

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)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>0</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.

W 823-12

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

OFMB *[Signature]* 8/31/12
8/31/12
 Contract Development and Control *[Signature]* 9/4/12

B. Legal Sufficiency:

[Signature] 9/5/12
 Assistant County Attorney

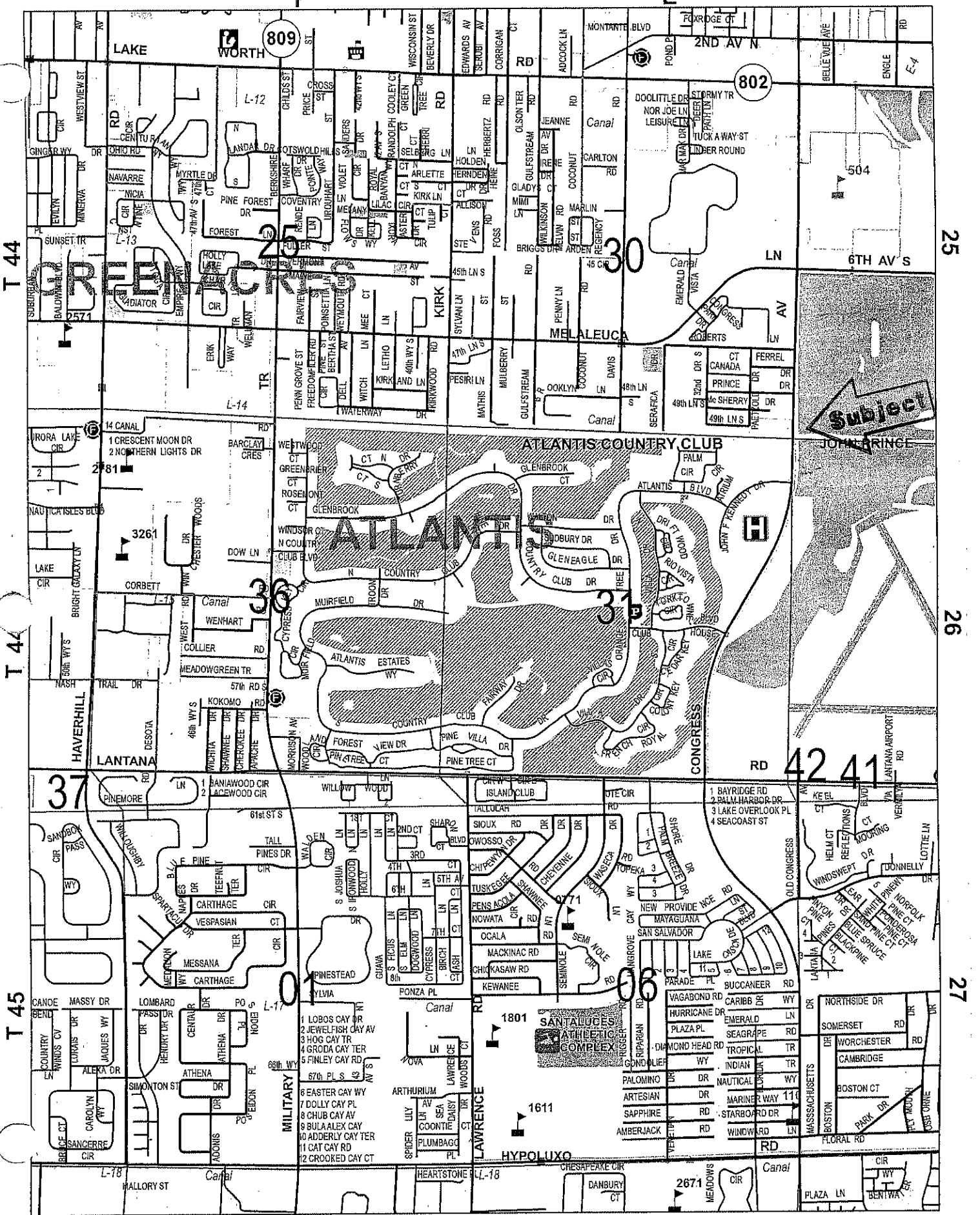
C. Other Department Review:

[Signature]
 Airports Department Director

[Signature]
 Engineering & Public Works Director

[Signature]
 Parks & Recreation Director

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



T 44

T 44

T 45

809

802

25

30

30

37

06

1801

1611

42 41

25

26

27

F

E

LOCATION MAP

Z

Return to:

Right-of-Way Acquisition Section
Palm Beach County Engineering
Post Office Box 21229
West Palm Beach, FL 33416
Account No. 1010 **W/C Box 1066**

This instrument prepared by:

Paul King, Esq.
Assistant County Attorney
Palm Beach County
P.O. Box 21229
West Palm Beach, FL 33416
A portion of PCN: 00-43-44-29-00-002-0010

DECLARATION OF PERPETUAL TRAFFIC SIGNAL EASEMENT

THIS DECLARATION OF PERPETUAL TRAFFIC SIGNAL EASEMENT ("Easement") is made this ____ day of _____, 20__, by Palm Beach County, a political subdivision of the State of Florida, by its Board of County Commissioners, whose address is c/o PBC Engineering & Public Works Department 2300 N. Jog Road, West Palm Beach, Florida 33411-2745 (hereinafter referred to as "County").

WITNESSETH:

WHEREAS, County is the owner of that certain real property situated in the County of Palm Beach, State of Florida, as more particularly described in Exhibit "A", attached hereto and made a part hereof, consisting of three (3) parcels labeled as Parcel "1", Parcel "2" and Parcel "3" (hereinafter collectively referred to as the "Easement Premises"); and

WHEREAS, County is the proprietor and operator of the Palm Beach County Park Airport (the "Airport"); and

WHEREAS, Parcels "1" and "2" of the Easement Premises are under the control of County's Parks & Recreation Department; and

WHEREAS, Parcel "3" of the Easement Premises is located on and is a part of the Airport; and

WHEREAS, Parcel "2" is subject to that certain Access Easement as recorded in Official Record Book 23949, Page 0793, of the public records of Palm Beach County, Florida (the "Access Easement"); and

WHEREAS, County desires to declare an easement for construction, installation, operation and maintenance of signal works in, over, across, on, under and through the Easement Premises for the benefit of pedestrian and motoring traffic control, subject to the conditions and restrictions as set forth herein.

NOW, THEREFORE, County does hereby declare, grant and create a perpetual non-exclusive traffic signal easement in gross in, over, across, on, under and through the Easement Premises, and the Easement Premises shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and easements hereinafter set forth, which shall constitute covenants running with the land and will be binding on all parties having any right, title or interest in the Easement Premises.

1. The foregoing recitals are true and correct and are incorporated herein by reference.

2. This Easement is declared for the purpose of permitting County's Engineering Department, its agents, servants and employees to construct, install, operate, maintain, service, reconstruct, remove, relocate, repair, alter, replace, improve, and expand the Traffic Signal Equipment (as herein defined), including but not limited to traffic signal equipment foundations, poles and mast arm assemblies, signal controller cabinet, underground conduit and cabling, and all related equipment (the "Traffic Signal Equipment") in, on, over, under and across, the Easement Premises. This Easement shall permit County's Engineering Department at any time to install, bore, alter, improve, enlarge, add to, change the nature and physical characteristics of, or replace, remove relocate, maintain and perform any other related activities with reference to the Traffic Signal Equipment. County's Engineering Department shall have the right, but not the obligation to remove any of the soil and/or subsoil, in accordance with current or future construction plans, within the Easement Premises.

3. This Easement is expressly conditioned on Parcel "3" of the Easement Premises being subject to the following conditions and restrictions (a) thru (f) (collectively referred to as the "FAA Restrictions"):

(a) County reserves unto itself, its successors and assigns, for the use and benefit of the public and the Airport a right of flight for the passage of aircraft in the airspace above the surface of Parcel "3" of the Easement Premises, together with the right to cause in said airspace such noise as may be inherent in the operations of aircraft, now known or hereafter used, for navigation of or flight in said airspace, for use of said airspace for landing on, or taking off from or operating on the Airport.

(b) County expressly agrees for itself, its successors and assigns to restrict the height of structures, objects of natural growth and other obstructions on Parcel "3" of the Easement Premises to such a height so as to comply with Federal Aviation Regulations, Part 77, as now or hereafter amended. Objects of natural growth include, without limitation, trees and other vegetation.

(c) County expressly agrees for itself, its successors and assigns to prevent any use of Parcel "3" of the Easement Premises which would interfere with the landing or takeoff of aircraft at the Airport or interfere with air navigation and/or communication facilities serving the Airport, or otherwise constitute an airport hazard.

(d) County expressly agrees for itself, its successors and assigns that Parcel "3" of the Easement Premises shall only be used for purposes that are compatible with noise levels generated by aircraft using the Airport.

(e) The use of Parcel "3" of the Easement Premises shall be in compliance with all FAA laws, rules, regulations, orders and advisory circulars, as now or hereafter amended, including, without limitation, AC 150/5200-33A, "Hazardous Wildlife Attractants on or Near Airport" and AC 150/5300-13 "Airport Design".

(f) The provisions of this Easement that apply to Parcel "3" of the Easement Premises may be amended only by written instrument executed by County and any amendments shall be subject to approval of County's Department of Airports.

4. The parties expressly acknowledge that this Easement shall be subject to, and subordinate to the Access Easement.

5. In order to ensure the perpetual nature of the conditions and restrictions contained in this Easement, County expressly agrees for itself, its successors and assigns, that the conditions and restrictions contained in this Easement shall be referenced in any subsequent instruments of conveyance granting an interest in the Easement Premises, including, without limitation, deeds and grants of easement interests. The recording book and page of record of this Easement shall be included in all instruments of conveyance granting an interest in the Easement Premises.

6. If any provision of this Easement is held to be invalid by any court of competent jurisdiction, the invalidity of such provision shall not affect the validity of any other provisions hereof. All such other provisions shall continue unimpaired in full force and effect.

7. The Easement declared herein shall constitute an easement running with the land and shall burden the Easement Premises.

8. The Easement declared 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 Easement Premises upon the conveyance thereof by County notwithstanding County's failure to specifically reserve or reference such Easement in the instrument of conveyance.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise incident or appertaining to the use, benefit and behoof of County's Engineering Department forever.

(Remainder of page intentionally left blank)

IN WITNESS WHEREOF, County 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, A POLITICAL
SUBDIVISION OF THE STATE OF FLORIDA,
BY ITS BOARD OF COUNTY
COMMISSIONERS

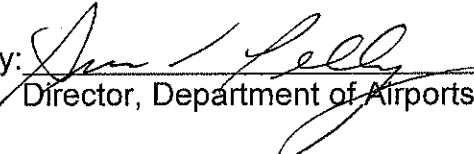
By: _____
Deputy Clerk

By: _____
Shelley Vana, Chair

APPROVED AS TO TERMS AND
CONDITIONS

By: 
Director, Facilities Development & Operations

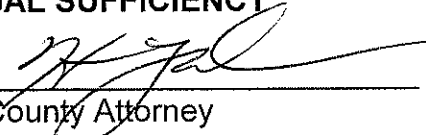
APPROVED AS TO TERMS AND
CONDITIONS

By: 
Director, Department of Airports

APPROVED AS TO TERMS AND
CONDITIONS

By: 
Director, Parks & Recreation Department

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: 
County Attorney

APPROVED AS TO TERMS AND
CONDITIONS

By: 
Engineering & Public Works Department

**EXHIBIT "A"
LEGAL DESCRIPTION**

THREE PARCELS OF LAND FOR TRAFFIC SIGNAL EASEMENT PURPOSES LOCATED IN SECTION 32, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCELS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1 (JOHN PRINCE PARK)

COMMENCE AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 44 SOUTH, RANGE 43 EAST, THENCE SOUTH $01^{\circ}02'46''$ WEST ALONG THE WEST LINE OF SAID SECTION 32, A DISTANCE OF 625.21 FEET; THENCE SOUTH $88^{\circ}57'14''$ EAST TO THE EAST RIGHT OF WAY LINE OF CONGRESS AVENUE PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 93580-2604, A DISTANCE OF 88.38 FEET TO POINT OF BEGINNING "A":

THENCE SOUTH $83^{\circ}41'40''$ EAST, A DISTANCE OF 12.50 FEET TO A POINT ON A CURVE, CONCAVE TO THE WEST HAVING A RADIUS OF 2952.43 FEET, THE CHORD OF WHICH BEARS SOUTH $05^{\circ}03'22''$ WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $00^{\circ}18'06''$, AN ARC DISTANCE OF 15.54 FEET TO THE NORTH LINE OF AN ACCESS EASEMENT 50.00 FEET IN WIDTH AS RECORDED IN OFFICIAL RECORDS BOOK 23949, PAGE 793, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE DEPARTING SAID CURVE, NORTH $83^{\circ}41'40''$ WEST, ALONG SAID NORTH LINE, A DISTANCE OF 12.50 FEET TO THE AFORESAID EAST RIGHT-OF-WAY OF SAID CONGRESS AVENUE, SAID RIGHT-OF-WAY BEING A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 2939.93 FEET, THE CHORD OF WHICH BEARS NORTH $05^{\circ}03'03''$ EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $00^{\circ}18'11''$, AN ARC DISTANCE OF 15.54 FEET TO POINT OF BEGINNING "A".

SAID EASEMENT CONTAINS 194 SQUARE FEET MORE OR LESS.

TOGETHER WITH

PARCEL 2 (JOHN PRINCE PARK)

COMMENCE AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 44 SOUTH, RANGE 43 EAST, THENCE SOUTH $01^{\circ}02'46''$ WEST ALONG THE WEST LINE OF SAID SECTION 32, A DISTANCE OF 690.55 FEET; THENCE SOUTH $88^{\circ}57'14''$ EAST, A DISTANCE OF 83.24 FEET TO THE SOUTHWEST CORNER OF AN ACCESS EASEMENT 50.00 FEET IN WIDTH AS RECORDED IN OFFICIAL RECORDS BOOK 23949, PAGE 793 AND THE EAST RIGHT OF WAY LINE OF CONGRESS AVENUE PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 93580-2604 AND POINT OF BEGINNING "B":

SAID POINT BEING ON A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 2939.93 FEET, THE CHORD OF WHICH BEARS NORTH $05^{\circ}58'54''$ EAST, THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $00^{\circ}23'23''$, AN ARC DISTANCE OF 20.00 FEET; THENCE SOUTH $83^{\circ}41'40''$ EAST, A DISTANCE OF 30.00 FEET TO A POINT ON A CURVE, CONCAVE TO THE WEST HAVING A RADIUS OF 2969.93 FEET, THE CHORD OF WHICH BEARS SOUTH $05^{\circ}59'06''$ WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $00^{\circ}23'09''$, AN ARC DISTANCE OF 20.00 FEET TO THE SOUTH LINE OF SAID ACCESS EASEMENT 50.00 FEET IN WIDTH AS

(CONTINUED ON NEXT PAGE)

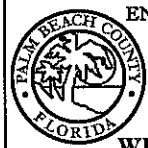
PROJECT NO. 2012006-02	SHEET: 1 OF 4	PROJECT: CONGRESS AVE & JFK DRIVE TRAFFIC SIGNAL EASEMENTS (PARCELS 1 & 2 - JPP), (PARCEL 3 - DOA)	NO.	REVISION	BY	DATE	 PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411
		DESIGN FILE NAME S-1-12-3296.DGN	DRAWING NO. S-1-12-3296	SCALE: 1" = 20' APPROVED: M.R.W. DRAWN: E.A.D. CHECKED: G.W.M. DATE DRAWN: 05/24/12 FIELD BOOK NO.: N/A			

EXHIBIT "A"
LEGAL DESCRIPTION (CONTINUED)

RECORDED IN OFFICIAL RECORDS BOOK 23949, PAGE 793, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID LINE ALSO BEING THE NORTH LINE OF THE LANTANA AIRPORT PROPERTY AS SHOWN ON THE BOUNDARY SURVEY (PBCO DRAWING NO. S-4-98-1220) FOR LANTANA AIRPORT; THENCE NORTH $83^{\circ}41'40''$ WEST, ALONG SAID SOUTH LINE OF SAID EASEMENT AND THE NORTH LINE OF SAID LANTANA AIRPORT, A DISTANCE OF 30.00 FEET TO SAID EASTERLY RIGHT-OF-WAY OF CONGRESS AVENUE AND POINT OF BEGINNING "B".

SAID EASEMENT CONTAINS 600 SQUARE FEET MORE OR LESS.

ALSO TOGETHER WITH

PARCEL 3 (DEPARTMENT OF AIRPORT)

COMMENCE AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 44 SOUTH, RANGE 43 EAST, THENCE SOUTH $01^{\circ}02'46''$ WEST ALONG THE WEST LINE OF SAID SECTION 32, A DISTANCE OF 690.55 FEET; THENCE SOUTH $88^{\circ}57'14''$ EAST, A DISTANCE OF 83.24 FEET TO THE SOUTHWEST CORNER OF AN ACCESS EASEMENT 50.00 FEET IN WIDTH AS RECORDED IN OFFICIAL RECORDS BOOK 23949, PAGE 793 AND THE EAST RIGHT OF WAY LINE OF CONGRESS AVENUE PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 93580-2604 AND POINT OF BEGINNING "B":

THENCE SOUTH $83^{\circ}41'40''$ EAST, ALONG THE SOUTH LINE OF SAID ACCESS EASEMENT, ALSO BEING THE NORTH LINE OF THE LANTANA AIRPORT PROPERTY AS AS SHOWN ON THE BOUNDARY SURVEY (PBCO DRAWING NO. S-4-98-1220) FOR LANTANA AIRPORT, A DISTANCE OF 17.25 FEET TO A POINT ON A CURVE, CONCAVE TO THE WEST HAVING A RADIUS OF 2957.18 FEET, THE CHORD OF WHICH BEARS SOUTH $06^{\circ}30'59''$ WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $00^{\circ}40'41''$, AN ARC DISTANCE OF 35.00 FEET; THENCE NORTH $83^{\circ}41'40''$ WEST, A DISTANCE OF 17.25 FEET TO SAID EASTERLY RIGHT-OF-WAY OF CONGRESS AVENUE AND A POINT ON A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 2939.93 FEET, THE CHORD OF WHICH BEARS NORTH $06^{\circ}31'04''$ EAST; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $00^{\circ}40'56''$, AN ARC DISTANCE OF 35.00 FEET TO THE SOUTHWEST CORNER OF THE AFORESAID ACCESS EASEMENT AND POINT OF BEGINNING "B".

SAID EASEMENT CONTAINS 604 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES

BEARINGS BASE IS SOUTH $01^{\circ}02'46''$ WEST (GRID NAD83/90) ALONG THE WEST LINE OF SECTION 32, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, AS SHOWN ON THIS DRAWING AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

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 MARK R. WENDT, P.S.M. IN THE OFFICE OF THE COUNTY ENGINEER @ VISTA CENTER 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411-2745.

THE RIGHT-OF-WAY INFORMATION AND LOCATION OF THE EAST RIGHT-OF-WAY OF CONGRESS AVENUE IS BASED ON INFORMATION SHOWN ON THE "BOUNDARY SURVEY OF LANTANA AIRPORT" AS PREPARED BY THE PALM BEACH COUNTY ENGINEERING DEPARTMENT, PROJECT NO: 2010013-02, DRAWING NUMBER: S-3-09-2979, LAST REVISED 12/2009.

COORDINATES SHOWN ARE GRID

DATUM = NORTH AMERICAN DATUM OF 1983, 1990 ADJUSTMENT (NAD 83/90)

ZONE = FLORIDA EAST

LINEAR UNITS = US SURVEY FOOT

COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION

ALL DISTANCES ARE GROUND.

PROJECT SCALE FACTOR = 1.000042631

GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

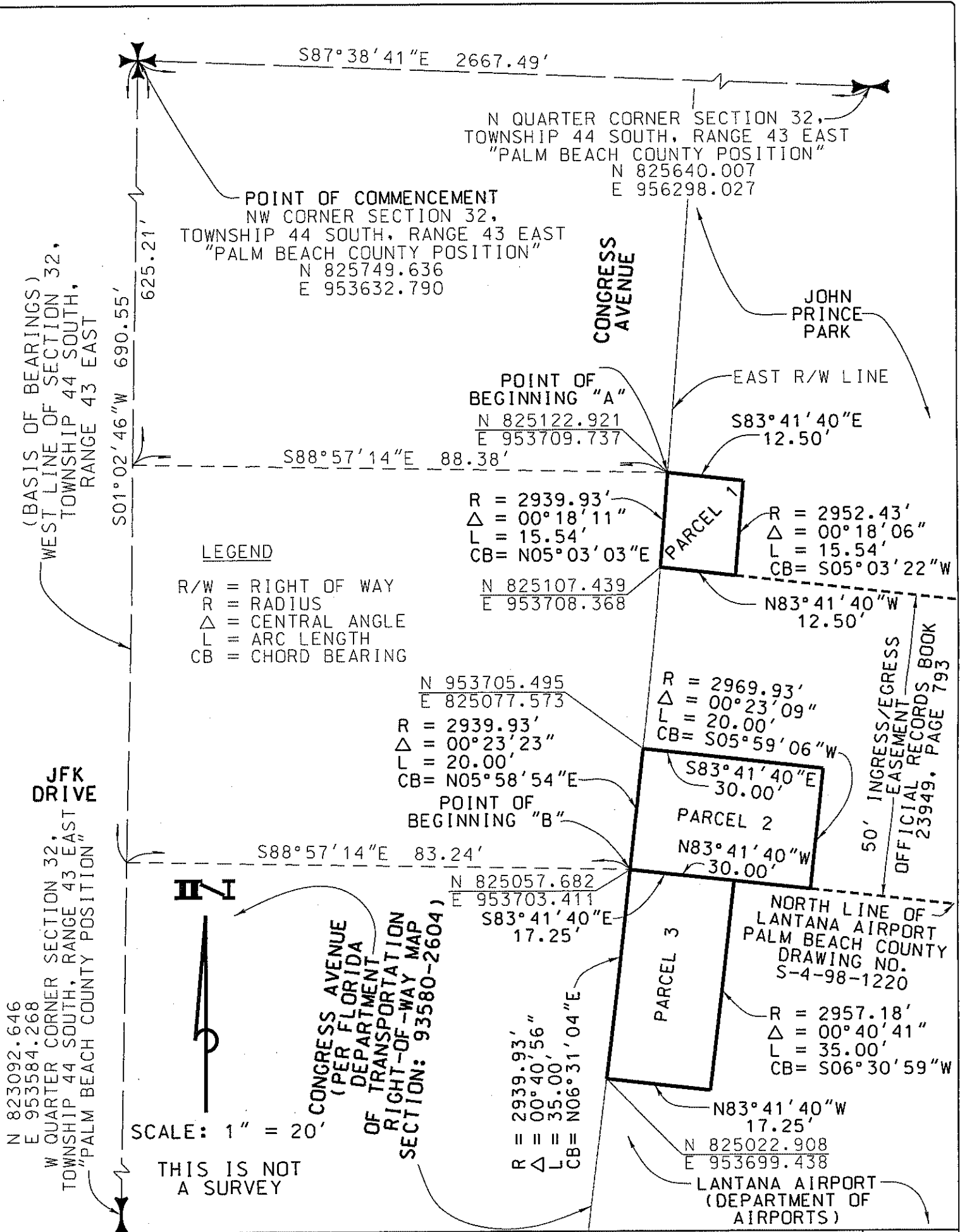
ALL FEATURE SYMBOLS SHOWN ARE NOT TO SCALE.

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-17.050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.


MARK R. WENDT, P.S.M.
FLORIDA CERTIFICATE #6163

5/14/2012
DATE



(BASIS OF BEARINGS)
 WEST LINE OF SECTION 32,
 TOWNSHIP 44 SOUTH,
 RANGE 43 EAST

N 823092.646
 E 953584.268
 NW QUARTER CORNER SECTION 32,
 TOWNSHIP 44 SOUTH, RANGE 43 EAST
 "PALM BEACH COUNTY POSITION"

JFK DRIVE

W QUARTER CORNER SECTION 32,
 TOWNSHIP 44 SOUTH, RANGE 43 EAST
 "PALM BEACH COUNTY POSITION"

S87°38'41"E 2667.49'

N QUARTER CORNER SECTION 32,
 TOWNSHIP 44 SOUTH, RANGE 43 EAST
 "PALM BEACH COUNTY POSITION"
 N 825640.007
 E 956298.027

POINT OF COMMENCEMENT
 NW CORNER SECTION 32,
 TOWNSHIP 44 SOUTH, RANGE 43 EAST
 "PALM BEACH COUNTY POSITION"
 N 825749.636
 E 953632.790

625.21'

690.55'

S01°02'46"W

CONGRESS AVENUE

JOHN PRINCE PARK

EAST R/W LINE

POINT OF BEGINNING "A"
 N 825122.921
 E 953709.737

S88°57'14"E 88.38'

PARCEL 1

R = 2939.93'
 Δ = 00°18'11"
 L = 15.54'
 CB = N05°03'03"E

N 825107.439
 E 953708.368

R = 2952.43'
 Δ = 00°18'06"
 L = 15.54'
 CB = S05°03'22"W

N83°41'40"E 12.50'

LEGEND

R/W = RIGHT OF WAY
 R = RADIUS
 Δ = CENTRAL ANGLE
 L = ARC LENGTH
 CB = CHORD BEARING

N 953705.495
 E 825077.573

R = 2939.93'
 Δ = 00°23'23"
 L = 20.00'
 CB = N05°58'54"E

POINT OF BEGINNING "B"

S88°57'14"E 83.24'

PARCEL 2

R = 2969.93'
 Δ = 00°23'09"
 L = 20.00'
 CB = S05°59'06"W

S83°41'40"E 30.00'

N83°41'40"W 30.00'

50' INGRESS/EGRESS EASEMENT
 OFFICIAL RECORDS BOOK
 23949, PAGE 793

PARCEL 3

N 825057.682
 E 953703.411

S83°41'40"E 17.25'

R = 2957.18'
 Δ = 00°40'41"
 L = 35.00'
 CB = S06°30'59"W

N83°41'40"W 17.25'

N 825022.908
 E 953699.438

LANTANA AIRPORT
 (DEPARTMENT OF AIRPORTS)

NORTH LINE OF LANTANA AIRPORT
 PALM BEACH COUNTY
 DRAWING NO.
 S-4-98-1220

CONGRESS AVENUE
 (PER FLORIDA
 DEPARTMENT
 OF TRANSPORTATION
 RIGHT-OF-WAY MAP
 SECTION: 93580-2604)

2939.93'
 Δ = 00°40'56"
 L = 35.00'
 CB = N06°31'04"E

N 825022.908
 E 953699.438

SCALE: 1" = 20'

THIS IS NOT A SURVEY