

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

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<b>Meeting Date:</b> January 24, 2012	<input checked="" type="checkbox"/> <b>Consent</b>	<input type="checkbox"/> <b>Regular</b>
	<input type="checkbox"/> <b>Workshop</b>	<input type="checkbox"/> <b>Public Hearing</b>

**Department:**  
**Submitted By:** Engineering and Public Works  
**Submitted For:** Right-of-Way Acquisition Section

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**I. EXECUTIVE BRIEF**

**Motion and Title:** **Staff recommends motion to adopt:** A Resolution authorizing the conveyance of two Palm Beach County (County) owned parcels of land along Kirk Road to the Village of Palm Springs (Village).

**SUMMARY:** Adoption of this Resolution will allow the approval of two County Deeds in favor of the Village for the creation of a park on Kirk Road, near Park Lane. Pursuant to County Ordinance 2009-052, a supermajority vote is required for this proposed conveyance to the Village. The total conveyance is approximately 2.11 acres. The parcels have a current estimated market value of \$180,000. However, the County will be retaining portions of the parcels for right of way and encumbering most of the remaining property with drainage easements, thus significantly lowering the ultimate final market value.

District 3 (MRE)

**Background and Justification:** The County acquired several parcels between 1993 and 1994 at fair market value, for the widening of Kirk Road. At that time, affected property owners along Kirk Road were given the opportunity to sell their entire parcel at the fair market value price. This was in lieu of a partial acquisition, which could have resulted in significant economic damages to the remaining property.

The County approved the donation of similar County owned parcels off Kirk Road to the Community Land Trust of Palm Beach County, Inc. (CLT) for the purpose of providing affordable housing (R2001-0693) on May 3, 2011. At the same time, the annexation of Parcels 6 and 7 was also approved (R2011-0692). When the CLT decided to not include Parcels 6 and 7 in their donation request, the Village expressed interest in those parcels for the purpose of creating a Village park.

According to the Property Appraiser's website, the combined land value for Parcels 6 and 7 is approximately \$180,000. However, after subtracting the land needed for the future right-of-way for Kirk Road (Exhibit "B"), and the land needed for permanent easements (Exhibit "C"), the value will be substantially less. Even with the proposed encumbrances, the Village has expressed an interest in Parcels 6 and 7. County Engineering staff recommends conveying the two County owned parcels, and retaining additional right-of-way and permanent easements for roadway drainage and embankment purposes.

**Attachments:**

1. Location Map
  2. Resolution with Attachment "A" (Two County Deeds with Exhibits "A", "B", and "C")
  3. Letter from the Village of Palm Springs dated August 25, 2011
- 

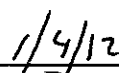
**Recommended by:**

\_\_\_\_\_  
Division Director

\_\_\_\_\_  
Date

**Approved by:**

  
\_\_\_\_\_  
County Engineer

  
\_\_\_\_\_  
Date

## II. FISCAL IMPACT ANALYSIS

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

<b>Fiscal Years</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>Capital Expenditures</b>	<u>\$ -0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b>Operating Costs</b>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b>External Revenues</b>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b>Program Income (County)</b>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b>In-Kind Match (County)</b>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b>NET FISCAL IMPACT</b>	<u>\$ -0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b># ADDITIONAL FTE</b>					
<b>POSITIONS (Cumulative)</b>					

Is Item Included in Current Budget?	Yes	No
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**Budget Acct No.: Fund\_\_ Dept.\_\_ Unit\_\_ Object**  
**Program**

**Recommended Sources of Funds/Summary of Fiscal Impact:**

The fiscal impact of this item is indeterminable at this time.

### C. Departmental Fiscal Review:

### III. REVIEW COMMENTS

**A. OFMB Fiscal and/or Contract Dev. and Control Comments:**

OFMB

In. J. Jacobs 11/2/12  
Contract Dev. and Control

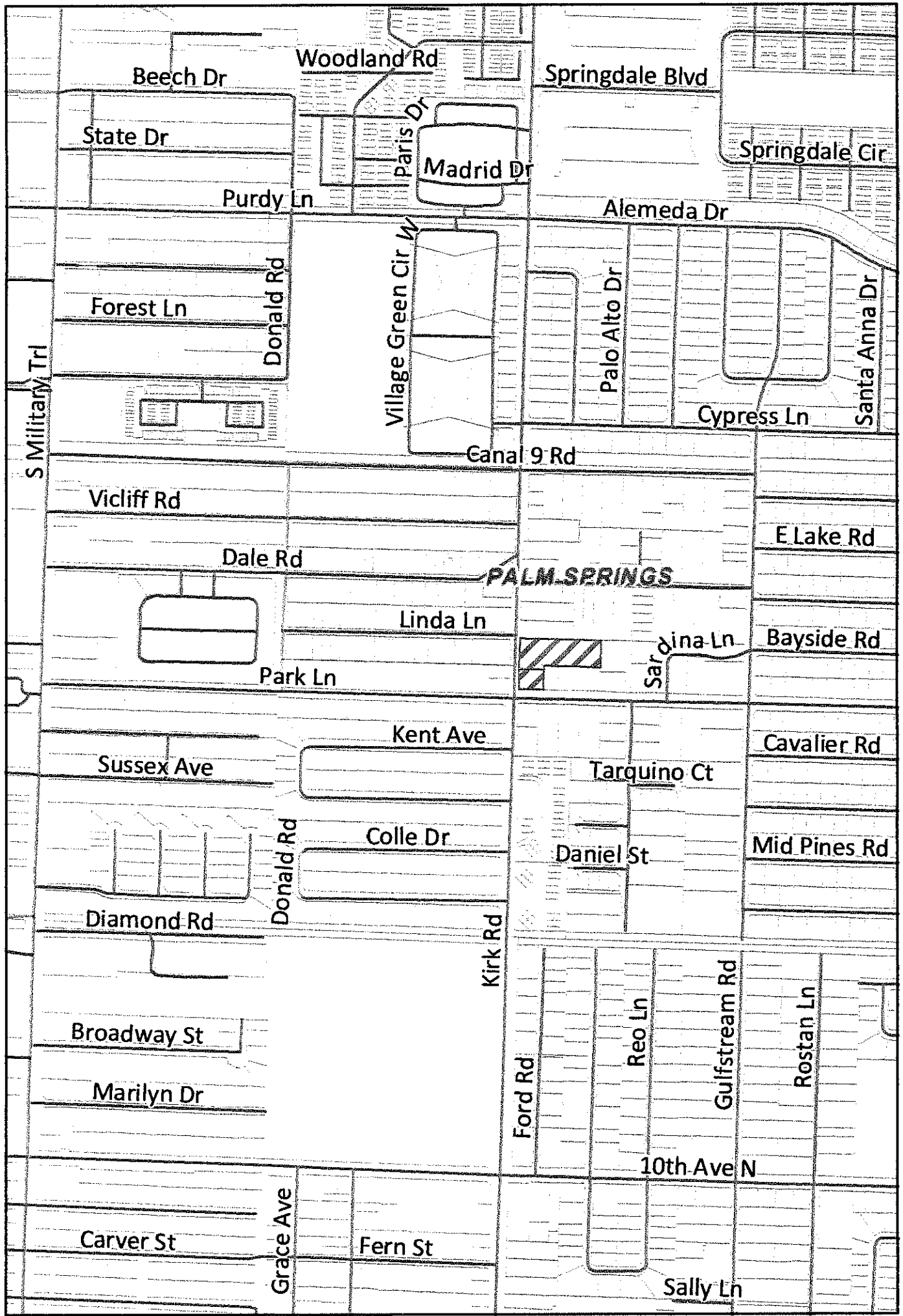
**B. Approved as to Form  
and Legal Sufficiency:**

Monika R. Hall 1/19/12  
Assistant County Attorney

**C. Other Department Review:**

**Department Director**

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



Proposed Parcels

Water



Municipality

County ROW Maintenance Other ROW Maintenance

County Maintained

State Maintained

Courtesy Maintained

Other

100' 0 100200 Feet



Updated: 10/27/11  
Contact: Patricia Behn  
Filename: N:\Division P\Annex\FY2012

Note: Map is not official, for informational purposes only  
Source: ROW Maintenance Data P&C Engineering Dept.  
2011 pbcgis1 SDE GEODATA\CENTERLINE\_LN

# ATTACHMENT 1



Planning, Zoning  
& Building

2300 N. Jog Rd  
West Palm Beach, FL 33411  
Phone (561) 233-5080

**RESOLUTION NO. R-2012-**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY (COUNTY), FLORIDA, TO CONVEY PORTIONS OF TWO (2) COUNTY OWNED PARCELS ALONG KIRK ROAD NEAR THE INTERSECTION OF PARK LANE, AS REQUESTED BY THE VILLAGE OF PALM SPRINGS FOR A VILLAGE PARK; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the County acquired two (2) parcels for the future expansion of Kirk Road, referenced in the Warranty Deeds recorded in Official Record Book (ORB) 8037, Page 509, and ORB 7805, Page 1208 of the Public Records of Palm Beach County, Florida; and,

**WHEREAS**, County engineering staff has reviewed the right-of-way needs for the future expansion of Kirk Road, and has determined that there will be surplus property after accounting for the future Kirk Road expansion; and,

**WHEREAS**, the Village of Palm Springs has requested the County to donate the remainder of the parcels not needed for future road right-of-way, for Village park purposes; and,

**WHEREAS**, the proposed use of these lands for Village park purposes will require the conveyance of the subject properties (less the future rights-of-way, and subject to permanent easements) from the County to the Village of Palm Springs; and,

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA THAT:**

1. This Board adopts and ratifies those matters set forth in the foregoing recitals.
2. The request by the Village of Palm Springs for the conveyance of the subject parcels for Village park purposes, is in the best interest and welfare of the public or community; and, it is appropriate to convey by County Deed (referenced in Attachment "A", attached hereto and made a part hereof) to the Village of Palm Springs.
3. Subject to a supermajority vote (County Ordinance 2009-052), this Resolution shall be effective immediately upon its adoption.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

Commissioner Shelley Vana, Chair	_____
Commissioner Steven L. Abrams, Vice Chair	_____
Commissioner Karen T. Marcus	_____
Commissioner Paulette Burdick	_____
Commissioner Burt Aaronson	_____
Commissioner Jess R. Santamaria	_____
Commissioner Priscilla A. Taylor	_____

The Chair thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

Sharon R. Bock, Clerk & Comptroller

BY: \_\_\_\_\_  
County Attorney

BY: \_\_\_\_\_  
Deputy Clerk

## **ATTACHMENT "A"**

See the following (2) Two County Deeds with Exhibits "A", "B", and "C"

Portion of PCNs:

00-43-44-18-00-000-7413 (Parcel 6)

00-43-44-18-00-000-7410 (Parcel 7)

Return to: Palm Beach County  
Name: R/W Acquisition Section  
Post Office Box 21229  
Address: West Palm Beach, Florida 33416  
Attn: Tripp Cioci, Right-of-Way Specialist  
Acct. No.: 1010 W/C BOX 1066

This Instrument Prepared by:  
Name: Paul F. King, Assistant County Attorney  
Post Office Box 21229  
Address: West Palm Beach, Florida 33416

A portion of PCN: 00-43-44-18-00-000-7413

## COUNTY DEED

THIS DEED, made this \_\_\_\_ day of \_\_\_\_\_, 2011 by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, whose post office address is P.O. Box 21229, West Palm Beach, FL 33416, party of the first part, and the **VILLAGE OF PALM SPRINGS**, a municipal corporation existing under the laws of the State of Florida, whose post office address is 226 Cypress Lane, Palm Springs, Florida 33461, party of the second part.

In accordance with F.S. 125.38, the property being conveyed is for community interest and welfare purposes.

The conditions and restrictions imposed by this County Deed shall constitute covenants running with the land and shall be binding upon and burden the party of the second part, their successors and assigns having or hereafter acquiring any right, title or interest in or to all or any portion of the described real property. In the event the party of the second part, their successors and assigns having or hereafter acquiring any right, title or interest in or to all or any portion of the described real property, does not use the property for park purposes or the terms described herein, the real property conveyed herein shall revert to the party of the first part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars to it in hand paid by the parties of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the parties of the second part, their heirs and assigns forever, the following described land lying and being in Palm Beach County, Florida:

Property more particularly described in **Exhibit "A"**, attached hereto and made a part hereof, and;

Less the area described in **Exhibit "B"** that is hereby reserved as road right-of-way, and;

Reserving, however, unto party of the first part, its successors and assigns a Permanent Easement over, upon, under, through and across the area described in **Exhibit "C"** of the Property. The party of the first part shall have the right, but not the obligation, to remove and use any or all of the soil and/or subsoil, in accordance with current and future construction plans, including but not limited to potential retention or detention areas, storm water structures, or other related purposes within the Permanent Easement area.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice Chair of said Board, the day and year aforesaid.

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

**PALM BEACH COUNTY, BY ITS  
BOARD OF COUNTY COMMISSIONERS**

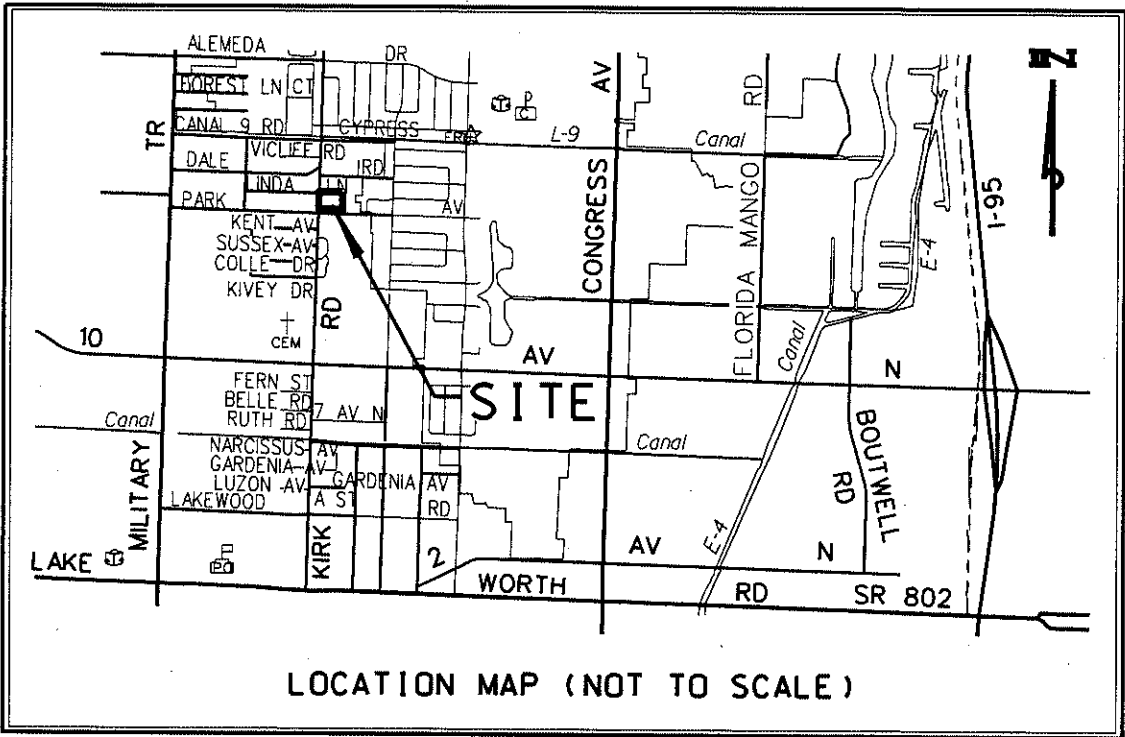
By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Shelley Vana, Chair

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

By: \_\_\_\_\_  
Assistant County Attorney

EXHIBIT "A"  
PARCEL 6 - PARENT PARCEL




LEGAL DESCRIPTION  
(ORB 8037, P 509)

A PARCEL OF LAND BEING THE NORTH 115 FEET OF THE SOUTH 155 FEET  
OF THE EAST 140 FEET OF THE WEST 165 FEET OF THE NORTHWEST ONE-  
QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 18, TOWNSHIP 44  
SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.

PARCEL CONTAINS 16,100 SQUARE FEET MORE OR LESS.

PROJECT NO. 1993901	SHEET: 1 OF: 3	PROJECT: <b>PARCEL 6 PARENT PARCEL KIRK ROAD AT PARK LANE</b>	DESIGN FILE NAME S-1-11-3200.DGN	DRAWING NO. <b>S-1-11-3200</b>	DATE 2/16/11 DRAWN: G.W.M. CHECKED: G.W.M. APPROVED: N.J.H. SCALE: 1" = 40'	NO.	REVISION	BY	DATE
						1	R/W COMMENTS	N.J.H.	3/11
						2	REVISE R/W	N.J.H.	3/12



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



LEGEND

ORB = OFFICIAL RECORD BOOK  
R/W = RIGHT OF WAY  
C = CENTERLINE  
PB = PLAT BOOK  
DB = DEED BOOK  
P = PAGE

SURVEYOR'S REPORT

THIS IS NOT A SURVEY AND THIS PROPERTY HAS NOT BEEN LOCATED ON THE GROUND OR VERIFIED IN ANY WAY IN THE FIELD.

SEE THE RECORDED DOCUMENTS CITED ON THIS DRAWING FOR ADDITIONAL INFORMATION.

BEARINGS ARE BASED ON A GRID NAD 83, 1990 ADJUSTED BEARING OF SOUTH 01°41'10" WEST ALONG THE CENTERLINE OF KIRK ROAD (BEING THE WEST SECTION LINE OF SAID SECTION 18 AND ALL OTHERS ARE RELATIVE THERETO.

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

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

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.

THE STATE PLANE COORDINATES SHOWN HEREON ARE GRID.

DATUM (NAD 83/1990 ADJUSTMENT)

COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION

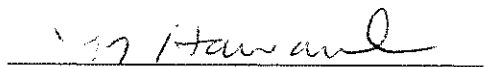
FLORIDA EAST ZONE

SCALE FACTOR = 1.000039233

ALL DISTANCES SHOWN HEREON REPRESENT GROUND DISTANCES

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.

  
NORMAN J. HOWARD, P.S.M.  
FLORIDA CERTIFICATE #5776

1-6-12  
DATE

PARCEL 6

N 839447.964  
E 948689.227

II

SCALE: 1" = 40'

WEST QUARTER CORNER OF SECTION 18  
TOWNSHIP 44 SOUTH, RANGE 43 EAST  
"PALM BEACH COUNTY POSITION"

NORTHWEST 1/4 OF  
THE SOUTHWEST 1/4  
OF SAID SECTION 18

EAST 140.00'

WEST 165.00'

N88°06'29"W  
140.00'

25.00' 25.00'

PARCEL 6  
PARENT PARCEL

PARENT DEED  
ORB 8037,  
P 509

1356.33'  
DB 865, P 358

S01°41'10"W  
115.00'

NORTH 115.00'

SOUTH 155.00'

115.00'

N01°41'10"E

140.00'

S88°06'29"E ORB 891,  
P 556

DB 865, P 358

⊕ PARK LANE  
S88°06'29"E

40.00'  
40.00'

⊕ KIRK ROAD  
S01°41'10"W

THIS IS NOT A SURVEY

N 836736.382  
E 948609.408

SOUTHWEST CORNER OF SECTION 18  
TOWNSHIP 44 SOUTH, RANGE 43 EAST  
"PALM BEACH COUNTY POSITION"

PARCEL 6

PROJECT NO. 1993901

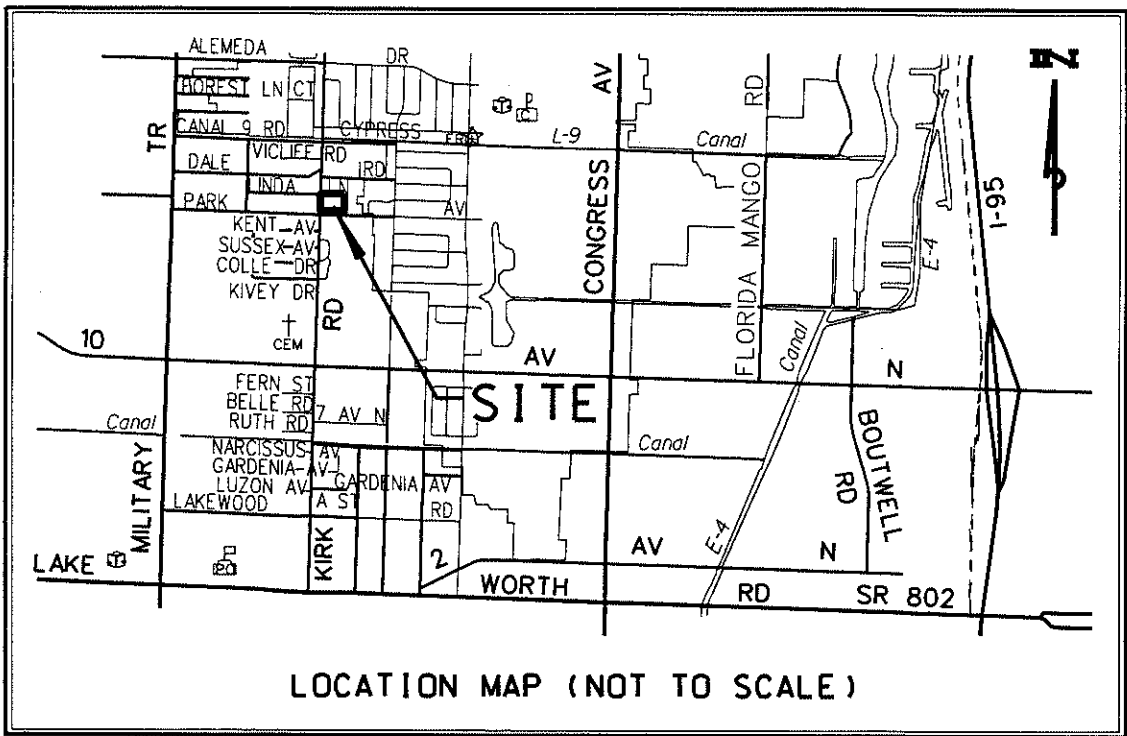
DRAWING NO. S-1-11-3200

PROJECT: PARENT PARCEL KIRK ROAD AT PARK LANE

SHEET: 3 OF 3

# EXHIBIT "B"

PARCEL 106 - 30' ADDITIONAL R/W




## LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE NORTH 115 FEET OF THE SOUTH 155 FEET OF THE EAST 140 FEET OF THE WEST 165 FEET OF THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 18, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE AFOREMENTIONED PARCEL; THENCE SOUTH  $88^{\circ}06'29''$  EAST ALONG A LINE 40.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 18, A DISTANCE OF 54.91 FEET; THENCE NORTH  $43^{\circ}12'39''$  WEST, A DISTANCE OF 35.29 FEET; THENCE NORTH  $01^{\circ}41'10''$  EAST, ALONG A LINE 55.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 18, A DISTANCE OF 90.09 FEET; THENCE NORTH  $88^{\circ}06'29''$  WEST ALONG A LINE 155.00 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 30.00 FEET; THENCE SOUTH  $01^{\circ}41'10''$  WEST ALONG A LINE 25.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 18, A DISTANCE OF 115.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 3,760 SQUARE FEET MORE OR LESS.

PROJECT NO. 1993901 SHEET: 1 OF 3	PROJECT: <b>PARCEL 106</b> <b>30' ADDITIONAL R/W</b> <b>KIRK ROAD</b> <b>AT PARK LANE</b>	SCALE: 1" = 40' APPROVED: N.J.H. DRAWN: E.A.O. CHECKED: G.W.M. DATE: 2/16/11 FIELD BOOK NO.: N/A	<table border="1"> <thead> <tr> <th>NO.</th> <th>REVISION</th> <th>BY</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>R/W COMMENTS</td> <td>N.J.H.</td> <td>2/11</td> </tr> <tr> <td>2</td> <td>REVISE R/W</td> <td>N.J.H.</td> <td>2/12</td> </tr> </tbody> </table>	NO.	REVISION	BY	DATE	1	R/W COMMENTS	N.J.H.	2/11	2	REVISE R/W	N.J.H.	2/12	<div>  </div> <b>PALM BEACH COUNTY</b> <b>ENGINEERING AND PUBLIC WORKS</b> <b>ENGINEERING SERVICES</b> 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411
	NO.	REVISION	BY	DATE												
1	R/W COMMENTS	N.J.H.	2/11													
2	REVISE R/W	N.J.H.	2/12													
DESIGN FILE NAME S-1-11-3187.DGN	DRAWING NO. S-1-11-3187															

LEGEND

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THE STATE PLANE COORDINATES SHOWN HEREON ARE GRID.

DATUM (NAD 83/1990 ADJUSTMENT)

COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION  
FLORIDA EAST ZONE

SCALE FACTOR = 1.000039233

ALL DISTANCES SHOWN HEREON REPRESENT GROUND DISTANCES

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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.

  
NORMAN J. HOWARD, P.S.M.  
FLORIDA CERTIFICATE #5776

1-6-12  
DATE

PARCEL 106

N 839447.964  
E 948689.227

SCALE: 1" = 40'

WEST QUARTER CORNER SECTION 18,  
TOWNSHIP 44 SOUTH, RANGE 43 EAST  
"PALM BEACH COUNTY POSITION"

NORTHWEST 1/4 OF  
THE SOUTHWEST 1/4  
OF SAID SECTION 18

EAST 140.00'

WEST 165.00'

N88°06'29"W  
30.00'

55.00'

25.00' 25.00'

1356.33'

DB 865, P 358

S01°41'10"W  
115.00'

PARCEL 106  
ADDITIONAL R/W

N01°41'10"E  
90.09'

PARENT DEED  
ORB 8037,  
P 509

NORTH 115.00'

SOUTH 155.00'

N43°12'39"W  
35.29'

54.91'  
S88°06'29"E

ORB 891,  
P 556

DB 865, P 358

PARK LANE

S88°06'29"E

40.00'

40.00'

KIRK ROAD

S01°41'10"W

THIS IS NOT A SURVEY

N 836736.382  
E 948609.408

SOUTHWEST CORNER SECTION 18,  
TOWNSHIP 44 SOUTH, RANGE 43 EAST  
"PALM BEACH COUNTY POSITION"

PARCEL 106

PROJECT NO. 1993901

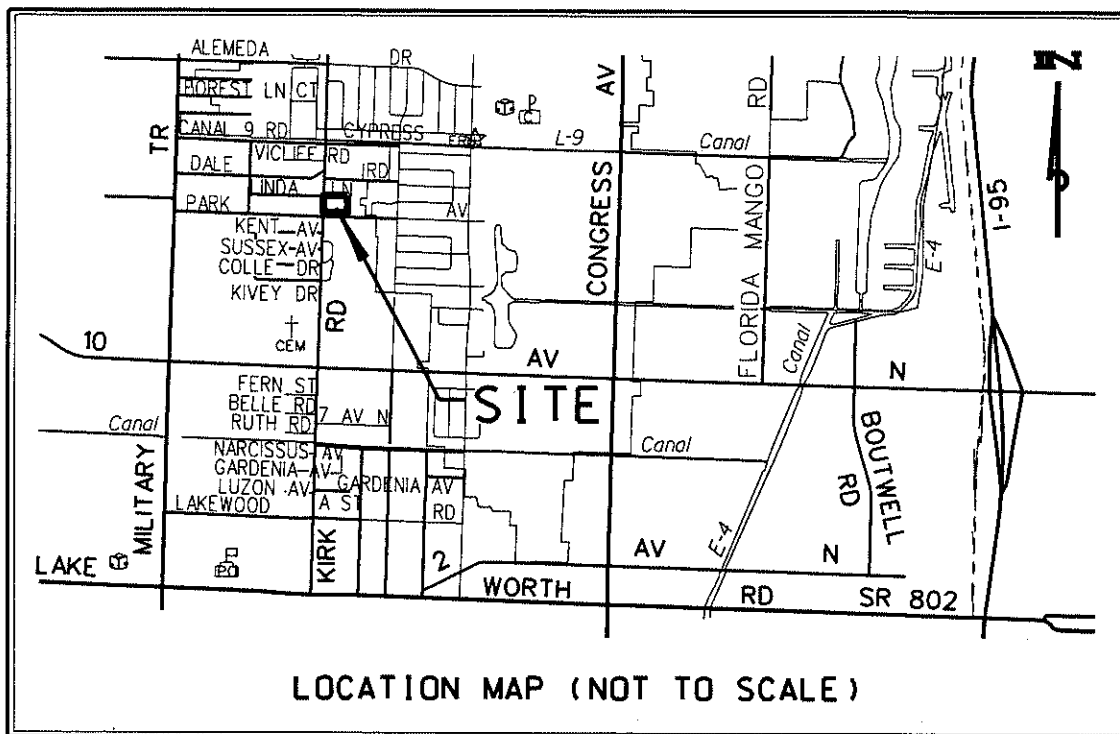
DRAWING NO. S-1-11-3187

PROJECT: 30' ADDITIONAL R/W KIRK ROAD AT PARK LANE

SHEET: 3 OF 3

## EXHIBIT "C"

## PARCEL 206 - PERMANENT EASEMENT



## LEGAL DESCRIPTION

A PERMANENT EASEMENT BEING A PORTION OF THE NORTH 115 FEET OF THE SOUTH 155 FEET OF THE EAST 140 FEET OF THE WEST 165 FEET NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 18, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE AFOREMENTIONED PARCEL; THENCE SOUTH  $88^{\circ}06'29''$  EAST ALONG A LINE 155.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 18, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH  $88^{\circ}06'29''$  EAST ALONG SAID LINE, A DISTANCE OF 10.00 FEET; THENCE SOUTH  $01^{\circ}41'10''$  WEST ALONG A LINE 65.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 18, A DISTANCE OF 100.09 FEET; THENCE NORTH  $43^{\circ}12'39''$  WEST, A DISTANCE OF 14.17 FEET; THENCE NORTH  $01^{\circ}41'10''$  EAST ALONG A LINE 55.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 18, A DISTANCE OF 90.09 FEET TO THE POINT OF BEGINNING.

EASEMENT CONTAINS 951 SQUARE FEET MORE OR LESS.

PROJECT NO. 19933901	SHEET 1 OF 3	PROJECT: <b>PARCEL 206 PERMANENT EASEMENT KIRK ROAD AT PARK LANE</b>		SCALE: 1" = 40' APPROVED: N.J.H. DRAWN: E.A.O. CHECKED: C.W.M. DATE: 2/16/11 FIELD BOOK NO.: N/A	NO.	REVISION	BY	DATE
		1	R/W COMMENTS		N.J.H.	3/6/11		
				2	REVISE R/W	N.J.H.	1/6/12	
DESIGN FILE NAME S-1-11-3188.DGN				DRAWING NO. S-1-11-3188		PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411		

LEGEND

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SURVEYOR'S REPORT

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SEE THE RECORDED DOCUMENTS CITED ON THIS DRAWING FOR ADDITIONAL INFORMATION.

BEARINGS ARE BASED ON A GRID NAD 83, 1990 ADJUSTED BEARING OF SOUTH  $01^{\circ}41'10''$  WEST ALONG THE CENTERLINE OF KIRK ROAD (BEING THE WEST SECTION LINE OF SAID SECTION 18 AND ALL OTHERS ARE RELATIVE THERETO.

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

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

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.

THE STATE PLANE COORDINATES SHOWN HEREON ARE GRID.

DATUM (NAD 83/1990 ADJUSTMENT)

COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION

FLORIDA EAST ZONE

SCALE FACTOR = 1.000039233

ALL DISTANCES SHOWN HEREON REPRESENT GROUND DISTANCES

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.

  
NORMAN J. HOWARD, P.S.M.  
FLORIDA CERTIFICATE #5776

1-6-12  
DATE

PARCEL 206

N 839447.964  
E 948689.227

WEST QUARTER CORNER SECTION 18,  
TOWNSHIP 44 SOUTH, RANGE 43 EAST  
"PALM BEACH COUNTY POSITION"



SCALE: 1" = 40'

\* PARCEL 205 IS A  
PORTION OF THE  
PARENT DEED  
ORB 8037, P 509

WEST LINE  
SAID SECTION 18

NORTHWEST 1/4 OF  
THE SOUTHWEST 1/4  
OF SAID SECTION 18

POINT OF COMMENCEMENT

NW CORNER OF THE N 115'  
OF THE S 155' OF THE E  
140' OF THE W 165' OF THE  
NW 1/4 OF THE SW 1/4 OF  
SAID SECTION 18

S88°06'29"E, 30.00'

POINT OF BEGINNING

25.00'

55.00'

65.00'

25.00'

1356.33'

DB 865,  
P 358

N01°41'10"E  
90.09'

S01°41'10"W  
100.09'

PARCEL 206

S88°06'29"E  
10.00'

PERMANENT  
EASEMENT

N43°12'39"W  
14.17'

EAST 140.00'

WEST 165.00'

NORTH 115.00'

SOUTH 155.00'

54.91'  
S88°06'29"E

ORB 891,  
P 556

DB 865, P 358

PARK LANE

S88°06'29"E

40.00'

40.00'

KIRK ROAD  
S01°41'10"W

THIS IS NOT  
A SURVEY

N 836736.382  
E 948609.408

SOUTHWEST CORNER SECTION 18,  
TOWNSHIP 44 SOUTH, RANGE 43 EAST  
"PALM BEACH COUNTY POSITION"

PARCEL 206



Return to: Palm Beach County  
Name: R/W Acquisition Section  
Post Office Box 21229  
Address: West Palm Beach, Florida 33416  
Attn: Tripp Cioci, Right-of-Way Specialist  
Acct. No.: 1010 W/C BOX 1066

This Instrument Prepared by:  
Name: Paul F. King, Assistant County Attorney  
Post Office Box 21229  
Address: West Palm Beach, Florida 33416

A portion of PCN: 00-43-44-18-00-000-7410

## **COUNTY DEED**

THIS DEED, made this \_\_\_\_ day of \_\_\_\_\_, 2011 by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, whose post office address is P.O. Box 21229, West Palm Beach, FL 33416, party of the first part, and the **VILLAGE OF PALM SPRINGS**, a municipal corporation existing under the laws of the State of Florida, whose post office address is 226 Cypress Lane, Palm Springs, Florida 33461, party of the second part.

In accordance with F.S. 125.38, the property being conveyed is for community interest and welfare purposes.

The conditions and restrictions imposed by this County Deed shall constitute covenants running with the land and shall be binding upon and burden the party of the second part, their successors and assigns having or hereafter acquiring any right, title or interest in or to all or any portion of the described real property. In the event the party of the second part, their successors and assigns having or hereafter acquiring any right, title or interest in or to all or any portion of the described real property, does not use the property for park purposes or the terms described herein, the real property conveyed herein shall revert to the party of the first part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars to it in hand paid by the parties of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the parties of the second part, their heirs and assigns forever, the following described land lying and being in Palm Beach County, Florida:

Property more particularly described in **Exhibit "A"**, attached hereto and made a part hereof, and;

Less the area described in **Exhibit "B"** that is hereby reserved as road right-of-way, and;

Reserving, however, unto party of the first part, its successors and assigns a Permanent Easement over, upon, under, through and across the area described in **Exhibit "C"** of the Property. The party of the first part shall have the right, but not the obligation, to remove and use any or all of the soil and/or subsoil, in accordance with current and future construction plans, including but not limited to potential retention or detention areas, storm water structures, or other related purposes within the Permanent Easement area.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice Chair of said Board, the day and year aforesaid.

**ATTEST:**

SHARON R. BOCK  
CLERK & COMPTROLLER

**PALM BEACH COUNTY, BY ITS  
BOARD OF COUNTY COMMISSIONERS**

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

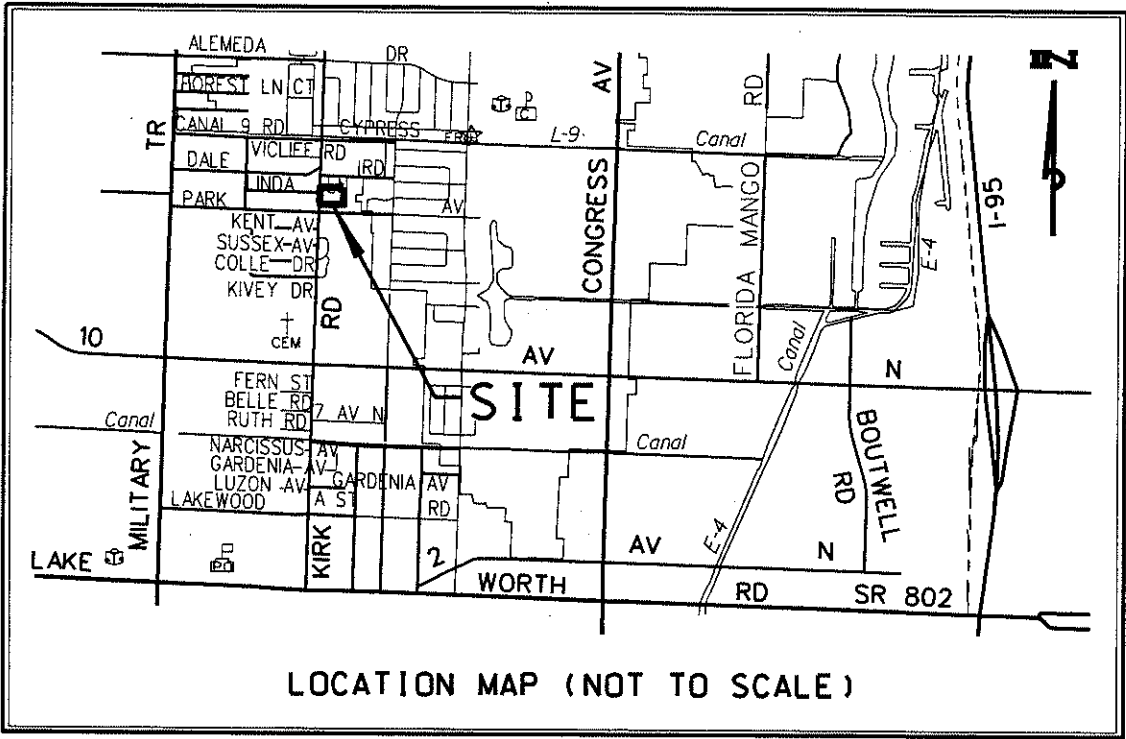
By: \_\_\_\_\_  
Shelley Vana, Chair

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

By: \_\_\_\_\_  
Assistant County Attorney

271-LGL Rev. 11/12/08  
N:\R\_O\_W\TRIPP\Kirk Road Conveyances\Village Deeds\271.LGL County Deed Village 7410 edit.doc

EXHIBIT "A"  
PARCEL 7 - PARENT PARCEL



LEGAL DESCRIPTION  
(ORB 7805, P 1208)

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

NORTH 295 FEET OF THE SOUTH 335 FEET OF THE EAST 460 FEET OF THE WEST 485 FEET OF THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 18, TOWNSHIP 44 SOUTH, RANGE 43 EAST, (LESS THE SOUTH 137.5 FEET OF THE EAST 320 FEET AND THE SOUTH 115 FEET OF THE WEST 140 FEET).

PARCEL CONTAINS 75,601 SQUARE FEET MORE OR LESS.

PROJECT:	
PARCEL 7 PARENT PARCEL KIRK ROAD AT PARK LANE	
DESIGN FILE NAME	DRAWING NO.
S-1-11-3201.DGN	S-1-11-3201

NO.	REVISION	BY	DATE
1	R/W COMMENTS	N.J.H.	10/11
2	REVISE R/W	N.J.H.	10/12
SCALE: 1" = 40'			
APPROVED: N.J.H.			
DRAWN: E.A.O.			
CHECKED: G.W.M.			
DATE: 2/16/11			
FIELD BOOK NO. N/A			

PALM BEACH COUNTY  
ENGINEERING AND PUBLIC WORKS

ENGINEERING SERVICES

2300 NORTH JOG ROAD  
WEST PALM BEACH, FL 33411

PROJECT NO.  
1993901

SHEET  
3

OF  
1

LEGEND

ORB = OFFICIAL RECORD BOOK  
R/W = RIGHT OF WAY  
C = CENTERLINE  
PB = PLAT BOOK  
DB = DEED BOOK  
P = PAGE

I = WEST QUARTER CORNER OF SECTION 18  
TOWNSHIP 44 SOUTH, RANGE 43 EAST  
"PALM BEACH COUNTY POSITION"  
+ = SOUTHWEST CORNER OF SECTION 18  
TOWNSHIP 44 SOUTH, RANGE 43 EAST  
"PALM BEACH COUNTY POSITION"

SURVEYOR'S REPORT

THIS IS NOT A SURVEY AND THIS PROPERTY HAS NOT BEEN LOCATED ON THE GROUND OR VERIFIED IN ANY WAY IN THE FIELD.

SEE THE RECORDED DOCUMENTS CITED ON THIS DRAWING FOR ADDITIONAL INFORMATION.

BEARINGS ARE BASED ON A GRID NAD 83, 1990 ADJUSTED BEARING OF SOUTH 01°41'10" WEST ALONG THE CENTERLINE OF KIRK ROAD (BEING THE WEST SECTION LINE OF SAID SECTION 18 AND ALL OTHERS ARE RELATIVE THERETO.

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

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

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.

THE STATE PLANE COORDINATES SHOWN HEREON ARE GRID.

DATUM (NAD 83/1990 ADJUSTMENT)

COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION  
FLORIDA EAST ZONE

SCALE FACTOR = 1.000039233

ALL DISTANCES SHOWN HEREON REPRESENT GROUND DISTANCES

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.

  
NORMAN J. HOWARD, P.S.M.  
FLORIDA CERTIFICATE #5776

1-6-12  
DATE

PARCEL 7

THIS IS NOT A SURVEY

LINDA LANE

ORB 7842, P 525

KIRK ROAD

WEST LINE  
SAID SECTION 18

DB 865, P 358

S01°41'10"W

N01°41'10"E

180.00'

SOUTH 335.00'

NORTH 295.00'

180.00'

PARCEL 7  
PARENT PARCEL

PARENT DEED  
ORB 7805,  
P 1208



SCALE: 1" = 40'

S01°41'10"W

157.50'

S01°41'10"W  
22.50'

S88°06'29"E  
320.00'

S88°06'29"E  
140.00'

LESS WEST 140.00'

LESS EAST  
320.00'

25.00' 25.00'

1356.33'

115.00'

LESS SOUTH  
115.00'

NORTHWEST 1/4 OF  
THE SOUTHWEST 1/4  
OF SAID SECTION 18

LESS SOUTH  
137.50'

N 836736.382  
E 948609.408

PARK LANE

S88°06'29"E

DB 865, P 358 &  
ORB 891, P 556

PARCEL 7

40.00'

PROJECT No. 1993901

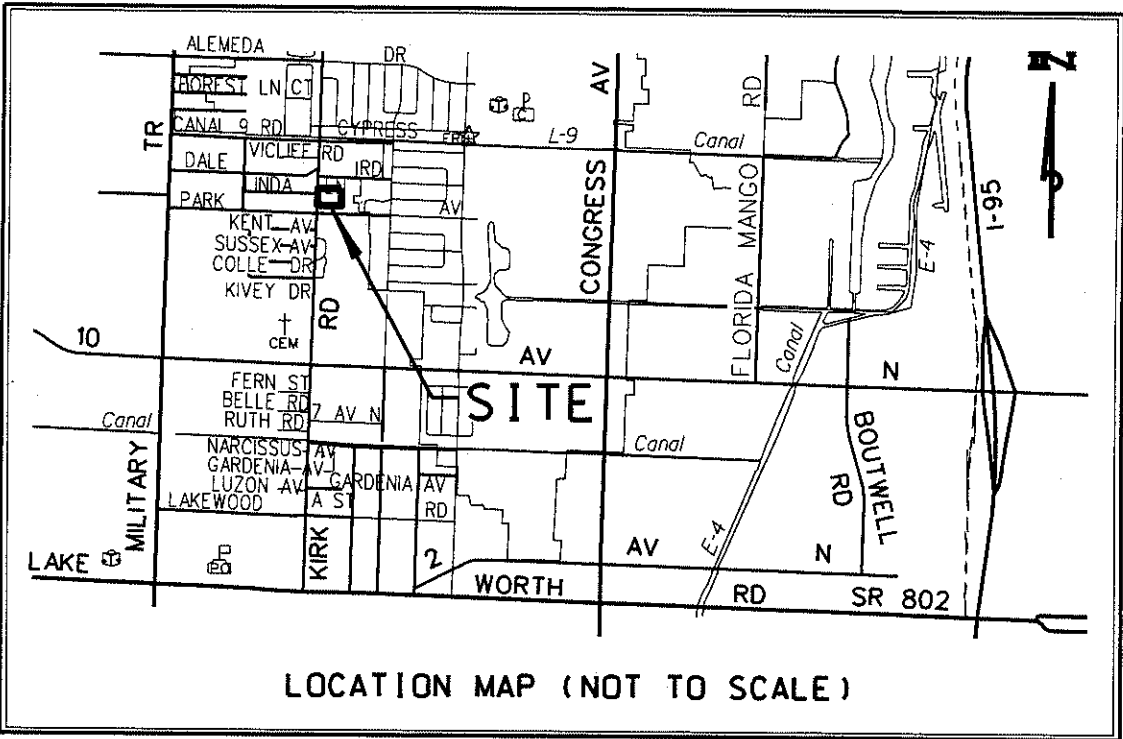
DRAWING No. S-1-11-3201

PROJECT: PARENT PARCEL KIRK ROAD AT PARK LANE

SHEET: 3 OF 3

EXHIBIT "B"

PARCEL 107 - 30' ADDITIONAL R/W




LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 30.00 FEET OF THE NORTH 295 FEET OF THE SOUTH 335 FEET OF THE EAST 460 FEET OF THE WEST 485 FEET OF THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 18, TOWNSHIP 44 SOUTH, RANGE 43 EAST, (LESS THE SOUTH 137.5 FEET OF THE EAST 320 FEET AND THE SOUTH 115 FEET OF THE WEST 140 FEET).

PARCEL CONTAINS 5,400 SQUARE FEET MORE OR LESS.

PROJECT NO. 19933901	SHEET: 1 OF: 3	PROJECT: <b>PARCEL 107 30' ADDITIONAL R/W KIRK ROAD AT PARK LANE</b>		SCALE: 1" = 40' DATE: 2/16/11 DRAWN: E.A.O. CHECKED: G.W.M. APPROVED: N.J.H.	NO. 1	REVISION REVISE R/W	BY N.J.H.	DATE 1/06/12		PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411
		DESIGN FILE NAME S-1-11-3189.DGN	DRAWING NO. S-1-11-3189							

# LEGEND

ORB = OFFICIAL RECORD BOOK  
R/W = RIGHT OF WAY  
C = CENTERLINE  
PB = PLAT BOOK  
DB = DEED BOOK  
P = PAGE

I = WEST QUARTER CORNER SAID SECTION 18,  
TOWNSHIP 44 SOUTH, RANGE 43 EAST  
"PALM BEACH COUNTY POSITION"  
+ = SOUTHWEST CORNER SAID SECTION 18,  
TOWNSHIP 44 SOUTH, RANGE 43 EAST  
"PALM BEACH COUNTY POSITION"

## SURVEYOR'S REPORT

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

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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.

THE STATE PLANE COORDINATES SHOWN HEREON ARE GRID.

DATUM (NAD 83/1990 ADJUSTMENT)

COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION  
FLORIDA EAST ZONE

SCALE FACTOR = 1.000039233

ALL DISTANCES SHOWN HEREON REPRESENT GROUND DISTANCES

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NORMAN J. HOWARD, P.S.M.  
FLORIDA CERTIFICATE #5776

1-6-12  
DATE

PARCEL 107

THIS IS NOT A SURVEY

LINDA LANE

ORB 7842, P 525

KIRK ROAD

WEST LINE  
SAID SECTION 18

DB 865, P 358

PARCEL 107  
ADDITIONAL R/W

PARENT DEED  
ORB 7805,  
P 1208

SCALE: 1" = 40'

1356.33'

N 836736.382  
E 948609.408

PARK LANE

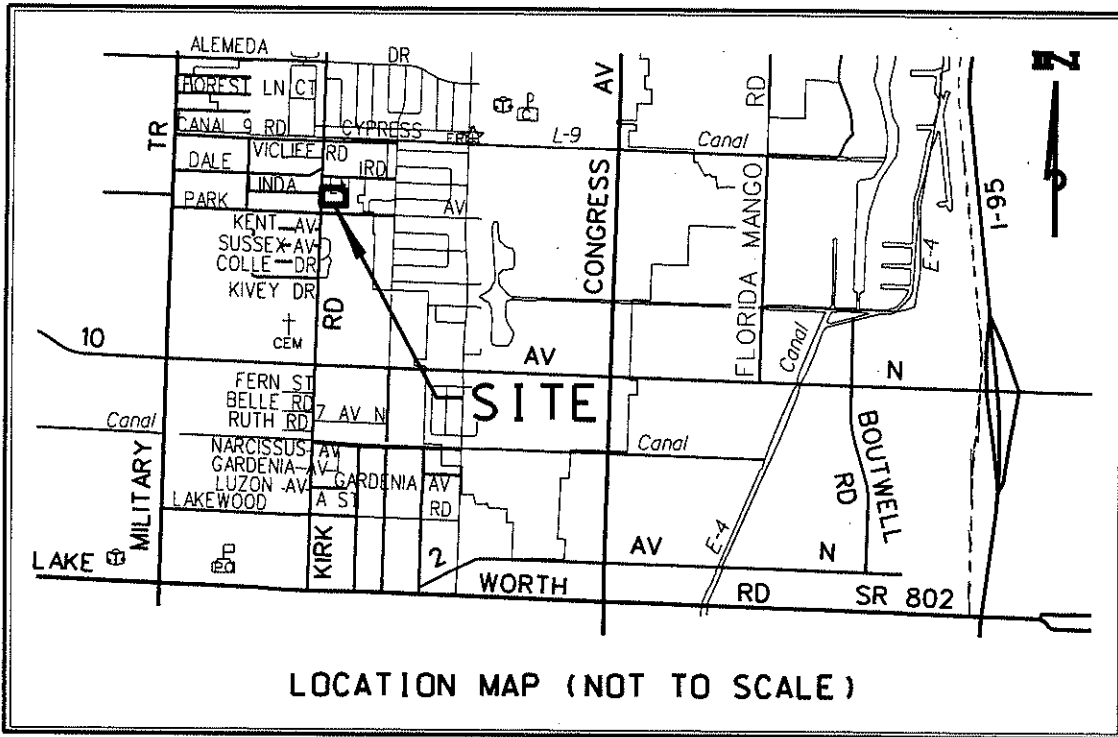
DB 865, P 358 & ORB 891, P 556

PARCEL 107



# EXHIBIT "C"

## PARCEL 207 - PERMANENT EASEMENT



LOCATION MAP (NOT TO SCALE)

### LEGAL DESCRIPTION

A PERMANENT EASEMENT LYING IN SECTION 18, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

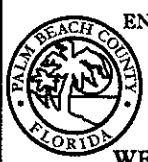
THE NORTH 295 FEET OF THE SOUTH 335 FEET OF THE EAST 460 FEET OF THE WEST 485 FEET OF THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 18, TOWNSHIP 44 SOUTH, RANGE 43 EAST, (LESS THE SOUTH 137.5 FEET OF THE EAST 320 FEET AND THE SOUTH 115 FEET OF THE WEST 140 FEET).

LESS THE WEST 30.00 FEET

EASEMENT CONTAINS 70,200 SQUARE FEET MORE OR LESS.

PROJECT:	
<b>PARCEL 207</b> <b>PERMANENT EASEMENT</b> <b>KIRK ROAD</b> <b>AT PARK LANE</b>	
DESIGN FILE NAME	DRAWING NO.
S-1-11-3190.DGN	S-1-11-3190

DATE	2/16/11
CHECKED	G.W.M.
DRAWN	E.A.O.
APPROVED	N.J.H.
SCALE	1" = 40'
NO.	1
REVISION	REVISE R/W
BY	N.J.H.
DATE	1/06/12

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

PROJECT NO.	1993901
SHEET	1
OF	3

LEGEND

ORB = OFFICIAL RECORD BOOK  
R/W = RIGHT OF WAY  
C = CENTERLINE  
PB = PLAT BOOK  
DB = DEED BOOK  
P = PAGE

I = WEST QUARTER CORNER OF SECTION 18  
TOWNSHIP 44 SOUTH, RANGE 43 EAST  
"PALM BEACH COUNTY POSITION"  
+ = SOUTHWEST CORNER OF SECTION 18  
TOWNSHIP 44 SOUTH, RANGE 43 EAST  
"PALM BEACH COUNTY POSITION"

SURVEYOR'S REPORT

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THE STATE PLANE COORDINATES SHOWN HEREON ARE GRID.

DATUM (NAD 83/1990 ADJUSTMENT)

COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION  
FLORIDA EAST ZONE

SCALE FACTOR = 1.000039233

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NORMAN J. HOWARD, P.S.M.  
FLORIDA CERTIFICATE #5776

1-6-12  
DATE

PARCEL 207

THIS IS NOT A SURVEY

LINDA LANE

ORB 7842, P 525

Q KIRK ROAD

WEST LINE  
SAID SECTION 18

DB 865, P 358

N01°41'10"E 295.00'

N01°41'10"E 180.00'

SOUTH 335.00'

NORTH 295.00'

180.00'

S88°06'29"E 460.00'  
430.00'  
WEST 485.00'  
EAST 460.00'

PARCEL 207  
PERMANENT EASEMENT

PARENT DEED  
ORB 7805,  
P 1208

S01°41'10"W 22.50'  
S88°06'29"E 320.00'  
S88°06'29"E 110.00'

S01°41'10"W 157.50'

25.00' 25.00'

LESS WEST 140.00'

LESS EAST  
320.00'

SCALE: 1" = 40'

1356.33'

LESS SOUTH  
115.00'

NORTHWEST 1/4 OF  
THE SOUTHWEST 1/4  
OF SAID SECTION 18

LESS SOUTH  
137.50'

N 836736.382  
E 948609.408

Q PARK LANE

S88°06'29"E

DB 865, P 358 & ORB 891, P 556

PARCEL 207



RECEIVED AUG 29 2011

# Village of Palm Springs

Land Development

226 Cypress Lane • Palm Springs, Florida 33461  
(561) 965-4016

Fax (561) 439-4132

August 25, 2011

Mr. Omelio Fernandez, P.E.  
Director Roadway Production  
Palm Beach County  
2300 N. Jog Road  
West Palm Beach, Florida 33411

Via email and US Mail:      ofernand@pbcgov.org

Subject:      Parcel No. 00-43-44-18-00-000-7410 (2684 Kirk Road) and 00-43-44-18-00-000-7413 (3981 Park Lane)

Dear Mr. Fernandez:

The Village desires to acquire the subject properties in order to construct a Village park. The properties were recently annexed into the Village along with several other county owned parcels on Kirk Road. We understand that the other parcels have been promised to the Community Land Trust for affordable housing. Please contact me regarding the necessary process for transferring the deed to these properties to the Village of Palm Springs. My contact information is (561) 965-4016 or email at [blowe@villageofpalmsprings.org](mailto:blowe@villageofpalmsprings.org)

Thank you for your assistance in this matter.

Sincerely,

Bette J. Lowe  
Land Development Director

Attachment

C:      [MROSE@pbcgov.org](mailto:MROSE@pbcgov.org)  
         [TCIOCI@pbcgov.org](mailto:TCIOCI@pbcgov.org)

[www.villageofpalmsprings.org](http://www.villageofpalmsprings.org)

Attachment #3