

Prepared by & Return to:
Peter Banting
Palm Beach County
Property & Real Estate Management Division
2633 Vista Parkway
West Palm Beach, Florida 33411-5605

PCN: 00-42-43-27-05-021-0040
00-42-43-27-05-014-0410
00-42-43-27-05-021-0291

DECLARATION OF EASEMENT

THIS IS A DECLARATION OF EASEMENT, made _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida ("County"), whose address is 301 North Olive Avenue, West Palm Beach, Florida, 33401-4791.

WHEREAS, County is the owner of that certain real property located within Palm Beach County, Florida as set forth on Exhibit "A" attached hereto and made a part hereof (the "Easement Premises"); and

WHEREAS, County desires to create an easement over, upon and under such property for the purposes set forth hereinafter; and

WHEREAS, County desires that such easement not be extinguished by the doctrines of merger or unity of title and remain valid and in effect upon a subsequent conveyance of the Easement Premises by County.

WITNESSETH:

NOW THEREFORE, County does hereby declare, grant and create a perpetual in gross utility easement for the benefit of County upon the real property legally described in Exhibit "A". This easement shall be for the construction, operation and maintenance of underground communication facilities to be installed below ground as necessary from time to time and shall include the right at any time to reconstruct, improve, add to, enlarge, change the size of and remove such facilities upon, over, under and across the Easement Premises.

The easement created 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.

IN WITNESS WHEREOF, the County has caused this Declaration of Easement to be executed as of the day and year first above written.

ATTEST:

COUNTY:

**SHARON R. BOCK
CLERK & COMPTROLLER**

**PALM BEACH COUNTY, a political
subdivision of the State of Florida**

By: _____
Deputy Clerk

By: _____
Shelley Vana, Chair

Signed and delivered
in the presence of:

Witness Signature

Print Witness Name

Witness Signature

Print Witness Name

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS AND
CONDITIONS**

By: 
Assistant County Attorney

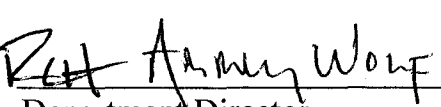
By: 
Department Director

EXHIBIT "A"
FIBER OPTIC UTILITY EASEMENT
LEGAL DESCRIPTION

A STRIP OF LAND 10 FEET IN WIDTH FOR FIBER OPTIC UTILITY EASEMENT PURPOSES, SITUATED IN BLOCK 21 OF THE PLAT OF PALM BEACH FARMS COMPANY PLAT NO. 3, RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, ALSO LYING IN A PORTION OF SECTIONS 17, 20 & 21, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 17; THENCE SOUTH 01°52'40" WEST ALONG THE EAST LINE OF SAID SECTION 17, A DISTANCE OF 3434.19 FEET; THENCE NORTH 88°07'20" WEST AT RIGHT ANGLES TO SAID SECTION LINE, A DISTANCE OF 294.43 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE SOUTH 40°39'49" EAST, A DISTANCE OF 43.84 FEET; THENCE SOUTH 01°00'46" EAST, A DISTANCE OF 156.06 FEET; THENCE SOUTH 89°54'28" WEST, A DISTANCE OF 621.79 FEET; THENCE SOUTH 00°08'33" EAST, A DISTANCE OF 500.67 FEET; THENCE SOUTH 01°00'27" EAST, A DISTANCE OF 1016.49 FEET; THENCE SOUTH 01°41'41" EAST, A DISTANCE OF 492.40 FEET; THENCE SOUTH 01°03'33" EAST, A DISTANCE OF 450.42 FEET; THENCE NORTH 87°35'01" EAST, A DISTANCE OF 899.46 FEET; THENCE NORTH 89°45'45" EAST, A DISTANCE OF 1097.44 FEET; THENCE SOUTH 25°07'30" WEST, A DISTANCE OF 158.67 FEET; THENCE SOUTH 88°11'59" EAST, A DISTANCE OF 428.75 FEET; THENCE NORTH 82°21'29" EAST, A DISTANCE OF 495.74 FEET; THENCE SOUTH 86°08'30" EAST, A DISTANCE OF 478.51 FEET; THENCE NORTH 89°10'50" EAST, A DISTANCE OF 495.38 FEET; THENCE NORTH 88°03'30" EAST, A DISTANCE OF 500.27 FEET; THENCE NORTH 89°17'42" EAST, A DISTANCE OF 499.99 FEET; THENCE NORTH 83°17'09" EAST, A DISTANCE OF 269.77 FEET; THENCE NORTH 00°27'54" EAST, A DISTANCE OF 367.18 FEET; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 41.52 FEET; THENCE SOUTH 83°12'58" EAST, A DISTANCE OF 208.96 FEET; THENCE SOUTH 54°01'53" EAST, A DISTANCE OF 325.20 FEET TO THE POINT OF TERMINUS.

LESS AND EXCEPT THE FOLLOWING:


THAT PORTION OF THE ABOVE DESCRIBED EASEMENT LYING WITHIN THE 80.00 FOOT PINEHURST ROAD RIGHT-OF-WAY AS SHOWN ON PALM BEACH COUNTY DRAWING NO. S-4-75-312B ON FILE IN THE OFFICE OF THE COUNTY ENGINEER.

SAID EASEMENT CONTAINS 92,675 SQUARE FEET OR 2.13 ACRES MORE OR LESS.

SURVEYOR'S NOTES

BEARINGS ARE BASED ON THE EAST LINE OF SECTION 17, TOWNSHIP 44 SOUTH, RANGE 42 EAST HAVING A GRID BEARING OF SOUTH 01°52'40" WEST (GRID, NAD 83/90 ADJUSTMENT) AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

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

PROJECT NO. 2012009-06	SHEET: 1 OF 6	PROJECT: OKEEHOLEE SOUTH 10' FIBER OPTIC UTILITY EASEMENT	DATE DRAWN: 06/18/12 CHECKED: CSP DRAWN: EAD APPROVED: CMM	NO. _____ REVISION _____ BY _____ DATE _____	 <p>PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411</p>
		DESIGN FILE NAME S-1-12-3293	DRAWING NO. S-1-12-3293	FIELD BOOK NO. N/A	

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO INTERSECT THE CANAL RIGHT-OF-WAY LINES, PINEHUST ROAD RIGHT-OF-WAY AND AT RIGHT ANGLES TO THE CENTERLINE AND AT THE POINT OF BEGINNING AND THE POINT OF TERMINUS.

THIS IS NOT A SURVEY.

THIS OFFICE WAS INSTRUCTED TO HOLD THE EASEMENT ALIGNMENT AND STATE PLANE COORDINATES (ASSUMED TO BE NAD 83, 1990 ADJUSTMENT - NO NOTES ON PLANS) SHOWN ON THE PLANS PROVIDED BY THE CLIENT (PBC PREM). REFER TO PLANS FOR PALM BEACH COUNTY ISS, FIBER OPTIC NETWORK IMPROVEMENTS - AS BUILTS PALM BEACH COUNTY WATER UTILITY WATER TREATMENT PLANT #2 TO PBC CENTRAL REGIONAL OPERATIONS CENTER "AS-BUILTS" - PERMIT APPLICATION NUMBER UT25211, 7 SHEETS, DATED NOVEMBER 24, 2010 PREPARED PERCISION CONTRACTING SERVICES, INC.

COORDINATES SHOWN ARE GRID

DATUM = NAD 83, 1990 ADJUSTMENT

ZONE = FLORIDA EAST

LINEAR UNITS = US SURVEY FOOT

COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION

ALL DISTANCES ARE GROUND.

PROJECT SCALE FACTOR = 1.000042989

GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

ALL FEATURE SYMBOLS AND SIDELINES SHOWN ARE NOT TO SCALE.

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.

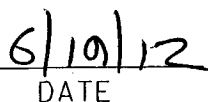
THIS INSTRUMENT PREPARED BY GLENN W. MARK, P.L.S. IN THE OFFICE OF THE COUNTY ENGINEER @ VISTA CENTER 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411-2745.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

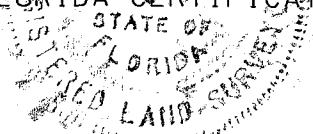
I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.



GLENN W. MARK, P.L.S.
FLORIDA CERTIFICATE # 5304



DATE



TRACT 12 N 842754.7670
BLOCK 21 E 927248.7950

POINT OF COMMENCEMENT

NORTHEAST CORNER
SECTION 17, TOWNSHIP 44
SOUTH, RANGE 42 EAST
"PALM BEACH COUNTY POSITION"

10'
BELLSOUTH
EASEMENT
ORB 22720,
P 824

TRACT 13
BLOCK 21

POINT OF BEGINNING

N 839298.8078
E 926870.5590

S40°39'49"E. 43.84'
S01°00'46"E. 156.06'

N88°07'20"W
294.43'

N 839141.7747
E 926251.5258

S. LINE
TRACT 13

621.79'
S89°54'28"W

N. LINE
TRACT 20

N 839142.7763
E 926873.3175

R-2011-1832
30' PLATTED ROAD RESERVATION
ABANDONED ORB 24905, P 1397

10' FIBER OPTIC
UTILITY EASEMENT

TRACT 20

EAST LINE
SECTION 17,
TOWNSHIP 44 SOUTH,
RANGE 42 EAST

N 838641.1112
E 926252.7706

BLOCK 21
PALM BEACH FARMS CO.
PLAT NO. 3, PB 2, P 45

S. LINE
TRACT 20

SEE: OKEEHOLEE SOUTH
BOUNDARY SURVEY AND
COMPILATION MAP
PROJECT NO. 2011009-04
DRAWING NO. S-3-10-3166

SIDELINES ARE N. LINE
NOT TO SCALE TRACT 21
(TYPICAL)

TRACT 21

SCALE: 1" = 200'

THIS IS NOT A SURVEY

FLORIDA'S TURNPIKE
CONTRACT NO. 3.3
WIDTH VARIES

LWDD E-2E
(100')

NORTHWEST
CORNER OF
TRACT 20

BOUNDARY
LINE

S00°08'33"E
500.67'

S01°00'27"E
1016.49'

3434.19'

5384.64'

S01°52'40"W

MATCH LINE A (SEE SHEET 4 OF 6)

MATCH LINE A (SEE SHEET 3 OF 6)

BLOCK 21
PALM BEACH FARMS CO.
PLAT NO. 3, PB 2, P 45

S. LINE
TRACT 21

10' FIBER OPTIC
UTILITY EASEMENT

N 837624.7813 N. LINE
E 926270.6426 TRACT 28

5'
5'
10'

SCALE: 1" = 200'

5384.64'
N01°52'40"E

BOUNDARY
LINE

TRACT 28

FLORIDA'S TURNPIKE
CONTRACT NO. 3.3
WIDTH VARIES

LWDD E-2E

S01°41'41"E
492.40'

S. LINE
TRACT 28

N 837373.0150
E 927072.3510
NORTHEAST CORNER
SECTION 20, TOWNSHIP 44
SOUTH, RANGE 42 EAST
"PALM BEACH COUNTY POSITION"

N. LINE
TRACT 29

SEE: OKEEHOLEE SOUTH
BOUNDARY SURVEY AND
COMPILATION MAP
PROJECT NO. 2011009-04
DRAWING NO. S-3-10-3166

TRACT 30

S01°03'33"E
450.42'

TRACT 29

N 836720.1782
E 927192.1922

N 836682.2555
E 926293.5311

SOUTH LINE OF
ORB 13426, P 1494
SOUTH LINE
OF TRACTS 29-36
BLOCK 21

899.46'
N87°35'01"E

1097.44'
N89°45'45"E

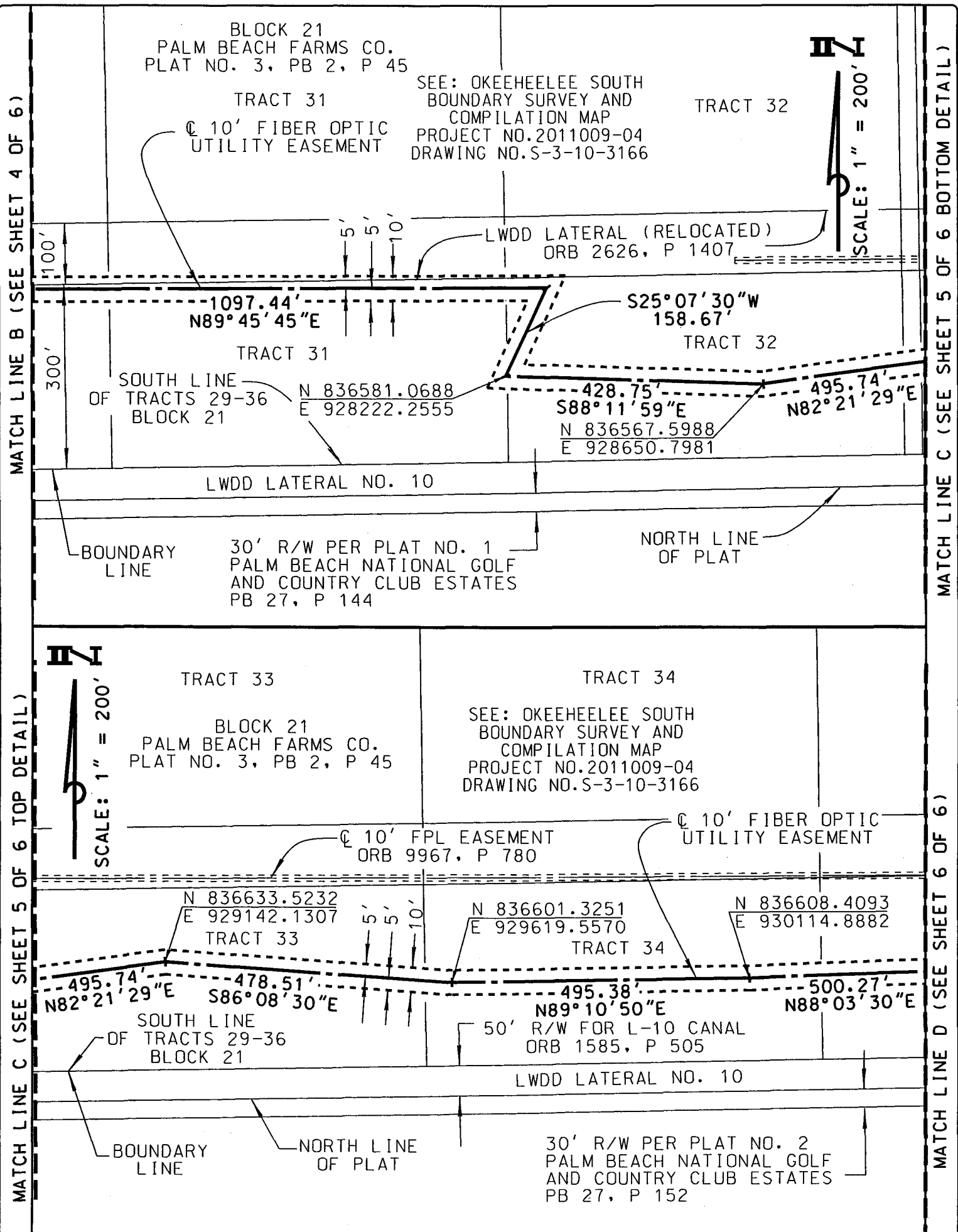
TRACT 30

LWDD LATERAL NO. 10

BOUNDARY
LINE

30' R/W PER PLAT NO. 1
PALM BEACH NATIONAL GOLF
AND COUNTRY CLUB ESTATES
PB 27, P 144

MATCH LINE B (SEE SHEET 5 OF 6)



MATCH LINE B (SEE SHEET 4 OF 6)

MATCH LINE C (SEE SHEET 5 OF 6 BOTTOM DETAIL)

MATCH LINE C (SEE SHEET 5 OF 6 TOP DETAIL)

MATCH LINE D (SEE SHEET 6 OF 6)

SEE: OKEEHEELEE SOUTH
BOUNDARY SURVEY AND
COMPILATION MAP
PROJECT NO. 2011009-04
DRAWING NO. S-3-10-3166



SCALE: 1" = 200'

MATCH LINE D (SEE SHEET 5 OF 6 BOTTOM DETAIL)

BOUNDARY LINE

PINEHURST DRIVE
PBC DRAWING # S-4-75-312B
(NO R/W DEED)

NORTHEAST CORNER
SECTION 21, TOWNSHIP 44
SOUTH, RANGE 42 EAST
"PALM BEACH COUNTY
POSITION"
N 837204.613
E 932496.179

TRACT 35

TRACT 36

BLOCK 21
PALM BEACH FARMS CO.
PLAT NO. 3, PB 2, P 45

10' FIBER OPTIC
UTILITY EASEMENT

41.52'
N00°00'00"E

S83°12'58"E
208.96'
N 837047.0494
E 931593.2278

SIDELINES ARE
NOT TO SCALE
(TYPICAL)

S54°01'53"E
325.20'

N 836631.5104 TRACT 36
E 931114.8262

TRACT 35

367.18'
N00°27'54"E

N 836663.0514
E 931382.7490

TRACT 36 TRACT 37

N88°03'30"E

499.99'

N89°17'42"E

195.95'

N83°17'09"E

N 836625.3593
E 930614.8701

POINT OF TERMINUS

LWDD LATERAL NO. 10

30' R/W PER PLAT NO. 2
PALM BEACH NATIONAL GOLF
AND COUNTRY CLUB ESTATES
PB 27, P 152

BOUNDARY LINE

SOUTH LINE
OF TRACTS 29-36
BLOCK 21