

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

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

Is Item Included in Current Budget? Yes _____ No _____
 Budget Account No: Fund _____ Department _____ Unit _____ RSource _____
 Reporting Category _____

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

No Fiscal Impact.

C. Departmental Fiscal Review: cm Simm

III. REVIEW COMMENTS

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

[Signature]
 OFMB
 7/19/12
 7/15/12

[Signature] 7/10/12
 Contract Dev. and Control
 7-10-12 B. Wheeler

B. Legal Sufficiency:

Anne Belmont 7/10/12
 Assistant County Attorney

C. Other Department Review:

 Department Director



U.S. Department
of Transportation
**Federal Aviation
Administration**

Orlando Airports District Office
5950 Hazeltine National Drive, Ste. 400
Orlando, Florida 32822

May 29, 2012

Mr. Jerry L. Allen, AAE
Deputy Director
Palm Beach County Department of Airports
846 Palm Beach International Airports
West Palm Beach, Florida 33406-1470

RECEIVED
 2012 MAY 31 PM 12:36
 DEPT. OF AIRPORTS
 BLDG. 846. PBIA

**Letter of Release
Grant Obligated Property
Palm Beach International Airport
The Belvedere Property**

Dear Mr. Allen:

This is in response to your letter dated January 11, 2012, requesting that a portion of the Belvedere Property be released from the terms, conditions, and obligations of currently active Grant Agreements between the Federal Aviation Administration (FAA) and Palm Beach County.

The requested release is for the purpose of permitting the Airport Owner to dispose or sell this property and convey title of this property for municipal water easement purposes.

We have concluded that this property, as described below, is no longer needed for airport development or noise compatibility purposes, and does not need to be retained for airport use:

A PARCEL OF LAND FOR UTILITY EASEMENT PURPOSES, LYING IN A PORTION OF SECTION 30, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 30; THENCE NORTH 88°22'59" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 1342.09 FEET TO THE SOUTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE 5TH STREET AS RECORDED IN ROAD BOOK 4, PAGE 132 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 01°37'56" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1557.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY AND THE SOUTH RIGHT-OF-WAY LINE OF SAID 5TH STREET; THENCE SOUTH 88°22'04" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 322.95 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88°22'04" EAST ALONG SAID RIGHT OF WAY A DISTANCE OF 98.00 FEET TO THE WEST LINE OF A 40.00 FOOT DRAINAGE EASEMENT DESCRIBED IN OFFICIAL RECORD BOOK 6085, PAGE 143 OF SAID PUBLIC RECORDS; THENCE SOUTH 01°27'23" WEST ALONG SAID WEST LINE OF THE 40.00 FOOT DRAINAGE EASEMENT, A DISTANCE OF 110.00 FEET; THENCE NORTH 88°22'04" WEST, A DISTANCE OF 98.00 FEET; THENCE NORTH 01°27'23" EAST, A DISTANCE OF 110.00 FEET TO THE POINT OF BEGINNING.

EASEMENT CONTAINS 10,780 SQUARE FEET OR 0.2475 ACRES MORE OR LESS.

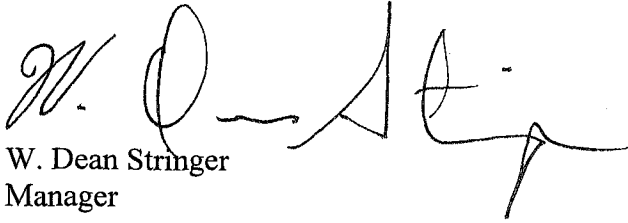
By accepting this Letter of Release, the airport owner agrees to:

1. Ensure that they and their successors and assigns retain, for the use and benefit of the public, the right of flight for the passage of aircraft in the airspace above the surface of the subject property, the right for existing and future aircraft to generate noise in that airspace, and the right to use the airspace to land on or take off from the airport.
2. Ensure that they and their successors and assigns restrict the height of structures, objects of natural growth, and other obstructions on the subject property to such a height so as to comply with Federal Aviation Regulations, Part 77.
3. Ensure that they and their successors and assigns prevent any use of the subject property that would interfere with landing or taking off of aircraft at Palm Beach International Airport or otherwise constitute an airport hazard.
4. Retain or reserve necessary interests or rights to ensure that the subject property will only be used for purposes that are compatible with the noise levels generated by aircraft using the airport.
5. Deposit the net proceeds of the appraised Fair Market Value (FMV) of \$134,750 in an interest bearing account currently paying the highest interest rate immediately after consummation of the sale, where it shall remain until utilized for payment of an FAA approved use on eligible projects at Palm Beach International Airport.
6. Maintain accurate records of the above listed expenditures in accordance with accepted business practices, and for three (3) years after the approved project is completed, keep the records open for inspection by the FAA at any time.
7. Update the Airport Layout Plan and Exhibit "A" Property Map to reflect the new airport boundaries.
8. Insure that they and their successors and assigns shall not permit/afford access from the subject property onto Palm Beach International Airport property for aeronautical purposes.

In consideration of these premises, the FAA agrees to release the Airport Owner from the obligations, terms, and conditions of the existing grant agreements as of the date of this agreement as they may relate to the subject property.

Please indicate your acceptance of these conditions by signing and completing the bottom portion of this letter and the enclosed duplicate and returning one copy to our office.

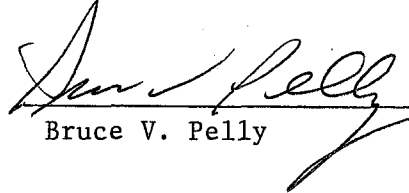
Sincerely,


 W. Dean Stringer
 Manager

1 Enclosure


Accepted for Palm Beach County

AGENDA ITEM 6H-8 December 6, 2011

By: 
 Bruce V. Pelly

Title: Director of Airports

Date: 6/12/12

APPROVED AS TO FORM
 AND LEGAL SUFFICIENCY

 COUNTY ATTORNEY