

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: May 17, 2016

Consent [X] Regular []
Public Hearing []

Department: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Partial Release of a Utility Easement over property owned by Hedrick 33, LLC and encumbered by an exclusive Easement Deed to Lake Worth Drainage District (LWDD).

Summary: On April 13, 2015, Dave R. Hedrick and Cathleen T. Burk, the predecessors in interest to Hedrick 33, LLC, granted the County a Utility Easement (OR BK 27498 PG 243-247) for a future utility pipe installation to serve a proposed commercial site. A review of the preliminary plat for the encumbered property revealed an encroachment of the County Utility Easement into an exclusive LWDD easement (OR BK 4577 PG 1921). The LWDD Easement Deed grants LWDD has the authority to permit utility installations in their easement. LWDD confirmed that, following the release of the encroaching portion of the County Utility Easement, it will process a Utility Permit application for the proposed pipe installation. Water Utilities Department staff recommends the partial release of that portion of the Utility Easement that encroaches into the LWDD easement. The remaining portion of the Utility Easement will provide for adequate protection and access to future County facilities. District 3 (MJ)

Background and Justification: Utility easements are required over County owned facilities to provide for access, installation, operation and maintenance purposes. During a review of a preliminary plat for a proposed residential project, it was discovered that a portion of the County Utility Easement encroaches into an exclusive LWDD easement. LWDD has requested the release of the encroaching portion of the County Utility Easement. Upon the release of that portion of the County Utility Easement, LWDD will process a permit application to allow for the installation of utility infrastructure.

Attachments:

1. Location Map
2. Two (2) Original Partial Release of Utility Easement
3. One (1) Copy of Utility Easement (OR BK 27498 PG 243-247)
4. One (1) Copy of Easement Deed (OR BK 4577 PG 1921)
5. One (1) Copy of Deed to Hedrick 33, LLC (OR BK 27628 PG 1680-1682)

Recommended By:


Department Director

4-6-16
Date

Approved By:


Assistant County Administrator

4-21-16
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
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:

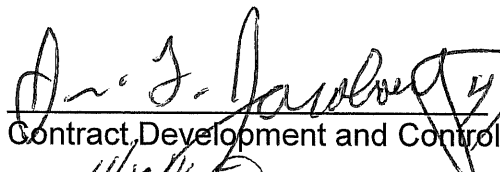
* No Fiscal Impact

C. Department Fiscal Review: Selma M West

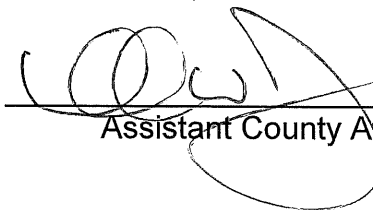
III. REVIEW COMMENTS

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


 SP
 4/16/16
 OFMB

 4/19/16
 Contract Development and Control
 4/19/16

B. Legal Sufficiency:

 4/20/16
 Assistant County Attorney

C. Other Department Review:

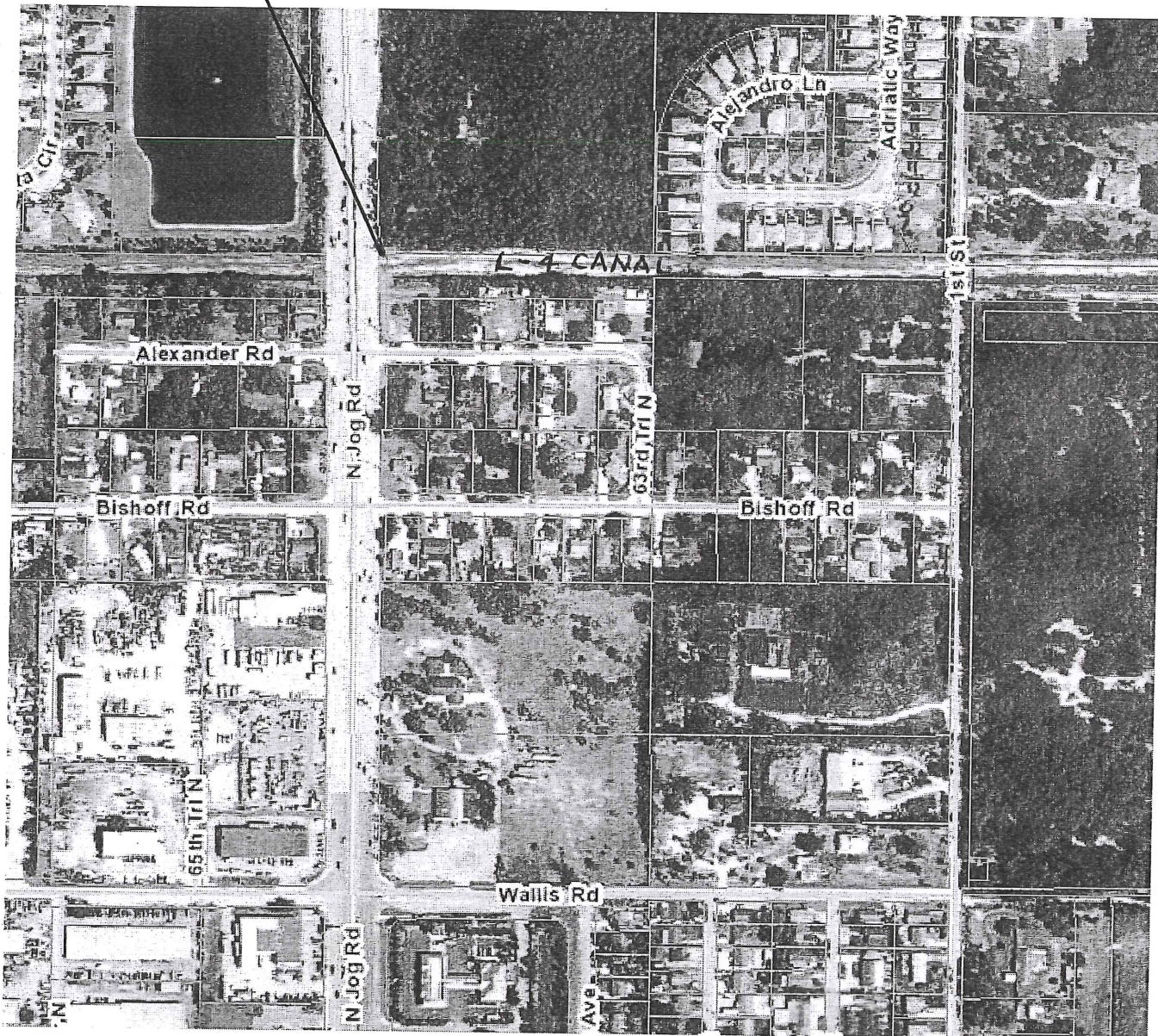
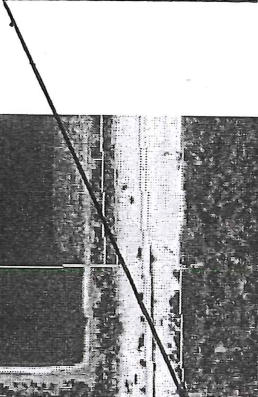
 Department Director

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

ATTACHMENT 1



Location



ATTACHMENT 2

Charge # 1023 Return via WILL CALL #133
Att: Plan Review
Palm Beach County Water Utilities Department
8100 Forest Hill Blvd
West Palm Beach, Florida 33416

PARTIAL RELEASE OF UTILITY EASEMENT

THIS PARTIAL RELEASE OF UTILITY EASEMENT, executed this ____ day of _____, _____, 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 Hedrick 33, LLC, A Florida Limited Liability Company, whose address is 12 Salt Creek Lane, Suite 400, Hinsdale, IL 60521, 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 27498, Page 0243-247, 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:

Clerk & Comptroller

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

By: _____
Deputy Clerk

By: _____
Mary Lou Berger, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney



Wantman Group, Inc.

Engineering ♦ Planning ♦ Surveying ♦ Environmental
 2035 VISTA PARKWAY, SUITE 100, WEST PALM BEACH, FL 33411
 (866) 909-2220 phone (561) 687-1110 fax
 CERTIFICATE OF AUTHORIZATION No. LB 7055
 JACKSONVILLE - ORLANDO - TALLAHASSEE - TAMPA
 www.wantmangroup.com

DESCRIPTION & SKETCH

PREPARED FOR:
HEDRICK 33, LLC

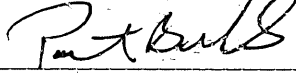
ABBREVIATIONS:

- | | |
|--|-----------------------------|
| E = EASTING | PBCO = PALM BEACH COUNTY |
| CONC. = CONCRETE | PG. = PAGE |
| LWDD = LAKE WORTH DRAINAGE DISTRICT | POB = POINT OF BEGINNING |
| PSM = PROFESSIONAL SURVEYOR AND MAPPER | POC = POINT OF COMMENCEMENT |
| LB = LICENSED SURVEY BUSINESS | R/W = RIGHT OF WAY |
| FND = FOUND | SEC. = SECTION |
| PRM = PERMANENT REFERENCE MARKER | STA. = STATION |
| PBCR = PALM BEACH COUNTY RECORDS | UE = UTILITY EASEMENT |
| (C) = CALCULATED | Δ = CENTRAL ANGLE |
| N = NORTHING | R = RADIUS |
| ORB = OFFICIAL RECORD BOOK | L = LENGTH OF ARC |
| PB = PLAT BOOK | |

SURVEYOR'S NOTES:

1. THIS DRAWING IS NOT A SURVEY.
2. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
3. THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
4. BEARINGS AND COORDINATES SHOWN HEREON ARE GRID AND ARE BASED ON THE NATIONAL GEODETIC SURVEY, FLORIDA STATE PLANE TRANSVERSE MERCATOR PROJECTION AND ARE RELATIVE TO THE SOUTH LINE OF TRACT 37, BLOCK 5 OF SAID PLAT OF PALM BEACH FARMS COMPANY, PLAT NO. 3. SAID LINE BEARS SOUTH 89° 03' 55" WEST.
5. DISTANCES SHOWN HEREON ARE GROUND DISTANCES UNLESS OTHERWISE NOTED.
6. DATUM = NORTH AMERICAN DATUM OF 1983 (NAD83). 1990 ADJUSTMENT
7. ZONE = FLORIDA EAST
8. LINEAR UNITS = US SURVEY FOOT
9. SCALE FACTOR = 1.00003061
10. GROUND DISTANCES X SCALE FACTOR = GRID DISTANCE
11. THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
12. DATE OF LEGAL DESCRIPTION: JANUARY 18, 2016

FOR THE FIRM
 WANTMAN GROUP, INC.

BY:  DATE: 2/25/16

PATRICK B. MEEDS, P.S.M.
 PROFESSIONAL SURVEYOR AND MAPPER
 STATE OF FLORIDA LICENSE NO. 4728

DATE:	REVISION:	BY:	OFFICE	PBT	DATE	01/21/16	JOB
			CHECKED	PBM	SHEET	1 OF 4	DWG 209904_PBC UE Release

I:\pwworking\wgi\phillip\drms96200\209904_PBC UE Release.dwg SH 1 Jan 22, 2016;



Wantman Group, Inc.

Engineering ♦ Planning ♦ Surveying ♦ Environmental
2035 VISTA PARKWAY, SUITE 100, WEST PALM BEACH, FL 33411
(866) 909-2220 phone (561) 687-1110 fax
CERTIFICATE OF AUTHORIZATION No. LB 7055
JACKSONVILLE - ORLANDO - TALLAHASSEE - TAMPA
www.wantmangroup.com

DESCRIPTION & SKETCH

PREPARED FOR:

HEDRICK 33, LLC

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 34, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF TRACT 37, BLOCK 5, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID TRACT 37, WITH THE EASTERLY RIGHT OF WAY LINE OF JOG ROAD, AS RECORDED IN OFFICIAL RECORD BOOK 7053, AT PAGE 1594, SAID PALM BEACH COUNTY RECORDS; SAID POINT BEING A POINT ON A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 33,274.59 FEET AND WHOSE RADIUS POINT BEARS SOUTH 87°51'12" WEST; THENCE NORTHERLY ALONG SAID EASTERLY RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°02'04", A DISTANCE OF 20.00 FEET TO AN INTERSECTION WITH A LINE 20.00 FEET NORTH OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, SAID SOUTH LINE OF TRACT 37, BLOCK 5; THENCE NORTH 89°03'55" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 15.00 FEET TO AN INTERSECTION WITH A LINE 15.00 FEET EAST OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, SAID EASTERLY RIGHT OF WAY LINE OF JOG ROAD, BEING A POINT ON A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 33,289.59 FEET AND WHOSE RADIUS POINT BEARS SOUTH 87°49'10" WEST; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, THROUGH A CENTRAL ANGLE OF 00°02'04", A DISTANCE OF 20.00 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID TRACT 37; THENCE SOUTH 89°03'55" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 15.00 FEET TO AN INTERSECTION WITH SAID EASTERLY RIGHT OF WAY LINE OF JOG ROAD AND POINT OF BEGINNING.

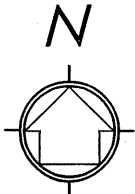
CONTAINING: 300 SQUARE FEET OR 0.00069 ACRES MORE OR LESS.

DATE: REVISION: BY:

(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)

			OFFICE	PBT	DATE	01/21/16	JOB	2099.04
			CHECKED	PBM	SHEET	2 OF 4	DWG	209904_PBC UE Release

\\pwworking\wgi\phillip\dms96200\209904_PBC UE Release.dwg SH 2 Jan 22, 2016;



SCALE: 1" = 50'
 (Intended Display Scale)
 Parcel is Located in
 Section 34,
 Township 43 S,
 Range 42 E

TRACT 36, BLOCK 5
 PALM BEACH FARMS
 COMPANY PLAT NO.3
 (PB 2, PG. 45, PBCR)

A PORTION OF
 TRACT 37, BLOCK 5
 PALM BEACH FARMS
 COMPANY PLAT NO.3
 (PB 2, PG. 45, PBCR)
 9.24 ACRES±

POB
 FND. IRON ROD & CAP
 STAMPED "LB 6942"
 0.54' WEST
 SET 4x4 CONC. PRM
 & ALUMINUM DISC
 STAMPED "LB 7055 PRM"
 N 855522.8588
 E 935305.3250

FND. 5/8" IRON ROD & CAP
 STAMPED WALLACE "LB 4569"
 SET 4x4 CONC. PRM
 & ALUMINUM DISC
 STAMPED "LB 7055 PRM"
 N 855532.7500
 E 935911.6032

PORTION OF 15' PBCUE
 TO BE RELEASED
 (SEE SHEET 5)

RADIAL BEARING
 S 87°51'12" W

LWDD L-4 CANAL

TRACT 45, BLOCK 5
 PALM BEACH FARMS
 COMPANY PLAT NO.3
 (PB 2, PG. 45, PBCR)
 PBCO
 CONTROL POINT "PBF 14"
 N 851092.202
 E 931308.874
 FND. PBCO BRASS DISC
 SET IN ROUND
 CONC. MONUMENT

BASIS OF BEARING
 S89°03'55"W 606.34'(C)

SOUTH LINE OF TRACT 37
 PALM BEACH FARMS
 COMPANY PLAT NO. 3
 (PB 2, PG 45, PBCR)

NORTH LINE TRACT 44, BLOCK 5

NORTH 46.20' TRACT 44
 LWDD R/W (L-4 CANAL)
 (ORB 6495, PG. 761, PBCR)

TRACT 44, BLOCK 5
 PALM BEACH FARMS
 COMPANY PLAT NO.3
 (PB 2, PG. 45, PBCR)

60.00' 60.00'
 (120.00' R/W)

R/W PER
 (ORB 7188,
 PG. 378, PBCR)

R/W PER
 (ORB 7053,
 PG. 1594, PBCR)

15' PBCUE
 ORB 27498, PG. 243

JOG ROAD

WEST LINE TRACT 37, BLOCK 5

E. R/W LINE JOG ROAD

R = 33,274.59'

S42°03'04"W (GRID)
 5966.59' (GROUND)

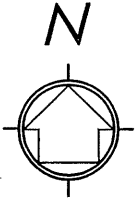
30.00'

46.20'

DATE: REVISION: BY:

(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)

OFFICE	PBT	DATE	01/21/16	2099.04
CHECKED	PBM	SHEET	3 OF 4	DWG 209904_PBC UE



SCALE: 1" = 10'
 (Intended Display Scale)
 Parcel Is Located In
 Section 34,
 Township 43 S,
 Range 42 E

JOG ROAD

E. R/W LINE JOG ROAD

15' PBCUE
 (ORB 27498, PG 243, PBCR)

PORTION OF 15' PBCUE
 ORB 27498, PG. 243
 TO BE RELEASED
 (SEE SHEET 5)

N89°03'55"E
 15.00'

RADIAL BEARING
 S87°49'10"W

PQB
 FND. IRON ROD & CAP
 STAMPED "LB 6942"
 0.54' WEST
 SET 4x4 CONC. PRM
 & ALUMINUM DISC
 STAMPED "LB 7055 PRM"
 N 855522.8588
 E 935305.3250

R=33274.59'
 $\Delta=0^{\circ}02'04"$
 L=20.00'

R=33289.59'
 $\Delta=0^{\circ}02'04"$
 L=20.00'

20' LWDE
 (ORB 4577, PG.
 1921, PBCR)

BASIS OF BEARING
 S89°03'55"W 606.34'(C)

RADIAL BEARING
 S 87°51'12" W

S89°03'55"W
 15.00'

SOUTH LINE OF TRACT 37
 PALM BEACH FARMS
 COMPANY PLAT NO. 3
 (PB 2, PG 45, PBCR)

S42°03'04"W (GRID)
 5966.59 (GROUND)

30' ROAD R/W
 (PB 2, PG. 45, PBCR)
 LWDD R/W
 (ORB 1585, PG. 505, PBCR)

PBCO
 CONTROL POINT "PBF 14"
 N 851092.202
 E 931308.874
 FND. PBCO BRASS DISC
 SET IN ROUND
 CONC. MONUMENT

DATE: REVISION: BY:

(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)

OFFICE	PBT	DATE	01/21/16	2099.04
CHECKED	PBM	SHEET	4 OF 4	DWG 209904_PBC UE



PBC Water Utilities/Engineering
Account #1023

Will Call Box 133
Return to: Lisa Koeper
Palm Beach County Water Utilities Department
P.O. Box 16097
West Palm Beach, Florida 33416-6097
PCN #: 00-42-43-27-05-005-0370
Hedrick Property, N 509 Road

CFN 20150155012
OR BK 27498 PG 0243
RECORDED 04/29/2015 10:41:32
Palm Beach County, Florida
AMT 10.00
Doc Stamp 0.70
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 0243 - 247; (5pgs)

UTILITY EASEMENT

THIS EASEMENT is made, granted and entered into this 10th day of April, 2015, by Dale R. Hedrick and Cathleen T. Burk (hereinafter referred to as "Grantor"), whose address is 2200 Centrepark West Drive, Suite 100, West Palm Beach, Florida 33409, West Palm beach in 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. 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", 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

Witness Signature

Print Name

Witness Signature

Print Name

GRANTOR:

Signature

Print Name (and Title if applicable)

Signature

Print Name (and Title if applicable)

NOTARY CERTIFICATE

STATE OF Florida

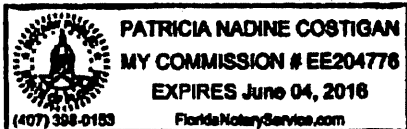
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 13th day of April, 2015
by Dale R. Hedrick and Cathleen T. Burk who is/are personally
known to me or who has produced _____ as identification.

My Commission Expires: June 4, 2016

Notary Signature

Typed, Printed or Stamped Name of Notary



**DESCRIPTION & SKETCH
PREPARED FOR:
LIBERTY PROPERTY TRUST**

**PORTION OF TRACT 37, BLOCK 5
PALM BEACH FARMS COMPANY
PLAT NO. 3**

LEGAL DESCRIPTION:

A STRIP OF LAND, 15.00 FEET IN WIDTH, LYING PARALLEL WITH THE EXISTING EAST RIGHT OF WAY LINE OF JOG ROAD AND BEING A PORTION OF TRACT 37, BLOCK 5, AS SHOWN ON THE PALM BEACH FARMS COMPANY PLAT NO. 3, RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 50, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 14551, PAGE 1379, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID CORNER ALSO BEING THE INTERSECTION OF THE EXISTING EAST RIGHT OF WAY LINE OF JOG ROAD AND THE NORTH LINE OF SAID TRACT 37, BLOCK 5; THENCE ALONG SAID NORTH LINE OF TRACT 37, BLOCK 5, NORTH 89°03'03" EAST, A DISTANCE OF 20.60 FEET; THENCE DEPARTING SAID NORTH LINE OF TRACT 37, BLOCK 5, ALONG A LINE PARALLEL WITH AND 15.00 FEET SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO THE EAST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORD BOOK 14551, PAGE 1379, SOUTH 42°19'23" WEST, A DISTANCE OF 58.32 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 33,298.74 FEET AND A CHORD BEARING OF SOUTH 02°59'03" EAST, SAID CURVE ALSO BEING CONCENTRIC WITH AND 15.00 FEET EASTERLY OF SAID EAST LINE OF OFFICIAL RECORD BOOK 14551, PAGE 1379; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°26'47", A DISTANCE OF 259.43 FEET TO A POINT ON A NON-TANGENT LINE; THENCE CONTINUE ALONG SAID PARALLEL LINE, SOUTH 11°59'09" WEST, A DISTANCE OF 36.02 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 33,289.59 FEET AND A CHORD BEARING OF SOUTH 02°25'23" EAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG A CURVE CONCENTRIC WITH AND 15.00 FEET EAST OF THE EAST LINE OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 7053, PAGE 1594, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THROUGH A CENTRAL ANGLE OF 00°33'20", A DISTANCE OF 322.86 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT 37, BLOCK 5; THENCE ALONG SAID SOUTH LINE, SOUTH 89°03'03" WEST, A DISTANCE OF 15.00 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 33,274.59 AND A CHORD BEARING OF NORTH 02°25'30" WEST, SAID POINT ALSO LYING ON THE EAST LINE OF OFFICIAL RECORD BOOK 7053, PAGE 1594 AND A POINT ON THE EXISTING EAST RIGHT OF WAY LINE OF JOG ROAD; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID EAST LINE OF OFFICIAL RECORD BOOK 7053, PAGE 1594, THROUGH A CENTRAL ANGLE OF 00°33'30", A DISTANCE OF 324.33 FEET TO A POINT ON A NON-TANGENT LINE AND THE SOUTHERLY CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 14551, PAGE 1379; THENCE ALONG SAID EAST LINE OF OFFICIAL RECORD BOOK 14551, PAGE 1379, NORTH 11°59'09" EAST AND ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 36.01 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 33,283.74 FEET AND A CHORD BEARING OF NORTH 02°59'29" WEST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID EAST LINE OF OFFICIAL RECORD BOOK 14551, PAGE 1379 AND EXISTING EAST RIGHT OF WAY OF JOG ROAD, THROUGH A CENTRAL ANGLE OF 00°27'14", A DISTANCE OF 263.67 FEET TO A POINT ON A NON-TANGENT LINE; THENCE CONTINUE ALONG SAID EAST LINE OF OFFICIAL RECORD BOOK 14551, PAGE 1379 AND ALONG SAID EAST RIGHT OF WAY LINE, NORTH 42°19'23" EAST, A DISTANCE OF 50.49 FEET TO THE POINT OF BEGINNING.

CONTAINING A TOTAL OF 10,133 SQUARE FEET OR 0.233 ACRES, MORE OR LESS.

**LIDBERG LAND
SURVEYING, INC.**

LB4431

675 West Indiantown Road, Suite 200,
Jupiter, Florida 33458 TEL. 561-746-8454

CAD. K:\UST \ 344342 \ 12-059C-303 \ 12-059C-303.DGN

REF.

FLD.

FB.

PG.

JOB

12-059C-303

OFF.

CASASUS

DATE

01-26-15

CKD.

D.C.L.

SHEET

1

OF

4

DWG.

A12-059H

K:\UST\344342\12-059C-303\12-059C-303.DGN 2/2/2015 9:32:42 AM

DESCRIPTION & SKETCH
PREPARED FOR:
LIBERTY PROPERTY TRUST

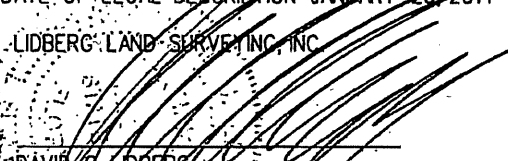
PORTION OF TRACT 37, BLOCK 5
PALM BEACH FARMS COMPANY
PLAT NO. 3

This is not a certified copy

SURVEYOR'S NOTES:

1. THIS DRAWING IS NOT A SURVEY.
2. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
3. THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
4. THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY LIDBERG LAND SURVEYING, INC.
5. DATE OF LEGAL DESCRIPTION: JANUARY 26, 2014

LIDBERG LAND SURVEYING, INC.

BY:  DAVID C. LIDBERG
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 3613

ABBREVIATIONS:

- POB - POINT OF BEGINNING
- POC - POINT OF COMMENCEMENT
- ORB - OFFICIAL RECORD BOOK

 **LIDBERG LAND
SURVEYING, INC.**

LB4431

675 West Indiantown Road, Suite 200,
Jupiter, Florida 33458 TEL. 561-746-8454

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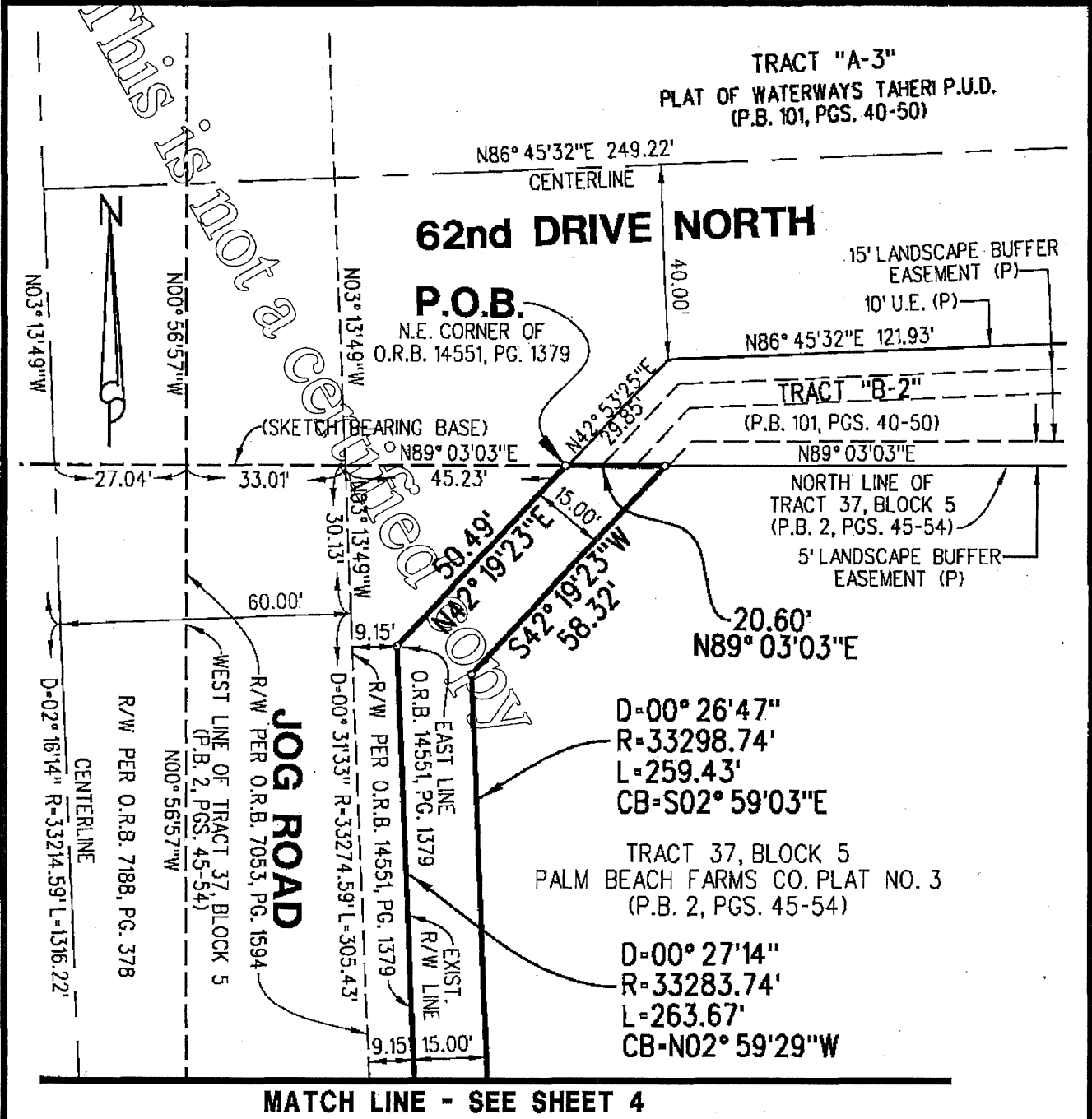
**DESCRIPTION & SKETCH
PREPARED FOR:
LIBERTY PROPERTY TRUST**

**PORTION OF TRACT 37, BLOCK 5
PALM BEACH FARMS COMPANY
PLAT NO. 3**

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GRAPHIC SCALE IN FEET



**LIDBERG LAND
SURVEYING, INC.**

LB4431

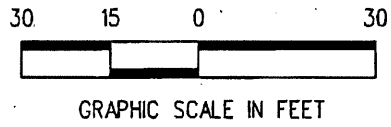
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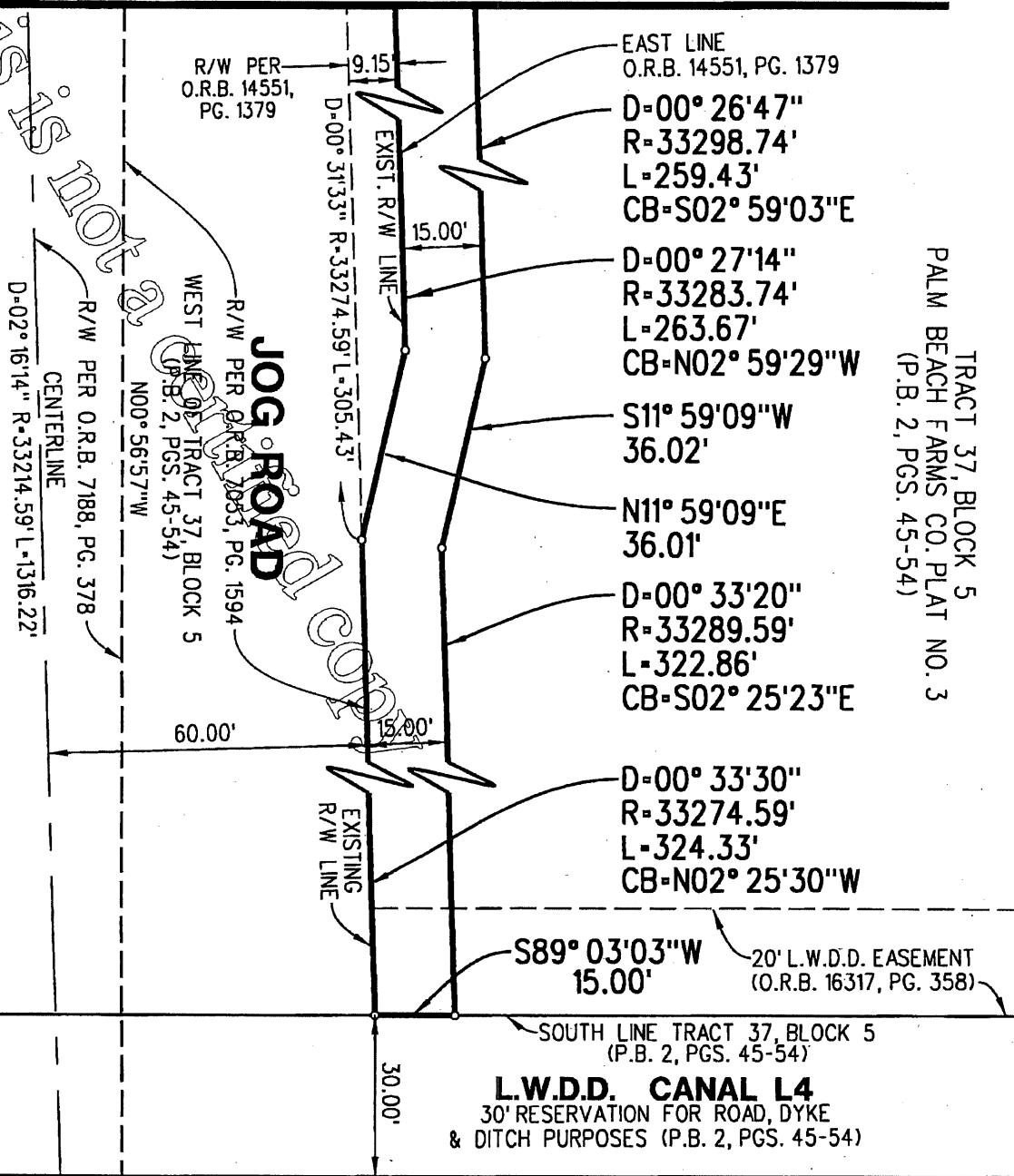
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**DESCRIPTION & SKETCH
PREPARED FOR:
LIBERTY PROPERTY TRUST**

**PORTION OF TRACT 37, BLOCK 5
PALM BEACH FARMS COMPANY
PLAT NO. 3**



MATCH LINE - SEE SHEET 3



TRACT 37, BLOCK 5
PALM BEACH FARMS CO. PLAT NO. 3
(P.B. 2, PGS. 45-54)

LIDBERG LAND SURVEYING, INC.
LB4431 675 West Indiantown Road, Suite 200, Jupiter, Florida 33458 TEL. 561-746-8454

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OFF. CASASUS			DATE 01-26-15
CKD. D.C.L.	SHEET 4	OF 4	DWG. A12-059H

ATTACHMENT 4

15032451

Doc No. 3907-A

Documentary Tax Pd \$ 45
Intangible Tax Pd.
Clerk, Palm Beach County, Florida

EASEMENT DEED

THIS EASEMENT DEED, made this 12th day of June, 1985, by and between Harry E. Ward, Jr., party of the first part, and LAKE WORTH DRAINAGE DISTRICT, a political subdivision of the State of Florida, party of the second part, whose mailing address is 13031 S. Military Trail, Delray Beach, Florida 33445.

WITNESSETH: That party of the first part, for and in consideration of the sum of TEN (\$10.00) DOLLARS, and other good and valuable consideration to him/her in hand paid receipt of which is hereby acknowledged, has granted bargained and sold, and by these presents does grant, bargain, sell and release unto the party of the second part, its successors and assigns, a perpetual exclusive easement for the purpose of providing an unencumbered right-of-way for utilities which may be granted to others by the second party, as well as providing an unencumbered right-of-way for use as a canal and canal related purposes including ingress and egress purposes, said right-of-way includes, but is not limited to the use of the same for excavation, irrigation, canal, drainage ditch, sluice ways, spoil deposit water control structures, berm and areas for maintenance and deposits of spoil, all quasipublic utility type purposes and for any such improvement thereunto related or in anywise appertaining; over, across, through and upon, under or within that parcel of land located in Palm Beach County, Florida, described on Exhibit "A" attached hereto and made a part hereof as is recited at length.

First party shall grant no other easements erect no building or effect any other kind of construction or improvements or plant any trees or shrubs upon the property described in Exhibit "A".

Party of the first part does hereby specially warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever claiming by, through or under it that he/she has good right and lawful authority to grant the above described easement and that the same is unencumbered. Where the context of this easement deed allows or permits, the same shall include the successors or assigns of the parties.

IN WITNESS WHEREOF, party of the first part sets his/her hand and seal the date first above written.

Signed, sealed and delivered in the presence of:

John H. Adams
John W. Foran

Harry E. Ward, Jr.
HARRY E. WARD, JR.

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the state and county aforesaid to take acknowledgements, personally appeared HARRY E. WARD, JR. to me known to be the person described in and who executed the foregoing instrument and he/she acknowledged before me that he/she executed the same.

WITNES my hand and seal in the county and state last aforesaid this 12th day of June, 1985

Marion J. Kirkwood
NOTARY PUBLIC

MY COMMISSION EXPIRES

This instrument was prepared by:
John H. Adams, P.A.
50 S. E. 4th Avenue
Delray Beach, Florida 33444
Phone: 305/276-4146

RECORDER'S MEMO: Legibility of Writing, Typing or Printing unsatisfactory in this document when received.

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1985 JUN 21 PM 10 49

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Ret to Recorder

84577 P1921

EXHIBIT "A"

The South 20 feet of tract 37, Block 5,
The Palm Beach Farms Company Plat No. 3
according to the Plat thereof on file in
the office of the Clerk of the Circuit
Court in and for Palm Beach County,
Florida, recorded in Plat Book 2, page 45
to 54, inclusive.

RECORD VERIFIED
PALM BEACH COUNTY FLA
JOHN B. DUNKLE
CLERK CIRCUIT COURT

84577 P1922

35385

STATE OF FLORIDA)
) :ss
COUNTY OF PALM BEACH)

Before me, the undersigned authority, personally appeared
GEORGE McMURRAIN, Chairman of the Board of Supervisors of the
Lake Worth Drainage District, who after being duly sworn under
oath, deposes and says:

That the attached plats of aerial survey sheets 7 through
240, inclusive, were duly commissioned by the Board of Supervisors
of Lake Worth Drainage District on the 15th day of May, 1968, with
Mock, Roos & Searcy, Inc., and that the required rights of way as
shown thereon truly reflect the necessary rights of way required to
carry out the works of drainage control and irrigation as set forth
under the Charter of the Lake Worth Drainage District and Statutes
of Florida made and provided, and are true and correct to the best
of my knowledge and belief, and

That the boundary lines as shown on Sheet 3 are the true
boundary lines of the Lake Worth Drainage District as of the date
hereof to the best of my knowledge and belief, and

That the purpose of the attached aerial survey and required
right-of-way lines shown thereon is to inform and protect the
general public of the necessary and required rights of way now and
in the future for the general drainage works of said District.

Further, Affiant sayeth naught.



George McMurrain
George McMurrain

Sworn to and subscribed before me
this 27th day of June, 1969.

James H. Pearson
Notary Public, State of Florida at Large
My commission expires:

February 23, 1973

Prepared by:
Robert C. Scott
Scott, Burk & Royce
450 Royal Palm Way
Palm Beach, Florida 33480

CLERK'S NOTE:
For Attached Plat See Lake Worth
Drainage Required Rights of Way
Map Book

Recorded in Official Record Book
Of Palm Beach County, Florida
John B. Dumble
Clerk of Circuit Court

1732 PAGE 612

This Instrument Was Prepared
By And Should Be Returned To:

Elizabeth M. Jones, Esquire
SHUTTS & BOWEN LLP
525 Okeechobee Boulevard, Suite 1100
West Palm Beach, Florida 33401

Property Appraisers Parcel
Identification (Folio) Number:
00-42-43-27-05-005-0370

WARRANTY DEED

THIS WARRANTY DEED, executed as of the 23 day of June, 2015, by DALE R. HEDRICK and CATHLEEN T. BURK, husband and wife (the "Grantor"), whose mailing address is 2200 Centre Park West Drive, Suite 100, West Palm Beach, FL 33409 to HEDRICK 33, LLC, a Florida limited liability company (the "Grantee"), whose mailing address is 12 Salt Creek Lane, Suite 400, Hinsdale, IL 60521.

WITNESSETH

That Grantor, for and in consideration of the sum of \$10.00 and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, and sold to Grantee and Grantee's heirs and assigns forever, the following described real property situate, lying, and being in Palm Beach County, Florida, to wit:

SEE EXHIBIT "A" ATTACHED HERETO

TO HAVE AND TO HOLD the same in fee simple forever.

This conveyance is made SUBJECT TO the following:

1. Ad valorem real property taxes and assessments for the year 2015 and subsequent years.
2. All other matters of record, including, but not limited to, all rights of way, restrictions, reservations, covenants, conditions, and easements, without intent to reimpose same.
3. All facts which would be shown by an accurate, current survey.
5. Applicable zoning and other land use laws, ordinances, regulations, and restrictions.

And Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

EXHIBIT "A"

LEGAL DESCRIPTION

TRACT 37, BLOCK 5, OF THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS THAT PORTION DEEDED TO PALM BEACH COUNTY IN THAT CERTAIN RIGHT-OF-WAY WARRANTY DEED, RECORDED IN O.R. BOOK 7053, PAGE 1594, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALSO LESS THE FOLLOWING:

A PARCEL OF LAND LYING WITHIN A PORTION OF TRACT 37, BLOCK 5, THE PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE NORTH LINE OF SAID TRACT 37 WITH THE EAST RIGHT-OF-WAY LINE OF JOG ROAD, AS DESCRIBED IN O.R. BOOK 7053, PAGE 1594, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 89 DEGREES 03 MINUTES 55 SECONDS EAST, ALONG THE NORTH LINE OF SAID TRACT 37 (THE NORTH LINE OF SAID TRACT 37 IS ASSUMED TO BEAR NORTH 89 DEGREES 03 MINUTES 55 SECONDS EAST AND ALL OTHER BEARINGS ARE RELATIVE THERETO), A DISTANCE OF 45.23 FEET TO A POINT; THENCE SOUTH 42 DEGREES 54 MINUTES 04 SECONDS WEST, A DISTANCE OF 50.49 FEET TO A POINT ON A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 33,283.74 FEET, A CENTRAL ANGLE OF 0 DEGREES 27 MINUTES 14 SECONDS AND A RADIAL BEARING AT THIS POINT OF SOUTH 86 DEGREES 46 MINUTES 52 SECONDS WEST; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 263.73 FEET TO A POINT; THENCE SOUTH 11 DEGREES 24 MINUTES 40 SECONDS WEST, A DISTANCE OF 36.01 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE, SAID POINT LYING ON A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 33,274.59 FEET, A CENTRAL ANGLE OF 0 DEGREES 31 MINUTES 32 SECONDS AND A RADIAL BEARING AT THIS POINT OF SOUTH 87 DEGREES 17 MINUTES 43 SECONDS WEST; THENCE NORTHERLY ALONG SAID RIGHT-OF-WAY LINE, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 305.24 FEET TO THE POINT OF TANGENCY; THENCE NORTH 03 DEGREES 13 MINUTES 49 SECONDS WEST, A DISTANCE OF 30.13 FEET TO THE POINT OF BEGINNING.