

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

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Meeting Date: June 19, 2012	Consent <input checked="" type="checkbox"/> [X]	Regular <input type="checkbox"/> []
	Public Hearing <input type="checkbox"/> []	
Department: Water Utilities Department		

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I. EXECUTIVE BRIEF

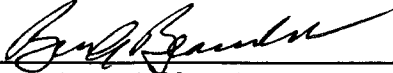

Motion and Title: Staff recommends motion to approve: A release of a portion of a utility easement on the land owned by the Palm Beach Jewish Community Campus Corporation (JCC).

Summary: This document will release the County's interest in a portion of a utility easement granted to the County and recorded in the Official Record Book 10569, Page 300. The easement is located on the land currently owned by JCC. The Water Utilities Department has determined that this portion of the recorded easement is no longer needed, and therefore recommends the release. (WUD Project #2516) District 7 (MJ)

Background and Justification: On April 28, 1998, the property owner, JCC granted a utility easement to Palm Beach County on the property designated as Meyer Jewish Academy for the construction and operation of an eight (8) inch water main. The County owns the water main facilities located within this easement. The adjacent property owner, Oxbridge Academy of the Palm Beaches, Inc. is removing certain water main improvements located in this easement for the expansion of an athletic field complex with the consent of the JCC. With these improvements, the water main located within this portion of the easement is no longer needed, as well as that portion of the easement covering the water main. Therefore, the JCC, is requesting a release of this portion of the recorded easement that the County will no longer need.

Attachments:

1. Location Map
2. Two (2) Original Release of Utility Easement
3. One (1) Copy of Grant of Utility Easement

Recommended By:	 Department Director	<u>5/25/12</u> Date	
Approved By:	 Assistant County Administrator	<u>6/8/2012</u> 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>
Operating Expenses	<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>	<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
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Is Item Included in Current Budget?	Yes	No
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Reporting Category	<u>N/A</u>
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B. Recommended Sources of Funds/Summary of Fiscal Impact:

~~✓~~ No Fiscal Impact

C. Department Fiscal Review:

Delra M West


III. REVIEW COMMENTS

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

Handwritten signature: *[Signature]*
 Date: 5/31/2012
 OFMB
 Date: 5/30/12
 Date: 5/29/12
 Jey

An. J. Jovanovic 6/11/12
Contract Development and Control
6-1-12 B. Wheeler

B. Legal sufficiency:

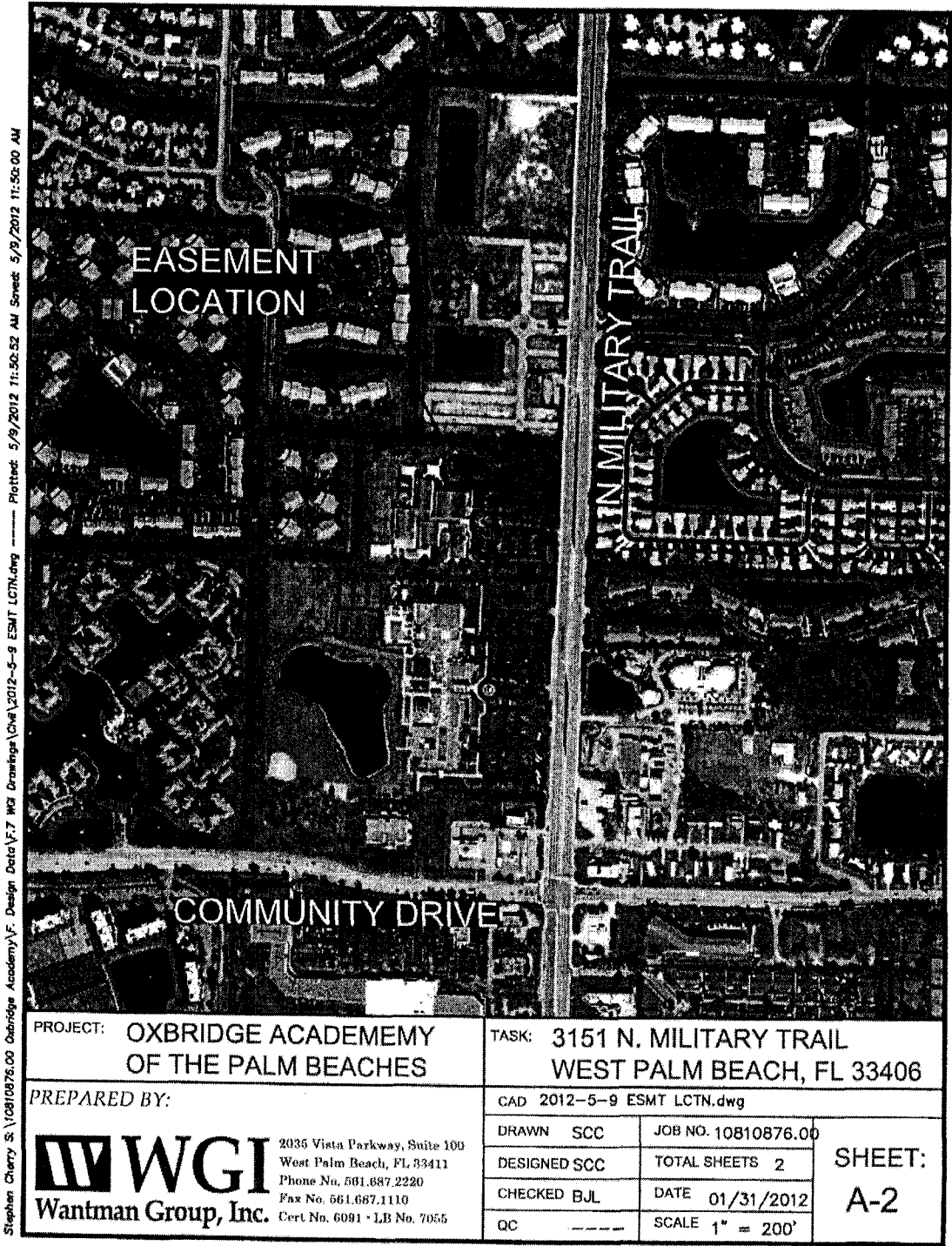
Legal sufficiency:  6/5/12

Assistant County Attorney

C. Other Department Review:

Department Director

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



ATTACHMENT 2

Prepared by and return to:
Palm Beach County Water Utilities Department
Att: 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 Palm Beach Jewish Community Center Campus Corporation, 4601 Community Drive, West Palm Beach, Florida 33417, 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 10569, Page 300, 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 & Comptroller

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



Wantman Group, Inc.

Engineering ♦ Planning ♦ Surveying ♦ Environmental
2035 VISTA PARKWAY, SUITE 100, WEST PALM BEACH, FL 33411
(866) 909-2220 phone (561) 687-1110 fax
CERTIFICATE OF AUTHORIZATION No. LB 7055
ORLANDO - PORT ST. LUCIE - TAMPA
www.wantmangroup.com

DESCRIPTION & SKETCH

PREPARED FOR:

OXBRIDGE ACADEMY OF THE PALM BEACHES

LEGAL DESCRIPTION: (Easement Abandonment)

A PORTION OF THAT CERTAIN PALM BEACH COUNTY WATER UTILITY DEPARTMENT EASEMENT RECORDED IN OFFICIAL RECORDS BOOK, 10569, AT PAGE 300, LYING IN TRACT A, MEYER JEWISH ACADEMY, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 98, AT PAGE 58, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID PLAT, THE FOLLOWING TWO (2) COURSES BEING ALONG THE NORTH LINE OF SAID PLAT; THENCE SOUTH 88°34'18" EAST, FOR 366.62 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88°34'18" EAST, FOR 15.00 FEET; THENCE DEPARTING SAID NORTH LINE SOUTH 02°13'26" WEST, FOR 105.14 FEET; THENCE NORTH 88°00'40" WEST, FOR 15.00 FEET; THENCE NORTH 02°13'26" EAST, FOR 104.99 FEET TO THE POINT OF BEGINNING.

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

SAID LANDS LYING AND SITUATE IN PALM BEACH COUNTY, FLORIDA.

(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)

SURVEYOR'S NOTES:

1. DATA SHOWN HEREON WAS COMPILED FROM OTHER INSTRUMENTS AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.

2. THE BEARINGS SHOWN HEREON ARE ASSUMED NORTH AND BASED ON THE WEST LINE OF MEYER JEWISH ACADEMY, PLAT BOOK 98, PAGE 58, OF THE PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, SAID WESTERLY LINE BEARS NORTH 01°44'16" EAST AND ALL OTHER BEARINGS RECITED HEREON ARE RELATIVE THERETO.

CERTIFICATION:

I HEREBY CERTIFY that the attached Description and Sketch is true and correct to the best of my knowledge and belief and that it meets the Minimum Technical Standards pursuant to Florida Statutes, Chapter 472 and as defined in Florida Administrative Code 21-HH-06.

For The Firm:
Wantman Group, Inc.

DATE:

REVISION:

BY:

BY:

DATE:

5/24/12

05/14/12	ADD LOCATION MAP & CERTIFICATION	MRG	DEREK G. ZEMAN, PROFESSIONAL SURVEYOR AND MAPPER FLORIDA LICENSE NO. 5655	OFFICE	MRG	DATE	03/02/12	JOB	10810876.00
				CHECKED	DGZ	SHEET	1 OF 3	DWG	87600_PBCW-AB 2



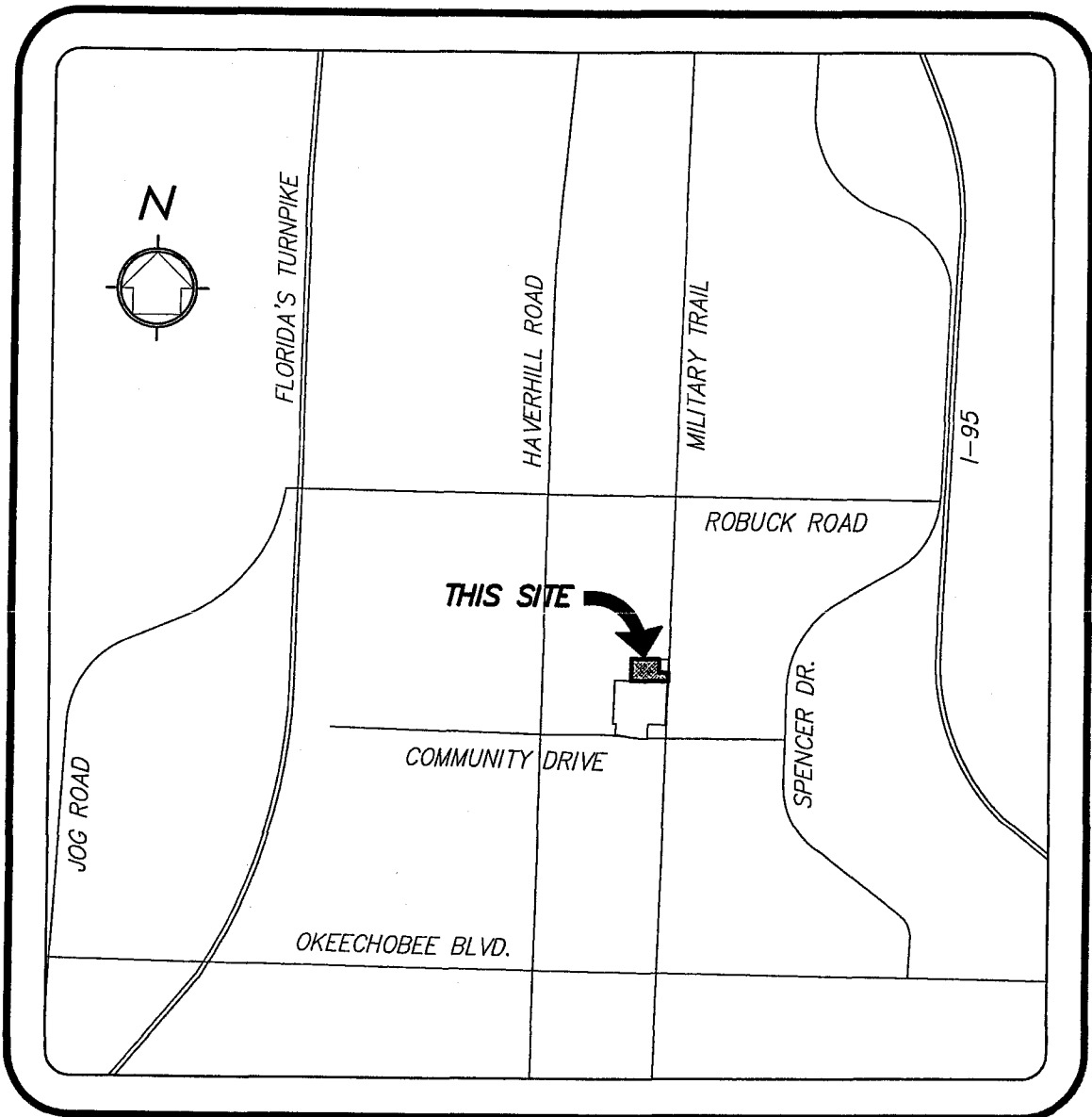
Wantman Group, Inc.

Engineering ♦ Planning ♦ Surveying ♦ Environmental
2035 VISTA PARKWAY, SUITE 100, WEST PALM BEACH, FL 33411
(866) 909-2220 phone (561) 687-1110 fax
CERTIFICATE OF AUTHORIZATION No. LB 7055
ORLANDO - PORT ST. LUCIE - TAMPA
www.wantmangroup.com

DESCRIPTION & SKETCH

PREPARED FOR:

OXBRIDGE ACADEMY OF THE PALM BEACHES



LOCATION MAP
(NOT TO SCALE)

DATE:

REVISION:

BY:

05/14/12	ADD LOCATION MAP & CERTIFICATION	MRG	(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)			
			OFFICE	MRG	DATE 03/02/12	JOB 10810876.00
			CHECKED	DGZ	SHEET 2 OF 3	DWG 87600_PBCW-AB 2



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DESCRIPTION & SKETCH

PREPARED FOR:

OXBRIDGE ACADEMY OF THE PALM BEACHES

LEGEND:

CONC. = Concrete
FND. = Found
LB = Licensed Business
Mon. = Monument
ORB = Official Records Book
PBCR = Palm Beach County Records
PBCUE = Palm Beach County
Utility Easement
PBCWUD = Palm Beach County Water
Utility Department
PB = Plat Book
PG. = Page
PRM = Permanent Reference Monument

THE PALM CLUB WEST-VILLAGE 1
(PB 49, PG. 109, PBCR)

50' DE
(ORB 3037, PG. 1559, PBCR)

25' DE
(ORB 3037, PG. 1559, PBCR)

25' DE
(ORB 3037, PG. 1555, PBCR)

PARCEL A
MARAVILLA AT VILLAGO
(PB 105, PG. 51, PBCR)

S88°34'18"E
15.00'

S88°34'18"E 366.62'
NORTH LINE OF PLAT

POINT OF COMMENCEMENT
Northwest Corner Tract A
MEYER JEWISH ACADEMY

Fnd. 4x4 Conc. Mon. &
Disc Stamped "PRM"

POINT OF
BEGINNING

N02°13'26"E
104.99'
S02°13'26"W
105.14'

TRACT A
MEYER JEWISH ACADEMY
(PB 98, PG. 58, PBCR)

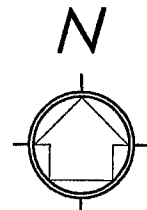
N88°00'40"W
15.00'

PBCWUD EASEMENT
(ORB 10569, PG. 300, PBCR)

PINERIDGE AT HAVERHILL
PB 43, PG. 11, PBCR)

N01°44'16"E 495.01'
WEST LINE OF PLAT
(BASIS OF BEARINGS)

Fnd. 4x4 Conc. Mon. &
Disc Stamped "LB 4396 PRM"
@ CORNER



SCALE: 1" = 60'
(Intended Display Scale)

DATE:

REVISION:

BY:

05/14/12	ADD LOCATION MAP & CERTIFICATION	MRG	(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)			
			OFFICE	MRG	DATE 03/02/12	JOB 10810876.00
			CHECKED	DGZ	SHEET 3 OF 3	DWG 87600_PBCW-AB 2

THIS EASEMENT is made, granted and entered into this 28 day of APRIL, 1998, by the Palm Beach Sewer Commission (hereinafter referred to as "Grantor"), whose address is 3000 N. Dixie Highway, Suite 300, West Palm Beach, FL 33411, to Palm Beach County (hereinafter referred to as "Grantee"), c/o Water Utilities Department, 2065 Prairie Rd., West Palm Beach, FL 33406.

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by the Grantee and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to the Grantee, its successors and assigns, a perpetual utility easement which shall permit the Grantee authority to enter upon the property of the Grantor at any time to install, operate, maintain, service, construct, reconstruct, remove, relocate, repair, replace, improve, expand, tie into, and inspect potable water, wastewater and/or reclaimed water lines and appurtenant facilities and equipment in, on, over, under and across the easement premises. This utility easement or portion thereof can also be utilized for a wastewater pump station and may be fenced in for access control purposes. The easement hereby granted covers a strip of land lying, situate and being in Palm Beach County, Florida, and being more particularly described as follows:

Grantor hereby covenants with Grantee that it is lawfully seized and in possession of the real property herein described and that it has good and lawful right to grant the aforesaid easement free and clear of mortgages and other encumbrances unless specifically stated to the contrary.

LOIS SHEVACK
COMMISSION # CC 587951
EXPIRES JUN 28, 2000
BONDED THRU
ATLANTIC BONDING CO., INC.

RECEIVED
MAY 12 1998
WATER - UTILITIES

RECEIVED

MAY 12 1998

WATER UTILITIES
OF

LEGAL DESCRIPTION

A CERTAIN PARCEL OF LAND LYING IN SECTION 13, TOWNSHIP 43 SOUTH, RANGE 42 EAST, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A PALM BEACH COUNTY BRASS DISK MONUMENTING THE SOUTH 1/4 CORNER OF SAID SECTION 13/43/42, THENCE N 0°59'20" E, ALONG THE NORTH-SOUTH 1/4 SECTION LINE OF SAID SECTION 13/43/42, A DISTANCE OF 1320.06 FEET; THENCE N 88°34'17" W, A DISTANCE OF 20.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF MILITARY TRAIL AS PER O.R.B. 847, PG. 324; THENCE CONTINUE N 88°34'17" W, A DISTANCE OF 22.00 FEET TO THE NORTHEAST CORNER OF THE PLAT OF THE JEWISH COMMUNITY CAMPUS AS PER P.B. 68, PGS. 75-77, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED HEREON;

THENCE CONTINUE N 88°34'17" W, ALONG THE NORTH LINE OF SAID PLAT OF THE JEWISH COMMUNITY CAMPUS, A DISTANCE OF 13.00 FEET; THENCE N 0°59'20" E, DEPARTING SAID PLAT LINE, A DISTANCE OF 15.50 FEET; THENCE N 6°20'29" W, A DISTANCE OF 20.46; THENCE N 88°35'24" W, A DISTANCE OF 249.58; THENCE S 0°24'36" W, A DISTANCE OF 14.63; THENCE N 88°00'40" W, A DISTANCE OF 55.38; THENCE N 0°59'20" E, A DISTANCE OF 15.00; THENCE S 88°00'40" E, A DISTANCE OF 24.95; THENCE N 0°59'20" E, A DISTANCE OF 14.33; THENCE S 88°35'24" E, A DISTANCE OF 41.20; THENCE N 02°02'16" E, A DISTANCE OF 275.09; THENCE N 88°00'40" W, A DISTANCE OF 175.98; THENCE N 42°16'13" W, A DISTANCE OF 46.43; THENCE N 02°13'26" E, A DISTANCE OF 144.87; THENCE S 88°34'17" E, A DISTANCE OF 15.00; THENCE S 02°13'26" W, A DISTANCE OF 115.15; THENCE S 88°00'40" E, A DISTANCE OF 10.27; THENCE S 0°59'20" W, A DISTANCE OF 15.00; THENCE N 88°00'40" W, A DISTANCE OF 10.33; THENCE S 02°13'26" W, A DISTANCE OF 8.79; THENCE S 42°16'13" E, A DISTANCE OF 33.97; THENCE S 88°00'40" E, A DISTANCE OF 184.66; THENCE S 02°02'16" W, A DISTANCE OF 289.94; THENCE S 88°35'24" E, A DISTANCE OF 183.84; THENCE N 0°59'20" E, A DISTANCE OF 100.57; THENCE S 88°00'40" E, A DISTANCE OF 57.97; THENCE N 0°59'20" E, A DISTANCE OF 55.16; THENCE S 88°34'17" E, A DISTANCE OF 20.00; THENCE S 0°59'20" W, A DISTANCE OF 70.36; THENCE S 88°00'40" E, A DISTANCE OF 7.13; THENCE S 0°59'20" W, A DISTANCE OF 20.00; THENCE N 88°00'40" W, A DISTANCE OF 23.62; THENCE N 0°59'20" E, A DISTANCE OF 20.00; THENCE N 88°00'40" W, A DISTANCE OF 46.48; THENCE S 0°59'20" W, A DISTANCE OF 85.42; THENCE S 88°35'24" E, A DISTANCE OF 28.30; THENCE S 6°20'29" E, A DISTANCE OF 33.35; THENCE S 0°59'20" W, A DISTANCE OF 24.60; FEET TO THE POINT OF BEGINNING.
CONTAINING 19600.2896 SQUARE FEET OR 0.449 ACRES MORE OR LESS.

SURVEY NOTES:

- 1.) NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THIS OFFICE.
- 2.) NO UNDERGROUND UTILITIES OR UNDERGROUND ENCROACHMENTS WERE LOCATED BY THIS OFFICE.
- 3.) NO RESEARCH OF ADJOINERS WAS PERFORMED BY THIS OFFICE.
- 4.) THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS, RESERVATIONS OR RIGHTS-OF-WAY, NOT SHOWN HEREON, WHICH MAY BE REVEALED BY A SEARCH OF THE PUBLIC RECORDS.
- 5.) BEARINGS ARE PALM BEACH COUNTY SECTIONAL BASIS AS PER P.B. CO. ENGINEERING DEPARTMENT.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH OF THE PROPERTY DESCRIBED HEREON WAS MADE UNDER MY SUPERVISION AND THAT THE LEGAL DESCRIPTION AND SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 400, - FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.087, FLORIDA STATUTES, AND THAT THE SKETCH HEREON IS A TRUE AND ACCURATE REPRESENTATION THEREOF TO THE BEST OF MY KNOWLEDGE AND BELIEF SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON. NOT VALID UNLESS SIGNED, DATED AND STAMPED WITH EMBOSSED SEAL.

DATE: 04/22/98


JOHANN T. GILBERT
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 3604

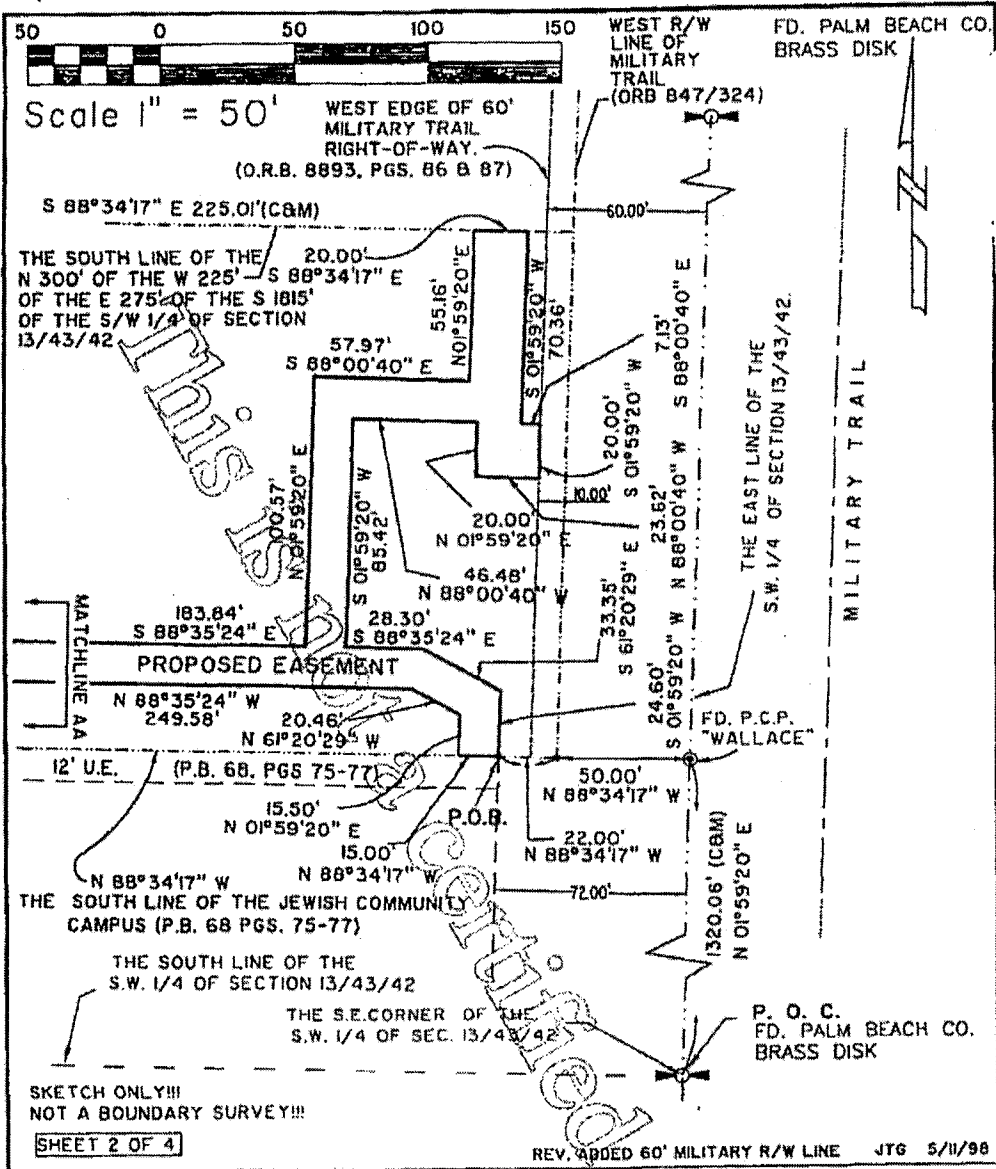
SKETCH ONLY!!!

NOT A BOUNDARY SURVEY!!!


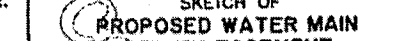
SHEET 1 OF 4

REV. ADDED 60' MILITARY TRAIL W. LINE JTG 5/11/98

	Landmark Surveying & Mapping Inc. 1050 FOREST HILL BOULEVARD, SUITE 100 WEST PALM BEACH, FL 33406 PHONE: (561) 433-5405 LB #4398				SKETCH OF PROPOSED WATER MAIN UTILITY EASEMENT ARTHUR I. MEYER JEWISH ACADEMY	
	FIELD: N/A	DRAWN: B. PRYEL	SCALE: 1"=50'			
	BOOK: N/A	DATE: 4/08/98	PROJ. FILE: MEYER			
	PAGE: N/A	CHECKED: GILBERT	CADD FILE: 2403 - EASM			
SHEET NO: 1		OF 4		JOB NO: 2403		



ORB 10569 Pg 302

	Landmark Surveying & Mapping Inc. 1830 FOREST HALL BOULEVARD, SUITE 100 WEST PALM BEACH, FL 33406 PHONE : (561) 433-5400 LB 14398			 SKETCH OF PROPOSED WATER MAIN UTILITY EASEMENT ARTHUR I. MEYER JEWISH ACADEMY	
	FIELD: N/A	DRAWN: B. MYTEL	SCALE: 1"=50'		
	BOOK: N/A	DATE: 4/08/98	PROJ. FEE MEYER		
	PAGE: N/A	CHECKED: CLBERT	CADD/PL2403... EASH		
			SHEET NO. 2 - OF 4	JOB NO 2403	

