

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

Meeting Date:	November 16, 2010	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> 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 Fire Rescue Station No. 32 in unincorporated Lake Worth.

Summary: The County recently constructed a new building to replace the existing Fire Rescue Station No. 32 located on the corner of Lake Worth Road and Charleston Road, east of the Turnpike, in unincorporated Lake Worth. As part of the development of this site, the County installed a water main on a portion of the southwest side of the property. The easement is 17' x 25' and contains 425 sq. feet (0.0098 acres). The Declaration will be recorded to provide notice of the existence and location of the water main. (PREM) District 2 (HJF)

Background and Justification: The Declaration of Easement will be recorded to provide notice of the existence and location of the existing water main. Construction of the fire station was completed in August 2010.

Attachments:

1. Location Map
2. Declaration of Easement

Recommended By:

Department Director

10/20/10
Date

Approved By:

County Administrator

11/1/2010
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	0 * See below	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes _____ No _____

Budget Account No: Fund _____ Dept _____ Unit _____ Object _____
Program _____

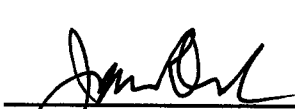
B. Recommended Sources of Funds/Summary of Fiscal Impact:

* No fiscal impact.


C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

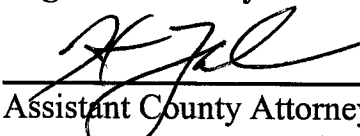


ORMB
at 10/27/10 10/30/10



Contract Development and Control
10/29/10

B. Legal Sufficiency:



Assistant County Attorney
11/1/10

C. Other Department Review:

Department Director

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



ATTACHMENT # /

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

PCN: 00-42-43-27-10-000-0110

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: _____
_____, Chair

Signed and delivered
in the presence of:

Witness Signature

Print Witness Name

Witness Signature

Print Witness Name

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND
CONDITIONS

By: _____
Assistant County Attorney

By: _____
Department Director

EXHIBIT "A"

THE PROPERTY

BEING ALL OF LOTS 11, 12, 13 AND 14, PLAT OF KANAWHA PARK,
AS RECORDED IN PLAT BOOK 23, PAGE 248, IN THE PUBLIC
RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS THE NORTHERLY 40.80 FEET OF LOTS 11 AND 12, PLAT OF
KANAWHA PARK, AS RECORDED IN PLAT BOOK 23, PAGE 248.

LESS THAT RIGHT-OF-WAY TAKEN DESCRIBED IN OFFICIAL RECORDS
BOOK 23048 AT PAGE 190 OF THE PUBLIC RECORDS OF PALM BEACH
COUNTY, FLORIDA.

CONTAINING 0.830± ACRES MORE OR LESS.

EXHIBIT "B"

THE EASEMENT PREMISES

EXHIBIT "B"

SKETCH & LEGAL DESCRIPTION
THIS IS NOT A SURVEY

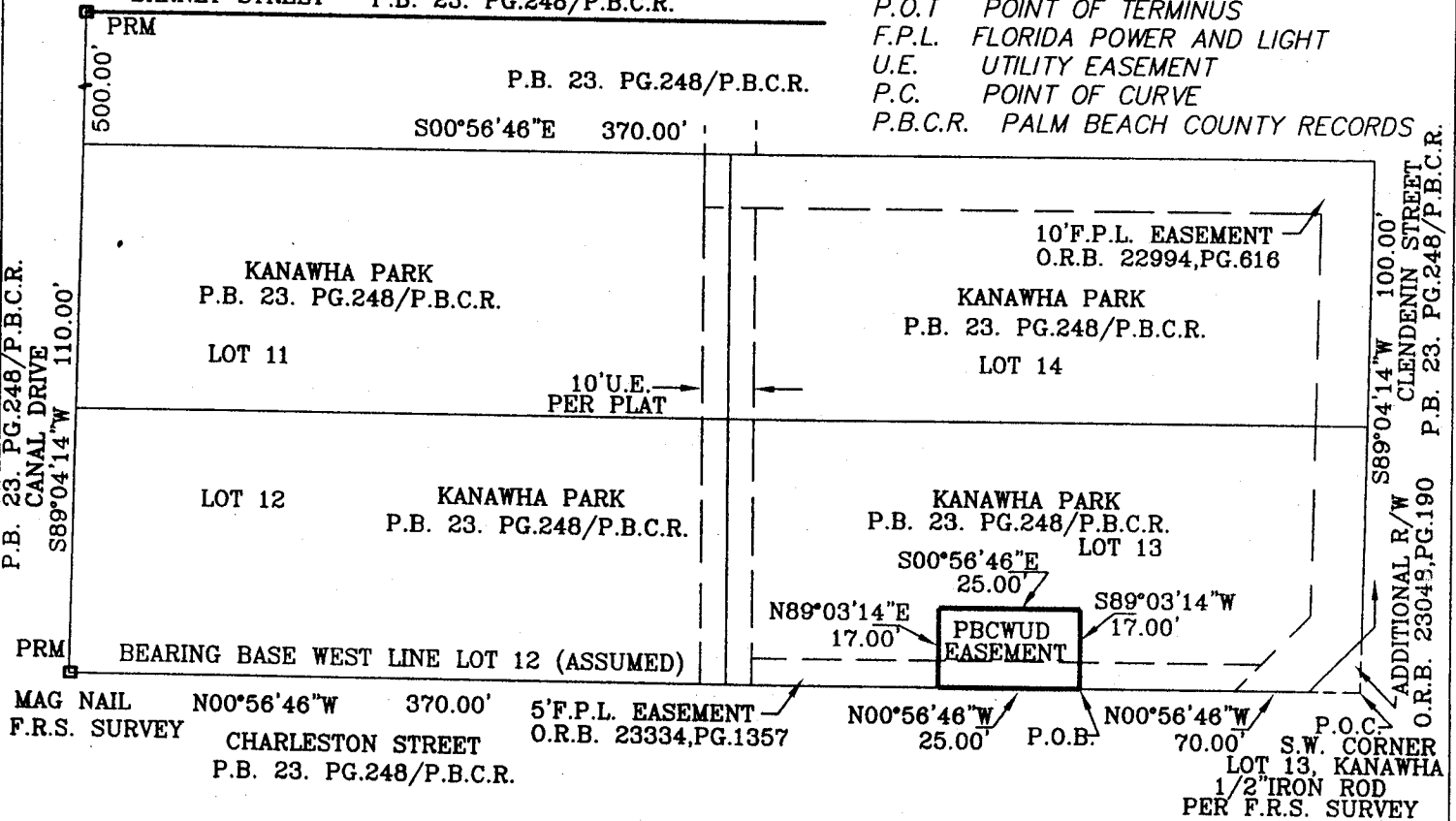
SEC. 27-TOWNSHIP 44 SOUTH-RANGE 42 EAST
(PER PALM BEACH PROPERTY APPRAISER MAP)

NOTE; SKETCH AND LEGAL BASED ON F.R.S. & ASSOC.
BOUNDARY SURVEY DATED 3/10/08 PROVIDED BY CLIENT

BARNET STREET P.B. 23. PG.248/P.B.C.R.

LEGEND

R/W RIGHT OF WAY
O.R.B. OFFICIAL RECORDS BOOK
P.B. PLAT BOOK
PG PAGE
P.O.C POINT OF COMMENCEMENT
P.O.B POINT OF BEGINNING
P.O.T POINT OF TERMINUS
F.P.L. FLORIDA POWER AND LIGHT
U.E. UTILITY EASEMENT
P.C. POINT OF CURVE
P.B.C.R. PALM BEACH COUNTY RECORDS



DESCRIPTION; A PARCEL OF LAND LYING IN LOT 13, KANAWHA PARK AS RECORDED IN PLAT BOOK 23, PAGE 248, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTH WEST CORNER OF SAID LOT 13; THENCE N.00°56'46"W. ALONG THE WEST LINE OF SAID LOT 13 A DISTANCE OF 70.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.00°56'46"W. A DISTANCE OF 25.00 FEET; THENCE N.89°03'14"E. A DISTANCE OF 17.00 FEET; THENCE S.00°56'46"E. A DISTANCE OF 25.00 FEET; THENCE S.89°03'14"W. A DISTANCE OF 17.00 FEET TO THE POINT OF BEGINNING. CONTAINING 425 SQUARE FEET (0.0098 ACRES)

BRUCE CARTER & ASSOCIATES, INC.
SURVEYORS - PLANNERS
405 S.E. 6TH AVE.
(SOUTH FEDERAL HIGHWAY)
DELRAY BEACH, FLORIDA 33483
PHONE (561)-265-1910 / FAX (561)-265-1919

THIS SKETCH IS NOT VALID
UNLESS IT BEARS AN
ORIGINAL SIGNATURE AND AN
EMBOSSSED SURVEYORS SEAL.

BRUCE N CARTER
REGISTERED LAND SURVEYOR
#2963
STATE OF FLORIDA

DATE	8-19-2010
DRAWN BY	BC
F.B./ PG.	NA
SCALE	NTS
PAGE 1 OF 1	

PBC FIRE RESCUE STATION NO. 32
PBCWUD EASEMENT