

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

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Meeting Date: August 18, 2015           [X] Consent [ ] Regular
                                           [ ] Workshop [ ] Public Hearing
Department:
Submitted By: Department of Airports
Submitted For:
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**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to approve: a Declaration of Easement (Declaration) for water utility improvements on 20,596 square feet of County-owned property on the south side of Belvedere Road at Country Club Drive at the Palm Beach International Airport (PBIA).

**Summary:** The Water Utilities Department is requesting a Declaration for water and sewer improvements constructed at the NetJets Aviation, Inc. (NetJets) facility, at the intersection of Belvedere Road and Country Club Drive at PBIA. The Declaration provides for the installation, operation and maintenance of water transmission and distribution facilities on the property. Countywide (HJF)

**Background and Justification:** The NetJets facility is on land leased to Signature Flight Support Corporation (Signature) for the development of aeronautical facilities on PBIA (R-2004-1990, as amended). Signature subleased the site to NetJets Aviation, Inc. The Declaration memorializes the existence of water transmission and distribution facilities on County-owned property.

- Attachments:**
1. Declaration of Easement

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Recommended By: [Signature] 6/23/15
                    Department Director         Date

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Approved By: [Signature] 7/15/15
                  County Administrator         Date

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**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
Operating Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	* _____	_____	_____	_____	_____
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Budget Account No: Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_ RSource \_\_\_\_\_  
 Reporting Category \_\_\_\_\_

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

\*No fiscal impact.

C. Departmental Fiscal Review:                     CM Surin                    

**III. REVIEW COMMENTS**

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

                    Sherry Brown                      
 7/13 SC 7/13 OFMB 7/13

                    Doreen Jacobson                     7/15/15  
 Contract Dev. and Control  
 7-14-15 B. Schuler

**B. Legal Sufficiency:**

                    H. Jal                     7/16/15  
 Assistant County Attorney

**C. Other Department Review:**

                    N/A                      
 Engineering Department Director

                    N/A                      
 Airports Department Director

Prepared by and return to:  
Laura Beebe, Deputy Director  
Palm Beach County Dept of Airports  
846 Palm Beach International Airport  
West Palm Beach, FL 33406

A portion of PCN 00-43-43-36-05-000-0010

**DECLARATION OF EASEMENT**

**THIS IS A DECLARATION OF EASEMENT**, made this \_\_\_\_\_,  
by PALM BEACH COUNTY, a political subdivision of the state of Florida ("County") whose  
address is c/o Palm Beach County Department of Airports, 846 Palm Beach International Airport,  
West Palm Beach, Florida, 33406.

**WHEREAS**, County is the owner and operator of Palm Beach International Airport located  
in Palm Beach County, Florida (the "Airport"); and

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

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

**WITNESSETH:**

**NOW, THEREFORE**, County does hereby declare, grant and create a perpetual in gross  
water utility easement for the benefit of County upon the property legally described in Exhibit "A",  
attached hereto (the "Easement Premises"). This easement shall be for the sole purpose of water  
utilities and shall include the right at any time to install, operate, maintain, service, construct,  
reconstruct, remove, relocate, repair, replace, improve, expand, tie into, and inspect water  
transmission and distribution facilities and all appurtenances thereto with the full right to ingress  
thereto and egress therefrom in, on, over, under and across the Easement Premises.

The easement created hereby shall not be extinguished by operation of law, including,  
without limitation, the doctrines of merger or unity of title and shall inure to the benefit of County  
and run with the land and encumber and burden the Airport property upon the conveyance thereof  
by County notwithstanding County's failure to specifically reserve or reference such easement in the  
instrument of conveyance.

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

**ATTEST:**

**SHARON R. BOCK**

By: \_\_\_\_\_  
Clerk & Comptroller

**PALM BEACH COUNTY, a political  
subdivision of the State of Florida by its  
Board of County Commissioners**

By: \_\_\_\_\_  
Shelley Vana, Mayor

(SEAL)

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

By: \_\_\_\_\_  
Assistant County Attorney

**APPROVED AS TO TERMS AND  
CONDITIONS**

By:  \_\_\_\_\_  
Department Director

# EXHIBIT "A"

## DESCRIPTION:

BEING A PARCEL OF LAND LYING IN SECTIONS 25 AND 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 25; THENCE S88°31'29"E ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 1197.19 FEET; THENCE N01°28'31"E, A DISTANCE OF 27.94 FEET TO THE POINT OF BEGINNING; THENCE N56°46'01"E, A DISTANCE OF 55.77 FEET; THENCE N51°44'01"E, A DISTANCE OF 72.07 FEET; THENCE N44°43'43"E, A DISTANCE OF 49.57 FEET; THENCE N43°49'04"E, A DISTANCE OF 12.57 FEET; THENCE N00°47'34"E, A DISTANCE OF 176.13 FEET; THENCE N46°55'09"W, A DISTANCE OF 15.21 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF THAT 106 FOOT WIDE RIGHT-OF-WAY FOR BELVEDERE ROAD; THENCE N44°41'31"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 20.01 FEET; THENCE S46°55'09"E, A DISTANCE OF 23.49 FEET; THENCE S00°47'34"W, A DISTANCE OF 177.92 FEET; THENCE N44°14'48"E, A DISTANCE OF 21.77 FEET; THENCE N00°47'34"E, A DISTANCE OF 161.18 FEET; THENCE N44°03'58"W, A DISTANCE OF 34.94 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF THAT 106 FOOT WIDE RIGHT-OF-WAY FOR BELVEDERE ROAD; THENCE N44°41'31"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET; THENCE S44°03'58"E, A DISTANCE OF 43.62 FEET; THENCE S00°47'34"W, A DISTANCE OF 177.40 FEET; THENCE S44°14'48"W, A DISTANCE OF 112.80 FEET; THENCE S51°44'01"W, A DISTANCE OF 75.27 FEET; THENCE S56°46'01"W, A DISTANCE OF 17.34 FEET; THENCE S33°16'56"E, A DISTANCE OF 35.68 FEET; THENCE N57°18'10"E, A DISTANCE OF 10.08 FEET; THENCE S32°41'50"E, A DISTANCE OF 23.59 FEET; THENCE N87°41'32"E, A DISTANCE OF 10.38 FEET; THENCE N68°48'10"E, A DISTANCE OF 44.67 FEET; THENCE S21°11'50"E, A DISTANCE OF 32.32 FEET; THENCE N68°48'10"E, A DISTANCE OF 53.98 FEET; THENCE S66°11'50"E, A DISTANCE OF 65.75 FEET; THENCE S23°48'10"W, A DISTANCE OF 20.00 FEET; THENCE N66°11'50"W, A DISTANCE OF 57.46 FEET; THENCE S68°48'10"W, A DISTANCE OF 65.70 FEET; THENCE N21°11'50"W, A DISTANCE OF 32.32 FEET; THENCE S68°48'10"W, A DISTANCE OF 35.43 FEET; THENCE N77°41'50"W, A DISTANCE OF 34.34 FEET; THENCE N33°16'56"W, A DISTANCE OF 57.51 FEET; THENCE S56°46'02"W, A DISTANCE OF 19.75 FEET; THENCE N33°13'58"W, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 20,596 SQUARE FEET OR 0.4728 ACRES, MORE OR LESS.

LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

## NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS SHOWN ARE RELATIVE TO FLORIDA STATE PLANE EAST ZONE. NAD83 1990 ADJUSTMENT. GRID BEARING BASIS S88°31'29"E ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER SECTION 36-43-42, PALM BEACH COUNTY, FLORIDA.
4. THE "LAND DESCRIPTION" WAS PREPARED BY THE SURVEYOR
5. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENT OF RECORD AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
6. STATE PLANE COORDINATES SHOWN HEREON ARE RELATIVE CORNERS PUBLISHED BY PALM BEACH COUNTY, WHICH ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983, IN U.S. SURVEY FEET.
7. ORB-DENOTES OFFICIAL RECORD BOOK

## CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON JULY 22, 2013. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

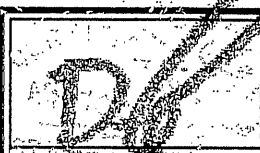
THIS IS NOT A SURVEY

SHEET 1 OF 4

CAULFIELD & WHEELER, INC.



CIVIL ENGINEERING - LAND SURVEYING  
7900 GLADES ROAD - SUITE 100  
BOCA RATON, FLORIDA 33434  
PHONE (561)-392-1991 / FAX (561)-750-1452



DAVID P. LINDLEY  
REGISTERED LAND  
SURVEYOR NO. 5005  
STATE OF FLORIDA  
L.B. 3591

DATE 7/22/13

DRAWN BY DPL

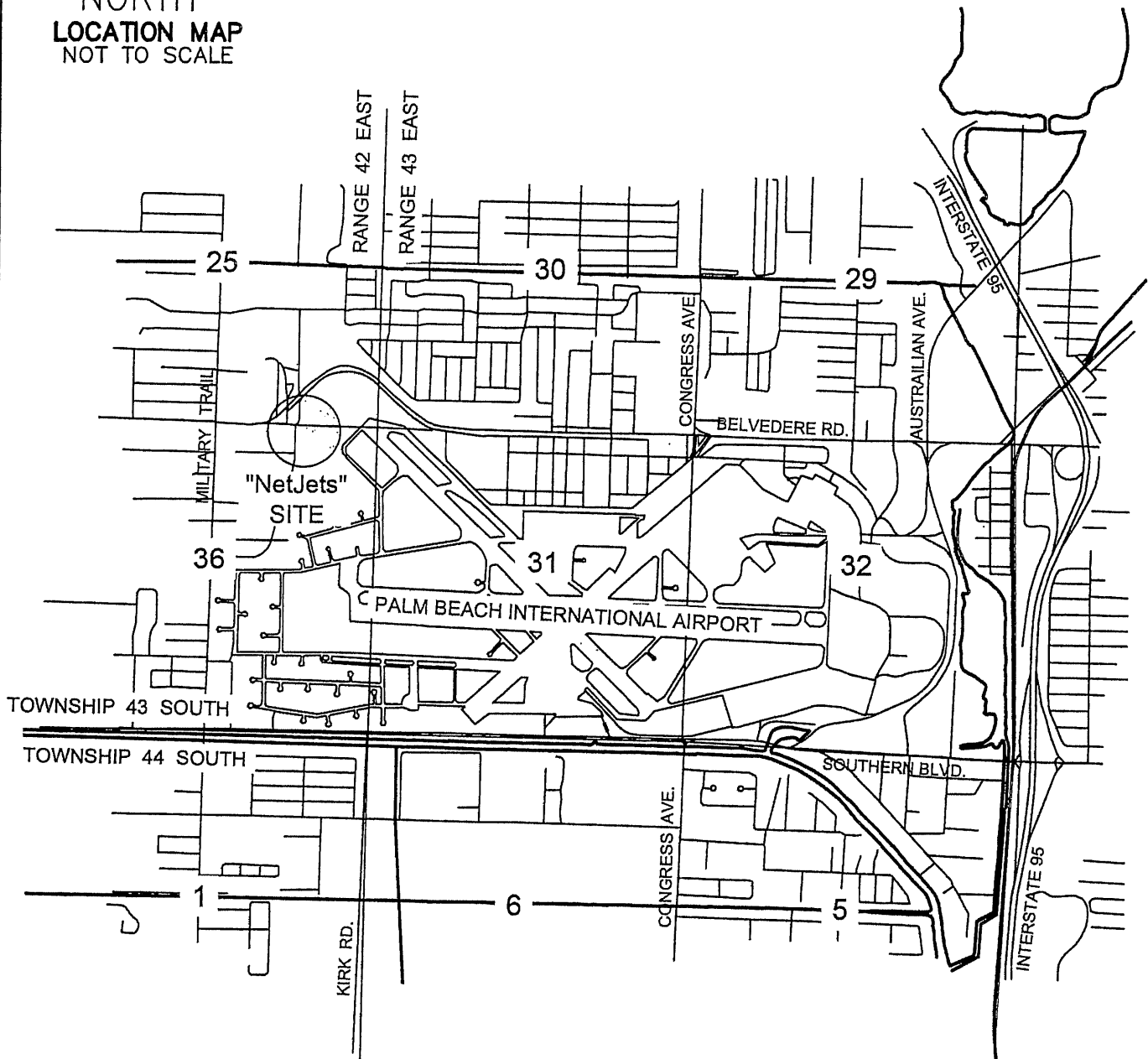
F.B./ PG. N/A

SCALE AS SHOWN

JOB NO.6321PBCUE2

SIGNATURE FLIGHT  
PALM BEACH COUNTY UTILITY EASEMENT  
SKETCH OF DESCRIPTION

  
**NORTH**  
**LOCATION MAP**  
 NOT TO SCALE



**SHEET 2 OF 4**

**CAULFIELD & WHEELER, INC.**



CIVIL ENGINEERING - LAND SURVEYING  
 7900 GLADES ROAD - SUITE 100  
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**SIGNATURE FLIGHT**  
**PALM BEACH COUNTY UTILITY EASEMENT**  
**SKETCH OF DESCRIPTION**

DATE	7/22/13
DRAWN BY	DPL
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	6321PBCUE2



CAULFIELD & WHEELER, INC.

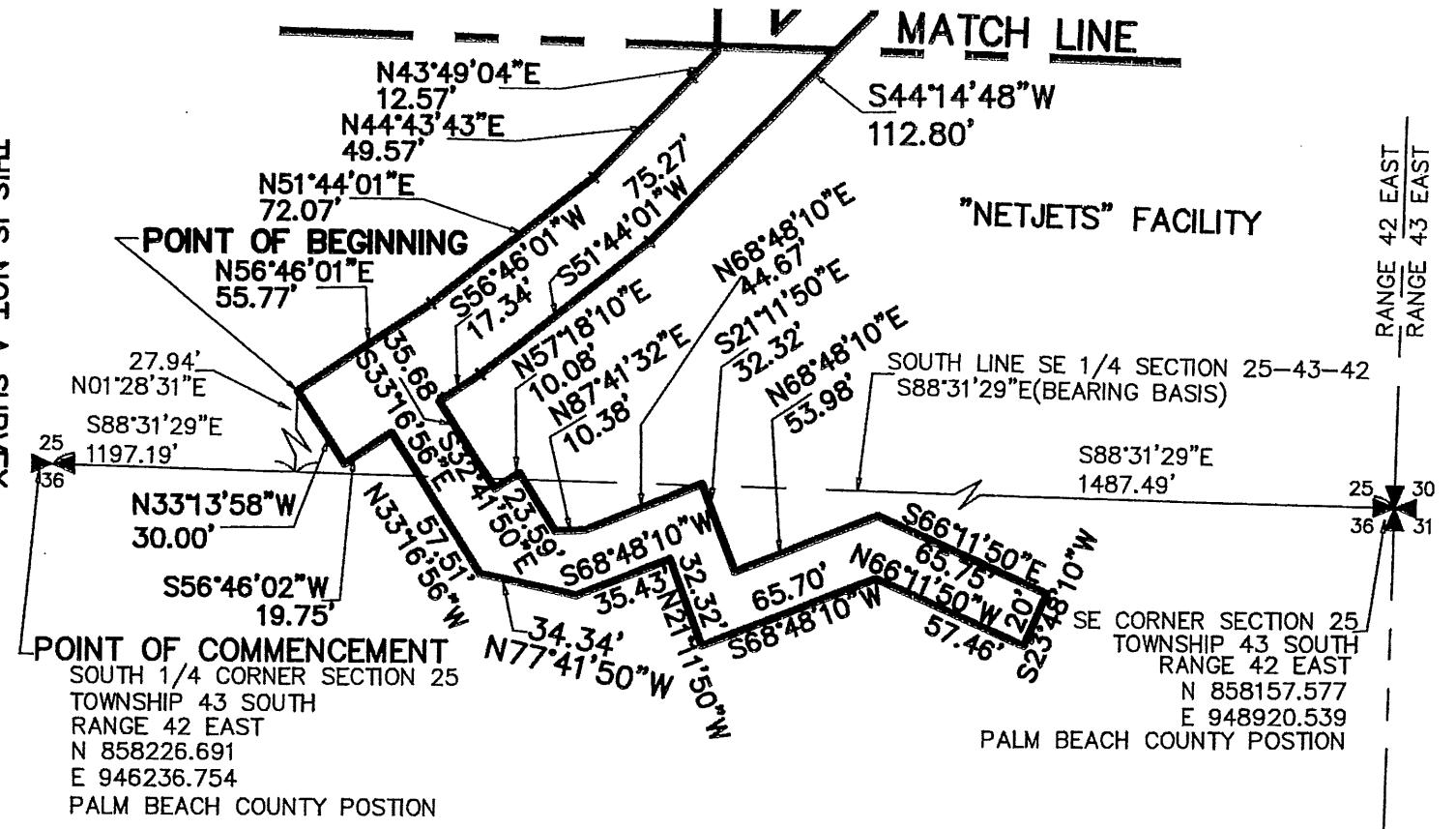
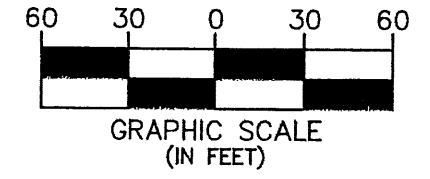
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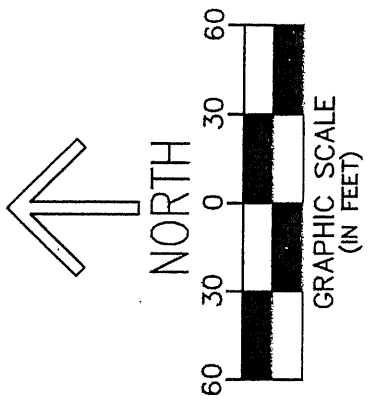
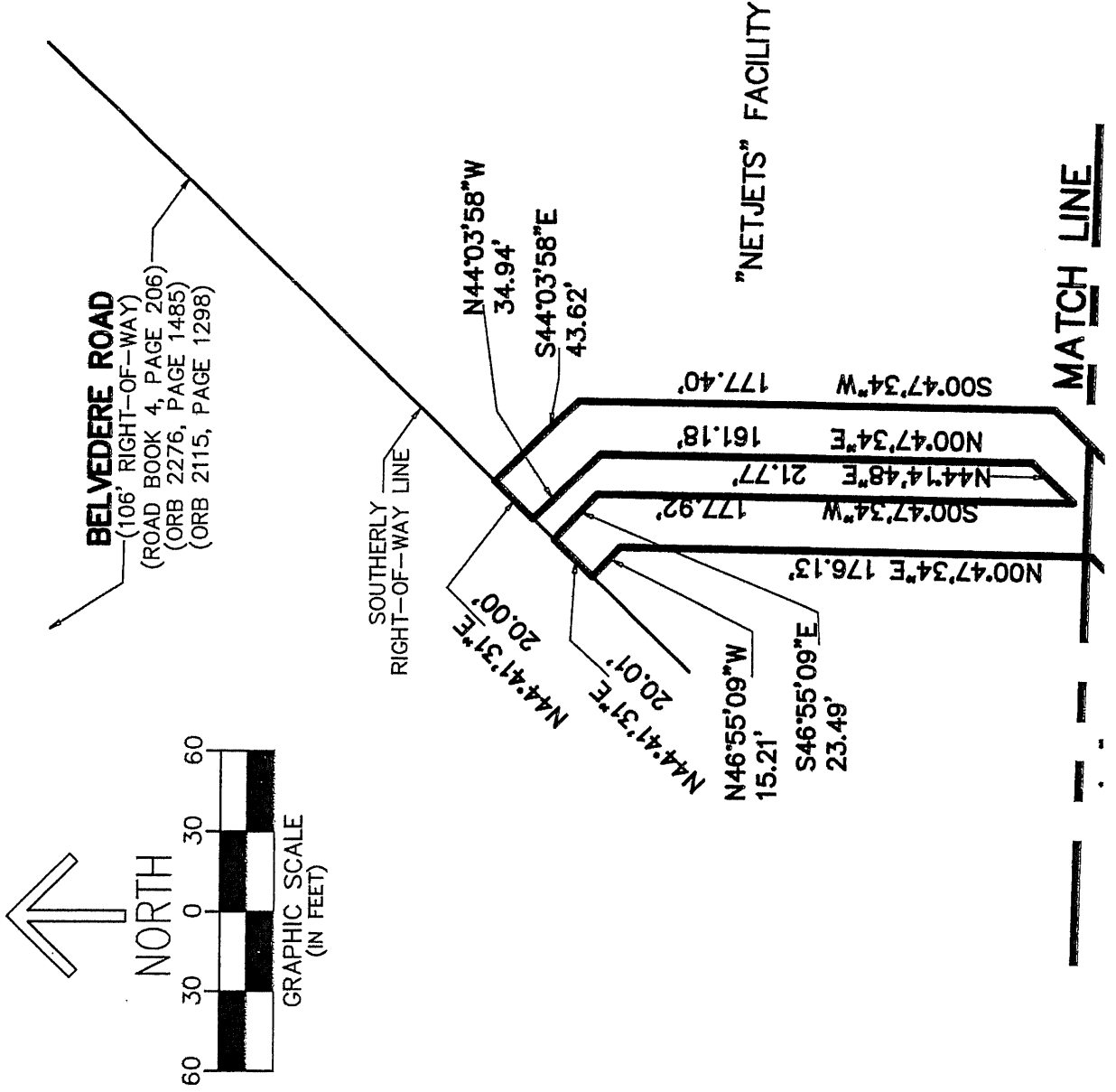
SIGNATURE FLIGHT  
PALM BEACH COUNTY UTILITY EASEMENT  
SKETCH OF DESCRIPTION

DATE	7/22/13
DRAWN BY	DPL
F.B./PG.	N/A
SCALE	AS SHOWN
JOB NO.	06321PBCUE2

SHEET 3 OF 4

THIS IS NOT A SURVEY





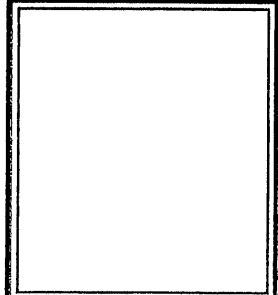
SHEET 4 OF 4

THIS IS NOT A SURVEY

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DATE	7/22/13
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F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	06321PBCUE2

**SIGNATURE FLIGHT**  
**PALM BEACH COUNTY UTILITY EASEMENT**  
**SKETCH OF DESCRIPTION**