

Agenda Item #: 4D

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

Meeting Date: September 10, 2013 [] Consent [] Regular

[] Workshop [X] Public Hearing

Department:

Submitted By: Engineering and Public Works
Submitted For: Land Development Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: A resolution to abandon any public interest in that certain portion of the 66 foot right-of-way recorded in Official Record Book 192, Page 206, of the Public Records of Palm Beach County (County), Florida known as Old Military Trail (State Road No. 200); reserving an ingress and egress easement over a portion of the area to be abandoned; and executing three utility easements over the entire area to be abandoned.

SUMMARY: Adoption of this resolution will allow the County to vacate its interest in that certain portion of Old Military Trail. The petition site is located north of White Feather Trail and south of that portion of 80th Lane South also known as Miner Road that lies east of Military Trail.

District 3 (MRE)

Background and Policy Issues: This application is being sponsored and processed by the County Engineer to release the County's interest in this excess right-of-way. Relinquishing the public's interest within that portion of Old Military Trail will save the County approximately \$1,600 yearly for road maintenance expenditures, thus benefiting the public's best interest. An ingress and egress easement over a portion of the area to be abandoned for the property owners on the east side of the abandoned area will be reserved for access to their properties.

Utilities service providers have no objection to the vacation because replacement easements have been provided. Three easements covering the entire area to be abandoned will be recorded simultaneously with the abandonment.

Privilege Fee Statement: Since this application is being sponsored by the County Engineer, as provided in Palm Beach County Code Chapter 22, Article III, Road Abandonment and Plat Vacation (Ordinance No. 2002-034), the privilege fee does not apply.

Attachments:

- 1. Location Sketch
- 2. Resolution with Exhibits "A," "B," "C" "D," and "E"

Recommended by: Jannette Kella
Division Director

08/05/2013
Date

Approved by: By T. Wells
County Engineer

8/20/13
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	\$ -0-	-0-	-0-	-0-	-0-
Operating Costs	(\$1,600)	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	(\$1,600)	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes x No

Budget Acct No.: Fund 1201 Dept. 360 Unit 2230 Object VAR

Recommended Sources of Funds/Summary of Fiscal Impact:

County Transportation Trust Fund
Road Section
Maintenance

C. Departmental Fiscal Review: *Aluif Koralainen*

III. REVIEW COMMENTS

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

N. Brian Smith
OFMB *KWS/1*
8/21/13

Barbara L. Steele *8-23-13*
Contract Dev. and Control

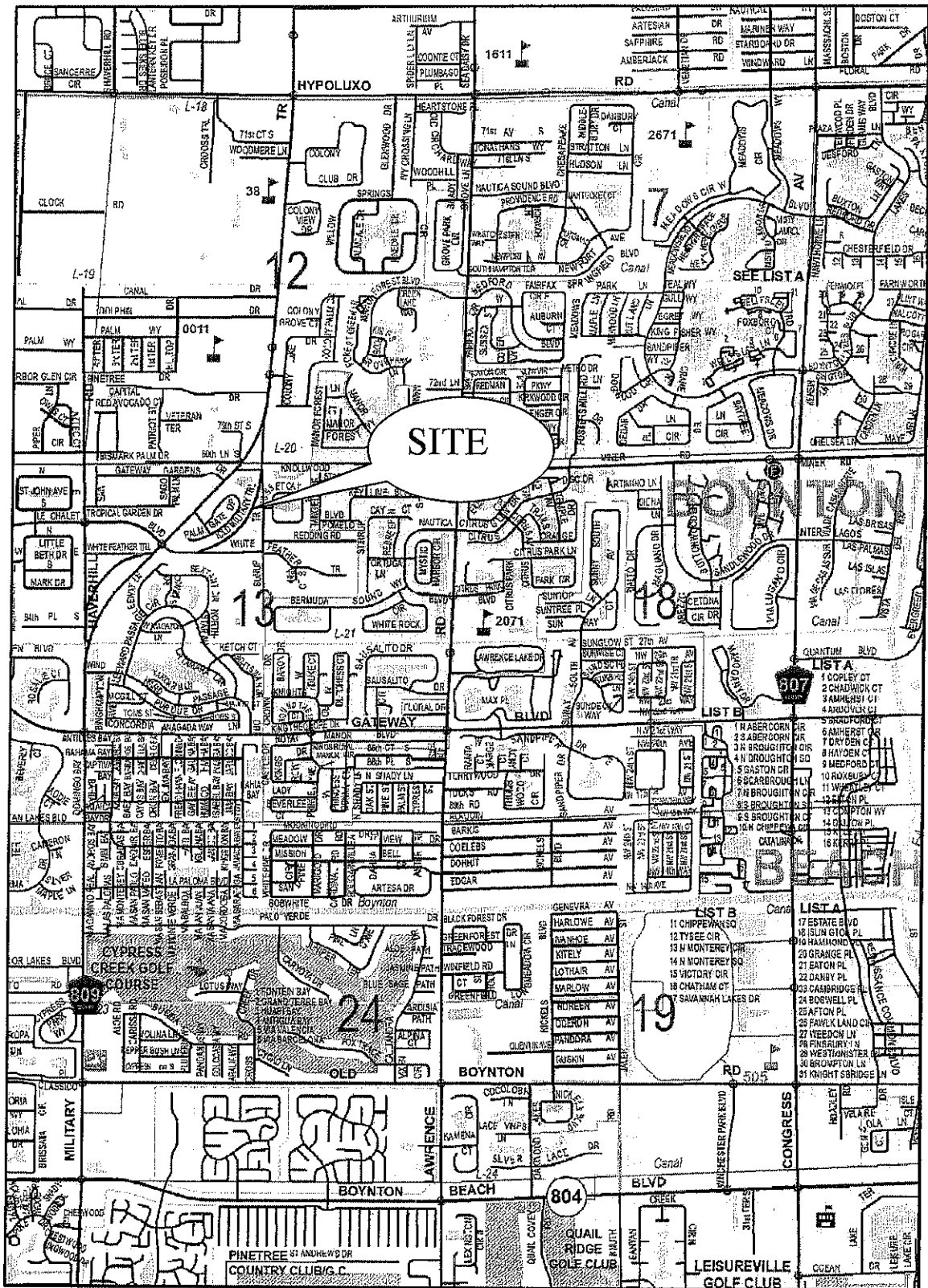
B. Approved as to Form and Legal Sufficiency:

Markus R. Smith
Assistant County Attorney

C. Other Department Review:

Department Director

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



LOCATION SKETCH



OLD MILITARY TRAIL
From White Feather Trail north to 80th
Lane South aka Miner Road

RESOLUTION NO. R-2013_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, TO ABANDON ANY PUBLIC INTEREST IN THAT CERTAIN PORTION OF THE 66 FOOT RIGHT-OF-WAY RECORDED IN OFFICIAL RECORD BOOK 192, PAGE 206, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA KNOWN AS OLD MILITARY TRAIL (STATE ROAD NO. 200); RESERVING AN INGRESS AND EGRESS EASEMENT OVER A PORTION OF THE AREA TO BE ABANDONED; AND EXECUTING THREE UTILITY EASEMENTS OVER A PORTION OF THE AREA TO BE ABANDONED.

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida (Board), pursuant to authority in Section 336.09, Florida Statutes, and as provided in Palm Beach County Code Chapter 22, Article III, Road Abandonment and Plat Vacation (Ordinance No. 2002-034), known as the Palm Beach 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 September 10, 2013, 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 Old Military Trail as set forth on the sketch and legal description set forth in Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, in accordance with as provided in Palm Beach 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 August 25, 2013; and

WHEREAS, the Board is authorized to reserve and declare an ingress and egress easement over, across, on, under and through a portion of the area to be abandoned as set forth on the sketch and legal description set forth in Exhibit B and incorporated herein by reference for the following parties:

Owner(s) of property with PCN 00-42-45-13-00-000-3210

Owner(s) of property with PCN 00-42-45-13-00-000-3170

Owner(s) of property with PCN 00-42-45-13-00-000-3181 and;

RESOLUTION NO. R-2013-_____

WHEREAS, the Board has the authority to execute utility easements over the entire area being abandoned for: FPUC as shown in Exhibit C; AT&T as shown in Exhibit D; and the City of Boynton Beach as shown in Exhibit E, all attached; and

WHEREAS, this Board did hold 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.

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 hereby reserves and declares an ingress and egress easement over, across, on, under and through a portion of the area to be abandoned, as set forth on the sketch and legal description set forth in Exhibit B and incorporated herein by reference, solely for the following parties:

Owner(s) of property with PCN 00-42-45-13-00-000-3210
Owner(s) of property with PCN 00-42-45-13-00-000-3170
Owner(s) of property with PCN 00-42-45-13-00-000-3181
3. The Board is authorized to execute utility easements over the entire area to be abandoned for FPUC, AT&T and the City of Boynton Beach as set forth on the sketches and legal descriptions set forth in Exhibits C, D and E, respectively.
4. The right-of-way is hereby abandoned and closed as a 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 described as Exhibit A, attached hereto and

RESOLUTION NO. R-2013 _____

made a part hereof.

- 5. 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 as provided in Palm Beach County Code Chapter 22, Article III, Road Abandonment and Plat Vacation (Ordinance No. 2002-034).

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, Mayor

Commissioner Priscilla A. Taylor, Vice Mayor

Commissioner Hal R. Valeche

Commissioner Paulette Burdick

Commissioner Shelley Vana

Commissioner Mary Lou Berger

Commissioner Jess R. Santamaria

The Mayor thereupon declared the Resolution duly passed and adopted this day of _____, 2013.

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

Sharon R. Bock, Clerk & Comptroller

BY: _____
Deputy Clerk

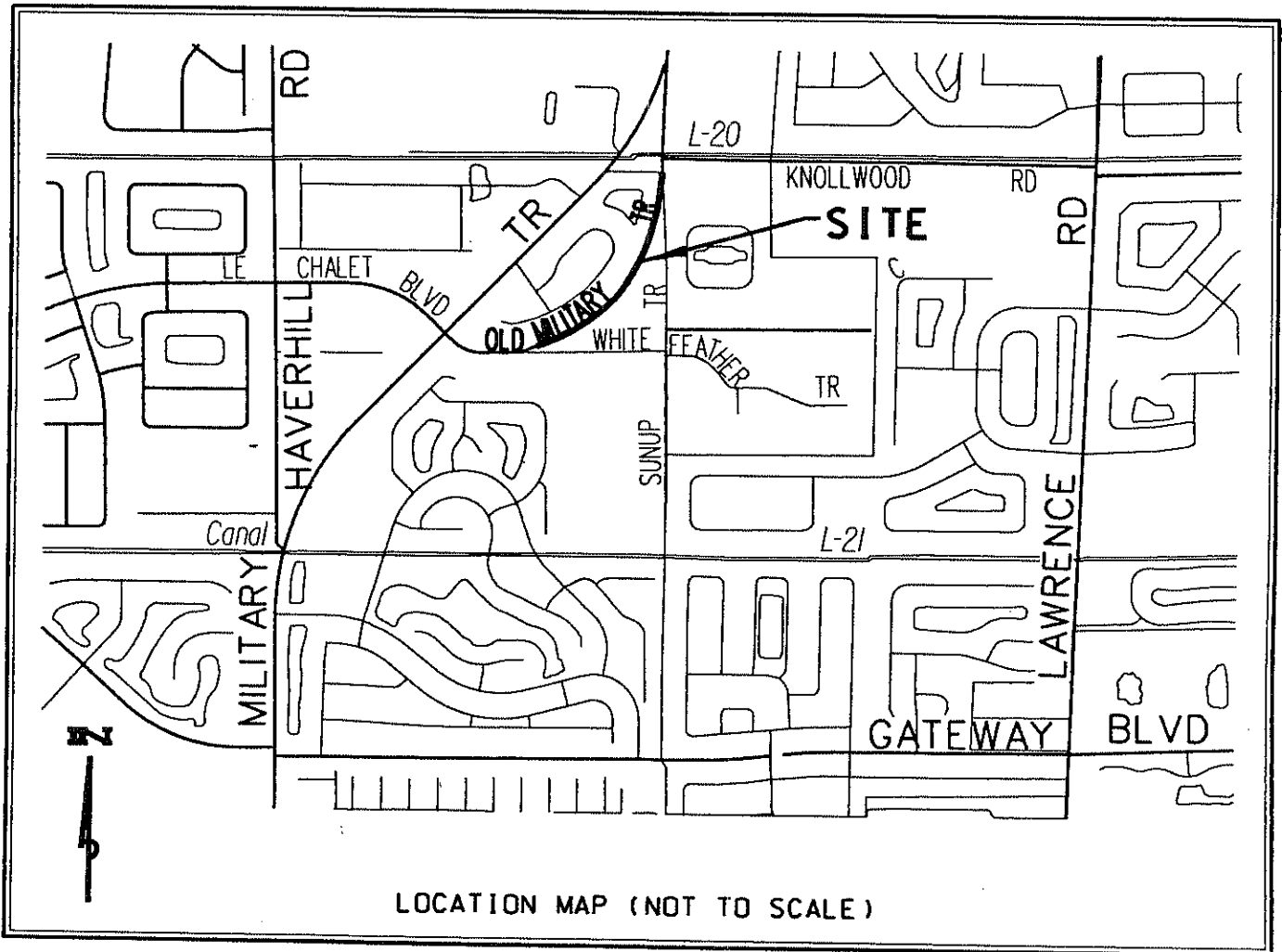
**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

BY: 
County Attorney

EXHIBIT A

Page 1 of 8

EXHIBIT "A"



LEGAL DESCRIPTION

A PARCEL OF LAND DESCRIBED FOR RIGHT-OF-WAY ABANDONMENT PURPOSES, LYING IN SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF THAT 66 FOOT RIGHT-OF-WAY FOR OLD MILITARY TRAIL (STATE ROAD NO. 200) AS RECORDED IN OFFICIAL RECORD BOOK 192, PAGE 206, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PORTION OF THE RIGHT-OF-WAY LYING SOUTHEASTERLY OF THE PLAT OF GATEWAY PALMS, AS RECORDED IN PLAT BOOK 77, PAGE 140, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID RIGHT-OF-WAY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A PALM BEACH COUNTY BRASS DISK IN CONCRETE MONUMENT AT THE NORTH QUARTER CORNER OF SAID SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST; THENCE SOUTH $00^{\circ}51'55''$ EAST ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 13, A DISTANCE OF 194.18 FEET; THENCE NORTH $85^{\circ}22'29''$

PROJECT NO. 2012050.206
SHEET 1 OF 8

PROJECT:
**OLD MILITARY TRAIL
(STATE ROAD NO. 200)
ABANDONMENT**

DESIGN FILE NAME: S-1-12-3311.DGN
DRAWING NO.: S-1-12-3311

NO.	REVISION	BY	DATE

SCALE: 1" = 50'
APPROVED: C.S.P.
DRAWN: E.A.D.
CHECKED: G.W.M.
DATE: 10/02/12
FIELD BOOK NO.:

**PALM BEACH COUNTY
ENGINEERING AND PUBLIC WORKS**

ENGINEERING SERVICES

2300 NORTH JOG ROAD
WEST PALM BEACH, FL 33411




EXHIBIT A

Page 2 of 8

WEST DEPARTING SAID QUARTER SECTION LINE, A DISTANCE OF 25.06 FEET TO THE POINT OF BEGINNING OF THE RIGHT-OF-WAY TO BE HEREINAFTER DESCRIBED; THENCE CONTINUE NORTH $85^{\circ}22'29''$ WEST, A DISTANCE OF 46.96 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID OLD MILITARY TRAIL AND THE EASTERLY LINE OF SAID PLAT OF GATEWAY PALMS; THENCE SOUTH $04^{\circ}37'31''$ WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND EASTERLY PLAT LINE, A DISTANCE OF 67.20 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND THE SOUTHEASTERLY PLAT LINE OF SAID GATEWAY PALMS HAVING A CENTRAL ANGLE OF $69^{\circ}45'07''$ AND A RADIUS OF 1112.92 FEET, A DISTANCE OF 1354.87 FEET TO A NON TANGENT LINE; THENCE SOUTH $15^{\circ}37'22''$ EAST ALONG A RADIAL LINE FROM THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 66.00 FEET TO A POINT ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID OLD MILITARY TRAIL; SAID POINT ALSO BEING ON THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A CENTRAL ANGLE OF $65^{\circ}14'10''$, A RADIUS OF 1178.92 FEET AND WHOSE CHORD BEARS NORTH $41^{\circ}45'33''$ EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF OLD MILITARY TRAIL, A DISTANCE OF 1342.30 FEET TO A NON TANGENT POINT AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SUN UP TRAIL PER DEED BOOK 853, PAGE 511, OF SAID PALM BEACH COUNTY PUBLIC RECORDS; THENCE NORTH $00^{\circ}51'55''$ WEST ALONG THE NORTHERLY PROLONGATION OF SAID RIGHT-OF-WAY LINE OF SUN UP TRAIL ALSO BEING ALONG A LINE 25 FEET WEST OF AND PARALLEL WITH AS MEASURED AT RIGHT ANGLES TO THE NORTH - SOUTH QUARTER SECTION LINE OF SAID SECTION 13, A DISTANCE OF 160.76 FEET TO THE AFOREMENTIONED POINT OF BEGINNING.

CONTAINING (94804.76 SQUARE FEET) 2.176 ACRES MORE OR LESS

LEGEND

R/W = RIGHT-OF-WAY
I.R. = IRON ROD
I.P. = IRON PIPE
RCP = REINFORCED CONCRETE PIPE
ORB = OFFICIAL RECORD BOOK
DB = DEED BOOK
PB = PLAT BOOK
PG = PAGE
(C) = CALCULATED
(M) = MEASURED
CH.B. = CHORD BEARING
R = RADIUS
 Δ = CENTRAL ANGLE
L = ARC LENGTH
C.B. = CATCH BASIN
 \square
E.B. = ELECTRIC BOX
 \circ
P.P. = POWER POLE (WOOD)
 \bigcirc
M.H. = STORM MANHOLE

SURVEYOR'S NOTES

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST, HAVING A GRID BEARING OF SOUTH $89^{\circ}33'59''$ 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.

EXHIBIT A

Page 3 of 8

CONTINUED SURVEYOR'S NOTES

NO UNDERGROUND LOCATIONS WERE CONDUCTED BY THIS SURVEYOR.

FIELD WORK FOR THIS PROJECT IS LOCATED IN FIELD BOOK 1156 E, PAGES 1-13, DATE OF LAST FIELD WORK 09/25/12.

THE FILE NAMES FOR THIS PROJECT ARE 12050.205.ZAK AND S-3-12-3311.DGN.

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.

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 = 1.000035827
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

PALM BEACH COUNTY RIGHT-OF-WAY ACQUISITION SECTION PROVIDED A SEARCH OF THE RIGHT-OF-WAY FOR OLD MILITARY TRAIL FROM 1912 TO AUGUST 31, 2012 OF WHICH THE HEREON DESCRIBED PARCEL IS SUBJECT TO THE FOLLOWING UNLESS OTHERWISE NOTED:

1. AGREEMENT FOR WATER SERVICE OUTSIDE THE CITY LIMITS FOR WATER MAIN, SERVICES AND EQUIPMENT BETWEEN BION E. SMITH & THE CITY OF BOYNTON BEACH. (OFFICIAL RECORD BOOK 5485, PAGE 1160) NOT PLOTTABLE/AFFECTS RIGHT-OF-WAY CORRIDOR/GRAPHIC DEPICTION ONLY.
2. 25' SEWER EASEMENT DEED (OFFICIAL RECORD BOOK 9075, PAGE 944) DOES NOT LIE WITHIN ABANDONMENT PARCEL HOWEVER, IT IS CONTIGUOUS WITH SOUTHEASTERLY BOUNDARY. PLOTTED
3. FLORIDA POWER AND LIGHT EASEMENT DEED (DEED BOOK 497, PAGE 68) DOES NOT AFFECT THE ABANDONMENT PARCEL.
4. ASSIGNMENT OF SEWER EASEMENT (OFFICIAL RECORD BOOK 9961, PAGE 149) AFFECTS THE SEWER EASEMENT REFERENCED IN ITEM 2 MEADOWLAND DEVELOPMENT CORPORATION TO THE CITY OF BOYNTON BEACH.
5. POSTED AND VIEWED REPORT FOR WHITE FEATHER TRAIL DATED 2/6/1917 CMB2-105 NO RIGHT-OF-WAY WIDTH GIVEN.

THIS INSTRUMENT PREPARED BY CRAIG S. PUSEY, P.S.M. 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.


CRAIG S. PUSEY, P.S.M.
FLORIDA CERTIFICATE # 5019

10/10/12
DATE

EXHIBIT A

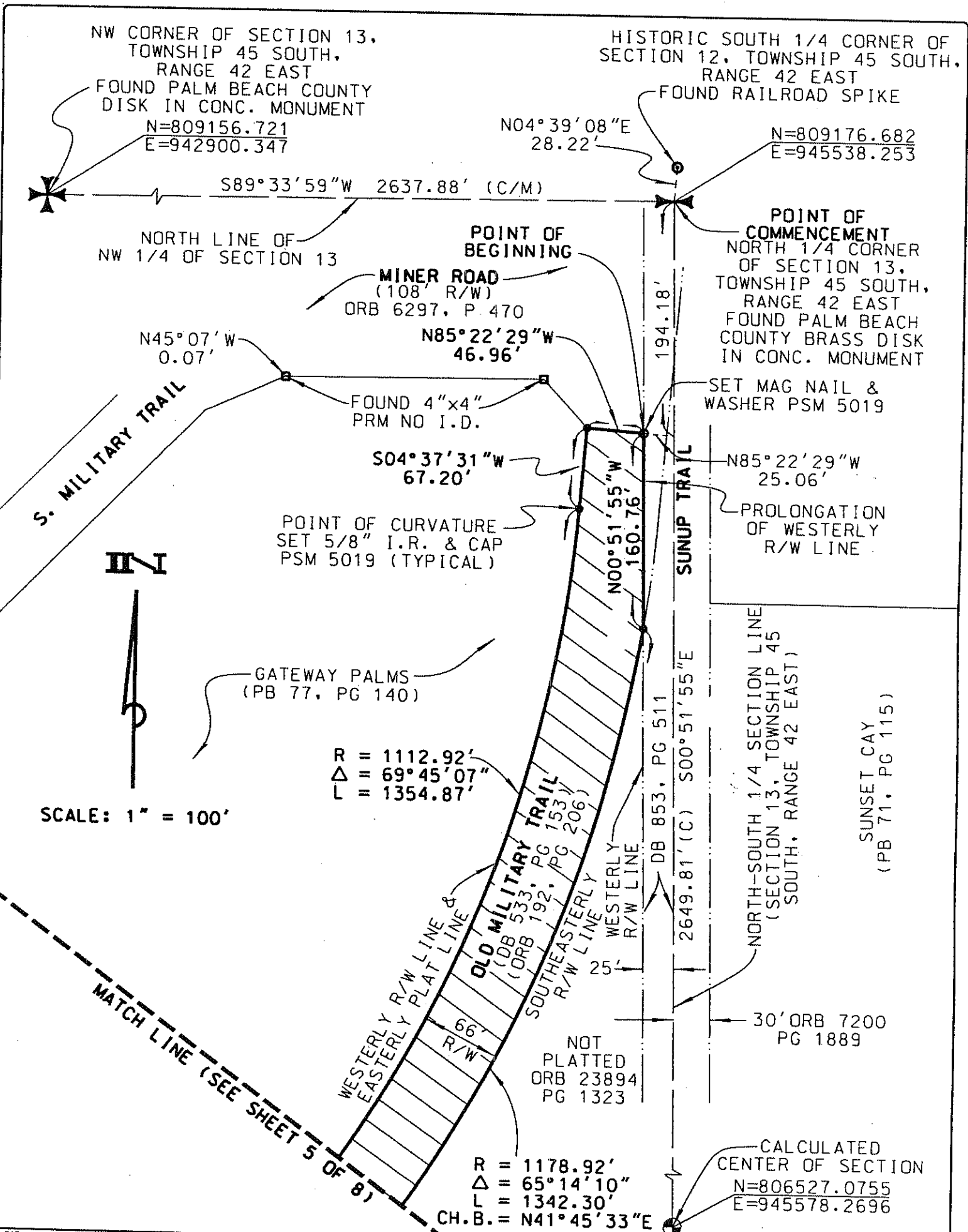


EXHIBIT A

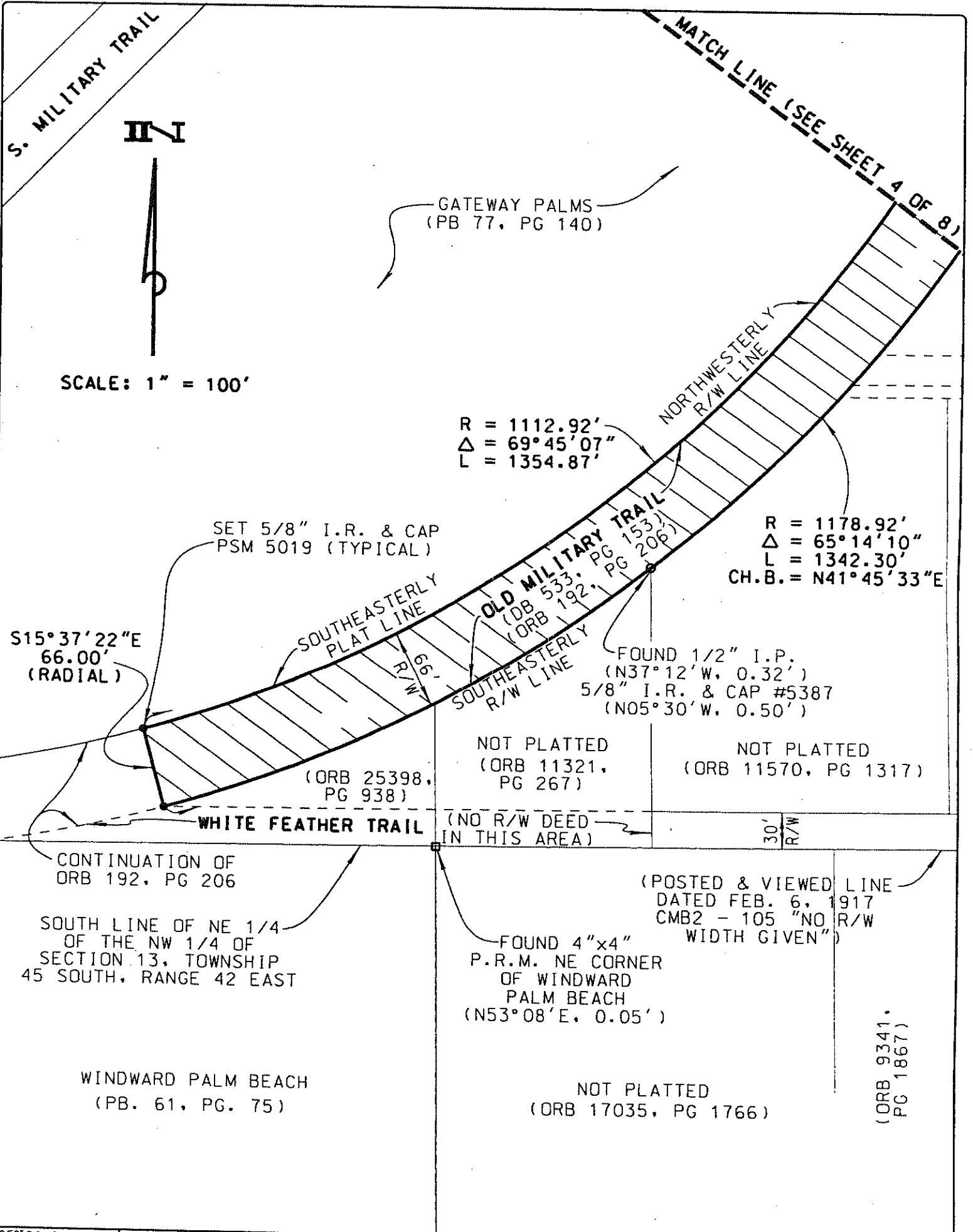


EXHIBIT A

Page 6 of 8

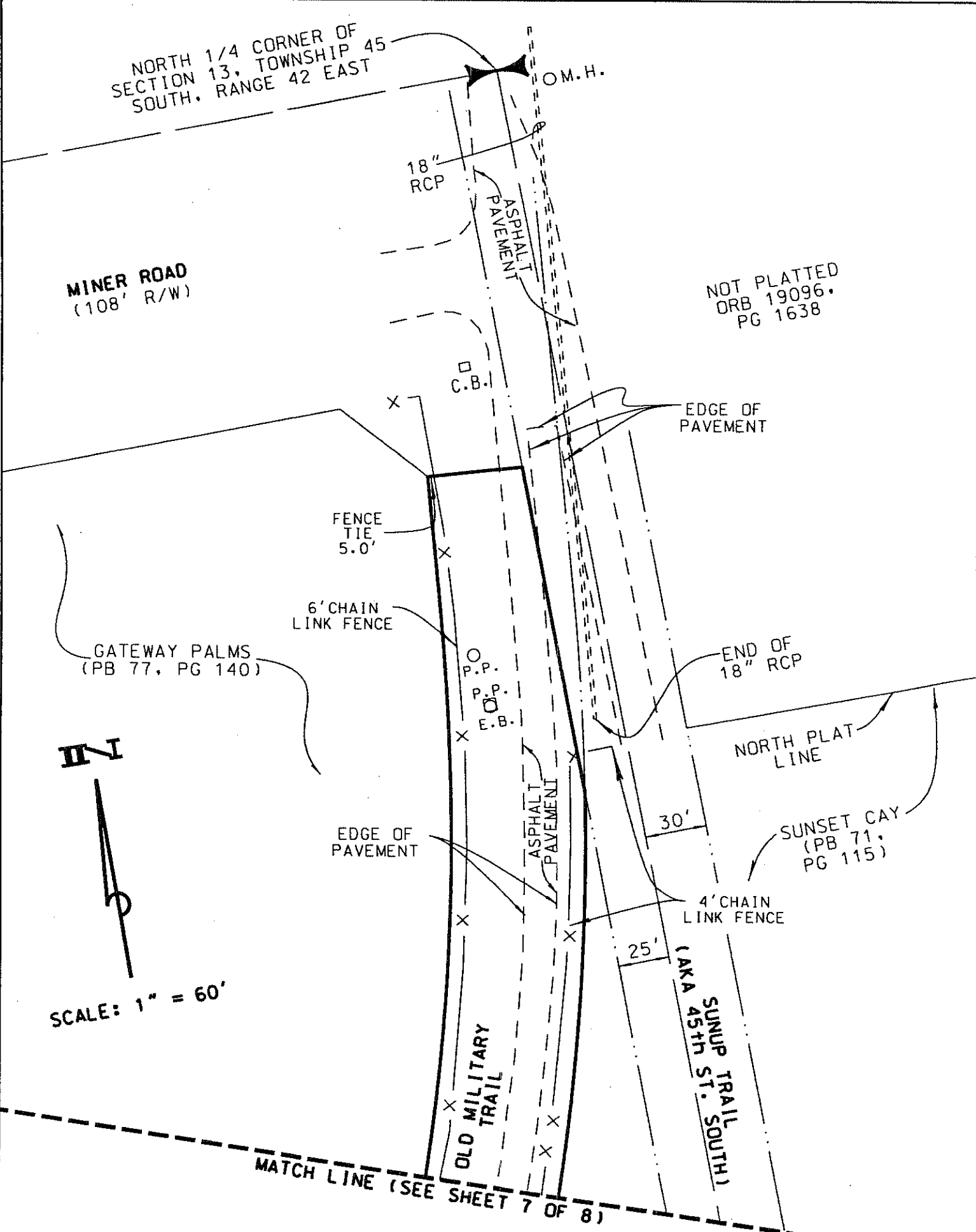
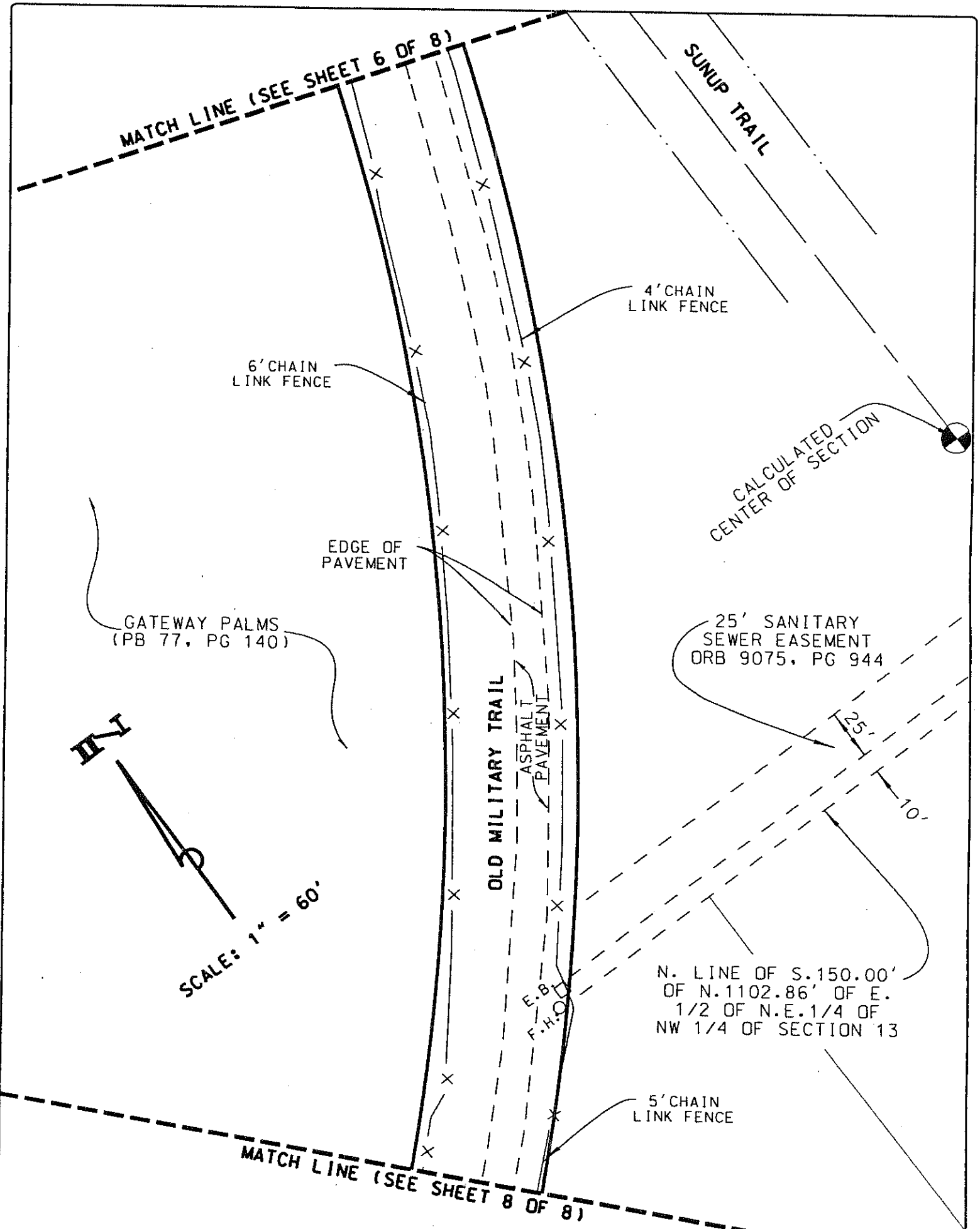


EXHIBIT A

Page 7 of 8



SCALE: 1" = 60'

EXHIBIT A

Page 8 of 8

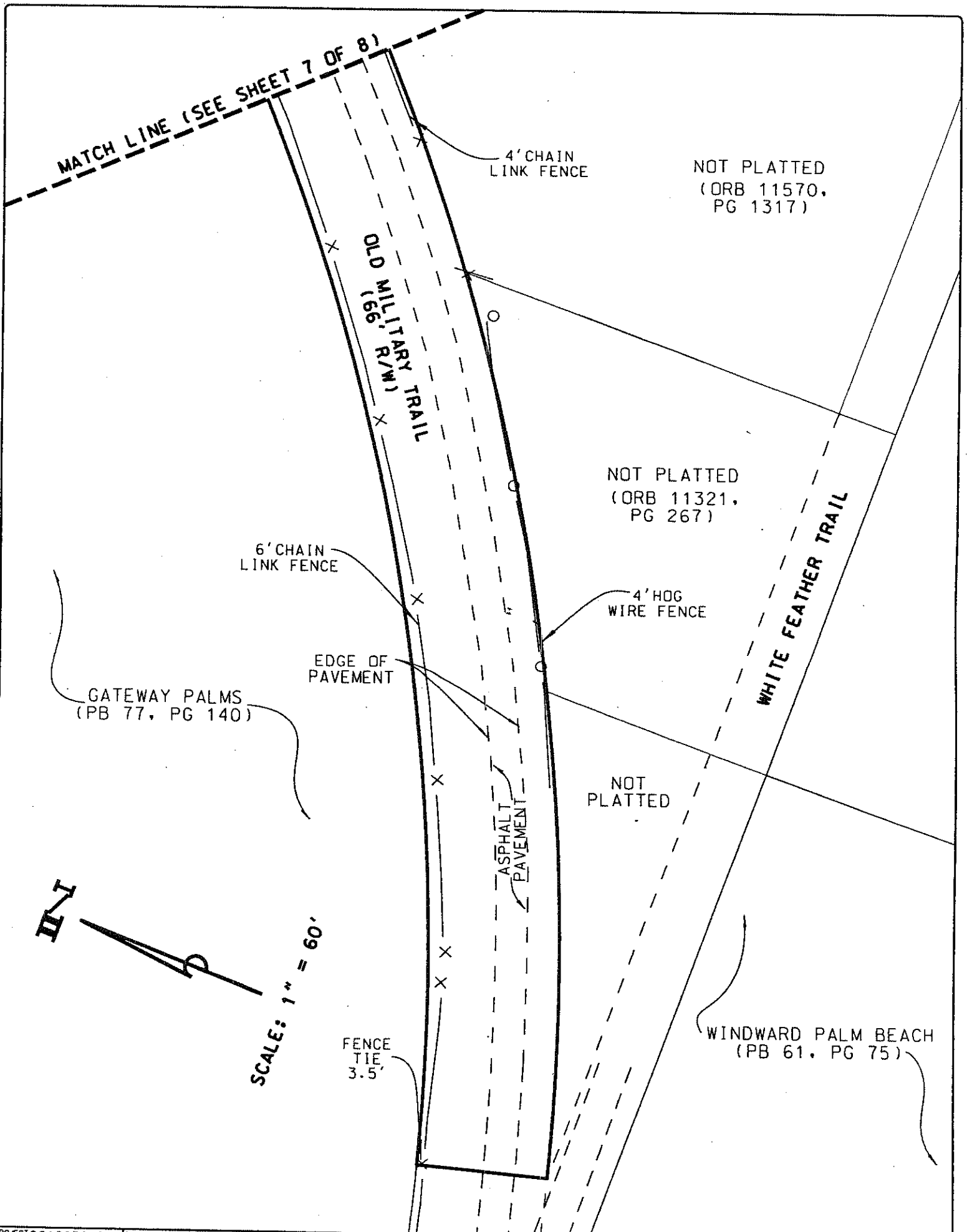
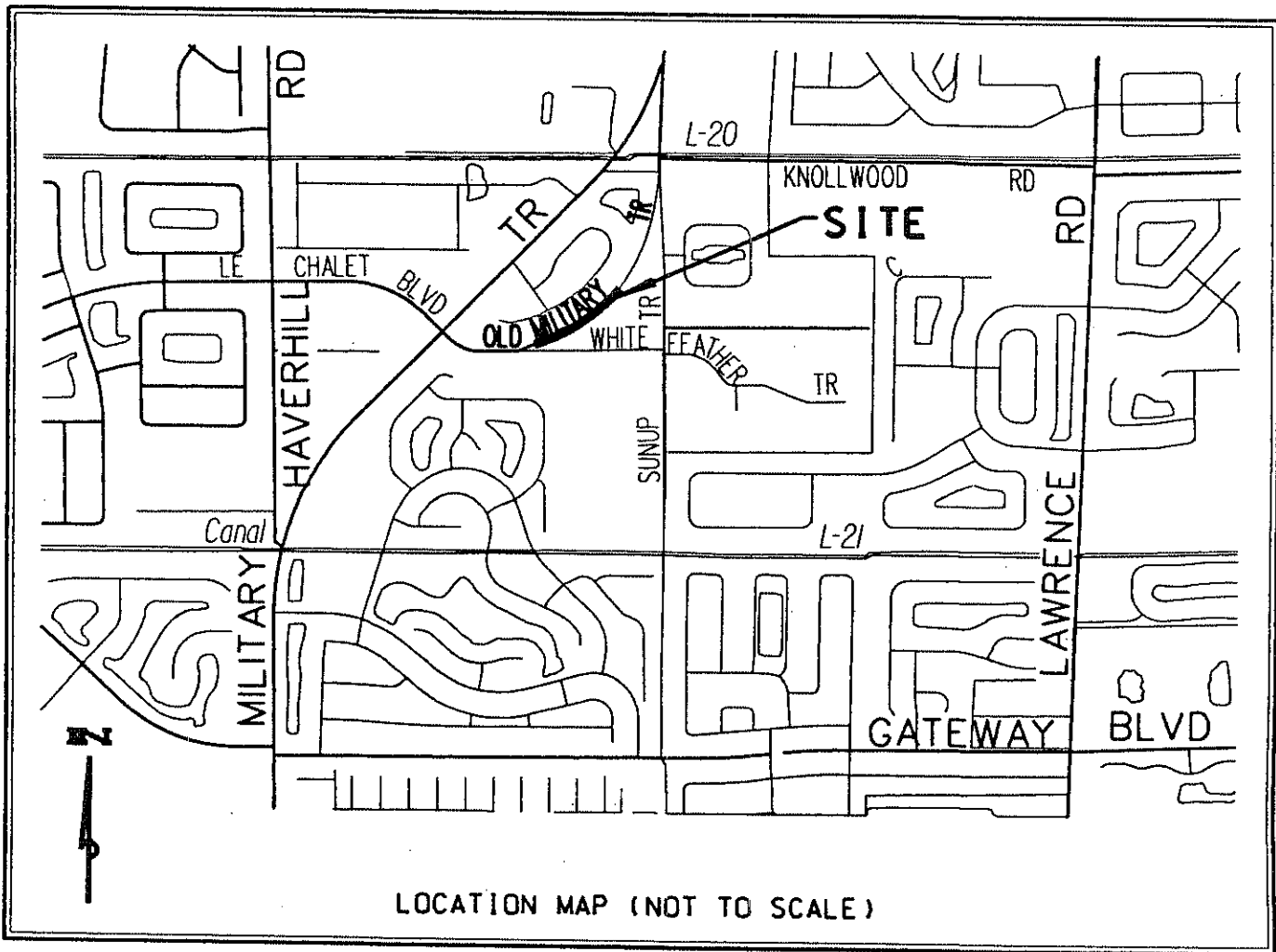


EXHIBIT B

Page 1 of 4



LEGAL DESCRIPTION

A PARCEL OF LAND DESCRIBED FOR INGRESS/EGRESS EASEMENT PURPOSES, LYING IN SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING WITHIN A PORTION OF THAT 66 FOOT RIGHT-OF-WAY FOR OLD MILITARY TRAIL (STATE ROAD NO. 200) AS RECORDED IN OFFICIAL RECORD BOOK 192, PAGE 206, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PORTION OF THE RIGHT-OF-WAY LYING SOUTHEASTERLY OF THE PLAT OF GATEWAY PALMS, AS RECORDED IN PLAT BOOK 77, PAGE 140, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A PALM BEACH COUNTY BRASS DISK IN CONCRETE MONUMENT AT THE NORTH QUARTER CORNER OF SAID SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST; THENCE SOUTH $00^{\circ}51'55''$ EAST ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 13, A DISTANCE OF 950.77 FEET; THENCE SOUTH $89^{\circ}08'05''$ WEST


PROJECT OLD MILITARY TRAIL (STATE ROAD NO. 200) INGRESS/EGRESS EASE.	SCALE: 1" = 50'	NO.	REVISION	BY	DATE
	APPROVED: C.S.P. DRAWN: E.A.D. CHECKED: G.M.H. DATE: 6/29/13 FIELD BOOK NO.				
DESIGN FILE NAME S-1-13-3340.DGN	DRAWING NO. S-1-13-3340	 PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411			
PROJECT NO. 2012050.206	SHEET 1 OF 4				

EXHIBIT B

Page 2 of 4

DEPARTING SAID QUARTER SECTION LINE, A DISTANCE OF 322.85 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID OLD MILITARY TRAIL AND THE POINT OF BEGINNING OF THE EASEMENT TO BE HEREINAFTER DESCRIBED; THENCE NORTH 47°55'40" WEST, A DISTANCE OF 66.00 FEET TO A POINT ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID OLD MILITARY TRAIL AND THE SOUTHEASTERLY LINE OF SAID PLAT OF GATEWAY PALMS; SAID POINT BEING ON THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A CENTRAL ANGLE OF 32°18'18", A RADIUS OF 1112.92 FEET AND WHOSE CHORD BEARS SOUTH 58°13'29" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND THE SOUTHEASTERLY PLAT LINE OF SAID GATEWAY PALMS, A DISTANCE OF 627.50 FEET TO A POINT OF NON TANGENCY; THENCE SOUTH 15°37'22" EAST ALONG A RADIAL LINE FROM THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 66.00 FEET TO A POINT ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID OLD MILITARY TRAIL; SAID POINT ALSO BEING ON THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A CENTRAL ANGLE OF 32°18'18", A RADIUS OF 1178.92 FEET AND WHOSE CHORD BEARS NORTH 58°13'29" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF OLD MILITARY TRAIL, A DISTANCE OF 664.71 FEET TO THE AFOREMENTIONED POINT OF BEGINNING.

CONTAINING (42643 SQUARE FEET) 0.98 ACRES MORE OR LESS

LEGEND

R/W = RIGHT-OF-WAY
I.R. = IRON ROD
I.P. = IRON PIPE
RCP = REINFORCED CONCRETE PIPE
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
ORB = OFFICIAL RECORD BOOK
DB = DEED BOOK
PB = PLAT BOOK
PG = PAGE
(C) = CALCULATED
(M) = MEASURED
CH.B. = CHORD BEARING
R = RADIUS
Δ = CENTRAL ANGLE
L = ARC LENGTH

SURVEYOR'S NOTES

LEGAL AND SKETCH ONLY AND THIS DOES NOT REPRESENT A BOUNDARY SURVEY.

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST, HAVING A GRID BEARING OF SOUTH 89°33'59" 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.

EXHIBIT B

Page 3 of 4

CONTINUED SURVEYOR'S NOTES

NO UNDERGROUND LOCATIONS WERE CONDUCTED BY THIS SURVEYOR.

FIELD WORK FOR THIS PROJECT IS LOCATED IN FIELD BOOK 1156 E, PAGES 1-13, DATE OF LAST FIELD WORK 09/25/12.

THE FILE NAMES FOR THIS PROJECT ARE 12050.205.ZAK AND S-3-13-3340 INGRESS-EGRESS REVISED.DGN.

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.

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 = 1.000035827
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

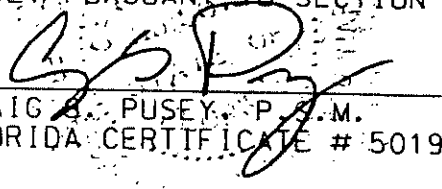
PALM BEACH COUNTY RIGHT-OF-WAY ACQUISITION SECTION PROVIDED A SEARCH OF THE RIGHT-OF-WAY FOR OLD MILITARY TRAIL FROM 1912 TO AUGUST 31, 2012 OF WHICH THE HEREON DESCRIBED PARCEL IS SUBJECT TO THE FOLLOWING UNLESS OTHERWISE NOTED:

1. AGREEMENT FOR WATER SERVICE OUTSIDE THE CITY LIMITS FOR WATER MAIN, SERVICES AND EQUIPMENT BETWEEN BION E. SMITH & THE CITY OF BOYNTON BEACH. (OFFICIAL RECORD BOOK 5485, PAGE 1160) NOT PLOTTABLE/AFFECTS RIGHT-OF-WAY CORRIDOR/DEED PROVIDES GRAPHIC DEPICTION ONLY.
2. 25' SEWER EASEMENT DEED (OFFICIAL RECORD BOOK 9075, PAGE 944) DOES NOT LIE WITHIN THE SUBJECT PARCEL. NOT PLOTTED
3. FLORIDA POWER AND LIGHT EASEMENT DEED (DEED BOOK 497, PAGE 68) DOES NOT AFFECT THE SUBJECT PARCEL. NOT PLOTTED
4. ASSIGNMENT OF SEWER EASEMENT (OFFICIAL RECORD BOOK 9961, PAGE 149) AFFECTS THE SEWER EASEMENT REFERENCED IN ITEM 2 MEADOWLAND DEVELOPMENT CORPORATION TO THE CITY OF BOYNTON BEACH.
5. POSTED AND VIEWED REPORT FOR WHITE FEATHER TRAIL DATED 2/6/1917 CMB2-105 NO RIGHT-OF-WAY WIDTH GIVEN.

THIS INSTRUMENT PREPARED BY CRAIG S. PUSEY, P.S.M. 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.

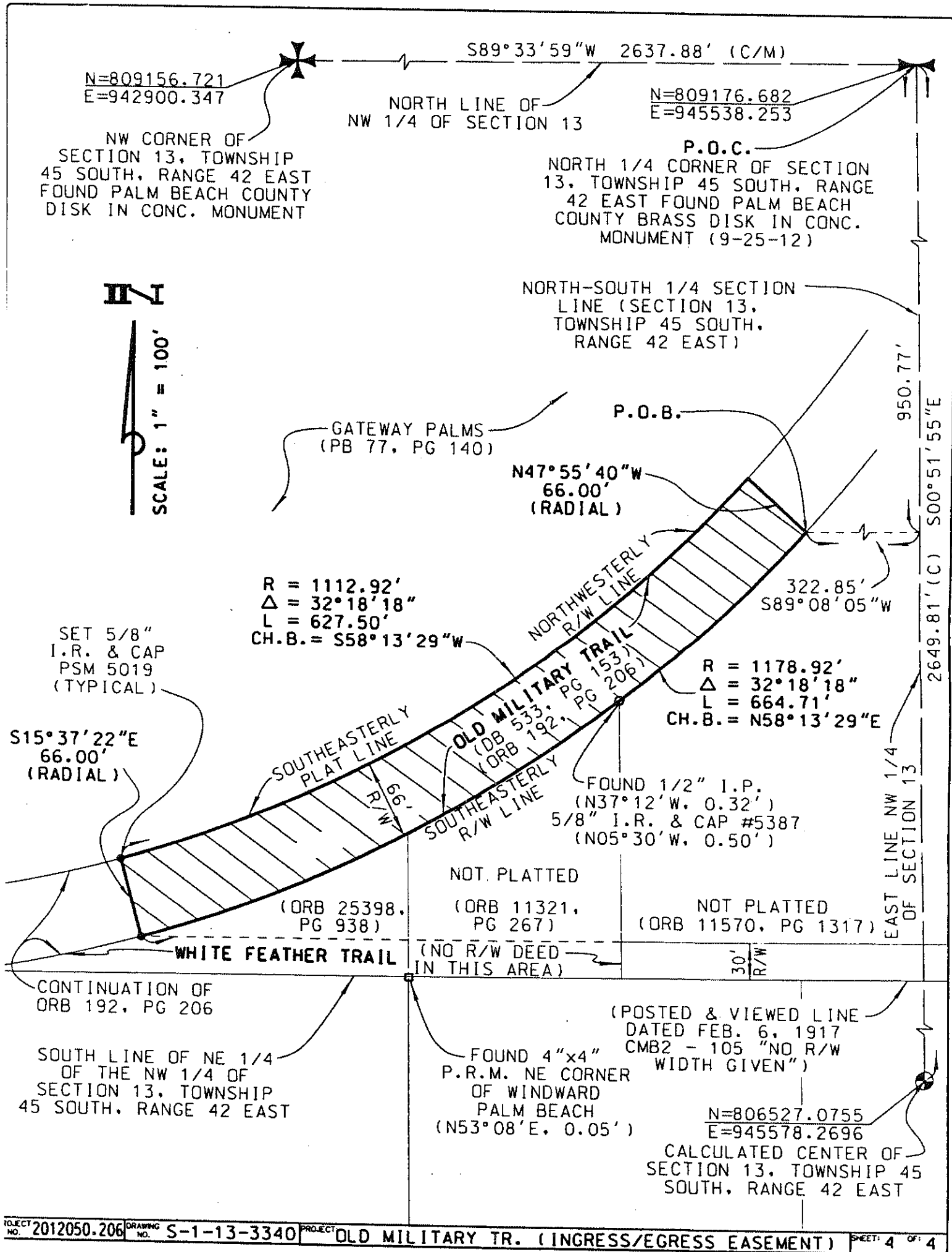
I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.


CRAIG S. PUSEY, P.S.M.
FLORIDA CERTIFICATE # 5019

6/28/13
DATE

EXHIBIT B

Page 4 of 4



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

EXHIBIT C
Pg. 1 of 6

UTILITY EASEMENT

THIS EASEMENT is made, granted and entered into this _____ day of _____, 2013, by Palm Beach County Board of County Commissioners (hereinafter referred to as "Grantor"), whose address is 301 South Olive Avenue, West Palm Beach, Florida, to Florida Public Utilities 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 to construct, lay, relocate, extend, operate, repair and maintain at this time or at such time or times in the future as the Grantee desires, a gas pipe line or gas pipe lines for the transportation of gas, upon, over, across and through the easement described in **EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF**. Together with the right of ingress and egress to, over and from said premises to the extent necessary to lay, maintain, operate, repair, and remove said pipe line or lines.

Provided; however, that said Grantee shall replace or repair any damage to grass, landscaping and pavement and to the Grantor's premises as may be caused by laying, removing or repairing said pipe line.

If Grantee shall ever abandon said pipeline, all rights, title and interest to said easement shall revert back to the Grantors or their successors.

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, Mayor

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

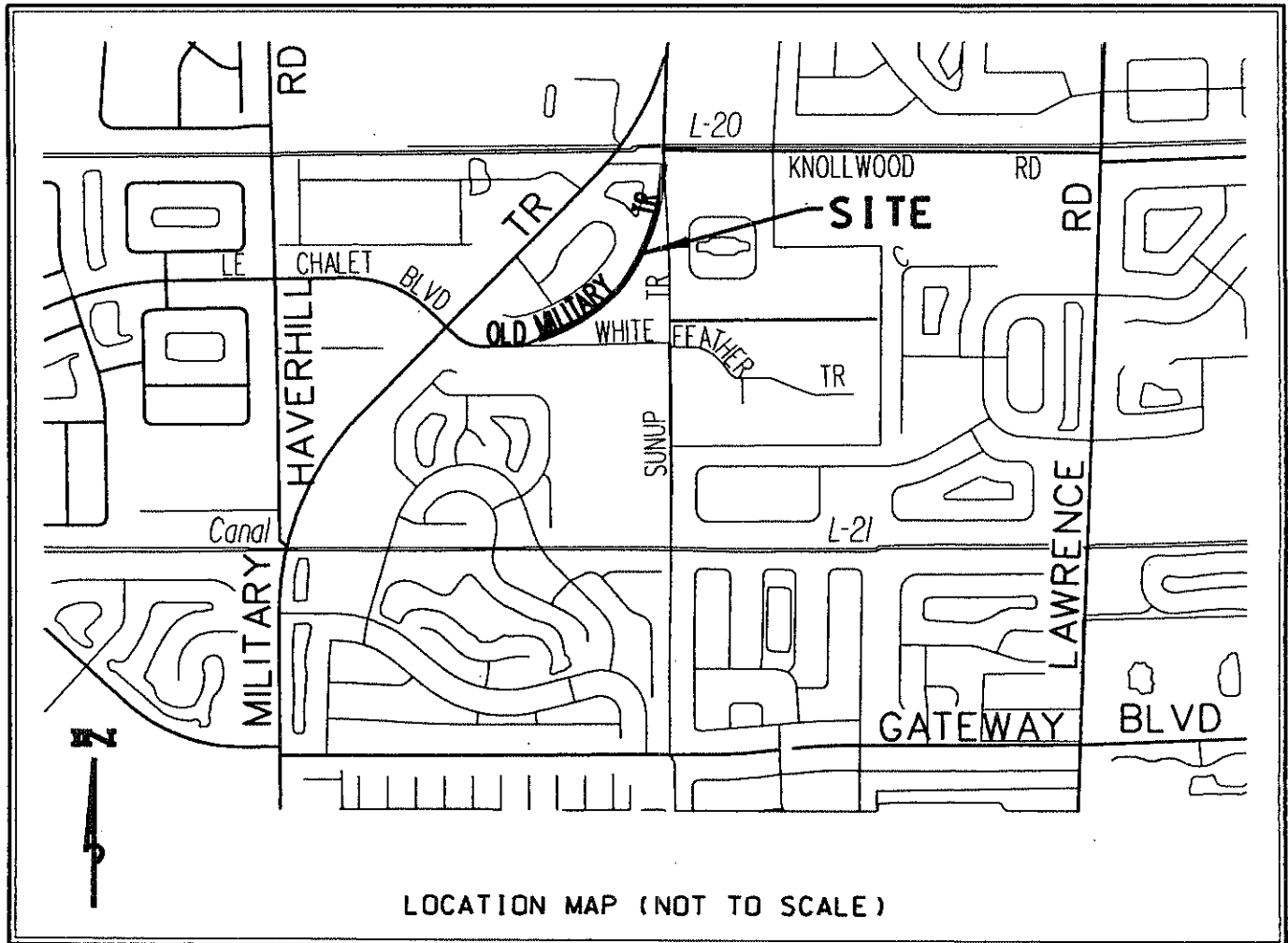
BY: _____
Assistant County Attorney

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this _____ day of _____, 2013 by _____ Mayor, Board of County Commissioners, who is personally known to me.

Typed name of Acknowledger
Deputy Clerk

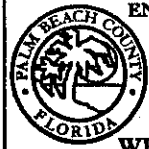
EXHIBIT "A"



LEGAL DESCRIPTION

A PARCEL OF LAND DESCRIBED FOR FLORIDA PUBLIC UTILITIES EASEMENT PURPOSES, LYING IN SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING WITHIN A PORTION OF THAT 66 FOOT RIGHT-OF-WAY FOR OLD MILITARY TRAIL (STATE ROAD NO. 200) AS RECORDED IN OFFICIAL RECORD BOOK 192, PAGE 206, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PORTION OF THE RIGHT-OF-WAY LYING SOUTHEASTERLY OF THE PLAT OF GATEWAY PALMS, AS RECORDED IN PLAT BOOK 77, PAGE 140, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A PALM BEACH COUNTY BRASS DISK IN CONCRETE MONUMENT AT THE NORTH QUARTER CORNER OF SAID SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST; THENCE SOUTH 00°51'55" EAST ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 13, A DISTANCE OF 194.18 FEET; THENCE NORTH 85°22'29"

PROJECT NO. 2012050.206	SHEET 1 OF 5	PROJECT: OLD MILITARY TRAIL (STATE ROAD NO. 200) FLORIDA PUBLIC UTILITIES EASEMENT	SCALE: 1" = 50' APPROVED: C.S.P. DRAWN: E.A.O. CHECKED: G.W.M. DATE: 1/23/13 FIELD BOOK NO.	NO. _____ REVISION _____ BY _____ DATE _____	 <p>PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS</p> <p>ENGINEERING SERVICES</p> <p>2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411</p>
DESIGN FILE NAME: S-1-13-3341.DGN		DRAWING NO.: S-1-13-3341			

WEST DEPARTING SAID QUARTER SECTION LINE, A DISTANCE OF 25.06 FEET TO THE POINT OF BEGINNING OF THE EASEMENT TO BE HEREINAFTER DESCRIBED; THENCE CONTINUE NORTH $85^{\circ}22'29''$ WEST, A DISTANCE OF 46.96 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID OLD MILITARY TRAIL AND THE EASTERLY LINE OF SAID PLAT OF GATEWAY PALMS; THENCE SOUTH $04^{\circ}37'31''$ WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND EASTERLY PLAT LINE, A DISTANCE OF 67.20 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND THE SOUTHEASTERLY PLAT LINE OF SAID GATEWAY PALMS HAVING A CENTRAL ANGLE OF $69^{\circ}45'07''$ AND A RADIUS OF 1112.92 FEET, A DISTANCE OF 1354.87 FEET TO A NON TANGENT LINE; THENCE SOUTH $15^{\circ}37'22''$ EAST ALONG A RADIAL LINE FROM THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 66.00 FEET TO A POINT ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID OLD MILITARY TRAIL; SAID POINT ALSO BEING ON THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A CENTRAL ANGLE OF $65^{\circ}14'10''$, A RADIUS OF 1178.92 FEET AND WHOSE CHORD BEARS NORTH $41^{\circ}45'33''$ EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF OLD MILITARY TRAIL, A DISTANCE OF 1342.30 FEET TO A NON TANGENT POINT AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SUN UP TRAIL PER DEED BOOK 853, PAGE 511, OF SAID PALM BEACH COUNTY PUBLIC RECORDS; THENCE NORTH $00^{\circ}51'55''$ WEST ALONG THE NORTHERLY PROLONGATION OF SAID RIGHT-OF-WAY LINE OF SUN UP TRAIL ALSO BEING ALONG A LINE 25 FEET WEST OF AND PARALLEL WITH AS MEASURED AT RIGHT ANGLES TO THE NORTH - SOUTH QUARTER SECTION LINE OF SAID SECTION 13, A DISTANCE OF 160.76 FEET TO THE AFOREMENTIONED POINT OF BEGINNING.

CONTAINING (94804.76 SQUARE FEET) 2.176 ACRES MORE OR LESS

LEGEND

R/W = RIGHT-OF-WAY
I.R. = IRON ROD
I.P. = IRON PIPE
RCP = REINFORCED CONCRETE PIPE
ORB = OFFICIAL RECORD BOOK
DB = DEED BOOK
PB = PLAT BOOK
PG = PAGE
(C) = CALCULATED
(M) = MEASURED
CH.B. = CHORD BEARING
R = RADIUS
 Δ = CENTRAL ANGLE
L = ARC LENGTH
F.P.U. = FLORIDA PUBLIC UTILITIES

SURVEYOR'S NOTES

LEGAL AND SKETCH ONLY AND THIS DOES NOT REPRESENT A BOUNDARY SURVEY.

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST, HAVING A GRID BEARING OF SOUTH $89^{\circ}33'59''$ 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.

CONTINUED SURVEYOR'S NOTES

NO UNDERGROUND LOCATIONS WERE CONDUCTED BY THIS SURVEYOR.

FIELD WORK FOR THIS PROJECT IS LOCATED IN FIELD BOOK 1156 E, PAGES 1-13,
DATE OF LAST FIELD WORK 09/25/12.

THE FILE NAMES FOR THIS PROJECT ARE 12050.206.ZAK AND S-3-13-3341.DGN.

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.

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 = 1.000035827
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

PALM BEACH COUNTY RIGHT-OF-WAY ACQUISITION SECTION PROVIDED A SEARCH OF
THE RIGHT-OF-WAY FOR OLD MILITARY TRAIL FROM 1912 TO AUGUST 31, 2012 OF
WHICH THE HEREON DESCRIBED PARCEL IS SUBJECT TO THE FOLLOWING UNLESS
OTHERWISE NOTED:

1. AGREEMENT FOR WATER SERVICE OUTSIDE THE CITY LIMITS FOR WATER MAIN,
SERVICES AND EQUIPMENT BETWEEN BION E. SMITH & THE CITY OF BOYNTON BEACH.
(OFFICIAL RECORD BOOK 5485, PAGE 1160) NOT PLOTTABLE/AFFECTS RIGHT-OF-WAY
CORRIDOR/GRAPHIC DEPICTION ONLY.
2. 25' SEWER EASEMENT DEED (OFFICIAL RECORD BOOK 9075, PAGE 944) DOES NOT
LIE WITHIN THE SUBJECT PARCEL HOWEVER, IT IS CONTIGUOUS WITH SOUTHEASTERLY
BOUNDARY.
3. FLORIDA POWER AND LIGHT EASEMENT DEED (DEED BOOK 497, PAGE 68) DOES
NOT AFFECT THE SUBJECT PARCEL.
4. ASSIGNMENT OF SEWER EASEMENT (OFFICIAL RECORD BOOK 9961, PAGE 149)
AFFECTS THE SEWER EASEMENT REFERENCED IN ITEM 2 MEADOWLAND DEVELOPMENT
CORPORATION TO THE CITY OF BOYNTON BEACH.
5. POSTED AND VIEWED REPORT FOR WHITE FEATHER TRAIL DATED 2/6/1917 CMB2-
105 NO RIGHT-OF-WAY WIDTH GIVEN.

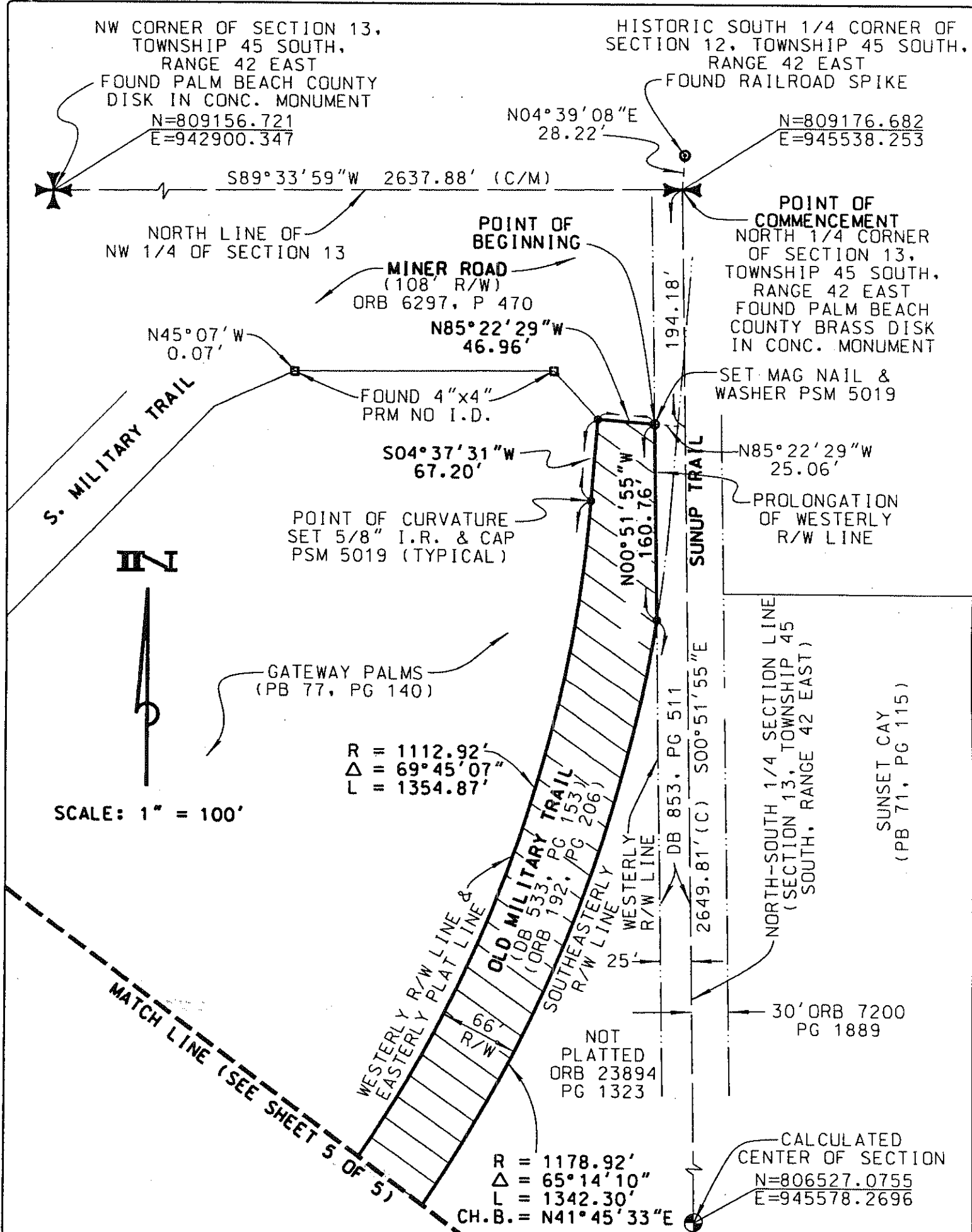
THIS INSTRUMENT PREPARED BY CRAIG S. PUSEY, P.S.M. IN THE OFFICE OF THE
COUNTY ENGINEER @ VISTA CENTER 2300 NORTH JOG ROAD, WEST PALM BEACH,
FLORIDA 33411-2745.

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.


CRAIG S. PUSEY, P.S.M.
FLORIDA CERTIFICATE # 5019

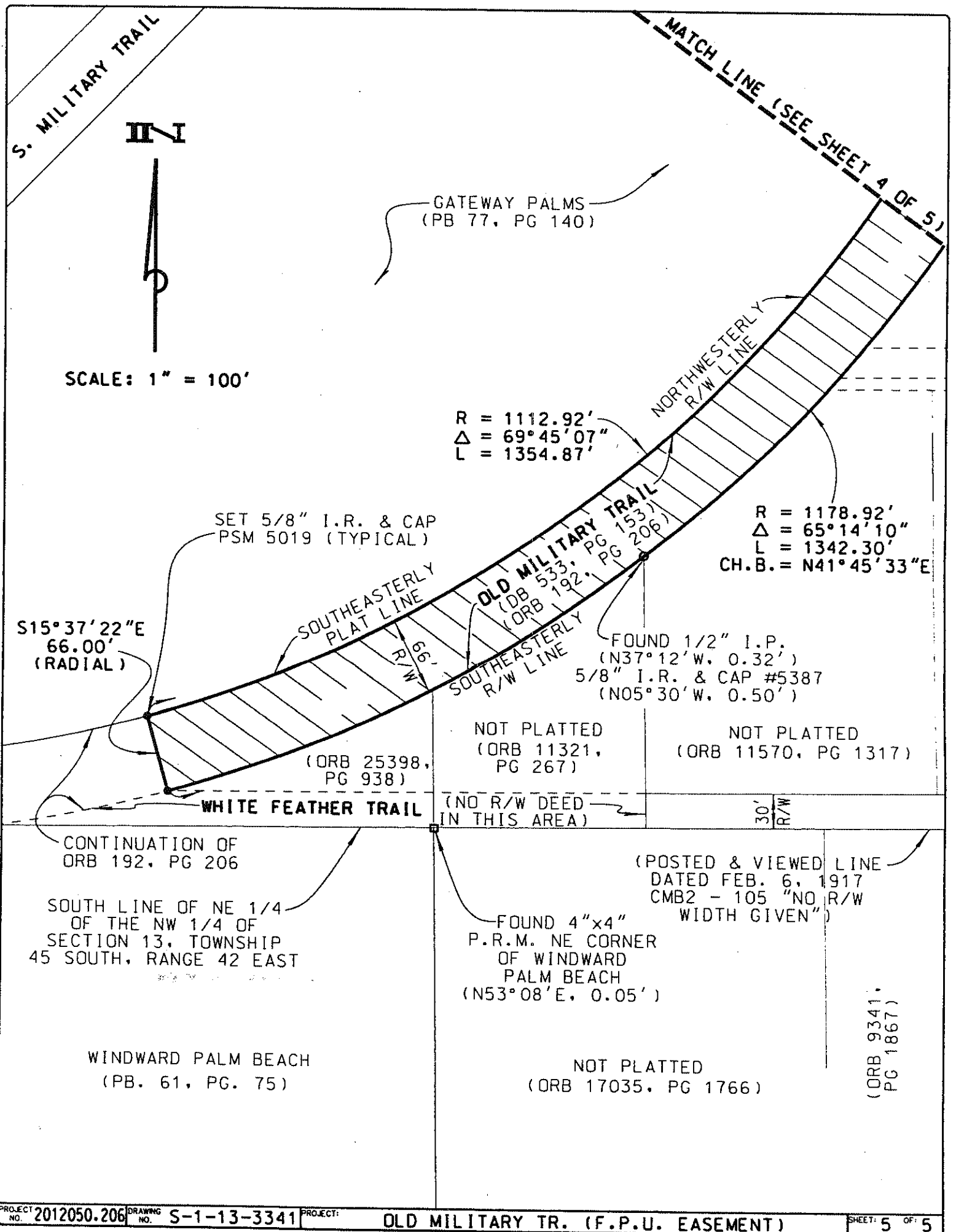
1/24/13
DATE



SCALE: 1" = 100'

$R = 1112.92'$
 $\Delta = 69^{\circ}45'07''$
 $L = 1354.87'$

$R = 1178.92'$
 $\Delta = 65^{\circ}14'10''$
 $L = 1342.30'$
 $CH.B. = N41^{\circ}45'33''E$



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

EXHIBIT D
Pg. 1 of 6

UTILITY EASEMENT

THIS EASEMENT is made, granted and entered into this _____ day of _____, 2013, by Palm Beach County Board of County Commissioners (hereinafter referred to as "Grantor"), whose address is 301 South 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, Mayor

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

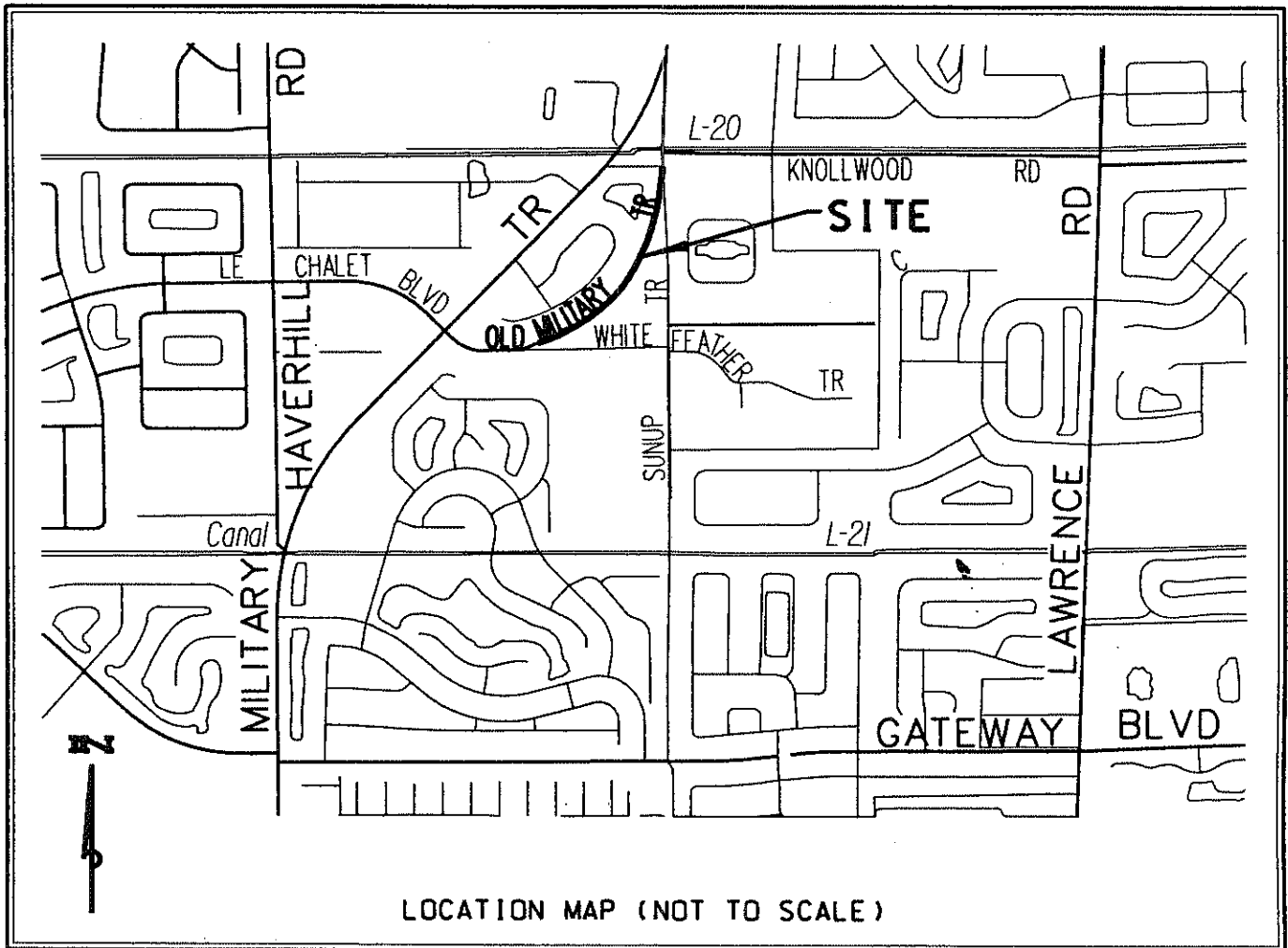
BY: _____
Assistant County Attorney

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this _____ day of _____, 2013 by _____ Mayor, Board of County Commissioners, who is personally known to me.

Typed name of Acknowledger
Deputy Clerk

EXHIBIT "A"



LOCATION MAP (NOT TO SCALE)

LEGAL DESCRIPTION

A PARCEL OF LAND DESCRIBED FOR AT&T EASEMENT PURPOSES, LYING IN SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING WITHIN A PORTION OF THAT 66 FOOT RIGHT-OF-WAY FOR OLD MILITARY TRAIL (STATE ROAD NO. 200) AS RECORDED IN OFFICIAL RECORD BOOK 192, PAGE 206, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PORTION OF THE RIGHT-OF-WAY LYING SOUTHEASTERLY OF THE PLAT OF GATEWAY PALMS, AS RECORDED IN PLAT BOOK 77, PAGE 140, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A PALM BEACH COUNTY BRASS DISK IN CONCRETE MONUMENT AT THE NORTH QUARTER CORNER OF SAID SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST; THENCE SOUTH 00°51'55" EAST ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 13, A DISTANCE OF 194.18 FEET; THENCE NORTH 85°22'29"

PROJECT NO.
2012050.206

SHEET: 1
OF 5

PROJECT:
**OLD MILITARY TRAIL
(STATE ROAD NO. 200)
AT&T EASEMENT**

DESIGN FILE NAME: S-1-13-3343.DGN
DRAWING NO.: S-1-13-3343


NO.	REVISION	BY	DATE

SCALE: 1" = 50'
APPROVED: C.S.P.
DRAWN: E.A.O.
CHECKED: G.W.M.
DATE: 1/23/13
FIELD BOOK NO.:

**PALM BEACH COUNTY
ENGINEERING AND PUBLIC WORKS**

ENGINEERING SERVICES

2300 NORTH JOG ROAD
WEST PALM BEACH, FL 33411



WEST DEPARTING SAID QUARTER SECTION LINE, A DISTANCE OF 25.06 FEET TO THE POINT OF BEGINNING OF THE EASEMENT TO BE HEREINAFTER DESCRIBED;
THENCE CONTINUE NORTH 85°22'29" WEST, A DISTANCE OF 46.96 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID OLD MILITARY TRAIL AND THE EASTERLY LINE OF SAID PLAT OF GATEWAY PALMS; THENCE SOUTH 04°37'31" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND EASTERLY PLAT LINE, A DISTANCE OF 67.20 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND THE SOUTHEASTERLY PLAT LINE OF SAID GATEWAY PALMS HAVING A CENTRAL ANGLE OF 69°45'07" AND A RADIUS OF 1112.92 FEET, A DISTANCE OF 1354.87 FEET TO A NON TANGENT LINE; THENCE SOUTH 15°37'22" EAST ALONG A RADIAL LINE FROM THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 66.00 FEET TO A POINT ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID OLD MILITARY TRAIL; SAID POINT ALSO BEING ON THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A CENTRAL ANGLE OF 65°14'10", A RADIUS OF 1178.92 FEET AND WHOSE CHORD BEARS NORTH 41°45'33" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF OLD MILITARY TRAIL, A DISTANCE OF 1342.30 FEET TO A NON TANGENT POINT AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SUN UP TRAIL PER DEED BOOK 853, PAGE 511, OF SAID PALM BEACH COUNTY PUBLIC RECORDS; THENCE NORTH 00°51'55" WEST ALONG THE NORTHERLY PROLONGATION OF SAID RIGHT-OF-WAY LINE OF SUN UP TRAIL ALSO BEING ALONG A LINE 25 FEET WEST OF AND PARALLEL WITH AS MEASURED AT RIGHT ANGLES TO THE NORTH - SOUTH QUARTER SECTION LINE OF SAID SECTION 13, A DISTANCE OF 160.76 FEET TO THE AFOREMENTIONED POINT OF BEGINNING.

CONTAINING (94804.76 SQUARE FEET) 2.176 ACRES MORE OR LESS

LEGEND

R/W = RIGHT-OF-WAY
I.R. = IRON ROD
I.P. = IRON PIPE
RCP = REINFORCED CONCRETE PIPE
ORB = OFFICIAL RECORD BOOK
DB = DEED BOOK
PB = PLAT BOOK
PG = PAGE
(C) = CALCULATED
(M) = MEASURED
CH.B. = CHORD BEARING
R = RADIUS
△ = CENTRAL ANGLE
L = ARC LENGTH

SURVEYOR'S NOTES

LEGAL AND SKETCH ONLY AND THIS DOES NOT REPRESENT A BOUNDARY SURVEY.

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST, HAVING A GRID BEARING OF SOUTH 89°33'59" 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.

CONTINUED SURVEYOR'S NOTES

NO UNDERGROUND LOCATIONS WERE CONDUCTED BY THIS SURVEYOR.

FIELD WORK FOR THIS PROJECT IS LOCATED IN FIELD BOOK 1156 E, PAGES 1-13,
DATE OF LAST FIELD WORK 09/25/12.

THE FILE NAMES FOR THIS PROJECT ARE 12050.206.ZAK AND S-3-13-3343.DGN.

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.

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 = 1.000035827
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE


PALM BEACH COUNTY RIGHT-OF-WAY ACQUISITION SECTION PROVIDED A SEARCH OF
THE RIGHT-OF-WAY FOR OLD MILITARY TRAIL FROM 1912 TO AUGUST 31, 2012 OF
WHICH THE HEREON DESCRIBED PARCEL IS SUBJECT TO THE FOLLOWING UNLESS
OTHERWISE NOTED:

1. AGREEMENT FOR WATER SERVICE OUTSIDE THE CITY LIMITS FOR WATER MAIN,
SERVICES AND EQUIPMENT BETWEEN BION E. SMITH & THE CITY OF BOYNTON BEACH.
(OFFICIAL RECORD BOOK 5485, PAGE 1160) NOT PLOTTABLE/AFFECTS RIGHT-OF-WAY
CORRIDOR/GRAPHIC DEPICTION ONLY.
2. 25' SEWER EASEMENT DEED (OFFICIAL RECORD BOOK 9075, PAGE 944) DOES NOT
LIE WITHIN THE SUBJECT PARCEL HOWEVER, IT IS CONTIGUOUS WITH SOUTHEASTERLY
BOUNDARY.
3. FLORIDA POWER AND LIGHT EASEMENT DEED (DEED BOOK 497, PAGE 68) DOES
NOT AFFECT THE SUBJECT PARCEL.
4. ASSIGNMENT OF SEWER EASEMENT (OFFICIAL RECORD BOOK 9961, PAGE 149)
AFFECTS THE SEWER EASEMENT REFERENCED IN ITEM 2 MEADOWLAND DEVELOPMENT
CORPORATION TO THE CITY OF BOYNTON BEACH.
5. POSTED AND VIEWED REPORT FOR WHITE FEATHER TRAIL DATED 2/6/1917 CMB2-
105 NO RIGHT-OF-WAY WIDTH GIVEN.

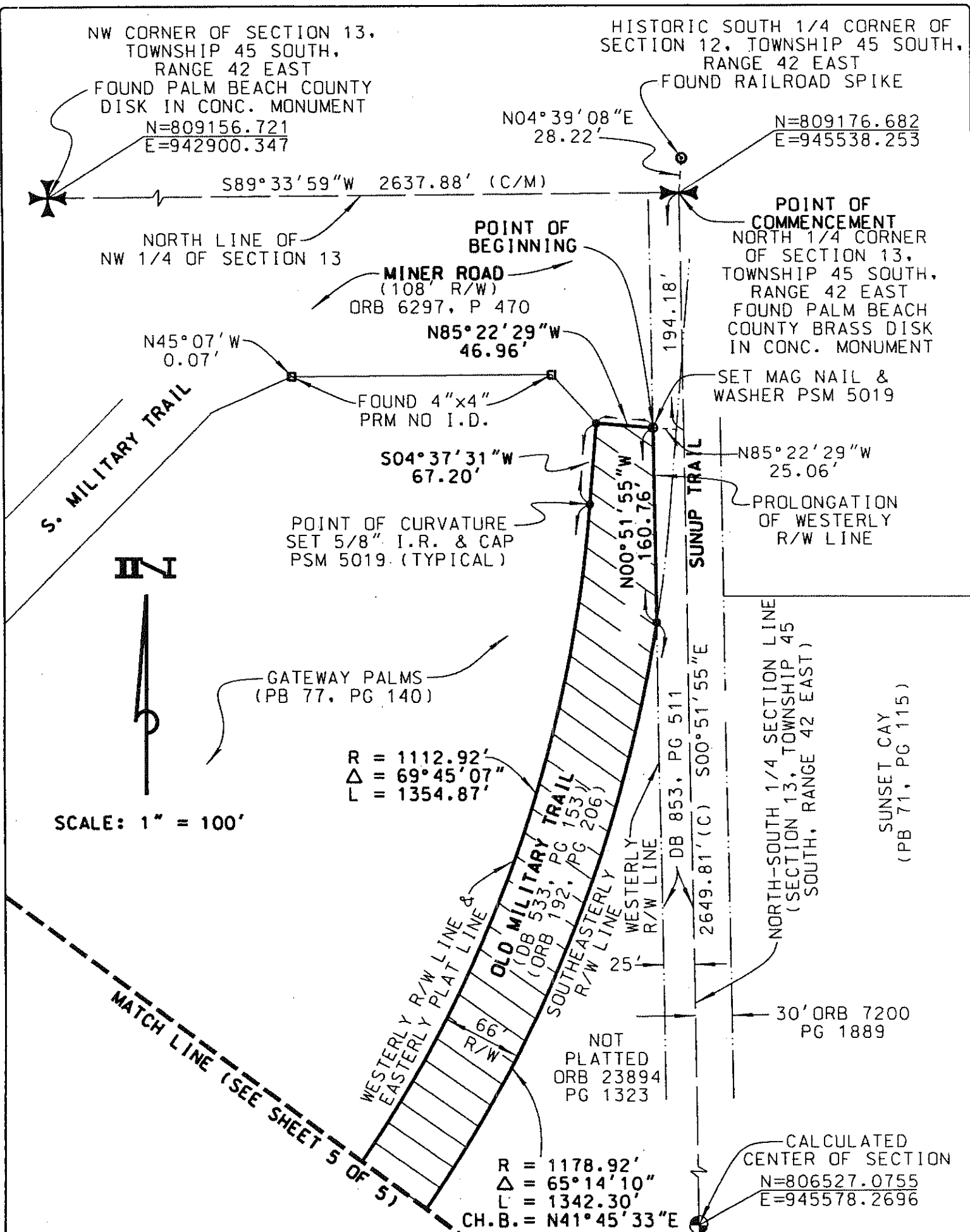
THIS INSTRUMENT PREPARED BY CRAIG S. PUSEY, P.S.M. IN THE OFFICE OF THE
COUNTY ENGINEER @ VISTA CENTER 2300 NORTH JOG ROAD, WEST PALM BEACH,
FLORIDA 33411-2745.

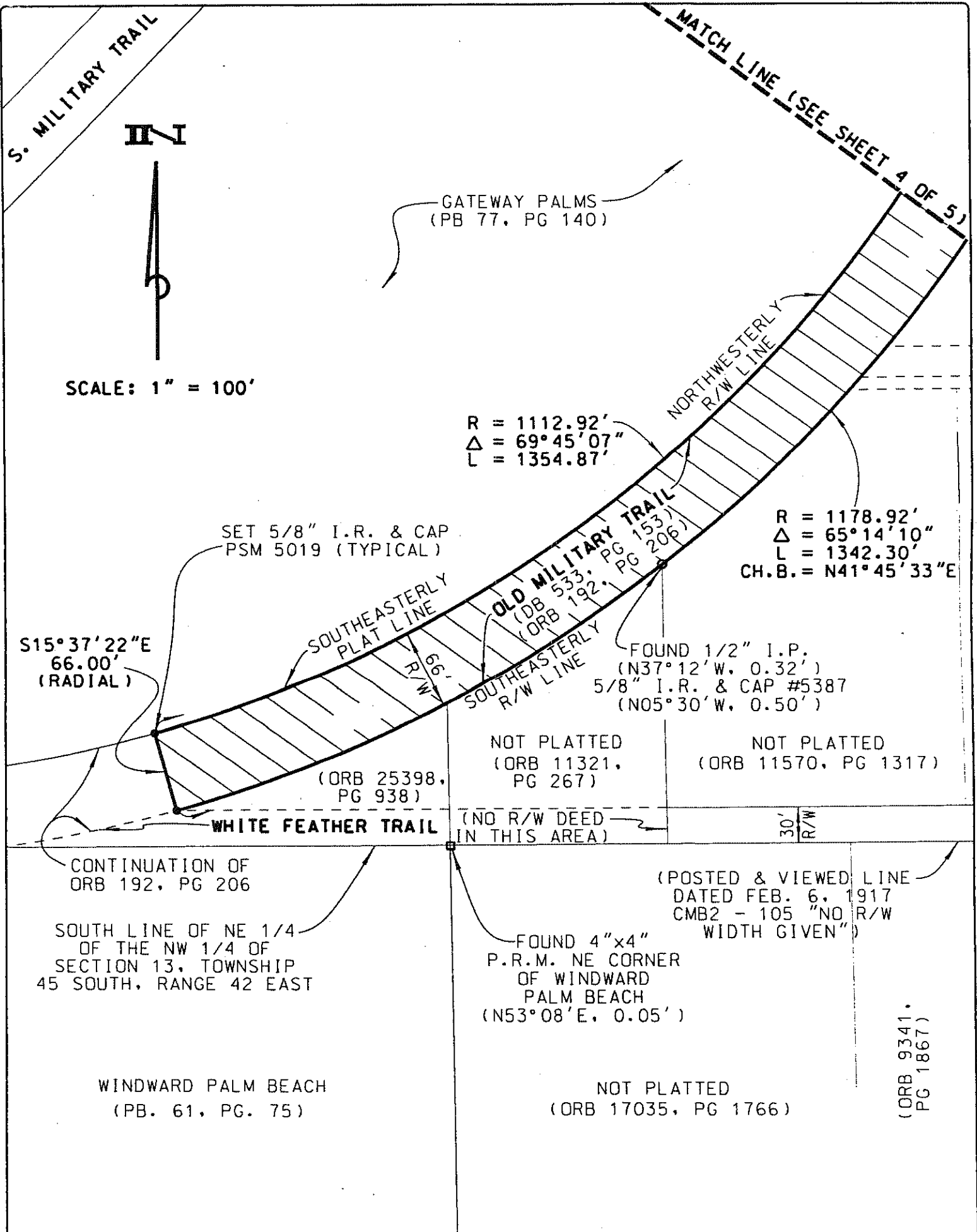
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER.

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.


CRAIG S. PUSEY, P.S.M.
FLORIDA CERTIFICATE # 5019

1/24/13
DATE





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

EXHIBIT E
Pg. 1 of 6

UTILITY EASEMENT

THIS EASEMENT is made, granted and entered into this _____ day of _____, 2013, by Palm Beach County Board of County Commissioners (hereinafter referred to as "Grantor"), whose address is 301 South Olive Avenue, West Palm Beach, Florida, to the City of Boynton Beach, a political subdivision of the State of 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 licensees, agents, successors, and assigns, an easement forever for the full and free right and authority to construct, maintain, repair, install and rebuild facilities for water and sewer utilities and/or other appropriate purposes incidental thereto, on, over and across said easement described in **EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF.**

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, Mayor

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

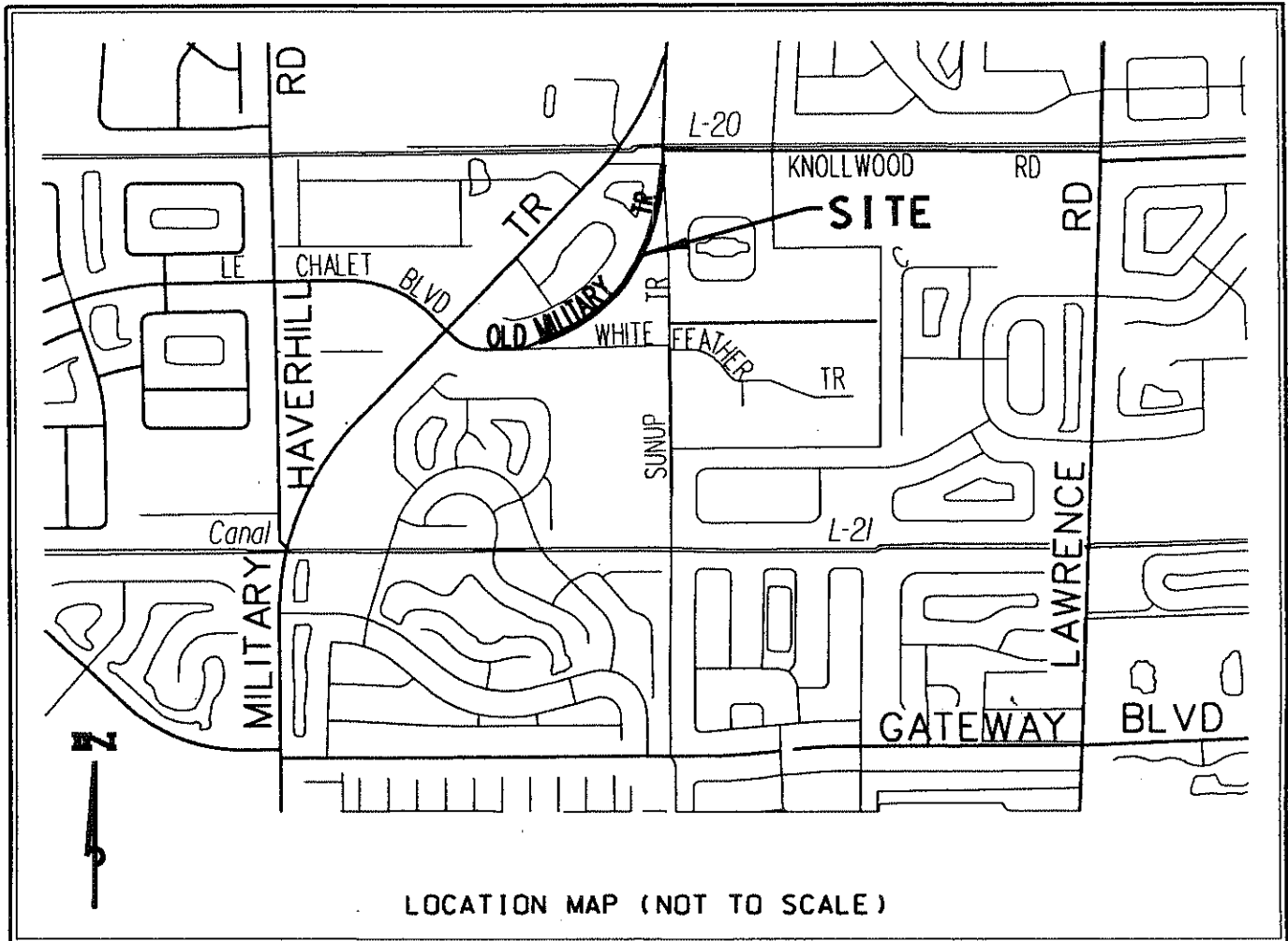
BY: _____
Assistant County Attorney

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this _____ day of _____, 2013 by _____ Mayor, Board of County Commissioners, who is personally known to me.

Typed name of Acknowledger
Deputy Clerk

EXHIBIT "A"



LOCATION MAP (NOT TO SCALE)

LEGAL DESCRIPTION

A PARCEL OF LAND DESCRIBED FOR CITY OF BOYNTON BEACH EASEMENT PURPOSES, LYING IN SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING WITHIN A PORTION OF THAT 66 FOOT RIGHT-OF-WAY FOR OLD MILITARY TRAIL (STATE ROAD NO. 200) AS RECORDED IN OFFICIAL RECORD BOOK 192, PAGE 206, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PORTION OF THE RIGHT-OF-WAY LYING SOUTHEASTERLY OF THE PLAT OF GATEWAY PALMS, AS RECORDED IN PLAT BOOK 77, PAGE 140, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A PALM BEACH COUNTY BRASS DISK IN CONCRETE MONUMENT AT THE NORTH QUARTER CORNER OF SAID SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST; THENCE SOUTH 00°51'55" EAST ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 13, A DISTANCE OF 194.18 FEET; THENCE NORTH 85°22'29"

PROJECT NO.
2012050.206

SHEET 1
OF 5

PROJECT:
**OLD MILITARY TRAIL
(STATE ROAD NO. 200)
CITY OF BOYNTON
BEACH EASEMENT**

DESIGN FILE NAME: S-1-13-3342.DGN
DRAWING NO.: S-1-13-3342


NO.	REVISION	BY	DATE

SCALE: 1" = 50'
APPROVED: C.S.P.
DRAWN: E.A.O.
CHECKED: G.W.M.
DATE: 1/23/13
FIELD BOOK NO.

**PALM BEACH COUNTY
ENGINEERING AND PUBLIC WORKS**

ENGINEERING SERVICES

2300 NORTH JOG ROAD
WEST PALM BEACH, FL 33411



WEST DEPARTING SAID QUARTER SECTION LINE, A DISTANCE OF 25.06 FEET TO THE POINT OF BEGINNING OF THE EASEMENT TO BE HEREINAFTER DESCRIBED; THENCE CONTINUE NORTH $85^{\circ}22'29''$ WEST, A DISTANCE OF 46.96 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID OLD MILITARY TRAIL AND THE EASTERLY LINE OF SAID PLAT OF GATEWAY PALMS; THENCE SOUTH $04^{\circ}37'31''$ WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND EASTERLY PLAT LINE, A DISTANCE OF 67.20 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND THE SOUTHEASTERLY PLAT LINE OF SAID GATEWAY PALMS HAVING A CENTRAL ANGLE OF $69^{\circ}45'07''$ AND A RADIUS OF 1112.92 FEET, A DISTANCE OF 1354.87 FEET TO A NON TANGENT LINE; THENCE SOUTH $15^{\circ}37'22''$ EAST ALONG A RADIAL LINE FROM THE PREVIOUSLY DESCRIBED CURVE, A DISTANCE OF 66.00 FEET TO A POINT ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID OLD MILITARY TRAIL; SAID POINT ALSO BEING ON THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A CENTRAL ANGLE OF $65^{\circ}14'10''$, A RADIUS OF 1178.92 FEET AND WHOSE CHORD BEARS NORTH $41^{\circ}45'33''$ EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF OLD MILITARY TRAIL, A DISTANCE OF 1342.30 FEET TO A NON TANGENT POINT AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SUN UP TRAIL PER DEED BOOK 853, PAGE 511, OF SAID PALM BEACH COUNTY PUBLIC RECORDS; THENCE NORTH $00^{\circ}51'55''$ WEST ALONG THE NORTHERLY PROLONGATION OF SAID RIGHT-OF-WAY LINE OF SUN UP TRAIL ALSO BEING ALONG A LINE 25 FEET WEST OF AND PARALLEL WITH AS MEASURED AT RIGHT ANGLES TO THE NORTH - SOUTH QUARTER SECTION LINE OF SAID SECTION 13, A DISTANCE OF 160.76 FEET TO THE AFOREMENTIONED POINT OF BEGINNING.

CONTAINING (94804.76 SQUARE FEET) 2.176 ACRES MORE OR LESS

LEGEND

R/W = RIGHT-OF-WAY
I.R. = IRON ROD
I.P. = IRON PIPE
RCP = REINFORCED CONCRETE PIPE
ORB = OFFICIAL RECORD BOOK
DB = DEED BOOK
PB = PLAT BOOK
PG = PAGE
(C) = CALCULATED
(M) = MEASURED
CH.B. = CHORD BEARING
R = RADIUS
 Δ = CENTRAL ANGLE
L = ARC LENGTH

SURVEYOR'S NOTES

LEGAL AND SKETCH ONLY AND THIS DOES NOT REPRESENT A BOUNDARY SURVEY.

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST, HAVING A GRID BEARING OF SOUTH $89^{\circ}33'59''$ 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.

CONTINUED SURVEYOR'S NOTES

NO UNDERGROUND LOCATIONS WERE CONDUCTED BY THIS SURVEYOR.

FIELD WORK FOR THIS PROJECT IS LOCATED IN FIELD BOOK 1156 E, PAGES 1-13.
DATE OF LAST FIELD WORK 09/25/12.

THE FILE NAMES FOR THIS PROJECT ARE 12050.206.ZAK AND S-3-13-3342.DGN.

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.

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 = 1.000035827
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

PALM BEACH COUNTY RIGHT-OF-WAY ACQUISITION SECTION PROVIDED A SEARCH OF
THE RIGHT-OF-WAY FOR OLD MILITARY TRAIL FROM 1912 TO AUGUST 31, 2012 OF
WHICH THE HEREON DESCRIBED PARCEL IS SUBJECT TO THE FOLLOWING UNLESS
OTHERWISE NOTED:

1. AGREEMENT FOR WATER SERVICE OUTSIDE THE CITY LIMITS FOR WATER MAIN,
SERVICES AND EQUIPMENT BETWEEN BION E. SMITH & THE CITY OF BOYNTON BEACH.
(OFFICIAL RECORD BOOK 5485, PAGE 1160) NOT PLOTTABLE/AFFECTS RIGHT-OF-WAY
CORRIDOR/GRAPHIC DEPICTION ONLY.
2. 25' SEWER EASEMENT DEED (OFFICIAL RECORD BOOK 9075, PAGE 944) DOES NOT
LIE WITHIN THE SUBJECT PARCEL HOWEVER, IT IS CONTIGUOUS WITH SOUTHEASTERLY
BOUNDARY.
3. FLORIDA POWER AND LIGHT EASEMENT DEED (DEED BOOK 497, PAGE 68) DOES
NOT AFFECT THE SUBJECT PARCEL.
4. ASSIGNMENT OF SEWER EASEMENT (OFFICIAL RECORD BOOK 9961, PAGE 149)
AFFECTS THE SEWER EASEMENT REFERENCED IN ITEM 2 MEADOWLAND DEVELOPMENT
CORPORATION TO THE CITY OF BOYNTON BEACH.
5. POSTED AND VIEWED REPORT FOR WHITE FEATHER TRAIL DATED 2/6/1917 CMB2-
105 NO RIGHT-OF-WAY WIDTH GIVEN.

THIS INSTRUMENT PREPARED BY CRAIG S. PUSEY, P.S.M. 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.


CRAIG S. PUSEY, P.S.M.
FLORIDA CERTIFICATE # 5019

1/24/13
DATE

