

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

Meeting Date: July 12, 2016 Consent Regular
 Workshop 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 a portion of the right-of-way tract (Tract) in the north one-half of the unimproved right-of-way of Intracoastal Road lying east of Karen Drive as recorded in the plat of Trade Winds Estates, recorded in Plat Book 22, Page 44, Public Records of Palm Beach County, Florida, reserving one drainage easement over the entire area to be abandoned, reserving one access easement over the entire area to be abandoned, and executing one utility easement over the entire area to be abandoned.

SUMMARY: Adoption of this resolution will allow the petitioners, David and Kristin Elliott, to pursue a lot combination process to combine the abandoned Tract with their platted lot, and to request a Base Building Line Waiver to meet the required setback measurement for their dwelling proposed to be built on Lot 40, Trade Winds Estates, while continuing to allow the public to utilize the area through an access easement. The petition site is located east of U. S. Highway 1 and south of Woolbright Road.

District 4 (MRE)

Background and Policy Issues: The owners, David and Kristin Elliot, want to build a home on Lot 40 of Trade Winds Estates, located at the northeast corner of Karen Drive and unimproved Intracoastal Road and need additional land to meet the required setback for their proposed structure. Abandonment of this Tract followed by combination with their platted lot and a Base Building Line Waiver will allow them to meet the required setback. The homeowners to the south have no objection to the abandonment.

Section 22-45 of County Code Chapter 22, Article III states that no right-of-way that gives access to public waterways shall be closed unless comparable access is provided. The public will retain comparable access through the Tract as an access easement will be reserved over the entire area to be abandoned. The Engineering Department finds that this request meets the intent of the ordinance.

Reviewing agencies and utility service providers have no objection to the vacation because a utility easement has been provided and a drainage easement has been reserved.

Privilege Fee Statement: The grant of easements within the entire length and width of the street negates the privilege fee.

Attachments:

1. Location Sketch
2. Resolution with Exhibits 'A', 'B', 'C' and 'D'
3. City of Boynton Beach Utility Easement with Exhibit 'A'

Recommended by: *[Signature]* Department Director 6/22/16 Date

Approved by: *[Signature]* Assistant County Administrator 7/12/16 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	\$ -0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-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	\$ -0-	-0-	-0-	-0-	-0-
No. ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes ___ No ___
 Budget Acct No.: Fund ___ Dept. ___ Unit ___ Object ___ Reporting Category _____

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

This item has no fiscal impact.

C. Departmental Fiscal Review: Aliikovalainen

III. REVIEW COMMENTS

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

 John C. 6/27/16
 ASD 6/27/16 SC OFMB ET 6/24

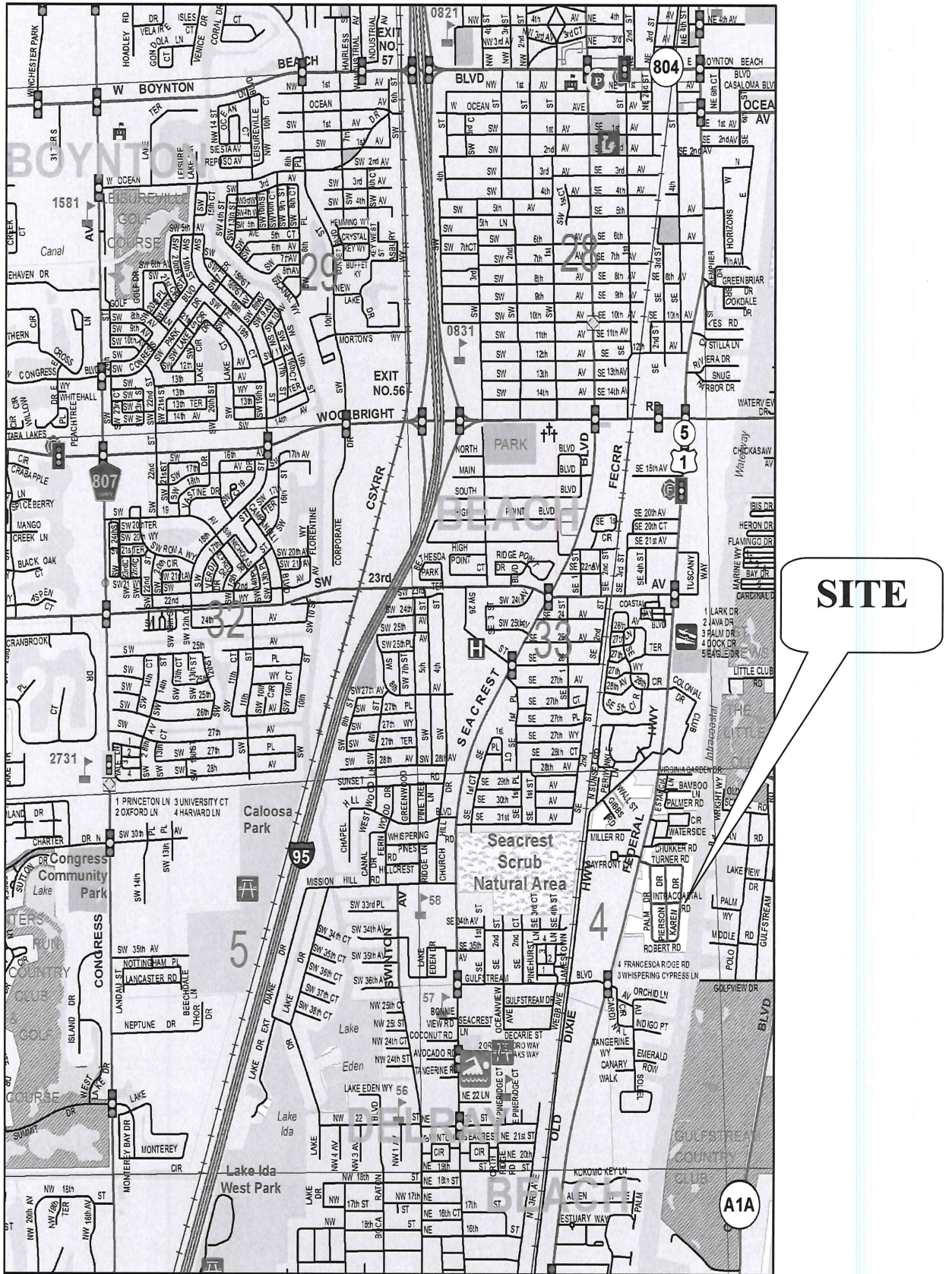
 J. S. Jacobson 6/30/16
 Contract Dev. and Control

B. Legal Sufficiency:

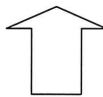
 Marilyn R. 7/5/16
 Assistant County Attorney

C. Other Department Review:

 Department Director



LOCATION MAP



N (Not to scale)

ABANDONMENT OF THE NORTH HALF OF INTRACOASTAL ROAD
LYING EAST OF KAREN DRIVE,
TRADE WINDS ESTATES FIRST ADDITION,
PLAT BOOK 22, PAGE 44,
PUBLIC RECORDS, PALM BEACH COUNTY

RESOLUTION NO. R-2016-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ABANDONING ANY PUBLIC INTEREST IN A PORTION OF THE RIGHT-OF-WAY TRACT IN THE NORTH ONE-HALF OF THE UNIMPROVED RIGHT-OF-WAY OF INTRACOASTAL ROAD LYING EAST OF KAREN DRIVE AS RECORDED IN THE PLAT OF TRADE WINDS ESTATES, RECORDED IN PLAT BOOK 22, PAGE 44, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RESERVING ONE DRAINAGE EASEMENT OVER THE ENTIRE AREA TO BE ABANDONED, RESERVING ONE ACCESS EASEMENT OVER THE ENTIRE AREA TO BE ABANDONED AND EXECUTING ONE UTILITY EASEMENT OVER THE ENTIRE 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 (County) Code Chapter 22. Article III, Road Abandonment and Plat Vacation (Ordinance No. 2002-034) and the petition of David and Kristin Elliott, called a public hearing to be held in the County Commissioners' Chambers, at the Governmental Office Complex, West Palm Beach, Florida, on July 12, 2016, to consider and determine whether or not the County would vacate, abandon, discontinue and close, renounce and disclaim any right or interest of the public in and for a portion of the right-of-way tract in the north one-half of the unimproved right-of-way of Intracoastal Road lying east of Karen Drive (Tract) as set forth on the sketch and legal description set forth in Exhibit D attached hereto and incorporated herein by reference; and

WHEREAS, in accordance with as provided in 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 June 26, 2016; and

WHEREAS, the Board is authorized to reserve and declare a drainage easement over the entire Tract being abandoned for ingress and egress, construction, operation and maintenance of drainage facilities upon, over and under all of the area to be abandoned as shown in Exhibit A; and

RESOLUTION NO. R-2016 _____

WHEREAS, the Board is authorized to reserve and declare an access easement over the entire Tract being abandoned for public ingress and egress to the public waterway east of Karen Drive over and under all of the area to be abandoned as shown in Exhibit B; and

WHEREAS, the Board has the authority to execute a utility easement for the City of Boynton Beach over the entire Tract being abandoned as shown in Exhibit C; 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 a non-exclusive perpetual drainage easement in, over, across, on, under and through the entire Tract to be abandoned, as described in Exhibit A, for drainage purposes. This easement is given for the purpose of permitting Palm Beach County to construct, maintain, replace and operate its facilities within the abandoned Tract. The drainage easement created hereby shall constitute an easement running with the land and shall encumber and burden the abandoned area. The drainage easement 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 Palm Beach County.

RESOLUTION NO. R-2016-_____

3. The Board hereby reserves and declares a non-exclusive perpetual access easement in, over, across, on, under and through the entire Tract to be abandoned, as described in Exhibit B, for public ingress and egress purposes to the public waterway east of Karen Drive. No fencing, gates, landscape, structures or any other improvements shall be installed within the area described in Exhibit B, without express written approval from the County Engineer. This prohibition includes aerial encroachments such as roof overhangs as well as underground encroachments and even improvements considered temporary in nature. The access easement created hereby shall constitute an easement running with the land and shall encumber and burden the abandoned Tract. The access easement 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 Palm Beach County.
4. The Board is authorized to execute a utility easement over the entire Tract to be abandoned for the City of Boynton Beach as shown in Exhibit C attached hereto and made a part hereof.
5. The Tract, is hereby abandoned as a public right-of-way and this Board, except for the easements describe above, does hereby renounce and disclaim any right or interest of the Public in and to the Tract, more fully described in the legal description and sketch as shown in Exhibit D attached hereto and made a part hereof.
6. 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 County Code Chapter 22. Article III, Road Abandonment and Plat Vacation (Ordinance 2002-034).

RESOLUTION NO. R-2016 _____

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 Mary Lou Berger, Mayor

Commissioner Hal R. Valeche, Vice Mayor

Commissioner Paulette Burdick

Commissioner Shelley Vana

Commissioner Steven L. Abrams

Commissioner Melissa McKinlay

Commissioner Priscilla A. Taylor

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2016.

**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**

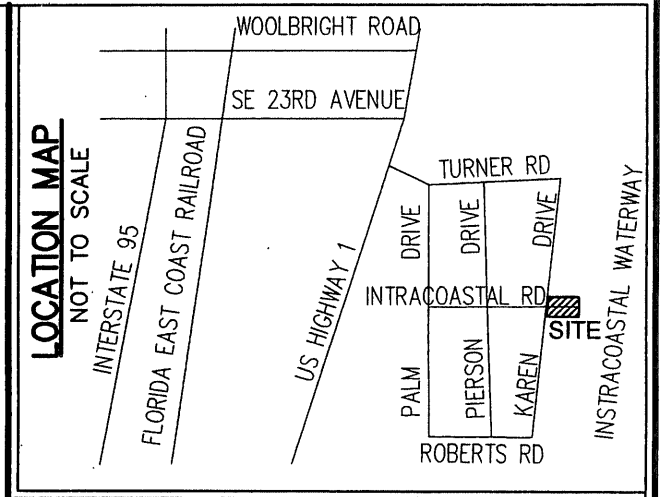
BY: _____
County Attorney

EXHIBIT A

Page 1 of 2

NOTES

1. THIS SURVEY REPRESENTS A BOUNDARY SURVEY AS DEFINED IN THE MINIMUM TECHNICAL STANDARDS FOR SURVEYING AND MAPPING IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE.
2. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
3. SURVEY MAP OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR.
4. LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
5. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR, EAST ZONE, NORTH AMERICAN DATUM OF 1983 WITH THE 1990 ADJUSTMENT, WITH THE EAST LINE OF SECTION 4, TOWNSHIP 46 SOUTH, RANGE 43 EAST HAVING A BEARING OF S02°21'41"E.
6. THE "DESCRIPTION" SHOWN HEREON IS IN ACCORD WITH THE DESCRIPTION PROVIDED BY THE CLIENT.
7. UNDERGROUND FOUNDATIONS WERE NOT LOCATED.
8. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
9. FLOOD ZONE: "A5" (EL. 7'); COMMUNITY PANEL NO. 120192 0206 B; OCTOBER 15, 1982



DESCRIPTION

THE NORTH ONE-HALF OF INTRACOASTAL ROAD, "TRADE WINDS ESTATES FIRST ADDITION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGE 44 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID INTRACOASTAL ROAD; THENCE S05°03'06"W ALONG THE EAST LINE THEREOF (ALSO BEING THE WEST RIGHT-OF-WAY LINE OF THE INTRACOASTAL WATERWAY), A DISTANCE OF 20.00 FEET TO A POINT ON THE CENTERLINE OF THE 40.00 FOOT RIGHT-OF-WAY FOR INTRACOASTAL ROAD ; THENCE N84°56'54"W, ALONG SAID CENTERLINE, A DISTANCE OF 150 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF KAREN DRIVE; THENCE N05°03'06"E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 45.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES S84°56'54"E, A DISTANCE OF 25.00 FEET; THENCE SOUTHEASTERLY ALONG SAID ARC, HAVING A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 39.27 FEET; THENCE S84°56'54"E ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID INTRACOASTAL ROAD, A DISTANCE OF 125.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN THE CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAINING 0.0719 ACRES, MORE OR LESS.

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

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 SURVEYED UNDER MY DIRECTION SEPTEMBER 25, 2015. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTES 472.027.

Jeffrey B. Wagner
 JEFFREY B. WAGNER, PLS
 REG. LAND SURVEYOR #5302
 STATE OF FLORIDA - LB #3591

SHEET 1 OF 2

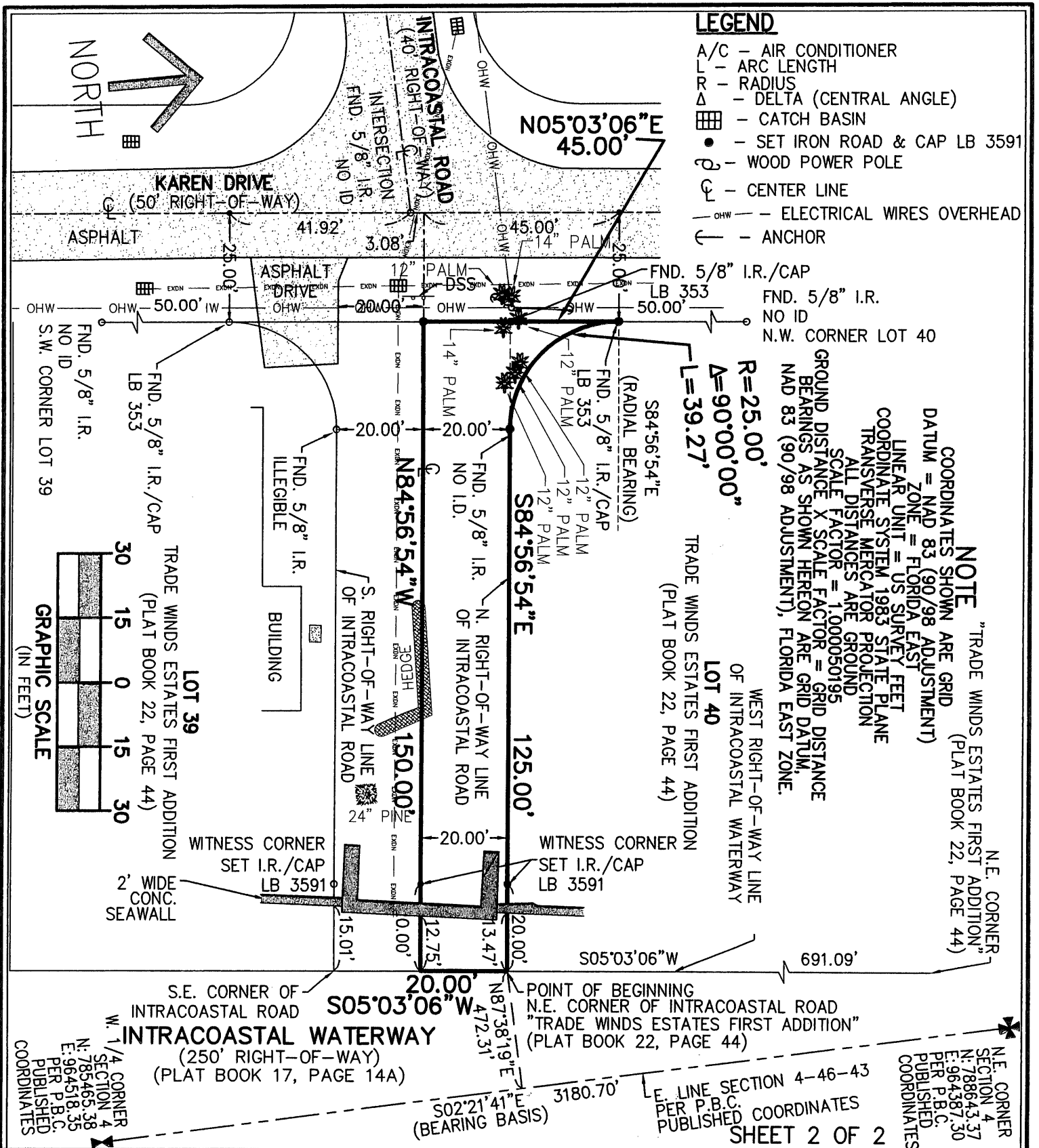


CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452

TRADE WINDS ESTATES FIRST ADDITION - INTRACOASTAL ROAD
 PROPOSED DRAINAGE EASEMENT

DATE	1/28/16
DRAWN BY	RW
F.B./ PG.	ELEC.
SCALE	1" = 30'
JOB NO.	6768

EXHIBIT A



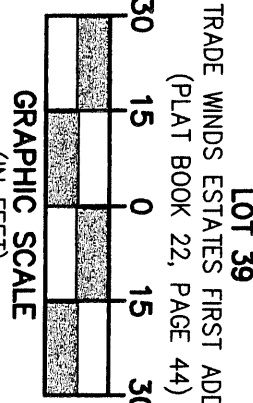
LEGEND

- A/C - AIR CONDITIONER
- L - ARC LENGTH
- R - RADIUS
- Δ - DELTA (CENTRAL ANGLE)
- ▣ - CATCH BASIN
- - SET IRON ROAD & CAP LB 3591
- ⊙ - WOOD POWER POLE
- ⊕ - CENTER LINE
- OHW — ELECTRICAL WIRES OVERHEAD
- ⊔ - ANCHOR

NOTE

TRADE WINDS ESTATES FIRST ADDITION (PLAT BOOK 22, PAGE 44)

COORDINATES SHOWN ARE GRID
 DATUM = NAD 83 (90/98 ADJUSTMENT)
 ZONE = FLORIDA EAST
 LINEAR UNIT = US SURVEY FEET
 COORDINATE SYSTEM 1983 STATE PLANE
 TRANSVERSE MERCATOR PROJECTION
 ALL DISTANCES ARE GROUND
 SCALE FACTOR = 1.000050795
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
 BEARINGS AS SHOWN HEREON ARE GRID DATUM,
 NAD 83 (90/98 ADJUSTMENT), FLORIDA EAST ZONE.



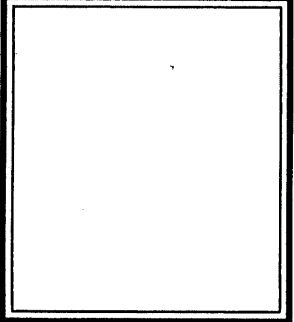
S.E. CORNER OF INTRACOASTAL ROAD
 N 785465.38
 E 964518.35
 PER P.B.C. PUBLISHED COORDINATES

N.E. CORNER SECTION 4
 N: 788643.37
 E: 964387.30
 PER P.B.C. PUBLISHED COORDINATES

L.E. LINE SECTION 4-46-43
 PER P.B.C. PUBLISHED COORDINATES

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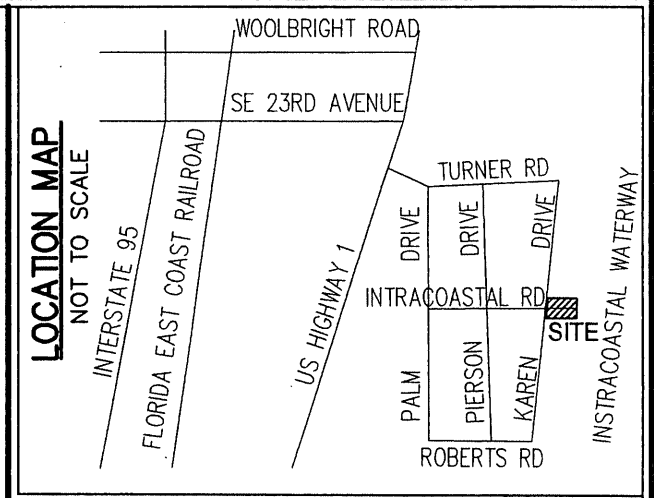
DATE	1/28/16
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F.B./ PG.	ELEC.
SCALE	1" = 30'
JOB NO.	6768

EXHIBIT B

Page 1 of 2

NOTES

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9. FLOOD ZONE: "A5" (EL. 7'); COMMUNITY PANEL NO. 120192 0206 B; OCTOBER 15, 1982



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Jeffrey R. Wagner
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 REG. LAND SURVEYOR #5302
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SHEET 1 OF 2



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TRADE WINDS ESTATES FIRST ADDITION - INTRACOASTAL ROAD
 ACCESS EASEMENT

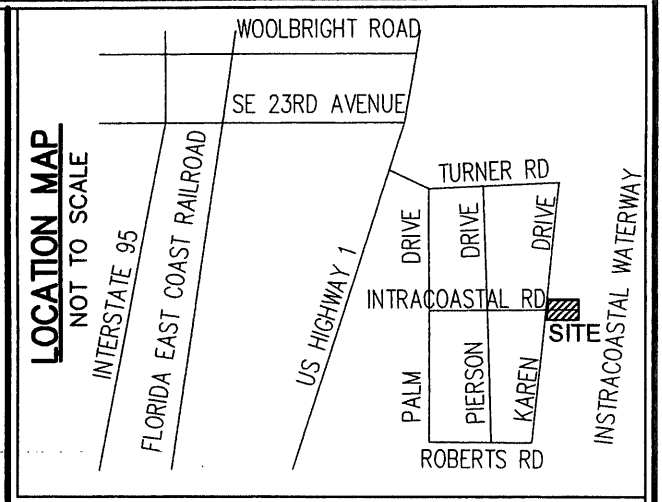
DATE	6/07/16
DRAWN BY	RW
F.B./ PG.	ELEC.
SCALE	1" = 30'
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EXHIBIT C

Page 1 of 2

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SHEET 1 OF 2



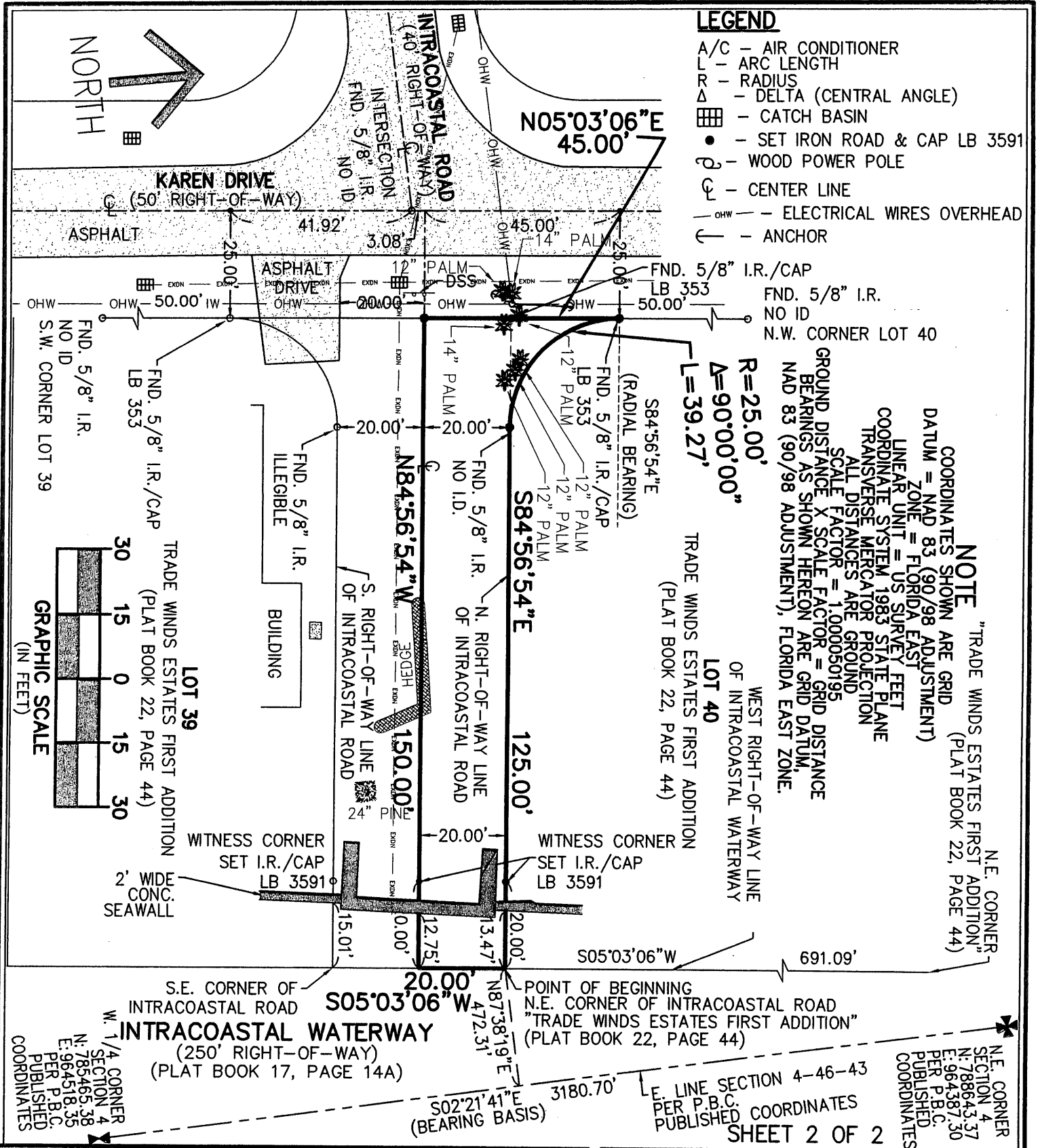
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 PROPOSED UTILITY EASEMENT

DATE	1/28/16
DRAWN BY	RW
F.B./ PG.	ELEC.
SCALE	1" = 30'
JOB NO.	6768

EXHIBIT C

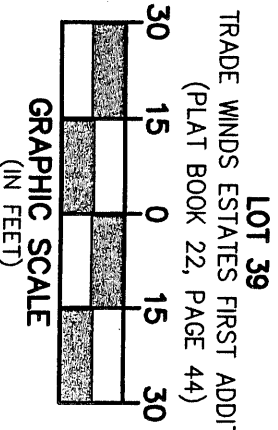
Page 2 of 2



LEGEND

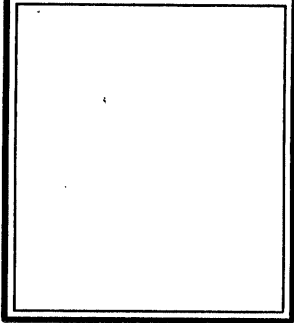
- A/C - AIR CONDITIONER
- L - ARC LENGTH
- R - RADIUS
- Δ - DELTA (CENTRAL ANGLE)
- ▣ - CATCH BASIN
- - SET IRON ROAD & CAP LB 3591
- ⊕ - WOOD POWER POLE
- ⊖ - CENTER LINE
- OHW — ELECTRICAL WIRES OVERHEAD
- ⊔ - ANCHOR

NOTE
 "TRADE WINDS ESTATES FIRST ADDITION"
 COORDINATES SHOWN ARE GRID
 DATUM = NAD 83 (90/98 ADJUSTMENT)
 ZONE = FLORIDA EAST
 LINEAR UNIT = US SURVEY FEET
 COORDINATE SYSTEM 1983 STATE PLANE
 TRANSVERSE MERCATOR PROJECTION
 ALL DISTANCES ARE GROUND
 SCALE FACTOR = 1.000050195
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
 BEARINGS AS SHOWN HEREON ARE GRID DATUM,
 NAD 83 (90/98 ADJUSTMENT), FLORIDA EAST ZONE.



CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452

**TRADE WINDS ESTATES FIRST ADDITION - INTRACOASTAL ROAD
 PROPOSED UTILITY EASEMENT**



DATE	1/28/16
DRAWN BY	RW
F.B./ PG.	ELEC.
SCALE	1" = 30'
JOB NO.	6768

E. LINE SECTION 4-46-43
 PER P.B.C.
 PUBLISHED COORDINATES
 SHEET 2 OF 2

N.E. CORNER
 SECTION 4
 N: 788643.37
 E: 964387.30
 PER P.B.C.
 PUBLISHED
 COORDINATES

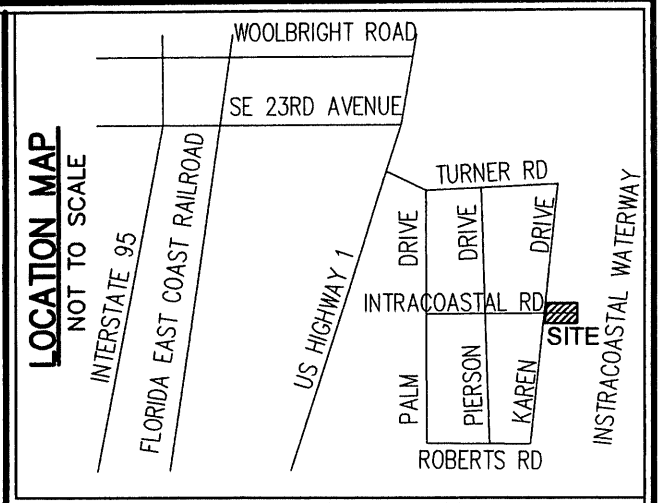
W. 1/4 CORNER
 SECTION 4
 N: 785465.38
 E: 964518.35
 PER P.B.C.
 PUBLISHED
 COORDINATES

EXHIBIT D

Page 1 of 2

NOTES

1. THIS SURVEY REPRESENTS A BOUNDARY SURVEY AS DEFINED IN THE MINIMUM TECHNICAL STANDARDS FOR SURVEYING AND MAPPING IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE.
2. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
3. SURVEY MAP OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR.
4. LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
5. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR, EAST ZONE, NORTH AMERICAN DATUM OF 1983 WITH THE 1990 ADJUSTMENT, WITH THE EAST LINE OF SECTION 4, TOWNSHIP 46 SOUTH, RANGE 43 EAST HAVING A BEARING OF S02°21'41"E.
6. THE "DESCRIPTION" SHOWN HEREON IS IN ACCORD WITH THE DESCRIPTION PROVIDED BY THE CLIENT.
7. UNDERGROUND FOUNDATIONS WERE NOT LOCATED.
8. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
9. FLOOD ZONE: "A5" (EL. 7'); COMMUNITY PANEL NO. 120192 0206 B; OCTOBER 15, 1982



DESCRIPTION

THE NORTH ONE-HALF OF INTRACOASTAL ROAD, "TRADE WINDS ESTATES FIRST ADDITION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGE 44 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID INTRACOASTAL ROAD; THENCE S05°03'06"W ALONG THE EAST LINE THEREOF (ALSO BEING THE WEST RIGHT-OF-WAY LINE OF THE INTRACOASTAL WATERWAY), A DISTANCE OF 20.00 FEET TO A POINT ON THE CENTERLINE OF THE 40.00 FOOT RIGHT-OF-WAY FOR INTRACOASTAL ROAD ; THENCE N84°56'54"W, ALONG SAID CENTERLINE, A DISTANCE OF 150 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF KAREN DRIVE; THENCE N05°03'06"E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 45.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES S84°56'54"E, A DISTANCE OF 25.00 FEET; THENCE SOUTHEASTERLY ALONG SAID ARC, HAVING A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 39.27 FEET; THENCE S84°56'54"E ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID INTRACOASTAL ROAD, A DISTANCE OF 125.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN THE CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAINING 0.0719 ACRES, MORE OR LESS.

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

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED BOUNDARY SURVEY OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION SEPTEMBER 25, 2015. I FURTHER CERTIFY THAT THIS BOUNDARY SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTES 472.027.

Jeffrey R. Wagner
 JEFFREY R. WAGNER, P.E.S.
 REG. LAND SURVEYOR #5302
 STATE OF FLORIDA - LB #3591

SHEET 1 OF 2

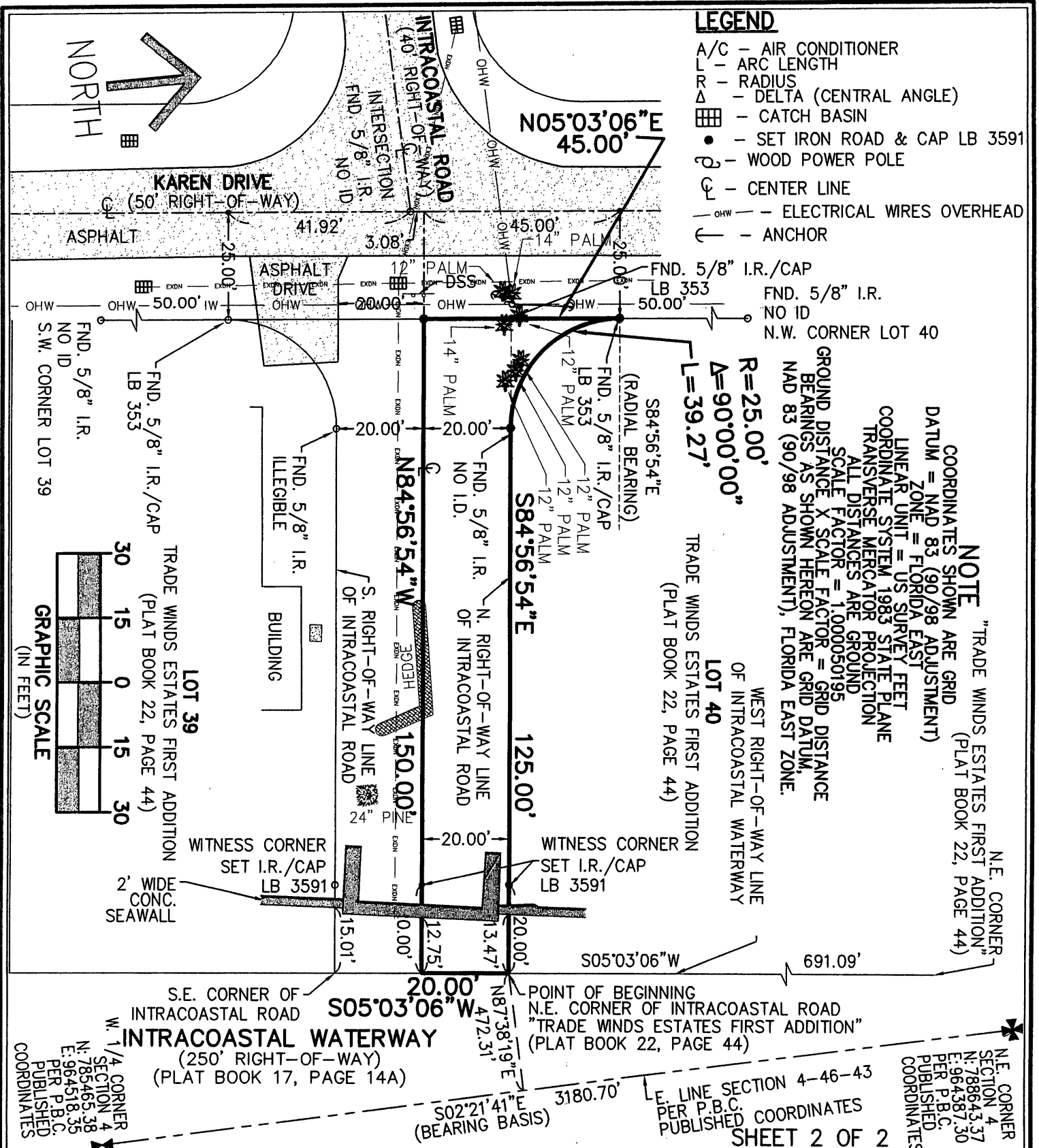


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TRADE WINDS ESTATES FIRST ADDITION - INTRACOASTAL ROAD
 BOUNDARY SURVEY

DATE	1/28/16
DRAWN BY	RW
F.B./ PG.	ELEC.
SCALE	1" = 30'
JOB NO.	6768

EXHIBIT D



LEGEND

- A/C - AIR CONDITIONER
- L - ARC LENGTH
- R - RADIUS
- Δ - DELTA (CENTRAL ANGLE)
- ▣ - CATCH BASIN
- - SET IRON ROAD & CAP LB 3591
- ⊕ - WOOD POWER POLE
- ⊙ - CENTER LINE
- OHW — ELECTRICAL WIRES OVERHEAD
- ⌋ - ANCHOR

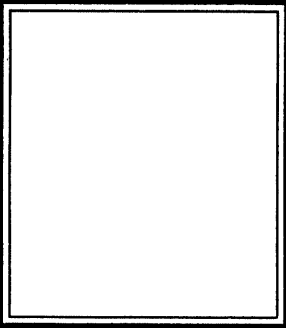
NOTE
 "TRADE WINDS ESTATES FIRST ADDITION"
 (PLAT BOOK 22, PAGE 44)

COORDINATES SHOWN ARE GRID
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 ZONE = FLORIDA EAST
 LINEAR UNIT = US SURVEY FEET
 COORDINATE SYSTEM 1983 STATE PLANE
 TRANSVERSE MERCATOR PROJECTION
 ALL DISTANCES ARE GROUND
 SCALE FACTOR = 1.000050195
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
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 NAD 83 (90/98 ADJUSTMENT), FLORIDA EAST ZONE.



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TRADE WINDS ESTATES FIRST ADDITION - INTRACOASTAL ROAD BOUNDARY SURVEY



DATE	1/28/16
DRAWN BY	RW
F.B./ PG.	ELEC.
SCALE	1" = 30'
JOB NO.	6768

E. LINE SECTION 4-46-43
 PER P.B.C.
 PUBLISHED COORDINATES
 SHEET 2 OF 2

N.E. CORNER SECTION 4
 N: 788643.37
 E: 964387.30
 PER P.B.C.
 PUBLISHED COORDINATES

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

ATTACHMENT 3

UTILITY EASEMENT

THIS INDENTURE made this 12th day of July, A.D., 2016, by Palm Beach County Board of County Commissioners, a political subdivision of the State of Florida, whose address is 301 South Olive Avenue, West Palm Beach, Florida, first party, to the City of Boynton Beach, a Florida municipal corporation, second party: (wherever used herein, the terms, "first party" and "second party" shall include singular and plural, heirs, legal representatives and assigns of individuals and the successors and assigns of corporations, wherever the context so admits or requires).

WITNESSETH

WHEREAS, the first party is the owner of property situate in Palm Beach County, Florida and described as follows: the north one-half of the unimproved right-of-way of Intracoastal Road lying east of Karen Drive as shown on the plat of Trade Winds Estates, recorded in Plat Book 22, Page 44, Public Records of Palm Beach County, Florida, described in **Exhibit A, attached hereto and made a part hereof**, and,

WHEREAS, the second party desires an easement for water and sewer utilities and/or other appropriate purposes incidental thereto, on, over and across said Property, and,

WHEREAS, the first party is willing to grant such an easement,

NOW, THEREFORE, for and in consideration of the mutual covenants each to the other running and one dollar and other good and valuable considerations, the first party does hereby grant unto the party of the second part, its successors and assigns, full and free right and authority to construct, maintain, repair, install and rebuild facilities for above stated purposes and does hereby grant a perpetual easement, on over and across the above described property for said purposes.

IN WITNESS WHEREOF, the first party has caused these presents to be duly executed in its name and its seal to be hereto affixed, attested by its proper officers thereunto duly authorized, the day and year first above written.

ATTEST:
SHARON R. BOCK, CLERK & COMPTROLLER
COMMISSIONERS

PALM BEACH COUNTY, FLORIDA, BY
ITS BOARD OF COUNTY

By: _____
Clerk & Comptroller (or Deputy Clerk)

By: _____
Mary Lou Berger, 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 12th day of July, 2016 by _____ Board of County Commissioners, who is personally known to me.

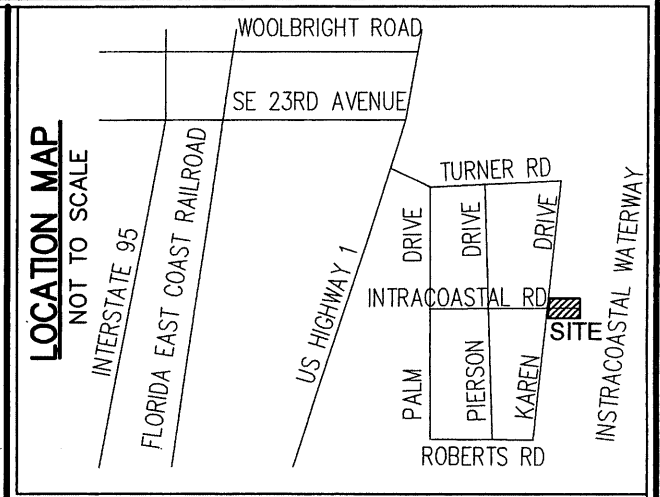
, Deputy Clerk

EXHIBIT A

to Attachment 3
Page 1 of 2

NOTES

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Jeffrey R. Wagner
JEFFREY R. WAGNER, PLS
REG. LAND SURVEYOR #5302
STATE OF FLORIDA - LB #3591

SHEET 1 OF 2



CAULFIELD & WHEELER, INC.

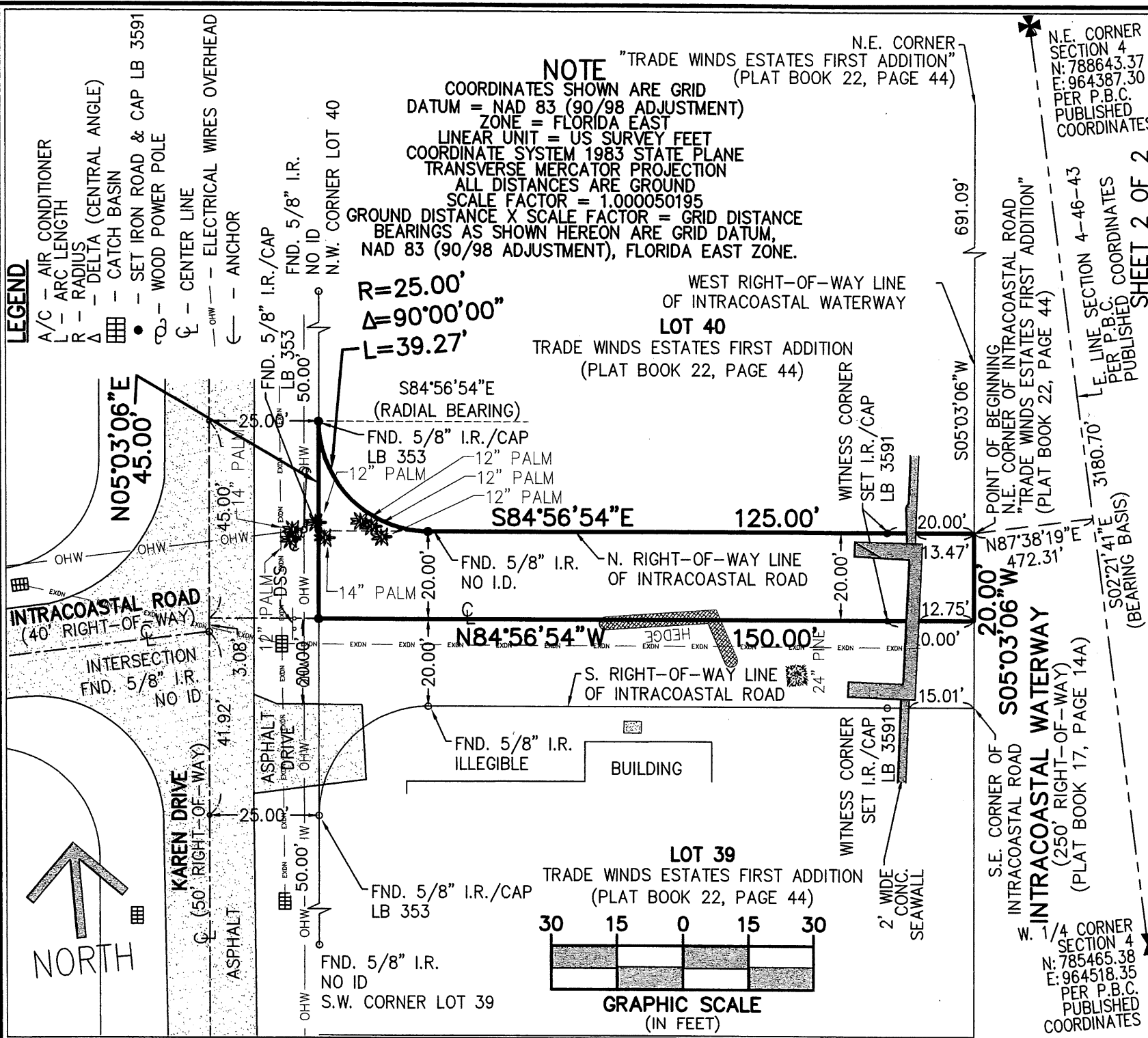
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LANDSCAPE ARCHITECTURE - SURVEYING
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PHONE (561)-392-1991 / FAX (561)-750-1452

TRADE WINDS ESTATES FIRST ADDITION - INTRACOASTAL ROAD
PROPOSED UTILITY EASEMENT

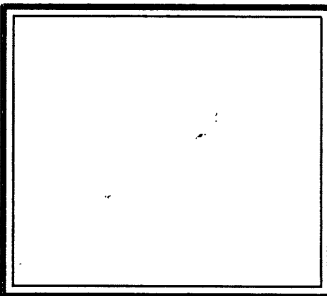
DATE	1/28/16
DRAWN BY	RW
F.B./ PG.	ELEC.
SCALE	-1" = 30'
JOB NO.	6768

EXHIBIT A

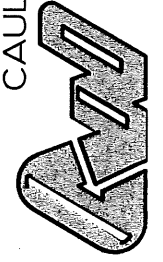
to Attachment 3
Page 2 of 2



DATE	1/28/16
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**TRADE WINDS ESTATES FIRST ADDITION - INTRACOASTAL ROAD
PROPOSED UTILITY EASEMENT**

N.E. CORNER SECTION 4
N: 788643.37
E: 964387.30
PER P.B.C. PUBLISHED COORDINATES

E. LINE SECTION 4-46-43
PER P.B.C. PUBLISHED COORDINATES
SHEET 2 OF 2

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