



**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<u>* See below</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: \_\_\_\_\_ *W 10/14/11*

**III. REVIEW COMMENTS**

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

OFMB *[Signature]* 10/20/11  
*10/21/11*

Contract Development and Control *[Signature]* 10/21/11  
 10-21-11 B. Wheeler

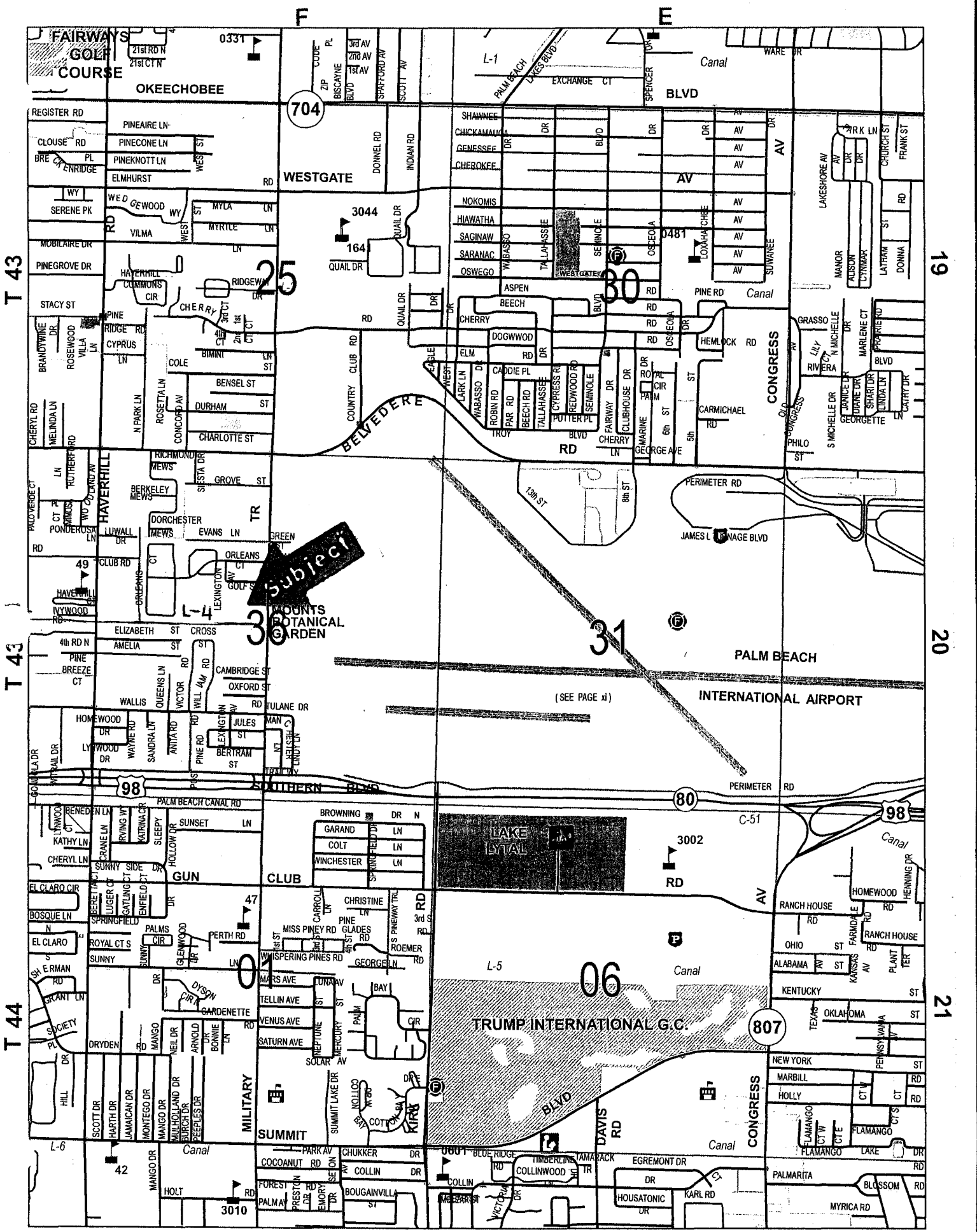
**B. Legal Sufficiency:**

*[Signature]* 10/24/11  
 Assistant County Attorney

**C. Other Department Review:**

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

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



T 43

T 43

T 44

19

20

21

# LOCATION MAP



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

PCNs: 00-42-43-36-00-000-3051  
00-42-43-36-00-000-3100  
00-42-43-36-00-000-3110

## DECLARATION OF FLOWAGE EASEMENT

**THIS IS A DECLARATION OF FLOWAGE 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 for storm water drainage through  
the Property to benefit the County roads located north of the Property, which roads are part of  
the County’s Grove Street Outfall Project; 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 flowage 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 carrying storm water from a public right-of-way into the LWDD L-4 Canal and  
installing a drainage pipe to conduct such drainage, 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 the pipe and appurtenant facilities and equipment in,  
on, over, under and across the Easement Premises. County shall have the right, but not the  
obligation, to clear obstructions, or repair and/or replace drainage pipes and control structures  
within the Property that might interfere with the drainage rights established herein.

This Easement is being granted to provide an easement for storm water drainage for certain County roads as part of the County's Grove Street Outfall Project. This Easement does not provide a benefit to the Property itself. Therefore, in the event the Property is redeveloped and the drainage and lake system need to be relocated to another portion of the Property, or in the event the lake system is removed entirely because of the neighboring airport operations, neither the County's Facilities Development & Operations Department ("FDO") nor the County's Cooperative Extension Service shall be responsible for any expenses related to relocating the storm water drainage for the Grove Street Outfall Project as permitted under SFWMD Permit NO. 50-01615-S.

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. Any modification to this Easement shall be coordinated with FDO and the County's Engineering and Public Works Department.

**IN WITNESS WHEREOF**, the County has caused this Declaration of Flowage 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**

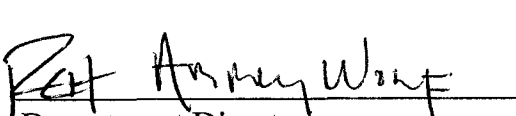
By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Karen T. Marcus, Chair

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS AND  
CONDITIONS**

By:   
Assistant County Attorney

By:   
Department Director

**EXHIBIT "A"**

**THE PROPERTY**

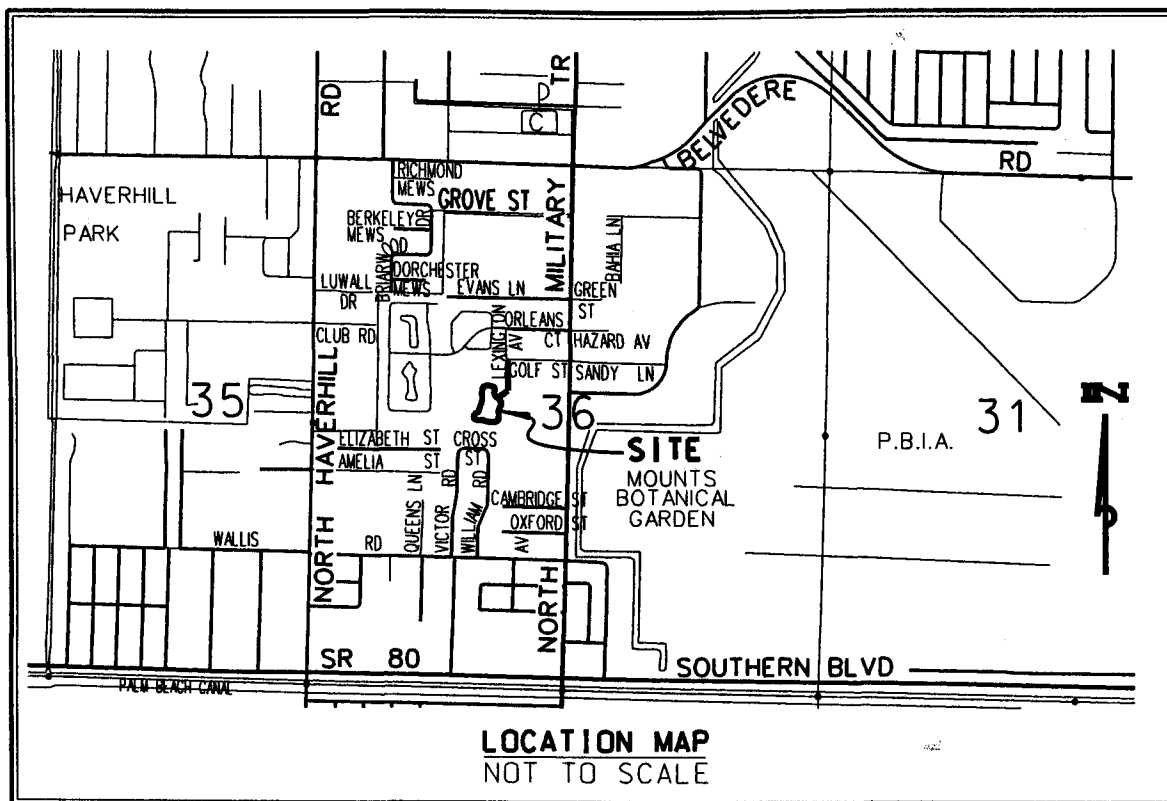
The Southwest Quarter (SW  $\frac{1}{4}$ ) of the Southeast Quarter (SE  $\frac{1}{4}$ ) of the Northwest Quarter (NW  $\frac{1}{4}$ ) of Section 36, Township 43 South, Range 42 East, Palm Beach County, Florida. (Also described as the West Half (W  $\frac{1}{2}$ ) of the South (S  $\frac{1}{2}$ ) of the Southeast Quarter (SE  $\frac{1}{4}$ ) of the Northwest Quarter (NW  $\frac{1}{4}$ ) of Section 36, Township 43 South, Range 42 East, Palm Beach County, Florida) [Property Control Number: 00-42-43-36-00-000-3051].

**TOGETHER WITH:**

The East Half (E  $\frac{1}{2}$ ) of the South Half (S  $\frac{1}{2}$ ) of the Southeast Quarter (SE  $\frac{1}{4}$ ) of the Northwest Quarter (NW  $\frac{1}{4}$ ) of Section 36, Township 43 South, Range 42 East, Palm Beach County, Florida [Property Control Numbers: 00-42-43-36-00-000-3100 and 00-42-43-36-00-000-3110].

**LESS AND EXCEPT** that parcel of land conveyed by County Deed to the State of Florida for the Use and Benefit of the Department of Public Safety recorded in Deed Book 1011, Page 527, of the public records of Palm Beach County, Florida [Property Control Number: 00-42-43-36-00-000-3140]

EXHIBIT "B"



A PARCEL OF LAND FOR FLOWAGE EASEMENT PURPOSES LYING IN SECTION 36, TOWNSHIP 43, SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST; THENCE SOUTH  $01^{\circ}30'22''$  WEST ALONG THE EAST LINE OF THE WEST ONE HALF OF SAID SECTION 36, A DISTANCE OF 2002.45 FEET TO THE INTERSECTION OF THE EASTERLY PROLONGATION OF THE SOUTH RIGHT OF WAY LINE OF GOLF STREET AS SHOWN IN PLAT BOOK 4, PAGE 72, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF SAID SECTION 36; THENCE NORTH  $88^{\circ}37'02''$  WEST ALONG SAID EXTENSION OF THE SOUTH RIGHT OF WAY LINE OF GOLF STREET AND SAID NORTH LINE, A DISTANCE OF 642.93 FEET TO THE POINT OF BEGINNING; THENCE SOUTH  $00^{\circ}55'28''$  WEST, A DISTANCE OF 298.88 FEET; THENCE SOUTH  $55^{\circ}12'20''$  WEST, A DISTANCE OF 128.72 FEET; THENCE SOUTH  $60^{\circ}28'21''$  EAST, A DISTANCE OF 4.81 FEET; THENCE SOUTH  $33^{\circ}39'25''$  EAST, A DISTANCE OF 43.34 FEET; THENCE SOUTH  $10^{\circ}38'15''$  WEST, A DISTANCE OF 32.23 FEET; THENCE SOUTH  $29^{\circ}59'05''$  WEST, A DISTANCE OF 24.59 FEET; THENCE SOUTH  $13^{\circ}47'07''$  WEST, A DISTANCE OF 22.82 FEET; THENCE SOUTH  $21^{\circ}41'36''$  WEST, A DISTANCE OF 26.48 FEET; THENCE SOUTH  $21^{\circ}29'43''$  EAST, A DISTANCE OF 25.12 FEET; THENCE SOUTH  $12^{\circ}38'30''$  WEST, A DISTANCE OF 20.63 FEET; THENCE SOUTH  $01^{\circ}14'22''$  EAST, A DISTANCE OF 31.48 FEET; THENCE SOUTH  $44^{\circ}23'04''$  WEST, A DISTANCE OF 20.53 FEET; THENCE SOUTH  $65^{\circ}38'39''$  WEST, A DISTANCE OF 18.06 FEET; THENCE SOUTH  $78^{\circ}59'24''$  WEST, A DISTANCE OF 18.16 FEET; THENCE SOUTH  $87^{\circ}41'15''$  WEST, A DISTANCE OF 15.99 FEET; THENCE NORTH  $85^{\circ}21'25''$  WEST, A DISTANCE OF 48.91 FEET; THENCE SOUTH  $04^{\circ}10'36''$  WEST, A DISTANCE OF 30.02 FEET TO THE NORTH RIGHT OF WAY LINE LAKE WORTH DRAINAGE DISTRICT CANAL L-4 AS SHOWN IN OFFICIAL RECORD BOOK 3557, PAGE 1873 SAID PUBLIC RECORDS; THENCE NORTH  $88^{\circ}38'47''$  WEST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 20.00 FEET; THENCE NORTH  $04^{\circ}10'36''$

PROJECT NO. 2008909  
SHEET 1 OF 3

PROJECT: GROVE STREET OUTFALL IMPROVEMENTS FLOWAGE EASEMENT MOUNTS BUILDING  
DESIGN FILE NAME: S-1-11-3241.DGN  
DRAWING NO.: S-1-11-3241

NO.	REVISION	BY	DATE
1	PREM COMMENTS	NJH	7/28/11

SCALE: 1" = 100'  
APPROVED: N.J.H.  
DRAWN: E.A.D.  
CHECKED: C.S.P.  
DATE: 07/13/11  
FIELD BOOK NO.: 1265 R

**PALM BEACH COUNTY**  
ENGINEERING AND PUBLIC WORKS  
**ENGINEERING SERVICES**  
2300 NORTH JOG ROAD  
WEST PALM BEACH, FL 33411

EAST, A DISTANCE OF 33.29 FEET; THENCE NORTH 70°21'27" WEST, A DISTANCE OF 29.89 FEET; THENCE  
 23.23 FEET; THENCE NORTH 85°41'39" WEST, A DISTANCE OF 26.50 FEET; THENCE NORTH 74°28'46"  
 SOUTH 87°01'33" WEST, A DISTANCE OF 35.70 FEET; THENCE NORTH 51°07'35" WEST, A DISTANCE OF  
 WEST, A DISTANCE OF 31.96 FEET; THENCE NORTH 22°48'02" EAST, A DISTANCE OF 27.09 FEET; THENCE  
 NORTH 47°25'27" EAST, A DISTANCE OF 28.24 FEET; THENCE NORTH 64°25'45"  
 EAST, A DISTANCE OF 28.79 FEET; THENCE NORTH 13°00'09" EAST, A DISTANCE OF  
 31.77 FEET; THENCE NORTH 23°29'29" EAST, A DISTANCE OF 23.85 FEET; THENCE  
 NORTH 15°31'40" EAST, A DISTANCE OF 8.94 FEET; THENCE NORTH 05°09'01"  
 EAST, A DISTANCE OF 8.93 FEET; THENCE NORTH 29°54'52" EAST, A DISTANCE OF  
 20.79 FEET; THENCE NORTH 17°00'28" EAST, A DISTANCE OF 26.64 FEET; THENCE  
 NORTH 06°44'40" EAST, A DISTANCE OF 29.25 FEET; THENCE NORTH 05°04'09"  
 WEST, A DISTANCE OF 18.76 FEET; THENCE NORTH 15°00'21" WEST, A DISTANCE OF  
 22.23 FEET; THENCE NORTH 05°01'01" EAST, A DISTANCE OF 26.33 FEET; THENCE  
 NORTH 12°31'52" EAST, A DISTANCE OF 26.58 FEET; THENCE NORTH 27°11'46"  
 EAST, A DISTANCE OF 22.50 FEET; THENCE NORTH 69°12'44" EAST, A DISTANCE OF  
 35.76 FEET; THENCE SOUTH 86°49'52" EAST, A DISTANCE OF 33.77 FEET; THENCE  
 SOUTH 77°24'01" EAST, A DISTANCE OF 27.18 FEET; THENCE SOUTH 63°13'35"  
 EAST, A DISTANCE OF 26.91 FEET; THENCE SOUTH 04°23'06" EAST, A DISTANCE OF  
 27.13 FEET; THENCE SOUTH 12°28'49" WEST, A DISTANCE OF 18.88 FEET; THENCE  
 SOUTH 00°48'07" EAST, A DISTANCE OF 15.36 FEET; THENCE SOUTH 12°35'05"  
 EAST, A DISTANCE OF 21.46 FEET; THENCE SOUTH 40°14'22" EAST, A DISTANCE OF  
 15.82 FEET; THENCE SOUTH 47°53'02" EAST, A DISTANCE OF 11.55 FEET; THENCE  
 NORTH 55°12'20" EAST, A DISTANCE OF 130.64 FEET; THENCE NORTH 00°55'28"  
 EAST, A DISTANCE OF 288.78 FEET TO THE SOUTH RIGHT OF WAY LINE OF SAID  
 GOLF STREET; THENCE SOUTH 88°37'02" EAST ALONG SAID LINE, A DISTANCE OF  
 20.00 FEET TO THE POINT OF BEGINNING;

CONTAINING 1.7721 ACRES (77,193 SQUARE FEET), MORE OR LESS.

SURVEYOR'S NOTES

BEARINGS ARE BASED ON AN GRID (NAD 83, 1990 ADJUSTED) BEARING OF SOUTH 01°30'22" WEST ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF THE SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST AS SHOWN ON THIS DRAWING AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO INTERSECT WITH THE BOUNDARY

NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR.

THIS IS NOT A SURVEY.

IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR.

THIS INSTRUMENT PREPARED BY NORMAN J. HOWARD, P.S.M. IN THE OFFICE OF THE COUNTY ENGINEER AT VISTA CENTER 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411-2745.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

*N. Howard*  
 NORMAN J. HOWARD P.S.M.  
 FLORIDA CERTIFICATE #5776

8-5-11  
 DATE



**LEGEND**

NGVD '29 = NATIONAL GEODETIC VERTICAL DATUM OF 1929  
 ORB = OFFICIAL RECORD BOOK  
 R/W = RIGHT OF WAY  
 PB = PLAT BOOK  
 P = PAGE  
 (P) = PLAT

**POINT OF COMMENCEMENT**  
 NORTH QUARTER CORNER SECTION 36.  
 TOWNSHIP 43 SOUTH, RANGE 42 EAST  
 "PALM BEACH COUNTY POSITION"

**POINT OF BEGINNING**



SCALE: 1" = 100'

**GOLF STREET**  
 WESTOVER (PB 4, P 72)

**LEXINGTON AVE**  
 PB 4, P 72

REPLAT OF WESTOVER  
 (PB 18, P 23)

S01°30'22"W  
 2002.45'

2001.6'(P)  
 PB 4, P 72

N LINE S 1/2, SE 1/4,  
 NW 1/4 SAID SECTION 36

S 1/2, SE 1/4,  
 NW 1/4 SAID SECTION 36  
 NOT PLATTED

S88°37'02"E. 20.00'  
 N55°12'20"E. 130.64'  
 S47°53'02"E. 11.55'  
 S40°14'22"E. 15.82'  
 S12°35'05"E. 21.46'

N88°37'02"W  
 642.93'

EASTERLY PROLONGATION OF THE SOUTH R/W LINE

S63°13'35"E. 26.91'  
 S77°24'01"E. 27.18'  
 S86°49'52"E. 33.77'

EAST LINE OF THE WEST ONE HALF OF SAID SECTION 36

667.48'

N69°12'44"E. 35.76'  
 N27°11'46"E. 22.50'  
 N12°31'52"E. 26.58'  
 N05°01'01"E. 26.33'

N15°00'21"W. 22.23'  
 N05°04'09"W. 18.76'  
 N06°44'40"E. 29.25'  
 N17°00'28"E. 26.64'

N29°54'52"E. 20.79'  
 N05°09'01"E. 8.93'  
 N15°31'40"E. 8.94'  
 N23°29'29"E. 23.85'

N13°00'09"E. 31.77'  
 N64°25'45"E. 28.79'  
 N47°25'27"E. 28.24'  
 N22°48'02"E. 27.09'

N51°07'35"W. 31.96'  
 N74°28'46"W. 35.70'

NORTH R/W LINE LAKE WORTH DRAINAGE DISTRICT CANAL L-4

ORB 3557, P 1873 & ORB 1994, P 1573

LAKE WORTH DRAINAGE DISTRICT L-4 CANAL

WEST QUARTER CORNER SECTION 36  
 TOWNSHIP 43 SOUTH, RANGE 42 EAST  
 "PALM BEACH COUNTY POSITION"

S LINE N 1/2 SAID SECTION 36 CENTER OF SECTION

SOUTH QUARTER CORNER SECTION 36.  
 TOWNSHIP 43 SOUTH, RANGE 42 EAST  
 "PALM BEACH COUNTY POSITION"

THIS IS NOT A SURVEY

NORTH MILITARY TRAIL