

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: December 17, 2013 Consent [X] Regular []
Public Hearing []

Department: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: the Partial Release of a Utility Easement over property owned by 10651 Southern, LLC.

Summary: This document will release Palm Beach County's (County) interest in a portion of a utility easement recorded in the Official Records of Palm Beach County, Book 23459, Page 0053, over property originally owned by Southern Blvd. Partners, LLC. The Water Utilities Department has determined that this portion of easement is no longer needed and therefore recommends the release. District 6 (MJ)

Background and Justification: On September 16, 2009, a utility easement was granted to the County for public water and wastewater facilities associated with the development of the property identified by PCN 72-41-43-36-00-000-7160. A portion of this easement was used for wastewater facilities for part of the development. Upon redevelopment of the site, some of the existing wastewater facilities have been eliminated, and the property owner is requesting release of the portion of the easement that the County no longer needs.

Attachments:

1. Location Map
2. Two (2) Original Partial Release of Utility Easement w/ Exhibit "A"
3. One (1) Copy of Original Utility Easement (ORB 23459/PG 0053)
4. One (1) Copy of Special Warranty Deed (ORB 25706/PG 0497)

Recommended By:  11/25/13
Department Director Date

Approved By:  12-2-13
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	* <u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Budget Account No.:	Fund _____	Dept _____	Unit _____	Object _____	

Is Item Included in Current Budget? Yes ___ No ___

Reporting Category N/A

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

* No Fiscal Impact

C. Department Fiscal Review: Debra M. Surt

III. REVIEW COMMENTS

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

Susan Henry 11/14/13
OFMB *SH* *11/14*

Dr. J. Joseph [Signature] 11/26/13
Contract Development and Control
11-26-13 [Signature]

B. Legal Sufficiency:

[Signature] 12/2/13
Assistant County Attorney

C. Other Department Review:

Department Director

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

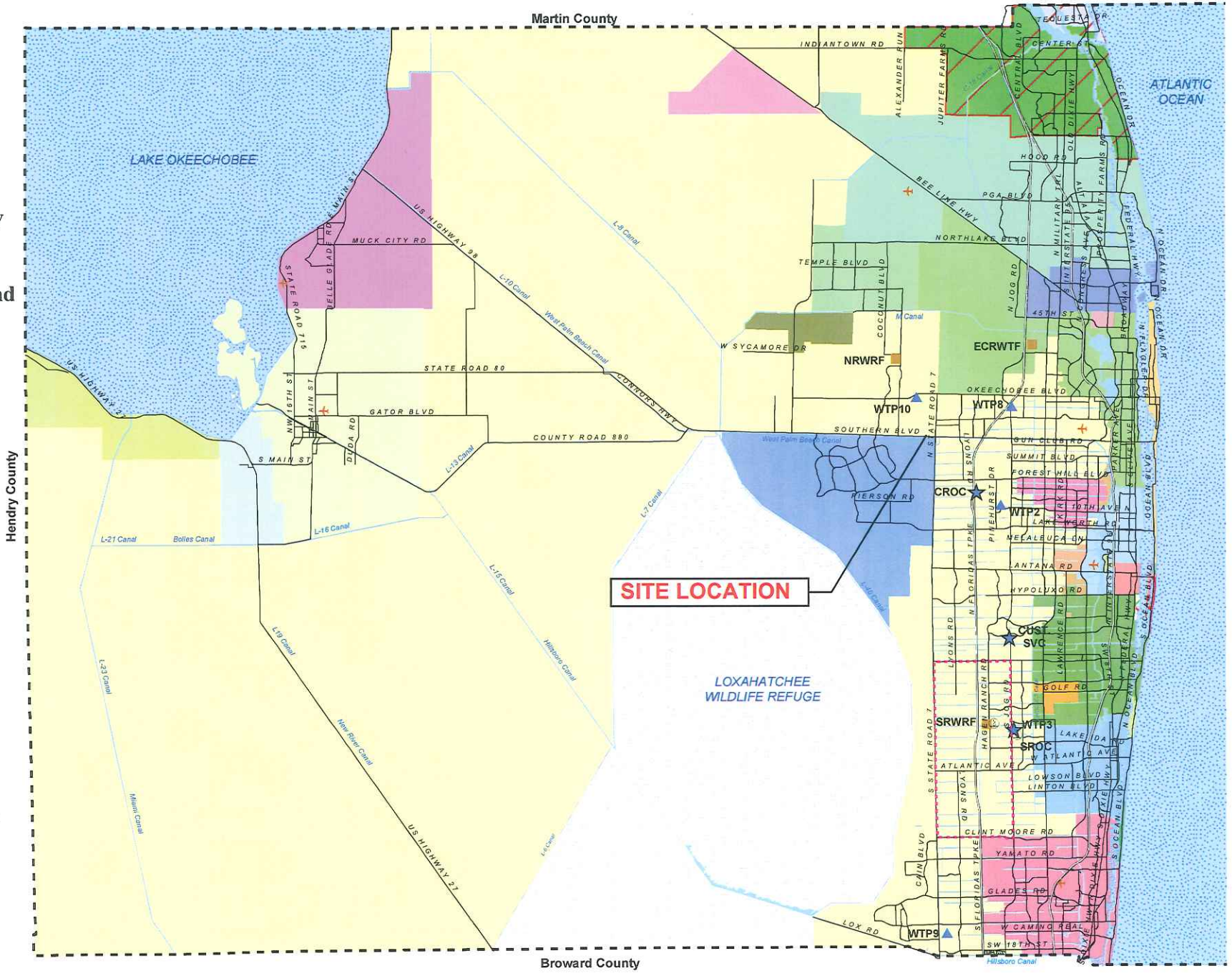


**Palm Beach County
Water Utilities
Department
Service Area (SA) and
Major Facilities**

Attachment 1

Legend

- P.B.C.W.U.D. SA
- Mandatory Reclaimed SA
- Palm Beach County Limits
- Administration
- Water Reclamation Facility
- Water Treatment Facility
- Wetlands



Prepared by and return to:
Palm Beach County Water Utilities Department
Attn: Plan Review
8100 Forest Hill Blvd
West Palm Beach, Florida 33413

PARTIAL RELEASE OF UTILITY EASEMENT

THIS PARTIAL RELEASE OF UTILITY EASEMENT, executed this ___ day of _____, 2013, by Palm Beach County, a political subdivision of the State of Florida, first party, c/o Water Utilities Department, 8100 Forest Hill Blvd, West Palm Beach, Florida 33413, to 10651 Southern, LLC, whose address is 4870 NW 104th Lane, Coral Springs, FL 33076, second party:

WITNESSETH:

THAT the first party, for and in consideration of the sum of \$10.00 (Ten Dollars) in hand paid by the second party, the receipt of which is hereby acknowledged, wishes to terminate, renounce, and release a portion of that UTILITY EASEMENT recorded in Official Records Book 23459, Page 0053, Public Records of Palm Beach County, Florida.

THEREBY, the first party hereby releases any and all of its rights, title, and interest in that portion of the UTILITY EASEMENT as shown in the sketch and legal description attached hereto and incorporated herein as Exhibit "A."

IN WITNESS WHEREOF the first party has caused this PARTIAL RELEASE OF UTILITY EASEMENT to be executed as of the day and year first written above.

ATTEST:

Sharon R. Bock, Clerk

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

By: _____
Deputy Clerk

By: _____
, Chair

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

EXHIBIT A



SKETCH AND LEGAL DESCRIPTION
BY
PULICE LAND SURVEYORS, INC.
5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351



TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778
E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870


LEGAL DESCRIPTION: PARTIAL UTILITY EASEMENT TO BE VACATED

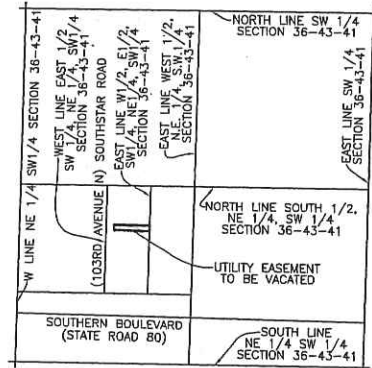
A PORTION OF THE 20 FOOT WIDE UTILITY EASEMENT, RECORDED IN OFFICIAL RECORDS BOOK 23459, PAGE 53, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS A PORTION OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA WITH THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 80 (SOUTHERN BOULEVARD) PER FLORIDA DEPARTMENT OF TRANSPORTATION MAP SECTION 93120-2542; THENCE ALONG SAID WEST LINE NORTH 01°29'47" EAST ON SAID WEST LINE 258.06 FEET TO THE INTERSECTION WITH THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID EASEMENT; THENCE SOUTH 88°18'33" EAST ON SAID WESTERLY EXTENSION AND ON SAID NORTH LINE 30.00 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 88°18'33" EAST ON SAID NORTH LINE 135.50 FEET TO THE INTERSECTION WITH THE EAST LINE OF SAID EASEMENT, ALSO BEING THE EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 36; THENCE SOUTH 01°29'43" WEST ON SAID EAST LINES 20.00 FEET; THENCE NORTH 88°18'33" WEST ON A SOUTH LINE OF SAID EASEMENT 135.50 FEET TO THE INTERSECTION WITH A LINE 30.00 FEET EASTERLY OF AND PARALLEL WITH THE AFOREMENTIONED WEST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36; THENCE NORTH 01°29'47" EAST ON SAID PARALLEL LINE 20.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF ROYAL PALM BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAINING 2,710 SQUARE FEET, MORE OR LESS.

NOTES:

- 1) BEARINGS ARE BASED ON THE NORTH RIGHT-OF-WAY LINE OF SOUTHERN BLVD, BEING S88°28'14"E.
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 4) O.R.B. DENOTES: OFFICIAL RECORDS BOOK.
- 5)  DENOTES: CENTERLINE.



LOCATION MAP

NOT TO SCALE
NE 1/4, SW 1/4 SECTION 36-43-41

HARRISON FRENCH AND ASSOCIATES, LTD

SCALE: N/A

ORDER NO.: 56725-D

DATE: 08/27/12 REV. 8/30/13, 11/5/13

PARTIAL UTILITY EASEMENT TO BE VACATED

PALM BEACH COUNTY, FLORIDA

FOR: 7-ELEVEN SITE #36439

SHEET 1 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2

Beth Burns

JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
 BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
STATE OF FLORIDA

EXHIBIT A

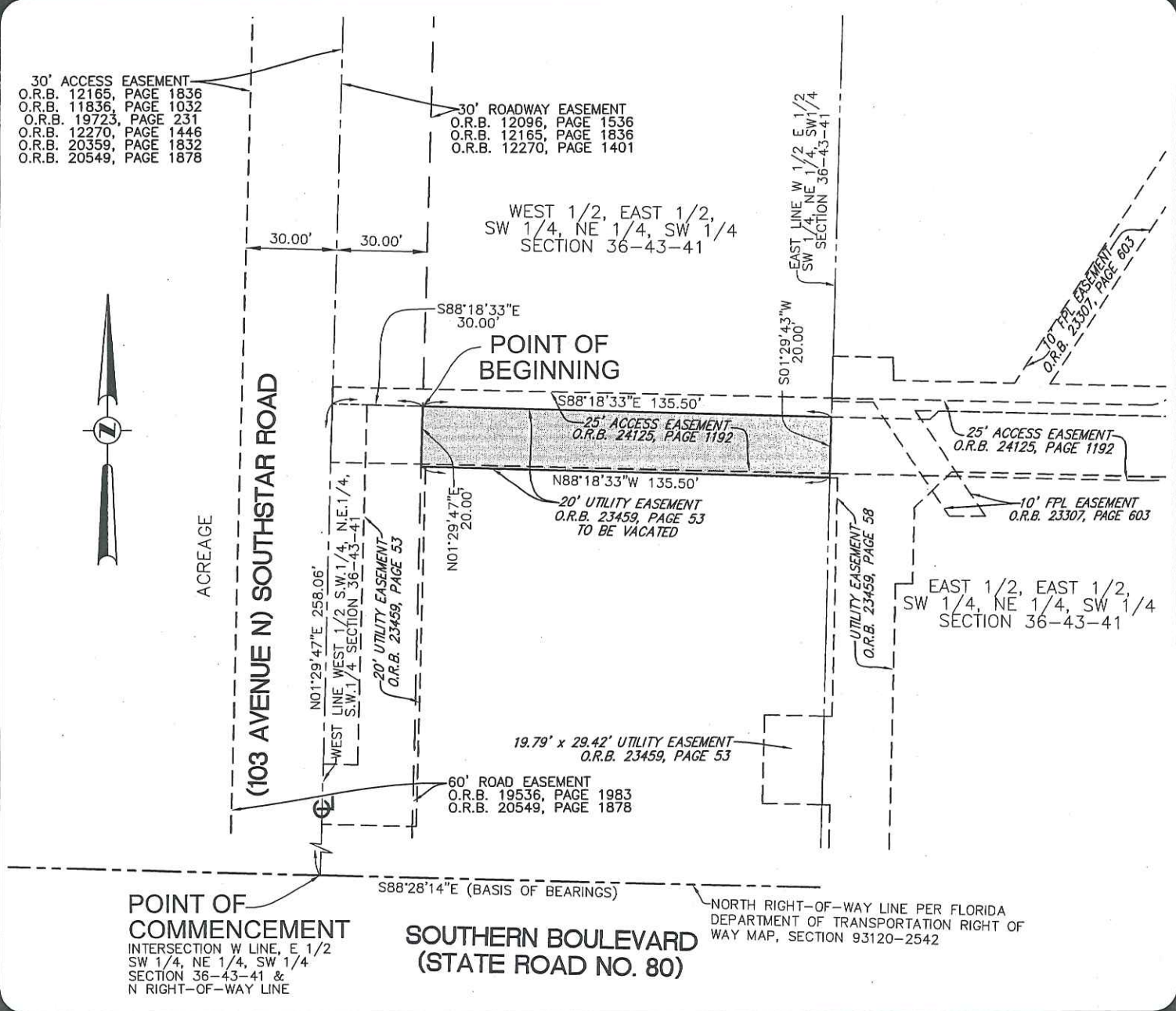


SKETCH AND LEGAL DESCRIPTION
BY
PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



HARRISON FRENCH AND ASSOCIATES, LTD
SCALE: 1"=50'
ORDER NO.: 56725-D
DATE: 08/27/12 REV. 8/30/13, 11/5/13
PARTIAL UTILITY EASEMENT TO BE VACATED
PALM BEACH COUNTY, FLORIDA
FOR: 7-ELEVEN SITE #36439

SHEET 2 OF 2 THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2

Name:

Attachment 3



Address:

CFN 20090329896
OR BK 23459 PG 0053
RECORDED 09/23/2009 13:30:21
Palm Beach County, Florida
AMT 1.00
Doc Stamp 0.70
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 0053 - 57; (5pgs)

SDA#
Prepared by and Return to:
Palm Beach County Water Utilities Department
P.O. Box 16097
West Palm Beach, Florida 33416-6097

UTILITY EASEMENT

THIS EASEMENT is made, granted and entered into this 16 day of September, 2009, by Southern Blvd. Partners, LLC (hereinafter referred to as "Grantor"), whose address is 3201 North Federal Hwy. #300, Ft. Lauderdale, FL 33306, to the Palm Beach County (hereinafter referred to as "Grantee"), c/o Water Utilities Department, P.O. Box 16097, West Palm Beach, Florida 33416-6097.

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, a perpetual utility easement which shall permit Grantee authority to enter upon the property of the Grantor at any time to install, operate, maintain, service, construct, reconstruct, remove, relocate, repair, replace, improve, expand, tie into, and inspect potable water, reclaimed water and/or wastewater lines and appurtenant facilities and equipment in, on, over, under and across the easement premises. This utility easement or portion thereof can also be utilized for a wastewater pump station and may be fenced in for access control purposes. The easement hereby granted covers a strip of land lying, situate and being in Palm Beach County, Florida, and being more particularly described as follows:

SEE EXHIBIT "A", FOR LOCATION SKETCH AND LEGAL DESCRIPTION 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 and that it has good and lawful right to grant the aforesaid easement free and clear of mortgages and other encumbrances unless specifically stated to the contrary.

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

WITNESSES:

Signed, sealed and delivered in the presence of

[Signature]
Witness Signature
Jonas S. Nordal
Print Name
[Signature]
Witness Signature
Jonette Bishop
Print Name

GRANTOR:
SOUTHERN BLVD. PARTNERS, L.L.C.

[Signature]
Signature
Mark L. Sager (Manager)
Print Name (and Title if applicable)

(SEAL)

NOTARY CERTIFICATE

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 16 day of September, 2009 by Mark L. Sager, Manager of Southern Blvd. Partners, LLC, who is personally known to me or who has produced as identification.

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA
Jonette L. Bishop
Commission # DD710961
Expires: NOV. 21, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

[Signature]
Notary Signature

Typed, Printed or Stamped Name of Notary

CONSENT AND SUBORDINATION OF MORTGAGEE FOR UTILITY EASEMENT

The undersigned mortgagee does hereby join in and consent to the granting of this Utility Easement, across the lands herein described, and agrees that its mortgage, which is recorded in Official Record Book 20359, Page 1849 to 1869, of the Public Records of Palm Beach County, Florida, shall be subordinated to this Utility Easement.

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

WITNESSES:

Signed, sealed and delivered
in the presence of:

Donna Barnard
Witness Signature

DONNA BARNARD
Print Name

Shirley Foster-Heard
Witness Signature

Sheree Foster-Heard
Print Name

GRANTOR/MORTGAGEE:

BRANCH BANKING AND TRUST COMPANY

H. Bruce Gosman
Signature

H. BRUCE GOSMAN
Print Name

Signature

Print Name

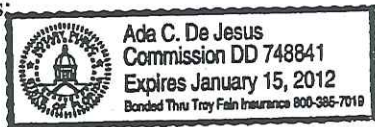
(SEAL)

NOTARY CERTIFICATE

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

The foregoing instrument was acknowledged before me this 17th day of Sept., 2009,
by H. Bruce Gosman and _____, who is/are both
personally known to me or who have produced _____ as identification.

My Commission
Expires:



Ada C. De Jesus
Notary Signature

Ada C. De Jesus
Typed, Printed or Stamped Name of Notary

DESCRIPTION

PARCEL 1

A STRIP OF LAND LYING WITHIN THE WEST ONE HALF (1/2) OF THE EAST ONE HALF (E 1/2) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE WEST ONE HALF (1/2) THE EAST ONE HALF (E 1/2) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, ALSO BEING A POINT ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD 80 (SOUTHERN BLVD.) PER FLORIDA D.O.T. MAP SECTION 93120-2542 ; THENCE ALONG SAID NORTH LINE SOUTH 88°28'14" EAST, A DISTANCE OF 30.00 FEET TO A POINT ON THE EAST LINE OF THE 30 FOOT ROADWAY EASEMENT RECORDED IN O.R.B. 12096, PG. 1538, O.R.B. 12165, PG. 1836 AND O.R.B. 12270, PG. 1401, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE, CONTINUE ON SAID NORTH RIGHT OF WAY LINE SOUTH 88°28'14" EAST, A DISTANCE OF 135.50 FEET TO A POINT ON THE EAST LINE OF THE WEST ONE HALF (1/2) OF THE EAST ONE HALF (E 1/2) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID EAST LINE NORTH 01°29'43" EAST, A DISTANCE OF 10.00 FEET; THENCE NORTH 88°28'14" WEST, A DISTANCE OF 135.50 FEET TO A POINT ON THE EAST LINE OF THE 30 FOOT ROADWAY EASEMENT RECORDED IN O.R.B. 12096, PG. 1538, O.R.B. 12165, PG. 1836 AND O.R.B. 12270, PG. 1401, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE, CONTINUE NORTH 88°28'14" WEST, A DISTANCE OF 30.0 FEET TO A POINT ON THE WEST LINE OF THE WEST ONE HALF (1/2) THE EAST ONE HALF (E 1/2) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID WEST LINE SOUTH 01°29'47" WEST, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.


SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA. CONTAINING 1,655 SQUARE FEET MORE OR LESS.

TOGETHER WITH:

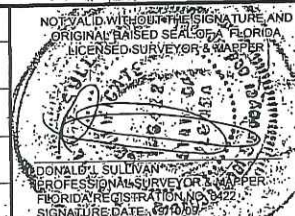

PARCEL 2

A STRIP OF LAND LYING WITHIN THE WEST ONE HALF (1/2) OF THE EAST ONE HALF (E 1/2) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE WEST ONE HALF (1/2) OF THE EAST ONE HALF (E 1/2) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, ALSO BEING A POINT ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD 80 (SOUTHERN BLVD.) PER FLORIDA D.O.T. MAP SECTION 93120-2542 ; THENCE ALONG SAID NORTH LINE SOUTH 88°28'14" EAST, A DISTANCE OF 165.50 FEET TO A POINT ON THE EAST LINE OF THE WEST ONE HALF (1/2) OF THE EAST ONE HALF (E 1/2) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID EAST LINE NORTH 01°29'43" EAST, A DISTANCE OF 129.35 FEET TO THE POINT OF BEGINNING;

CONT...
 REVIEWED & ACCEPTED
 PALM BEACH COUNTY WATER UTILITIES DEPT.

 Date **SEP 23 2009**

SHEET 1 OF 3

<p>NOTE:</p> <p>THE UNDERSIGNED & DON J. SULLIVAN & ASSOCIATES, INC. MAKE NO REPRESENTATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, AGREEMENTS AND OTHER MATTERS, AND FURTHER, THIS INSTRUMENT IS NOT INTENDED TO REFLECT OR SET FORTH SUCH MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY AND/OR EASEMENTS OF RECORD.</p>	<p>SCALE: 1" = 60'</p>	<p>NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER</p> 																														
	<p>FB/PG: N/A</p>																															
	<p>DRAWN BY: L.D.T.</p>																															
	<p>CKD. BY: D.J.S.</p>																															
	<p>JOB NO: 09-033</p>																															
 <p>DON J. SULLIVAN & ASSOCIATES, INC. SURVEYORS & MAPPERS 5499 N. FEDERAL HIGHWAY, SUITE N BOCA RATON, FLORIDA 33487 PH. (561) 443-0426 FAX (561) 443-0429 www.djssurveyors.com CERTIFICATE OF AUTHORIZATION NO. LB7341</p>	<table border="1"> <thead> <tr> <th>REVISIONS</th> <th>DATE</th> <th>BY</th> <th>CHKD BY</th> <th>PAGE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	REVISIONS	DATE	BY	CHKD BY	PAGE																										
	REVISIONS	DATE	BY	CHKD BY	PAGE																											

CONT...

THENCE CONTINUE ALONG SAID EAST LINE NORTH 01°29'43" EAST, A DISTANCE OF 29.42 FEET;
THENCE NORTH 88°30'20" WEST, A DISTANCE OF 19.79 FEET;
THENCE SOUTH 01°29'40" WEST, A DISTANCE OF 29.42 FEET;
THENCE SOUTH 88°30'20" EAST, A DISTANCE OF 19.79 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA. CONTAINING 582 SQUARE FEET MORE OR LESS.

TOGETHER WITH:

PARCEL 3

A STRIP OF LAND LYING WITHIN THE WEST ONE HALF (1/2) OF THE EAST ONE HALF (E 1/2) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE WEST ONE HALF (1/2) THE EAST ONE HALF (E 1/2) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, ALSO BEING A POINT ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD 80 (SOUTHERN BLVD.) PER FLORIDA D.O.T. MAP SECTION 93120-2542 ; THENCE ALONG THE WEST LINE OF SAID PARCEL, NORTH 01°29'47" EAST, A DISTANCE OF 118.94 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 88°22'34" EAST, A DISTANCE OF 30.00 FEET TO A POINT ON THE EAST LINE OF THE 30 FOOT ROADWAY EASEMENT RECORDED IN O.R.B. 12096, PG. 1538, O.R.B. 12165, PG. 1836 AND O.R.B. 12270, PG. 1401, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE, CONTINUE SOUTH 88°22'34" EAST, A DISTANCE OF 1.26 FEET;

THENCE NORTH 01°37'27" EAST, A DISTANCE OF 119.08 FEET;

THENCE SOUTH 88°18'33" EAST, A DISTANCE OF 133.98 FEET TO A POINT ON THE EAST LINE OF THE WEST ONE HALF (1/2) OF THE EAST ONE HALF (E 1/2) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID EAST LINE NORTH 01°29'43" EAST, A DISTANCE OF 20.00 FEET;

THENCE NORTH 88°18'33" WEST, A DISTANCE OF 135.50 FEET TO A POINT ON THE EAST LINE OF THE 30 FOOT ROADWAY EASEMENT RECORDED IN O.R.B. 12096, PG. 1538, O.R.B. 12165, PG. 1836 AND O.R.B. 12270, PG. 1401, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE, CONTINUE NORTH 88°18'33" WEST, A DISTANCE OF 18.43 FEET;

THENCE SOUTH 01°37'27" WEST, A DISTANCE OF 119.11 FEET;

THENCE NORTH 88°22'34" WEST, A DISTANCE OF 11.30 FEET TO A POINT ON THE WEST LINE OF THE WEST ONE HALF (1/2) THE EAST ONE HALF (E 1/2) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID WEST LINE SOUTH 01°29'47" WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA. CONTAINING 5,686 SQUARE FEET MORE OR LESS.

NOTES:

1. THIS IS NOT A MAP OF BOUNDARY SURVEY, BUT IS A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON.
2. BEARINGS SHOWN HEREON ARE BASED UPON STATE PLANE COORDINATES ALONG THE NORTH-SOUTH ONE QUARTER (1/4) LINE OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST HAVING A BEARING OF SOUTH 01°29'27" WEST AND ALL OTHER BEARINGS SHOWN HEREON ARE RELATIVE THERETO.
3. THE UNDERSIGNED & DON J. SULLIVAN & ASSOCIATES, INC. MAKE NO REPRESENTATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, AGREEMENTS AND OTHER MATTERS. AND FURTHER, THIS INSTRUMENT IS NOT INTENDED TO REFLECT OR SET FORTH SUCH MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY AND/OR EASEMENTS RECORD.

SHEET 2 OF 3

NOTE:

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SCALE: 1" = 60'

FB/PG: N/A

DRAWN BY: L.T.

CKD. BY: D.J.S.

JOB NO: 09-033



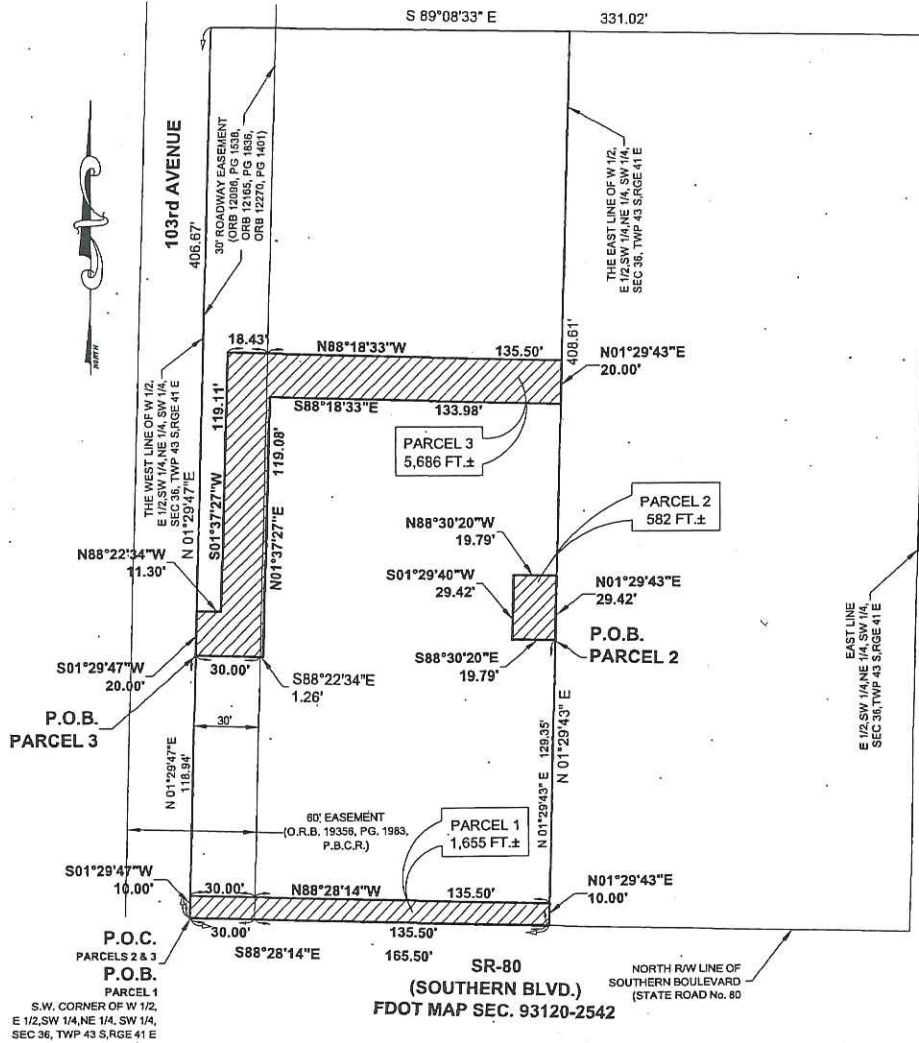
DON J. SULLIVAN & ASSOCIATES, INC.

SURVEYORS & MAPPERS

.5499 N. FEDERAL HIGHWAY, SUITE N
BOCA RATON, FLORIDA 33487
PH. (561) 443-0426 FAX (561) 443-0429
www.djssurveyors.com
CERTIFICATE OF AUTHORIZATION NO. LB7341

REVISIONS	DATE	BY	CHKD	F.B./PAGE

ABBREVIATIONS:
 AC. ACRES
 O.R.B. OFFICIAL RECORD BOOK
 PG. PAGE
 P.O.B. POINT OF BEGINNING
 P.O.C. POINT OF COMMENCEMENT
 R/W. RIGHT OF WAY
 SQ.FT. SQUARE FEET



SHEET 3 OF 3

NOTE:

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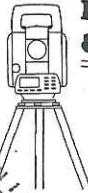
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REVISIONS	DATE	BY	CHKD	F.B./PAGE



Book23459/Page57

Page 5 of 5

I hereby certify that the foregoing is a true copy of the record in my office this day, Aug 26, 2013.
 Sharon R. Bock, Clerk Circuit Court, Palm Beach County, Florida
 BY Stephanie Williams Deputy Clerk



This instrument prepared by:
and return to:
~~MICHAEL S. ROSS, ESQ.~~ *Will Prince, Esq.*
Greenspoon Marder, P.A.
100 W. Cypress Creek Road, Suite 700
Fort Lauderdale, Florida 33309

CFN 20130013006
OR BK 25706 PG 0497
RECORDED 01/09/2013 15:37:59
Palm Beach County, Florida
ANT 1,200,000.00
Doc Stamp 8,400.00
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 0497 - 500; (4pgs)

This

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 28th day of December, 2012 between, **SOUTHERN BLVD. PARTNERS, L.L.C.**, a Florida limited liability company, whose mailing address is 3201 North Federal Highway, Suite 300, Fort Lauderdale, Florida 33306 (herein called "Grantor"), in consideration of Ten Dollars (\$10.00) and other valuable considerations received from Grantee, hereby grants and conveys to **10651 SOUTHERN, LLC**, a Florida limited liability company, whose mailing address is 4870 N.W. 104th Lane, Coral Springs, FL 33076 (herein called the "Grantee"), the real property in Palm Beach County, Florida, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

To have and to hold the same in fee simple forever.

Grantor covenants with said Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property, and Grantor hereby warrants the title to the Property and will defend the same against the lawful claims of others claiming by, through or under said Grantor except for the matters referenced on Exhibit "B," which are not reimposed by this reference.

Dated this 28 day of December, 2012.

Signed in the presence of two witnesses:

[Signature]

Name: Mark L. Sager

[Signature]

Name: Jonette Bishop

SOUTHERN BLVD. PARTNERS, L.L.C.,
a Florida limited liability company

[Signature]

By: Jonas S. Nordal, Managing Member

11084462:2

STATE OF FLORIDA)
)SS:
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 28 day of December, 2012 by Jonas S. Nordal, as the Managing Member of Southern Blvd. Partners, L.L.C., a Florida limited liability company, on behalf of the company. He is personally known to me or has produced _____ as identification.



(affix notarial seal)

Jonette L. Bishop
Print Name: _____
Notary Public, State of Florida
Commission Number: _____
My Commission Expires: _____

Certified copy

11084462:2

EXHIBIT "A"

The West ½ of the East ½ of the SW ¼ of the NE ¼ of the SW ¼ of Section 36,
Township 43 South, Range 41 East, Palm Beach County, Florida, less road right of way
and canal right of way.

This is not a certified copy

11084462:2

EXHIBIT "B"

1. Taxes for the year 2013 and subsequent years.
2. Easement in favor of Royal Palm Storage, Inc, the general partner of Royal Palm Storage Limited Partnership, et al. as set forth in Grant of Easement recorded in Book 12096, Page 1538.
3. Covenants, conditions, provisions and easement rights as set forth in Amended and Restated Easement recorded in Book 20359, Page 1832.
4. Covenants, conditions, provisions and easement rights as set forth in Easement Agreement recorded in Book 20549, Page 1878.
5. Utility Easement recorded in Book 23459, Page 53.
6. Cross Access Easement Agreement recorded in Book 24125, Page 1169.
7. Declaration of Covenants, Restrictions, and Easements recorded in Book 24125, Page 1181, as amended by First Amendment to Declaration of Covenants, Restrictions and Easements recorded in Book 24399, Page 121.
8. Covenants, conditions, provisions and easement rights as set forth in Cross Access Easement Agreement recorded in Book 24125, Page 1192.
9. Declaration of Restrictions recorded in Book 25468, Page 137.

11084462 v1
11084462:2