

LOCATION SKETCH



Galveston Boulevard (a portion of Australian Avenue) from West 6th Street to West 3rd Street

RESOLUTION NO. R-2012_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, TO ABANDON ANY PUBLIC INTEREST IN THAT CERTAIN PORTION OF THE 50 FOOT RIGHT-OF-WAY FOR GALVESTON BOULEVARD (AUSTRALIAN AVENUE) AS SHOWN ON THE PLAT OF GLENWOOD MEMORIAL CEMETERY, AS RECORDED IN PLAT BOOK 24, PAGE 238, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND EXECUTING TWO UTILITY EASEMENTS OVER THE ENTIRE AREA TO BE ABANDONED.

WHEREAS, the Board of County Commissioners (Board) of Palm Beach County, Florida (County), pursuant to authority in Section 336.09, Florida Statutes, and as provided in the County Code Chapter 22. Article III, Road Abandonment and Plat Vacation (Ordinance No. 2002-034), known as the County Right-of-Way Abandonment and Plat Vacation Ordinance, and the petition of the County Engineer, called a public hearing to be held in the County Commissioners' Chambers, at the Governmental Office Complex, West Palm Beach, Florida, on December 18, 2012, to consider and determine whether or not Palm Beach County would vacate, abandon, discontinue and close, renounce and disclaim any right or interest of the public in and for that portion of Galveston Boulevard (Australian Avenue), as set forth on the sketch and legal description in Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, in accordance with and as provided in the County Code Chapter 22. Article III, Road Abandonment and Plat Vacation (Ordinance No. 2002-034), notice of the holding of such meeting was duly published in the Palm Beach Post on December 2, 2012; and

WHEREAS, the Board has the authority to execute utility easements over the entire area being abandoned, for FPL as shown in Exhibit B and AT&T as shown in Exhibit C, both attached; and

WHEREAS, this Board held said hearing as advertised and determined that such action will not materially interfere with the County Road System and will not deprive any person of a reasonable means of ingress and egress from at least one County, State or Federal highway.

RESOLUTION NO. R-2012-_____

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are hereby reaffirmed and ratified.
2. The Board is authorized to execute utility easements over a portion of the area to be abandoned for FPL and AT&T, more fully described in the legal description and sketch attached hereto as Exhibits B and C and made a part hereof.
3. The right-of-way is hereby abandoned and closed as public right-of-way and this Board does hereby renounce and disclaim any right or interest of the public in and to the right-of-way, more fully described in the legal description and sketch attached hereto as Exhibit A and made a part hereof.
4. Notice of the adoption of this Resolution shall be published once in the Palm Beach Post within thirty (30) days of the date of adoption of this Resolution in accordance with Section 336.10, Florida Statutes and the County Code Chapter 22. Article III.

RESOLUTION NO. R-2012_____

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and, upon being put to a vote, the vote was as follows:

Commissioner Steven L. Abrams, Chairman

Commissioner Priscilla A. Taylor, Vice Chair

Commissioner Hal R. Valeche

Commissioner Paulette Burdick

Commissioner Shelley Vana

Commissioner Mary Lou Berger

Commissioner Jess R. Santamaria

The Chair thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2012.

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

Sharon R. Bock, Clerk & Comptroller

BY: _____
Deputy Clerk

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

BY: _____
County Attorney

EXHIBIT "A"
 AUSTRALIAN AVENUE
 RIGHT-OF-WAY ABANDONMENT

A PARCEL OF LAND DESCRIBED FOR RIGHT-OF-WAY ABANDONMENT PURPOSES, BEING A PORTION OF THE 50.00 FOOT RIGHT-OF-WAY DEDICATION FOR GALVESTON BOULEVARD (AUSTRALIAN AVENUE) AS SHOWN ON THE PLAT OF GLENWOOD MEMORIAL CEMETERY, LYING IN SECTION 32, TOWNSHIP 42 SOUTH, RANGE 43 EAST, RECORDED IN PLAT BOOK 24, PAGE 238 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE PALM BEACH COUNTY GEODETIC CONTROL POINT "FRUIT" AS SHOWN ON THE AUSTRALIAN AVENUE MAINTENANCE MAP - SPECIFIC PURPOSE SURVEY RECORDED IN ROAD BOOK 11, PAGE 74 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA (THE NEXT TEN COURSES RUN ALONG LINES OR ARE CALCULATED FROM THE GRID INFORMATION SHOWN ON SAID MAINTENANCE MAP - ROAD BOOK 11, PAGE 74); THENCE NORTH 88°24'08" WEST, A DISTANCE OF 5,327.84 FEET; THENCE NORTH 01°35'52" EAST, A DISTANCE OF 762.40 FEET TO THE BASELINE OF AUSTRALIAN AVENUE AND A NON-TANGENT CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 2,546.48 FEET (A RADIAL LINE FROM SAID POINT BEARS NORTH 85°15'42" EAST); THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°50'30", AN ARC DISTANCE OF 392.96 FEET TO THE POINT OF TANGENCY; THENCE NORTH 04°06'12" EAST CONTINUING ALONG SAID BASELINE, A DISTANCE OF 311.68 FEET; THENCE NORTH 85°53'48" WEST AT RIGHT ANGLE TO SAID BASELINE, A DISTANCE OF 40.00 FEET TO A LINE LYING 40.00 FEET WEST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID BASELINE OF AUSTRALIAN AVENUE AND THE POINT OF BEGINNING; THENCE SOUTH 04°06'12" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 311.68 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 2,586.48 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°15'28", AN ARC DISTANCE OF 56.78 FEET TO THE SOUTH LINE OF SAID PLAT OF GLENWOOD MEMORIAL CEMETERY; THENCE NORTH 88°50'02" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 6.00 FEET TO THE EXISTING WEST RIGHT-OF-WAY LINE OF AUSTRALIAN AVENUE AND THE SOUTHERLY PROLONGATION OF THE EAST LINE OF BLOCK 24 AS SHOWN ON SAID PLAT OF GLENWOOD MEMORIAL CEMETERY; THENCE NORTH 01°02'45" EAST ALONG SAID WEST RIGHT-OF-WAY LINE AND THE PROLONGATION SAID BLOCK 24 AND THE PROLONGATION OF BLOCK 1, A DISTANCE OF 368.00 FEET TO THE NORTH LINE OF SAID PLAT OF GLENWOOD MEMORIAL CEMETERY; THENCE SOUTH 88°50'02" EAST ALONG SAID NORTH LINE, A DISTANCE OF 25.03 FEET TO SAID PARALLEL LINE AND THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 5,607 SQUARE FEET OR 0.1287 ACRES MORE OR LESS.

SURVEYOR'S NOTES

BEARINGS ARE BASED ON A GRID (NAD 83/90) BEARING OF NORTH 88°24'08" WEST ALONG THE MONUMENTED LINE BETWEEN PALM BEACH COUNTY GEODETIC CONTROL POINT "FRUIT" AND "REDEYE" AS SHOWN ON THIS DRAWING AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

THIS SURVEY RELIED ON AND IS IN CONFORMANCE WITH THE AUSTRALIAN AVENUE - MAINTENANCE MAP SPECIFIC PURPOSE SURVEY RECORDED IN ROAD BOOK 11, PAGE 74 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

EXISTING APPARENT USAGES (ENCROACHMENT) ARE SHOWN AND NOTED ON SHEET 4 & 5 OF 5. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR.

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.

FIELD WORK FOR THIS PROJECT IS LOCATED IN FIELD BOOK 1129D, PAGE 66 - DATED 05/22/2012. INSTRUMENTS USED WERE THE TRIMBLE R-8 UNIT 2.

THE FILE NAMES ARE 2012050.204 v1.5(88).JOB, 2012050.204 TOPO.REF & LEGAL DESCRIPTION & NOTES.DOC.


PROJECT NO.
2012050.204

SHEET 1
OF 5

| | |
|--|-------------|
| PROJECT: | |
| AUSTRALIAN AVENUE ABANDONMENT BOUNDARY SURVEY | |
| DESIGN FILE NAME | DRAWING NO. |
| S-1-12-3299.DGN | S-1-12-3299 |

| | | | | |
|--|-------|----------|----|------|
| SCALE(S) NOTED: | NO. | REVISION | BY | DATE |
| APPROVED: G. W. M. DRAWN: E. A. O. CHECKED: C. S. P. DATE: 06/04/12 | | | | |
| FIELD BOOK NO. | 1129D | | | |

**PALM BEACH COUNTY
ENGINEERING AND PUBLIC WORKS**



ENGINEERING SERVICES

2300 NORTH JOG ROAD
WEST PALM BEACH, FL 33411

(SURVEYOR'S NOTES CONTINUED)

FIELD WORK COMPLETED ON 06/07/2012.

THE PROJECTS FIELD TRAVERSE WAS ESTABLISHED USING RTK GPS SURVEYING PROCEDURES AND THE TRIMBLE VRSNOW NETWORK. NO VERTICAL TOPOGRAPHY WAS CONDUCTED DURING THIS SURVEY. AN RTK GPS SURVEY WAS DONE TO CONFIRM THE HORIZONTAL VALUES ON THE CONTROL POINTS LOCATED DURING THE SURVEY. THE MEAN VALUE OF REDUNDANT OCCUPATIONS WAS HELD. THE RTK SURVEY WAS CALIBRATED TO A "COUNTY WIDE CALIBRATION" FILE IN USE BY PALM BEACH COUNTY SURVEY SECTION IN ORDER TO ESTABLISH STATE PLANE COORDINATES ON THE HORIZONTAL IMPROVEMENTS SHOWN AND LOCATED ON THIS SITE.

THE EXPECTED ACCURACY OF THE HORIZONTAL LOCATES DONE WITH GPS ARE AS FOLLOWS:

HORIZONTAL +/- 0.05'

ALL EXISTING AND ESTABLISHED CONTROL BASED ON THE MEASUREMENTS SHOWN, MEET OR EXCEED THE RELATIVE DISTANCE ACCURACY REQUIREMENT OF 1:10,000 (COMMERCIAL /HIGH RISK) REQUIRED BY THIS SURVEY.

EXISTING PERMANENT STRUCTURES IF ANY HAVE BEEN LOCATED AT THE CLIENTS REQUEST. VERTICAL TOPOGRAPHY AND THE LOCATION, SIZE AND TREE SPECIES WERE NOT REQUESTED TO BE SHOWN BY THE CLIENT. ALL APPARENT USAGES (ENCROACHMENTS) ALONG THE BOUNDARY LINES WERE LOCATED AT THE CLIENTS REQUEST. NO APPARENT GRAVE SITE FELL WITHIN THE AREA TO BE ABANDONED. HOWEVER THIS OFFICE CAN NOT CONFIRM UNDERGROUND LOCATIONS.

NO WETLAND DETERMINATIONS OR DELINEATIONS WERE CONDUCTED BY THIS SURVEY.

UNDERGROUND FOUNDATIONS AND UTILITIES MAY BE PRESENT. NO UNDERGROUND FOUNDATIONS OR UTILITIES WERE LOCATED BY THIS SURVEY.

DATE OF AERIAL PHOTO BY OTHERS 11/23/2010 TO 12/12/2010. THIS IS AN ORTHO-IMAGE OR ORTHO-PHOTO. THE PHOTO WAS NOT CONTROLLED, TARGETED OR FIELD VERIFIED BY THE SIGNING SURVEYOR AND IS FOR INFORMATIONAL PURPOSES ONLY.

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 GRID.

PROJECT SCALE FACTOR = 1.000045

GRID DISTANCE DIVIDED BY SCALE FACTOR = GROUND DISTANCE

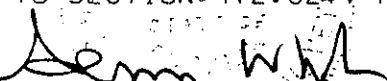
ALL FEATURE SYMBOLS SHOWN ARE NOT TO SCALE.

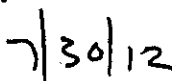
CERTIFIED TO: PALM BEACH COUNTY ENGINEERING DEPARTMENT.

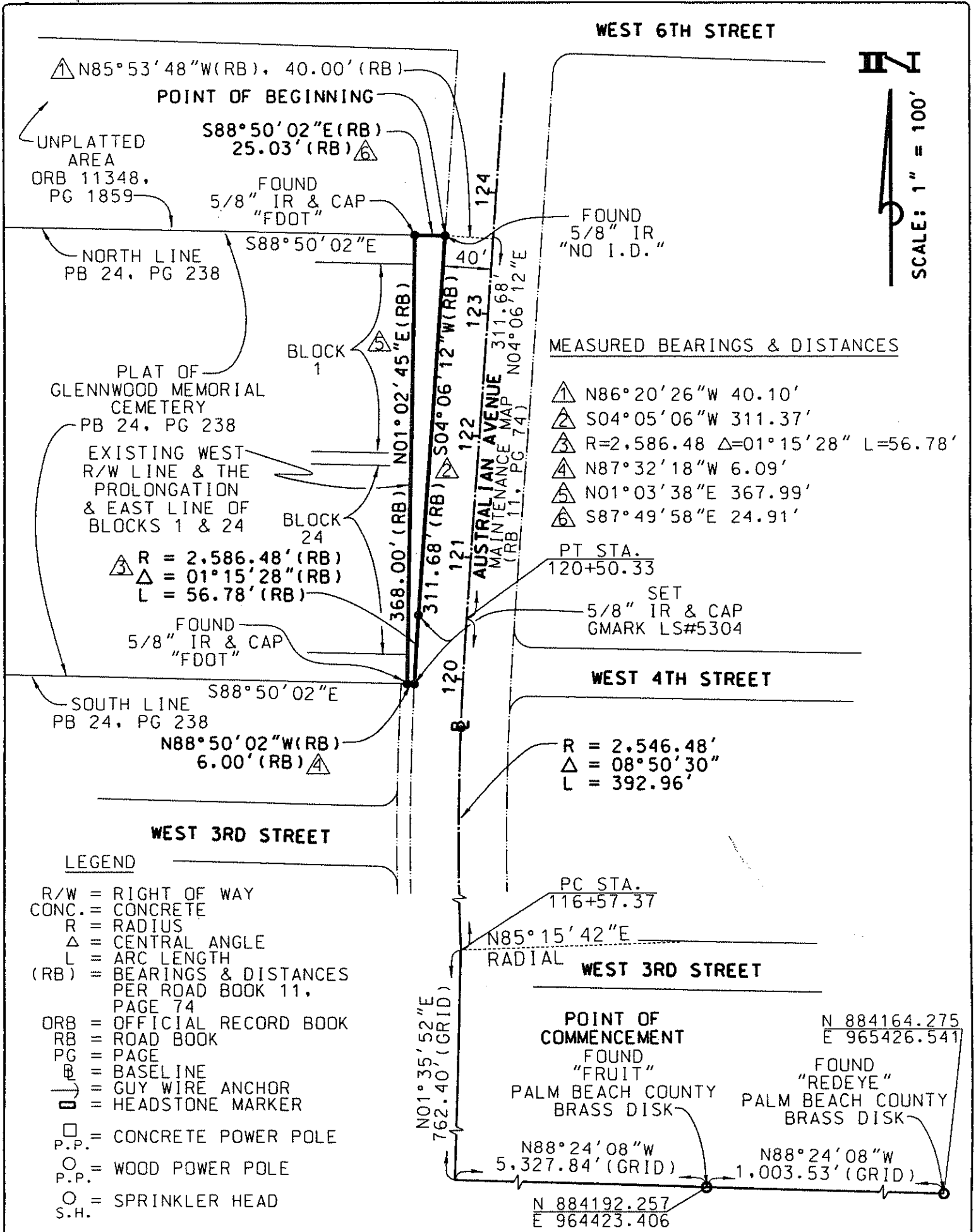
THIS INSTRUMENT PREPARED BY GLENN W. MARK, P.L.S. IN THE OFFICE OF THE COUNTY ENGINEER @ VISTA CENTER 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411-2745.

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

I HEREBY CERTIFY THAT THE BOUNDARY SURVEY 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



SCALE: 1" = 100'

MEASURED BEARINGS & DISTANCES

- △ N86°20'26"W 40.10'
- △ S04°05'06"W 311.37'
- △ R=2,586.48 Δ=01°15'28" L=56.78'
- △ N87°32'18"W 6.09'
- △ N01°03'38"E 367.99'
- △ S87°49'58"E 24.91'

PT STA. 120+50.33
 SET 5/8" IR & CAP
 GMARK LS#5304

R = 2,546.48'
 Δ = 08°50'30"
 L = 392.96'

PC STA. 116+57.37

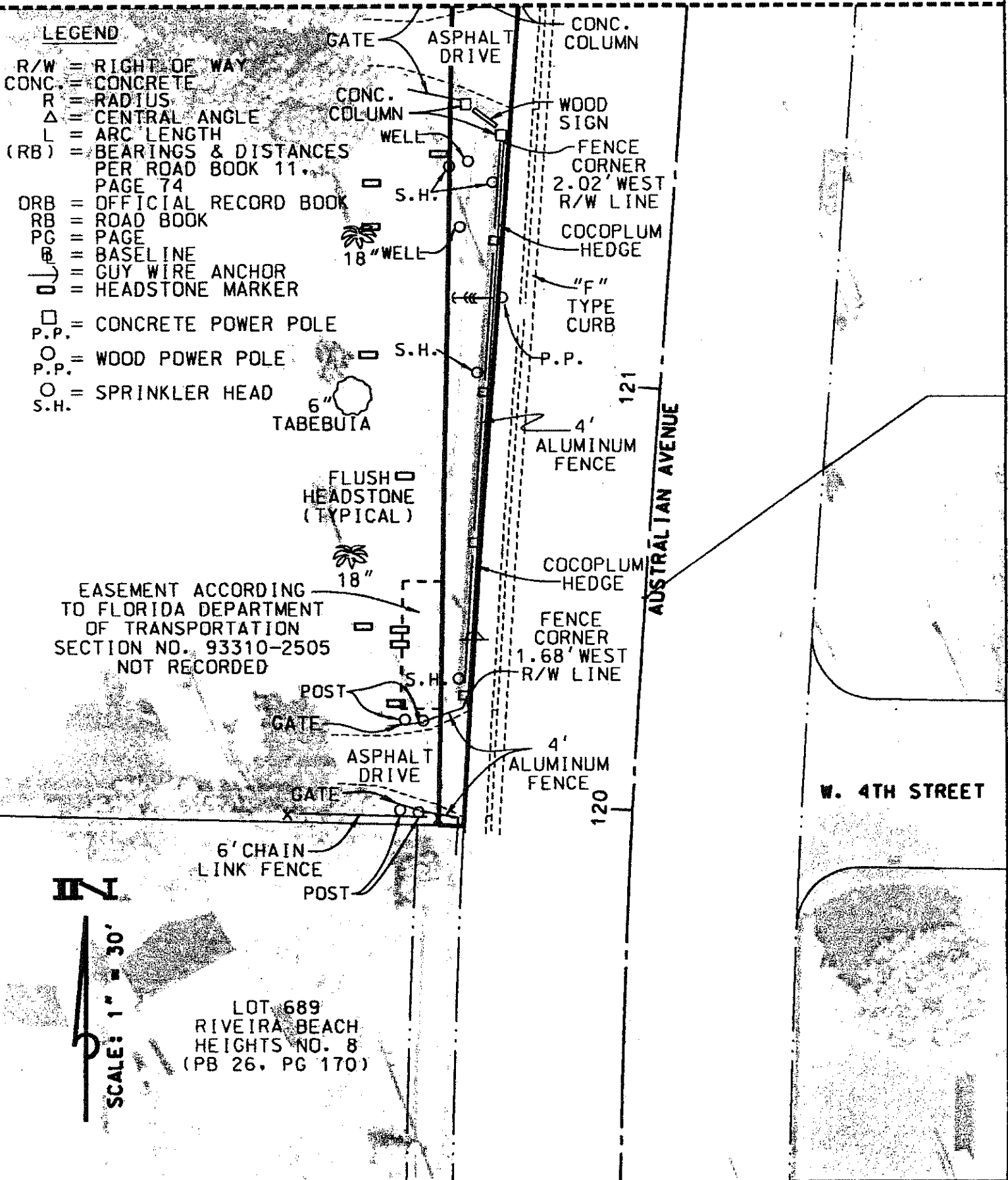
POINT OF COMMENCEMENT
 FOUND "FRUIT" PALM BEACH COUNTY BRASS DISK
 FOUND "REDEYE" PALM BEACH COUNTY BRASS DISK
 N 884164.275 E 965426.541
 N 88°24'08"W 5,327.84' (GRID)
 N 88°24'08"W 1,003.53' (GRID)
 N 884192.257 E 964423.406

- LEGEND
- R/W = RIGHT OF WAY
 - CONC. = CONCRETE
 - R = RADIUS
 - Δ = CENTRAL ANGLE
 - L = ARC LENGTH
 - (RB) = BEARINGS & DISTANCES PER ROAD BOOK 11, PAGE 74
 - ORB = OFFICIAL RECORD BOOK
 - RB = ROAD BOOK
 - PG = PAGE
 - B = BASELINE
 - = GUY WIRE ANCHOR
 - = HEADSTONE MARKER
 - = CONCRETE POWER POLE
 - = WOOD POWER POLE
 - = SPRINKLER HEAD
 - S.H.

MATCH LINE (SEE SHEET 5 OF 5)

LEGEND

- R/W = RIGHT OF WAY
- CONC. = CONCRETE
- R = RADIUS
- Δ = CENTRAL ANGLE
- L = ARC LENGTH
- (RB) = BEARINGS & DISTANCES PER ROAD BOOK 11, PAGE 74
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- S.H. = SPRINKLER HEAD









SCALE: 1" = 30'

LOT 689
RIVEIRA BEACH
HEIGHTS NO. 8
(PB 26, PG 170)


 SCALE: 1" = 30'

EASEMENTS ACCORDING
 TO FLORIDA DEPARTMENT
 OF TRANSPORTATION
 SECTION NO. 93310-2505
 NOT RECORDED

- LEGEND**
- R/W = RIGHT OF WAY
 - CONC. = CONCRETE
 - R = RADIUS
 - Δ = CENTRAL ANGLE
 - L = ARC LENGTH
 - (RB) = BEARINGS & DISTANCES PER ROAD BOOK 11, PAGE 74
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 -  = CONCRETE POWER POLE
 -  = WOOD POWER POLE
 -  = SPRINKLER HEAD
 - S.H. = SPRINKLER HEAD

FLUSH HEADSTONE
 (TYPICAL)


 16"

36" FICUS

6' ALUMINUM FENCE

WOOD SIGN

MATCH LINE (SEE SHEET 4 OF 5)

FENCE CORNER
 1.55' WEST
 R/W LINE

124

4' ALUMINUM FENCE

COCOPLUM HEDGE

"F" TYPE CURB

FENCE CORNER
 2.19' WEST
 R/W LINE

123

AUSTRALIAN AVENUE

P.P.

COCOPLUM HEDGE

4' ALUMINUM FENCE

FENCE CORNER
 2.09' WEST
 R/W LINE

122

Return to:
Palm Beach County Land Development Division
P.O. Box 21229 Attn: Maureen Barber
West Palm Beach, Florida 33416-1229

EXHIBIT B

UTILITY EASEMENT

THIS EASEMENT is made, granted and entered into this _____ day of _____, 2012, by Palm Beach County Board of County Commissioners (hereinafter referred to as "Grantor"), whose address is 301 North Olive Avenue, West Palm Beach, Florida, to Florida Power & Light Company (hereinafter referred to as "Grantee").

WITNESSETH

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 licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them within an easement described in **EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF**. Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

Grantor hereby covenants with Grantee that it is lawfully seized and in possession of the real property herein described. The 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 Property by County.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and affixed its seal as of the date first above written.

ATTEST: PALM BEACH COUNTY, FLORIDA, BY
SHARON R. BOCK, CLERK & COMPTROLLER ITS BOARD OF COUNTY COMMISSIONERS

BY: _____
Clerk & Comptroller (or Deputy Clerk)

BY: _____
Steven L. Abrams, Chairman

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

This instrument prepared by:
Marlene R. Everitt, Assistant County Attorney
Palm Beach County
P.O. Box 21229
West Palm Beach, FL 33416

BY: _____
Assistant County Attorney

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this _____ day of _____, 2012 by _____ Chair, Board of County Commissioners, who is personally known to me or who has produced _____ as identification and who did not take an oath.

Typed name of Acknowledger
Deputy Clerk

EXHIBIT "A"
 AUSTRALIAN AVENUE
 UTILITY EASEMENT

A PARCEL OF LAND DESCRIBED FOR UTILITY EASEMENT PURPOSES, BEING A PORTION OF THE 50.00 FOOT RIGHT-OF-WAY DEDICATION FOR GALVESTON BOULEVARD (AUSTRALIAN AVENUE) AS SHOWN ON THE PLAT OF GLENWOOD MEMORIAL CEMETERY, LYING IN SECTION 32, TOWNSHIP 42 SOUTH, RANGE 43 EAST, RECORDED IN PLAT BOOK 24, PAGE 238 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE PALM BEACH COUNTY GEODETIC CONTROL POINT "FRUIT" AS SHOWN ON THE AUSTRALIAN AVENUE MAINTENANCE MAP - SPECIFIC PURPOSE SURVEY RECORDED IN ROAD BOOK 11, PAGE 74 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA (THE NEXT TEN COURSES RUN ALONG LINES OR ARE CALCULATED FROM THE GRID INFORMATION SHOWN ON SAID MAINTENANCE MAP - ROAD BOOK 11, PAGE 74); THENCE NORTH 88°24'08" WEST, A DISTANCE OF 5.327.84 FEET; THENCE NORTH 01°35'52" EAST, A DISTANCE OF 762.40 FEET TO THE BASELINE OF AUSTRALIAN AVENUE AND A NON-TANGENT CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 2,546.48 FEET (A RADIAL LINE FROM SAID POINT BEARS NORTH 85°15'42" EAST); THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°50'30", AN ARC DISTANCE OF 392.96 FEET TO THE POINT OF TANGENCY; THENCE NORTH 04°06'12" EAST CONTINUING ALONG SAID BASELINE, A DISTANCE OF 311.68 FEET; THENCE NORTH 85°53'48" WEST AT RIGHT ANGLE TO SAID BASELINE, A DISTANCE OF 40.00 FEET TO A LINE LYING 40.00 FEET WEST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID BASELINE OF AUSTRALIAN AVENUE AND THE POINT OF BEGINNING; THENCE SOUTH 04°06'12" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 311.68 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 2,586.48 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°15'28", AN ARC DISTANCE OF 56.78 FEET TO THE SOUTH LINE OF SAID PLAT OF GLENWOOD MEMORIAL CEMETERY; THENCE NORTH 88°50'02" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 6.00 FEET TO THE EXISTING WEST RIGHT-OF-WAY LINE OF AUSTRALIAN AVENUE AND THE SOUTHERLY PROLONGATION OF THE EAST LINE OF BLOCK 24 AS SHOWN ON SAID PLAT OF GLENWOOD MEMORIAL CEMETERY; THENCE NORTH 01°02'45" EAST ALONG SAID WEST RIGHT-OF-WAY LINE AND THE PROLONGATION SAID BLOCK 24 AND THE PROLONGATION OF BLOCK 1, A DISTANCE OF 368.00 FEET TO THE NORTH LINE OF SAID PLAT OF GLENWOOD MEMORIAL CEMETERY; THENCE SOUTH 88°50'02" EAST ALONG SAID NORTH LINE, A DISTANCE OF 25.03 FEET TO SAID PARALLEL LINE AND THE POINT OF BEGINNING.


SAID PARCEL CONTAINS 5,607 SQUARE FEET OR 0.1287 ACRES MORE OR LESS.

SURVEYOR'S NOTES

BEARINGS ARE BASED ON A GRID (NAD 83/90) BEARING OF NORTH 88°24'08" WEST ALONG THE MONUMENTED LINE BETWEEN PALM BEACH COUNTY GEODETIC CONTROL POINT "FRUIT" AND "REDEYE" AS SHOWN ON THIS DRAWING AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

THIS IS NOT A SURVEY

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

| | | | | | |
|-----------------------------------|-----------------------|--|---|---|--|
| PROJECT NO. 2012050.204 | SHEET 1 OF 3 | AUSTRALIAN AVENUE UTILITY EASEMENT | DATE DRAWN: 08/06/12 CHECKED: C.S.P. FIELD BOOK NO. 1129D | 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-1-12-3306.DGN | | DRAWING NO.: S-1-12-3306 | | SCALE: AS NOTED APPROVED: G.W.M. DRAWN: E.A.D. CHECKED: C.S.P. | |

(SURVEYOR'S NOTES CONTINUED)

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.

REFER TO BOUNDARY SURVEY PREPARED FOR THE ABANDONMENT OF THE RIGHT OF WAY - PALM BEACH COUNTY DRAWING NO. S-1-12-3299 AND FIELD WORK FOR THIS PROJECT LOCATED IN FIELD BOOK 1129D, PAGE 66 - DATED 05/22/2012.

THE FILE NAMES ARE 2012050.204 v1.5(88).JOB, 2012050.204 TOPO.REF & LEGAL DESCRIPTION & NOTES.DOC.

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 GRID.

PROJECT SCALE FACTOR = 1.000045

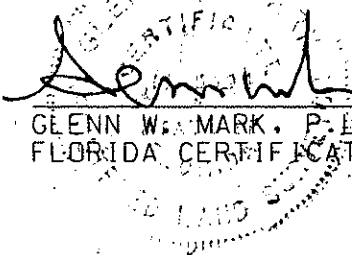
GRID DISTANCE DIVIDED BY SCALE FACTOR = GROUND DISTANCE

ALL FEATURE SYMBOLS SHOWN ARE NOT TO SCALE.

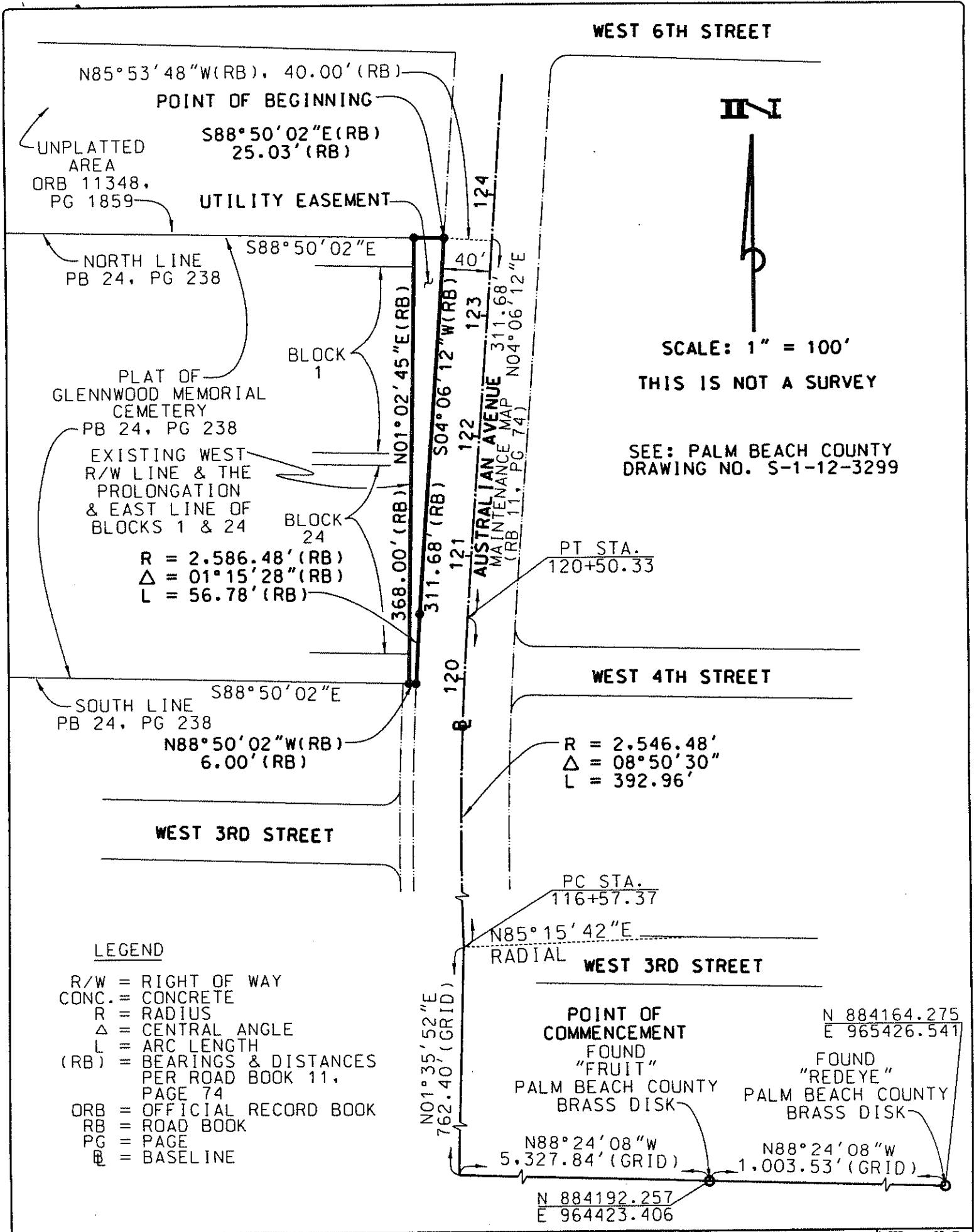
THIS INSTRUMENT PREPARED BY GLENN W. MARK, P.L.S. IN THE OFFICE OF THE COUNTY ENGINEER @ VISTA CENTER 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411-2745.

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

8/6/12
DATE



WEST 6TH STREET



SCALE: 1" = 100'

THIS IS NOT A SURVEY

SEE: PALM BEACH COUNTY
DRAWING NO. S-1-12-3299

WEST 4TH STREET

WEST 3RD STREET

PC STA.
116+57.37

POINT OF COMMENCEMENT FOUND "FRUIT" PALM BEACH COUNTY BRASS DISK
 N 88°24'08"W 5,327.84' (GRID)
 N 884192.257 E 964423.406

FOUND "REDEYE" PALM BEACH COUNTY BRASS DISK
 N 88°24'08"W 1,003.53' (GRID)
 N 884164.275 E 965426.541

LEGEND

- R/W = RIGHT OF WAY
- CONC. = CONCRETE
- R = RADIUS
- Δ = CENTRAL ANGLE
- L = ARC LENGTH
- (RB) = BEARINGS & DISTANCES PER ROAD BOOK 11, PAGE 74
- ORB = OFFICIAL RECORD BOOK
- RB = ROAD BOOK
- PG = PAGE
- ⊕ = BASELINE

Return to:
Palm Beach County Land Development Division
P.O. Box 21229 Attn: Maureen Barber
West Palm Beach, Florida 33416-1229

EXHIBIT C

UTILITY EASEMENT

THIS EASEMENT is made, granted and entered into this _____ day of _____, 2012, by Palm Beach County Board of County Commissioners (hereinafter referred to as "Grantor"), whose address is 301 North Olive Avenue, West Palm Beach, Florida, to BellSouth Telecommunications, Inc. d/b/a/ AT&T Florida (hereinafter referred to as "Grantee").

WITNESSETH

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, an easement to construct, operate, maintain, add, and/or remove such systems of communications (including broadcast), facilities, standby generators and associated fuel supply systems as a means of providing uninterrupted service during commercial power outages, and related items as the Grantee may from time to time deem necessary in the conduct of its business upon, over, and under a portion of the land described in **EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF.** The following rights are also granted: the exclusive right to allow any other person, firm, or corporation to attach wires or lay cable or conduit or other appurtenances upon, over, and under said easement for communications (including broadcast) or electric power transmission or distribution; ingress to and egress from said easement at all times; the right, but not the obligation, to clear the easement and keep it cleared of all trees, undergrowth, or other obstructions; the right, but not the obligation, to trim and cut and keep trimmed and cut all dead, weak, leaning, or dangerous trees or limbs outside the easement which might interfere with or fall upon the lines or systems of communication of power transmission or distribution; the right to relocate said facilities, systems of communications, or related services on said lands to conform to any future highway relocation, widening, or improvements; the right to test and maintain generators and associated equipment; and the right to allow any other person, firm, or corporation to provide for fuel/energy distribution to equipment placed on the site. This is a nonexclusive easement and is subject to minimizing disruption of and restoration of road and drainage facilities by Grantee.

Grantor hereby covenants with Grantee that it is lawfully seized and in possession of the real property herein described. The 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 Property by County.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and affixed its seal as of the date first above written.

ATTEST:
SHARON R. BOCK, CLERK & COMPTROLLER

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

BY: _____
Clerk & Comptroller (or Deputy Clerk)

BY: _____
Steven L. Abrams, Chairman

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

This instrument prepared by:
Marlene R. Everitt, Assistant County Attorney
Palm Beach County
P.O. Box 21229
West Palm Beach, FL 33416

BY: _____
Assistant County Attorney

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this _____ day of _____, 2012 by _____ Chair, Board of County Commissioners, who is personally known to me or who has produced _____ as identification and who did not take an oath.

Typed name of Acknowledger
Deputy Clerk

EXHIBIT "A"
 AUSTRALIAN AVENUE
 UTILITY EASEMENT

A PARCEL OF LAND DESCRIBED FOR UTILITY EASEMENT PURPOSES, BEING A PORTION OF THE 50.00 FOOT RIGHT-OF-WAY DEDICATION FOR GALVESTON BOULEVARD (AUSTRALIAN AVENUE) AS SHOWN ON THE PLAT OF GLENWOOD MEMORIAL CEMETERY, LYING IN SECTION 32, TOWNSHIP 42 SOUTH, RANGE 43 EAST, RECORDED IN PLAT BOOK 24, PAGE 238 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE PALM BEACH COUNTY GEODETIC CONTROL POINT "FRUIT" AS SHOWN ON THE AUSTRALIAN AVENUE MAINTENANCE MAP - SPECIFIC PURPOSE SURVEY RECORDED IN ROAD BOOK 11, PAGE 74 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA (THE NEXT TEN COURSES RUN ALONG LINES OR ARE CALCULATED FROM THE GRID INFORMATION SHOWN ON SAID MAINTENANCE MAP - ROAD BOOK 11, PAGE 74); THENCE NORTH 88°24'08" WEST, A DISTANCE OF 5,327.84 FEET; THENCE NORTH 01°35'52" EAST, A DISTANCE OF 762.40 FEET TO THE BASELINE OF AUSTRALIAN AVENUE AND A NON-TANGENT CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 2,546.48 FEET (A RADIAL LINE FROM SAID POINT BEARS NORTH 85°15'42" EAST); THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°50'30", AN ARC DISTANCE OF 392.96 FEET TO THE POINT OF TANGENCY; THENCE NORTH 04°06'12" EAST CONTINUING ALONG SAID BASELINE, A DISTANCE OF 311.68 FEET; THENCE NORTH 85°53'48" WEST AT RIGHT ANGLE TO SAID BASELINE, A DISTANCE OF 40.00 FEET TO A LINE LYING 40.00 FEET WEST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID BASELINE OF AUSTRALIAN AVENUE AND THE POINT OF BEGINNING; THENCE SOUTH 04°06'12" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 311.68 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 2,586.48 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°15'28", AN ARC DISTANCE OF 56.78 FEET TO THE SOUTH LINE OF SAID PLAT OF GLENWOOD MEMORIAL CEMETERY; THENCE NORTH 88°50'02" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 6.00 FEET TO THE EXISTING WEST RIGHT-OF-WAY LINE OF AUSTRALIAN AVENUE AND THE SOUTHERLY PROLONGATION OF THE EAST LINE OF BLOCK 24 AS SHOWN ON SAID PLAT OF GLENWOOD MEMORIAL CEMETERY; THENCE NORTH 01°02'45" EAST ALONG SAID WEST RIGHT-OF-WAY LINE AND THE PROLONGATION SAID BLOCK 24 AND THE PROLONGATION OF BLOCK 1, A DISTANCE OF 368.00 FEET TO THE NORTH LINE OF SAID PLAT OF GLENWOOD MEMORIAL CEMETERY; THENCE SOUTH 88°50'02" EAST ALONG SAID NORTH LINE, A DISTANCE OF 25.03 FEET TO SAID PARALLEL LINE AND THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 5,607 SQUARE FEET OR 0.1287 ACRES MORE OR LESS.

SURVEYOR'S NOTES

BEARINGS ARE BASED ON A GRID (NAD 83/90) BEARING OF NORTH 88°24'08" WEST ALONG THE MONUMENTED LINE BETWEEN PALM BEACH COUNTY GEODETIC CONTROL POINT "FRUIT" AND "REDEYE" AS SHOWN ON THIS DRAWING AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

THIS IS NOT A SURVEY

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

| PROJECT NO. 2012050.204 | SHEET 1 OF 3 | PROJECT: AUSTRALIAN AVENUE UTILITY EASEMENT | SCALE AS NOTED APPROVED: G.W.M. DRAWN: E.A.D. CHECKED: C.S.P. DATE: 08/06/12 FIELD BOOK NO.: 1129D | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>REVISION</th> <th>BY</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> | NO. | REVISION | BY | DATE | | | | | PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411 |
|-------------------------------------|-----------------------|--|--|--|-----|----------|----|------|--|--|--|--|--|
| NO. | REVISION | BY | DATE | | | | | | | | | | |
| | | | | | | | | | | | | | |
| DESIGN FILE NAME S-1-12-3306.DGN | | DRAWING NO. S-1-12-3306 | | | | | | | | | | | |

(SURVEYOR'S NOTES CONTINUED)

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.

REFER TO BOUNDARY SURVEY PREPARED FOR THE ABANDONMENT OF THE RIGHT OF WAY - PALM BEACH COUNTY DRAWING NO. S-1-12-3299 AND FIELD WORK FOR THIS PROJECT LOCATED IN FIELD BOOK 1129D, PAGE 66 - DATED 05/22/2012.

THE FILE NAMES ARE 2012050.204 v1.5(88).JOB, 2012050.204 TOPO.REF & LEGAL DESCRIPTION & NOTES.DOC.

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 GRID.

PROJECT SCALE FACTOR = 1.000045

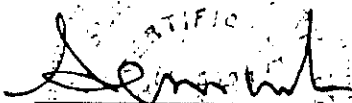
GRID DISTANCE DIVIDED BY SCALE FACTOR = GROUND DISTANCE

ALL FEATURE SYMBOLS SHOWN ARE NOT TO SCALE.

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.E.S.
FLORIDA CERTIFICATE #5304

8/6/12
DATE

WEST 6TH STREET

N85°53'48"W(RB), 40.00'(RB)

POINT OF BEGINNING

S88°50'02"E(RB)
25.03'(RB)

UNPLATTED
AREA
ORB 11348,
PG 1859

UTILITY EASEMENT

IN

NORTH LINE
PB 24, PG 238

S88°50'02"E

BLOCK
1

PLAT OF
GLENWOOD MEMORIAL
CEMETERY
PB 24, PG 238

EXISTING WEST
R/W LINE & THE
PROLONGATION
& EAST LINE OF
BLOCKS 1 & 24

R = 2,586.48'(RB)
Δ = 01°15'28"(RB)
L = 56.78'(RB)

BLOCK
24

N01°02'45"E(RB)
368.00'(RB)

S04°06'12"W(RB)
311.68'(RB)

AUSTRALIAN AVENUE
MAINTENANCE MAP
(RB 11, PG 74)

PT STA.
120+50.33

SCALE: 1" = 100'

THIS IS NOT A SURVEY

SEE: PALM BEACH COUNTY
DRAWING NO. S-1-12-3299

SOUTH LINE
PB 24, PG 238

S88°50'02"E

N88°50'02"W(RB)
6.00'(RB)

WEST 4TH STREET

R = 2,546.48'
Δ = 08°50'30"
L = 392.96'

WEST 3RD STREET

PC STA.
116+57.37

N85°15'42"E
RADIAL

WEST 3RD STREET

LEGEND

- R/W = RIGHT OF WAY
- CONC. = CONCRETE
- R = RADIUS
- Δ = CENTRAL ANGLE
- L = ARC LENGTH
- (RB) = BEARINGS & DISTANCES
PER ROAD BOOK 11,
PAGE 74
- ORB = OFFICIAL RECORD BOOK
- RB = ROAD BOOK
- PG = PAGE
- ⊕ = BASELINE

POINT OF
COMMENCEMENT

N 884164.275
E 965426.541

FOUND
"FRUIT"
PALM BEACH COUNTY
BRASS DISK

FOUND
"REDEYE"
PALM BEACH COUNTY
BRASS DISK

N88°24'08"W
5,327.84'(GRID)

N88°24'08"W
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