

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

Meeting Date: August 16, 2016 [ ] Consent [ ] Regular  
[ ] Workshop [X] 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 south 93 feet of the unimproved right-of-way of South Edgewater Drive as recorded in Official Record Book 389, Page 72, Public Records of Palm Beach County, Florida, and executing two utility easements over a portion of the tract to be abandoned.

**SUMMARY:** Adoption of this resolution will allow the petitioners, Devon and Roslyck Paxson, to pursue a lot combination process to combine the abandoned Tract with their platted lot, Lot 4, Bay Village Harbour, a private, gated community. The public does not rely on the petition site for any type of access. The petitioner has access via Bay Village Court. The petition site is located east of Prosperity Farms Road and north of PGA Boulevard.

District 1 (MRE)

**Background and Policy Issues:** The owners, Devon and Roslyck Paxson, wish to remove this unneeded public right-of-way dedication from this piece of land at the end of South Edgewater Drive which visually appears to be a part of their lot. Abandonment of this Tract followed by combination with their platted lot will make this Tract an integral part of their lot. The homeowners to the south have no objection to the abandonment.

Reviewing agencies and utility service providers have no objection to the vacation because two utility easements have been provided.

**Privilege Fee Statement:** The petition is subject to a privilege fee of \$24,206.91. The calculations are as follows:

Total sq. ft. of Right-of-Way for Intracoastal Road (Petition Site) . . . . .	2,790 sq. ft.
Less area for Utility Easements . . . . .	- 698 sq. ft.
Total sq. ft. subject to Privilege Fee . . . . .	2,092 sq. ft.
Average sq. ft. value of parcels abutting the right of way. . . . .	\$ 15.42
Overall value . . . . .	\$32,258.64
80% of value . . . . .	\$25,806.91
Less Filing Fee . . . . .	\$- 1,600.00
Total Privilege Fee . . . . .	\$24,206.91

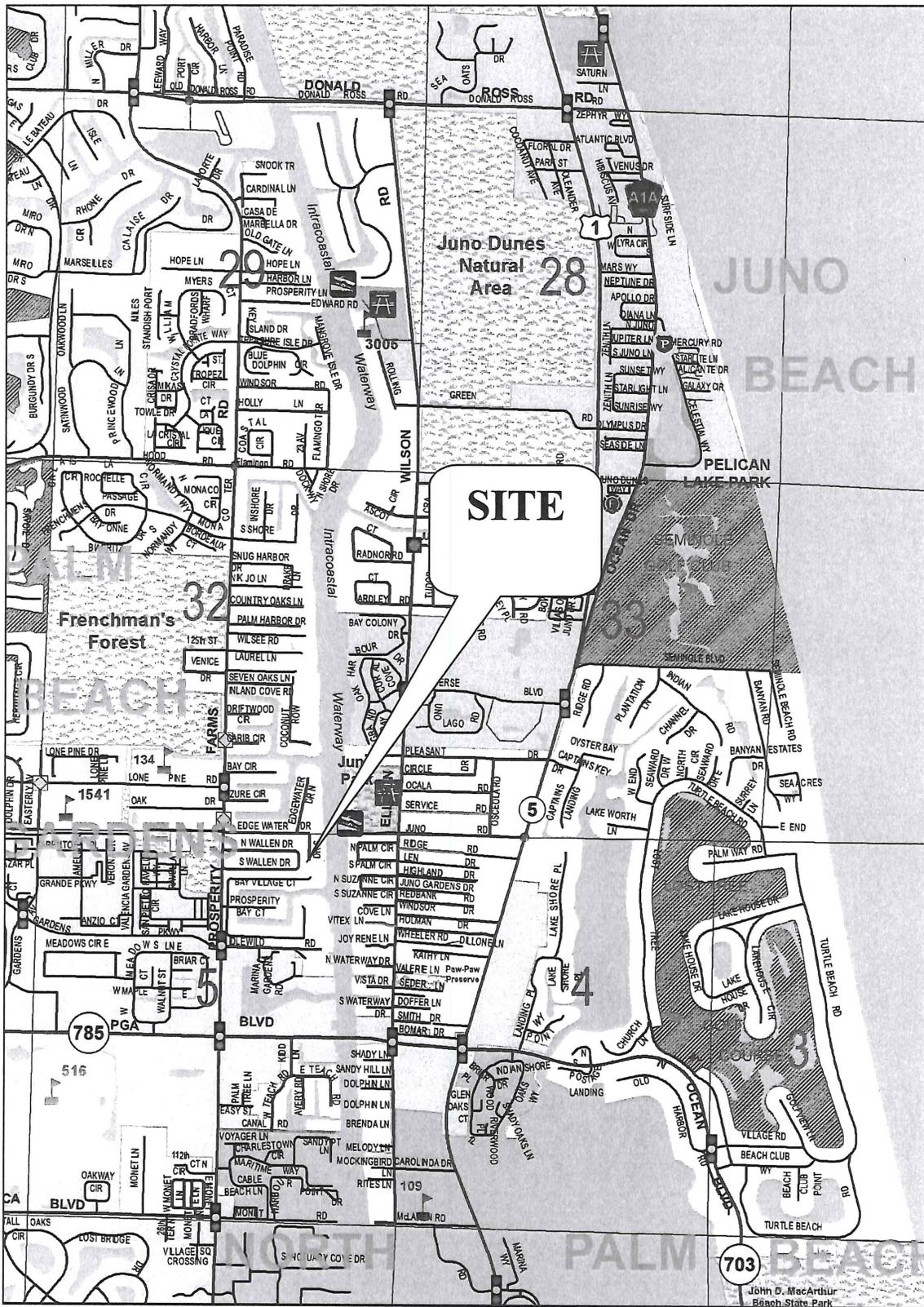
**Attachments:**

1. Location Sketch
2. Resolution with Exhibits 'A', 'B' and 'C'
3. Seacoast Utility Easement with Exhibit 'A'
4. AT&T Utility Easement with Exhibit 'A'

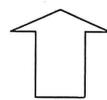
Recommended by [Signature] T. Webb 7/19/16  
Department Director Date

Approved by: [Signature] 8/1/16  
Assistant County Administrator Date





# LOCATION SKETCH



N (Not to scale)

ABANDONMENT OF THE UNIMPROVED SOUTH 93 FT. OF SOUTH EDGEWATER DRIVE, A PORTION OF THE RIGHT-OF-WAY DESCRIBED IN OFFICIAL RECORD BOOK 389, PAGE 72, PUBLIC RECORDS OF 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 SOUTH 93 FEET OF THE UNIMPROVED RIGHT-OF-WAY OF SOUTH EDGEWATER DRIVE AS RECORDED IN OFFICIAL RECORD BOOK 389, PAGE 72, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND EXECUTING TWO UTILITY EASEMENTS OVER A PORTION OF THE TRACT TO BE ABANDONED.**

**WHEREAS**, the Board of County Commissioners of Palm Beach County (Board), Florida, 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 Devon and Roslyck Paxson, called a public hearing to be held in the County Commissioners' Chambers, at the Governmental Office Complex, West Palm Beach, Florida, on August 16, 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 south 93 feet of the unimproved right-of-way of South Edgewater Drive (Tract) as set forth on the sketch and legal description set forth in Exhibit C attached hereto and incorporated herein by reference; and

**WHEREAS**, 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 July 31, 2016; and

**WHEREAS**, the Board has the authority to execute a utility easement for Seacoast Utility Authority over a portion of the Tract being abandoned as shown in Exhibit A; and

**WHEREAS**, the Board has the authority to execute a utility easement for Bell South Telecommunications, LLC, d/b/a AT&T Florida over a portion of the Tract being abandoned as shown in Exhibit B; and

**RESOLUTION NO. R-2016 \_\_\_\_\_**

**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 is authorized to execute a utility easement over a portion of the Tract to be abandoned for Seacoast Utility Authority as shown in Exhibit A attached hereto and made a part hereof.
3. The Board is authorized to execute a utility easement over a portion of the Tract to be abandoned for Bell South Telecommunications, LLC, d/b/a AT&T Florida as shown in Exhibit B 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 described 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 C 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 3

## SEACOAST UTILITY EASEMENT

### REVISIONS:


### DESCRIPTION:

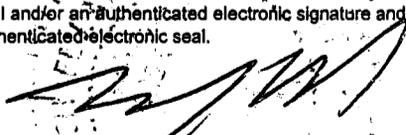
THE WEST 7.50 FEET OF THE FOLLOWING DESCRIBED PARCEL:

A PORTION OF THAT RIGHT OF WAY DESCRIBED IN OFFICIAL RECORD BOOK 389, PAGE 72, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 5; THENCE S.88°50'12"E. (AS A BASIS OF BEARING THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 5 IS ASSUMED TO BEAR S.88°50'12"E. AS SHOWN ON PLAT OF "BAY VILLAGE HARBOUR", RECORDED IN PLAT BOOK 53, PAGE 24, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA ), A DISTANCE OF 1315.11 FEET; THENCE S.01°37'48"W., ALONG THE NORTHERLY PROLONGATION OF THE WEST LINE OF "BAY VILLAGE HARBOUR", A DISTANCE OF 406.15 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.01°37'48"W. ALONG SAID NORTHERLY PROLONGATION AND THE WEST LINE OF THAT PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 389, PAGE 72, PALM BEACH COUNTY RECORDS, A DISTANCE OF 93.00 FEET; THENCE S.88°44'24"E., ALONG THE NORTH LINE OF LOT 5, "BAY VILLAGE HARBOUR", A DISTANCE OF 30.00 FEET TO THE WEST LINE OF SAID LOT 5; THENCE N.01°37'48"E. ALONG THE WEST LINE OF LOT 5, A DISTANCE OF 93.00 FEET; THENCE N.88°44'24"W. ALONG A LINE PARALLEL WITH AND 7.00 FEET SOUTH OF THE WESTERLY PROLONGATION OF THE NORTH LINE OF LOT 5, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

### SHEET 1 OF 3 BOUNDARY SURVEY

This SURVEY is invalid without embossed surveyor's seal and/or an authenticated electronic signature and authenticated electronic seal.



Registered Land Surveyor, Florida Certificate No.  
MICHAEL J. MILLER #4034

SCALE:	1" = 20'
DRAWN BY:	TIRADO
FIELD WK:	M.M. / B.M.
DATE:	02/15/2016

## MILLER LAND SURVEYING

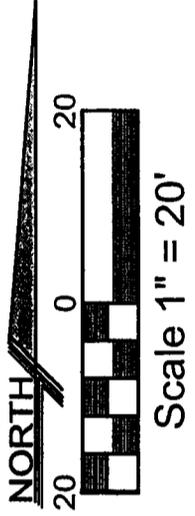
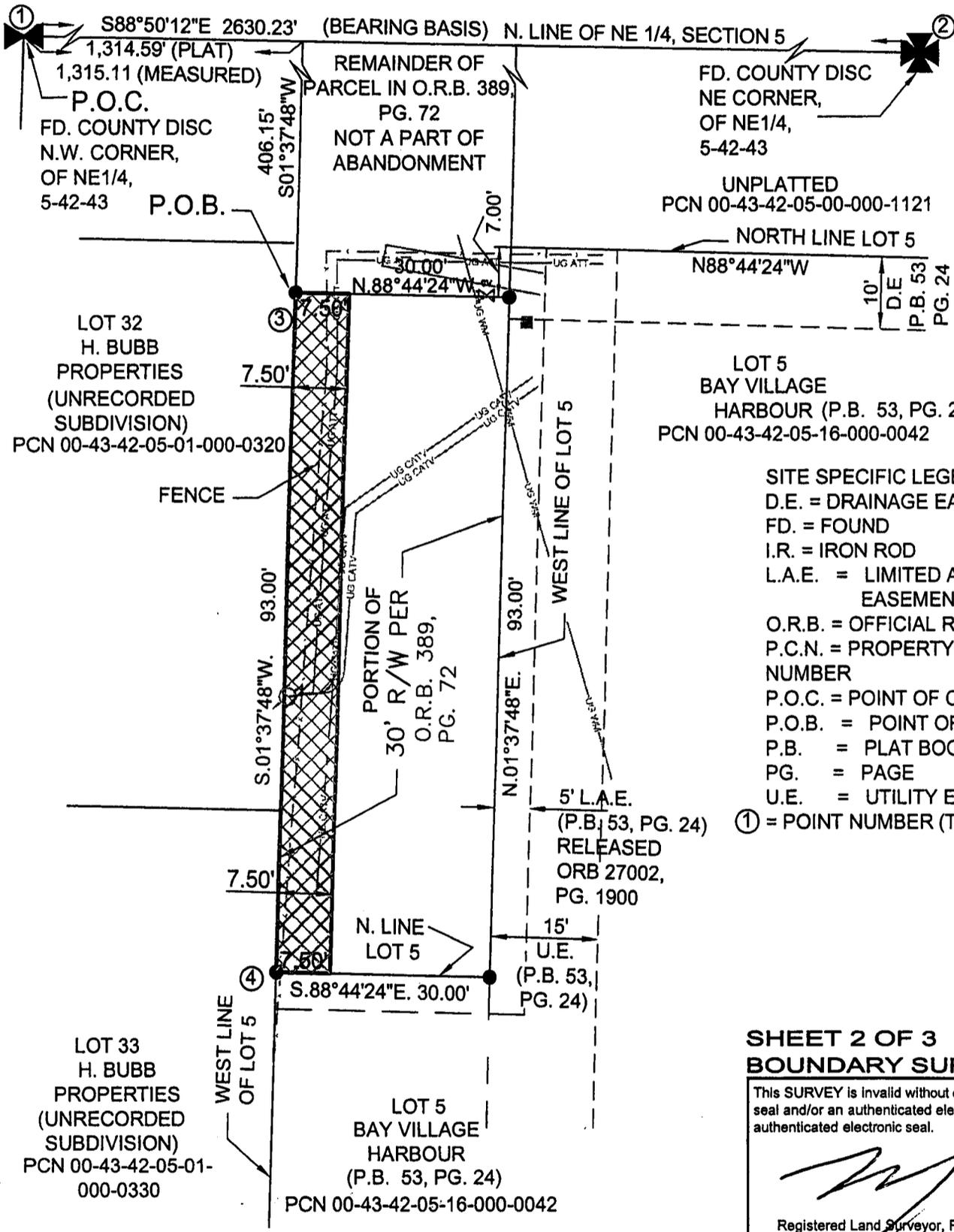
1121 LAKE AVENUE  
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PHONE: (561) 586-2669 - FAX: (561) 582-0151  
www.millersurveying.com  
e-mail: millersurveying@aol.com

REFERENCES:	S62/46 C77/19
PREV. JOB NO'S.	Y140642 Y140298 Y140482
JOB NO.	Y160145-F
S - 47,062 - F	

# EXHIBIT A

Page 2 of 3

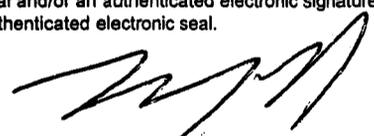
## SEACOAST UTILITY EASEMENT



- SITE SPECIFIC LEGEND:**
- D.E. = DRAINAGE EASEMENT
  - FD. = FOUND
  - I.R. = IRON ROD
  - L.A.E. = LIMITED ACCESS EASEMENT
  - O.R.B. = OFFICIAL RECORD BOOK
  - P.C.N. = PROPERTY CONTROL NUMBER
  - P.O.C. = POINT OF COMMENCEMENT
  - P.O.B. = POINT OF BEGINNING
  - P.B. = PLAT BOOK
  - PG. = PAGE
  - U.E. = UTILITY EASEMENT
  - ① = POINT NUMBER (TYPICAL)

### SHEET 2 OF 3 BOUNDARY SURVEY

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FIELD WK:	M.M. / B.M.
DATE:	02/15/2016

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REFERENCES:	S52/46 C77/19
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JOB NO.	Y160145-F
<b>S - 47,062 - F</b>	

# EXHIBIT A

Page 3 of 3

## SEACOAST UTILITY EASEMENT

### REVISIONS:


COORDINATES SHOWN ARE GRID.  
DATUM = NAD 83, 1990 ADJUSTMENT.  
ZONE = FLORIDA EAST.  
LINEAR UNITS = U.S. SURVEY FOOT.  
COORDINATE SYSTEM: 1983 STATE PLANE TRANSVERSE MERCATOR  
PROJECTION.  
ALL DISTANCES ARE GROUND.  
PROJECT SCALE FACTOR = 1.000047018  
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE.  
BEARING ROTATION = ROTATE ALL BEARINGS SHOWN HEREON  
00°26'23" COUNTERCLOCKWISE TO GRID.  
BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE  
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EAST, PALM BEACH COUNTY, FLORIDA, HAVING AN ASSUMED  
BEARING OF S.88°50'12"E, AS SHOWN ON "BAY VILLAGE HARBOUR",  
PLAT BOOK 53, PAGE 24, PUBLIC RECORDS OF PALM BEACH COUNTY,  
FLORIDA.

### SURVEY NOTES:

- 1.) THIS SURVEY MEETS THE REQUIREMENTS FOR STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17.050-.052, OF THE FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO CHAPTER 472.027 OF THE FLORIDA STATUTES.
- 2.) LANDS SHOWN HEREON REFLECT ALL PERTINENT EASEMENTS AND/OR RIGHTS OF WAY CONTAINED IN TITLE SEARCH DATED MARCH 3, 2016, BY PAMELA TAYLOR, AS AGENT FOR FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NO. 1062-3165841, AGENT FILE NO. 12200-52348.
- 3.) UNDERGROUND LOCATIONS ARE BASED ON 811 SERVICE.
- 4.) ALL BEARINGS AND DISTANCES SHOWN HEREON ARE PLAT AND MEASURED UNLESS OTHERWISE NOTED.
- 5.) THIS FIRMS "CERTIFICATE OF AUTHORIZATION" NUMBER IS L.B. 6838.

Point	Northing	Easting
1	916775.02	958685.83
2	916741.79	961315.97
3	916352.32	959992.46
4	916259.34	959990.53

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S - 47,062 - F

# EXHIBIT B

Page 1 of 3

## REVISIONS:


## DESCRIPTION:

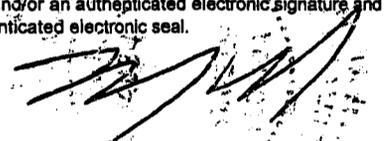
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FIELD WK:	M.M. / B.M.
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## MILLER LAND SURVEYING

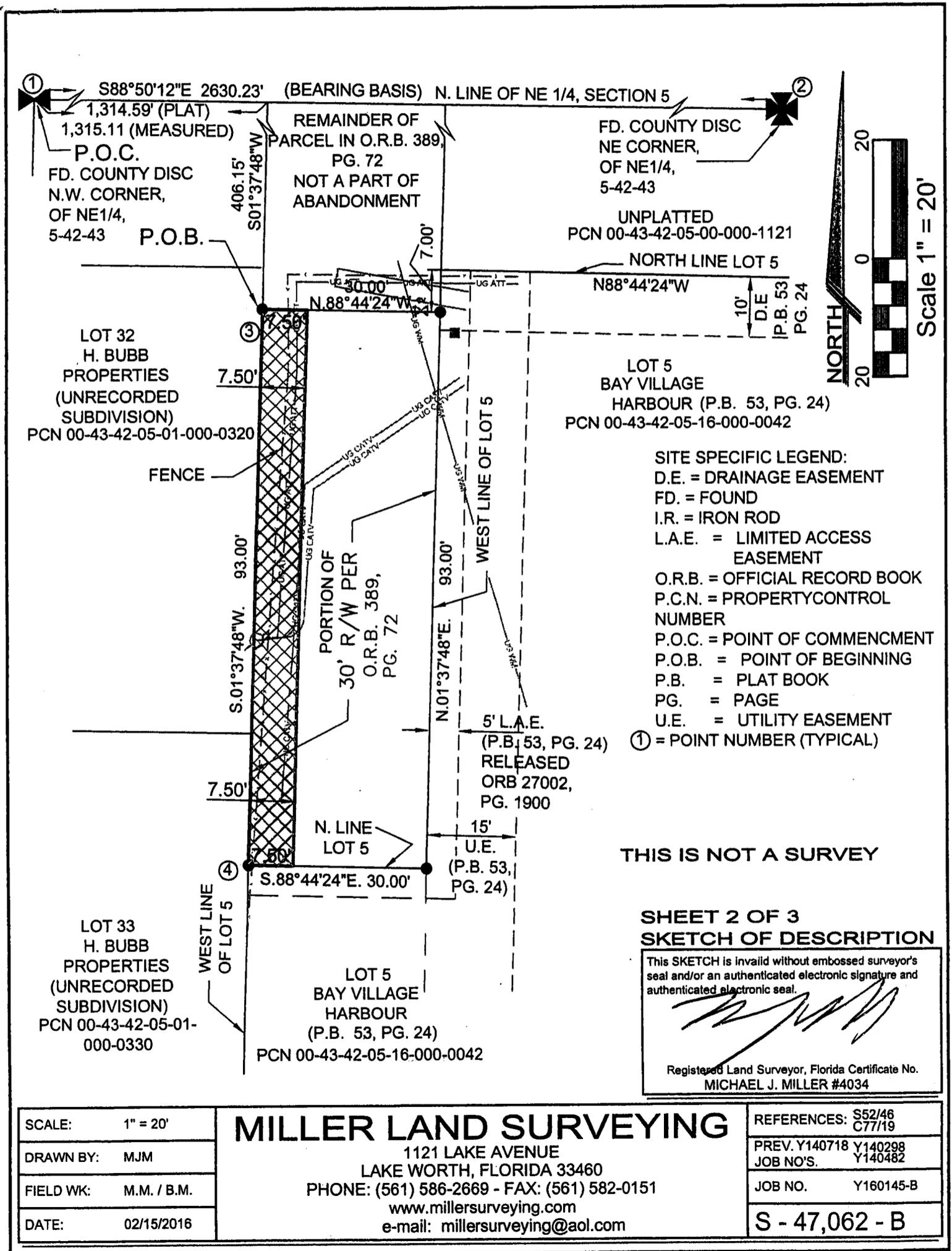
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JOB NO.	Y160145-B

S - 47,062 - B

# EXHIBIT B

Page 2 of 3



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# EXHIBIT B

Page 3 of 3

## REVISIONS:


COORDINATES SHOWN ARE GRID.  
DATUM = NAD 83, 1990 ADJUSTMENT.  
ZONE = FLORIDA EAST.  
LINEAR UNITS = U.S. SURVEY FOOT.  
COORDINATE SYSTEM: 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION.  
ALL DISTANCES ARE GROUND.  
PROJECT SCALE FACTOR = 1.000047018  
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE.  
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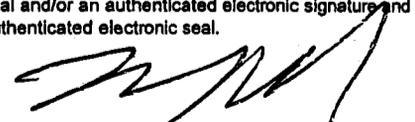
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FIELD WK:	M.M. / B.M.
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**REVISIONS:**


**BOUNDARY SURVEY**

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CONTAINING 2,790 SQUARE FEET.

**SHEET 1 OF 3**  
**BOUNDARY SURVEY**

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**MICHAEL J. MILLER #4034**

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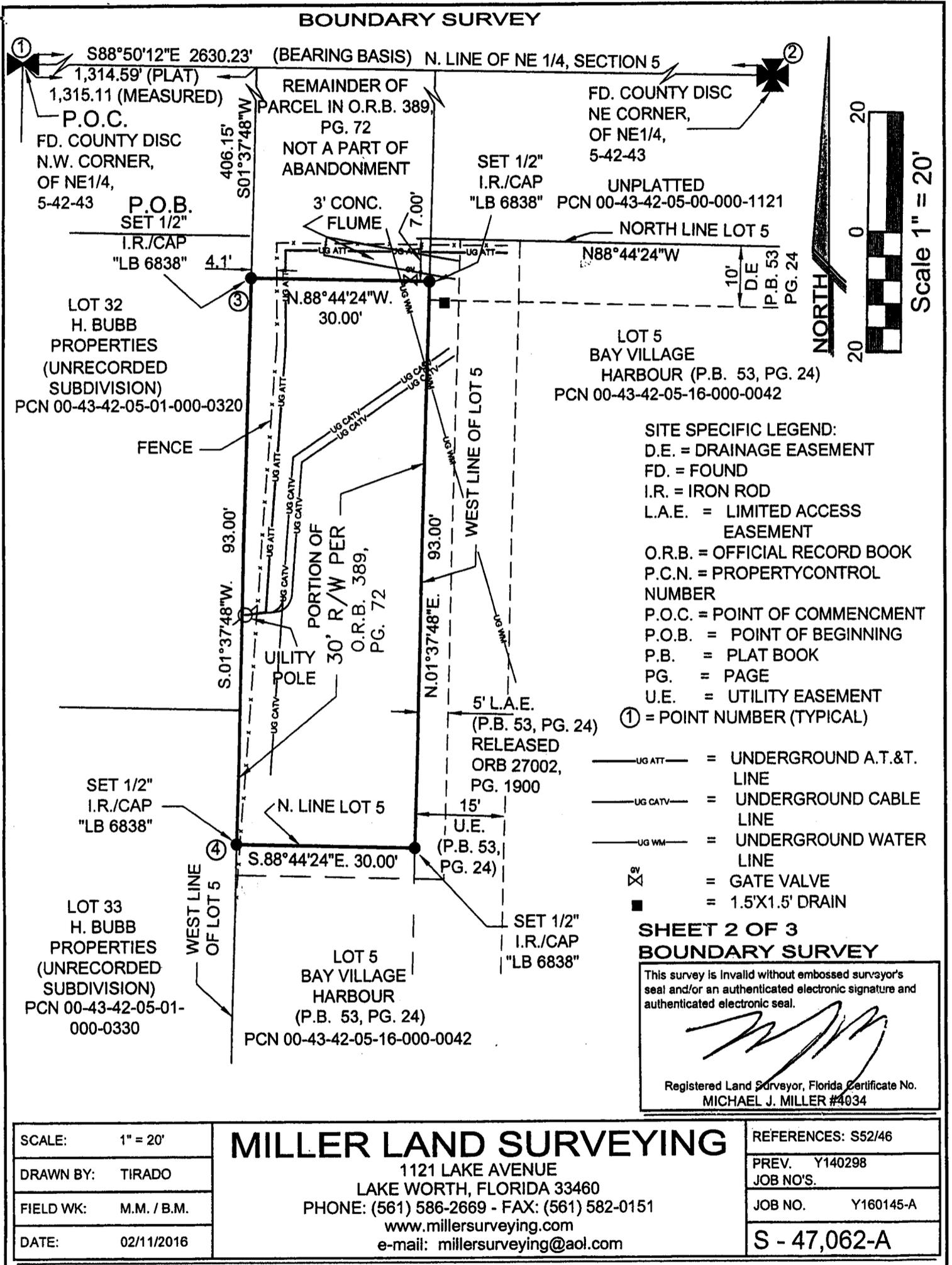
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# EXHIBIT C

Page 2 of 3



# EXHIBIT C

Page 3 of 3

## BOUNDARY SURVEY

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FLORIDA.

### SURVEY NOTES:

- 1.) THIS SURVEY MEETS THE REQUIREMENTS FOR STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17.050-.052, OF THE FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO CHAPTER 472.027 OF THE FLORIDA STATUTES.
- 2.) LANDS SHOWN HEREON REFLECT ALL PERTINENT EASEMENTS AND/OR RIGHTS OF WAY CONTAINED IN TITLE SEARCH DATED MARCH 3, 2016, BY PAMELA TAYLOR, AS AGENT FOR FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NO. 1062-3165841, AGENT FILE NO. 12200-52348.
- 3.) UNDERGROUND LOCATIONS ARE BASED ON 811 SERVICE.
- 4.) ALL BEARINGS AND DISTANCES SHOWN HEREON ARE PLAT AND MEASURED UNLESS OTHERWISE NOTED.
- 5.) THIS FIRMS "CERTIFICATE OF AUTHORIZATION" NUMBER IS L.B. 6838.

### SHEET 3 OF 3 BOUNDARY SURVEY

This survey is invalid without embossed surveyor's seal and/or an authenticated electronic signature and authenticated electronic seal.



Registered Land Surveyor, Florida Certificate No.  
MICHAEL J. MILLER #4034

Point	Northing	Easting
1	916775.02	958685.83
2	916741.79	961315.97
3	916352.32	959992.46
4	916259.34	959990.53

SCALE:	1" = 20'
DRAWN BY:	TIRADO
FIELD WK:	M.M. / B.M.
DATE:	04/11/2014

## MILLER LAND SURVEYING

1121 LAKE AVENUE  
LAKE WORTH, FLORIDA 33460  
PHONE: (561) 586-2669 - FAX: (561) 582-0151  
www.millersurveying.com  
e-mail: millersurveying@aol.com

REFERENCES:	S52/46
PREV. JOB NO'S.	Y140298
JOB NO.	Y160145-A
<b>S - 47,062-A</b>	

# ATTACHMENT 3

Page 1 of 2

Return to:  
Palm Beach County Land Development  
2300 N Jog Rd  
West Palm Beach, FL 33411-2745

Grantee's Address:  
Seacoast Utility Authority  
4200 Hood Road  
Palm Beach Gardens, FL 33410

## UTILITY EASEMENT

**THIS EASEMENT** is made, granted and entered into this \_\_\_\_ day of \_\_\_\_\_, 2016, by PALM BEACH COUNTY, a political subdivision of the State of Florida ("Grantor"), whose address is 2300 N Jog Rd, West Palm Beach, FL 33411-2745, to SEACOAST UTILITY AUTHORITY, (hereinafter "Grantee"), whose address is 4200 Hood Road, Palm Beach Gardens, Florida 33410.

**WITNESSETH:** That the Grantor, for and in consideration of the sum of ONE (\$1.00) dollar and other valuable considerations, receipt whereof is hereby acknowledged, hereby grant(s) unto the Grantee, its successors and assigns, a perpetual utility easement, over, upon, under, through and across the following described land, situated in Palm Beach County, Florida, to wit:

Property more particularly described in Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD THE SAME unto the Grantee, its successors and assigns forever.

**ATTACHMENT 3**  
Page 2 of 2

**SPECIAL STIPULATIONS OR COMMENTS:**

The following special stipulations shall control in the event of conflict with any of the foregoing easement:

\_\_\_\_\_  
\_\_\_\_\_

In witness whereof, the Grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice-Chair of said Board, the day and year aforesaid.

**Grantor:**

ATTEST:  
SHARON R. BOCK, CLERK & COMPTROLLER  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

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

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF FLORIDA  
COUNTY OF PALM BEACH

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ before me, the undersigned notary public, personally appeared \_\_\_\_\_, Chair, Board of County Commissioners, personally known to me to be the person who subscribed to the foregoing instrument, and acknowledged that he/she executed the same on behalf of the County and that he/she was duly authorized so to do.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC, STATE OF FLORIDA

Print name:  
Commission No.:  
My Commission Expires:

# ATTACHMENT 3

Exhibit "A" to Attachment 3  
Page 1 of 3

## SEACOAST UTILITY EASEMENT Exhibit "A"

### REVISIONS:


### DESCRIPTION:

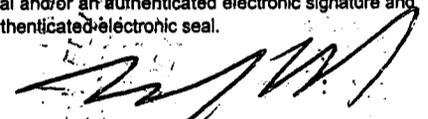
THE WEST 7.50 FEET OF THE FOLLOWING DESCRIBED PARCEL:

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### SHEET 1 OF 3 BOUNDARY SURVEY

This SURVEY is invalid without embossed surveyor's seal and/or an authenticated electronic signature and authenticated electronic seal.



Registered Land Surveyor, Florida, Certificate No.  
MICHAEL J. MILLER #4034

SCALE: 1" = 20'

DRAWN BY: TIRADO

FIELD WK: M.M. / B.M.

DATE: 02/15/2016

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www.millersurveying.com  
e-mail: millersurveying@aol.com

REFERENCES: S52/46  
C77/19

PREV. Y140642 Y140298  
JOB NO'S. Y140482

JOB NO. Y160145-F

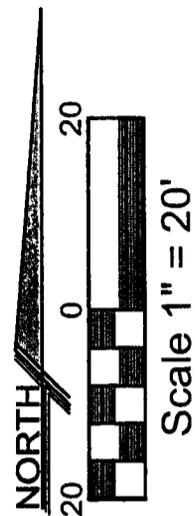
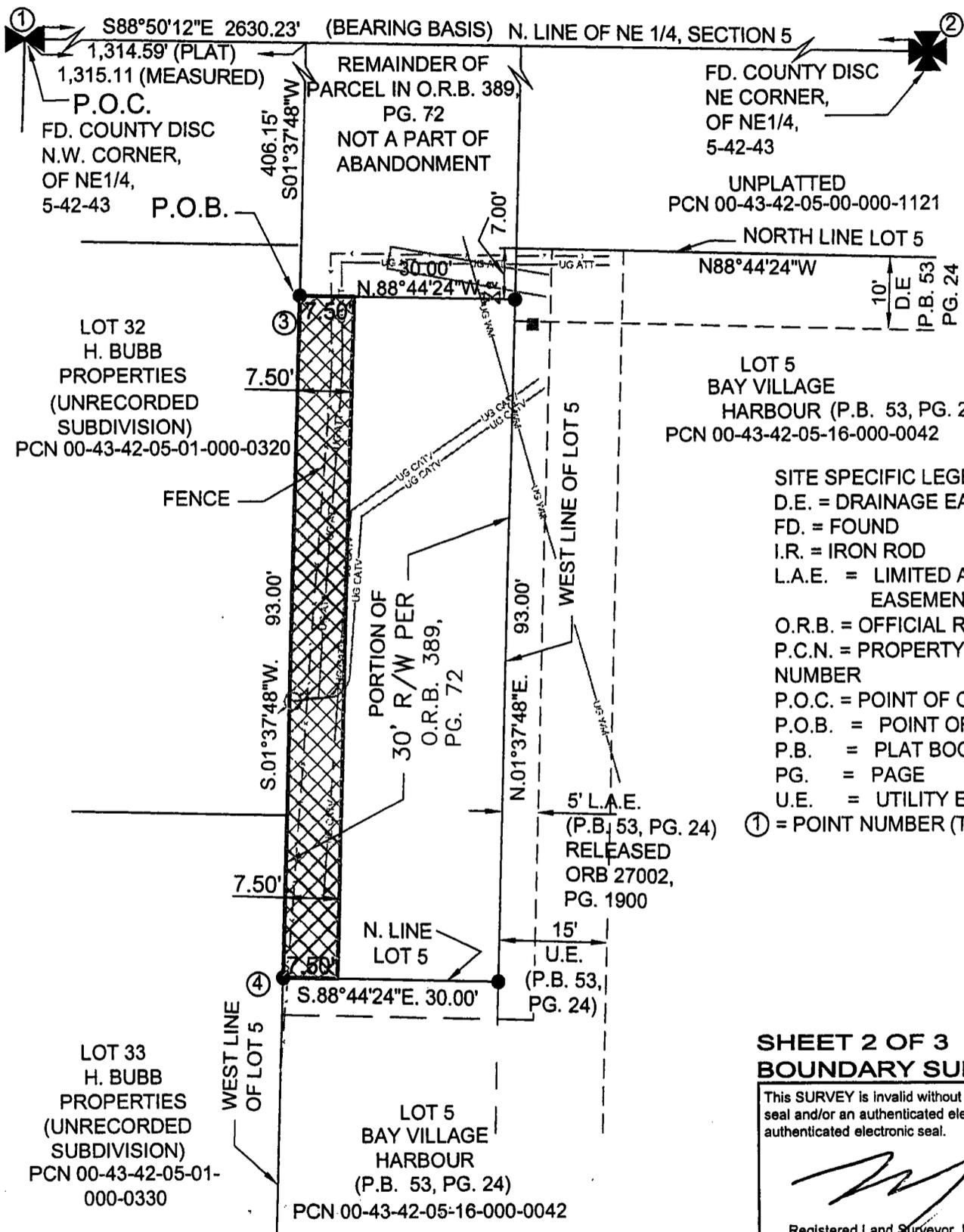
S - 47,062 - F

# ATTACHMENT 3

Exhibit "A" to Attachment 3

Page 2 of 3

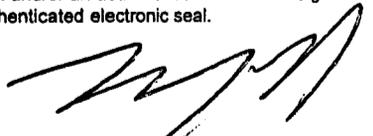
## SEACOAST UTILITY EASEMENT Exhibit "A"



- SITE SPECIFIC LEGEND:**
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  - FD. = FOUND
  - I.R. = IRON ROD
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  - P.C.N. = PROPERTY CONTROL NUMBER
  - P.O.C. = POINT OF COMMENCEMENT
  - P.O.B. = POINT OF BEGINNING
  - P.B. = PLAT BOOK
  - PG. = PAGE
  - U.E. = UTILITY EASEMENT
  - ① = POINT NUMBER (TYPICAL)

### SHEET 2 OF 3 BOUNDARY SURVEY

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Registered Land Surveyor, Florida Certificate No. MICHAEL J. MILLER #4034

SCALE:	1" = 20'
DRAWN BY:	MJM
FIELD WK:	M.M. / B.M.
DATE:	02/15/2016

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REFERENCES:	S52/46 C77/19
PREV. JOB NO'S.	Y140718 Y140298 Y140482
JOB NO.	Y160145-F
<b>S - 47,062 - F</b>	

# ATTACHMENT 3

Exhibit "A" to Attachment 3

Page 3 of 3

## SEACOAST UTILITY EASEMENT Exhibit "A"

### REVISIONS:


COORDINATES SHOWN ARE GRID.  
 DATUM = NAD 83, 1990 ADJUSTMENT.  
 ZONE = FLORIDA EAST.  
 LINEAR UNITS = U.S. SURVEY FOOT.  
 COORDINATE SYSTEM: 1983 STATE PLANE TRANSVERSE MERCATOR  
 PROJECTION.  
 ALL DISTANCES ARE GROUND.  
 PROJECT SCALE FACTOR = 1.000047018  
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE.  
 BEARING ROTATION = ROTATE ALL BEARINGS SHOWN HEREON  
 00°26'23" COUNTERCLOCKWISE TO GRID.  
 BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE  
 NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 42 SOUTH, RANGE 43  
 EAST, PALM BEACH COUNTY, FLORIDA, HAVING AN ASSUMED  
 BEARING OF S.88°50'12"E, AS SHOWN ON "BAY VILLAGE HARBOUR",  
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 FLORIDA.

### SURVEY NOTES:

- 1.) THIS SURVEY MEETS THE REQUIREMENTS FOR STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17.050-.052, OF THE FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO CHAPTER 472.027 OF THE FLORIDA STATUTES.
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MICHAEL J. MILLER #4034

SCALE:	1" = 20'
DRAWN BY:	TIRADO
FIELD WK:	M.M. / B.M.
DATE:	02/15/2016

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REFERENCES:	S52/46 C77/19
PREV. JOB NO'S.	Y140642 Y140298 Y140482
JOB NO.	Y160145-F

S - 47,062 - F

# ATTACHMENT 4

Page 1 of 2

Return to:  
Palm Beach County Land Development  
2300 N Jog Rd  
West Palm Beach FL 33411-2745

Grantee's Address:  
BellSouth Telecommunications, LLC, d/b/ AT&T Florida  
Garth Bedward, Room 3D-05  
120 North K Street  
Lake Worth FL 33460

## EASEMENT

For and in consideration of ten dollars (\$10.00) and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, the undersigned owners of the premises described below, (hereinafter referred to as "Grantor"), does hereby grant to **BellSouth Telecommunications, LLC, a Georgia limited liability company, d/b/a AT&T Florida**, and its parent and its and its parent's direct and indirect affiliates, subsidiaries, agents, attorneys, employees, officers, directors, servants, insurance carriers, licensees, successors, and assigns (hereinafter referred to as "Grantee"), an easement to construct, operate, maintain, add, and/or remove such systems of communications (including broadcast), facilities, standby generators and associated fuel supply systems as a means of providing uninterrupted service during commercial power outages, and related items as the Grantee may from time to time deem necessary in the conduct of its business upon, over, and under a portion of the lands described in Official Records Book **389**, Page **72**, **Palm Beach County Florida Records**, and, to the fullest extent the Grantor has the power to grant, upon, over, along, and under the roads, streets, or highways adjoining or through said property. The said easement is more particularly described as follows:

All that tract or parcel of land lying in Section **5**, Township **42 South**, Range **43 East**, **Palm Beach County**, State of Florida, consisting of a strip of land shown in **Exhibit "A"** attached hereto and made a part hereof.

The following rights are also granted: the non-exclusive right to allow any other person, firm, or corporation to attach wires or lay cable or conduit or other appurtenances upon, over, and under said easement for communications (including broadcast) or electric power transmission or distribution; ingress to and egress from said easement at all times; the right, but not the obligation, to clear the easement and keep it cleared of all trees, undergrowth, or other obstructions; the right, but not the obligation, to trim and cut and keep trimmed and cut all dead, weak, leaning, or dangerous trees or limbs outside the easement which might interfere with or fall upon the lines or systems of communication or power transmission or distribution; the right to relocate said facilities, systems of communications, or related services on said lands to conform to any future highway relocation, widening, or improvements, the right to test and maintain generators and associated equipment; and the right to allow any other person, firm, or corporation to provide for fuel/energy distribution to equipment placed on the site.

To have and to hold the above granted easement unto **BellSouth Telecommunications, LLC, d/b/a AT&T Florida**, and its parent and its and its parent's direct and indirect affiliates, subsidiaries, agents, attorneys, employees, officers, directors, servants, insurance carriers, licensees, successors, and assigns forever and in perpetuity.

Grantor warrants that Grantor is the true owner of record of the above described land on which the aforesaid easement is granted.

# ATTACHMENT 4

Page 2 of 2

**SPECIAL STIPULATIONS OR COMMENTS:**

The following special stipulations shall control in the event of conflict with any of the foregoing easement:

\_\_\_\_\_

In witness whereof, the undersigned has caused this instrument to be executed on the    day of  
2016.

**Grantor:**

ATTEST:  
SHARON R. BOCK, CLERK & COMPTROLLER  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF  
COUNTY COMMISSIONERS  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF FLORIDA  
COUNTY OF PALM BEACH

On this 16<sup>th</sup> day of August, 2016 before me, the undersigned notary public, personally appeared \_\_\_\_\_, Chair, Board of County Commissioners, personally known to me to be the person who subscribed to the foregoing instrument, and acknowledged that he/she executed the same on behalf of the County and that he/she was duly authorized so to do.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC, STATE OF FLORIDA  
Print name:  
Commission No.:  
My Commission Expires:

# ATTACHMENT 4

Exhibit "A" to Attachment 4

Page 1 of 3

Exhibit "A"

### REVISIONS:


### DESCRIPTION:

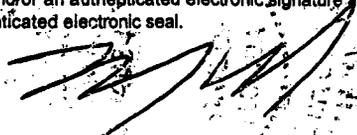
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### SHEET 1 OF 3 DESCRIPTION

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Registered Land Surveyor, Florida Certificate No.  
MICHAEL J. MILLER #4034

SCALE:	1" = 20'
DRAWN BY:	TIRADO
FIELD WK:	M.M. / B.M.
DATE:	02/15/2016

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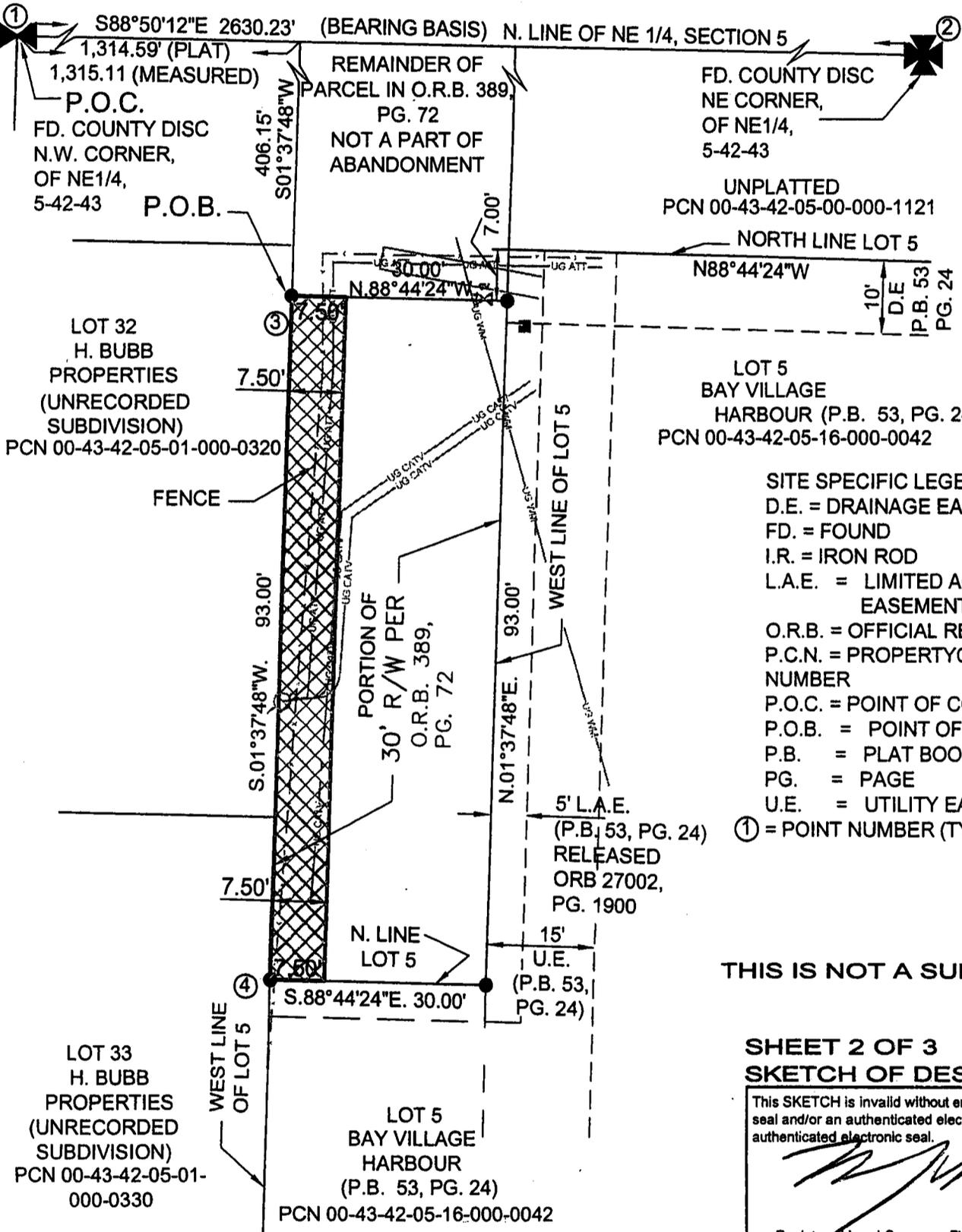
REFERENCES:	S52/46 C77/19
PREV. JOB NO'S.	Y140642 Y140298 Y140482
JOB NO.	Y160145-B

S - 47,062 - B

# ATTACHMENT 4

Exhibit "A" to Attachment 4  
Page 2 of 3

Exhibit "A"

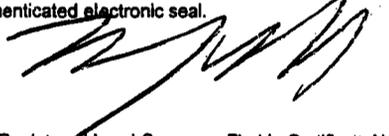


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THIS IS NOT A SURVEY

**SHEET 2 OF 3  
SKETCH OF DESCRIPTION**

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Exhibit "A" to Attachment 4  
Page 3 of 3

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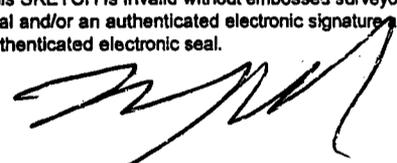
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**SHEET 3 OF 3  
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