



**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<b>* 0</b> _____	<b>0</b> _____	<b>0</b> _____	<b>0</b> _____	<b>0</b> _____
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____
<b>Is Item Included in Current Budget:</b>	Yes _____	No _____			
Budget Account No:	Fund _____	Dept _____	Unit _____	Object _____	
	Program _____				

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

*\*No Fiscal Impact.*

Fixed Asset Number: M09233

*Handwritten signature and date: 2-3-16*

**C. Departmental Fiscal Review:** \_\_\_\_\_

**III. REVIEW COMMENTS**

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

*Handwritten signature*  
 \_\_\_\_\_  
 OFMB *3/8* *4/8*

*Handwritten signature and date: 2/11/16*  
 \_\_\_\_\_  
 Contract Development and Control

**B. Legal Sufficiency:**

*Handwritten signature and date: 2/12/16*  
 \_\_\_\_\_  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

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

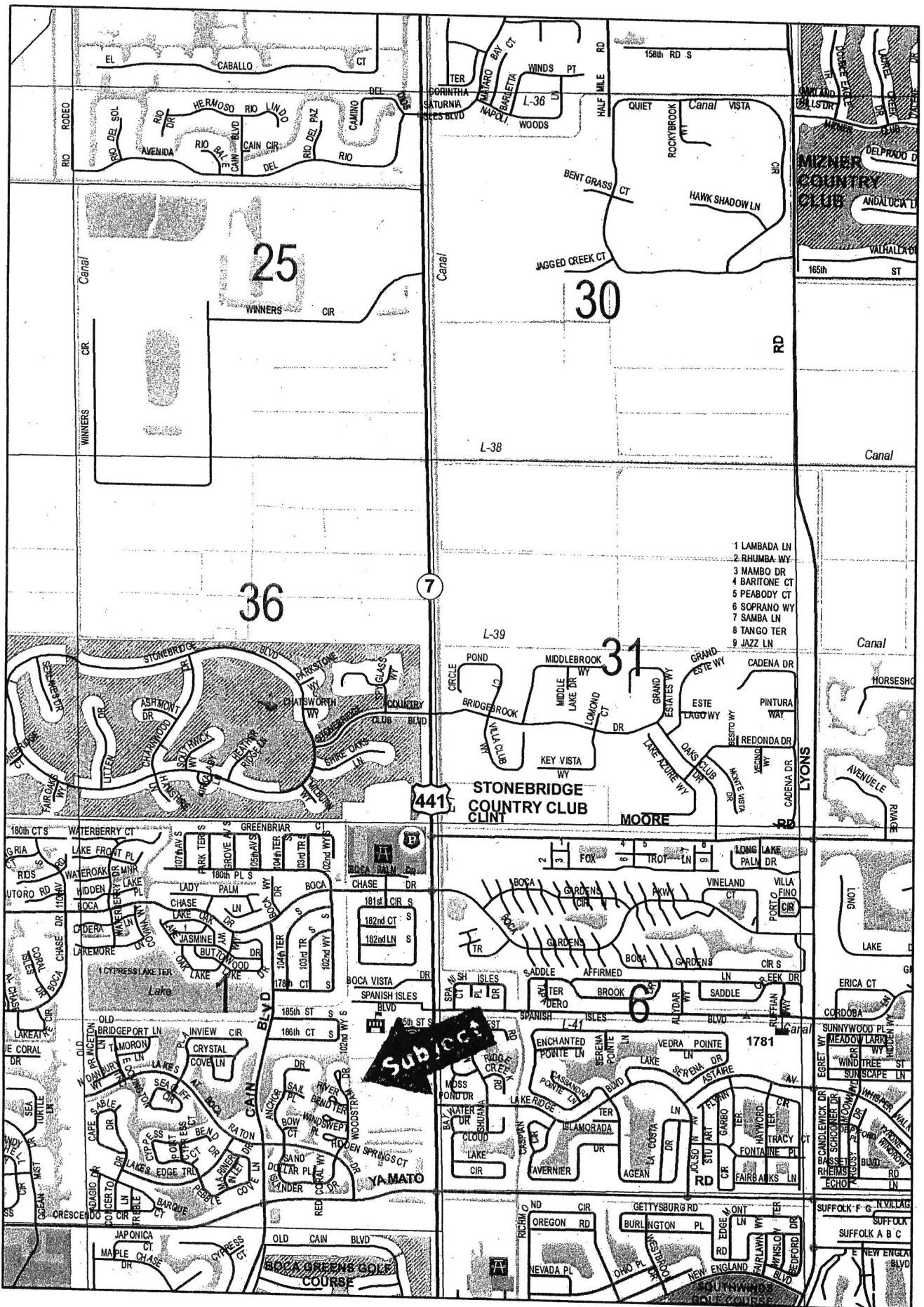
L

K

TWP 46

TWP 46

TWP 47



RNG 41

RNG 42

# LOCATION MAP

## Attachment 1

(1 page)



Attachment 2  
(10 pages)

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Prepared by and Return to:  
Marcel Pessoa, Real Estate Specialist  
Property & Real Estate Management Division  
2633 Vista Parkway  
West Palm Beach, FL 33411  
PCN: 00-41-47-01-01-050-0010

**THIS AMENDED AND RESTATED RESTRICTIVE COVENANT IS BEING RECORDED FOR THE PURPOSE OF AMENDING EXHIBIT "A" RECORDED IN OFFICIAL RECORD BOOK 21938, PAGE 1311 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.**

**AMENDED AND RESTATED RESTRICTIVE COVENANT**

**THIS AMENDED AND RESTATED RESTRICTIVE COVENANT**, made and executed this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by Palm Beach County ("County").

**WITNESSETH:**

**WHEREAS**, the County is the owner of a water management tract at the West Boca Library Complex located at 18685 S State Road 7 in unincorporated Boca Raton; and

**WHEREAS**, there is a required 15,248 square foot coverage to be planted in accordance with an associated littoral planting plan and maintained at a minimum 80% survival rate as approved by the Palm Beach County Department of Environmental Resources Management ("ERM") in the approved Notice of Intent to Construct for Excavation (NIC), Excavation No. E200619, which can be found at ERM; and

**WHEREAS**, the Site Plan is set forth in Exhibit "B", attached hereto and made a part hereof; and

**WHEREAS**, on July 10, 2007 (R2007-1113), the County executed a Restrictive Covenant encumbering a 0.417 acre (18,195 sq. ft.) littoral area within the water management tract at the West Boca Library Complex, said Restrictive Covenant being

recorded in Official Record Book 21938, Page 1311; and

**WHEREAS**, County wishes to amend the Restrictive Covenant to relocate the littoral planting area to provide a more conducive area for the survival of littoral plants and to substitute the legal description attached as Exhibit "A" to the Restrictive Covenant with the legal description attached hereto as Exhibit "A".

**NOW, THEREFORE**, in accordance with the Palm Beach County Unified Land Development Code ("ULDC"), Article 4, Chapter D, Excavation, County, its successors, heirs and assigns, must provide for and perpetually maintain the planted littoral shelves as more specifically provided for in Exhibit "A", as attached hereto, and the NIC approval. Furthermore, it is a punishable violation of Palm Beach County laws, ordinances, codes, regulations and approvals to alter the approved slopes, contours or cross sections or to chemically, mechanically or manually remove, damage or destroy any plants in the reclaimed areas and planted littoral zone as set forth in Exhibit "A", as attached hereto, and the NIC approval, except, upon the express, written approval from the Director of ERM or the Palm Beach County Zoning Division, as applicable. It is the responsibility of the County, its successors, and assigns, to maintain the required survivorship and coverage of the reclaimed upland and planted littoral areas as set forth in Exhibit "A", as attached hereto, and NIC approval and to insure ongoing removal of prohibited and invasive non-native plant species from these areas. The littoral areas shall be constructed and perpetually maintained in compliance with the planting plan requirements of the ULDC, Article 4, Chapter D, Excavation, and planting plans as approved by ERM and set forth in Exhibit "A", as attached hereto, and the NIC approval.

These restrictions shall be deemed covenants running with the land.

**(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)**

IN WITNESS WHEREOF, County hereunder executes this Amended and Restated Restrictive Covenant the day and year first written above.

ATTEST:

COUNTY:

**SHARON R. BOCK  
CLERK & COMPTROLLER**

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

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Mary Lou Berger, Mayor

Signed and delivered  
in the presence of:

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Print Witness Name

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Print Witness Name

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS  
AND CONDITIONS**

By:   
Chief Assistant County Attorney

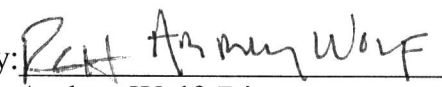
By:   
Audrey Wolf, Director  
Facilities Development and Operations

EXHIBIT "A"  
WEST BOCA LIBRARY  
LITTORAL ZONES

LEGAL DESCRIPTION


THREE PARCELS OF LAND FOR LITTORAL ZONE PURPOSES LYING WITHIN TRACTS 50, 51 AND 52 OF FLORIDA FRUIT LANDS CO. SUBDIVISION NO. 2 RECORDED IN PLAT BOOK 1, PAGE 102, OF THE PUBLIC RECORDS PALM BEACH COUNTY, FLORIDA. SITUATED IN SECTION 1, TOWNSHIP 47 SOUTH, RANGE 41 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LITTORAL ZONE #1

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 47 SOUTH, RANGE 41 EAST; THENCE NORTH 00°58'24" WEST, A DISTANCE OF 2001.57 FEET; THENCE SOUTH 89°01'36" WEST, A DISTANCE OF 1265.32 FEET TO THE POINT OF BEGINNING OF LITTORAL ZONE #1; THENCE NORTHWESTERLY 19.02 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTH, (A RADIAL LINE FROM SAID POINT BEARS NORTH 01°38'10" EAST) HAVING A RADIUS OF 300.00 FEET AND A CENTRAL ANGLE OF 03°37'58"; THENCE NORTH 00°50'19" WEST, A DISTANCE OF 555.23 FEET; THENCE NORTH 53°02'21" EAST, A DISTANCE OF 16.03 FEET TO REFERENCE POINT "A"; THENCE SOUTH 04°00'57" EAST A DISTANCE OF 100.48 FEET; THENCE SOUTH 00°16'52" WEST, A DISTANCE OF 101.34 FEET; THENCE SOUTH 02°36'06" EAST, A DISTANCE OF 97.86 FEET; THENCE SOUTH 00°10'47" EAST, A DISTANCE OF 98.54 FEET; THENCE SOUTH 00°48'19" EAST, A DISTANCE OF 110.15 FEET; THENCE SOUTH 05°28'50" EAST, A DISTANCE OF 20.47 FEET; THENCE SOUTH 00°45'06" WEST, A DISTANCE OF 37.57 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH LITTORAL ZONE #2

COMMENCE AT AFOREMENTIONED REFERENCE POINT "A" THENCE NORTH 61°42'43" EAST, A DISTANCE OF 54.53 FEET TO THE POINT OF BEGINNING OF LITTORAL ZONE #2; THENCE NORTH 60°48'07" EAST, A DISTANCE OF 10.83 FEET; THENCE SOUTH 89°49'16" EAST, A DISTANCE OF 41.22 FEET; THENCE SOUTH 87°50'02" EAST, A DISTANCE OF 16.50 FEET; THENCE SOUTH 89°37'42" EAST, A DISTANCE OF 16.30 FEET; THENCE NORTH 87°48'25" EAST, A DISTANCE OF 36.51 FEET; THENCE SOUTH 85°04'59" EAST, A DISTANCE OF 20.75 FEET; THENCE SOUTH 83°44'20" EAST, A DISTANCE OF 22.40 FEET; THENCE SOUTH 32°45'56" EAST, A DISTANCE OF 13.66 FEET; THENCE SOUTH 23°12'38" WEST, A DISTANCE OF 23.20 FEET TO REFERENCE POINT "B"; THENCE NORTH 27°30'52" WEST, A DISTANCE OF 21.28 FEET; THENCE NORTH 87°01'45" WEST, A DISTANCE OF 68.18 FEET; THENCE NORTH 87°32'41" WEST, A DISTANCE OF 16.33 FEET; THENCE NORTH 83°16'52" WEST, A DISTANCE OF 16.33 FEET; THENCE SOUTH 86°21'51" WEST, A DISTANCE OF 27.51 FEET; THENCE NORTH 83°24'02" WEST, A DISTANCE OF 19.36 FEET; THENCE NORTH 34°58'54" WEST, A DISTANCE OF 6.97 FEET TO THE POINT OF BEGINNING.

SHEET: 1 OF: 6 PROJECT NO. 2015018-03	<b>PROJECT:</b> <b>WEST BOCA LIBRARY</b> <b>LITTORAL ZONES</b> <b>#1, #2 &amp; #3</b>	SCALE: 1" = 40' APPROVED: G. W. M. DRAWN: E. A. D. CHECKED: S. T. A. DATE: 07/21/15 FIELD BOOK NO.	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">NO.</th> <th style="width: 10%;">REVISION</th> <th style="width: 5%;">BY</th> <th style="width: 10%;">DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	REVISION	BY	DATE					 <b>PALM BEACH COUNTY</b> <b>ENGINEERING AND PUBLIC WORKS</b> <b>ROADWAY PRODUCTION</b> <b>2300 NORTH JOG ROAD</b> <b>WEST PALM BEACH, FL 33411</b>
NO.	REVISION	BY	DATE									
DESIGN FILE NAME S-1-15-3675.DGN		DRAWING NO. S-1-15-3675										



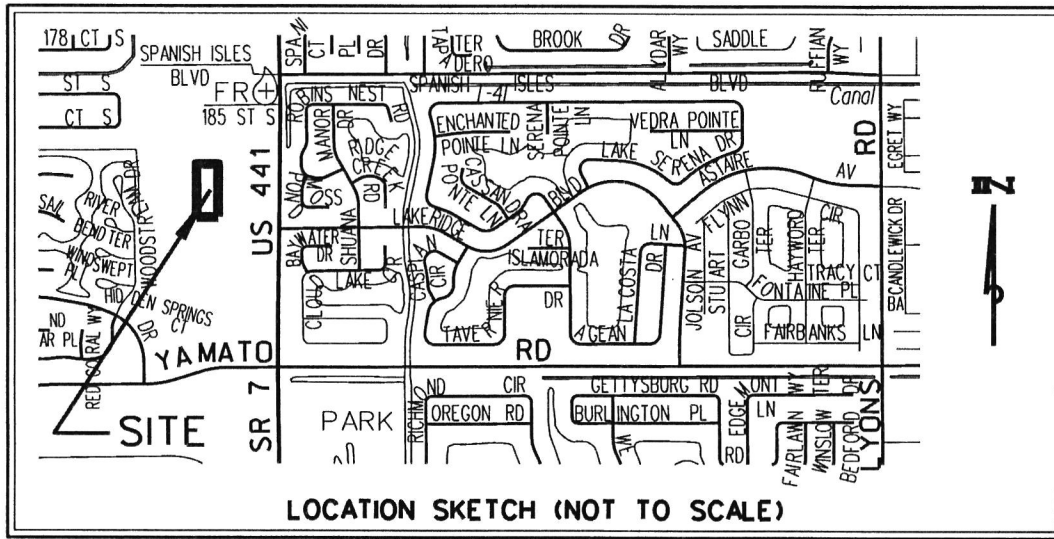
ALSO TOGETHER WITH LITTORAL ZONE #3

COMMENCE AT AFOREMENTIONED REFERENCE POINT "B"; THENCE SOUTH 01°28'18" WEST, A DISTANCE OF 63.10 FEET TO THE POINT OF BEGINNING OF LITTORAL ZONE #3; THENCE SOUTH 56°32'56" EAST, A DISTANCE OF 13.74 FEET; THENCE SOUTH 00°16'08" EAST, A DISTANCE OF 72.92 FEET; THENCE SOUTH 06°05'50" EAST, A DISTANCE OF 65.69 FEET; THENCE SOUTH 02°27'38" WEST, A DISTANCE OF 41.57 FEET; THENCE SOUTH 03°29'09" EAST, A DISTANCE OF 36.50 FEET; THENCE SOUTH 04°00'40" WEST, A DISTANCE OF 34.50 FEET; THENCE SOUTH 00°31'52" EAST, A DISTANCE OF 32.25 FEET; THENCE SOUTH 03°24'45" WEST, A DISTANCE OF 22.09 FEET; THENCE SOUTH 00°54'12" EAST, A DISTANCE OF 73.88 FEET; THENCE SOUTH 50°05'04" EAST, A DISTANCE OF 7.88 FEET; THENCE SOUTH 01°47'12" WEST, A DISTANCE OF 17.76 FEET; THENCE SOUTH 52°36'00" WEST, A DISTANCE OF 9.42 FEET; THENCE NORTH 66°51'47" WEST, A DISTANCE OF 10.03 FEET; THENCE NORTH 03°26'25" WEST, A DISTANCE OF 53.82 FEET; THENCE NORTH 00°03'40" EAST, A DISTANCE OF 67.39 FEET; THENCE NORTH 00°02'21" WEST, A DISTANCE OF 58.31 FEET; THENCE NORTH 01°40'40" WEST, A DISTANCE OF 61.70 FEET; THENCE NORTH 00°32'00" EAST, A DISTANCE OF 41.90 FEET; THENCE NORTH 01°59'57" EAST, A DISTANCE OF 41.37 FEET; THENCE NORTH 07°52'32" WEST, A DISTANCE OF 34.10 FEET; THENCE NORTH 02°16'57" EAST, A DISTANCE OF 52.87 FEET TO THE POINT OF BEGINNING.

CONTAINS 18,383 SQUARE FEET OR 0.4220 ACRES MORE OR LESS.

LEGEND

P.O.C. = POINT OF COMMENCEMENT  
P.O.B. = POINT OF BEGINNING  
P.B.C. = PALM BEACH COUNTY  
R/W = RIGHT OF WAY  
REF = REFERENCE  
ORB = OFFICIAL RECORD BOOK  
SEC = SECTION  
TWP = TOWNSHIP  
RNG = RANGE



SURVEYOR'S REPORT

BEARINGS ARE BASED ON A GRID (83/90) BEARING OF NORTH 00°58'24" WEST BETWEEN THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 47 SOUTH, RANGE 41 EAST AND THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 47 SOUTH, RANGE 42 EAST, ALL OTHER BEARINGS ARE RELATIVE THERETO.

THIS INSTRUMENT PREPARED BY SCOTT T. ADAMS SR. & GLENN W. MARK, P.L.S. IN THE OFFICE OF THE COUNTY ENGINEER, 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411-2745.

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.

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 = 1.0000185  
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

ALL FEATURE SYMBOLS SHOWN ARE NOT TO SCALE.

THIS IS NOT A SURVEY

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 STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J-17.050 - .052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

*Glenn W. Mark*  
 \_\_\_\_\_  
 GLENN W. MARK, P.L.S.  
 FLORIDA CERTIFICATE #5304

12/8/15  
 \_\_\_\_\_  
 DATE

WEST BOUNDARY OF  
WEST BOCA LIBRARY  
SEE P.B.C. DRAWING  
S-1-06-2514

WOODSTREAM  
PLAT BOOK 49, PAGES 72-73

FLORIDA  
FRUITLANDS CO.  
SUBDIVISION NO. 2  
OF SAID SECTION 1  
PLAT BOOK 1,  
PAGE 102  
TRACT 52

SOUTH BOUNDARY OF  
WEST BOCA LIBRARY  
SEE P.B.C. DRAWING  
S-1-06-2514

SOUTHEAST CORNER OF SECTION 1,  
TOWNSHIP 47 SOUTH, RANGE 41 EAST  
FOUND PALM BEACH COUNTY  
BRASS DISK IN CONCRETE  
N 749186.149  
E 916918.024

LITTORAL ZONE #1  
R = 300.00'  
 $\Delta = 03^{\circ}37'58''$   
A = 19.02'  
P.O.B.  
LITTORAL ZONE #1

$N01^{\circ}38'10''E$   
RADIAL

TOP OF BANK

555.23'  
 $N00^{\circ}50'19''W$

EDGE OF WATER

300.45'06"W

37.57'

505.28'50"E  
20.47'

110.15'  
500.48'19"E

DEED OF  
CONSERVATION EASEMENT  
OFFICIAL RECORD BOOK  
21938, PAGE.1297

1265.32'  
S89.01'36"W

WEST BOCA  
LIBRARY  
LAKE

FLORIDA  
FRUITLANDS CO.  
SUBDIVISION NO. 2  
OF SAID SECTION 1  
PLAT BOOK 1,  
PAGE 102  
TRACT 51

N.W. CORNER OF SEC. 6,  
TWP. 47 SOUTH, RNG. 42 E.  
FOUND P.B.C. BRASS DISK  
IN CONCRETE  
N 755196.623  
E 916815.904

SCALE: 1" = 40'

$N00^{\circ}58'24''W$  (GRID 83/90)

2001.57'

THIS IS NOT A SURVEY

PROJECT NO. 2015018-03

DRAWING NO. S-1-15-3675

PROJECT: WEST BOCA LIBRARY LITTORAL ZONES 1, 2 & 3

SHEET: 4 OF: 6

MATCH SHEET 5 OF 6

WOODSTREAM  
 PLAT BOOK 49, PAGES 72-73

WEST BOUNDARY OF  
 WEST BOCA LIBRARY  
 SEE P.B.C. DRAWING  
 S-1-06-2514

TOP OF BANK

EDGE OF WATER N00°50'19"W 555.23'

LITTORAL ZONE #1

S00°48'19"E 110.15' S00°10'47"E 98.54' S02°36'06"E 97.86'

FLORIDA FRUITLANDS CO.  
 SUBDIVISION NO. 2  
 OF SAID SECTION 1  
 PLAT BOOK 1, PAGE 102

TRACT 51

WEST BOCA  
 LIBRARY  
 LAKE

FLORIDA FRUITLANDS CO.  
 SUBDIVISION NO. 2  
 OF SAID SECTION 1  
 PLAT BOOK 1, PAGE 102  
 TRACT 50

N00°32'00"E 41.90'

MATCH SHEET 4 OF 6

MATCH SHEET 6 OF 6

N66°51'47"W  
 10.03'

53.82' N03°26'25"W  
 67.39' N00°03'40"E  
 58.31' N00°02'21"W  
 61.70' N01°40'40"W

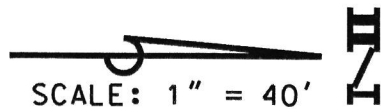
EDGE OF WATER

LITTORAL ZONE #3

S00°54'12"E 73.88' S02°27'38"W 41.57'

TOP OF BANK

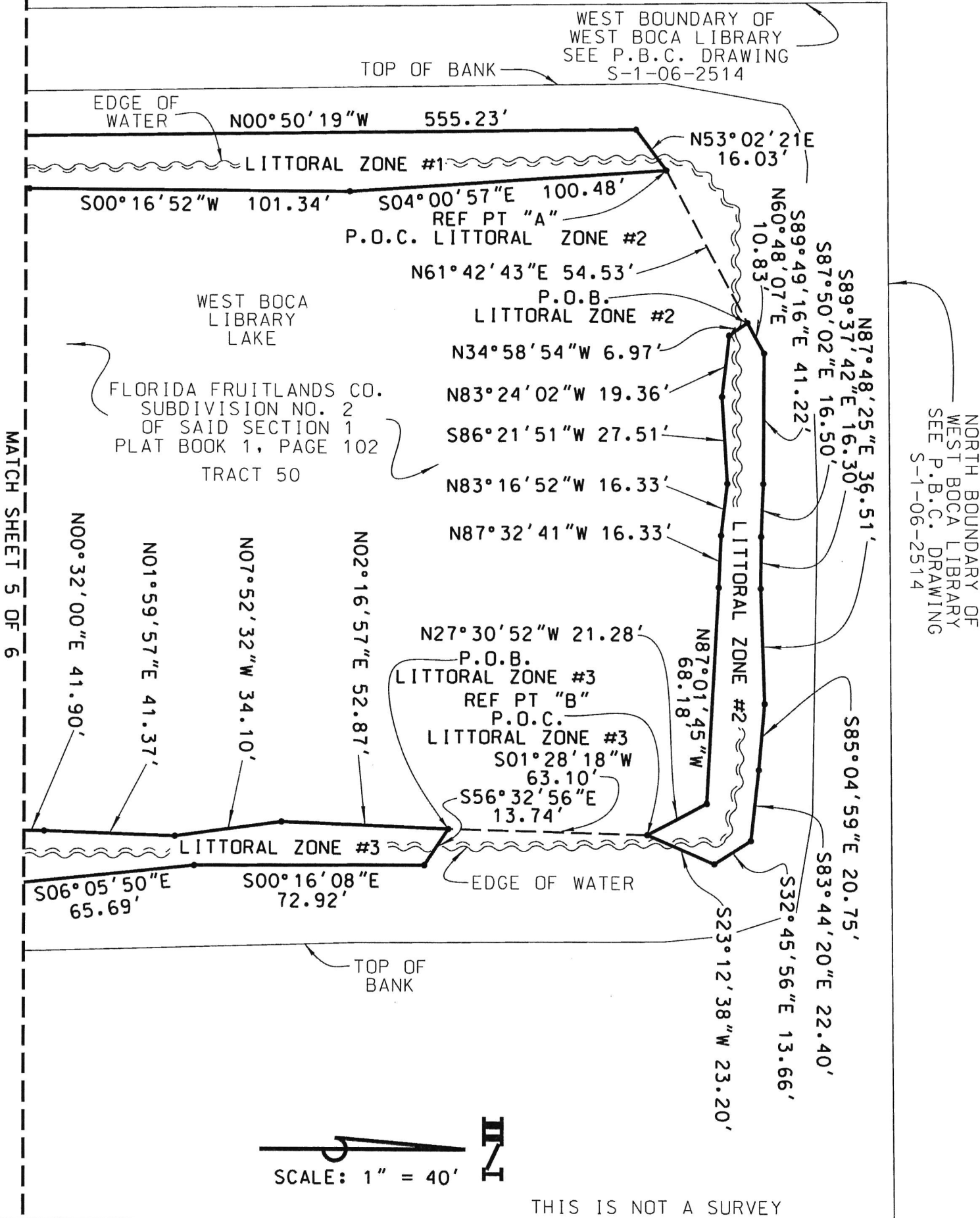
S52°36'00"W 9.42'  
 S01°47'12"W 17.76'  
 S50°05'04"E 7.88'  
 S03°24'45"W 22.09'  
 S00°31'52"E 32.25'  
 S04°00'40"W 34.50'  
 S03°29'09"E 36.50'  
 S06°05'50"E 65.69'



SCALE: 1" = 40'

THIS IS NOT A SURVEY

WOODSTREAM  
 PLAT BOOK 49, PAGES 72-73



MATCH SHEET 5 OF 6

