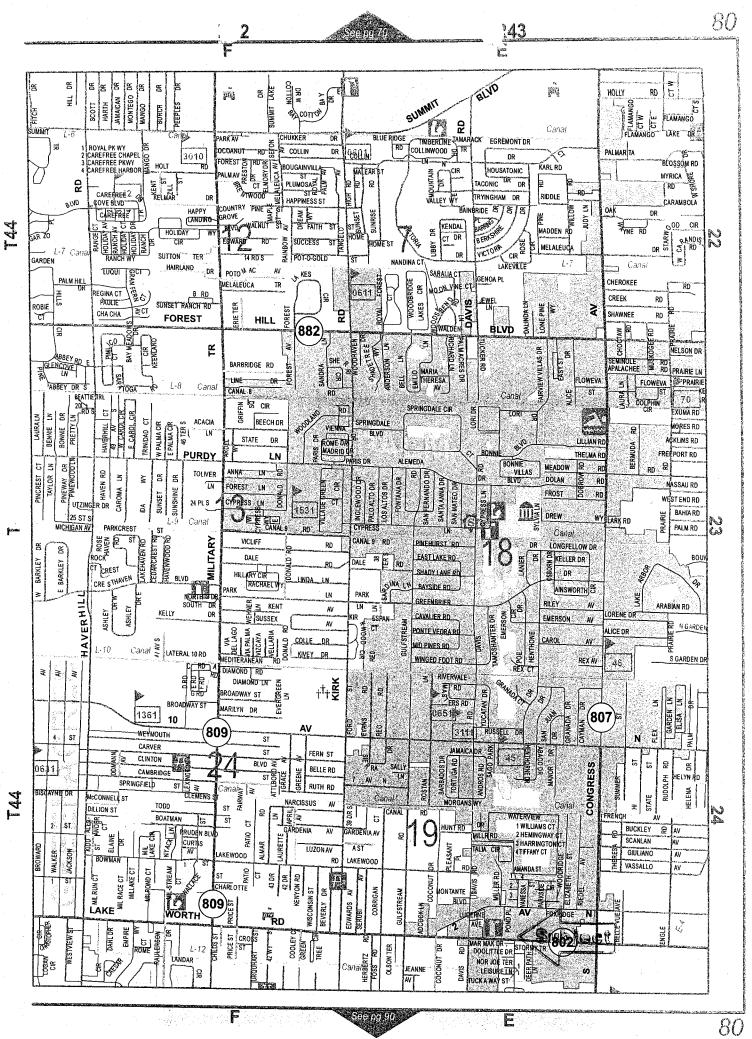
### II. FISCAL IMPACT ANALYSIS

## A. Five Year Summary of Fiscal Impact:

Fiscal Ye	ars		2010	2011	2012	2013	2014
Operatin External Program	Expenditures g Costs Revenues Income (Cou Match (Coun	• •					
NET FIS	CAL IMPAC	ĊT					
	IONAL FTE DNS (Cumula	-					
Is Item In	ncluded in C	ırrent Budg	get: Yes	N	0		
Budget A	ccount No:	Fund Pro	ogram	U	nit	Object	-
B. Re	commended	Sources of <b>I</b>	Funds/Summ	ary of Fiscal	Impact:		
No	fiscal impact	•					
C. De	partmental H	iscal Review	w:		<u> </u>		
			III. <u>REVIE</u>	W COMME	<u>NTS</u>	· · · ·	
A. OF	MB Fiscal a	nd/or Contr	act Develop	nent Comme	ents:		
der la com	MB (	Allon a	W A	Ju - Contract Deve	opment and	Control ///	
B. Le	gal Sufficien	cy:	1.10				
As	sistant Count	Attorney	12/10				
C. Ot	her Departm	ent Review:	•				
De	partment Dire	ector					

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

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

PCN: 70-43-44-19-20-068-0070

#### UNITY OF TITLE

In consideration of the issuance of a development permit to Palm Beach County, a political subdivision of the State of Florida, ("County") for site development, and for other good and valuable consideration, the undersigned hereby agrees to restrict the use of the property as legally described in Exhibit "A" (the "County Property") attached hereto and made a part hereof in the following manner:

- 1. That County Property shall be considered as one plot and parcel of land, and that no portion of said plot and parcel of land shall be sold, transferred, devised, or assigned separately except in its entirety as one plot or parcel of land.
- 2. The undersigned further agrees that this condition, restriction and limitation shall be deemed a covenant running with the land, and shall remain in full force and effect, and be binding upon the undersigned, their successors and assigns until such time as the same may be released in writing by the Village of Palm Springs, Florida.
- 3. The conveyance of any portion of the County Property for public right-ofway shall not be deemed to be a violation of this Unity of Title.
- 4. The undersigned further agrees that this instrument shall be recorded in the Public Records of Palm Beach County, Florida.

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# ATTACHMENT #2

**IN WITNESS WHEREOF**, the County has caused this Unity of Title to be executed as of the day and year first above written.

**ATTEST:** 

#### SHARON R. BOCK CLERK & COMPTROLLER

By:

Deputy Clerk

### **COUNTY:**

# PALM BEACH COUNTY, a political subdivision of the State of Florida

By:

Burt Aaronson, Chair

#### APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: \_

Assistant County Attorney

#### APPROVED AS TO TERMS AND CONDITIONS

Operatment Director By: 14

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#### EXHIBIT "A"

A PORTION OF TRACT 68 OF THE SUBDIVISION OF SECTION 19, TOWNSHIP 44 SOUTH, RANGE 43 EAST, IN PALM BEACH COUNTY, FLORIDA, PLAT OF WHICH IS RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 6, PAGE 66, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF SAID TRACT 68 RUN NORTHEASTERLY ALONG THE SOUTHERLY RIGHT OF WAY LINE OF NORTH LAKE WORTH ROAD, A DISTANCE OF 156.73 FEET TO A POINT WHICH IS THE NORTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED; THENCE TURNING AN ANGLE OF 118 DEGREES 11 MINUTES 15 SECONDS WITH THE SOUTH RIGHT OF WAY LINE OF NORTH LAKE WORTH ROAD, MEASURED FROM EAST TO SOUTH AND RUNS 139.83 FEET; THENCE TURNING AN ANGLE OF 90 DEGREES 17 MINUTES 05 SECONDS MEASURED FROM NORTH TO EAST AND RUNS 88.96 FEET, MORE OR LESS, TO A POINT IN THE WEST LINE OF LANDS DESCRIBED IN THAT CERTAIN DEED RECORDED IN DEED BOOK 984 AT PAGE 86, PALM BEACH COUNTY RECORDS, IF EXTENDED SOUTHWARD:

EXTENDED SOUTHWARD; THENCE NORTHERLY ALONG SAID LINE PARALLEL TO THE EAST LINE OF SAID TRACT 68, A DISTANCE OF 187.96 FEET, MORE OR LESS, TO A POINT IN THE SOUTH RIGHT OF WAY LINE OF NORTH LAKE WORTH ROAD:

THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 100,93 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

#### **Together With:**

BEGINNING AT THE SOUTHEAST CORNER OF TRACT 68 OF THE SUBDIVISION OF SECTION 19, TOWNSHIP 44 SOUTH, RANGE 43 EAST, AS RECORDED IN PLAT BOOK 6, PAGE 66, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA THENCE RUNNING NORTH 611.45 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF NORTH LAKE WORTH

ROAD:

ROAD; THENCE RUNNING SOUTHWESTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE 60 FEET TO A POINT; THENCE RUNNING SOUTH 187.45 FEET TO A POINT; THENCE RUNNING WEST 88.95 FEET TO A POINT; THENCE RUNNING SOUTH 35 FEET TO A POINT; THENCE RUNNING WEST 4 FEET TO A POINT; THENCE RUNNING SOUTH 115 FEET TO A POINT; THENCE RUNNING EAST 115.85 FEET TO A POINT; THENCE RUNNING EAST 115.85 FEET TO A POINT; THENCE RUNNING EAST 115.85 FEET TO THE SOUTH LINE OF SAID TRACT 68; THENCE RUNNING EAST 30 FEET TO THE SOUTH LINE OF SAID TRACT 68 AND THE POINT OF BEGINNING. BEGINNING,

LESS THE SOUTH 25 FEET OF THE ABOVE DESCRIBED PROPERTY FOR THE RIGHT OF WAY OF LAKE WORTH ROAD, ALSO KNOWN AS STATE ROAD No.802.