

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: June 29, 2010 Consent Regular
 Ordinance Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF


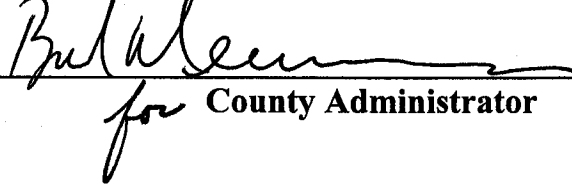
Motion and Title: Staff recommends motion to approve: a Declaration of Easement in favor of the Palm Beach County Water Utilities Department for a water main servicing the PBSO Training Facility on Cherry Road in unincorporated West Palm Beach.

Summary: The Palm Beach County Water Utilities Department installed an underground water main for future development at the PBSO Training Facility, located at 4215 Cherry Road in unincorporated West Palm Beach. The County acquired the 20-acre parcel, which is east of North Military Trail and North of Belvedere Road in 2003 from The King's Academy, Inc. An easement is needed to protect both the existing and the newly constructed water main. Except for an above-ground fire hydrant and backflow preventer valve, all improvements associated with this easement are located underground. The easement area is approximately 460 feet long and approximately 20 feet wide and contains 8,845 square feet (0.20 acres) and is located in the south central portion of the site. (PREM) District 2 (HJF)

Background and Justification: The Declaration of Easement will be recorded to provide notice of the existence and location of both the existing and the newly constructed water main.

Attachments:

- 1. Location Map
- 2. Declaration of Easement

Recommended By:  Department Director 6/10/10
Approved By:  for County Administrator 6/22/10
Date 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)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>_____</u> <i># see below</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:

 OFMB *[Signature]* 6/17/10
6/17/10

 Contract Development and Control *[Signature]* 6/18/10

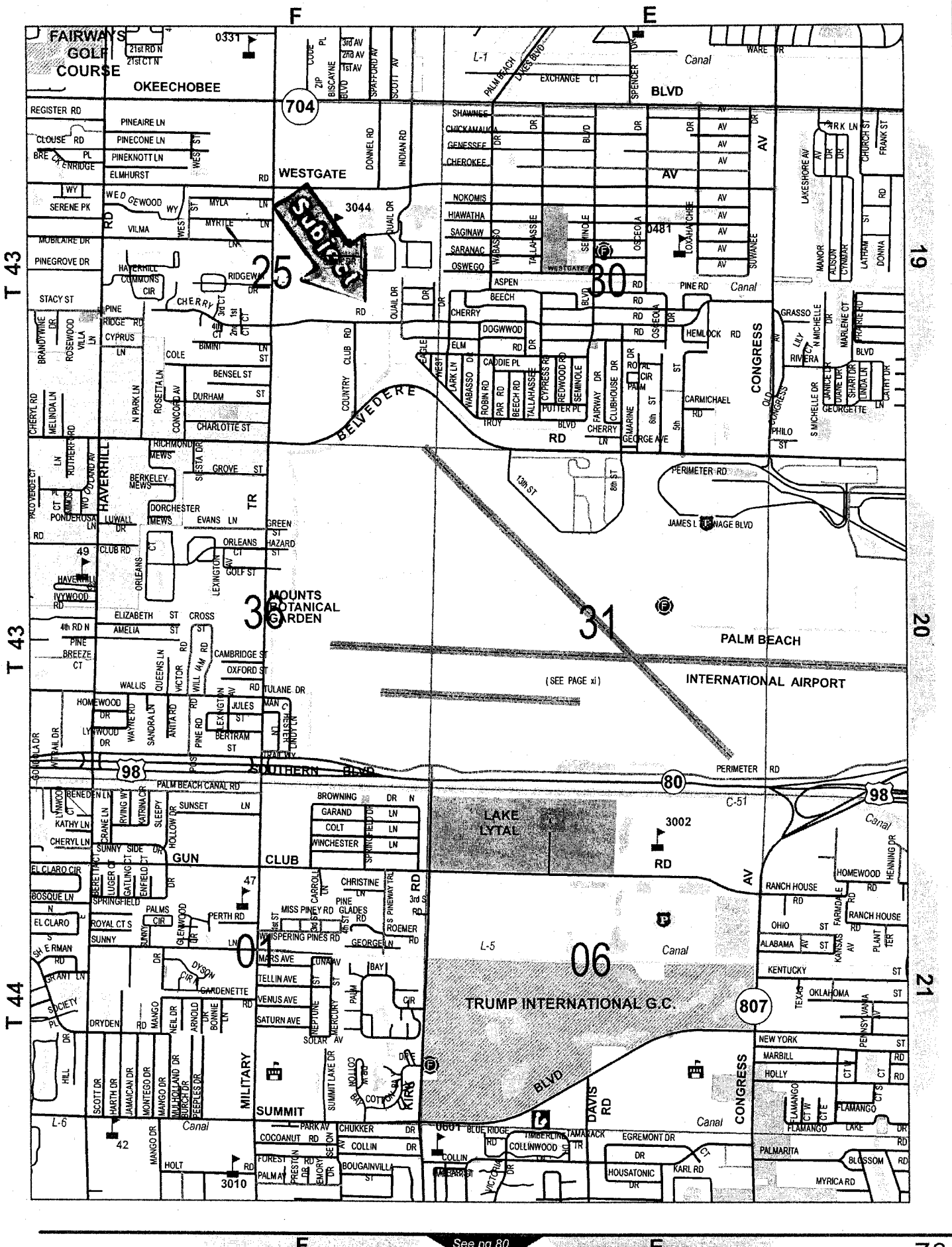
B. Legal Sufficiency:

 Assistant County Attorney *[Signature]* 6/22/10

C. Other Department Review:

 Department Director

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



T 43

T 43

T 44

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E

F

E

LOCATION MAP

Attachment 1

Handwritten signature or initials.

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: 00-42-43-25-00-000-5010

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: Pat Anthony Wolf
Department Director

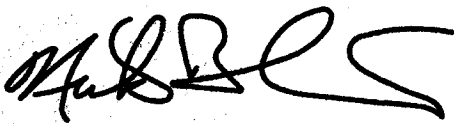
EXHIBIT "A"

SURVEYOR'S NOTES

1. MEASUREMENTS SHOWN HEREON ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF.
2. BLINOW & ROSSI, INC. RESERVES THE RIGHT TO UTILIZE ANY AND ALL INFORMATION OBTAINED IN THE PREPARATION OF THIS SURVEY FOR ANY OTHER PURPOSES.
3. THIS DRAWING IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED MEASUREMENTS.
5. THIS SKETCH DOES NOT REFLECT OR DETERMINE OWNERSHIP OF THE SUBJECT PROPERTY OR ITS ADJOINERS.
6. BLINOW & ROSSI, INC., IS AUTHORIZED TO PROVIDE SURVEYING AND MAPPING SERVICES BY THE STATE OF FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, LICENSE NO. LB7236, PURSUANT TO THE PROVISIONS OF CHAPTER 472-FLORIDA STATUTES.
7. SEE SHEET 4 OF 4 FOR SKETCH OF DESCRIPTION ATTACHED HERETO AND MADE A PART THEREOF.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE ABOVE MENTIONED SKETCH OF LEGAL DESCRIPTION, AND THE LEGAL DESCRIPTION ON WHICH IT IS BASED, IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AS PREPARED UNDER MY DIRECTION AND SUPERVISION. I FURTHER CERTIFY THAT THIS SKETCH OF LEGAL DESCRIPTION MEETS THE APPLICABLE REQUIREMENTS OF THE FLORIDA ADMINISTRATIVE CODE 5J-17.
 BLINOW & ROSSI, INC.




4/29/2010

NICHOLAS W. BLINOW, P.S.M.
 PROFESSIONAL SURVEYOR & MAPPER
 FLORIDA REGISTRATION NO. 5989

DATE

REVISIONS: DATE:

TITLE: SKETCH OF DESCRIPTION - 20' PBC UTILITY EASEMENT
 PROJECT: PALM BEACH SHERIFF'S OFFICE CHERRY ROAD FACILITY

 <p>Blinow & Rossi, Inc. Land Surveying, Mapping and Consultant Services 18724 SEA TURTLE LANE Boca Raton, Florida 33498 Telephone No. (561) 441-9449</p>	DRAWN BY: nb	SHEET NUMBER 1 OF 4
	APPROVED BY: N.W.B.	
	DATE: 4/29/2010	
	SCALE: NA	
	DRAWING NO.: PBSO-UTILEASE	

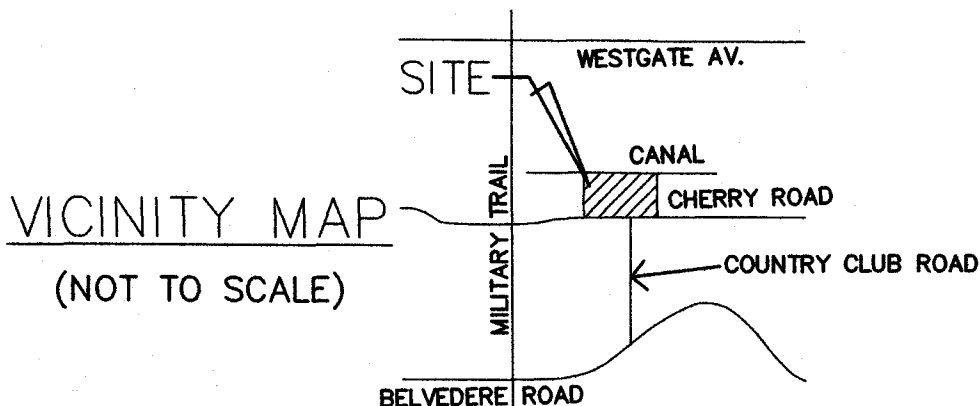
**LEGAL DESCRIPTION
OF AFFECTED PREMISES**

PARCEL 1:

ALL THAT PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, LESS THE SOUTH 60 FEET OF THE NORTH 797 FEET, SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, LYING NORTH OF CHERRY ROAD RIGHT-OF-WAY, PALM BEACH COUNTY, FLORIDA, AND LESS THE NORTH 52 FEET OF SAID SECTION 25.

PARCEL 2:

BEGINNING AT A POINT ON THE WEST LINE OF THE EAST HALF OF SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, SAID POINT BEING 1950.00 FEET NORTH OF SOUTH LINE OF SECTION 25; THENCE CONTINUE NORTHERLY ALONG SAID WEST LINE A DISTANCE OF 700.00 FEET TO A POINT, SAID POINT BEING 52 FEET AS MEASURED AT RIGHT ANGLES, SOUTH OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 25; THENCE RUN EASTERLY ALONG A LINE, 52 FEET SOUTH OF AS MEASURED AT RIGHT ANGLES TO THE SAID NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 25 A DISTANCE OF 615.00 FEET; THENCE RUN SOUTHERLY AT AN ANGLE OF 89°39'00" WITH PRECEDING COURSE, MEASURED FROM WEST TO SOUTH A DISTANCE OF 700.00 FEET; THENCE RUN WESTERLY A DISTANCE OF 615.00 FEET TO THE POINT OF BEGINNING, LESS THE EAST 30 FEET THEREOF, PREVIOUSLY CONVEYED FOR DRAINAGE AND DITCH PURPOSES WITH RIGHT OF EGRESS AND INGRESS OVER SAID STRIP, BY DEED RECORDED IN DEED BOOK 999, PAGE 444, PALM BEACH COUNTY RECORDS, AND LESS THAT PORTION OF THE ABOVE DESCRIBED PROPERTY CONVEYED TO THE COUNTY OF PALM BEACH IN THE STATE OF FLORIDA, BY DEED RECORDED IN OFFICIAL RECORD BOOK 770, PAGE 123, PALM BEACH COUNTY, FLORIDA, AND LESS THAT PORTION OF THE ABOVE DESCRIBED PROPERTY CONVEYED TO PALM BEACH COUNTY, FLORIDA, FOR ADDITIONAL ROAD RIGHT-OF-WAY BY RIGHT-OF-WAY WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 6694, PAGE 934, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.



REVISIONS:

DATE:

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PROJECT: PALM BEACH SHERIFF'S OFFICE CHERRY ROAD FACILITY

Blinow & Rossi, Inc.

Land Surveying, Mapping and Consultant Services

18724 SEA TURTLE LANE

Boca Raton, Florida 33498

Telephone No. (561) 441-9449

DRAWN BY: nb

APPROVED BY: N.W.B.

DATE: 4/29/2010

SCALE: NA

DRAWING NO.:
PBS0-UTILEASE

SHEET
NUMBER

2 OF 4

EXHIBIT "B"

LEGAL DESCRIPTION OF 20' UTILITY EASEMENT

COMMENCING AT THE SOUTHWEST CORNER OF PARCEL 2, SAID POINT BEING ON THE WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, SAID POINT BEARING N01°24'13"E, AND BEING 1950.00 FEET DISTANT FROM THE SOUTH LINE OF SECTION 25.

THENCE RUNNING ALONG THE WEST LINE OF PARCEL 2

N01°24'13"E, A DISTANCE OF 25.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF CHERRY ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 6694, PAGE 934; THENCE RUNNING ALONG SAID NORTH RIGHT OF WAY LINE

S88°56'47"E, A DISTANCE OF 43.69 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

THENCE RUNNING BY THE FOLLOWING NINE COURSES:

N00°14'47"E, A DISTANCE OF 338.83 FEET,
N89°45'13"W, A DISTANCE OF 80.78 FEET,
N00°14'47"E, A DISTANCE OF 20.00 FEET,
S89°45'13"E, A DISTANCE OF 100.78 FEET,
S00°14'47"W, A DISTANCE OF 15.00 FEET,
S89°45'13"E, A DISTANCE OF 5.00 FEET,
S00°14'47"W, A DISTANCE OF 10.00 FEET,
N89°45'13"W, A DISTANCE OF 5.00 FEET, AND
S00°14'47"W, A DISTANCE OF 334.12 FEET TO A POINT ON THE NORTH LINE OF CHERRY ROAD.

THENCE RUNNING ALONG SAID NORTH LINE OF CHERRY ROAD

N88°56'47"W, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING

SAID LANDS LYING, BEING AND SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAINING 8,845 SQUARE FEET OF LAND (0.2030 ACRES), MORE OR LESS.

REVISIONS:

DATE:

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Land Surveying, Mapping and Consultant Services

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DRAWN BY: nb

APPROVED BY: N.W.B.

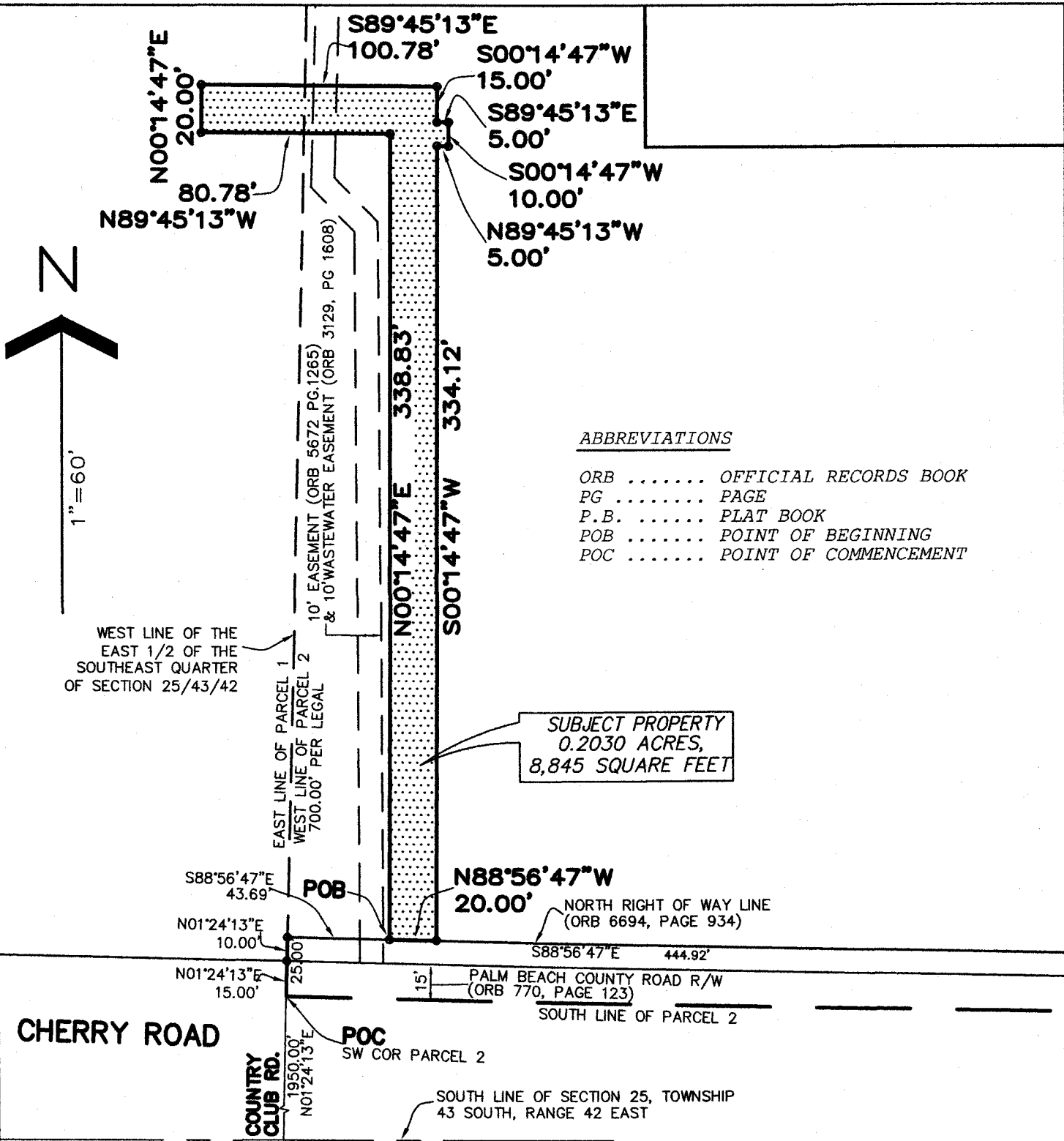
DATE: 4/29/2010

SCALE: NA

DRAWING NO.:
PBSO-UTILEASE

SHEET
NUMBER

3 OF 4



ABBREVIATIONS

- ORB OFFICIAL RECORDS BOOK
- PG PAGE
- P.B. PLAT BOOK
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT

SUBJECT PROPERTY
 0.2030 ACRES,
 8,845 SQUARE FEET

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<p style="text-align: center;">Blinow & Rossi, Inc. Land Surveying, Mapping and Consultant Services 18724 SEA TURTLE LANE Boca Raton, Florida 33498 Telephone No. (561) 441-9449</p>	DRAWN BY: nb	SHEET NUMBER 4 OF 4
	APPROVED BY: N.W.B.	
	DATE: 4/29/2010	
	SCALE: 1"=60'	
	DRAWING NO.: PBS0-UTILEASE	