

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
Library Capital	_____	_____	_____	_____	_____
External Revenues	(80,064)	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	(80,064)	_____	_____	_____	_____
# ADDITIONAL FTE	_____	_____	_____	_____	_____
POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes _____ No X

Budget Account No.: Fund _____ Department _____ Unit _____ Object _____

Reporting Category _____

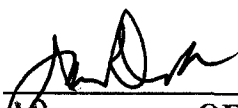

B. Recommended Sources of Funds/Summary of Fiscal Impact:

Acceptance of funds is contingent on BCC's decision to approve. ULDC Article 14 provides payment to be made to the Natural Areas Fund.

C. Departmental Fiscal Review: _____ *[Signature]*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:

 _____ OFMB 7/29/10	 _____ Contract Development and Control E Jones 8/3/10
---	---

B. Legal Sufficiency: _____ *[Signature]* 7/29/10



 Assistant County Attorney

C. Other Department Review:

Department Director

THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.

(Continued from page 1)

Background and Justification: The Pratt & Orange MUPD was initially approved by the BCC on October 22, 1998 via Resolution No. R-1998-1810. That approval included a 1.44 acre native upland preserve on the easternmost 6.66 acre parcel (Parcel B) of the MUPD, which was designated for future Government Services and subsequently conveyed to ITID by plat. The Site Plan that corresponded to Resolution No. R-1998-1810 delineated the limits of the 1.44 acre native upland preserve and noted that the preserve may be mitigated at time of a subsequent BCC approval authorizing site development. The subject Conservation Easement applies to these same 1.44 acres and also contains language allowing for a release upon approval by the BCC and provision of adequate mitigation. These representations clearly establish a longstanding understanding that impact to the native upland preserve and release of the subject Conservation Easement may be necessitated by a site-specific development proposal for Government Services on the 6.66 acre Parcel B of the Pratt & Orange MUPD.

On June 29, 2009, a Development Order Amendment (DOA) for the Pratt & Orange MUPD was approved by the BCC via Resolution No. R-2009-1045. That DOA granted preliminary zoning approval to construct the proposed Acreage Branch Library upon Parcel B. The library development program approved via Resolution No. R-2009-1045 and Site Plan subsequently approved by the Development Review Officer (DRO) on January 13, 2010 (Exhibit "B") positions ancillary improvements to the proposed library in the location of the 1.44 acre native upland preserve and Conservation Easement. No alternative site design would have eliminated or lessened the extent of encroachment into the limits of the preserve and Conservation Easement without a significant reduction in the proposed library programming.

An Environmental Assessment (EA) inspection of the parcel was conducted and report included with the application for the aforementioned DOA. The EA found no plants or animals listed as protected by federal, state or local environmental regulatory agencies on the parcel, nor were any signs of such plants or animals observed. On account of existing disturbances, mitigation requirements and lack of listed species, the EA concluded that no significant environmental concerns are anticipated to result from development of the upland areas on Parcel B.

Assessment values for the subject parcel and nearby properties exhibiting environmental characteristics similar to the subject parcel were obtained from records of the Property Appraiser's Office, and appraisals for vegetative mitigation land were obtained from other parties, as a cost effective yet reliable approach to value this upland preserve. This effort yielded an estimated per acre value of \$55,600, which translates to \$80,064 when applied to the subject 1.44 acre upland preserve. The funds from this \$80,064 buyout will be transferred to the Natural Areas Fund and will be used for purposes of natural area acquisition and maintenance upon approval by the BCC.

Attachment 1

PREPARED BY AND RETURN TO:
Peter Banting, Real Estate Specialist
Palm Beach County
Property & Real Estate Management Division
2633 Vista Parkway
West Palm Beach, FL 33411-5605

Property Control Number: 00-41-42-30-02-002-0000

RELEASE OF CONSERVATION EASEMENT

THIS RELEASE OF CONSERVATION EASEMENT (the "Release") made _____, by Palm Beach County, a political subdivision of the State of Florida, whose mailing address is 301 North Olive Avenue, West Palm Beach, FL 33401 ("County").

WITNESSETH

Whereas, County is the owner and holder of a Conservation Easement dated October 8, 1999, and recorded in ORB 11414, Page 553 of the Public Records of Palm Beach County, Florida, (the "Easement") which Easement encumbers the property legally described in Exhibit "A" attached hereto and made a part hereof (the "Property"); and

Whereas, County will be entering into a long-term lease of the Property with Indian Trail Improvement District ("ITID"), the owner of the Property; and

Whereas, County is in the process of developing the Property in accordance with the approved site plan attached as **Exhibit "B"** hereto and made a part hereof; and

Whereas, the terms of the Easement allow for the release of the Easement under certain conditions, subject to approval by the Board of County Commissioners; and

Whereas, those conditions have been met and the Board of County Commissioners has approved the release of the Easement.

Now, therefore, County, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby release from said Easement the following described property:

**See Legal Description marked Exhibit "A"
Attached Hereto and Made a Part Hereof
(the "Released Property")**

and hereby agrees that, from and after the date hereof, the Released Property shall be freed of said Easement and the rights and privileges granted therein.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, County has caused this Release to be executed in its name by its proper officers thereunto duly authorized, the day and year first above written.

ATTEST:

**SHARON R. BOCK
CLERK & COMPTROLLER**

By: _____
Deputy Clerk

**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**

By: *Richard E. Welby*
Department Director

2560 RCA Blvd.
Suite 105
Palm Beach Gardens, Fl. 33410



Nick Miller, Inc.
Surveying & Mapping Consultants

561.627.5200
fax: 561.627.0983
email: info@nickmillerinc.com

EXHIBIT "A"

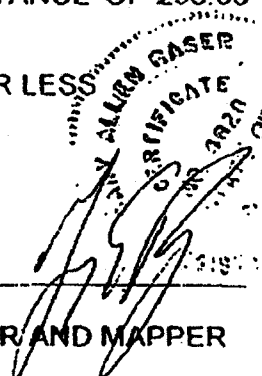
CONSERVATION EASEMENT

A PARCEL OF LAND LYING WITHIN SECTION 30, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 87 DEGREES, 37 MINUTES, 21 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 30, A DISTANCE OF 3986.48 FEET; THENCE NORTH 03 DEGREES, 12 MINUTES, 04 SECONDS EAST ALONG A LINE THAT IS 3967.60 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 30, A DISTANCE OF 93.44 FEET; THENCE SOUTH 87 DEGREES, 37 MINUTES, 21 SECONDS WEST ALONG A LINE THAT IS 93.00 FEET NORTH OF AND PARALLEL WITH THE SAID SOUTH LINE OF SECTION 30, A DISTANCE OF 50.23 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 87 DEGREES, 37 MINUTES, 21 SECONDS WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 162.06 FEET; THENCE NORTH 05 DEGREES, 25 MINUTES, 59 SECONDS WEST, A DISTANCE OF 39.67 FEET; THENCE NORTH 30 DEGREES, 40 MINUTES, 10 SECONDS WEST, A DISTANCE OF 33.90 FEET; THENCE NORTH 57 DEGREES, 58 MINUTES, 10 SECONDS WEST, A DISTANCE OF 76.40 FEET; THENCE NORTH 07 DEGREES, 38 MINUTES, 49 SECONDS EAST, A DISTANCE OF 112.21 FEET; THENCE NORTH 45 DEGREES, 43 MINUTES, 33 SECONDS EAST, A DISTANCE OF 56.05 FEET; THENCE NORTH 69 DEGREES, 33 MINUTES, 16 SECONDS EAST, A DISTANCE OF 80.21 FEET; THENCE NORTH 78 DEGREES, 13 MINUTES, 54 SECONDS EAST, A DISTANCE OF 85.93 FEET; THENCE SOUTH 86 DEGREES, 47 MINUTES, 56 SECONDS EAST, A DISTANCE OF 50.00 FEET; THENCE SOUTH 03 DEGREES, 12 MINUTES, 04 SECONDS WEST ALONG A LINE THAT IS 4017.60 FEET WEST OF AND PARALLEL WITH SAID EAST LINE OF SECTION 30, A DISTANCE OF 296.00 FEET TO THE POINT OF BEGINNING.

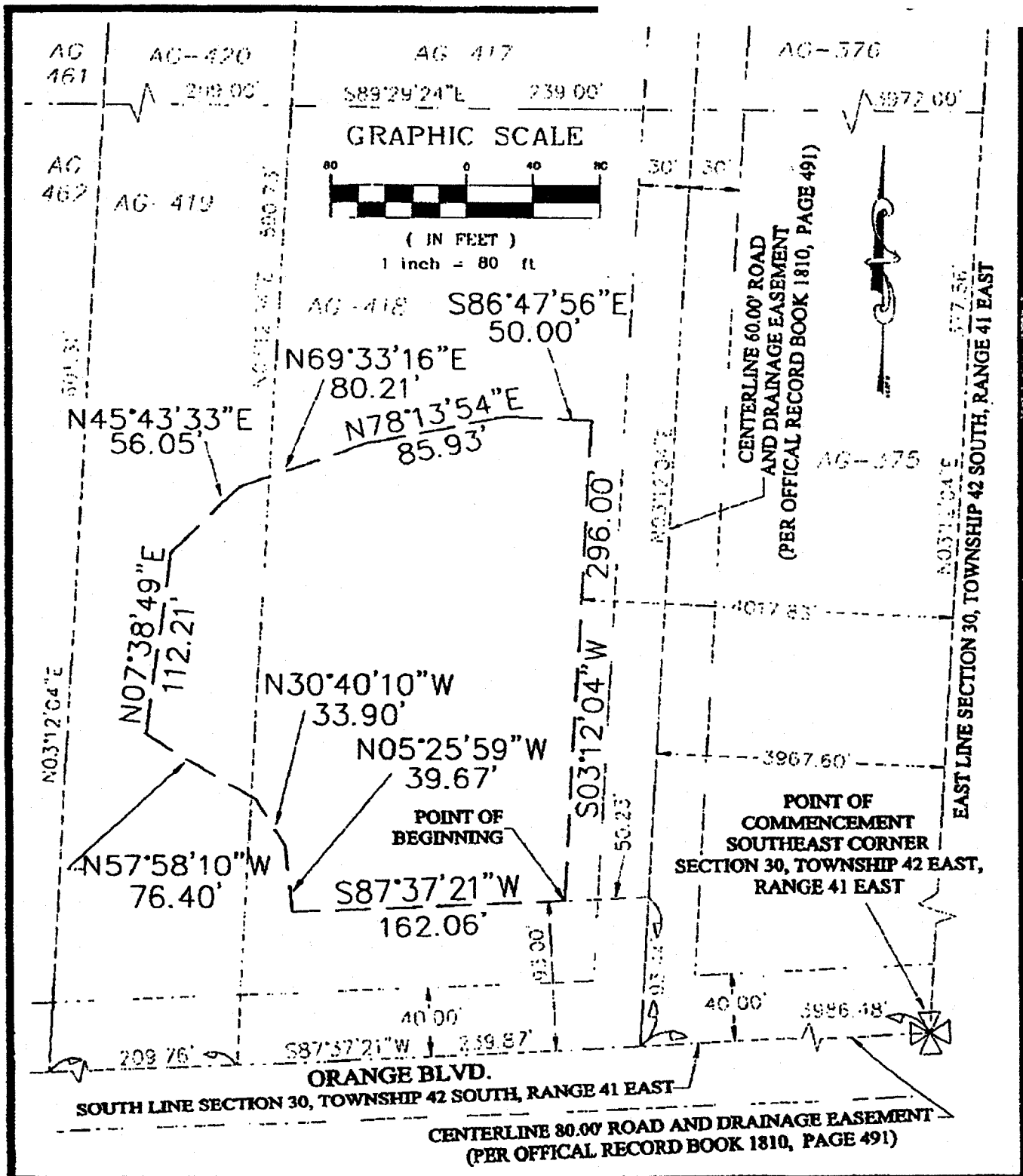
CONTAINING 62,864.48 SQUARE FEET OR 1.44 ACRES MORE OR LESS

Date: 8/2/99


GARY A. RAGER
PROFESSIONAL SURVEYOR AND MAPPER
CERTIFICATE No. 4828
STATE OF FLORIDA

97060
AUGUST 2, 1999
SHEET 1 OF 2





NICK MILLER, INC.
Surveying & Mapping Consultants
 SUITE 105
 2560 RCA BLVD.
 PALM BEACH GARDENS, FLORIDA 33410
 TEL. 561 627-5700 FAX 561 627-0983
 O.S.P.R. BUSINESS LICENSE No. 4316

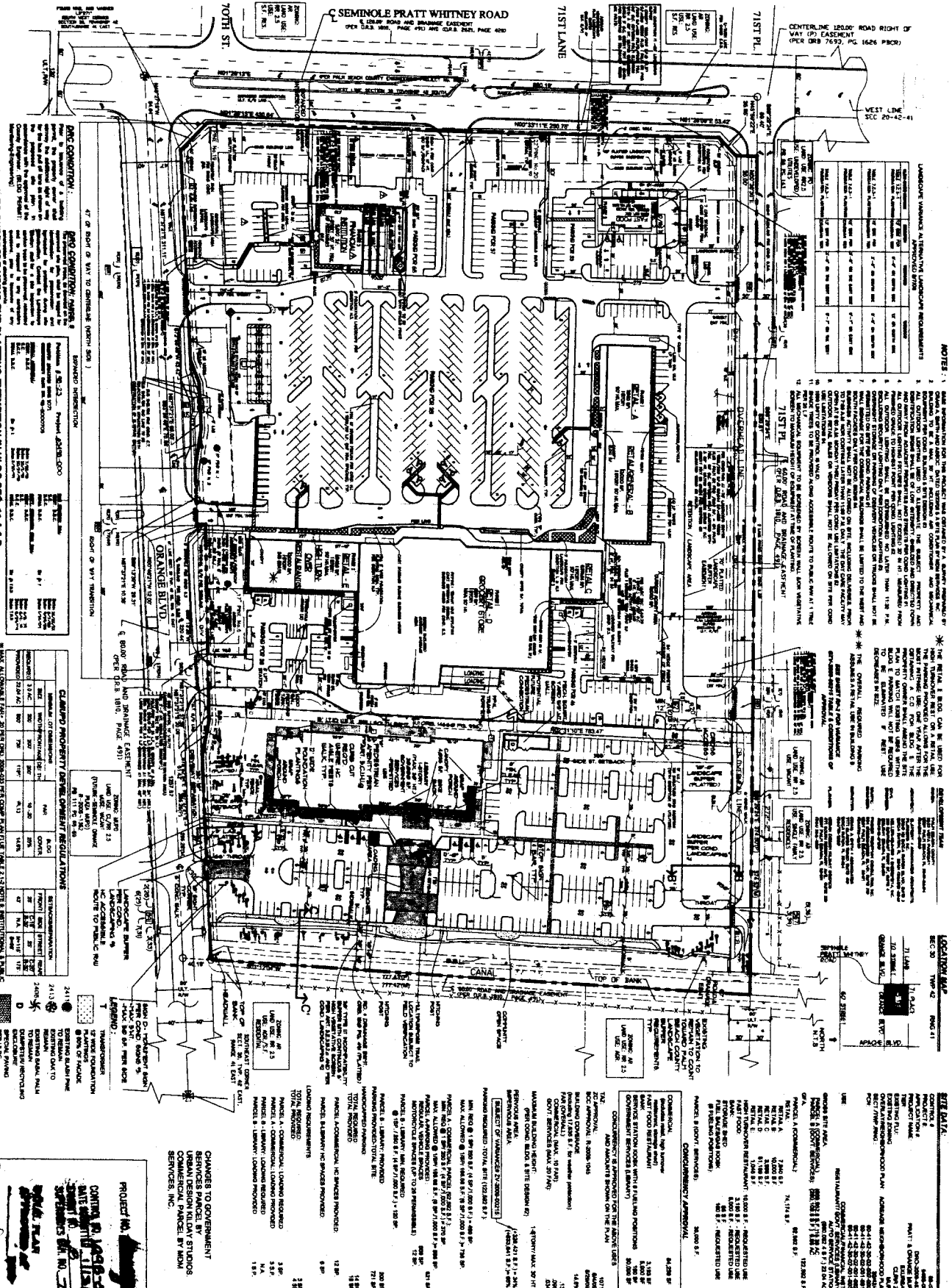
SKETCH AND DESCRIPTION PREPARED FOR:
S.E.C. COMMERCIAL REALTY

NOTE: NOT A SURVEY SHEET 2 OF 2

SCALE: 1"=80'
 DATE: 8-2-1999
 JOB NO. 97060A
 FILE: 97060CON.DWG

EXHIBIT "B"

IT IS THE INTENT OF THE DEVELOPER TO SUBMIT THIS PLANNING EXEMPTION IN U.L.D.C. SEC. 11A.6.B.



LANDSCAPE VARIANCE ALTERNATIVE LANDSCAPE REQUIREMENTS

Item	Requirement	Proposed	Notes
1	Planting of trees and shrubs	As shown on plan	
2	Planting of trees and shrubs	As shown on plan	
3	Planting of trees and shrubs	As shown on plan	
4	Planting of trees and shrubs	As shown on plan	
5	Planting of trees and shrubs	As shown on plan	
6	Planting of trees and shrubs	As shown on plan	
7	Planting of trees and shrubs	As shown on plan	
8	Planting of trees and shrubs	As shown on plan	
9	Planting of trees and shrubs	As shown on plan	
10	Planting of trees and shrubs	As shown on plan	
11	Planting of trees and shrubs	As shown on plan	
12	Planting of trees and shrubs	As shown on plan	
13	Planting of trees and shrubs	As shown on plan	
14	Planting of trees and shrubs	As shown on plan	
15	Planting of trees and shrubs	As shown on plan	
16	Planting of trees and shrubs	As shown on plan	
17	Planting of trees and shrubs	As shown on plan	
18	Planting of trees and shrubs	As shown on plan	
19	Planting of trees and shrubs	As shown on plan	
20	Planting of trees and shrubs	As shown on plan	

NOTES:

1. All dimensions for the project shall be consistent with the approved site plan.
2. All dimensions for the project shall be consistent with the approved site plan.
3. All dimensions for the project shall be consistent with the approved site plan.
4. All dimensions for the project shall be consistent with the approved site plan.
5. All dimensions for the project shall be consistent with the approved site plan.
6. All dimensions for the project shall be consistent with the approved site plan.
7. All dimensions for the project shall be consistent with the approved site plan.
8. All dimensions for the project shall be consistent with the approved site plan.
9. All dimensions for the project shall be consistent with the approved site plan.
10. All dimensions for the project shall be consistent with the approved site plan.
11. All dimensions for the project shall be consistent with the approved site plan.
12. All dimensions for the project shall be consistent with the approved site plan.
13. All dimensions for the project shall be consistent with the approved site plan.
14. All dimensions for the project shall be consistent with the approved site plan.
15. All dimensions for the project shall be consistent with the approved site plan.
16. All dimensions for the project shall be consistent with the approved site plan.
17. All dimensions for the project shall be consistent with the approved site plan.
18. All dimensions for the project shall be consistent with the approved site plan.
19. All dimensions for the project shall be consistent with the approved site plan.
20. All dimensions for the project shall be consistent with the approved site plan.

LANDSCAPE VARIANCE ALTERNATIVE LANDSCAPE REQUIREMENTS

1. Planting of trees and shrubs

2. Planting of trees and shrubs

3. Planting of trees and shrubs

4. Planting of trees and shrubs

5. Planting of trees and shrubs

6. Planting of trees and shrubs

7. Planting of trees and shrubs

8. Planting of trees and shrubs

9. Planting of trees and shrubs

10. Planting of trees and shrubs

11. Planting of trees and shrubs

12. Planting of trees and shrubs

13. Planting of trees and shrubs

14. Planting of trees and shrubs

15. Planting of trees and shrubs

16. Planting of trees and shrubs

17. Planting of trees and shrubs

18. Planting of trees and shrubs

19. Planting of trees and shrubs

20. Planting of trees and shrubs

CLAIMING PROPERTY VARIANCE EXEMPTION REGULATIONS

Item	Requirement	Proposed	Notes
1	Planting of trees and shrubs	As shown on plan	
2	Planting of trees and shrubs	As shown on plan	
3	Planting of trees and shrubs	As shown on plan	
4	Planting of trees and shrubs	As shown on plan	
5	Planting of trees and shrubs	As shown on plan	
6	Planting of trees and shrubs	As shown on plan	
7	Planting of trees and shrubs	As shown on plan	
8	Planting of trees and shrubs	As shown on plan	
9	Planting of trees and shrubs	As shown on plan	
10	Planting of trees and shrubs	As shown on plan	
11	Planting of trees and shrubs	As shown on plan	
12	Planting of trees and shrubs	As shown on plan	
13	Planting of trees and shrubs	As shown on plan	
14	Planting of trees and shrubs	As shown on plan	
15	Planting of trees and shrubs	As shown on plan	
16	Planting of trees and shrubs	As shown on plan	
17	Planting of trees and shrubs	As shown on plan	
18	Planting of trees and shrubs	As shown on plan	
19	Planting of trees and shrubs	As shown on plan	
20	Planting of trees and shrubs	As shown on plan	

LEGEND:

- 1. TRANSFORMER
- 2. 12" WATER CONDUIT
- 3. 18" WATER CONDUIT
- 4. 24" WATER CONDUIT
- 5. 30" WATER CONDUIT
- 6. 36" WATER CONDUIT
- 7. 42" WATER CONDUIT
- 8. 48" WATER CONDUIT
- 9. 54" WATER CONDUIT
- 10. 60" WATER CONDUIT
- 11. 66" WATER CONDUIT
- 12. 72" WATER CONDUIT
- 13. 78" WATER CONDUIT
- 14. 84" WATER CONDUIT
- 15. 90" WATER CONDUIT
- 16. 96" WATER CONDUIT
- 17. 102" WATER CONDUIT
- 18. 108" WATER CONDUIT
- 19. 114" WATER CONDUIT
- 20. 120" WATER CONDUIT

CHANGES TO GOVERNMENT SERVICES PARCEL BY URBAN DESIGN KILDAY STUDIOS COMMERCIAL PARCEL BY MCKM SERVICES, INC.

PROJECT NO. 100-10000

CONTRACT NO. 100-10000

DATE: 10/1/2010

SCALE: 1" = 100'

SP-1

of # 5

Final Site Plan

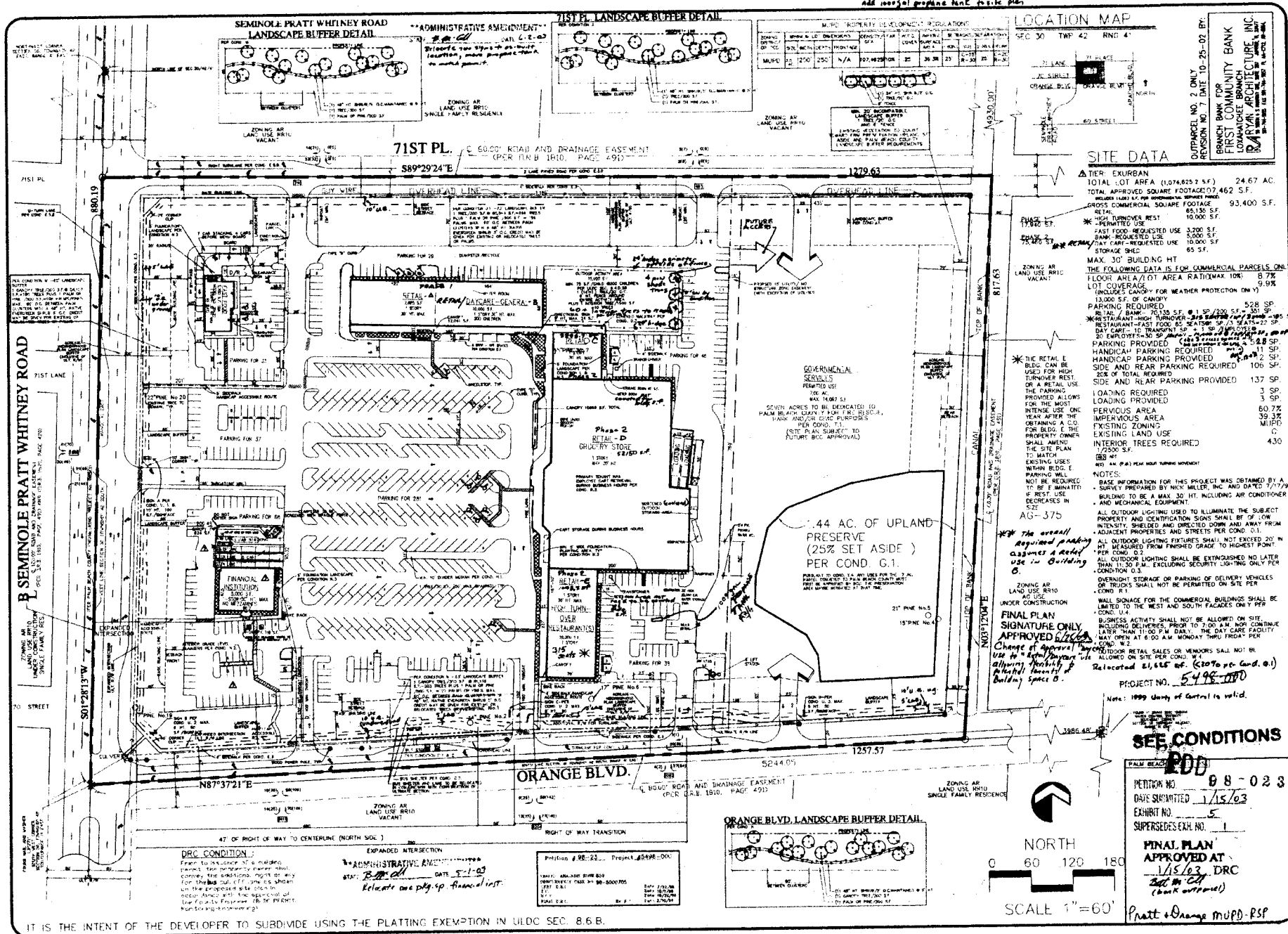
Palm Beach County, Florida

PRATT & ORANGE MUPD

Urban Design Kilday Studios

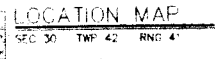
Urban Design Kilday Studios
477 S. Broadway Ave. Suite 200
Palm Beach, Florida 33480
Tel: 561-838-1111
www.urbandesignkilday.com

****ADMINISTRATIVE AMENDMENT****
 www.kilday.com Date 5/1/03
 add original grading tank & site plan



MUPD PROPERTY DEVELOPMENT REGULATIONS

SPACING OF TREES	MIN. W. TO DISTURBANCE	MIN. W. TO DISTURBANCE	MIN. W. TO DISTURBANCE	MIN. W. TO DISTURBANCE	MIN. W. TO DISTURBANCE	MIN. W. TO DISTURBANCE	MIN. W. TO DISTURBANCE	MIN. W. TO DISTURBANCE	MIN. W. TO DISTURBANCE
MUPD 10	250	N/A	107.48	250	25	20	20	20	20



SITE DATA

ALTER EXURBAN
 TOTAL LOT AREA (1,074,822 S.F.) 24.67 AC.
 TOTAL APPROVED SQUARE FOOTAGE 7,462 S.F.
 GROSS COMMERCIAL SQUARE FOOTAGE 93,400 S.F.
 RETAIL 10,000 S.F.
 * RETAIL TURNOVER REST 3,200 S.F.
 * REST. REQUESTED USE 5,000 S.F.
 STORAGE SHED 65 S.F.

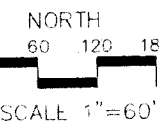
MAX. 30' BUILDING HT
 THE FOLLOWING DATA IS FOR COMMERCIAL PARCELS ONLY
 FLOOR AREA / LOT AREA RATIO MAX 10% 8.7%
 LOT COVERAGE (INCLUDES CANOPY FOR WEATHER PROTECTION ONLY)
 13,300 S.F. OR CANOPY 1.1 SP 230 S.F.
 RESTAURANT-HIGH TURNOVER 1.1 SP 230 S.F.
 RESTAURANT-FAST FOOD 1.1 SP 230 S.F.
 30 EMPLOYEES-30 SP 1.1 SP 230 S.F.
 30 EMPLOYEES-30 SP 1.1 SP 230 S.F.
 HANDICAP PARKING REQUIRED 1.1 SP 230 S.F.
 HANDICAP PARKING PROVIDED 1.1 SP 230 S.F.
 SIDE AND REAR PARKING PROVIDED 108 SP
 20% OF TOTAL REQUIRED
 SIDE AND REAR PARKING PROVIDED 137 SP
 LOADING REQUIRED 3 SP
 LOADING PROVIDED 3 SP
 PERVIOUS AREA 60.7%
 IMPERVIOUS AREA 39.3%
 EXISTING ZONING UNIFIED C
 EXISTING LAND USE INTERIOR TREES REQUIRED 430

NOTES:
 ALL OUTDOOR LIGHTING USED TO ILLUMINATE THE SUBJECT PROPERTY AND IDENTIFICATION SIGNS SHALL BE OF LOW INTENSITY SHIELDED AND DIRECTED DOWN AND AWAY FROM ADJACENT PROPERTIES AND STREETS PER COND. 011.
 ALL OUTDOOR LIGHTING FIXTURES SHALL NOT EXCEED 20" IN HT. MEASURED FROM FINISHED GRADE TO HIGHEST POINT PER COND. 02.
 ALL OUTDOOR LIGHTING SHALL BE EXTINGUISHED NO LATER THAN 11:30 P.M., EXCLUDING SECURITY LIGHTING ONLY PER COND. 03.
 OVERNIGHT STORAGE OR PARKING OF DELIVERY VEHICLES OR TRUCKS SHALL NOT BE PERMITTED ON SITE PER COND. 04.
 WALL SIGNAGE FOR THE COMMERCIAL BUILDINGS SHALL BE LIMITED TO THE WEST AND SOUTH FACADES ONLY PER COND. 05.
 BUSINESS ACTIVITY SHALL NOT BE ALLOWED ON SITE INCLUDING DELIVERIES, PRIOR TO 7:00 A.M. AND CONTINUE LATER THAN 11:00 P.M. DAILY. THE DAY CARE FACILITY MAY OPERATE AT 6:00 A.M. MONDAY THRU FRIDAY PER COND. 02.
 OUTDOOR RETAIL SALES OR VENDORS SHALL NOT BE ALLOWED ON SITE PER COND. 04.
 Selected 21,615 sq. ft. (1070 sq. cond. 01)
 PROJECT NO. 5498-080
 Note: 1999 County of Central is valid.

SEE CONDITIONS

PDD
 PETITION NO. 08-023
 DATE SUBMITTED 1/15/03
 EXHIBIT NO. 1
 SUPERSEDES EXH. NO. 1

FINAL PLAN APPROVED AT 1/15/03 DRC
 [Signature]
 [Signature]



Kilday & Associates
 Landscape Architects/Planners
 1551 Forum Place
 West Palm Beach, Florida 33401
 (561) 689-5322 Fax: (561) 689-2592

WAYNE WENSEL ARCHITECT, INC.

Pratt and Orange MUPD
 Palm Beach County, Florida
 Site Plan / Subdivision Plan

Scale 1"=60'
 Date 5/1/03
 File No. 08-023
 Drawing No. 08-023
 Filename: S-1111.dwg
 Sheet 1 of 3

**INTER-OFFICE COMMUNICATION
PALM BEACH COUNTY
FACILITIES DEVELOPMENT & OPERATIONS**

DATE: July 12, 2010

TO: Liz Purvis, Fiscal Manager I
Environmental Resources Management/Financial and Support Services

THRU: Larry Schaner, Fiscal Manager II
Facilities Development & Operations/Administration

FROM: R. Eric McClellan, Senior Planner
Facilities Development & Operations/PREM

CC: Bob Kraus, Senior Site Planner
Environmental Resources Management/Resources Protection

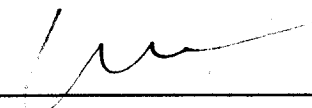
Karen Arndt, Project Manager
Facilities Development & Operations/CID

RE: **Palm Beach County Acreage Branch Library @ Pratt & Orange MUPD
FD&O Project No. 08203**

This letter authorizes the inter-office transfer of funds in the amount of **\$80,064.00**, which represents a cash buyout equivalent in value and payment in lieu of the native upland preserve at the referenced project site. The amount stated and instruction for directing these funds is pursuant to the attached Interoffice Memorandum from Richard E. Walesky, Director, ERM, to Ross Hering, Director, PREM, dated November 24, 2009.

The budget account number is given below. A copy of the BAS is also attached hereto.

Your assistance in this matter is greatly appreciated. Please do not hesitate to contact us with any questions or necessary assistance to complete this transfer of funds.

Authorization:  7-12-10
Larry Schaner Date


Budget Account No: 3022-321-L045-650J-



INTEROFFICE MEMORANDUM
Palm Beach County
Environmental Resources Management

DATE: November 24, 2009

TO: Ross Hering, Director, PREM

FROM:  Richard E. Walesky, Director
Environmental Resources Management

SUBJECT: Proposed Acreage Library at Orange & Pratt Termination of Conservation Easement

In response to your October 29, 2009 memo referencing the procedure for the termination of the conservation easement on the proposed acreage library site, the Department of Environmental Resources Management (ERM) accepts the appraisal amount of \$80,064 and requests that this amount be transferred to the Palm Beach County Natural Areas Fund.

ERM intends to process the agenda item to terminate the conservation easement with the technical assistance of the Facilities, Development & Operations Department. The funds will need to be transferred prior to the termination of the easement by the Board of County Commissioners.

If you have any questions or comments about this process, please call me or Robert Kraus at 233-2476.

REW:RMK

Cc: Robert Robbins, Deputy Director, ERM
Bonnie Finneran, Division Director, Resources Protection
Barry Smith, Division Director, Natural Resources Stewardship
Melanie Borkowski, Manager, Facilities Compliance, FD&O

