

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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Meeting Date: January 10, 2017	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
	<input type="checkbox"/> Workshop	<input type="checkbox"/> Public Hearing

Department:

Submitted By: Department of Airports

Submitted For:

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Declaration of Easement (Declaration) on County-owned property located at 2050 Belvedere Road at the Airport Travel Plaza at the Palm Beach International Airport (PBIA) for water utility and sanitary sewer improvements.

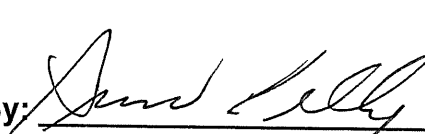
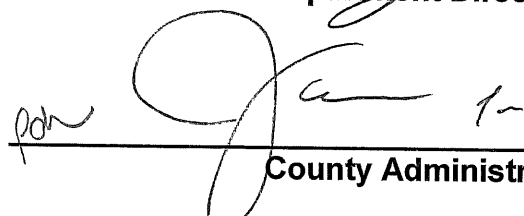
Summary: The Water Utilities Department is requesting a Declaration for water utility and sanitary sewer improvements at the Airport Travel Plaza at PBIA. The Declaration provides for the installation, operation and maintenance of water and sanitary sewer facilities on the County's property. Countywide (HJF)

Background and Justification: The Declaration is across land owned by the County and leased to West Palm Beach Plaza, LLC, for the development of an Airport Travel Plaza (R-2013-0257, as amended). The Declaration will memorialize the existence of water and sanitary sewer facilities on County-owned property. The easement area consists of two parcels of land, each 20 feet in width. The parcel on which the water transmission and distribution facilities are located contains approximately 8,891.6 square feet, and is located adjacent to Belvedere Road. The parcel on which the sanitary sewer facilities are located contains approximately 13,433.961 square feet, and runs from the Airport Travel Plaza easterly across Perimeter Road to connect to an existing force main.

Attachments:

- 1. Declaration of Easement

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Recommended By: 	12/8/16
Department Director	Date
Approved By: 	12-27-16
County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures					
Operating Costs					
Operating Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT *	\$-0-	\$-0-	\$-0-	\$-0-	\$-0-
# ADDITIONAL FTE POSITIONS (Cumulative)					

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

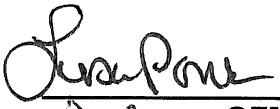
B. Recommended Sources of Funds/Summary of Fiscal Impact:

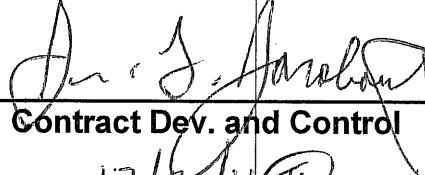
*No fiscal impact.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

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

 12/13/16
12/13/16 OFMB 12/12/16

 12/20/16
Contract Dev. and Control 12/20/16

B. Legal Sufficiency:

 12/22/16
Assistant County Attorney

C. Other Department Review:

Department Director

REVISED 9/03
ADM FORM 01
(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)

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

Portions of PCN 00-43-43-32-00-000-1090 & 74-43-43-32-00-000-1050

DECLARATION OF EASEMENT

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

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

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

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

WITNESSETH:

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

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

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

ATTEST:

SHARON R. BOCK

By: _____
Clerk & Comptroller

(SEAL)

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

By: _____
Paulette Burdick, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: _____
Assistant County Attorney

**APPROVED AS TO TERMS AND
CONDITIONS**

By:  _____
Department Director

Exhibit “A”
(the “Water Utility Easement Premises”)
(Portion of PCN 00-43-43-32-00-000-1090)


LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN PALM BEACH COUNTY INTERNATIONAL AIRPORT PROPERTY, SITUATE IN SECTION 32, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 32; THENCE NORTH 88°26'54" WEST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 32, A DISTANCE OF 55.26 FEET; THENCE SOUTH 01°33'06" WEST AT RIGHT ANGLE TO SAID SECTION LINE, A DISTANCE OF 40.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF BELVEDERE ROAD AS SHOWN ON ROAD PLAT BOOK 3, PAGE 94 OF THE PUBLIC RECORDS OF SAID PALM BEACH COUNTY AND THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE NORTH 88°26'54" WEST ALONG THE SAID SOUTH RIGHT OF WAY LINE OF BELVEDERE ROAD A DISTANCE OF 249.02 FEET; THENCE SOUTH 63°21'29" WEST FOR A DISTANCE OF 25.40 FEET; THENCE NORTH 88°30'09" WEST, FOR A DISTANCE OF 26.71 FEET; THENCE SOUTH 01°33'16" WEST FOR A DISTANCE OF 4.54 FEET; THENCE NORTH 87°36'35" WEST FOR A DISTANCE OF 41.59 FEET; THENCE NORTH 02°23'25" EAST FOR A DISTANCE OF 3.96 FEET; THENCE NORTH 88°26'54" WEST FOR A DISTANCE OF 57.60 FEET; THENCE SOUTH 01°33'16" WEST FOR A DISTANCE OF 20.00 FEET; THENCE SOUTH 88°26'54" EAST FOR A DISTANCE OF 37.30 FEET; THENCE SOUTH 02°23'25" WEST FOR A DISTANCE OF 6.01 FEET; THENCE SOUTH 43°26'44" EAST FOR A DISTANCE OF 32.37 FEET; THENCE SOUTH 88°26'44" EAST FOR A DISTANCE OF 25.60 FEET; THENCE NORTH 01°33'16" EAST FOR A DISTANCE OF 20.00 FEET; THENCE NORTH 88°26'44" WEST FOR A DISTANCE OF 17.32 FEET; THENCE NORTH 43°26'44" WEST FOR A DISTANCE OF 15.63 FEET; THENCE NORTH 02°23'25" EAST FOR A DISTANCE OF 1.65 FEET; THENCE SOUTH 87°36'35" EAST FOR A DISTANCE OF 41.76 FEET; THENCE SOUTH 84°45'35" EAST FOR A DISTANCE OF 37.40 FEET; THENCE SOUTH 88°57'18" EAST FOR A DISTANCE OF 18.46 FEET; THENCE NORTH 01°33'16" EAST FOR A DISTANCE OF 11.05 FEET; THENCE SOUTH 88°26'54" EAST FOR A DISTANCE OF 262.21 FEET; THENCE NORTH 43°15'36" WEST FOR A DISTANCE OF 28.19 FEET TO THE POINT OF BEGINNING. (CONTAINING 8,891.6 SQ.FT. OR 0.20 ACRES +/-)

SURVEYOR'S CERTIFICATE:

I hereby certify to the best of my knowledge and belief that this drawing is a true and correct representation of the LEGAL DESCRIPTION AND SKETCH of the real property described hereon. I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 5J-17 Florida Administrative Code.

Date : 8/28/2016
Revision 1: 11/27/16
Revision 2:


John H. Manucy Jr., P.S.M.
Professional Surveyor & Mapper
No. 5158
State of Florida.

SHEET 1 OF 3

MANUCY LAND SURVEYORS, INC.		
12660 157th STREET NORTH		
JUPITER, FLORIDA 33478		
PHONE: (561) 427-0855		PSM 5158
SCALE: 1"= 50'	DRAWN BY:	ORDER NO.
DATE: 8-28-16	J.H.M.	4925
SKETCH & LEGAL DESCRIPTION OF 20' WATER UTILITY EASEMENT AT 2050 BELVEDERE ROAD, WEST PALM BEACH, FLORIDA		
PREPARED FOR:		
AVENTURA CONSTRUCTION CORP.		

SURVEYOR'S NOTES:

- 1) TYPE OF DRAWING: SKETCH & LEGAL DESCRIPTION
- 2) BEARINGS SHOWN HEREON ARE BASED UPON A BEARING OF N.88°26'54" W ALONG THE
ALONG THE NORTH LINE OF N.W.1/4 OF SECTION 32, TOWNSHIP 43 SOUTH, RANGE 43 EAST,
BASED ON 83/90 STATE PLANE COORDINATE SYSTEM, AND ALL OTHER BEARINGS
ARE RELATIVE THERETO.
- 3) P.O.C.= POINT OF COMMENCMENT
- 4) P.O.B.= POINT OF BEGINNING
- 5) THE LEGAL DESCRIPTION WAS PREPARED BY THE ABOVE LICENSED SURVEYOR AND MAPPER.
- 6) THIS DRAWING IS NOT VALID WITHOUT THE SIGNATURE AND EMBOSSED SEAL
OF THE FLORIDA LICENSED SURVEYOR AND MAPPER LISTED ABOVE.

STATE PLANE DATA:

COORDINATES SHOWN HEREON ARE GRID DATUM
DATUM = NAD 83, 1990 ADJUSTMENT
ZONE = EAST, TRAVERSE MERCATOR PROJECTION
LINAR UNIT = U.S. SURVEY FOOT
COORDINATE SYSTEM = 1983 STATE PLANE
SCALE FACTOR = 1.0000427
ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

SHEET 2 OF 3

MANUCY LAND SURVEYORS, INC. 12660 157th STREET NORTH JUPITER, FLORIDA 33478 PHONE: (561) 427-0855 PSM 5158		
SCALE: 1"= 50'	DRAWN BY: J.H.M.	ORDER NO. 4925
DATE: 8-28-16		
SKETCH & LEGAL DESCRIPTION OF 20' WATER UTILITY EASEMENT AT 2050 BELVEDERE ROAD, WEST PALM BEACH, FLORIDA		
PREPARED FOR: AVENTURA CONSTRUCTION CORP.		

THIS IS A NOT A SURVEY

EXHIBIT "A"

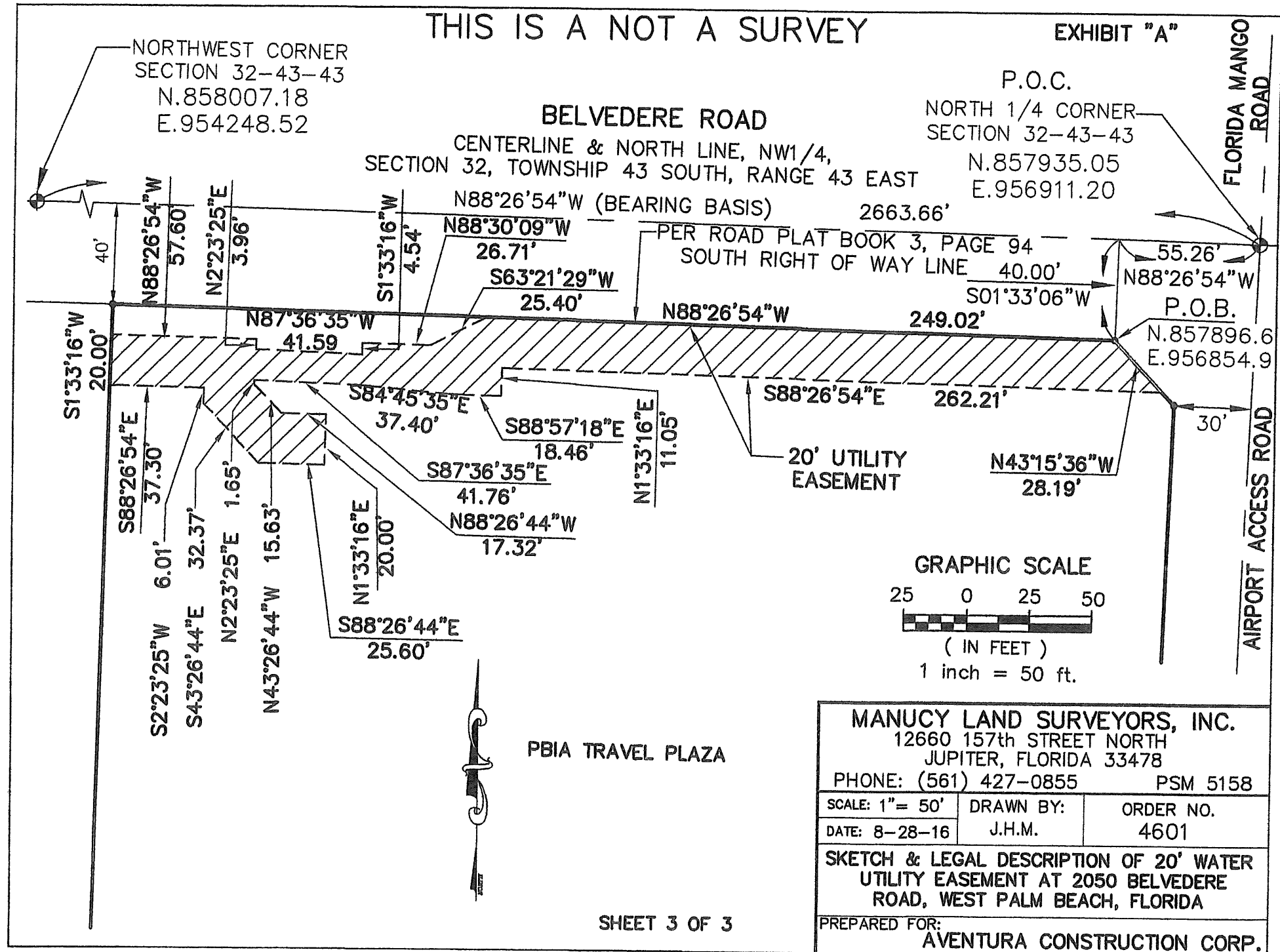


Exhibit “B”
(the “Sanitary Sewer Easement Premises”)
(Portions of PCN 00-43-43-32-00-000-1090 & 74-43-43-32-00-000-1050)

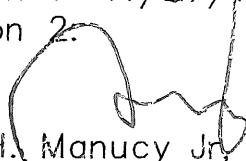
LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN PALM BEACH COUNTY INTERNATIONAL AIRPORT PROPERTY, SITUATE IN SECTION 32, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 32; THENCE NORTH 88°26'54" WEST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 32, A DISTANCE OF 377.83 FEET; THENCE SOUTH 01°33'06" WEST AT RIGHT ANGLE TO SAID SECTION LINE, A DISTANCE OF 295.79 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND: ; THENCE CONTINUE SOUTH 01°33'16" WEST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 88°26'46" EAST FOR A DISTANCE OF 275.34 FEET; THENCE SOUTH 82°29'23" EAST FOR A DISTANCE OF 135.92 FEET; THENCE SOUTH 71°49'13" EAST FOR A DISTANCE OF 176.62 FEET; THENCE SOUTH 08°50'05" EAST FOR A DISTANCE OF 68.70 FEET; THENCE NORTH 80°58'05" EAST FOR A DISTANCE OF 20.00 FEET; THENCE NORTH 08°50'05" WEST FOR A DISTANCE OF 80.89 FEET; THENCE NORTH 71°49'13" WEST FOR A DISTANCE OF 190.73 FEET; THENCE NORTH 82°29'23" WEST FOR A DISTANCE OF 138.84 FEET; THENCE NORTH 88°26'46" WEST FOR A DISTANCE OF 276.38 FEET TO THE POINT OF BEGINNING. (CONTAINING 13,433.961 SQ.FT. OR 0.31 ACRES +/-)

SURVEYOR'S CERTIFICATE:

I hereby certify to the best of my knowledge and belief that this drawing is a true and correct representation of the LEGAL DESCRIPTION AND SKETCH of the real property described hereon. I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 5J-17 Florida Administrative Code.

Date : 8/28/2016
Revision 1: 11/27/16
Revision 2:


John H. Manucy Jr, P.S.M.
Professional Surveyor & Mapper
No. 5158
State of Florida.

MANUCY LAND SURVEYORS, INC. 12660 157th STREET NORTH JUPITER, FLORIDA 33478 PHONE: (561) 427-0855 PSM 5158		
SCALE: 1"= 80'	DRAWN BY: J.H.M.	ORDER NO. 4925
DATE: 8-28-16		
SKETCH & LEGAL DESCRIPTION OF 20' SANITARY SEWER UTILITY EASEMENT AT 2050 BELVEDERE ROAD, WEST PALM BEACH, FLORIDA		
PREPARED FOR: AVENTURA CONSTRUCTION CORP.		

SURVEYOR'S NOTES:

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- 2) BEARINGS SHOWN HEREON ARE BASED UPON A BEARING OF N.88°26'54" W ALONG THE
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SCALE FACTOR = 1.0000427
ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

MANUCY LAND SURVEYORS, INC. 12660 157th STREET NORTH JUPITER, FLORIDA 33478 PHONE: (561) 427-0855 PSM 5158		
SCALE: 1"= 80'	DRAWN BY: J.H.M.	ORDER NO. 4925
DATE: 8-28-16		
SKETCH & LEGAL DESCRIPTION OF 20' SANITARY SEWER UTILITY EASEMENT AT 2050 BELVEDERE ROAD, WEST PALM BEACH, FLORIDA		
PREPARED FOR: AVENTURA CONSTRUCTION CORP.		

THIS IS A NOT A SURVEY

EXHIBIT "B"

