



**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)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<u>0</u> * See below	_____	_____	_____	_____
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

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  
 4/28/11  
 4/27/11  
 5/13/11

\_\_\_\_\_  
 Contract Development and Control  
 2/29/11

This item complies with all County policies.

**B. Legal Sufficiency:**

\_\_\_\_\_  
 Assistant County Attorney  
 5/3/11

**C. Other Department Review:**

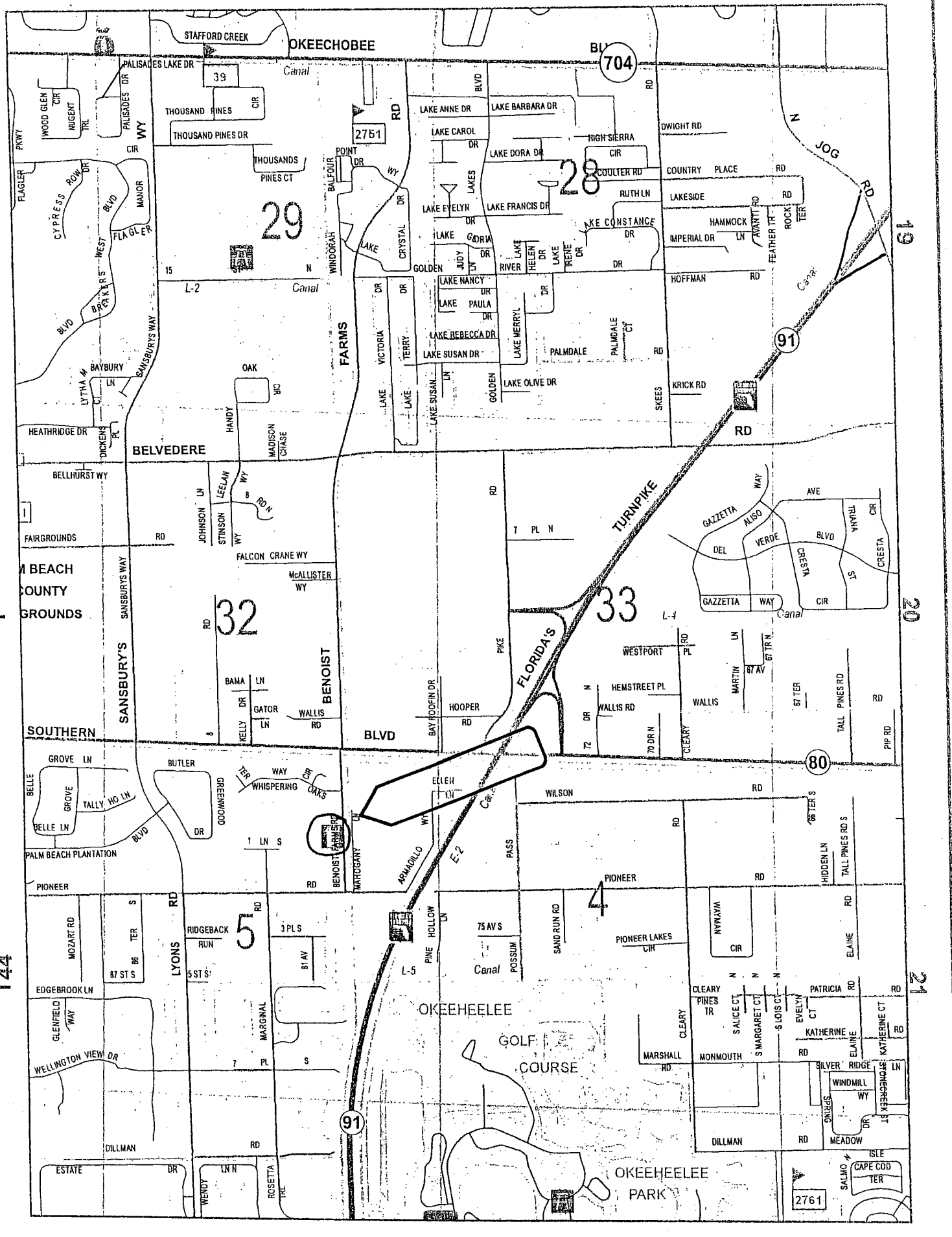
\_\_\_\_\_  
 Department Director

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

T43

7

T44



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See pg 7a

# LOCATION MAP

# ATTACHMENT #1

II

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

Property Control Number: 00-42-43-27-05-011-0013

### **DECLARATION OF CONSERVATION EASEMENT**

**THIS IS A DECLARATION OF CONSERVATION EASEMENT** (“Conservation 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 in **Exhibit “A”** attached hereto and made a part hereof (the “Property”); and

**WHEREAS**, County desires to create a conservation easement in accordance with Section 704.06, Florida Statutes, over, upon and under such Property as set forth hereinafter; and

**WHEREAS**, County desires that such conservation 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.

**NOW THEREFORE**, County does hereby declare, grant, and create a perpetual in gross conservation easement upon the Property for the benefit of County. As used herein, the term Grantor shall mean the fee simple owner of the Property, its successors and assigns. It is the purpose and intent of this Conservation Easement to assure that the Property will be retained and maintained forever predominantly in the natural vegetative and hydrologic condition existing at the time of execution of this Conservation Easement, which shall mean that the following activities are prohibited on the Property:

1. Construction or placement of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;
2. Dumping or placing of soil or other substances or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;
3. Removal, destruction, cutting, trimming, mowing, alteration or biocide spraying of trees, shrubs, or other vegetation; with the exception of removal of nuisance and exotic plant species as may be required or permitted by law, ordinance, or other government approval;
4. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in any manner which affects the surface or sub-surface;

5. Surface use except for purposes that permit the land or water area to remain predominantly in its natural condition;
6. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation;
7. Acts or uses detrimental to such aforementioned retention and maintenance of land or water areas; and
8. Acts or uses detrimental to the preservation of any features or aspects of the property having historical, archaeological or cultural significance.

The Grantor on behalf of itself and its successors or assigns, hereby agrees to bear all costs and liability relating to the maintenance of the Property in the natural vegetative and hydrologic conditions as existing at the time of execution of this Conservation Easement. The Conservation Easement hereby granted and the obligation to retain and maintain the Property forever predominantly in the vegetative and hydrologic condition as herein specified shall run with the land and shall be binding upon the Grantor and its successors and assigns.

The Conservation 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.

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IN WITNESS WHEREOF, the County has caused this Declaration of Conservation Easement to be executed as of the day and year first above written.

**ATTEST:**  
**SHARON R. BOCK**  
**CLERK & COMPTROLLER**

**COUNTY:**  
**PALM BEACH COUNTY, a political**  
**subdivision of the State of Florida**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Karen T. Marcus, 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: Keith Anthony Wolf  
Department Director

**LEGAL DESCRIPTION**

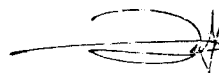
**PRESERVE AREA**

A CERTAIN PARCEL OF LAND, BEING A PORTION OF TRACT 1, BLOCK 11, PALM BEACH FARMS COMPANY PLAT NO 3, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.  
SAID PARCEL IS MORE PARTICULARLY DESCRIBED AS FOLLOWS;  
BEGINNING AT A CONCRETE MONUMENT #3591, AS SHOWN ON THE PLAT OF DIAMOND "C" RANCH, PER PLAT BOOK 99, PAGE 173, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PRM BEING SHOWN AS PRM #20 ON SAID PLAT; THENCE N 89°04'33" E, ALONG THE SOUTH PLAT LIMIT OF THE AFORESAID DIAMOND "C" RANCH, A DISTANCE OF 151.89'; THENCE S 00°33'55" E, DEPARTING SAID PLAT LINE, A DISTANCE OF 91.37'; THENCE N 89°24'26" E, A DISTANCE OF 29.42'; THENCE S 00°15'38" E, A DISTANCE OF 79.28'; THENCE N 89°35'03" E, A DISTANCE OF 44.71'; THENCE S 00°16'42" E, A DISTANCE OF 268.80' TO A POINT ON THE SOUTH LINE OF THE AFORESAID TRACT 1, BLOCK 11, PALM BEACH FARMS COMPANY PLAT NO. 3; THENCE S 89°04'33" W, ALONG SAID SOUTH TRACT LINE, A DISTANCE OF 223.65' TO THE SOUTHWEST CORNER OF AFORESAID TRACT 1, BLOCK 11; THENCE N 00°38'44" W, ALONG THE WEST LINE OF SAID TRACT 1, BLOCK 11, A DISTANCE OF 440.00' TO THE POINT OF BEGINNING.

CONTAINS 2.04 ACRES (88,670.15 SQ. FT.), MORE OR LESS.

SURVEYORS NOTES

- 1.) THIS IS NOT A BOUNDARY SURVEY.
- 2.) NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THIS OFFICE.
- 3.) BEARINGS HEREON ARE BASED ON THE SOUTH LINE OF TRACT Z2, DIAMOND "C" RANCH AS SHOWN ON THE MAP SHEET. ASSUMED BEARING ALONG SAID LINE BEING N 89°04'33" E, ALL BEARINGS ARE RELATIVE.




JONATHAN T. GILBERT, P.S.M.  
FLORIDA CERTIFICATE #5604

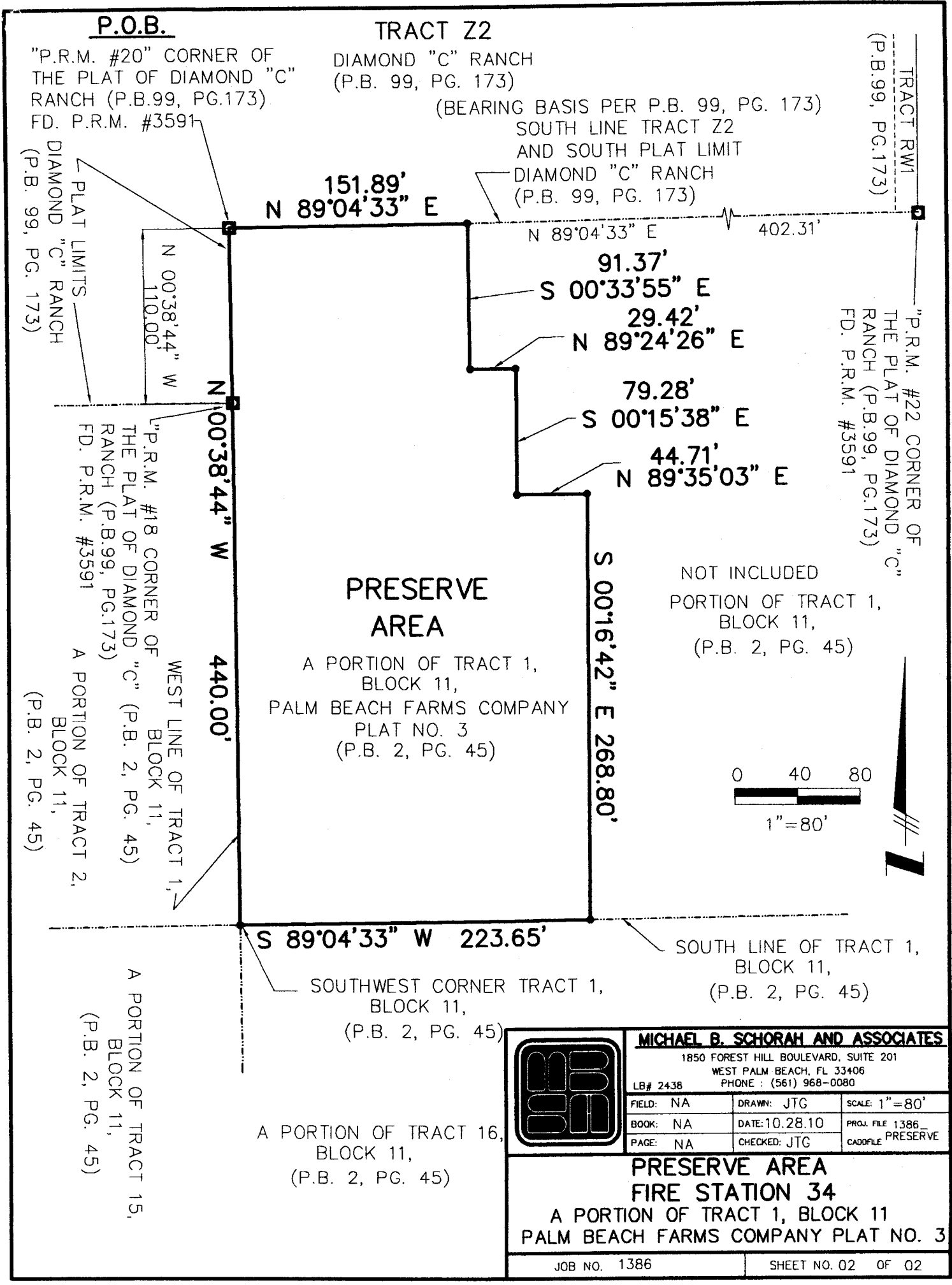
SIGNATURE DATED: 01/03/11


THIS INSTRUMENT NOT VALID WITHOUT THE RAISED SEAL AND SIGNATURE OF THE SURVEYOR HEREON.

LEGEND

- P.R.M. = PERMANENT REFERENCE MONUMENT  
P.B. = PLAT BOOK  
PG. = PAGE  
FD. = FOUND  
P.O.B. = POINT OF BEGINNING

	<b>MICHAEL B. SCHORAH AND ASSOCIATES</b>		
	1850 FOREST HILL BOULEVARD, SUITE 201 WEST PALM BEACH, FL 33406 PHONE : (561) 968-0080		
	LB# 2438		
	FIELD: NA	DRAWN: JTG	SCALE: 1"=80'
BOOK: NA	DATE: 10.28.10	PROJ. FILE 1386	
PAGE: NA	CHECKED: JTG	CADD FILE PRESERVE	
<b>PRESERVE AREA</b>			
<b>FIRE STATION 34</b>			
A PORTION OF TRACT 1, BLOCK 11 PALM BEACH FARMS COMPANY PLAT NO. 3			
JOB NO. 1386		SHEET NO. 01 OF 02	



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PAGE: NA	CHECKED: JTG	CADFILE PRESERVE	
<b>PRESERVE AREA</b> <b>FIRE STATION 34</b> A PORTION OF TRACT 1, BLOCK 11 PALM BEACH FARMS COMPANY PLAT NO. 3			
JOB NO. 1386		SHEET NO. 02 OF 02	