

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

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Meeting Date: March 20, 2012                      Consent [X]                      Regular [ ]  
Public Hearing [ ]

Department: Water Utilities Department

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I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: the partial release of a utility easement over property owned by Haverhill Quadplex, LLC.

**Summary:** This document will release the County's interest in a portion of a utility easement recorded in the Official Records of Palm Beach County, Book 22596 Page 0362 over property owned by Haverhill Quadplex, LLC. The Water Utilities Department has determined that this portion of easement is no longer needed and therefore recommends the release. District 2 (MJ)

**Background and Justification:** On April 4, 2008, a utility easement was granted to the County for public water and sewer facilities associated with the development of the property identified by PCN 00-42-43-25-00-000-3450. A portion of this easement was intended for future water and sewer facilities to be installed in a later phase of development. Upon redevelopment of the site, these proposed utility facilities have been eliminated, and the property owner is requesting release of the portion of the easement that the County no longer needs.

**Attachments:**

1. Location Map
2. Two (2) Original Partial Release of Utility Easement w/ Exhibit "A"
3. One (1) Original Utility Easement (ORB 22596/PG 0362)

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Recommended By:                       2/27/12  
Department Director                      Date

Approved By:                       3-8-12  
Assistant County Administrator                      Date

**II. FISCAL IMPACT ANALYSIS**

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

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

**Budget Account No.:** Fund \_\_\_\_\_ Dept \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_

Is Item Included in Current Budget? Yes \_\_\_ No \_\_\_

Reporting Category N/A

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

No Fiscal Impact

**C. Department Fiscal Review:** Delma M. West

**III. REVIEW COMMENTS**

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

[Signature] 2/28/12  
OFMB  
2/27/12

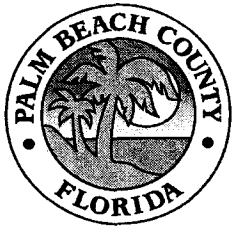
[Signature] 3/7/12  
Contract Development and Control  
3-6-12

**B. Legal Sufficiency:**

[Signature] 3/8/12  
Assistant County Attorney

**C. Other Department Review:**

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



**Palm Beach County  
Water Utilities  
Department  
Service Area (SA) and  
Major Facilities**

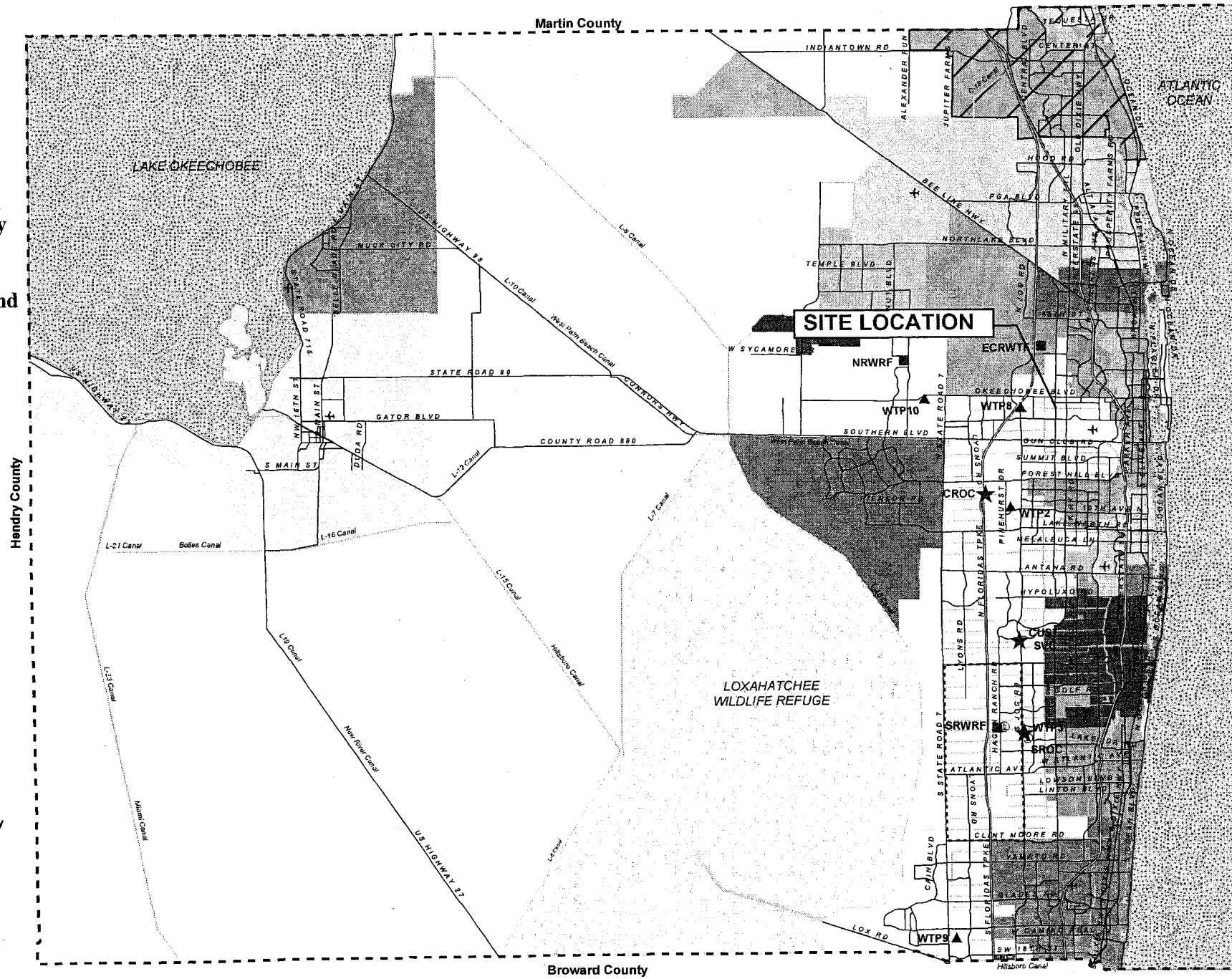
Attachment 1

**Legend**

- P.B.C.W.U.D. SA
- ⋯ Mandatory Reclaimed SA
- - - Palm Beach County Limits
- ★ Administration
- Water Reclamation Facility
- ▲ Water Treatment Facility
- ⊙ Wetlands



NOT TO SCALE



Prepared by and return to:  
Palm Beach County Water Utilities Department  
Attn: Plan Review  
8100 Forest Hill Blvd  
West Palm Beach, Florida 33413

**PARTIAL RELEASE OF UTILITY EASEMENT**

**THIS PARTIAL RELEASE OF UTILITY EASEMENT**, executed this \_\_\_ day of \_\_\_\_\_, 2012, by Palm Beach County, a political subdivision of the State of Florida, first party, c/o Water Utilities Department, 8100 Forest Hill Blvd, West Palm Beach, Florida 33413, to HAVERTHILL QUADPLEX, LLC, whose address is 11832 OSPREY POINT CIRCLE, WELLINGTON, FL 33449, second party:

**WITNESSETH:**

THAT the first party, for and in consideration of the sum of \$10.00 (Ten Dollars) in hand paid by the second party, the receipt of which is hereby acknowledged, wishes to terminate, renounce, and release a portion of that UTILITY EASEMENT recorded in Official Records Book 22596, Page 0362, Public Records of Palm Beach County, Florida.

THEREBY, the first party hereby releases any and all of its rights, title, and interest in that portion of the UTILITY EASEMENT as shown in the sketch and legal description attached hereto and incorporated herein as Exhibit "A."

**IN WITNESS WHEREOF** the first party has caused this PARTIAL RELEASE OF UTILITY EASEMENT to be executed as of the day and year first written above.

ATTEST:

\_\_\_\_\_  
Sharon R. Bock, Clerk

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

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

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

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

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

**DESCRIPTION:**

SHEET 1 OF 2

TWO PARCELS OF LAND SITUATE IN SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 25; THENCE SOUTH 88°50'51" EAST ALONG THE EAST/WEST QUARTER SECTION LINE OF SAID SECTION 25, A DISTANCE OF 50.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HAVERHILL ROAD AS RECORDED IN ROAD PLAT BOOK 3 AT PAGE 231 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 01°12'52" EAST ALONG SAID EASTERLY LINE, A DISTANCE OF 33.00 FEET TO A POINT ON THE NORTH LINE OF THE REMAINDER OF A 20 FOOT UTILITY EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 5455 AT PAGE 857, OFFICIAL RECORDS BOOK 9157 AT PAGE 382 AND OFFICIAL RECORDS BOOK 24295 AT PAGE 126 OF SAID PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 88°50'51" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 29.53 FEET TO **REFERENCE POINT 'A'**; THENCE NORTH 01°12'54" EAST, A DISTANCE OF 16.32 FEET TO THE **POINT OF BEGINNING**; THENCE NORTH 88°50'51" WEST, A DISTANCE OF 12.00 FEET; THENCE NORTH 01°12'54" EAST, A DISTANCE OF 26.00 FEET; THENCE SOUTH 88°50'51" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 01°12'54" WEST, A DISTANCE OF 6.00 FEET; THENCE SOUTH 88°50'51" EAST, A DISTANCE OF 12.00 FEET; THENCE SOUTH 01°12'54" WEST, A DISTANCE OF 14.94 FEET; THENCE S54°32'39"W, A DISTANCE OF 4.42 FEET; THENCE N46°27'21"W; THENCE N01°28'26"W, A DISTANCE OF 9.06 FEET; THENCE N88°49'30"W, A DISTANCE OF 13.84 FEET; THENCE S01°17'23"W, A DISTANCE OF 13.50 FEET TO THE **POINT OF BEGINNING**.

**TOGETHER WITH:**

**COMMENCING** AT AFOREMENTIONED **REFERENCE POINT 'A'**; THENCE SOUTH 88°50'51" EAST, ALONG SAID NORTH LINE OF THE REMAINDER OF A 20 FOOT UTILITY EASEMENT, A DISTANCE OF 85.74 FEET TO THE **POINT OF BEGINNING 'A'**; THENCE NORTH 01°12'54" EAST, A DISTANCE OF 31.60 FEET; THENCE SOUTH 88°50'51" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 01°12'54" WEST, A DISTANCE OF 31.60 FEET TO A POINT ON THE SAID NORTH LINE OF THE REMAINDER OF A 20 FOOT UTILITY EASEMENT; THENCE NORTH 88°50'51" WEST ALONG SAID NORTH LINE, A DISTANCE OF 20.00 FEET TO THE **POINT OF BEGINNING 'A'**, LESS THE SOUTH 15.00 FEET OF THE NORTH 22.20' FEET THEREOF.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

**NOTES:**

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS SHOWN HEREON ARE RELATIVE TO A BEARING OF SOUTH 88°50'51" EAST ALONG THE EAST/WEST QUARTER LINE OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST.
4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
5. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENT OF RECORD AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.

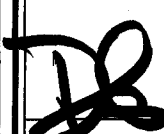
**CERTIFICATE:**

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON OCTOBER 13, 2011. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH IN SECTION No. 5J-17.052 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.



CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING - LAND PLANNING  
 LANDSCAPE ARCHITECTURE - SURVEYING  
 7301A W. PALMETTO PARK ROAD - SUITE 100A  
 BOCA RATON, FLORIDA 33433  
 PHONE (561)-392-1991 / FAX (561)-750-1452

  
 DAVID P. LINDLEY  
 REGISTERED LAND  
 SURVEYOR NO. 5005  
 STATE OF FLORIDA  
 L.B. 3591

DATE 10/13/11

DRAWN BY APZ

F.B./ PG. N/A

SCALE N/A

JOB NO. 5771aband3

**SKETCH OF DESCRIPTION  
 PBCUE ABANDONMENT**

**POINT OF COMMENCEMENT**

WEST QUARTER CORNER  
SECTION 25  
TOWNSHIP 43 SOUTH  
RANGE 42 EAST

N.W. CORNER OF SECTION 25  
TOWNSHIP 43 SOUTH  
RANGE 42 EAST

N01°12'52"E 2660.13'  
WEST LINE OF SECTION 25-43-42

L.W.D.D. R/W  
PER CHANCERY CASE No. 407  
(O.R.B. 6495, PAGE 761)

**HAVERHILL ROAD**  
100' PUBLIC RIGHT-OF-WAY  
(ROAD PLAT BOOK 3, PAGE 231)

88' L.W.D.D. EASEMENT

L.W.D.D. LATERAL No. 2  
65' RIGHT-OF-WAY EASEMENT  
(O.R.B. 4657, PAGES 728-729)

EAST-WEST QUARTER LINE

R.P. 'A'

PBCUE REMAINDER  
(ORB 22596, PAGE 362)

23' L.W.D.D. EASEMENT  
(O.R.B. 4874, PAGE 1773)

P.O.B. 'A'

EAST RIGHT-OF-WAY LINE

N88°50'51"W  
12.00'

N01°12'54"E  
26.00'

S01°17'23"W  
13.50'

N01°12'54"E  
16.32'

N46°27'21"W  
3.92'

S43°32'39"W  
4.42'

S01°12'54"W  
14.94'

N01°12'54"E  
16.32'

N46°27'21"W  
3.92'

S43°32'39"W  
4.42'

S01°12'54"W  
14.94'

N01°12'54"E  
15.00'

S01°12'54"W  
15.00'

N01°12'54"E  
15.00'

S01°12'54"W  
15.00'

N01°12'54"E  
15.00'

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S01°12'54"W  
15.00'

N01°12'54"E  
15.00'

S01°12'54"W  
15.00'

N01°12'54"E  
15.00'

S01°12'54"W  
15.00'

NORTH LINE  
REMAINDER OF 20' UTILITY EASEMENT  
10' REMAINDER OF 20' UTILITY EASEMENT  
(O.R.B. 5455, PAGE 857)  
(O.R.B. 9157, PAGE 382)  
(RESOLUTION 2010-1902,  
O.R.B. 24295, PAGE 126)

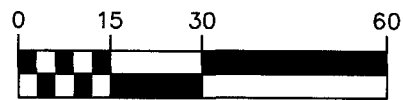
PBCUE REMAINDER  
(ORB 22596, PAGE 362)

HAVERHILL ROAD  
MEDICAL OFFICE

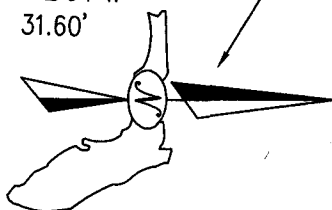
**ABBREVIATIONS:**

- R/W = RIGHT OF WAY
- L.W.D.D. = LAKE WORTH DRAINAGE DISTRICT
- O.R.B. = OFFICIAL RECORDS BOOK
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- R.P. = REFERENCE POINT
- PBCUE = PALM BEACH COUNTY UTILITY EASEMENT

**GRAPHIC SCALE**



( IN FEET )  
1 INCH = 30 FEET



**CAULFIELD & WHEELER, INC.**  
CIVIL ENGINEERING - LAND PLANNING  
LANDSCAPE ARCHITECTURE - SURVEYING  
7301A W. PALMETTO PARK ROAD - SUITE 100A  
BOCA RATON, FLORIDA 33433  
PHONE (561)-392-1991 / FAX (561)-750-1452

DATE	10/13/11
DRAWN BY	APZ
F.B./ PG.	N/A
SCALE	1"=30'
JOB NO.	5771aband3

**SKETCH OF DESCRIPTION  
PBCUE ABANDONMENT**



UTILITY EASEMENT

Page 1 of 3

CFN 20080155091  
OR BK 22596 PG 0362  
RECORDED 04/24/2008 10:30:12  
Palm Beach County, Florida  
AMT 1.00  
Doc Stamp 0.70  
Sharon R. Bock, CLERK & COMPTROLLER  
Pgs 0362 - 364; (3pgs)

Sec. 25 TWP 43 Rge 42  
PCN: 00-42-43-25-00-000-3450  
Address: 1520 N Haverhill Rd  
West Palm Beach, Fl

Legal Description: 25-43-42 SLY 132.55 FT OF W 270.40  
OF S 1/4 OF NW 1/4 (LESS RD R/W)

HAVERHILL QUADPLEX, LLC, in consideration of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, does hereby give, grant and convey to: PALM BEACH COUNTY WATER UTILITIES Its licensees, agents, successors, and assigns, a utility easement on, under, over, and across the property described in pages 2 and 3 attached hereto. Said easement being for utility purposes and being nonexclusive in nature and any utility agrees in the use of said property that it will return it to its original condition it was in, prior to utility construction.

IN WITNESS WHEREOF, the parties here to have set their hands and seals this 24<sup>th</sup> day of April, 2008

Signed sealed and delivered in the presence of:

HAVERHILL QUADPLEX, LLC  
*[Signature]*  
(Authorized signature)

*[Signature]*  
(Witness signature)

Print name: Martha L. Medina

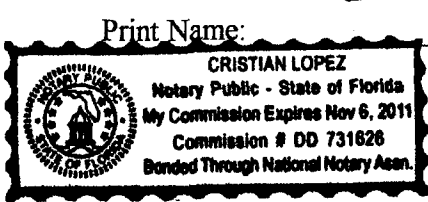
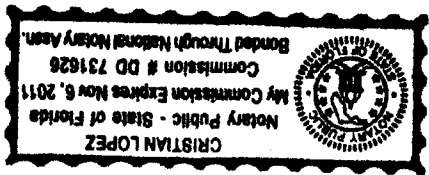
Print name: Jaine Flores

*[Signature]*  
(Witness signature)

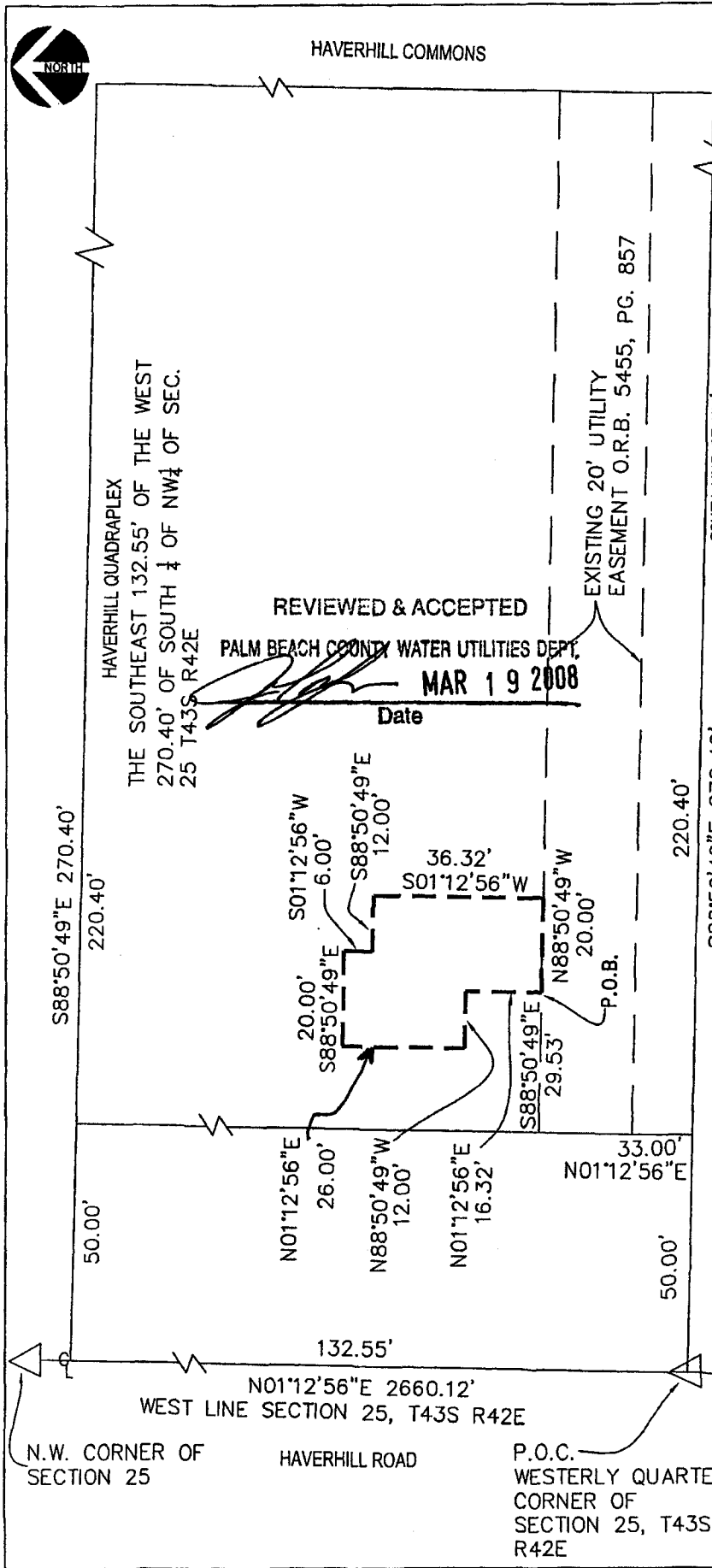
Print name: ASAD MASON

STATE OF FLORIDA AND COUNTY OF PALM BEACH, The foregoing instrument was acknowledge before me this 24<sup>th</sup> day of April, 2008 by the person legally authorized by HAVERHILL QUADPLEX LLC who have produced a Florida Drivers License # F462-420-43-410-0

My commission expires: \_\_\_\_\_ Notary Public: *[Signature]*



Print Name: Cristian Lopez

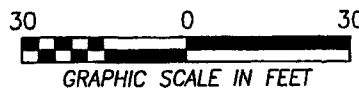


REVIEWED & ACCEPTED  
 PALM BEACH COUNTY WATER UTILITIES DEPT.  
 MAR 19 2008  
 Date

**DESCRIPTION OF TWENTY (20) FOOT WATER LINE EASEMENT**

AN EASEMENT FOR WATER LINE PURPOSES LYING WITHIN A PORTION OF THE PROPERTY OF HAVERHILL QUADRAPLEX, BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERLY QUARTER CORNER OF SAID SECTION 25, THENCE RUN S 88° 50'49" E, ALONG THE SOUTHERLY LINE OF SAID NORTHWEST QUARTER OF SECTION 25 (THE BEARING BASIS FOR THIS DESCRIPTION), A DISTANCE OF 50.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF HAVERHILL ROAD AS LAID OUT AND IN USE; THENCE N 01°12'56"E, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 33.00 FEET TO THE NORTHERLY LINE OF AN EXISTING 20 FOOT UTILITY EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 5455 AT PAGE 857 AND BEING DESCRIBED AS EXHIBIT B; THENCE S88°50'49"E, ALONG SAID EASEMENT, A DISTANCE OF 29.53 FEET TO THE POINT OF BEGINNING; THENCE N01°12'56" E, A DISTANCE OF 16.32 FEET; THENCE N88°50'49"W, A DISTANCE OF 12.00 FEET; THENCE N01°12'56"E, A DISTANCE OF 26.00 FEET; THENCE S88°50'49"E A DISTANCE OF 20.00'; THENCE S01°12'56"W A DISTANCE OF 6.00 FEET; THENCE S88°50'49"E A DISTANCE OF 12.00 FEET; THENCE S01°12'56"W, A DISTANCE OF 36.32 FEET TO THE NORTH LINE OF THE FOREMENTIONED EXISTING EASEMENT; THENCE N88°50'49"W, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING



I HEREBY CERTIFY THAT THE SKETCH & DESCRIPTION HEREON WERE PERFORMED UNDER MY SUPERVISION AND IT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS, AS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS IN CHAPTER 61G17-6 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

*[Signature]*  
 RICHARD N. DEAN  
 Professional Surveyor & Mapper  
 Florida Certificate No. 4406  
 L.B. 6936

**SKETCH & DESCRIPTION**

Dean Surveying and Mapping, Inc.

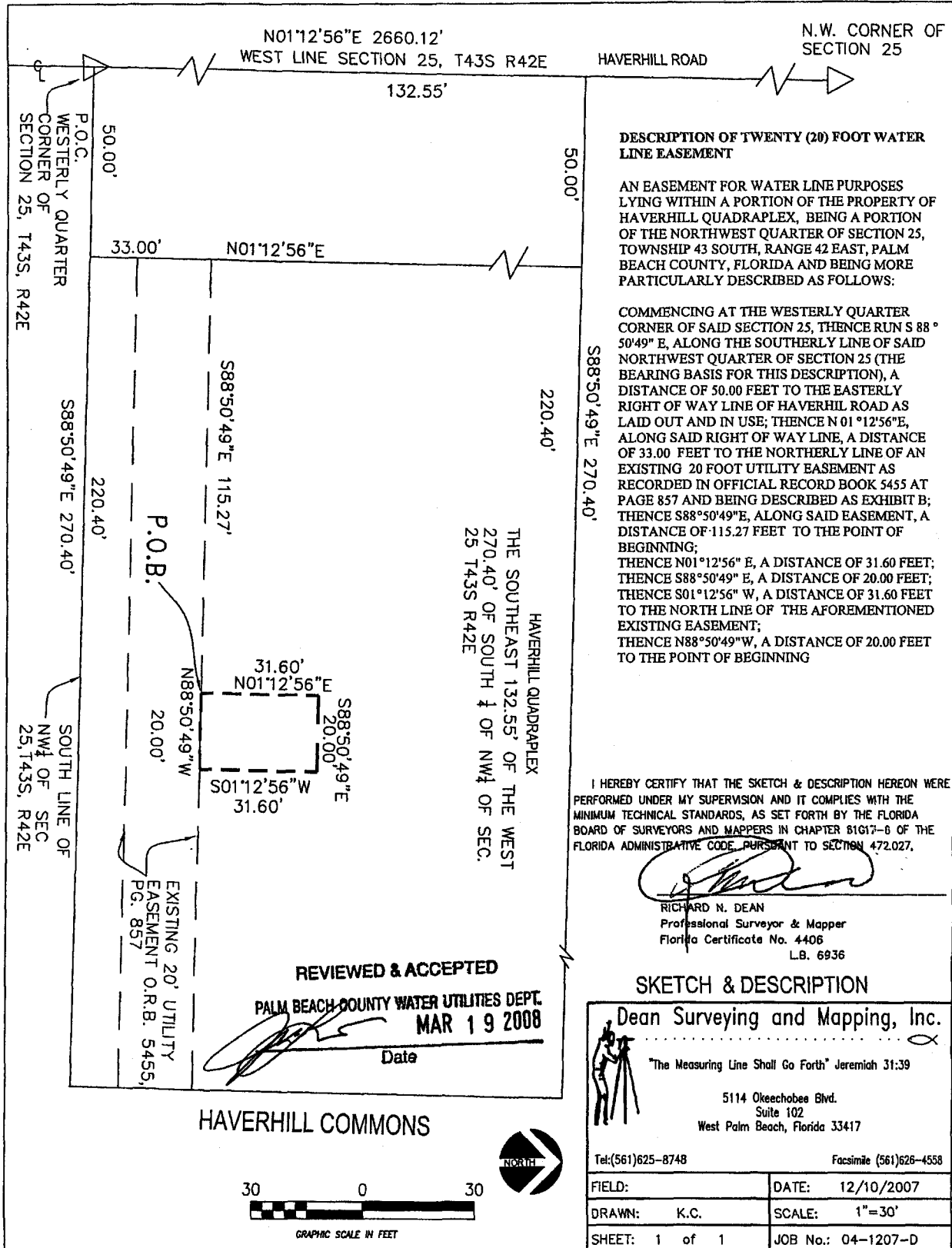
*[Icon of surveyors]* "The Measuring Line Shall Go Forth" Jeremiah 31:39

5114 Okeechobee Blvd.  
 Suite 102  
 West Palm Beach, Florida 33417

Tel: (561) 625-8748 Facsimile (561) 626-4558

FIELD:	DATE: 10/10/2007
DRAWN: K.C.	SCALE: 1"=30'
SHEET: 1 of 1	JOB No.: 04-1207-C





**DESCRIPTION OF TWENTY (20) FOOT WATER LINE EASEMENT**

AN EASEMENT FOR WATER LINE PURPOSES LYING WITHIN A PORTION OF THE PROPERTY OF HAVERHILL QUADRAPLEX, BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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I HEREBY CERTIFY THAT THE SKETCH & DESCRIPTION HEREON WERE PERFORMED UNDER MY SUPERVISION AND IT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS, AS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS IN CHAPTER 81G17-6 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027.

*[Signature]*

RICHARD N. DEAN  
Professional Surveyor & Mapper  
Florida Certificate No. 4406  
L.B. 6936

**SKETCH & DESCRIPTION**

Dean Surveying and Mapping, Inc.



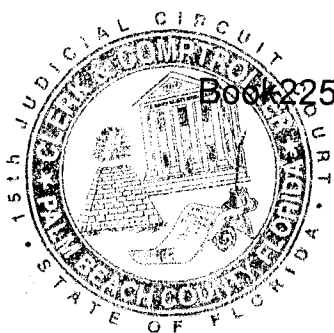
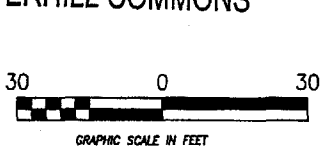
"The Measuring Line Shall Go Forth" Jeremiah 31:39

5114 Okeechobee Blvd.  
Suite 102  
West Palm Beach, Florida 33417

Tel: (561) 625-8748		Facsimile (561) 626-4558	
FIELD:		DATE:	12/10/2007
DRAWN:	K.C.	SCALE:	1"=30'
SHEET:	1 of 1	JOB No.:	04-1207-D

**REVIEWED & ACCEPTED**  
PALM BEACH COUNTY WATER UTILITIES DEPT.  
MAR 19 2008  
Date

HAVERHILL COMMONS



Book 22596/Page 364

Page 3 of 3

I hereby certify that the foregoing is a true copy of the record in my office this day, Sep 26, 2011.  
Sharon R. Bock, Clerk Circuit Court, Palm Beach County, Florida  
BY *[Signature]* Deputy Clerk